NOVEMBER 8, 2017 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated November 8, 2017. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

10/27/17
Date

M. Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

10-27-17
Date

RECEIVED
2017 OCT 27 PM 6:02
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

November 8, 2017
Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. ***The Council agenda is available in alternative formats upon request***.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaria del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilties Act*. ***La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita***.

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben de abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*pagers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 8, 2017
ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 49
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 50 - 59
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 60 - 70

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

AGENDA

CITY COUNCIL MEETING

NOVEMBER 8, 2017

CITY OF DALLAS

1500 MARILLA STREET

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A.M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the Special City Council Meeting and City Council Meeting of October 25, 2017

CONSENT AGENDA

City Controller

2. An ordinance authorizing **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, in an aggregate principal amount not to exceed $350,000,000; **(2)** levying a tax in payment thereof; **(3)** awarding the sale thereof and approving execution of a Purchase Agreement, Deposit Agreement and an Escrow Agreement; **(4)** approving the official statement; **(5)** enacting other provisions relating to the subject; and **(6)** declaring an effective date - Not to exceed $771,500 - Financing: 2017 General Obligation Refunding and Improvement Bond Funds

CONSENT AGENDA (continued)

Dallas Animal Services

3. An ordinance **(1)** amending Chapter 7, "Animals," of the Dallas City Code by amending Sections 7-1.1, 7-3.1, and 7-4.7; **(2)** adding and clarifying definitions; **(3)** amending proper restraint for loose animals; **(4)** creating an offense for an owner failing to provide potable water and shelter while restraining certain animals; **(5)** clarifying the offense related to a tethered dog and deleting a defense to prosecution related to a tethered dog; and **(6)** amending requirements for tethered dogs - Financing: This action has no cost consideration to the City

Economic Development

4. Authorize a resolution supporting a housing and economic development impact study for the alternative scenarios identified for I-345 in the Dallas City Center Master Assessment Process (CityMAP) - Financing: No cost consideration to the City

Equipment & Building Services

5. Authorize a professional services contract with AECOM Technical Services, Inc. for architectural and engineering services for design, construction documents and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $332,178 - Financing: Convention Center Capital Construction Funds

6. Authorize a construction contract for the Dallas Museum of Art Sculpture Garden Renovation located at 1717 North Harwood Street - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed $1,290,000 - Financing: 2006 Bond Funds

7. Authorize additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park located at 1620 First Avenue - Financing: This action has no cost consideration to the City

8. Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs located at 1500 Marilla Street - Not to exceed $75,750, from $35,000 to $110,750 - Financing: Capital Construction Funds

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization

9. Authorize an amendment to Resolution No. 16-1449, previously approved on September 14, 2016, for a housing development loan with Dallas Area Habitat for Humanity for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to **(1)** extend the completion date from August 31, 2017 to April 30, 2018; and **(2)** amend the terms to incorporate contract thresholds - Financing: No cost consideration to the City

10. Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing and commercial use - Financing: No cost consideration to the City

11. Authorize **(1)** a public hearing to be held on January 10, 2018, to receive comments on the proposed City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan; and **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Office of Business Diversity

12. Authorize amendments to the City's Business Inclusion and Development Plan to **(1)** change Business Development and Procurement Services to Office of Business Diversity; and **(2)** establish a sunset date of September 30, 2020 for the existing Minority and Women Owned Business Enterprise program goals - Financing: No cost consideration to the City

Office of Cultural Affairs

13. A resolution authorizing **(1)** reimbursement to Dallas Center For The Performing Arts Foundation, Inc for payments made to Mooring Recovery Services, Inc. for emergency flood remediation and related repairs at the Dee and Charles Wyly Theater located at 2400 Flora Street in an amount not to exceed $139,404; and **(2)** an increase in appropriations in an amount not to exceed $139,404 in the Office of Cultural Affairs budget - Not to exceed $139,404 - Financing: Contingency Reserve Funds (to be reimbursed by property insurance)

CONSENT AGENDA (continued)

Office of Emergency Management

14. Authorize **(1)** acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2015 Homeland Security Grant Program-State Homeland Security Program (Grant No. EMW-2015-SS-00080/CFDA No. 97.067) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters in an amount not to exceed $6,000 for the period September 1, 2017 through December 31, 2017; **(2)** an increase in appropriations in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; **(3)** receipt and deposit of additional grant funds in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; and **(4)** execution of the grant agreement - Not to exceed $6,000, from $6,158,431 to $6,164,431 - Financing: U.S. Department of Homeland Security Grant Funds

15. Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2017 Homeland Security Grant, which includes the Urban Area Security Initiative (UASI) and the State Homeland Security Program (Federal/State Award ID No. EMW-2017-SS-00005/Grant Nos. 2979903, 2980303, 2980503, 2980703, 3176402, 3321901, 3418201, 3418301/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,648,806 for the period September 1, 2017 through February 29, 2020; **(2)** establishment of appropriations in an amount not to exceed $5,648,806 in the DHS-FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $5,648,806 in the FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; and **(4)** execution of the grant agreement - Not to exceed $$5,648,806 - Financing: U.S. Department of Homeland Security Grant Funds

Office of Procurement Services

16. Authorize a one-year service contract for licenses, maintenance, and support for McAfee VirusScan Threat Management Portfolio software - CDW Government LLC, most advantageous proposer of three - Not to exceed $166,422 - Financing: Current Funds (subject to appropriations)

17. Authorize a **(1)** one-year maintenance contract for maintenance and support of existing Kronos licenses, and hardware maintenance; and **(2)** three-year contract, with a one-year renewal option, for the purchase of an upgraded Kronos timekeeping system using web-access software as a service with hosted cloud storage, data conversion, maintenance, and support, distributed by Kronos Incorporated and sold through immixTechnology, Inc. through the Texas Department of Information Resources - Not to exceed $526,344 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (continued)

Office of Procurement Services (continued)

18. Authorize a four-year service contract, with one three-year renewal option, to provide payment substation and call center services for the payment of municipal court citations by defendants - Government Payment Service, Inc., most advantageous proposer of four - Financing: No cost consideration to the City (fees to be paid by the defendant)

19. Authorize a five-year service contract for arbitrage rebate calculation and compliance services for all applicable debt obligations outstanding and debt issued during the contract period - First Southwest Asset Management, LLC, most advantageous proposer of three - Not to exceed $95,000 - Financing: Current Funds ($57,000), Convention and Event Services Current Funds ($4,750), and Water Utilities Current Funds ($33,250) (subject to annual appropriations)

20. Authorize a five-year service contract for a water consumption rebate program for industrial, commercial, and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of three - Not to exceed $842,320 - Financing: Water Utilities Current Funds (subject to annual appropriations)

21. Authorize **(1)** a two-year master agreement for the purchase of grounds maintenance equipment with Longhorn, Inc. in the amount of $320,000, Professional Turf Products LP in the amount of $300,000, Z-Riders of Texas dba Cypress Lawn and Turf Equipment in the amount of $265,000, Four Brothers Outdoor Power in the amount of $90,000, C&M Air Cooled Engine, Inc. in the amount of $80,000, Kubota Tractor Corporation in the amount of $70,000, Tom Loftus Inc. dba Austin Turf & Tractor in the amount of $57,000, Luber Brothers in the amount of $40,000, Magnum Trailers in the amount of $33,000, Vermeer Equipment of Texas, Inc. in the amount of $28,000, Landmark Equipment, Inc., in the amount of $20,000, Terrain King Corporation in the amount of $10,000, and Hustler Turf Equipment in the amount of $10,000 through the Texas Association of School Boards; and **(2)** a two-year master agreement for the purchase of grounds maintenance equipment with Landmark Equipment, Inc. in the amount of $96,000, EZ-Liner Industries in the amount of $15,000, Earle Kinlaw Association, Inc. dba EKA, Inc. in the amount of $14,000, Cypress Lawn and Turf Equipment dba Z-Riders of Texas in the amount of $10,000, Luber Brothers in the amount of $6,000, and Textron, Inc. dba Jacobsen in the amount of $5,000 through the Houston-Galveston Area Council of Governments - Total not to exceed $1,469,000 - Financing: Current Funds

22. Authorize Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract with ESO Solutions, Inc. for maintenance and support of Visual Fire software - Not to exceed $168,223, from $312,797 to $481,020 - Financing: Current Funds (subject to appropriations)

CONSENT AGENDA (continued)

Park & Recreation

23. Authorize a construction contract for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center located at 10031 East Northwest Highway - HP Ecological Services, LLC dba HP EnviroVision, lowest responsible bidder of five - Not to exceed $342,069 - Financing: 2006 Bond Funds

24. Authorize a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International Inc. for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing public access from the adjacent street right-of-way to the Katy Trail located at northern terminus of North Harwood Street - Financing: No cost consideration to the City

Police

25. Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2018-Dallas-IDM-00011, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of $38,655 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018; **(2)** the establishment of appropriations in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; **(4)** a local cash match in an amount not to exceed $9,772; and **(5)** execution of the grant agreement - Total not to exceed $48,427 - Financing: Texas Department of Transportation Grant Funds ($38,655) and Current Funds ($9,772) (subject to appropriations)

Public Works Department

26. Authorize a contract for the reconstruction of alley paving, storm drainage, drive approaches, and wastewater improvements for Alley Reconstruction Group 12-2033 (list attached) - MACVAL Associates, LLC, lowest responsible bidder of nine - Not to exceed $2,372,467 - Financing: 2012 Bond Funds ($1,690,297), Water Utilities Capital Improvement Funds ($639,620) and Water Utilities Capital Construction Funds ($42,550)

CONSENT AGENDA (continued)

Public Works Department (continued)

27. Authorize **(1)** the First Amendment to the Funding Agreement with the North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline; and **(2)** an Amendment to Resolution No. 12-1624, previously approved on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project - Financing: No cost consideration to the City

28. Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project to provide the City of Dallas' share of additional construction costs for water main and wastewater main improvements; and **(2)** payment to Dallas County for the City's share of additional construction costs for water main and wastewater main improvements - Not to exceed $150,398 - Financing: Water Utilities Capital Construction Funds ($2,000) and Water Utilities Capital Improvement Funds ($148,398)

29. Authorize **(1)** the Second Amendment to the Project Supplemental Agreement with Dallas County for the City's share of additional construction costs for water and wastewater main improvements on Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane; and **(2)** payment to Dallas County for the City's share of additional construction costs for water and wastewater improvements - Not to exceed $1,099,033 - Financing: Water Utilities Capital Construction Funds ($22,850), and Water Utilities Capital Improvement Funds ($1,076,183)

Sustainable Development and Construction

30. Authorize acquisition from Rosa Flor Delgado, of approximately 7,500 square feet of land improved with a single family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights Phase II Project - Not to exceed $33,500 ($29,500, plus closing costs not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds

31. Authorize acquisition from the Estate of Allan Zidell, of approximately 59,554 square feet of land with a manufactured dwelling located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $30,000 ($26,860, plus closing costs and title expenses not to exceed $3,140) - Financing: Water Utilities Capital Construction Funds

32. Authorize acquisition from George Bowman and Delia C. Bowman, of approximately 8,070 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $34,000 ($31,000, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

33. Authorize acquisition from Margaret Dodson, of approximately 15,853 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $55,500 ($52,500, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds

34. Authorize acquisition from Judy Duncan and Raymond Anthony Duncan, of approximately 20,179 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $37,000 ($34,400, plus closing costs and title expenses not to exceed $2,600) - Financing: Water Utilities Capital Improvement Funds

35. Authorize acquisition from AV Prestonwood Trails, LLC, a wastewater easement of a total of approximately 21,872 square feet of land located near the southeast corner of Keller Springs Road and Campbell Road for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $274,954 ($264,954, plus closing costs and title expenses not to exceed $10,000) - Financing: Water Utilities Capital Construction Funds

36. Authorize acquisition from John H. Richardson, of a wastewater easement of approximately 325 square feet of land located near the intersection of Spanky Branch Court for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $5,144 ($4,144, plus closing costs and title expenses not to exceed $1,000) - Financing: Water Utilities Capital Construction Funds

37. A resolution authorizing the conveyance of approximately 17,641 square feet of improved City-owned land to the State of Texas located near the intersection of South Harwood Street and Park Row Avenue - Revenue: $198,279

38. An ordinance providing for the closure and vacation of a portion of Live Oak Street containing approximately 22,120 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Financing: No cost consideration to the City

39. An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 2,250 square feet of land, located near the intersection of Lafayette and Ashby Streets; and authorizing the quitclaim - Revenue: $76,500, plus the $20 ordinance publication fee

40. An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 4,725 square feet of land, located near the intersection of Lafayette Street and Carroll Avenue; and authorizing the quitclaim - Revenue: $161,500, plus the $20 ordinance publication fee

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

41. An ordinance abandoning a portion of an alley to Henderson Residential Lands (Dallas), LLC, the abutting owner, containing approximately 925 square feet of land, located near the intersection of McMillan and Henderson Avenues; authorizing the quitclaim; and providing for the dedication of approximately 4,059 square feet of land needed for street right-of-way - Revenue: $5,400, plus the $20 ordinance publication fee

42. An ordinance abandoning a sanitary sewer easement to the City of Dallas, the abutting owner, containing approximately 2,131 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Revenue: $5,400, plus the $20 ordinance publication fee

43. An ordinance abandoning a sanitary sewer easement, a water easement and a public drainage easement to Whitewave Foods Company, the abutting owner, containing a total of approximately 42,365 square feet of land located near the intersection of Kiest Boulevard and Dan Morton Drive - Revenue: $5,400, plus the $20 ordinance publication fee

44. An ordinance abandoning a utility easement to LH Skillman Partners, Ltd., the abutting owner, containing approximately 18,757 square feet of land, located near the intersection of Skillman Street and Vintage Oaks Court - Revenue: $5,400, plus the $20 ordinance publication fee

45. An ordinance amending Chapter 39A, “Relocation Assistance - Eminent Domain,” of the Dallas City Code, by amending Sections 39A-1, 39A-2, 39A-3; repealing and reserving Sections 39A-4, 39A-5, and 39A-6; **(1)** providing a purpose of the chapter; **(2)** adopting the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and additional Provisions as the City's relocation assistance program; **(3)** adding and deleting definitions; and **(4)** making certain other structural, grammatical, or clarifying changes - Financing: No cost consideration to the City

Trinity Watershed Management

46. Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the purchase of digital aerial orthophotography - Not to exceed $69,300 - Financing: Stormwater Drainage Management Current Funds

47. Authorize the conveyance of a **(1)** pipeline easement containing a total of approximately 839,628 square feet of land; and **(2)** temporary construction easement containing a total of approximately 278,151 square feet of land to Atmos Energy Corporation for the installation, use, and maintenance of gas facilities across City-owned land for the transportation of gas located in the Dallas Floodway between State Highway 356 and Inwood Road - Revenue: $54,574

CONSENT AGENDA (continued)

Trinity Watershed Management (continued)

48. Authorize a contract for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects (list attached) - Quick Set Concrete, Inc., lowest responsible bidder of two - Not to exceed $778,095 - Financing: Stormwater Drainage Management Capital Construction Funds

49. Authorize a contract for the construction of the Loop 12 Paving Improvements Project - Gibson & Associates, Inc., lowest responsible bidder of seven - Not to exceed $572,882 - Financing: 1998 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

50. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Civil Service

51. Authorize **(1)** the reappointment of two Administrative Law Judges (ALJ), LaKisha Thigpen and James E. Urmin Sr.; **(2)** the appointment of Karen R. Washington and Hobert T. Douglas, as Administrative Law Judges for the period January 1, 2018 through December 31, 2019, to hear employee appeals of terminations and demotions; and **(3)** contracts with each ALJ in the amount of $4,000 each - Total not to exceed $16,000 ($8,000 to be reimbursed by the appealing employees) - Financing: Current Funds (subject to appropriations)

Economic Development

52. Authorize **(1)** a public hearing to be held on December 13, 2017, to receive comments to consider the designation of a Tax Increment Financing Reinvestment Zone comprising the University Center area and the University Hills area (University TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing **(2)** consideration of an ordinance designating the University TIF District - Financing: No cost consideration to the City

Sustainable Development and Construction

53. Authorize an historic preservation tax exemption for Factory Six03 located at 603 Munger Avenue for a ten-year period on 100 percent of the land and structure value - Revenue Foregone: First year tax revenue foregone estimated at $36,662 (Estimated revenue foregone over ten years is $366,620)

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)

Water Utilities

*__Note__: Item Nos. 54 and 55 must be considered collectively.

Walnut Hill Pump Station Facility

54. Ratify the use of the design-build delivery method pursuant to Texas Local Government Code Chapter 252.022(d) for improvements to the Walnut Hill Pump Station facility - Financing: No cost consideration to the City

55. Authorize a design-build contract with Eagle Contracting Limited Partnership for improvements to the Walnut Hill Pump Station facility - Not to exceed $575,192 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR FURTHER CONSIDERATION

City Secretary's Office

56. A resolution considering the Ethics Advisory Commission's (EAC) recommended sanction against Councilmember Philip Kingston, in connection with the EAC's finding of a violation of Chapter 12A of the Dallas City Code (Code of Ethics) - Financing: No cost consideration to the City (This item was deferred on October 25, 2017)

Department of Transportation

57. Authorize the City Manager to request that the Texas Department of Transportation pursue the removal of the Live Oak off-ramp (Exit 284B) from southbound Interstate Highway 345/U.S. Highway 75 - Financing: No cost consideration to the City (This item was deferred on October 25, 2017)

Sustainable Development and Construction

58. An ordinance abandoning an access easement to GCG-RICCA JV, LLC, the abutting owner, containing approximately 1,050 square feet of land located near the intersection of Henderson Avenue and Victor Street; and authorizing the quitclaim - Revenue: $10,500, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)

59. An ordinance abandoning a floodway easement and a floodway maintenance access easement to FWLB SKILLMAN, LP, the abutting owner, containing a total of approximately 51,408 square feet of land located near the intersection of Skillman and Larmanda Streets - Revenue: $5,400, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

60. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions
Z167-151(WE)

61. A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-326(SM)

62. A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue
Recommendation of Staff and CPC: Approval
Z167-332(JM)

63. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 70 for CR Community Retail District uses, on the northeast corner of Midway Road and West Northwest Highway (Loop 12)
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-363(JM)

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z167-364(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - INDIVIDUAL

65. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street
Recommendation of Staff: Approval, subject to a development plan, elevation plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan, elevation plan and conditions
Z167-300(KK)

66. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned an MF-2(A) Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Reagan Street, west of Congress Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z167-357(PD)

67. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive
Recommendation of Staff: Approval of the renewal of Specific Use Permit No. 2161 for a two-year period, subject to a site plan and conditions
Recommendation of CPC: Approval of the renewal of Specific Use Permit No. 2161 for a five-year period, subject to a site plan and conditions
Z167-358(JM)

68. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z167-366(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

69. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-266(KK)
Note: This item was considered by the City Council at public hearings on August 23, 2017 and October 25, 2017, and was deferred until November 8, 2017, with the public hearing open

STREET NAME CHANGE

70. A public hearing to receive comments regarding a proposal to change the name of Plano Road, between East Northwest Highway and Forest Lane to “N. Lake Highlands Drive” - NC167-006 - Financing: No cost consideration to the City

Alley Reconstruction Group 12-2033
Agenda Item # 26

Project	**Council District**
Blue Mesa Drive (6834-6922) and Hillcrest Road (17702-17726)	12
Claren Court (7114-7122) and Judi Court (7104-7112)	12
Duffield Drive (6321-6415) and Earthwind Drive (17134-17222)	12
Earthwind Drive (17101-17409) and Campbell Road (6001-6101)	12
Hillcrest Road (17226-17820) and Blue Mesa Drive (6926-6930)	12
Hillcrest Road (17920-18014) and Bremerton Drive (7003-7011)	12
Townsley Court (17203-17215)	12

Storm Drainage Improvement Group 1
Agenda Item # 48

Storm Drainage Project	**Council District**	**Construction Cost**
6624 & 6625 Azalea Lane Drainage Relief	11	$ 473,390.00
Briarwood Lane Drainage Ditch Restoration	13	$ 211,355.00
Dexter Drive Cul-De-Sac	13	$ 93,350.00

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

AGENDA DATE November 8, 2017

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the Special City Council Meeting and City Council Meeting of October 25, 2017
2			All	C	CON	$771,500.00	NA	NA	An ordinance authorizing (1) the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, in an aggregate principal amount not to exceed $350,000,000; (2) levying a tax in payment thereof; (3) awarding the sale thereof and approving execution of a Purchase Agreement, Deposit Agreement and an Escrow Agreement; (4) approving the official statement; (5) enacting other provisions relating to the subject; and (6) declaring an effective date - Not to exceed $771,500 - Financing: 2017 General Obligation Refunding and Improvement Bond Funds
3			N/A	C	DAS	NC	NA	NA	An ordinance (1) amending Chapter 7, "Animals," of the Dallas City Code by amending Sections 7-1.1, 7-3.1, and 7-4.7; (2) adding and clarifying definitions; (3) amending proper restraint for loose animals; (4) creating an offense for an owner failing to provide potable water and shelter while restraining certain animals; (5) clarifying the offense related to a tethered dog and deleting a defense to prosecution related to a tethered dog; and (6) amending requirements for tethered dogs - Financing: This action has no cost consideration to the City
4			14	C	ECO	NC	NA	NA	Authorize a resolution supporting a housing and economic development impact study for the alternative scenarios identified for I-345 in the Dallas City Center Master Assessment Process (CityMAP) - Financing: No cost consideration to the City
5			2	C	EBS, CES	$332,178.00	66.46%	33.54%	Authorize a professional services contract with AECOM Technical Services, Inc. for architectural and engineering services for design, construction documents and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $332,178 - Financing: Convention Center Capital Construction Funds
6			14	C	EBS	$1,290,000.00	70.42%	27.67%	Authorize a construction contract for the Dallas Museum of Art Sculpture Garden Renovation located at 1717 North Harwood Street - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed $1,290,000 - Financing: 2006 Bond Funds
7			7	C	EBS, OPI	NC	NA	NA	Authorize additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park located at 1620 First Avenue - Financing: This action has no cost consideration to the City
8			2	C	EBS	$75,750.00	100%	100%	Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs located at 1500 Marilla Street - Not to exceed $75,750, from $35,000 to $110,750 - Financing: Capital Construction Funds
9			7	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 16-1449, previously approved on September 14, 2016, for a housing development loan with Dallas Area Habitat for Humanity for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to (1) extend the completion date from August 31, 2017 to April 30, 2018; and (2) amend the terms to incorporate contract thresholds - Financing: No cost consideration to the City
10			All	C	HOU	NC	NA	NA	Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing and commercial use - Financing: No cost consideration to the City
11			All	C	HOU	NC	NA	NA	Authorize (1) a public hearing to be held on January 10, 2018, to receive comments on the proposed City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan; and (2) at the close of the public hearing, consideration of approval of the City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City
12			All	C	OBD	NC	NA	NA	Authorize amendments to the City's Business Inclusion and Development Plan to (1) change Business Development and Procurement Services to Office of Business Diversity; and (2) establish a sunset date of September 30, 2020 for the existing Minority and Women Owned Business Enterprise program goals - Financing: No cost consideration to the City

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
13			14	C	OCA	$139,403.87	NA	NA	A resolution authorizing (1) reimbursement to Dallas Center For The Performing Arts Foundation, Inc for payments made to Mooring Recovery Services, Inc. for emergency flood remediation and related repairs at the Dee and Charles Wyly Theater located at 2400 Flora Street in an amount not to exceed $139,404; and (2) an increase in appropriations in an amount not to exceed $139,404 in the Office of Cultural Affairs budget - Not to exceed $139,404 - Financing: Contingency Reserve Funds (to be reimbursed by property insurance)
14			All	C	OEM	GT	NA	NA	Authorize (1) acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2015 Homeland Security Grant Program-State Homeland Security Program (Grant No. EMW-2015-SS-00080/CFDA No. 97.067) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters in an amount not to exceed $6,000 for the period September 1, 2017 through December 31, 2017; (2) an increase in appropriations in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; (3) receipt and deposit of additional grant funds in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; and (4) execution of the grant agreement - Not to exceed $6,000, from $6,158,431 to $6,164,431 - Financing: U.S. Department of Homeland Security Grant Funds
15			All	C	OEM	GT	NA	NA	Authorize the (1) acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2017 Homeland Security Grant, which includes the Urban Area Security Initiative (UASI) and the State Homeland Security Program (Federal/State Award ID No. EMW-2017-SS-00005/Grant Nos. 2979903, 2980303, 2980503, 2980703, 3176402, 3321901, 3418201, 3418301/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,648,806 for the period September 1, 2017 through February 29, 2020; (2) establishment of appropriations in an amount not to exceed $5,648,806 in the DHS-FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; (3) receipt and deposit of grant funds in an amount not to exceed $5,648,806 in the FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; and (4) execution of the grant agreement - Not to exceed $$5,648,806 - Financing: U.S. Department of Homeland Security Grant Funds
16			All	C	PBD, CIS	$166,421.08	0.00%	0.00%	Authorize a one-year service contract for licenses, maintenance, and support for McAfee VirusScan Threat Management Portfolio software - CDW Government LLC, most advantageous proposer of three - Not to exceed $166,422 - Financing: Current Funds (subject to appropriations)
17			All	C	PBD, CIS	$526,343.91	NA	NA	Authorize a (1) one-year maintenance contract for maintenance and support of existing Kronos licenses, and hardware maintenance; and (2) three-year contract, with a one-year renewal option, for the purchase of an upgraded Kronos timekeeping system using web-access software as a service with hosted cloud storage, data conversion, maintenance, and support, distributed by Kronos Incorporated and sold through immixTechnology, Inc. through the Texas Department of Information Resources - Not to exceed $526,344 - Financing: Current Funds (subject to annual appropriations)
18			All	C	PBD, CDS	NC	NA	NA	Authorize a four-year service contract, with one three-year renewal option, to provide payment substation and call center services for the payment of municipal court citations by defendants - Government Payment Service, Inc., most advantageous proposer of four - Financing: No cost consideration to the City (fees to be paid by the defendant)
19			All	C	PBD, CON, CES, WTR	$95,000.00	100%	0.00%	Authorize a five-year service contract for arbitrage rebate calculation and compliance services for all applicable debt obligations outstanding and debt issued during the contract period - First Southwest Asset Management, LLC, most advantageous proposer of three - Not to exceed $95,000 - Financing: Current Funds ($57,000), Convention and Event Services Current Funds ($4,750), and Water Utilities Current Funds ($33,250) (subject to annual appropriations)
20			All	C	PBD, WTR	$842,320.00	0.00%	0.00%	Authorize a five-year service contract for a water consumption rebate program for industrial, commercial, and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of three - Not to exceed $842,320 - Financing: Water Utilities Current Funds (subject to annual appropriations)

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
21			All	C	PBD, PKR	$1,469,000.00	NA	NA	Authorize (1) a two-year master agreement for the purchase of grounds maintenance equipment with Longhorn, Inc. in the amount of $320,000, Professional Turf Products LP in the amount of $300,000, Z-Riders of Texas dba Cypress Lawn and Turf Equipment in the amount of $265,000, Four Brothers Outdoor Power in the amount of $90,000, C&M Air Cooled Engine, Inc. in the amount of $80,000, Kubota Tractor Corporation in the amount of $70,000, Tom Loftus Inc. dba Austin Turf & Tractor in the amount of $57,000, Luber Brothers in the amount of $40,000, Magnum Trailers in the amount of $33,000, Vermeer Equipment of Texas, Inc. in the amount of $28,000, Landmark Equipment, Inc., in the amount of $20,000, Terrain King Corporation in the amount of $10,000, and Hustler Turf Equipment in the amount of $10,000 through the Texas Association of School Boards; and (2) a two-year master agreement for the purchase of grounds maintenance equipment with Landmark Equipment, Inc. in the amount of $96,000, EZ-Liner Industries in the amount of $15,000, Earle Kinlaw Association, Inc. dba EKA, Inc. in the amount of $14,000, Cypress Lawn and Turf Equipment dba Z-Riders of Texas in the amount of $10,000, Luber Brothers in the amount of $6,000, and Textron, Inc. dba Jacobsen in the amount of $5,000 through the Houston-Galveston Area Council of Governments - Total not to exceed $1,469,000 - Financing: Current Funds
22			All	C	PBD, CIS, FIR	$168,223.00	0.00%	0.00%	Authorize Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract with ESO Solutions, Inc. for maintenance and support of Visual Fire software - Not to exceed $168,223, from $312,797 to $481,020 - Financing: Current Funds (subject to appropriations)
23			10	C	PKR	$342,069.00	100%	25%	Authorize a construction contract for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center located at 10031 East Northwest Highway - HP Ecological Services, LLC dba HP EnviroVision, lowest responsible bidder of five - Not to exceed $342,069 - Financing: 2006 Bond Funds
24			2	C	PKR	NC	NA	NA	Authorize a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International Inc. for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing public access from the adjacent street right-of-way to the Katy Trail located at northern terminus of North Harwood Street - Financing: No cost consideration to the City
25			All	C	POL	$9,771.50	NA	NA	Authorize (1) the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2018-Dallas-IDM-00011, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of $38,655 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018; (2) the establishment of appropriations in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; (3) the receipt and deposit of grant funds in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; (4) a local cash match in an amount not to exceed $9,772; and (5) execution of the grant agreement - Total not to exceed $48,427 - Financing: Texas Department of Transportation Grant Funds ($38,655) and Current Funds ($9,772) (subject to appropriations)
26			12	C	PBW, WTR	$2,372,467.00	100%	33.98%	Authorize a contract for the reconstruction of alley paving, storm drainage, drive approaches, and wastewater improvements for Alley Reconstruction Group 12-2033 - MACVAL Associates, LLC, lowest responsible bidder of nine - Not to exceed $2,372,467 - Financing: 2012 Bond Funds ($1,690,297), Water Utilities Capital Improvement Funds ($639,620) and Water Utilities Capital Construction Funds ($42,550)
27			1	C	PBW, ECO	NC	NA	NA	Authorize (1) the First Amendment to the Funding Agreement with the North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline; and (2) an Amendment to Resolution No. 12-1624, previously approved on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project - Financing: No cost consideration to the City

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
28			3	C	PBW, WTR	$150,398.00	NA	NA	Authorize (1) the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project to provide the City of Dallas' share of additional construction costs for water main and wastewater main improvements; and (2) payment to Dallas County for the City's share of additional construction costs for water main and wastewater main improvements - Not to exceed $150,398 - Financing: Water Utilities Capital Construction Funds ($2,000) and Water Utilities Capital Improvement Funds ($148,398)
29			6	C	PBW, WTR	$1,099,032.47	NA	NA	Authorize (1) the Second Amendment to the Project Supplemental Agreement with Dallas County for the City's share of additional construction costs for water and wastewater main improvements on Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane; and (2) payment to Dallas County for the City's share of additional construction costs for water and wastewater improvements - Not to exceed $1,099,033 - Financing: Water Utilities Capital Construction Funds ($22,850), and Water Utilities Capital Improvement Funds ($1,076,183)
30			4	C	DEV, EBS	$33,500.00	NA	NA	Authorize acquisition from Rosa Flor Delgado, of approximately 7,500 square feet of land improved with a single family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights Phase II Project - Not to exceed $33,500 ($29,500, plus closing costs not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds
31			Outside	C	DEV, WTR	$30,000.00	NA	NA	Authorize acquisition from the Estate of Allan Zidell, of approximately 59,554 square feet of land with a manufactured dwelling located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $30,000 ($26,860, plus closing costs and title expenses not to exceed $3,140) - Financing: Water Utilities Capital Construction Funds
32			Outside	C	DEV, WTR	$34,000.00	NA	NA	Authorize acquisition from George Bowman and Delia C. Bowman, of approximately 8,070 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $34,000 ($31,000, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds
33			Outside	C	DEV, WTR	$55,500.00	NA	NA	Authorize acquisition from Margaret Dodson, of approximately 15,853 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $55,500 ($52,500, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds
34			Outside	C	DEV, WTR	$37,000.00	NA	NA	Authorize acquisition from Judy Duncan and Raymond Anthony Duncan, of approximately 20,179 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $37,000 ($34,400, plus closing costs and title expenses not to exceed $2,600) - Financing: Water Utilities Capital Improvement Funds
35			12	C	DEV, WTR	$274,954.00	NA	NA	Authorize acquisition from AV Prestonwood Trails, LLC, a wastewater easement of a total of approximately 21,872 square feet of land located near the southeast corner of Keller Springs Road and Campbell Road for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $274,954 ($264,954, plus closing costs and title expenses not to exceed $10,000) - Financing: Water Utilities Capital Construction Funds
36			12	C	DEV, WTR	$5,144.00	NA	NA	Authorize acquisition from John H. Richardson, of a wastewater easement of approximately 325 square feet of land located near the intersection of Spanky Branch Court for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $5,144 ($4,144, plus closing costs and title expenses not to exceed $1,000) - Financing: Water Utilities Capital Construction Funds
37			7	C	DEV	REV $198,279	NA	NA	A resolution authorizing the conveyance of approximately 17,641 square feet of improved City-owned land to the State of Texas located near the intersection of South Harwood Street and Park Row Avenue - Revenue: $198,279
38			14	C	DEV, PKR	NC	NA	NA	An ordinance providing for the closure and vacation of a portion of Live Oak Street containing approximately 22,120 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Financing: No cost consideration to the City
39			2	C	DEV	REV $76,500	NA	NA	An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 2,250 square feet of land, located near the intersection of Lafayette and Ashby Streets; and authorizing the quitclaim - Revenue: $76,500, plus the $20 ordinance publication fee

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
40			2	C	DEV	REV $161,500	NA	NA	An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 4,725 square feet of land, located near the intersection of Lafayette Street and Carroll Avenue; and authorizing the quitclaim - Revenue: $161,500, plus the $20 ordinance publication fee
41			2	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a portion of an alley to Henderson Residential Lands (Dallas), LLC, the abutting owner, containing approximately 925 square feet of land, located near the intersection of McMillan and Henderson Avenues; authorizing the quitclaim; and providing for the dedication of approximately 4,059 square feet of land needed for street right-of-way - Revenue: $5,400, plus the $20 ordinance publication fee
42			14	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a sanitary sewer easement to the City of Dallas, the abutting owner, containing approximately 2,131 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Revenue: $5,400, plus the $20 ordinance publication fee
43			3	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a sanitary sewer easement, a water easement and a public drainage easement to Whitewave Foods Company, the abutting owner, containing a total of approximately 42,365 square feet of land located near the intersection of Kiest Boulevard and Dan Morton Drive - Revenue: $5,400, plus the $20 ordinance publication fee
44			10	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a utility easement to LH Skillman Partners, Ltd., the abutting owner, containing approximately 18,757 square feet of land, located near the intersection of Skillman Street and Vintage Oaks Court - Revenue: $5,400, plus the $20 ordinance publication fee
45			All	C	DEV	NC	NA	NA	An ordinance amending Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code, by amending Sections 39A-1, 39A-2, 39A-3; repealing and reserving Sections 39A-4, 39A-5, and 39A-6; (1) providing a purpose of the chapter; (2) adopting the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and additional Provisions as the City's relocation assistance program; (3) adding and deleting definitions; and (4) making certain other structural, grammatical, or clarifying changes – Financing: No cost consideration to the City
46			All	C	TWM	$69,300.00	NA	NA	Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the purchase of digital aerial orthophotography - Not to exceed $69,300 - Financing: Stormwater Drainage Management Current Funds
47			6	C	TWM	REV $54,574	NA	NA	Authorize the conveyance of a (1) pipeline easement containing a total of approximately 839,628 square feet of land; and (2) temporary construction easement containing a total of approximately 278,151 square feet of land to Atmos Energy Corporation for the installation, use, and maintenance of gas facilities across City-owned land for the transportation of gas located in the Dallas Floodway between State Highway 356 and Inwood Road - Revenue: $54,574
48			11, 13	C	TWM	$778,095.00	14.04%	74.87%	Authorize a contract for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects - Quick Set Concrete, Inc., lowest responsible bidder of two - Not to exceed $778,095 - Financing: Stormwater Drainage Management Capital Construction Funds
49			7, 8	C	TWM	$572,881.50	91.51%	33.39%	Authorize a contract for the construction of the Loop 12 Paving Improvements Project - Gibson & Associates, Inc., lowest responsible bidder of seven - Not to exceed $572,882 - Financing: 1998 Bond Funds
50			N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
51			N/A	I	CVS	$16,000.00	NA	NA	Authorize (1) the reappointment of two Administrative Law Judges (ALJ), LaKisha Thigpen and James E. Urmin Sr.; (2) the appointment of Karen R. Washington and Hobert T. Douglas, as Administrative Law Judges for the period January 1, 2018 through December 31, 2019, to hear employee appeals of terminations and demotions; and (3) contracts with each ALJ in the amount of $4,000 each - Total not to exceed $16,000 ($8,000 to be reimbursed by the appealing employees) - Financing: Current Funds (subject to appropriations)
52			8, 12	I	ECO	NC	NA	NA	Authorize (1) a public hearing to be held on December 13, 2017, to receive comments to consider the designation of a Tax Increment Financing Reinvestment Zone comprising the University Center area and the University Hills area (University TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing (2) consideration of an ordinance designating the University TIF District - Financing: No cost consideration to the City

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
53			14	I	DEV	REV $-366,620	NA	NA	Authorize an historic preservation tax exemption for Factory Six03 located at 603 Munger Avenue for a ten-year period on 100 percent of the land and structure value - Revenue Foregone: First year tax revenue foregone estimated at $36,662 (Estimated revenue foregone over ten years is $366,620)
54			6	C	WTR	NC	NA	NA	Walnut Hill Pump Station Facility: Ratify the use of the design-build delivery method pursuant to Texas Local Government Code Chapter 252.022(d) for improvements to the Walnut Hill Pump Station facility - Financing: No cost consideration to the City
55			6	C	WTR	$575,192.00	70.84%	70.84%	Walnut Hill Pump Station Facility: Authorize a design-build contract with Eagle Contracting Limited Partnership for improvements to the Walnut Hill Pump Station facility - Not to exceed $575,192 - Financing: Water Utilities Capital Improvement Funds
56			All	I	SEC	NC	NA	NA	A resolution considering the Ethics Advisory Commission's (EAC) recommended sanction against Councilmember Philip Kingston, in connection with the EAC's finding of a violation of Chapter 12A of the Dallas City Code (Code of Ethics) – Financing: No cost consideration to the City (This item was deferred on October 25, 2017)
57			14	I	TRN	NC	NA	NA	Authorize the City Manager to request that the Texas Department of Transportation pursue the removal of the Live Oak off-ramp (Exit 284B) from southbound Interstate Highway 345/U.S. Highway 75 - Financing: No cost consideration to the City (This item was deferred on October 25, 2017)
58			2	I	DEV	REV $10,500	NA	NA	An ordinance abandoning an access easement to GCG-RICCA JV, LLC, the abutting owner, containing approximately 1,050 square feet of land located near the intersection of Henderson Avenue and Victor Street; and authorizing the quitclaim - Revenue: $10,500, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)
59			13	I	DEV	REV $5,400	NA	NA	An ordinance abandoning a floodway easement and a floodway maintenance access easement to FWLB SKILLMAN, LP, the abutting owner, containing a total of approximately 51,408 square feet of land located near the intersection of Skillman and Larmanda Streets - Revenue: $5,400, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)
60			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard
61			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive
62			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue
63			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 70 for CR Community Retail District uses, on the northeast corner of Midway Road and West Northwest Highway (Loop 12)
64			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive
65			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street
66			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned an MF-2(A) Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Reagan Street, west of Congress Avenue
67			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive

AGENDA DATE November 8, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
68			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane
69			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
70			10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding a proposal to change the name of Plano Road, between East Northwest Highway and Forest Lane to "N. Lake Highlands Drive" - NC167-006 - Financing: No cost consideration to the City

TOTAL $12,331,444.33

AGENDA ITEM # 2

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: City Controller

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

An ordinance authorizing **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, in an aggregate principal amount not to exceed $350,000,000; **(2)** levying a tax in payment thereof; **(3)** awarding the sale thereof and approving execution of a Purchase Agreement, Deposit Agreement and an Escrow Agreement; **(4)** approving the official statement; **(5)** enacting other provisions relating to the subject; and **(6)** declaring an effective date - Not to exceed $771,500 - Financing: 2017 General Obligation Refunding and Improvement Bond Funds

BACKGROUND

Pursuant to elections held in November 2006 and November 2012, the residents of Dallas voted and authorized the City of Dallas to issue general obligation bonds for the purpose of providing funds for permanent public improvements. The City's Financial Advisors, PFM, recommend refunding a portion of outstanding Series 2007A Bonds and issuance of improvement bonds to finance capital improvement projects at the City.

The City's financial advisors recommend issuing up to $350,000,000 in refunding and improvement bonds for the purpose of funding capital improvements, and refunding certain outstanding bonds. Based on recent market conditions, the refunding is expected to result in a net present value savings of approximately $3.018 million. Actual savings will depend on market conditions at the time of the sale.

Issuance of bonds will be used for refunding of up to $50,000,000 in outstanding general obligation bonds in accordance with the Capital Improvement Program. Issuance up to $300,000,000 of Improvement bonds will also be used to finance capital improvements.

BACKGROUND (continued)

This ordinance authorizes City staff and financial advisors, subject to parameters, to competitively bid the sale and issuance of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, and establishes the maximum par amount of bonds to be issued at $350,000,000.

ESTIMATED SCHEDULE OF PROJECT

Authorize Preparation for Issuance of Bonds	October 2017
Approval of Parameters Ordinance	November 2017
Pricing	November 2017
Delivery of Proceeds	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee was briefed on this item on October 16, 2017.

On October 25, 2017, City Council authorized the preparation of plans for issuance of General Obligation Refunding and Improvement Bonds, Series 2017 by Resolution No. 17-1646.

FISCAL INFORMATION

2017 General Obligation Refunding and Improvement Bond Funds - $771,500 (See Attachment I).

M/WBE INFORMATION

See Attachment I for M/WBE participation.

Attachment I

Series 2017
General Obligation
Refunding and Improvement Bonds
$350,000,000

Estimate of Total Bond Issuance Costs and M/WBE Participation

Co-Bond Counsel		
Bracewell (Vendor VS0000056820)	$ 135,000	17%
West & Associates (Vendor 330805)*	100,000	13%
Disclosure Counsel		
Andrews Kurth (Vendor 330805)	80,000	10%
Financial Advisor		
PFM (Vendor VC16222)	218,000	28%
Printing Fee		
TBD*	10,000	1%
Rating Agencies		
Fitch Ratings (Vendor VC14720)	90,000	12%
S&P Global (Vendor 954974)	110,000	14%
Auditor		
Grant Thornton (Vendor VS0000007921)	14,000	2%
Attorney General Filing Fee	9,500	1%
Misc. Expenses	5,000	1%
Total Issuance Costs	$ 771,500	100%
*Total M/WBE Participation as % of Total Issuance Costs:	$ 110,000	14%

ORDINANCE NO. _____
AUTHORIZING THE ISSUANCE OF

CITY OF DALLAS, TEXAS
GENERAL OBLIGATION REFUNDING
AND IMPROVEMENT BONDS
SERIES 2017

Adopted: November 8, 2017

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF DALLAS, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2017, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $350,000,000; LEVYING A TAX IN PAYMENT THEREOF; AWARDING THE SALE THEREOF AND APPROVING EXECUTION OF A PURCHASE AGREEMENT, DEPOSIT AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, pursuant to special elections held in the City of Dallas (the "City") on November 7, 2006 and November 6, 2012, a majority of the duly qualified resident electors of the City voting at such elections sustained propositions authorizing the City Council of the City (the "City Council") to issue general obligation bonds of the City for the purpose of providing funds for permanent public improvements and public purposes, to-wit:

November 7, 2006 Election

$390,420,000 planning, designing, constructing, reconstructing, improving, extending, and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements, and the acquisition of land therefor;

$334,315,000 planning, designing, constructing, renovating, repairing, replacing, and expanding flood protection and storm drainage facilities and improvements, including erosion control, flood management and storm drainage relief improvements, including the relocation of utilities and the acquisition of land therefor;

$343,230,000 planning, designing, constructing, improving, renovating, repairing, replacing, expanding, equipping, and acquiring land for park and recreation facilities, including neighborhood parks, downtown parks, aquatic facilities, municipal golf facilities, trails, open space, playgrounds, park service and maintenance facilities, and facilities located at Fair Park, the Dallas Arboretum and the City Zoo;

$46,200,000 planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, and furnishing library facilities and the acquisition of land or interests in land therefor;

$60,855,000 planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, furnishing and acquiring land for cultural arts facilities, including a performing arts theater in the Downtown Arts District;

$34,750,000 planning, designing, constructing, renovating, replacing, repairing, expanding, equipping and furnishing city hall, city service and city maintenance facilities, including the acquisition of land therefor;

$1,500,000 acquiring land under the land bank program for the development of low or moderate income single family homes;

$41,495,000 promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development, through planning, designing, constructing, improving, extending and expanding public street, utility and other infrastructure facilities, including the acquisition of land therefor, and through funding the City's programs for economic development including the acquisition of improved and unimproved properties, the demolition of existing structures, making loans and grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development;

$6,635,000 planning, designing, reconstructing, improving, renovating, repairing, replacing, expanding and equipping facilities located at the Farmers Market, including the acquisition of land, relocation of utilities, street infrastructure improvements, sidewalks, storm drainage facilities and controls, street lighting, streetscape and median improvements in connection therewith;

$22,550,000 acquiring land in the area known as Cadillac Heights for the future location of police academy related facilities and/or city service and maintenance facilities;

$7,945,000 planning, designing, constructing, renovating, repairing, replacing, expanding equipping, and furnishing court facilities and the acquisition of land therefor;

$63,625,000 planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, and furnishing public safety facilities including police substations, a police academy and related facilities, fire stations, fire training and related facilities and emergency warning systems, and the acquisition of land therefor;

<u>November 6, 2012 Election</u>

$260,625,000 planning, designing, constructing, reconstructing, improving, extending, and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, and pedestrian and bike ways, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements, and the acquisition of land therefor;

$326,375,000	planning, designing, constructing, renovating, repairing, replacing, and expanding flood protection and storm drainage facilities and improvements, including erosion control, flood management and storm drainage relief improvements, including the relocation of utilities and the acquisition of land and subsurface easements therefor;
$55,000,000	promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development, through planning, designing, constructing, improving, extending and expanding public street, utility and other infrastructure facilities, including the acquisition of land therefor, and through funding the City's programs for economic development including the acquisition of improved and unimproved properties, the demolition of existing structures, making loans and grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development;

WHEREAS, the City Council has determined to issue for their respective purposes such of the aforesaid authorized but unissued bonds as are hereinafter provided to be issued, a tabulation showing the amount of bonds authorized, the amounts previously issued, the amounts authorized to be issued pursuant to this Ordinance (the "Ordinance") for the purposes indicated, and the balance remaining for future bond issues, as follows:

Purpose	Amount Voted	Amount Previously Issued	Commercial Paper Paid with Available Funds[1]	Commercial Paper Issued[2]	Amount Being Issued[3]	Unissued Balance[4]
November 7, 2006 Election:						
Street and Transportation Improvements	390,420,000	312,635,000	2,400,000	548,500	19,284,000	26,589,000
Flood Protection and Storm Drainage Facilities	334,315,000	234,917,000	1,258,000		1,110,000	9,921,000
Park and Recreation Facilities	343,230,000	326,866,000	3,516,000		1,415,000	8,083,000
Library Facilities	46,200,000	46,199,000	-0-		-0-	-0-
Cultural Arts Facilities	60,855,000	56,123,000	99,000		-0-	3,431,000
City Hall, City Service and City Maintenance Facilities	34,750,000	23,417,000	-0-	1,291,500	4,817,000	6,516,000
Land Acquisition for Development of Low and Moderate Income Single Family Homes	1,500,000	955,000	-0-		-0-	-0-
Economic Development in the Southern Area of the City and in Other Areas in Connection with Transit-Oriented Development	41,495,000	41,495,000	-0-		-0-	-0-
Farmers Market Improvements	6,635,000	6,635,000	-0-		-0-	-0-
Cadillac Heights Land Acquisition for City Facilities	22,550,000	8,989,000	-0-	6,000	211,000	13,350,000
Court Facilities	$ 7,945,000	$ 7,945,000	$ -0-	$ -0-	$ -0-	$ -0-
Public Safety Facilities	63,625,000	60,489,000	-0-		-0-	-0-

[1] The City paid in full from available funds.
[2] The City will refund $_____ in principal amount of Commercial Paper with the issuance of the Bonds .
[3] Amount may include premium allocated against voted authorization, as set forth in the Pricing Certificate. Additionally, the amount may be reduced or reallocated as determined by the Authorized Officer and provided in the Pricing Certificate.
[4] This amount may be increased as provided in the Pricing Certificate if the amount being issued is reduced.

Purpose	Amount Voted	Amount Previously Issued	Commercial Paper Paid with Available Funds[1]	Commercial Paper Issued[2]	Amount Being Issued[3]	Unissued Balance[4]
November 6, 2012 Election:						
Street Improvements	260,625,000	120,046,000	2,882,000	7,699,000	32,811,000	54,340,000
Flood Protection and Drainage Facilities	326,375,000	78,097,000	65,000	105,000	222,324,000	4,859,000
Economic Development Programs	55,000,000	23,553,000	-0-	-0-	18,029,000	-0-
TOTALS	$1,995,520,000	$1,348,361,000	$10,220,000	$9,650,000	$300,001,000	$127,089,000

[1] The City paid in full from available funds.
[2] The City expects to refund $9,650,000 in principal amount of Commercial Paper with the issuance of the Bonds, as set forth in the Pricing Certificate.
[3] Amount may include premium allocated against voted authorization, as set forth in the Pricing Certificate. Additionally, the amount may be reduced or reallocated as determined by the Authorized Officer and provided in the Pricing Certificate.
[4] This amount may be increased as provided in the Pricing Certificate if the amount being issued is reduced.

WHEREAS, there are presently outstanding certain commercial paper notes (the "Refunded Commercial Paper Notes") of the City described on Schedule I hereto, which are secured by and payable from ad valorem taxes levied on property within the City in an amount sufficient to pay principal of and interest on such obligations as they become due within the limits prescribed by law; and

WHEREAS, the City now desires to refund such obligations described on Schedule I hereto; and

WHEREAS, the City Council desires to delegate to the Authorized Officer, pursuant to Chapters 1207 and 1371, Texas Government Code, as amended, and the parameters of this Ordinance, the authority to approve the amount, the number of series, the interest rate, the price and terms of the bonds authorized hereby and to otherwise take such actions as are necessary and appropriate to effect the sale of the bonds and to select the specific maturities or series of Refunded Obligation Candidates to be refunded;

WHEREAS, Chapter 1207, Texas Government Code, authorizes the City to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a commercial bank or trust company, and such deposit, if made before the payment dates for the Refunded Commercial Paper Notes, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Commercial Paper Notes;

WHEREAS, the City Council hereby finds and determines that it is not practicable to calculate a savings amount attributable to the refunding of the Refunded Commercial Paper

Notes, but that the refunding contemplated in this Ordinance will benefit the City and that such benefit is sufficient consideration for the refunding of the Refunded Commercial Paper Notes; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.01. Definitions. Unless otherwise expressly provided or unless the context clearly requires otherwise in this Ordinance, the following terms shall have the meanings specified below:

"Authorized Officer" means the City Manager of the City, and in his or her absence, any Assistant City Manager.

"Bond" means any of the Bonds.

"Bonds" means the City of Dallas, Texas General Obligation Refunding and Improvement Bonds, Series 2017.

"Business Day" means a day that is not a Saturday, Sunday, legal holiday or other day on which banking institutions in the City where the Designated Payment/Transfer Office is located are required or authorized by law or executive order to close.

"Charter" means the Home Rule Charter of the City, as amended.

"City" means the City of Dallas, Texas.

"City Council" means the governing body of the City of Dallas, Texas as identified in the preamble to this Ordinance.

"Closing Date" means the date of the initial delivery of and payment for the Bonds.

"Code" means the Internal Revenue Code of 1986, as amended, including applicable regulations, published rulings and court decisions relating thereto.

"Commercial Paper Notes" means the City's General Obligation Commercial Paper Notes, Series 2010A authorized pursuant to an ordinance of the City approved November 10, 2010.

"Construction Fund" means the construction fund established by Section 7.01 of this Ordinance.

"Deposit Agreement" means that certain Deposit Agreement between the City and the Paying Agent/Registrar for the Refunded Commercial Paper Notes and/or the Paying Agent/Registrar for the Refunded Bonds, pertaining to the defeasance of the outstanding Commercial Paper Notes and Refunding Bonds, respectively, as listed in Schedule I.

"Escrow Agreement" means the escrow agreement, if any, by and between the City and the Escrow Agent relating to the Refunded Bonds.

"Escrow Fund" means the fund established by the Escrow Agreement to hold cash and securities for the payment of debt service on the Refunded Bonds.

"Escrow Securities" means (1) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by the United States; (2) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of hereof, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent; and (3) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date hereof, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent.

"Designated Payment/Transfer Office" means (i) with respect to the initial Paying Agent/Registrar named herein, its corporate trust office in St. Paul, Minnesota, and (ii) with respect to any successor Paying Agent/Registrar, the office of such successor designated and located as may be agreed upon by the City and such successor.

"DTC" means The Depository Trust Company of New York, New York, or any successor securities depository.

"DTC Participant" means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

"EMMA" means the Electronic Municipal Market Access System.

"Event of Default" means any event of default as defined in Section 10.01 of this Ordinance.

"Fiscal Year" means such fiscal year as shall be prescribed by the Charter and which under the existing Charter commences October 1 and ends September 30 of the following year.

"Initial Bond" means the initial Bond, described in Sections 3.04(d) and 6.02(e) of this Ordinance.

"Interest and Sinking Fund" means the "City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, Interest and Sinking Fund," as established by Section 7.01 of this Ordinance.

"Interest Payment Date" means the date or dates upon which interest on the Bonds is scheduled to be paid until the maturity or prior redemption of the Bonds, such dates being February 15 and August 15 of each year, commencing on the date set forth in the Pricing Certificate.

"MSRB" means the Municipal Securities Rulemaking Board.

"Original Issue Date" means the date designated as such in Section 3.02(a) of this Ordinance.

"Owner" means the person who is the registered owner of a Bond or Bonds, as shown in the Register.

"Paying Agent/Registrar" means the Paying Agent as set forth in the Pricing Certificate, any successor thereto or any entity which is appointed as and assumes the duties of paying agent/registrar as provided in this Ordinance.

"Pricing Certificate" means a certificate or certificates to be signed by the Authorized Officer.

"Purchase Agreement" means one or more bond purchase agreements described in Section 12.01(b) of this Ordinance.

"Record Date" means the last Business Day of the month next preceding an Interest Payment Date.

"Refunded Bonds" means those general obligation bonds of the City designated as such in the Pricing Certificate from the list of Refunded Obligation Candidates described in Schedule I attached hereto.

"Refunded Obligation Candidates" means the obligations of the City set forth in Schedule I.

"Refunded Obligations" means the refunded Commercial Paper Notes, if any, as set forth in the Pricing Certificate, and the Refunded Bonds, which are to be designated in the Pricing Certificate from the Refunded Obligation Candidates.

"Register" means the Register specified in Section 3.06(a) of this Ordinance.

"Representation Letter" means the Blanket Letter of Representations between the City and DTC applicable to the Bonds.

"Representative" means the representative for the Underwriters named in the Purchase Agreement.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

"Special Payment Date" means the Special Payment Date prescribed by Section 3.03(b).

"Special Record Date" means the Special Record Date prescribed by Section 3.03(b).

"Term Bonds" has the meaning set forth in Section 4.04 hereof.

"Unclaimed Payments" means money deposited with the Paying Agent/Registrar for the payment of principal of or interest on the Bonds as the same come due and payable or money set aside for the payment of Bonds duly called for redemption prior to maturity, and remaining unclaimed by the Owners of such Bonds for 90 days after the applicable payment or redemption date.

"Underwriters" means the underwriters named in the Purchase Agreement.

Section 1.02. Findings. The declarations, determinations and findings declared, made and found in the preamble to this Ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Section 1.03. Table of Contents, Titles and Headings. The table of contents, titles and headings of the Articles and Sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Ordinance or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.04. Interpretation.

(a) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(b) This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of this Ordinance.

(c) Article and section references shall mean references to articles and sections of this Ordinance unless designated otherwise.

ARTICLE II

SECURITY FOR THE BONDS

Section 2.01. Tax Levy for Payment of the Bonds.

(a) The City Council hereby declares and covenants that it will provide and levy a tax legally and fully sufficient for payment of the Bonds, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding obligations of the City.

(b) In order to provide for the payment of the debt service requirements of the Bonds, being (i) the interest on the Bonds and (ii) a sinking fund for their payment at maturity or a sinking fund of two percent per annum (whichever amount is the greater), there is hereby levied for the current year and each succeeding year thereafter while the Bonds or interest thereon remain outstanding and unpaid, a tax within legal limitations on each $100 assessed valuation of taxable property in the City that is sufficient to pay such debt service requirements, full allowance being made for delinquencies and costs of collection.

(c) The tax levied by this Section shall be assessed and collected each year and applied to the payment of the debt service requirements on the Bonds, and the tax shall not be diverted to any other purpose.

(d) Said ad valorem tax, the collections therefrom, and all amounts on deposit in or required hereby to be deposited to the Interest and Sinking Fund for the Bonds are hereby pledged and committed irrevocably to the payment of the principal of and interest on the Bonds when and as due and payable in accordance with their terms and this Ordinance.

(e) If the liens and provisions of this Ordinance shall be discharged in a manner permitted by Article XI hereof, then the collection of such ad valorem tax may be suspended or appropriately reduced, as the facts may permit, and further deposits to the Interest and Sinking Fund may be suspended or appropriately reduced, as the facts may permit. In determining the aggregate principal amount of outstanding Bonds, there shall be subtracted the amount of any Bonds that have been duly called for redemption and for which money has been deposited in accordance with Article XI herein.

ARTICLE III

AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE BONDS

Section 3.01. Authorization. The City's bonds to be designated "City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017" or such other designations as are set forth in the Pricing Certificate, are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas and the Charter of the City. The Bonds shall be issued in the aggregate principal amount designated in the Pricing Certificate for the public purpose of providing funds for: (i) various permanent public improvements and public purposes, all as set forth in the preamble hereof, (ii) to refund the Refunded Obligations, and (iii)

to pay the costs incurred in connection with the issuance of the Bonds (including, without limitation, underwriters' discount), under and by virtue of Chapters 1207, 1331 and 1371, Texas Government Code, as amended, and pursuant to Chapter XXI of the Charter of the City. The Authorized Officer is hereby authorized and directed to modify the title of the Series to the extent that, in the judgment of the Authorized Officer, it is necessary or appropriate. The final title and principal amount of the Bonds shall be determined by the Authorized Officer, based on market conditions in the discretion of the Authorized Officer, and set forth in the Pricing Certificate. The Bonds shall be issued in the number of series and aggregate principal amount per series designated in the Pricing Certificate, provided that the aggregate principal amount of the Bonds issued for the purpose described in (i) above shall not exceed $300,000,000 and the aggregate principal amount of Bonds issued for the purpose described in (ii) and above shall not exceed $50,000,000. The aggregate principal amount of all of the Bonds shall not exceed $350,000,000.

Section 3.02. Date, Denomination, Maturities, Numbers and Interest.

(a) The Bonds shall have the Original Issue Date set forth in the Pricing Certificate, shall be in fully registered form, without coupons, in the denomination of $5,000 or any integral multiple thereof, and shall be numbered separately from one upward or such other designation acceptable to the City and the Paying Agent/Registrar, except the Initial Bond, which shall be numbered T-1.

(b) The Bonds shall mature on February 15 in the years, at the interest rates and in the principal amounts set forth in the Pricing Certificate, provided that the maximum maturity for the Bonds shall not exceed twenty years.

(c) Interest on each Bond shall accrue from the later of the Original Issue Date (or the date of their delivery to the Underwriters, as set forth in the Pricing Certificate) or the most recent Interest Payment Date to which interest has been paid or provided for at the per annum rates of interest specified in the Pricing Certificate. Such interest shall be payable on each Interest Payment Date until the principal amount shall have been paid or provision for such payment shall have been made, and shall be computed on the basis of a 360-day year of twelve 30-day months.

Section 3.03. Medium, Method and Place of Payment; Unclaimed Payments.

(a) The principal of and interest on the Bonds shall be paid in lawful money of the United States of America.

(b) Interest on the Bonds shall be payable to the Owners whose names appear in the Register at the close of business on the Record Date; provided, however, in the event of nonpayment of interest on a scheduled Interest Payment Date and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") shall be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date," which shall be 15 days after the Special Record Date) shall be sent at least five Business Days prior to the Special Record Date by United States mail,

first class, postage prepaid, to the address of each Owner of a Bond appearing on the Register at the close of business on the last Business Day next preceding the date of mailing of such notice.

(c) Interest on the Bonds shall be paid by check (dated as of the Interest Payment Date) and sent by the Paying Agent/Registrar to the person entitled to such payment, first class United States mail, postage prepaid, to the address of such person as it appears in the Register, or by such other customary banking arrangements acceptable to the Paying Agent/Registrar and the person to whom interest is to be paid; provided, however, that such person shall bear all risk and expenses of such other customary banking arrangements.

(d) The principal of each Bond shall be paid to the person in whose name such Bond is registered on the due date thereof (whether at the maturity date or the date of prior redemption thereof) upon presentation and surrender of such Bond at the Designated Payment/Transfer Office.

(e) If the date for the payment of the principal of or interest on any Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the City where the Designated Payment/Transfer Office is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday, or day on which such banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

(f) Unclaimed Payments shall be segregated in a special account and held in trust, uninvested by the Paying Agent/Registrar, for the account of the Owner of the Bonds to which the Unclaimed Payments pertain. Subject to the provisions of Title 6, Texas Property Code, as amended, Unclaimed Payments remaining unclaimed by the Owners entitled thereto for three years after the applicable payment or redemption date shall be applied to the next payment or payments on the Bonds thereafter coming due and, to the extent any such money remains after the retirement of all outstanding Bonds, shall be paid to the City to be used for any lawful purpose. Thereafter, neither the City, the Paying Agent/Registrar nor any other person shall be liable or responsible to any Owners of such Bonds for any further payment of such unclaimed moneys or on account of any such Bonds, subject to any applicable escheat law or similar law.

Section 3.04. Execution and Initial Registration.

(a) The Bonds shall be executed on behalf of the City by the Mayor and countersigned by the City Secretary and the City Manager, by their manual or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Any facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the City had been manually impressed upon each of the Bonds.

(b) In the event that any officer of the City whose manual or facsimile signature appears on the Bonds ceases to be such officer before the authentication of such Bonds or before the delivery thereof, such manual or facsimile signature nevertheless shall be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bond delivered on the Closing Date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public Accounts of the State of Texas or by his duly authorized agent, which certificate shall be evidence that the Initial Bond has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the City, and has been registered by the Comptroller.

(d) On the Closing Date, the typewritten Initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the Representative or its designee, executed by manual or facsimile signature of the Mayor and countersigned by manual or facsimile signatures of the City Secretary and the City Manager, approved by the Attorney General, and registered and manually signed by the Comptroller of Public Accounts will be delivered to the Representative or its designee. Upon payment for the Initial Bond, the Paying Agent/Registrar shall cancel the Initial Bond and deliver to DTC on behalf of the Representative registered definitive Bonds as described in Section 3.10(a). To the extent the Paying Agent/Registrar is eligible to participate in DTC's FAST System, as evidenced by agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 3.05. Ownership.

(a) The City, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal thereof and premium, if any, thereon, for the further purpose of making and receiving payment of the interest thereon (subject to the provisions herein that interest is to be paid to the person in whose name the Bond is registered on the Record Date or on the Special Record Date, as applicable), and for all other purposes, whether or not such Bond is overdue, and neither the City nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the person deemed to be the Owner of any Bond in accordance with this Section shall be valid and effectual and shall discharge the liability of the City and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.06. Registration, Transfer and Exchange.

(a) So long as any Bonds remain outstanding, the City shall cause the Paying Agent/Registrar to keep at the Designated Payment/Transfer Office the Register in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with this Ordinance.

(b) Registration of any Bond may be transferred in the Register only upon the presentation and surrender thereof at the Designated Payment/Transfer Office for transfer of registration and cancellation, together with proper written instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of the Bonds, or any portion thereof in any integral multiple of $5,000 for any one maturity, to the assignee or assignees thereof, and the right of such assignee or assignees thereof to have the Bond or any portion thereof registered in the name of such assignee or assignees. No transfer of any Bond shall be effective until entered in the Register. Upon assignment and transfer of any Bond or portion thereof, a new Bond or Bonds will be issued by the Paying Agent/Registrar in exchange for such transferred and assigned Bond. To the extent possible the Paying Agent/Registrar will issue such new Bond or Bonds within not more than three Business Days after receipt of the Bond to be transferred in proper form and with proper instructions directing such transfer.

(c) Any Bond may be exchanged only upon the presentation and surrender thereof at the Designated Payment/Transfer Office, together with a written request therefor duly executed by the Owner or assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantees of signatures satisfactory to the Paying Agent/Registrar, for a Bond or Bonds of the same maturity and interest rate and in any authorized denomination and in an aggregate principal amount equal to the unpaid principal amount of the Bond presented for exchange. If a portion of any Bond is redeemed prior to its schedule maturity as provided herein, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in the denomination or denominations of any integral multiple of $5,000 of any one maturity at the request of the Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon surrender thereof for cancellation. To the extent possible, a new Bond or Bonds shall be delivered by the Paying Agent/Registrar to the Owner of the Bond or Bonds within not more than three Business Days after receipt of the Bond to be exchanged in proper form and with proper instructions directing such exchange.

(d) Each Bond issued in exchange for any Bond or portion thereof assigned or transferred shall have the same principal maturity date and shall bear interest at the same rate as the Bond for which it is being exchanged. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond. The Paying Agent/Registrar shall exchange the Bonds as provided herein, and each substitute Bond delivered in accordance with this Section shall constitute an original additional contractual obligation of the City and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such substitute Bond or Bonds are delivered.

(e) The City will pay the Paying Agent/Registrar's reasonable and customary charge for the initial registration or any subsequent transfer or exchange of Bonds, but the Paying Agent/Registrar will require the Owner to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer or exchange of a Bond. In addition, the City hereby covenants with the Owners of the Bonds that it will (i) pay the reasonable and standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on the Bonds, when due, and (ii) pay the fees and charges of the Paying Agent/Registrar for services with respect to the transfer, registration and exchange of Bonds as provided herein.

(f) Neither the City nor the Paying Agent/Registrar shall be required to issue, transfer, or exchange any Bond called for redemption, in whole or in part, within 45 days of the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the Owner of the uncalled principal balance of a Bond.

Section 3.07. Cancellation and Authentication.

(a) All Bonds paid in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance with this Ordinance, shall be cancelled upon the making of proper records regarding such payment, redemption, exchange or replacement. Cancelled Bonds shall be disposed of in accordance with the requirements of the Securities and Exchange Act of 1934 and the regulations promulgated thereunder.

(b) Each substitute Bond issued pursuant to the provisions of Sections 3.06 and 3.09 of this Ordinance, in exchange for or replacement of any Bond or Bonds issued under this Ordinance, shall have printed thereon a Paying Agent/Registrar's Certificate, in the form hereinafter set forth. An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, manually sign and date such Certificate, and no such Bond shall be deemed to be issued or outstanding unless such Certificate is so executed. No additional ordinances, orders, or resolutions need be passed or adopted by the City Council or any other body or person so as to accomplish the foregoing exchange or replacement of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein, and said Bonds shall be of customary type and composition and printed, typewritten, lithographed, mimeographed or otherwise produced. Pursuant to Chapter 1201, Texas Government Code, the duty of exchange or replacement of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of the above Paying Agent/Registrar's Authentication Certificate, the exchanged or replaced Bonds shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Initial Bond which originally was delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(c) Bonds issued in exchange or replacement of any other Bond or portion thereof, (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the registered owners thereof, (ii) may be transferred and assigned, (iii) may be exchanged for other Bonds, (iv) shall have the characteristics, (v) shall be signed and sealed, and (vi) shall be payable as to principal and interest, all as provided, and in the manner required or indicated, in the form of Bond set forth in this Ordinance.

Section 3.08. Temporary Bonds.

(a) Following the delivery and registration of the Initial Bond and pending the preparation of definitive Bonds, the proper officers of the City may execute and, upon the City's request, the Paying Agent/Registrar shall authenticate and deliver, one or more temporary Bonds that are printed, lithographed, typewritten, mimeographed or otherwise produced, in any

denomination, substantially of the tenor of the definitive Bonds in lieu of which they are delivered, without coupons, and with such appropriate insertions, omissions, substitutions and other variations as the officers of the City executing such temporary Bonds may determine, as evidenced by their signing of such temporary Bonds.

(b) Until exchanged for Bonds in definitive form, such Bonds in temporary form shall be entitled to the benefit and security of this Ordinance.

(c) The City, without unreasonable delay, shall prepare, execute and deliver to the Paying Agent/Registrar the Bonds in definitive form; thereupon, upon the presentation and surrender of the Bond or Bonds in temporary form to the Paying Agent/Registrar, the Paying Agent/Registrar shall cancel the Bonds in temporary form and authenticate and deliver in exchange therefor a Bond or Bonds of the same maturity, in definitive form, in the authorized denomination, and in the same aggregate principal amount, as the Bond or Bonds in temporary form surrendered. Such exchange shall be made without the making of any charge therefor to any Owner.

Section 3.09. Replacement Bonds.

(a) Upon the presentation and surrender to the Paying Agent/Registrar, at the Designated Payment/Transfer Office of a mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding. The City or the Paying Agent/Registrar may require the Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

(b) In the event that any Bond is lost, apparently destroyed or wrongfully taken, the Paying Agent/Registrar, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authenticate and deliver a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding, provided that the Owner first:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction or theft of such Bond;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar and the City to save them harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the City and the Paying Agent/Registrar.

(c) If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such

original Bond, the City and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Paying Agent/Registrar in connection therewith.

(d) In the event that any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the Paying Agent/Registrar, in its discretion, without the necessity of issuing a replacement Bond, may pay such Bond on the date on which such Bond becomes due and payable.

(e) Each replacement Bond delivered in accordance with this Section shall constitute an original additional contractual obligation of the City and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

Section 3.10. Book-Entry-Only System.

(a) The definitive Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of DTC, and except as provided in Section 3.11 hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown in the Register of any amount with respect to principal of or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute Owner of such Bond for the purpose of payment of principal of and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of, principal and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the register, shall receive a certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to

the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the registered Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(c) The Representation Letter between the City and DTC applicable to the City's obligations delivered in book-entry-only form to DTC as securities depository for said obligations, is hereby affirmed.

Section 3.11. Successor Securities Depository; Transfer Outside Book-Entry-Only System. In the event that the City or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the City or the Paying Agent/Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.12. Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Representation Letter.

ARTICLE IV

REDEMPTION OF BONDS BEFORE MATURITY

Section 4.01. Limitation on Redemption. The Bonds shall be subject to redemption before scheduled maturity only as provided in this Article IV.

Section 4.02. Optional Redemption.

(a) The City reserves the option to redeem Bonds in the manner provided in the form of Bond set forth in Section 6.02 of this Ordinance with such changes as are required by the Pricing Certificate.

(b) The City, at least 45 days before the redemption date (unless a shorter period shall be satisfactory to the Paying Agent/Registrar), shall notify the Paying Agent/Registrar of such redemption date and of the principal amount of Bonds to be redeemed.

Section 4.03. Mandatory Sinking Fund Redemption.

(a) Bonds designated as "Term Bonds," if any, in the Pricing Certificate are subject to scheduled mandatory redemption and will be redeemed by the City, in part at a price equal to the principal amount thereof, without premium, plus accrued interest to the redemption date, out of moneys available for such purpose in the Interest and Sinking Fund for such Bonds, on the dates and in the respective principal amounts as set forth in the Pricing Certificate.

(b) At least forty-five (45) days prior to each scheduled mandatory redemption date, the Paying Agent/Registrar shall select for redemption by lot, or by any other customary method that results in a random selection, or such other method specified in the Pricing Certificate, a principal amount of Term Bonds equal to the aggregate principal amount of such Term Bonds to be redeemed, shall call such Term Bonds for redemption on such scheduled mandatory redemption date, and shall give notice of such redemption, as provided in Section 4.06.

The principal amount of the Term Bonds required to be redeemed on any redemption date pursuant to subparagraph (a) of this Section 4.04 shall be reduced, at the option of the City, by the principal amount of any Term Bonds which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.

Section 4.04. Partial Redemption.

(a) If less than all of the Bonds are to be redeemed pursuant to Section 4.02, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot or other customary method that results in a random selection of the Bonds, or portions thereof and maturity or maturities and in such principal amounts, for redemption.

(b) A portion of a single Bond of a denomination greater than $5,000 may be redeemed, but only in a principal amount equal to $5,000 or any integral multiple thereof. The Paying Agent/Registrar shall treat each $5,000 portion of the Bond as though it were a single Bond for purposes of selection for redemption.

(c) Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar, in accordance with Section 3.06 of this Ordinance, shall authenticate and deliver an exchange Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

(d) The Paying Agent/Registrar shall promptly notify the City in writing of the principal amount to be redeemed of any Bond as to which only a portion thereof is to be redeemed.

Section 4.05. Notice of Redemption to Owners.

(a) The City shall give notice of any redemption of Bonds by sending or causing the Paying Agent/Registrar to send notice of such redemption by first class United States mail, postage prepaid, not less than 30 days before the date fixed for redemption, to the Owner of each Bond (or part thereof) to be redeemed, at the address shown on the Register at the close of business on the Business Day next preceding the date of mailing such notice.

(b) The notice shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment, and, if less than all the Bonds outstanding are to be redeemed, an identification of the Bonds or portions thereof to be redeemed.

(c) The City reserves the right to give notice of its election or direction to redeem Bonds under Section 4.02 conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected Owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain Outstanding, and the rescission shall not constitute an event of default. Further, in the case of a conditional redemption, the failure of the City to make moneys and/or authorized securities available in part or in whole on or before the redemption date shall not constitute an event of default.

(d) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice.

Section 4.06. Payment Upon Redemption.

(a) Before or on each redemption date, the Paying Agent/Registrar shall make provision for the payment of the Bonds to be redeemed on such date by setting aside and holding in trust an amount from the Interest and Sinking Fund or otherwise received by the Paying Agent/Registrar from the City sufficient to pay the principal of and accrued interest on such Bonds.

(b) Upon presentation and surrender of any Bond called for redemption at the Designated Payment/Transfer Office of the Paying Agent/Registrar on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of and accrued interest on such Bond to the date of redemption from the money set aside for such purpose.

Section 4.07. Effect of Redemption.

(a) Notice of redemption having been given as provided in Section 4.06 of this Ordinance and subject to any conditions or rights reserved by the City under Section 4.06(c), the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption and, unless the City defaults in the payment of the principal thereof, premium, if any, or accrued interest thereon, such Bonds or portions thereof shall cease to bear interest from and after the date fixed for redemption, whether or not such Bonds are presented and surrendered for payment on such date.

(b) If any Bond or portion thereof called for redemption is not so paid upon presentation and surrender of such Bond for redemption, such Bond or portion thereof shall continue to bear interest at the rate stated on the Bond until paid or until due provision is made for the payment of same.

Section 4.08. Lapse of Payment. Money set aside for the redemption of Bonds and remaining unclaimed by the Owners of such Bonds shall be subject to the provisions of Section 3.03(f) hereof.

ARTICLE V

PAYING AGENT/REGISTRAR

Section 5.01. Appointment of Initial Paying Agent/Registrar.

(a) The Authorized Officer is hereby authorized to select and appoint the initial Paying Agent/Registrar for the Bonds, and the initial Paying Agent/Registrar shall be designated in the Pricing Certificate. It shall be the duty of the Paying Agent/Registrar to obtain from the Owners and record in the Register the address of the Owner of each Bond to which payments with respect to the Bonds shall be mailed, as provided herein. The City or its designee shall have the right to inspect the Register during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Register confidential and, unless otherwise required by law, shall not permit their inspection by any other entity.

(b) The Authorized Officer is hereby authorized and directed to execute and deliver or cause the execution and delivery by the City Manager and/or Mayor, a Paying Agent/Registrar Agreement or Contract, specifying the duties and responsibilities of the City and the Paying Agent/Registrar. The City Council hereby approves the form of Paying Agent/Registrar Agreement.

Section 5.02. Qualifications. Each Paying Agent/Registrar shall be (i) a bank, trust company, financial institution, or other entity duly qualified and legally authorized under applicable law, (ii) authorized under such laws to exercise trust powers, (iii) subject to supervision or examination by a federal or state governmental authority, and (iv) a single entity.

Section 5.03. Maintaining Paying Agent/Registrar.

(a) At all times while any Bonds are outstanding, the City will maintain a Paying Agent/Registrar that is qualified under Section 5.02 of this Ordinance.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the City will promptly appoint a replacement.

Section 5.04. Termination. The City reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering to the entity whose appointment is to be terminated a certified copy of a resolution of the City (i) giving notice of the termination of the appointment and of any contractual agreement, stating the effective date of such termination, and (ii) appointing a successor Paying Agent/Registrar.

Section 5.05. Notice of Change to Owners. Promptly upon each change in the entity serving as Paying Agent/Registrar, the City will cause notice of the change to be sent to each Owner by first class United States mail, postage prepaid, at the address in the Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar and the mailing address of its Designated Payment/Transfer Office.

Section 5.06. Agreement to Perform Duties and Functions. By accepting the appointment as Paying Agent/Registrar, the Paying Agent/Registrar is deemed to have agreed to the provisions of this Ordinance and that it will perform the duties and functions of Paying Agent/Registrar prescribed hereby.

Section 5.07. Delivery of Records to Successor. If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Register (or a copy thereof) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar and to the City.

ARTICLE VI

FORM OF THE BONDS

Section 6.01. Form Generally.

(a) The Bonds, including the Registration Certificate of the Comptroller of Public Accounts of the State of Texas to accompany the Initial Bond, and the Certificate of the Paying Agent/Registrar, and the Assignment form to appear on each of the Bonds, (i) shall be generally in the form set forth in this Article, with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and the Pricing Certificate, and (ii) may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the City or by the officers executing such Bonds, as evidenced by their execution thereof.

(b) Any portion of the text of any Bonds may be set forth on the reverse side thereof, with an appropriate reference thereto on the face of the Bonds.

(c) The Bonds (except for any temporary Bonds and the Initial Bonds) shall be typewritten, printed, lithographed, or engraved, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

Section 6.02. Form of the Bonds. The form of the Bonds, including the form of the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the form of Certificate of the Paying Agent/Registrar and the form of Assignment appearing on the Bonds, shall be generally as follows, provided, however, that the substantially final form of the Bonds shall be set forth in or attached to the Pricing Certificate and shall incorporate and reflect the final terms of the Bonds set forth in the Pricing Certificate:

(a) Form of Bond.

REGISTERED REGISTERED
No. _____ $_____

United States of America
State of Texas
CITY OF DALLAS, TEXAS,
GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND, SERIES 2017[5]

INTEREST RATE:	MATURITY DATE:	ORIGINAL ISSUE DATE:	CUSIP NO.:
_____%	_____, ____	_____,_____[6]	_____ ___

The City of Dallas (the "City"), in the Counties of Dallas, Denton, Collin and Rockwall, State of Texas, for value received, hereby promises to pay to

_____

or registered assigns, on the Maturity Date specified above, the principal sum of

_____ DOLLARS

unless this Bond shall have been duly called for prior redemption as provided herein and payment of the principal hereof and accrued but unpaid interest hereon shall have been paid or provided for, and to pay interest on the unpaid principal amount hereof from the later of the Original Issue Date specified above or the most recent Interest Payment Date to which interest has been paid or provided for until payment of such principal amount has been paid or provided for, at the interest rate per annum specified above, computed on the basis of a 360-day year of twelve 30-day months, such interest to be paid semiannually on February 15 and August 15 of each year, commencing _____.[7] All capitalized terms used herein but not defined shall have the meaning assigned to them in the Ordinance (defined below).

The principal of this Bond shall be payable without exchange or collection charges in lawful money of the United States of America upon presentation and surrender of this Bond at the corporate trust office in _____[8] (the "Designated Payment/Transfer Office") of _____,[9] or with respect to a successor Paying Agent/Registrar, at the designated payment/transfer office of such successor. Interest on this Bond is payable by check dated as of the Interest Payment Date, mailed by the Paying Agent/Registrar to the registered owner at the address shown on the registration books kept by the Paying Agent/Registrar or by such other customary banking arrangements acceptable to the Paying Agent/Registrar, requested by and at the risk and expense of, the person to whom interest is to be paid. For the purpose of the

[5] As may be modified by the Pricing Certificate.
[6] Information to be inserted from the Pricing Certificate.
[7] Information to be inserted from the Pricing Certificate.
[8] Information to be inserted from the Pricing Certificate.
[9] Information to be inserted from the Pricing Certificate.

payment of interest on this Bond, the registered owner shall be the person in whose name this Bond is registered at the close of business on the "Record Date," which shall be the last Business Day of the month next preceding such Interest Payment Date; provided, however, that in the event of nonpayment of interest on a scheduled payment date and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date" which date shall be 15 days after the Special Record Date) shall be sent at least five Business Days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each registered owner of a Bond appearing on the books of the Paying Agent/Registrar at the close of business on the last Business Day preceding the date of mailing of such notice.

If a date for the payment of the principal of or interest on this Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the City where the Designated Payment/Transfer Office is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which such banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

This Bond is dated _____[10] and is one of a series of fully registered bonds specified in the title hereof issued in the aggregate principal amount of $_____[11] (herein referred to as the "Bonds"), issued pursuant to a certain Ordinance of the City Council of the City (the "Ordinance") for the purpose of providing funds to refund the Refunded Obligations, to fund certain permanent public improvements and public purposes and to pay costs of issuance.

The Bonds and the interest thereon are payable from the levy of a direct and continuing ad valorem tax, within the limit prescribed by law, against all taxable property in the City.

[The City has reserved the option to redeem the Bonds maturing on or after _____, before their respective scheduled maturities in whole or in part in integral multiples of $5,000 on _____, or on any date thereafter, at a redemption price of par, plus accrued interest to the date fixed for redemption. If less than all of the Bonds are to be redeemed, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot or other customary method that results in random selection of the Bonds, or portions thereof within such maturity or maturities and in such amounts, for redemption.

Bonds maturing on February 15 in each of the years ____ through ___, inclusive (the "Term Bonds"), are subject to mandatory sinking fund redemption prior to their scheduled maturity, and will be redeemed by the City, in part at a redemption price equal to the principal amount thereof, without premium, plus interest accrued to the redemption date, on the dates and in the principal amounts shown in the following schedule:

[10] Information to be inserted from the Pricing Certificate.
[11] Information to be inserted from the Pricing Certificate.

Redemption Date Principal Amount

The Paying Agent/Registrar will select by lot or by any other customary method that results in a random selection the specific Term Bonds (or with respect to Term Bonds having a denomination in excess of $5,000, each $5,000 portion thereof) to be redeemed by mandatory redemption. The principal amount of Term Bonds required to be redeemed on any redemption date pursuant to the foregoing mandatory sinking fund redemption provisions hereof shall be reduced, at the option of the City, by the principal amount of any Bonds which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.

Notice of such redemption or redemptions shall be given by first class mail, postage prepaid, not less than thirty (30) days before the date fixed for redemption, to the registered owner of each of the Bonds to be redeemed in whole or in part. In the Ordinance, the City reserves the right in the case of an optional redemption to give notice of its election or direction to redeem Bonds conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a conditional redemption, the failure of the City to make moneys and/or authorized securities available in part or in whole on or before the redemption date shall not constitute an event of default.] [12]

As provided in the Ordinance, and subject to certain limitations therein set forth, this Bond is transferable upon surrender of this Bond for transfer at the Designated Payment/Transfer Office, with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar, and, thereupon, one or more new fully registered Bonds of the same stated

[12] Insert redemption provisions, if any, and conform as necessary to the Pricing Certificate.

maturity, of authorized denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

Neither the City nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond called for redemption, in whole or in part, within 45 days of the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the registered Owner of the uncalled principal balance of a Bond.

The City, the Paying Agent/Registrar, and any other person may treat the person in whose name this Bond is registered as the Owner hereof for the purpose of receiving payment as herein provided (except interest shall be paid to the person in whose name this Bond is registered on the Record Date or Special Record Date, as applicable) and for all other purposes, whether or not this Bond be overdue, and neither the City nor the Paying Agent/Registrar shall be affected by notice or knowledge to the contrary.

IT IS HEREBY CERTIFIED AND RECITED that the issuance of this Bond and the series of which it is a part is duly authorized by law; that all acts, conditions and things required to be done precedent to and in the issuance of the Bonds have been properly done and performed and have happened in regular and due time, form and manner, as required by law; that ad valorem taxes upon all taxable property in the City have been levied for and pledged to the payment of the debt service requirements of the Bonds within the limit prescribed by law; and that the total indebtedness of the City, including the Bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the City Manager, and the official seal of the City has been duly impressed or placed in facsimile on this Bond.

_____ _____

City Manager,
City of Dallas, Texas

Mayor, City of Dallas, Texas

_____

City Secretary, City of Dallas, Texas

[SEAL]

(b) Form of Certificate of Paying Agent/Registrar. The following Certificate of Paying Agent/Registrar may be deleted from the Initial Bond if the Comptroller's Registration Certificate is attached thereto.

CERTIFICATE OF PAYING AGENT/REGISTRAR

It is hereby certified that this Bond has been issued under the provisions of the Ordinance of the City; and that this Bond has been issued in exchange for or replacement of a bond, bonds or portion of a bond or bonds of an issue which was originally approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

_____,
as Paying Agent/Registrar

Dated: _____ By: _____
Authorized Signatory

(c) Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto (print or typewrite name, address and zip code of transferee):

_____

_____

(Social Security or other identifying number: _____) the within Bond and all rights hereunder and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration hereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed By:

_____

Authorized Signatory

_____

NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular and must be guaranteed by an officer of a federal or state bank or a member of the National Association of Securities Dealers.

(d) Initial Bond Insertions.

(i) The Initial Bond shall be in the applicable form set forth in paragraphs (a) and (c) of this Section, except that:

A. immediately under the name of the Bond the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As shown below" and the heading "CUSIP NO." shall be deleted; and

B. in the first paragraph of the Bond, the words "on the Maturity Date specified above" shall be deleted and the following will be inserted: "on February 15 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

Year	Principal Installment	Interest Rate

(Information to be inserted from the Pricing Certificate as provided in Section 3.02 hereof.)

(ii) Form of Comptroller's Registration Certificate. The following Comptroller's Registration Certificate of the Comptroller of Public Accounts shall appear on each Initial Bond in lieu of the Certificate of Paying Agent/Registrar.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER §
OF PUBLIC ACCOUNTS § REGISTER NO. _____
OF THE STATE OF TEXAS §

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this Bond has been examined by him as required by law, that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding general obligation of the City of Dallas, Texas, and that this Bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE AT AUSTIN, TEXAS, _____.

_____
Comptroller of Public Accounts
of the State of Texas

[SEAL]

Section 6.03. CUSIP Registration. The City may secure identification numbers through the CUSIP Service Bureau Division of Standard & Poor's Corporation, New York, New York, and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect in regard to the legality thereof and neither the City nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

Section 6.04. Legal Opinion. The approving legal opinions of Bracewell LLP and West & Associates L.L.P., Co-Bond Counsel, may be printed on the back of each Bond over the certification of the City Secretary, which may be executed in facsimile.

Section 6.05. Municipal Bond Insurance. If municipal bond guaranty insurance is obtained with respect to the Bonds, the Bonds, including the Initial Bond, may bear an appropriate legend, as provided by the insurer.

ARTICLE VII

CREATION OF FUNDS AND ACCOUNTS, INITIAL DEPOSITS AND APPLICATION OF MONEY

Section 7.01. Creation of Funds. The City hereby establishes the following special funds or accounts to be designated as follows or as otherwise designated in the Pricing Certificate:

(a) "City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, Interest and Sinking Fund";

(b) "City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2017, Construction Fund."

Section 7.02. Initial Deposits. On the Closing Date, the City shall cause the proceeds from the sale of the Bonds to be deposited as follows:

(a) first, an amount equal to all accrued interest, if any, on the Bonds from the Original Issue Date until the Closing Date, plus any additional amounts designated in the Pricing Certificate, shall be deposited to the credit of the Interest and Sinking Fund; and

(b) second, a portion of the proceeds of the sale of the Bonds together with any other funds of the City, if any, as set forth in the Pricing Certificate, shall be deposited with the Paying Agent for the Refunded Commercial Paper Notes pursuant to the Deposit Agreement and shall be used for the payment of such Refunded Commercial Paper Notes at their maturity; and

(c) third, a portion of the proceeds of the Bonds, as set forth in the Pricing Certificate, and used for the purposes described in the preamble hereof shall be deposited to the Construction Fund and used for the purposes described in the preamble hereof; and

(d) fourth, the remaining balance received on the Closing Date, shall be deposited to a special account of the City and used for the payment of the costs of issuing the Bonds. Any amounts not needed for the payment of costs of issuance shall be deposited to the Interest and Sinking Fund.

Section 7.03. Interest and Sinking Fund.

(a) The taxes levied under Section 2.01 of this Ordinance shall be deposited to the credit of the Interest and Sinking Fund at such times and in such amounts as necessary for the timely payment of the principal of and interest on such Bonds.

(b) If the amount of money in the Interest and Sinking Fund is at least equal to the aggregate principal amount of the outstanding Bonds plus the aggregate amount of interest due and that will become due and payable on such Bonds, no further deposits to that fund need be made. In determining the aggregate principal amount of outstanding Bonds, there shall be subtracted the amount of any Bonds discharged in accordance with Article XI hereof.

(c) Money on deposit in the Interest and Sinking Fund shall be used to pay the principal of and interest on the Bonds as such become due and payable.

Section 7.04. Construction Fund. The Construction Fund shall be used for the purpose of making the permanent public improvements and accomplishing the public purposes for which the Bonds were issued (as specified in the preamble of this Ordinance) and for paying expenses incurred in connection with the issuance and delivery of the Bonds.

Section 7.05. Excess Bond Proceeds.

(a) Upon completion of the permanent public improvements and public purposes financed with the Bonds any amount (exclusive of that amount retained for the payment of costs of such improvements not then due and payable) that remains in the Construction Fund shall be transferred to the credit of the Interest and Sinking Fund and segregated in a special escrow account.

(b) The money in such special escrow account shall be used for the payment of principal of and interest on the Bonds, on the respective due dates thereof or dates as of which Bonds have been called for redemption.

Section 7.06. Security of Funds. All moneys on deposit in the funds referred to in this Ordinance shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds, and moneys on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

ARTICLE VIII

INVESTMENTS

Section 8.01. Investments.

(a) Money in the Interest and Sinking Fund created by this Ordinance, at the option of the City, may be invested in such securities or obligations as permitted under applicable law.

(b) Any securities or obligations in which money is so invested shall be kept and held in trust for the benefit of the Owners of the Bonds and shall be sold and the proceeds of sale shall be timely applied to the making of all payments required to be made from the fund from which the investment was made.

(c) The money in an escrow account established under Section 7.05 of this Ordinance shall be invested in (i) tax-exempt obligations or (ii) securities or obligations that do not have a "higher yield," within the meaning of Section 148(f) of the Code, than the yield on the Bonds.

Section 8.02. Investment Income.

(a) Interest and income derived from investment of the Interest and Sinking Fund shall be credited to such Fund.

(b) Interest and income derived from investment of the Construction Fund shall be either deposited to the credit of the Interest and Sinking Fund or retained in the Construction Fund until the permanent improvements and public purposes authorized by this Ordinance are completed.

(c) The investment and application of money in the Escrow Fund shall be in accordance with the provisions of the Escrow Agreement.

ARTICLE IX

PARTICULAR REPRESENTATIONS AND COVENANTS

Section 9.01. Payment of the Bonds. On or before each Interest Payment Date for the Bonds, and while any of the Bonds are outstanding and unpaid, there shall be made available to the Paying Agent/Registrar, out of the Interest and Sinking Fund, money sufficient to pay such interest on, premium, if any, and principal of the Bonds as will accrue or mature on the applicable Interest Payment Date or date of prior redemption.

Section 9.02. Other Representations and Covenants.

(a) The City will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Ordinance and in each Bond; the City will promptly pay or cause to be paid the principal of and premium, if any, and interest on each Bond on the dates and at the places and manner prescribed in such Bond; and the City will, at the times and in the manner prescribed by this Ordinance, deposit or cause to be deposited the amounts of money specified by this Ordinance.

(b) The City is duly authorized under the laws of the State of Texas to issue the Bonds; all action on its part for the creation and issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Owners thereof are and will be valid and enforceable general obligations of the City in accordance with their terms.

Section 9.03. Federal Income Tax Exclusion of Bonds. The City intends that the interest on the Bonds shall be excludable from gross income for federal income tax purposes pursuant to sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations promulgated thereunder (the "Regulations"). The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that if taken or omitted, respectively, would cause the interest on the Bonds to be includable in gross income, as defined in section 61 of the Code, of the holders thereof for purposes of federal income taxation. In particular, the City covenants and agrees to comply with each requirement of Sections 9.03 through 9.09 of this Article IX; provided, however, that the City shall not be required to comply with any particular requirement of Sections 9.03 through 9.09 of this Article IX if the City has received an opinion of nationally recognized bond counsel ("Counsel's Opinion") that such noncompliance will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds or if the City has received a Counsel's Opinion to the effect that compliance with some other requirement set forth in Sections 9.03 through 9.09 of this Article IX will satisfy the applicable requirements of the Code,

in which case compliance with such other requirement specified in such Counsel's Opinion shall constitute compliance with the corresponding requirement specified in Sections 9.03 through 9.09 of this Article IX.

Section 9.04. No Private Use or Payment and No Private Loan Financing. The City shall certify, through an authorized officer, employee or agent that based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, that the proceeds of the Refunded Obligations have not been used and the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "private activity bonds" within the meaning of section 141 of the Code and the Regulations. The City covenants and agrees that it will make such use of the proceeds of the Bonds and the Refunded Obligations including interest or other investment income derived from Bond proceeds, regulate the use of property financed, directly or indirectly, with such proceeds, and take such other and further action as may be required so that the Bonds will not be "private activity bonds" within the meaning of section 141 of the Code and the Regulations.

Section 9.05. No Federal Guarantee. The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that, if taken or omitted, respectively, would cause the Bonds to be "federally guaranteed" within the meaning of section 149(b) of the Code and the Regulations, except as permitted by section 149(b)(3) of the Code and the Regulations.

Section 9.06. No Hedge Bonds. The City covenants and agrees that it has not and will not to take any action, and has not knowingly omitted and will not knowingly omit to take any action, within its control, that, if taken or omitted, respectively, would cause the Bonds to be "hedge bonds" within the meaning of section 149(g) of the Code and the Regulations.

Section 9.07. No Arbitrage. The City shall certify, through an authorized officer, employee or agent that based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, the City will reasonably expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of section 148(a) of the Code and the Regulations. Moreover, the City covenants and agrees that it will make such use of the proceeds of the Bonds including interest or other investment income derived from Bond proceeds, regulate investments of proceeds of the Bonds, and take such other and further action as may be required so that the Bonds will not be "arbitrage bonds" within the meaning of section 148(a) of the Code and the Regulations.

Section 9.08. Arbitrage Rebate. If the City does not qualify for an exception to the requirements of Section 148(f) of the Code relating to the required rebate to the United States, the City will take all necessary steps to comply with the requirement that certain amounts earned by the City on the investment of the "gross proceeds" of the Bonds (within the meaning of section 148(f)(6)(B) of the Code), be rebated to the federal government. Specifically, the City will (i) maintain records regarding the investment of the gross proceeds of the Bonds as may be required to calculate the amount earned on the investment of the gross proceeds of the Bonds separately from records of amounts on deposit in the funds and accounts of the City allocable to other bond issue of the City or moneys which do not represent gross proceeds of any bonds of the City, (ii) calculate at such times as are required by the Regulations, the amount earned from

the investment of the gross proceeds of the Bonds which is required to be rebated to the federal government, and (iii) pay, not less often than every fifth anniversary date of the delivery of the Bonds or on such other dates as may be permitted under the Regulations, all amounts required to be rebated to the federal government. Further, the City will not indirectly pay any amount otherwise payable to the federal government pursuant to the foregoing requirements to any person other than the federal government by entering into any investment arrangement with respect to the gross proceeds of the Bonds that might result in a reduction in the amount required to be paid to the federal government because such arrangement results in a smaller profit or a larger loss than would have resulted if the arrangement had been at arm's length and had the yield on the issue not been relevant to either party.

Section 9.09. Information Reporting. The City covenants and agrees to file or cause to be filed with the Secretary of the Treasury, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued, an information statement concerning the Bonds, all under and in accordance with section 149(e) of the Code and the Regulations.

Section 9.10. Continuing Obligation. Notwithstanding any other provision of this Ordinance, the City's obligations under the covenants and provisions of Sections 9.03 through 9.09 of this Article IX shall survive the defeasance and discharge of the Bonds.

ARTICLE X

DEFAULT AND REMEDIES

Section 10.01. Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an "Event of Default," to-wit:

(a) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(b) default in the performance or observance of any other covenant, agreement or obligation of the City, the failure to perform which materially, adversely affects the rights of the Owners, including but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Owner to the City.

Section 10.02. Remedies for Default.

(a) Upon the happening of any Event of Default, then and in every case any Owner or an authorized representative thereof, including but not limited to, a trustee or trustees therefor, may proceed against the City for the purpose of protecting and enforcing the rights of the Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Owners hereunder or any combination of such remedies.

(b) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Owners of Bonds then outstanding.

Section 10.03. Remedies Not Exclusive.

(a) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(b) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

ARTICLE XI

DISCHARGE

Section 11.01. Discharge. The Bonds may be defeased, discharged or refunded in any manner permitted by applicable law.

ARTICLE XII

SALE AND DELIVERY OF BONDS; APPROVAL OF OFFICIAL STATEMENT; CONTROL AND DELIVERY OF BONDS

Section 12.01. Sale of Bonds; Delivery of Official Statement.

(a) The Bonds may be sold at negotiated sale to the Underwriters or may be sold pursuant to a competitive sale, all in accordance with the terms of this Ordinance, including this Section 12.01(a) and Exhibit B attached hereto, provided that all of the conditions set forth in Exhibit B can be satisfied. As authorized by Chapters 1207 and 1371, Texas Government Code, as amended, the Authorized Officer is authorized to act on behalf of the City upon determining that the conditions set forth in Exhibit B can be satisfied, in selling and delivering the Bonds and carrying out the other procedures specified in this Ordinance, including determining whether to acquire bond insurance for the Bonds, enter into a credit agreement with respect to the Bonds, whether to sell the Bonds in a competitive or negotiated sale, the aggregate principal amount of the Bonds, whether the Bonds shall be in one or more series from time to time, and price at which each of the Bonds will be sold, the identification of and the aggregate principal amount of and the Refunded Obligations and their redemption dates, the number and designation of series of Bonds to be issued, whether the Bonds will be taxable or tax-exempt, the form in which the Bonds shall be issued, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the first interest payment date, the initial date from which interest will accrue, the dates, prices and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the City

and shall be subject to mandatory sinking fund redemption, and all other matters relating to the issuance, sale and delivery of the Bonds, all of which shall be specified in the Pricing Certificate.

The authority granted to the Authorized Officer under this Section 12.01(a) shall expire at 5:00 p.m., 180 days from the date of this Ordinance, unless otherwise extended by the City Council by separate action.

Any finding or determination made by the Authorized Officer relating to the issuance and sale of the Bonds and the execution of the Purchase Agreement (if any) in connection therewith shall have the same force and effect as a finding or determination made by the City Council.

(b) If the Bonds are sold in a negotiated sale, the Authorized Officer is hereby authorized and directed to execute and deliver one or more bond purchase agreements (the "Purchase Agreement"), which Purchase Agreement shall be in the form approved by the Authorized Officer. The Authorized Officer is hereby authorized and directed to approve the final terms and provisions of the Purchase Agreement in accordance with the terms of the Pricing Certificate and this Ordinance, which final terms shall be determined to be the most advantageous reasonably attainable by the City, such approval and determination being evidenced by its execution thereof by the Authorized Officer. All officers, agents and representatives of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds. The Initial Bond shall initially be registered in the name of the Representative or such other entity as may be specified in the Purchase Agreement.

(c) The form and substance of the Preliminary Official Statement and the Notice of Sale (if any) and any addenda, supplement or amendment thereto, are hereby in all respects approved and adopted and is hereby deemed final as of its date within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended. The Authorized Officer and City Secretary are hereby authorized and directed to cause to be prepared a final Official Statement (the "Official Statement") incorporating applicable pricing information pertaining to the Bonds, and to execute the same by manual or facsimile signature and deliver appropriate numbers of executed copies thereof to the Underwriters. The Official Statement as thus approved, executed and delivered, with such appropriate variations as shall be approved by the Authorized Officer and the Underwriters, may be used by the Underwriters in the public offering and sale thereof. The City Secretary is hereby authorized and directed to include and maintain a copy of the Official Statement and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The use and distribution of the Preliminary Official Statement, and the preliminary public offering of the Bonds by the Underwriters, is hereby ratified, approved and confirmed.

(d) All officers of the City are authorized to take such actions and to execute such documents, certificates and receipts as they may deem necessary and appropriate in order to consummate the delivery of the Bonds in accordance with the terms of sale therefore including, without limitation, the Purchase Agreement. Further, in connection with the submission of the record of proceedings for the Bonds to the Attorney General of the State of Texas for examination and approval of such Bonds, the appropriate officer of the City is hereby authorized and directed to issue a check of the City payable to the Attorney General of the State of Texas as

a nonrefundable examination fee in the amount required by Chapter 1202, Texas Government Code (such amount to be the lesser of (i) 1/10th of 1% of the principal amount of the Bonds or (ii) $9,500).

(e) If the Bonds are sold in a negotiated sale, the obligation of the Underwriters to accept delivery of the Bonds is subject to the Underwriters being furnished with the final, approving opinions of Bracewell LLP and West & Associates L.L.P., Co-Bond Counsel for the City, which opinions shall be dated as of and delivered on the Closing Date.

Section 12.02. Control and Delivery of Bonds.

(a) The City Manager is hereby authorized to have control of the Initial Bond and all necessary records and proceedings pertaining thereto pending investigation, examination, and approval of the Attorney General of the State of Texas, registration by the Comptroller of Public Accounts of the State of Texas and registration with, and initial exchange or transfer by, the Paying Agent/Registrar.

(b) After registration by the Comptroller of Public Accounts, delivery of the Initial Bond shall be made to the Representative under and subject to the general supervision and direction of the City Manager, against receipt by the City of all amounts due to the City under the terms of sale.

(c) In the event the Mayor, City Secretary or City Manager is absent or otherwise unable to execute any document or take any action authorized herein, the Mayor Pro Tem, any Assistant City Secretary and any Assistant City Manager, respectively, shall be authorized to execute such documents and take such actions, and the performance of such duties by the Mayor Pro Tem, the Assistant City Secretary and the Assistant City Manager shall for the purposes of this Ordinance have the same force and effect as if such duties were performed by the Mayor, City Secretary and City Manager, respectively.

ARTICLE XIII

CONTINUING DISCLOSURE UNDERTAKING

Section 13.01. Annual Reports.

(a) The City shall provide annually to the MSRB, (1) within six months after the end of each fiscal year of the City, financial information and operating data with respect to the City of the general type included in the final Official Statement, being information described in the Pricing Certificate, including financial statements of the City if audited financial statements of the City are then available, and (2) if not provided as part such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements so to be provided shall be (i) prepared in accordance with the accounting principles prescribed by the Generally Accepted Accounting Principles or such other accounting principles as the City may be required to employ, from time to time, by State law or regulation, and (ii) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the City shall file unaudited

financial statements within such 12-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available.

(b) If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

(c) The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

Section 13.02. Material Event Notices.

(a) The City shall provide the following to the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

(i) Principal and interest payment delinquencies;

(ii) Non-payment related defaults, if material;

(iii) Unscheduled draws on debt service reserves reflecting financial difficulties;

(iv) Unscheduled draws on credit enhancements reflecting financial difficulties;

(v) Substitution of credit or liquidity providers, or their failure to perform;

(vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(vii) Modifications to rights of the holders of the Bonds, if material;

(viii) Bond calls, if material, and tender offers;

(ix) Defeasances;

(x) Release, substitution, or sale of property securing repayment of the Bonds, if material;

(xi) Rating changes;

(xii) Bankruptcy, insolvency, receivership or similar event of the City;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this section, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

(xiii) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(xiv) Appointment of successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material.

(b) The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with Section 13.01 of this Ordinance by the time required by such Section.

Section 13.03. Limitations, Disclaimers and Amendments.

(a) The City shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the City remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice of any Bond calls and any defeasances that cause the City to be no longer an "obligated person."

(b) The provisions of this Article are for the sole benefit of the Owners and beneficial owners of the Bonds, and nothing in this Article, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(c) No default by the City in observing or performing its obligations under this Article shall constitute a breach of or default under the Ordinance for purposes of any other provisions of this Ordinance.

(d) Nothing in this Article is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(e) The provisions of this Article may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (i) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (ii) either (A) the Owners of a majority in aggregate principal amount (or any greater amount required by any other provisions of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (B) an entity or individual person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Owners and beneficial owners of the Bonds. If the City so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with Section 13.01 an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

ARTICLE XIV

AMENDMENTS; ATTORNEY GENERAL MODIFICATION

Section 14.01. Amendments. This Ordinance shall constitute a contract with the Owners, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains outstanding except as permitted in this Section. The City may, without consent of or notice to any Owners, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of the Owners of the Bonds holding a majority in aggregate principal amount of the Bonds then outstanding, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Owners of outstanding Bonds, no such amendment, addition, or rescission shall (i) extend the time or times of payment of the principal of, premium, if any, and interest on the Bonds, reduce the principal amount thereof, the redemption price, or

the rate of interest thereon, or in any other way modify the terms of payment of the principal of, or interest on the Bonds, (ii) give any preference to any Bond over any other Bond, or (iii) reduce the aggregate principal amount of Bonds required to be held by Owners for consent to any such amendment, addition, or rescission.

Section 14.02. Attorney General Modification. In order to obtain the approval of the Bonds by the Attorney General of the State of Texas, any provision of this Ordinance may be modified, altered or amended after the date of its adoption if required by the Attorney General in connection with the Attorney General's examination as to the legality of the Bonds and approval thereof in accordance with the applicable law. Such changes, if any, shall be provided to the City Secretary and the City Secretary shall insert such changes into this Ordinance as if approved on the date hereof.

Section 14.03. Partial Invalidity. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14.04. No Personal Liability. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the City or any person executing any Bonds.

ARTICLE XV

PAYMENT OF REFUNDED OBLIGATIONS; APPROVAL OF ESCROW AND DEPOSIT AGREEMENT; PURCHASE OF ESCROWED SECURITIES

Section 15.01. Payment of Refunded Obligations.

(a) The Refunded Obligations are to be paid on their maturity date, in the principal amount thereof plus interest accrued thereon to the payment as set forth in the Pricing Certificate.

(b) The City Secretary is hereby authorized and directed to cause a copy of this Ordinance to be delivered to the paying agent/registrar for the Refunded Obligations, the delivery of which shall constitute notice of payment to such paying agent/registrar.

Section 15.02. Approval of Deposit Agreement and Escrow Agreement.

(a) The discharge and defeasance of the Refunded Commercial Paper Notes as set forth in the Pricing Certificate, if any, shall be effectuated pursuant to the terms and provisions of a Deposit Agreement, if necessary, (the "Deposit Agreement"), to be entered into by and between the City and the Paying Agent for the Refunded Commercial Paper Notes, and respectively, which Deposit Agreement shall contain terms and provisions to be approved by the Authorized Officer including terms and provisions for the purposes of (i) carrying out the program designed for the City, (ii) minimizing the City's costs of refunding, (iii) complying with all applicable laws and regulations relating to the refunding of the Refunded Obligations, (iv) carrying out the other intents and purposes of this Ordinance and (v) complying with the terms

set forth in the Pricing Certificate. The execution and delivery by the City Manager of the Deposit Agreement, if necessary, is hereby authorized and approved.

(b) The Authorized Officer is hereby authorized to select and appoint an Escrow Agent for the Bonds, if any, and the Escrow Agent shall be designated in the Pricing Certificate. The Authorized Officer is hereby authorized to execute and deliver, or cause the execution and delivery by the Authorized Officer, an Escrow Agreement, having such terms and provisions as are approved by the Authorized Officer as evidenced by his execution thereof or the execution thereof by other appropriate City officials. Alternatively, the Authorized Officer may elect to deposit directly with the paying agent(s) for the Refunded Bonds the proceeds of the Bonds, together with other available funds, in an amount sufficient to provide for the payment or redemption of the Refunded Bonds and is authorized to execute and deliver a deposit agreement with the paying agent(s) for the Refunded Bonds. The Escrow Agreement shall contain terms and provisions to be approved by the Authorized Officer including terms and provisions for the purposes of (i) carrying out the program designed for the City, (ii) minimizing the City's costs of refunding, (iii) complying with all applicable laws and regulations relating to the refunding of the Refunded Bonds, (iv) carrying out the other intents and purposes of this Ordinance and (v) complying with the terms set forth in the Pricing Certificate. The execution and delivery by the City Manager of the Escrow Agreement, if necessary, is hereby authorized and approved

Section 15.03. Subscription for Securities. The Authorized Officer is authorized to make necessary arrangements for and to execute such documents and agreements in connection with the purchase of the Escrow Securities required by and referenced in the Escrow Agreement, if any, as may be necessary for the Escrow Fund and the application for the acquisition of the Escrow Securities is hereby approved and ratified.

Section 15.04. Notice of Deposit and Redemption. The paying agent/registrar for the Refunded Obligations is hereby authorized and directed to give notice of deposit with respect to the Refunded Obligations in the manner specified in the ordinances authorizing the issuance of such Refunded Obligations.

ARTICLE XVI

EFFECTIVE IMMEDIATELY

Section 16.01. Effective Immediately. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, Texas, pertaining thereto, and it is accordingly so ordained.

FINALLY PASSED, APPROVED AND EFFECTIVE this November 8, 2017.

APPROVED AS TO FORM:

Larry E. Castro
City Attorney
City of Dallas, Texas

_____

SCHEDULE I

REFUNDED OBLIGATION CANDIDATES

All Outstanding General Obligation Commercial Paper Notes, Series 2010A

All outstanding maturities of the City of Dallas General Obligation Refunding and Improvement Bonds, Series 2007A

EXHIBIT A

DESCRIPTION OF ANNUAL DISCLOSURE OF FINANCIAL INFORMATION

EXHIBIT B

SALE PARAMETERS

In accordance with Section 12.01(a) of the Ordinance, the following conditions with respect to the Bonds must be satisfied in order for the Authorized Officer to act on behalf of the City in selling and delivering the Bonds to the Underwriters:

(a) the Bonds shall not bear interest at a rate greater than the maximum rate authorized by Chapter 1204, Texas Government Code, as amended;

(b) the aggregate principal amount of the Bonds authorized to be issued for the purposes described in Section 3.01 shall not exceed the limits described in that Section, and the Bonds sold for the purposes of refunding the Refunded Obligations shall be in an amount sufficient, in combination with the net premium from the sale of the Bonds, plus other available funds of the City, if any, to provide for the payment of the Refunded Obligations to be selected from the Refunded Obligation Candidates identified in Schedule I hereto and the costs and expenses of issuance of the Bonds, including underwriter's discount;

(c) the maximum maturity for the Bonds shall not be later than February 15, 2038; and

(d) the Bonds to be issued, prior to delivery, must have been rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for long term obligations.

AGENDA ITEM # 3

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	N/A
DEPARTMENT:	Dallas Animal Services
CMO:	Nadia Chandler Hardy, 670-1611
MAPSCO:	N/A

SUBJECT

An ordinance **(1)** amending Chapter 7, "Animals," of the Dallas City Code by amending Sections 7-1.1, 7-3.1, and 7-4.7; **(2)** adding and clarifying definitions; **(3)** amending proper restraint for loose animals; **(4)** creating an offense for an owner failing to provide potable water and shelter while restraining certain animals; **(5)** clarifying the offense related to a tethered dog and deleting a defense to prosecution related to a tethered dog; and **(6)** amending requirements for tethered dogs - Financing: This action has no cost consideration to the City

BACKGROUND

This ordinance amendment outlines changes to the requirements of the restraining of an animal by a tethering device unless in the immediate possession of the owner.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 9, 2017, the Quality of Life, Arts and Culture Committee was briefed on proposed ordinance changes amending Chapter 7 for intact licenses and compliance versus fine for citations.

On January 26, 2017, the Animal Advisory Commission was briefed on proposed ordinances changes amending Chapter 7 for intact licenses and tethering.

On March 9, 2017, the Animal Advisory Commission was briefed on proposed ordinance changes amending Chapters 2 and 7.

On April 24, 2017, the Quality of Life, Arts and Culture Committee was briefed and recommended moving forward with a draft ordinance amending Chapters 2 and 7 and requested that a final ordinance be scheduled for further review on May 22, 2017.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On April 27, 2017, the Animal Advisory Commission was briefed and recommended the proposed ordinance changes amending Chapters 2 and 7.

On May 22, 2017, the Quality of Life, Arts and Culture Committee was briefed on the ordinance changes amending Chapters 2 and 7.

On June 14, 2017, City Council authorized an ordinance amending Chapter 2, "Administration," and Chapter 7, "Animals," of the Dallas City Code by amending Sections 2-155, 2-156, 2-157, 7-1.1, 7-2.4, 7-2.5, 7-3.1, 7-4.1, 7-4.2, 7-4.10, 7-4.11, 7-4.12, 7-4.13, 7-5.4, 7-8.2, and 7.8-3; creating the Department of Animal Care Services; creating a director for the department; providing duties for the director; amending the number of required meetings for the animal advisory commission; adding and clarifying definitions; retitling certain titles; providing a requirement to report likely rabies exposures; creating a duty for an animal owner to quarantine an animal following a likely rabies exposure; providing notice requirements for impounded animals; providing a presumption of transfer of ownership for certain impounded animals; providing an additional defense to prosecution if the owner remedies the violation within a certain time period for certain offenses; replacing registration with mandatory microchipping; renaming the intact permit to breeding permit; amending breeding permit requirements; creating an offense for confining a dog or cat in an unattended motor vehicle under conditions that harm the dog or cat; amending the standard of review for appeal of a dangerous dog proceeding; providing enhanced penalties upon the third conviction of certain violations; deleting and reserving a section; making certain other structural, grammatical and clarifying changes; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date by Resolution No. 17-0922; Ordinance No. 30483.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on October 9, 2017.

FISCAL INFORMATION

No cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Chapter 7, "Animals," of the Dallas City Code by amending Sections 7-1.1, 7-3.1, and 7-4.7; adding and clarifying definitions; amending proper restraint for loose animals; creating an offense for an owner failing to provide potable water and shelter while restraining certain animals; clarifying the offense related to a tethered dog and deleting a defense to prosecution related to a tethered dog; amending requirements for tethered dogs; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 7-1.1, "Definitions," of Article I, "General," of Chapter 7, "Animals," of the Dallas City Code is amended to read as follows:

"**SEC. 7-1.1. DEFINITIONS.**

In this chapter:

(1) [~~ADEQUATE SHELTER means a clean and sturdy structure large enough to allow the dog to stand erect, sit, turn around, and lie down in a normal manner.~~

~~(2)~~] ADOPTER means a person who adopts an animal from an animal shelter or an animal adoption agency.

(2[~~3~~]) ADOPTION AGENCY means an animal welfare organization or animal placement group approved by the director to take impounded dogs and cats from animal services for adoption to the public.

(3[~~4~~]) ANIMAL means any nonhuman vertebrate.

(4[~~5~~]) ANIMAL SERVICES means the department so designated by the director for the purpose of animal care and control and enforcement of this chapter.

(5[~~6~~]) ANIMAL SERVICES OFFICER means an employee of animal services whose duty it is to enforce the provisions of this chapter.

(6[~~7~~]) ANIMAL SHELTER means a city-owned and operated animal shelter facility established for the impoundment, quarantine, care, adoption, euthanasia, and other disposition of unwanted, loose, diseased, or vicious animals.

(7[~~8~~]) ANIMAL WELFARE ORGANIZATION means a non-profit organization incorporated under state law and exempt from federal taxation under Section 501(c)(3) of the federal Internal Revenue Code, as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes.

(8[~~9~~]) AUTHORIZED REGISTRAR means a person issued written permission by the director to register dogs and cats in compliance with this chapter.

(9[~~10~~]) CHIEF OF POLICE means the head of the police department of the city of Dallas or a designated representative.

(10[~~11~~]) COMPETITION CAT means a pedigreed cat not used for breeding that:

(A) is of a breed recognized by and registered with an approved cat breed registry, such as the American Cat Fanciers Association, the Cat Fanciers' Association, the International Cat Association, or any other cat breed registry approved by the director; and

(B) competes in cat shows or other competition events sponsored by an approved cat breed registry.

(11[~~12~~]) COMPETITION DOG means a pedigreed dog not used for breeding that:

(A) is of a breed recognized by and registered with an approved dog breed registry, such as the American Kennel Club, the United Kennel Club, the American Dog Breeders Association, or any other dog breed registry approved by the director; and

(B) shows or competes in a confirmation, obedience, agility, carting, herding, protection, rally, sporting, working, or other event sponsored by an approved dog breed registry.

(12[~~13~~]) CONTACT INFORMATION means the owner's name, mailing address, telephone number, and electronic mail address, if any.

(13[~~14~~]) CONVICTION means a conviction in a federal court or a court of any state or foreign nation or political subdivision of a state or foreign nation that has not been reversed, vacated, or pardoned. "Conviction" includes disposition of charges against a person by probation, deferred adjudication, or deferred disposition.

(14[~~15~~]) CURRENTLY VACCINATED means vaccinated against rabies by a licensed veterinarian, with a rabies vaccine licensed by the U.S. Department of Agriculture, and:

(A) not more than 12 months have elapsed since the animal's most recent vaccination date, if the most recent vaccination was with a one-year rabies vaccine or was the animal's initial vaccination; or

(B) not more than 36 months have elapsed since the animal's most recent vaccination date, if the most recent vaccination was with a three-year rabies vaccine and the animal is a dog or cat that has received at least two vaccinations.

(15[~~16~~]) DIRECTOR means the director of the department designated by the city manager to perform the duties assigned in this chapter or the director's authorized representative.

(16[~~17~~]) DOMESTIC ANIMAL means:

(A) [~~livestock;~~]

[~~(B)~~] a dog;

(B[~~C~~]) a cat;

(C[~~D~~]) a ferret;

(D[~~E~~]) any bird, other than one in the Falconiforms or Strigiforms Order, that is commonly kept as a human's companion;

(E[~~F~~]) any "pocket pet," such as a mouse, hamster, gerbil, guinea pig, or rabbit, that is commonly kept as a human's companion;

(F[~~G~~]) any fish, such as a goldfish or tropical fish, that is commonly kept as a human's companion; and

(G[~~H~~]) any non-venomous and non- constrictor reptile or amphibian that is commonly kept as a human's companion.

(17[~~18~~]) EUTHANASIA means to put an animal to death in a humane manner.

(18[~~19~~]) FENCED YARD means an area that is completely surrounded by a substantial fence of sufficient strength, height, construction, materials, and design as to prevent:

(A) any animal confined within from escaping; or

(B) the head of a dog confined within from extending over, under, or through the fence.

(19[~~20~~]) FERAL CAT means any homeless, wild, or untamed cat.

(20[~~21~~]) LICENSED VETERINARIAN means a person licensed to practice veterinary medicine within the United States, or an authorized representative under that person's direct supervision.

(21[~~22~~]) LIVESTOCK means any fowl, horse, mule, burro, ass, cattle, sheep, swine, goat, llama, emu, ostrich, or other common farm animal.

(22[~~23~~]) LOOSE means an unrestrained domestic animal or livestock that is outside the boundaries of the premises owned, leased, or legally occupied by the animal's owner.

(23[~~24~~]) MICROCHIP means a passive electronic device that is injected into an animal by means of a pre-packaged sterilized implanting device for purposes of identification and/or the recovery of the animal by its owner.

(24[~~25~~]) ONE-YEAR RABIES VACCINE means a rabies vaccine labeled and licensed by the U.S. Department of Agriculture as immunizing a dog, cat, or ferret against rabies for one year.

(25[~~26~~]) OWN means to have legal right of possession or to otherwise have care, custody, possession, or control of an animal.

(26[~~27~~]) OWNER means any person owning, harboring, or having care, custody, possession, or control of an animal. An occupant of any premises on which a dog or cat remains, or customarily returns to, is an owner for purposes of this chapter. If a person under the age of 17 years owns an animal, the parent, legal guardian, or head of the household is the owner for purposes of this chapter. There may be more than one owner for an animal.

(27[~~28~~]) PERMITTEE means a person issued a breeding permit under Section 7-4.11 of this chapter.

(28[~~29~~]) PERSON means an individual or group of individuals acting in concert, a firm, partnership, association, corporation, or other legal entity.

(29[~~30~~]) PET means a domestic animal to be kept as a human's companion.

(30[~~31~~]) PROHIBITED ANIMAL means:

(A) a "dangerous wild animal" as that term is defined in Section 822.101 of the Texas Health and Safety Code, as amended;

(B) a margay, badger, wolf, dingo, elephant, hippopotamus, rhinoceros, non-human primate (other than a spider monkey or capuchin), crocodile, alligator, caiman, gavial, venomous amphibian or reptile, racer, boa (other than a red-tail boa), water snake, python (other than a ball python), hawk, eagle, vulture, and owl; and

(C) any hybrid of an animal listed in Paragraph (A) or (B) of this subsection (other than a dog-wolf hybrid).

(31) PROPERLY FITTED means, with respect to a collar or harness used for a dog, a collar or harness that:

(A) does not impede the dog's normal breathing or swallowing; and

(B) is attached to the dog in a manner that does not allow for escape and does not cause injury to the dog.

(32) PROTECTIVE CUSTODY means the holding of an animal in a city animal shelter:

(A) due to the arrest, eviction, hospitalization, or death of the animal's owner;

(B) pursuant to a court order; or

(C) at the request of a law enforcement agency.

(33) REGULATED ANIMAL means any animal other than a prohibited animal, livestock, or domestic animal.

(34) RETAIL PET STORE means a business that regularly sells animals for pet purposes to an ultimate owner. The term includes any owner, operator, agent, or employee of the business.

(35) SERVICE ANIMAL means:

(A) any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, and assisting non-ambulatory persons by pulling a wheelchair or fetching dropped items; and

(B) any trained animal used by a governmental agency in police and rescue work.

(36) TETHER means restraining an animal or the act of chaining, tying, fastening, or otherwise securing an animal to a fixed point so that it can move or range only within certain limits.

(37) TETHERING DEVICE means a cable, chain, cord, leash, rope, or other means of attaching an animal to a stationary object.

(38) THREE-YEAR RABIES VACCINE means a rabies vaccine labeled and licensed by the U.S. Department of Agriculture as immunizing a dog or cat against rabies for three years."

SECTION 2. That Section 7-3.1, "Loose Animals," of Article III, "Care and Treatment of Animals," of Chapter 7, "Animals," of the Dallas City Code is amended to read as follows:

"**SEC. 7-3.1. LOOSE ANIMALS.**

(a) An owner commits an offense if the owner fails to restrain the animal, at all times:

(1) in a fenced yard; [,]

(2) in an enclosed pen; [~~or~~]

(3) in a structure; [,] or

(4) by a tethering device, but only if the animal is in the owner's immediate possession and accompanied by the animal's owner, and, if the animal is a dog, the owner complies with the requirements in Section 7-4.7 of this chapter [~~or leash~~].

(b) An owner commits an offense if the owner restrains a domestic animal without providing the domestic animal access, at all times, to potable water and shelter which protects the domestic animal from direct sunlight, standing water, and extreme weather conditions, including conditions in which:

(1) the actual or effective outdoor temperature is below 32 degrees Fahrenheit;

(2) a heat advisory has been issued by a local or state authority or jurisdiction; or

(3) a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.

[~~No animal may be restrained by a tether or leash unless the animal is in the immediate possession of and accompanied by the animal's owner.~~]

(c) It is a defense to prosecution under Subsection (a) that the animal was:

(1) a dog in an off-leash site established under Section 32-6.1 of this code; or

(2) a feral cat participating in a trap, neuter, and return program approved by the director.

(d) It is a defense to prosecution under Subsection (b) that:

(1) the domestic animal was a dog;

(2) the dog was restrained by a tethering device while in the owner's immediate possession and accompanied by the dog's owner; and

(3) the owner was in compliance with the requirements in Section 7-4.7 of this chapter [~~and was tethered:~~

~~(1) in a manner complying with Section 7-4.7 of this chapter; and~~

~~(2) for a reasonable period of time, not to exceed three hours in a 24-hour period, and no longer than necessary for the owner to complete a temporary task that required the dog to be restrained~~]."

SECTION 3. That Section 7-4.7, "Tethered Dogs," of Article IV, "Specific Requirements for Dogs and Cats," of Chapter 7, "Animals," of the Dallas City Code is amended to read as follows:

"**SEC. 7-4.7. TETHERED DOGS.**

[~~(a)~~] An owner of a dog may only tether a dog if the dog is in the owner's immediate possession and accompanied by the owner, as required by Section 7-3.1 of this chapter. In addition, the owner of a tethered dog shall: [~~commits an offense if he tethers the dog or~~]

(1) not allow[~~s~~] the dog to be tethered in any manner or by any method that allows the dog to become entangled or injured; [~~:~~]

(2) use a properly fitted harness or collar that is specifically designed for the dog; and

(3) attach the tethering device to the dog's harness or collar and not directly to the dog's neck.

[~~(1) allows the dog to leave the premises owned, leased, or occupied by the dog's owner;~~

~~(2) allows the dog to become entangled;~~

~~(3) does not allow the dog access to food, water, and appropriate shelter if outside; or~~

~~(4) does not meet the requirements for tethering a dog under Subsection (b) of this section.~~

~~(b) The following requirements apply to a dog tethered within the city:~~

~~(1) The dog must be properly fitted with and wearing a harness or collar made of leather or nylon~~.

~~(2) The tether must be attached to the dog's harness or collar and not directly to the dog's neck.~~

~~(3) The tether must be at least 10 feet long.~~]"

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 5. That Chapter 7 of the Dallas City Code shall remain in full force and effect, save, and except as amended by this ordinance.

SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect February 1, 2018, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By_____
Assistant City Attorney

Passed_____

AGENDA ITEM # 4

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 671-5257
MAPSCO:	45 G L

SUBJECT

Authorize a resolution supporting a housing and economic development impact study for the alternative scenarios identified for I-345 in the Dallas City Center Master Assessment Process (CityMAP) – Financing: No cost consideration to the City

BACKGROUND

Texas Department of Transportation's (TxDOT) CityMAP initiative assessed the challenges, opportunities and redesign options for aging interstate corridors and adjacent neighborhoods in and around downtown Dallas. TxDOT initiated the process in early 2015 to understand how congestion relief and city design can be considered comprehensively by engaging with community stakeholders, the City of Dallas and Dallas County.

Based on stakeholder input, CityMAP identified three scenarios for I-345, a stretch of highway connecting I-45 and the North Central Expressway (US 75): (1) Modify Scenario; (2) Remove Scenario; and (3) Below-Grade Scenario. The final draft of CityMAP indicates the I-345 "Remove" and "Below Grade" scenarios provide the greatest estimated increase in net new property value, net new revenue, workforce housing and employment growth. TxDOT is prepared to proceed with engineering and traffic studies to analyze the identified scenarios.

In an effort to maximize positive outcomes, the City should perform its own workforce housing and economic impact analysis and plan for the 240 acres affected by the I-345 scenarios in collaboration and in coordination with TxDOT. To the extent these scenarios impact the City financially, the City has an interest in working jointly with TxDOT to evaluate cost reasonableness. Moreover, if the City does not assume a leadership role in this process, it risks being unable to influence the design in a manner consistent with community input and the City's policy goals.

BACKGROUND (continued)

There is no immediate fiscal impact associated with this request for support. Staff will work with TxDOT to determine if cost sharing is possible or if the cost of the proposed study will be the sole responsibility of the City. Upon determining how the study will be funded, staff will bring a recommendation to the Committee and City Council for approval.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development and Housing Committee on October 16, 2017.

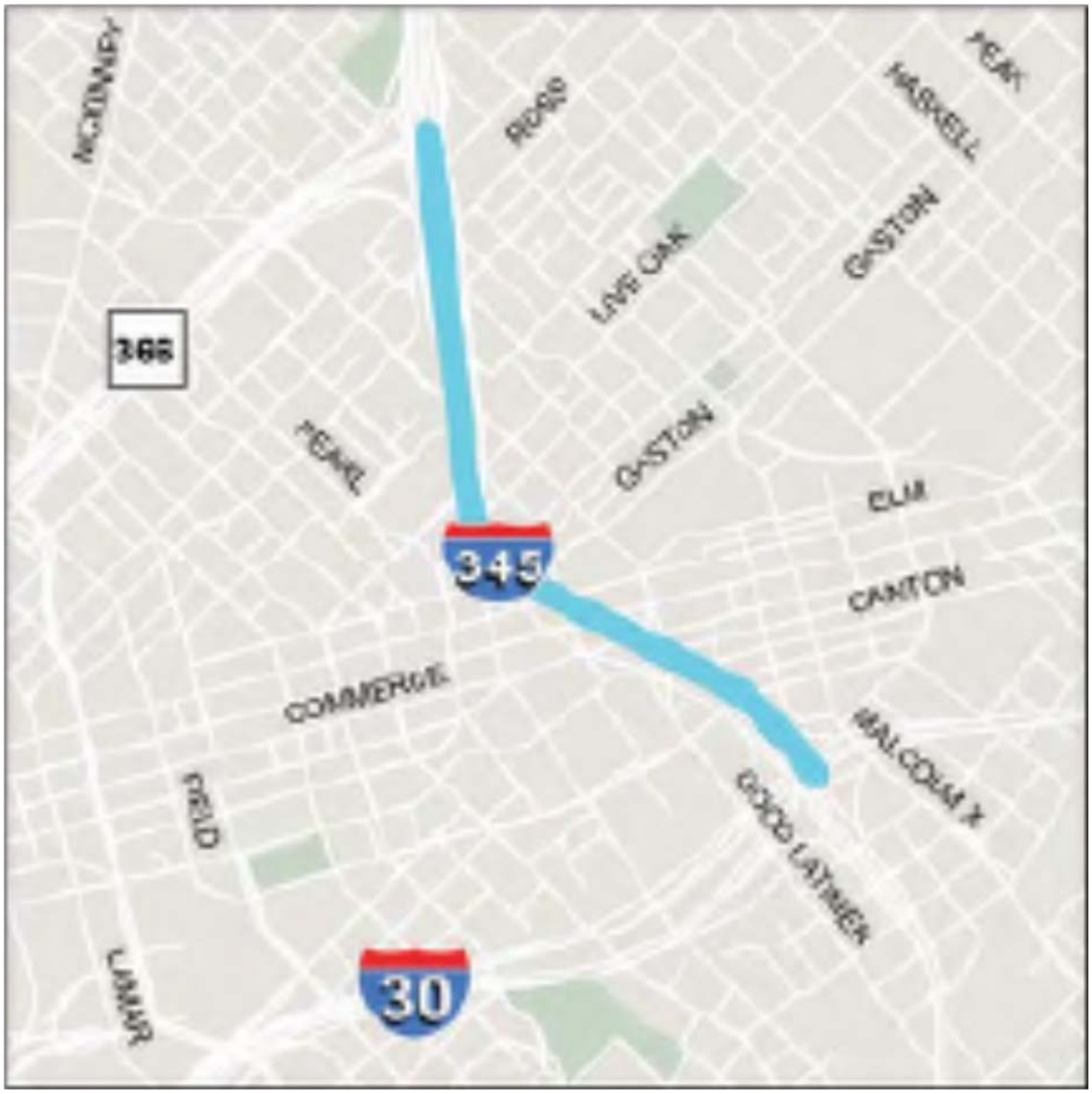
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Location Map



WHEREAS, the City recognizes the importance of its role in local economic development, housing and transportation initiatives and programs; and

WHEREAS, Texas Department of Transportation's (TxDOT) commissioned the Dallas City Center Master Assessment Process (CityMAP) that assessed the challenges, opportunities and redesign options for aging interstate corridors and adjacent neighborhoods in and around downtown Dallas; and

WHEREAS, CityMAP process involved input from over one hundred stakeholders over a nine-month period and identified three scenarios for I-345, a stretch of highway connecting I-45 and the North Central Expressway (US 75): (1) Modify Scenario; (2) Remove Scenario; and (3) Below-Grade Scenario; and

WHEREAS, the final report identified the Remove and Below Grade scenarios resulted in the greatest increase in net new property value and workforce housing opportunities of all the evaluated scenarios; and

WHEREAS, TxDOT has allocated funding for in-depth engineering and traffic studies to analyze the scenarios for the I-345 corridor to be completed in the next twelve to eighteen months; and

WHEREAS, the City desires to work jointly with TxDOT to evaluate cost reasonableness, housing, economic and transportation impacts of the proposed scenarios; and

WHEREAS, the City also desires that TxDOT conduct similar housing and economic development impact studies for other priority highway projects in Dallas, including the upcoming I-30 project.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council supports the completion of a housing and economic impact study for the alternative scenarios identified for I-345 in the Dallas City Center Master Assessment Process (CityMAP) and directs staff to determine how the study will be funded.

SECTION 2. That the City Council urges TxDOT to build upon the CityMAP analysis and provide the City of Dallas with an implementation plan to realize the corridor's value proposition.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 5

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services
Convention and Event Services

CMO: Jody Puckett, 670-3390
Joey Zapata, 670-3009

MAPSCO: 45 P

SUBJECT

Authorize a professional services contract with AECOM Technical Services, Inc. for architectural and engineering services for design, construction documents and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $332,178 - Financing: Convention Center Capital Construction Funds

BACKGROUND

The Convention Center dates back to 1957 when the Dallas Memorial Auditorium opened its doors. The center has seen major expansions in 1974, 1984, 1994 and 2002 to include exhibition space, meeting rooms, ballrooms and pre-function lobbies. The multi-leveled center is dependent on its vertical conveyance system of elevators and escalators to move conventioneers during an event. There remain five elevators and twelve escalators that require modernization to meet the service demands of the center.

This action will authorize a professional services contract with AECOM Technical Services, Inc. to provide architectural and engineering services for the design, construction document development, and construction administration and bidding for the necessary improvements or replacements. A separate construction procurement is anticipated in summer 2018 when documents are finalized.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	November 2017
Complete Design	May 2018
Begin Construction	November 2018
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

There is no prior action on this item.

FISCAL INFORMATION

Convention Center Capital Construction Funds - $332,178

M/WBE INFORMATION

See attached.

PROPOSAL INFORMATION

In August 2015, the Public Works Department began the two step (Request for Qualifications/Request for Proposals) process to procure Architectural/Engineering and Consulting Services for Fiscal Years 2015-2018. From the pool of firms who submitted qualifications, the selected firms were evaluated and short-listed based on their vertical conveyance systems qualifications listed in their Statement of Qualifications.

On April 4, 2017 the Equipment and Building Services Department notified the following short-listed firms and issued a Request for Proposals for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas.

AECOM Technical Services, Inc.
BRW Architects
Exp US Services, Inc.
Jacobs Engineering

On April 27, 2017, the Equipment and Building Services Department received one proposal from short-listed firms and ranked as follows:

Proposer	Rank
AECOM Technical Services, Inc.	1

PROPOSAL INFORMATION (continued)

The proposal was evaluated according to the criteria published in the Request for Qualifications and the Request for Proposals. These criteria, with respective weights, were as follows:

Criteria 1 - Firms Approach to the Project	10 points
Criteria 2 - Qualification & Experience	25 points
Criteria 3 - Key Personnel	20 points
Criteria 4 - Understanding and Approach	15 points
Criteria 5 - Schedules and Budgets	15 points
Criteria 6 - Past performance and history of complying with M/WBE goals	15 points

OWNER

AECOM Technical Services, Inc.

Mike Burke, President
Ted Kollaja, Vice President, Managing Principal

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with AECOM Technical Services, Inc. for architectural and engineering services for design, construction documents and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $332,178 - Financing: Convention Center Capital Construction Funds

AECOM Technical Services, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor:
PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$220,778.00	66.46%
Total non-local contracts	$111,400.00	33.54%
TOTAL CONTRACT	$332,178.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

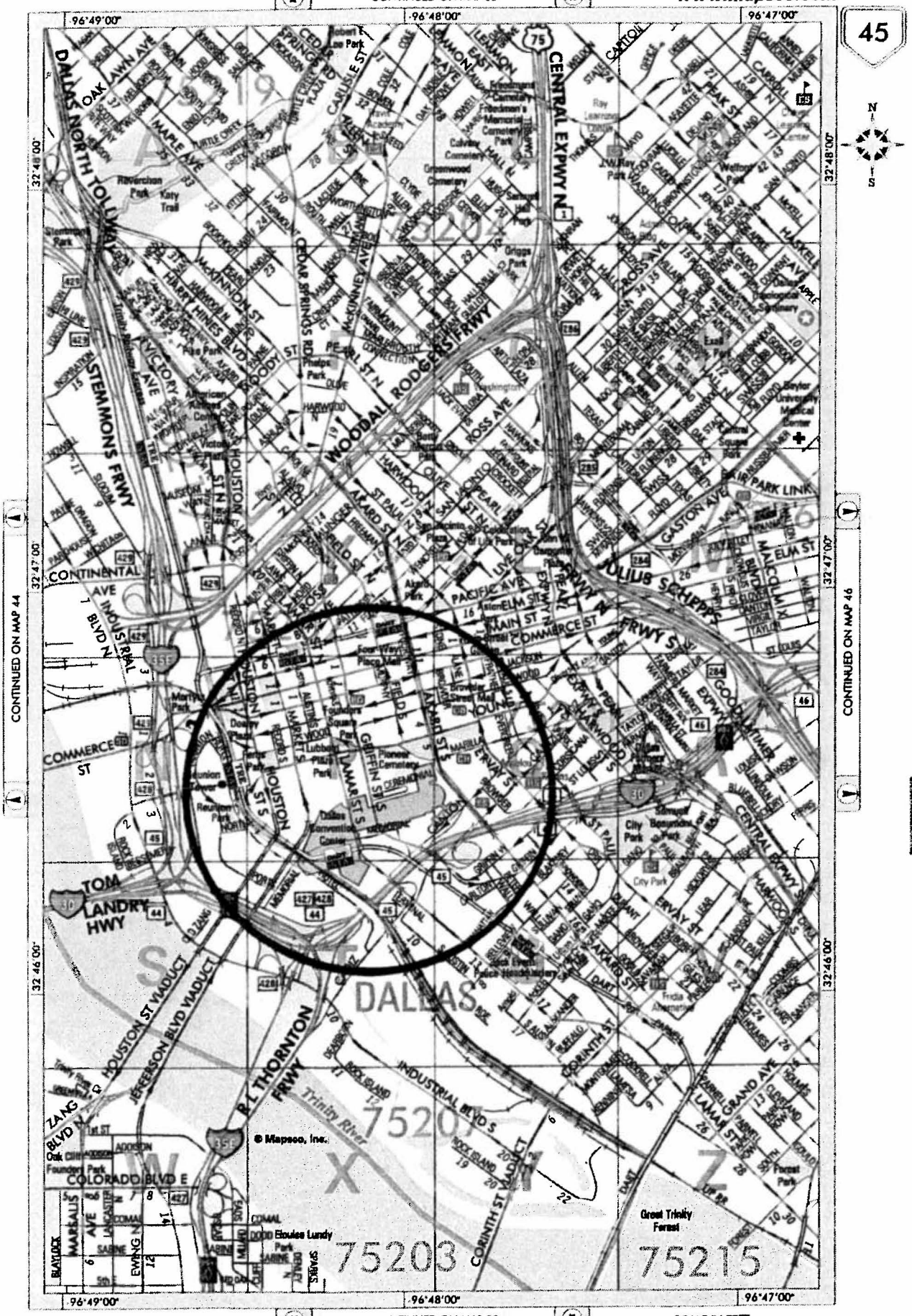
None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
SwettCorp	WFWB86388N1019	$111,400.00	100.00%
Total Minority - Non-local		$111,400.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$111,400.00	33.54%
Total	$0.00	0.00%	$111,400.00	33.54%



SCALE IN MILES
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0 1000 2000 3000

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For Central Business District map coverage see pages 10 and 11

November 8, 2017

WHEREAS, the Kay Bailey Hutchison Convention Center Dallas has developed a continuation of the Capital Improvement program; and

WHEREAS, there remains a need to modernize five elevators and twelve escalators for the Kay Bailey Hutchison Convention Center Dallas was identified and requires architectural and engineering design services for the design, construction documents, bidding and construction administration for the project; and

WHEREAS, a solicitation for Professional Architectural/Engineering and Consulting Services was developed and publicly advertised by the Public Works Department; and

WHEREAS, a proposal request was issued to the four short-listed firms; and

WHEREAS, one firm submitted a proposal to provide architectural and engineering services for the Kay Bailey Hutchison Convention Center Dallas Elevator and Escalator Modernization Project; and

WHEREAS, AECOM Technical Services, Inc. was scored and ranked by the selection committee as the qualified proposer as a result of a qualifications based selection process in accordance with City of Dallas procurement guidelines; and

WHEREAS, it is now desirable to authorize a professional service contract with AECOM Technical Services, Inc. to provide architectural and engineering services for design, construction documents, bidding and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas, in an amount not to exceed $332,178.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with AECOM Technical Services, Inc. (VC0000011194), for architectural and engineering services for design, construction documents and construction administration for the Elevator and Escalator Modernization Project at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street, in an amount not to exceed $332,178, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds to AECOM Technical Services, Inc. in accordance with the terms and conditions of the contract from Convention Center Capital Construction Fund, Fund 0082, Department CCT, Unit W106, Object 4310, Program PBC00045, Contract No./Encumbrance CX-EBS-2017-00003155.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 6

STRATEGIC PRIORITY:	Culture, Arts and Recreation and Educational Enhancements Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Equipment & Building Services
CMO:	Jody Puckett, 670-3390
MAPSCO:	45K

SUBJECT

Authorize a construction contract for the Dallas Museum of Art Sculpture Garden Renovation located at 1717 North Harwood Street - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed $1,290,000 - Financing: 2006 Bond Funds

BACKGROUND

The Dallas Museum of Art (DMA) Sculpture Garden was constructed in 1984. The original scope of this project, included in the 2006 Bond Program, was to replace or repair the underground mechanical, electrical and drainage systems in the Sculpture Garden damaged by tree roots or deterioration due to age. During the design phase, deficiencies and issues throughout the entire Sculpture Garden were noted which exceeded the available design and construction budget for this project.

The DMA administration asked the City to put the design on hold until private donation were acquired to fund a complete redesign and construction of the entire Sculpture Garden to upgrade the garden. After years of delay, a donor has not been found to fund the upgrade. In January 2016, the DMA Building Committee voted, based on recommendations of the architect, the Public Works Department and DMA personnel that the original scope of this project be redefined in order to achieve the best value utilizing the available funds.

The courtyard will be completely restored to alleviate the issues with drainage, settlement and handicapped accessibility to the courtyard from the museum. The underground plumbing and electrical systems serving the garden's water features have exceeded their expected life span and are failing due to the entanglement of Live Oak roots. Underground soil erosion has caused pavement to settle several inches requiring doors from the museum to the garden to be locked due to the trip hazards and limits the use of the garden for exhibitions and events.

BACKGROUND (continued)

The lack of stormwater drainage and deterioration of the basement waterproofing membrane due to damage by tree roots causes water infiltration into the basement during storm events.

This action will authorize a construction services contract with Phoenix I Restoration and Construction, Ltd. for Sculpture Garden Renovation at the Dallas Museum of Art.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2010
Completed Design	April 2017
Begin Construction	November 2017
Complete Construction	April 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 11, 2010, City Council authorized a design services contract with Conley Group to replace or repair the underground mechanical, electrical and drainage systems in the Sculpture Garden by Resolution No. 10-1948.

Information about this item was provided to the Arts, Culture and Libraries Committee on June 20, 2016.

On June 22, 2016, City Council authorized Supplemental Agreement No. 2 to the professional services with Conley Group for Dallas Museum of Art Sculpture Garden repairs by Resolution No. 16-1072.

FISCAL INFORMATION

2006 Bond Funds - $1,290,000

M/WBE INFORMATION

See attached.

PROPOSAL INFORMATION

On April 19, 2017, construction documents were completed and advertised for competitive sealed proposals.

PROPOSAL INFORMATION (continued)

On May 26, 2017, three competitive sealed proposals were received and opened. Interviews were held on July 21, 2017. Proposers were ranked as follows:

*Denotes the successful proposer

Proposers	**Rank**
*Phoenix I Restoration and Construction, Ltd. 14032 Distribution Way Farmers Branch, Texas 75234	1
JC Commercial, Inc.	2
Lone Star Waterproofing Co., Inc.	3

The proposals were evaluated according to the criteria published in the Request for Competitive Sealed Proposals (RFCSP) for construction and the selection criteria and procedures for evaluation.

These criteria, with respective weights were as follows:

Criteria 1 - Proposed Construction Contract Amount	40 points
Criteria 2 - Schedule	5 points
Criteria 3 - Experience/References	30 points
Criteria 4 - Project Team	5 points
Criteria 5 - Financial Sufficiency	5 points
Criteria 6 - Business Inclusion and Development	15 points

OWNER

Phoenix I Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract for the Dallas Museum of Art Sculpture Garden Renovation located at 1717 North Harwood Street - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed $1,290,000 - Financing: 2006 Bond Funds

Phoenix I Restoration and Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$908,415.00	70.42%
Total non-local contracts	$381,585.00	29.58%
TOTAL CONTRACT	$1,290,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Levis Consulting LLC	BFDB60505Y1217	$330,000.00	36.33%
Madden Electric	WFWB70846N0619	$27,000.00	2.97%
Total Minority - Local		$357,000.00	39.30%

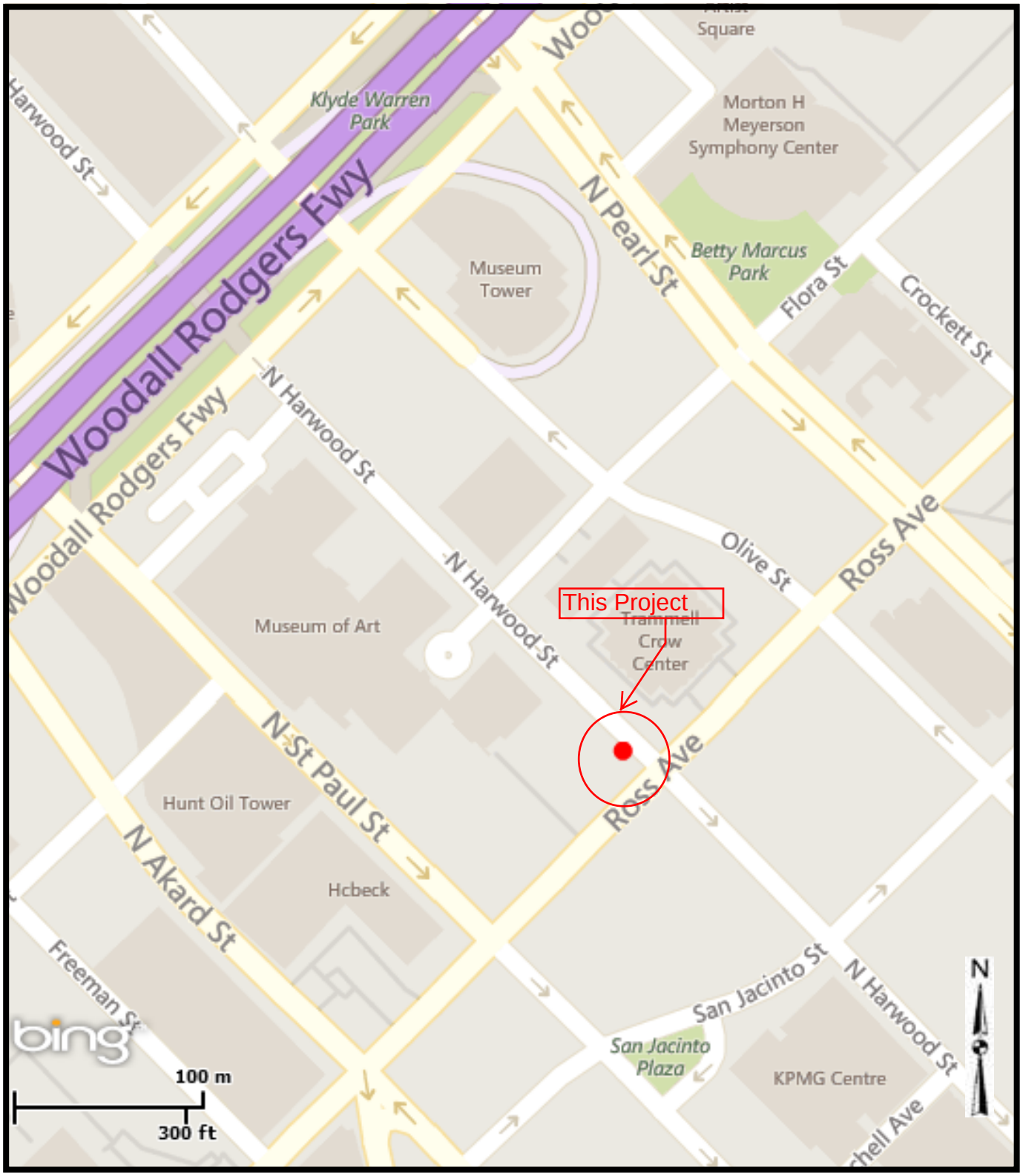
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$330,000.00	36.33%	$330,000.00	25.58%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$27,000.00	2.97%	$27,000.00	2.09%
Total	$357,000.00	39.30%	$357,000.00	27.67%

DALLAS MUSEUM OF ART - SCULPTURE GARDEN REPAIRS



Dallas Museum of Art

1717 N. Harwood
45K

WHEREAS, three proposals were received on May 26, 2017 for the Dallas Museum of Art Sculpture Garden Renovation; and

Proposers	**Rank**
Phoenix I Restoration and Construction, Ltd.	1
JC Commercial, Inc.	2
Lone Star Waterproofing Co., Inc.	3

WHEREAS, upon conclusion of a selection process conducted by City staff, Phoenix I Restoration and Construction, Ltd. was chosen as the most qualified firm of the three proposers to provide construction services for the project; and

WHEREAS, it was determined that Phoenix I Restoration and Construction, Ltd. was the best value proposer of three; and

WHEREAS, the City entered negotiations with Phoenix I Restoration and Construction, Ltd. which concluded in a best and final offer submitted by Phoenix 1 Restoration and Construction, Ltd. dated August 1, 2017; and

WHEREAS, it is now desirable to authorize a construction services contract with Phoenix I Restoration and Construction, Ltd. for the Dallas Museum of Art Sculpture Garden Renovation, in an amount not to exceed $1,290,000.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with Phoenix I Restoration and Construction, Ltd., approved as to form by the City Attorney, for the Dallas Museum of Art Sculpture Garden Renovation located at 1717 North Harwood, in an amount not to exceed $1,290,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,290,000 to Phoenix I Restoration and Construction, Ltd. in accordance with the terms and conditions of the contracts from the applicable project fund for the individual construction for which the services are being performed, subject to annual appropriation of funding from 2006 Bond Fund, Fund 7T49, Department EBS, Unit T703, Activity MMCF, Object 4310, Program 07DC082, Encumbrance/Contract No. CX-EBS-2017-00003649, Vendor VC0000003594.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 7

STRATEGIC PRIORITY: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Equipment & Building Services
Public Affairs and Outreach

CMO: Jody Puckett, 670-3390
Kimberly Bizor Tolbert, 670-3302

MAPSCO: 46Q

SUBJECT

Authorize additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park located at 1620 First Avenue - Financing: This action has no cost consideration to the City

BACKGROUND

This action authorizes an additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park located at 1620 First Avenue**.**

The construction services contract included a contingency line in the amount of $490,000 from which this Change Order No. 1 in the amount of $400,756 is funded from, leaving a balance of $89,244. The total contract remains unchanged.

Since the construction services contract was awarded, the user group and architects have changed the design program and made modifications to the design. Also, during the interior demolition phase several deficiencies and unforeseen conditions were uncovered which require structural reinforcement, repairs, and/or replacement. These are itemized as follows:

Program changes and design improvements:

- Install bike racks and signage
- Modifications to walls, ceilings, doors hardware, electrical, mechanical, plumbing and fire sprinklers due to plan changes
- Roofing modifications and additional structural steel at the new skylight

BACKGROUND (continued)

Program changes and design improvements (continued)

- Additional wall fabric in editing Room No. 7 to improve acoustics
- New glass in an existing exterior window frame
- Install two new interior doors with sidelights

Concealed conditions discovered during demolition:

- Demolish concrete beams in the existing floor slab for the placement of new mezzanine footings
- Re-roof a portion of the rooftop for the heating, ventilation and air conditioning unit
- Fill voids discovered in existing structural brick walls
- Replace a portion of failed concrete slab
- Remove previously unknown plaster ceiling
- Install additional structural steel at masonry openings
- Replace exterior Mechanical Room doors
- Restore original exterior doors/windows and replace original scratched/broken glass
- Enlarge storefront to infill existing door opening
- Reinforce existing structural masonry wall required for the new mezzanine
- Replace deteriorated metal studs at the original Pioneer Room
- Install floor topping material to level existing floor slab
- Demolish interior masonry wall

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2015
Completed Design	October 2016
Began Construction	January 2017
Complete Construction	June 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 17, 2015, City Council authorized a professional services contract with Russ Berger Design Group, Inc. for renovation of the Science Place II Building at Fair Park for the Dallas City News Network by Resolution No. 15-1159.

On November 2, 2016, City Council was briefed on the Communications and Policy Institute.

On December 14, 2016, City Council authorized a construction services contract with Phoenix I Restoration and Construction, Ltd. for the Dallas City News Studio by Resolution No. 16-1985.

FISCAL INFORMATION

This item has no cost consideration to the City.

OWNER

Phoenix I Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached



Dallas City News Studio - Fair Park

November 8, 2017

WHEREAS, on June 17, 2015, City Council authorized a professional services contract with the Russ Berger Design Group, Inc. for renovation of the Science Place II Building at Fair Park for the Dallas City News Network, in an amount not to exceed $301,000, by Resolution No. 15-1159; and

WHEREAS, on December 14, 2016, City Council authorized a construction services contract with Phoenix I Restoration and Construction, Ltd. for the Dallas City News Studio, in an amount not to exceed $5,146,800, by Resolution No. 16-1985; and

WHEREAS, on February 16, 2017, Administrative Action No. 17-0316 authorized Supplemental Agreement No. 1 to the professional services contract with the Russ Berger Design Group, Inc. for special services for interior design services to add exterior renovation, in an amount not to exceed $39,000, increasing the contract amount from $301,000 to $340,000; and

WHEREAS, it is now necessary to authorize additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas News Studio in Fair Park located at 1620 First Avenue.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the additional scope of work to the construction services contract with Phoenix I Restoration and Construction, Ltd. (Change Order No. 1) is authorized for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas News Studio in Fair Park located at 1620 First Avenue, with zero cost, having no effect on the contract amount.

SECTION 2. That this contract is designated as Contract No. EBS-2016-00001487.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

AGENDA ITEM # 8

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Equipment & Building Services
CMO:	Jody Puckett, 670-3390
MAPSCO:	45Q

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs located at 1500 Marilla Street - Not to exceed $75,750, from $35,000 to $110,750 - Financing: Capital Construction Funds

BACKGROUND

On January 9, 2017, a section of a concrete column capital drop panel in the overhead slab supporting the plaza had cracked and concrete delaminated, falling to the floor at the Dallas City Hall Garage. Upon visual inspection of the columns on the L1 Level of the garage, one other drop panel was observed to have similar cracking and barricades were installed to restrict access to these areas of concern.

On January 20, 2017, Administrative Action No. 17-5635 authorized a professional services contract with JQ Infrastructure, LLC to assess and recommend repairs to damaged drop panels at the Dallas City Hall Garage located at 1500 Marilla Street, in an amount not to exceed $35,000.

After providing visual inspection, nondestructive and destructive testing of the existing concrete columns and slab, and a complete structural analysis of the garage based on the record construction documents, they concluded that the precise reasoning behind the timing of the failures is unknown. Some previous patches of the drop panels were observed which would indicate that prior structural damage had occurred. The investigation identified the need for structural repairs to the cracked and delaminated concrete column capital drop panels and to increase the loading capacity of forty-five columns on the L1 Level of the garage which supports the overhead concrete slab of the plaza. The garage can remain open while the permanent repairs are being completed.

BACKGROUND (continued)

This action will authorize JQ Infrastructure, LLC to design and prepare construction documents for the structural repairs. The completed construction documents will be used to procure a construction contract to execute the structural repairs.

ESTIMATED SCHEDULE OF PROJECT

Began Investigation	January 2017
Completed Investigation	October 2017
Begin Design	December 2017
Complete Design	February 2018
Begin Construction	July 2018
Complete Construction	January 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

There is no prior action on this item.

FISCAL INFORMATION

Capital Construction Funds - $75,750

M/WBE INFORMATION

See attached.

OWNER

JQ Infrastructure, LLC

Stephen H. Lucy, Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs located at 1500 Marilla Street - Not to exceed $75,750, from $35,000 to $110,750 - Financing: Capital Construction Funds

JQ Infrastructure, LLC is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$75,750.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$75,750.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

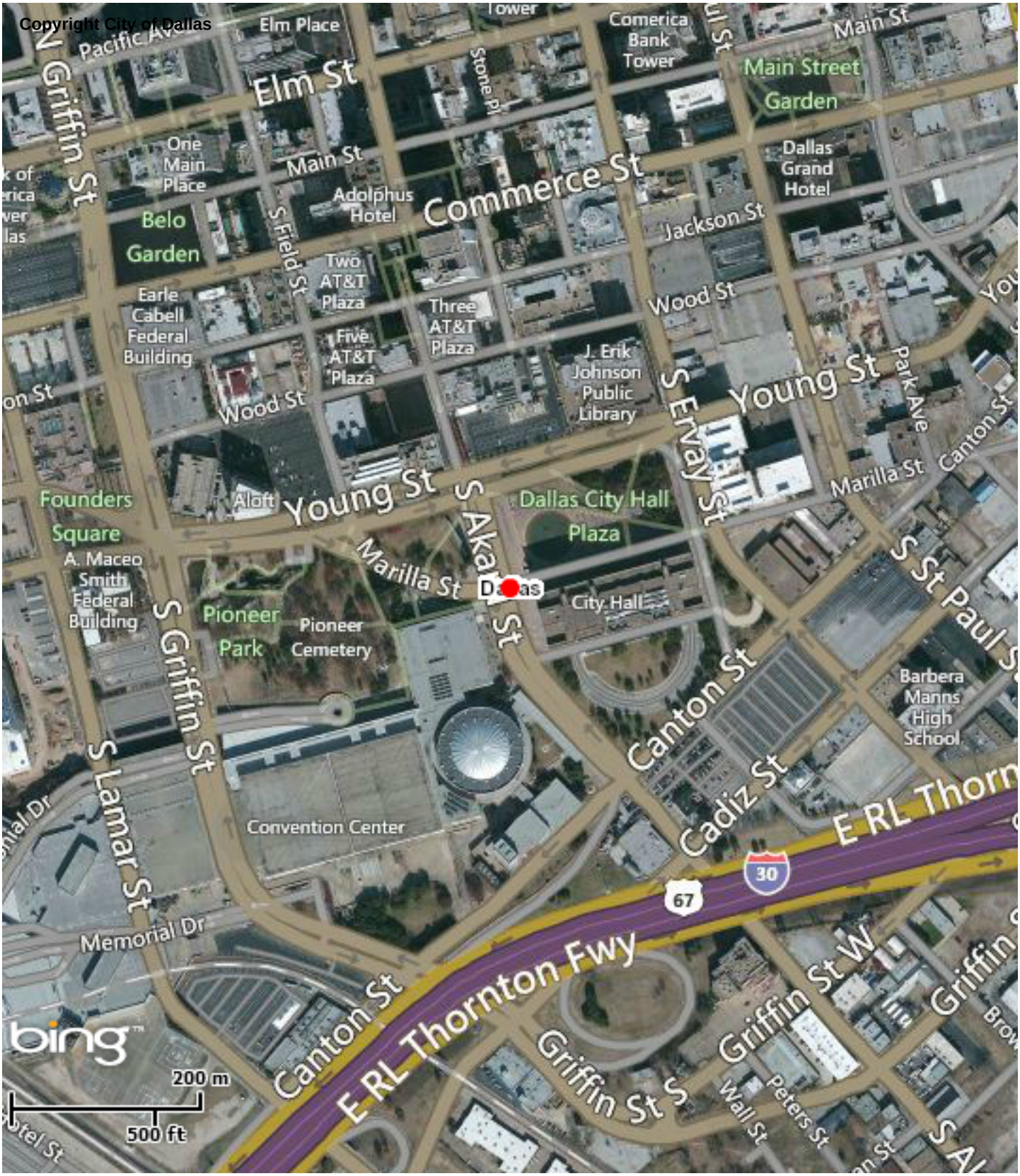
None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$110,750.00	100.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$110,750.00	100.00%



1500 Marilla Street

City of Dallas

DISCLAIMER

This data has been compiled for City of Dallas.
Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

N

November 8, 2017

WHEREAS, on January 9, 2017, a section of a concrete column capital drop panel in the overhead slab supporting the plaza had cracked and delaminated, falling to the floor at the Dallas City Hall Parking Garage located at 1500 Marilla Street; and

WHEREAS, during the review of this situation, one other drop panel was observed to have similar cracking and barricades were installed to restrict access to these and similar areas of concern; and

WHEREAS, on January 20, 2017, Administrative Action No. 17-5635 authorized a professional services contract with JQ Infrastructure, LLC to assess and recommend repairs to damaged drop panels at the Dallas City Hall Garage, in an amount not to exceed $35,000; and

WHEREAS, the investigation identified the need for structural repairs to the cracked and delaminated concrete column capital drop panels and to increase the capacity of forty-five columns supporting the garage level one overhead concrete slab supporting the plaza; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs, in an amount not to exceed $75,750, increasing the contract amount from $35,000 to $110,750.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC, approved as to form by the City Attorney, for engineering design services to prepare construction documents for the Dallas City Hall Parking Garage Slab Repairs located at 1500 Marilla Street, in an amount not to exceed $75,750, increasing the contract amount from $35,000 to $110,750.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in the amount not to exceed $75,750 to JQ Infrastructure, LLC, in accordance with the terms and conditions of the contract from the Capital Construction Fund, Fund 0671, Department EBS, Unit P717, Object 3070, Activity MMCR, Encumbrance/Contract No. CX-EBS-2017-00003358, Commodity 92500, Vendor 517892.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly resolved.

AGENDA ITEM # 9

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	7
DEPARTMENT:	Housing & Neighborhood Revitalization
CMO:	Raquel Favela, 670-3309
MAPSCO:	56V, Z 57S, W

SUBJECT

Authorize an amendment to Resolution No. 16-1449, previously approved on September 14, 2016, for a housing development loan with Dallas Area Habitat for Humanity for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to **(1)** extend the completion date from August 31, 2017 to April 30, 2018; and **(2)** amend the terms to incorporate contract thresholds - Financing: No cost consideration to the City

BACKGROUND

In June 2015, the City approved a loan agreement for HOME funded gap financing for a portion of the construction costs for 18 homes to be built and sold. Initially, the construction was delayed by the environmental review, which took extensive time to complete; the project has been under construction since that time.

In August 2017, Bill Hall, Chief Executive Officer of Dallas Area Habitat for Humanity (DAHFH), requested to extend the completion date from August 31, 2017 to April 30, 2018 to submit the remaining documentation to complete the project. The developer had a change in staff that contributed to the delay in submission of the documentation for five units. To date, 13 of the 18 units are completed. All 18 units have been pre-sold to eligible homebuyers at or below 80 percent of area median family income. A lien was placed on the properties, and as each unit is built and sold to an eligible homebuyer, the lien will be partially released.

This action will authorize the City Manager to sign an amendment to the housing development loan with DAHFH for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to **(1)** extend the completion date from August 31, 2017 to April 30, 2018; and **(2)** amend the terms to incorporate contract thresholds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council authorized a housing development loan with Dallas Area Habitat for Humanity for construction of 18 affordable single family homes for the Joppa Neighborhood Project to be located on scattered sites in the Joppa Neighborhood area by Resolution No. 15-1078.

On September 14, 2016, City Council authorized an amendment to Resolution No. 15-1078, previously approved on June 10, 2015, for a housing development loan with Dallas Area Habitat for Humanity for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to extend the completion date from August 26, 2016 to August 31, 2017, by Resolution No. 16-1449.

Information about this item will be provided to the Economic Development and Housing Committee on November 6, 2017.

FISCAL INFORMATION

No cost consideration to the City.

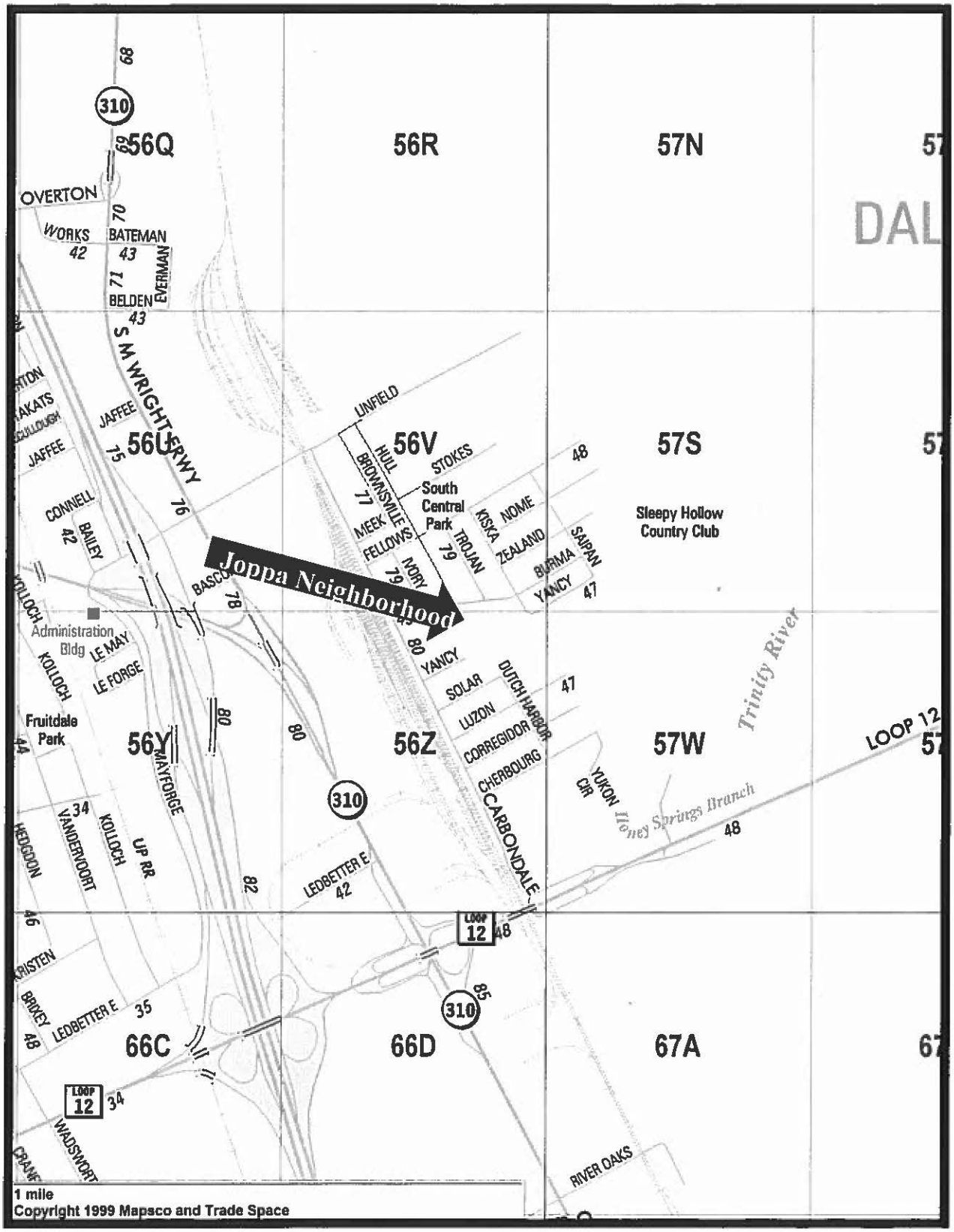
DEVELOPER

Dallas Area Habitat for Humanity

Bill Hall, Chief Executive Office

MAP

Attached



MAPSCO 56V Z; 57S W

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas; and

WHEREAS, on June 10, 2015, City Council authorized a housing development loan with Dallas Area Habitat for Humanity for construction of 18 affordable single family homes for the Joppa Neighborhood Project to be located on scattered sites in the Joppa Neighborhood area by Resolution No. 15-1078; and

WHEREAS, on September 14, 2016, City Council authorized an amendment to Resolution No. 15-1078, previously approved on June 10, 2015, for a housing development loan with Dallas Area Habitat for Humanity for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to extend the completion date from August 26, 2016 to August 31, 2017, by Resolution No. 16-1449; and

WHEREAS, Dallas Area Habitat for Humanity proposes to continue to work with the City of Dallas to undertake the development of 18 affordable units in the Joppa Neighborhood area; and

WHEREAS, the City desires for Dallas Area Habitat for Humanity to develop housing units for low and moderate-income families.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign an amendment to Resolution No. 16-1449, previously approved on September 14, 2016, for a housing development loan with Dallas Area Habitat for Humanity (DAHFH), approved as to form by the City Attorney, for construction of 18 single family homes to be located on scattered sites in the Joppa Neighborhood area to **(1)** extend the completion date from August 31, 2017 to April 30, 2018; and **(2)** amend the terms to incorporate contract thresholds.

SECTION 2. That the terms of the loan agreement are amended to include:

(a) DAHFH must execute amendments to all necessary documents.
(b) Monthly reports will be submitted by developer to provide updates on the status of the project on the completion of the Davis Bacon items.
(c) DAHFH will report delays to City staff immediately, but no later than within one week of identifying the issue.
(d) DAHFH will submit complete homebuyer files for City staff's review by April 30, 2018.
(e) DAHFH will submit its final payment request by April 30, 2018.

SECTION 3. That all other prior terms in Resolution Nos. 15-1078 and 16-1449 remain as approved.

SECTION 4. That the City Manager is hereby authorized to execute future amendments, releases of liens, subordinations, and all related documents, approved as to form by the City Attorney, as well as grant the Director of Department of Housing and Neighborhood Revitalization authority to negotiate and extend a change in date in order to meet regulatory requirements.

SECTION 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the amendments are duly approved by all parties and executed.

SECTION 6. That this contract is designated as Contract No. HOU-2016-00000122.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 10

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Housing & Neighborhood Revitalization
CMO:	Raquel Favela, 670-5257
MAPSCO:	N/A

SUBJECT

Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing and commercial use - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the City Manager, or his designee, to execute an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code).

The term of the contract will begin on October 1, 2017 and end on September 30, 2018.

Under the contract, the City may refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2018. The City or the Land Bank must give written notice to all parties to the contract of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit, and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of a lawsuit on a parcel or on the sale of a particular parcel to the Land Bank.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council authorized the City of Dallas Urban Land Bank Demonstration Program and Program Statement; the Dallas Housing Acquisition and Development Corporation to amend its Articles of Incorporation and Bylaws and change the make up of its Board of Directors; adoption of the Urban Land Bank Demonstration Program Plan; and Interlocal Cooperation Contract between the City of Dallas, with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District by Resolution No. 04-0458.

The Economic Development and Housing Committee will be briefed regarding the Urban Land Bank Demonstration Program which outline changes to the program on November 6, 2017.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the City has an interest in preserving and increasing the tax base and creating affordable housing for low income households to provide necessary decent, safe, and sanitary housing for such households; and

WHEREAS, on January 28, 2004, City Council authorized the City of Dallas Urban Land Bank Demonstration Program and Program Statement; the Dallas Housing Acquisition and Development Corporation to amend its Articles of Incorporation and Bylaws and change the make up of its Board of Directors; adoption of the Urban Land Bank Demonstration Program Plan; and Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District by Resolution No. 04-0458; and

WHEREAS, City Council established the Dallas Housing Acquisition and Development Corporation (Land Bank) as its land bank for the purpose of acquiring, holding, and transferring unimproved, tax-foreclosed, real property for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code); and

WHEREAS, the City Council desires to enter into an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with the Code.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District, approved as to form by the City Attorney, which will include the following provisions.

SECTION 2. That the terms of the contract will include:

A. The contract will begin on October 1, 2017 and end on September 30, 2018.

B. The City will be allowed to refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2018.

C. The City or the Land Bank must give written notice to all parties of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of lawsuit on a parcel or sale of a particular parcel to the Land Bank.

SECTION 3. That this contract is designated as Contract No. HOU-2018-00004360.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 11

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Housing & Neighborhood Revitalization
CMO:	Raquel Favela, 670-6257
MAPSCO:	N/A

SUBJECT

Authorize **(1)** a public hearing to be held on January 10, 2018, to receive comments on the proposed City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan; and **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2017-18 Urban Land Bank Demonstration Program Plan – Financing: No cost consideration to the City

BACKGROUND

The governing body of the municipality that adopts an Urban Land Bank Demonstration Program must adopt a plan annually. The Plan must include a list of parcels of real property that may become eligible for sale to the land bank for affordable housing development on those parcels of real property, and the sources and amounts of funding anticipated being available from the municipality for development of affordable housing. A copy of the proposed FY 2017-18 Plan is attached as “Exhibit A” to the resolution.

Before adopting the FY 2017-18 Annual Plan, the City of Dallas must hold a public hearing on the proposed Plan. The City of Dallas will provide notice of the hearing to all City certified Community Housing Development Organizations (CHDO's) and to neighborhood associations identified by the City as serving the neighborhoods in which properties anticipated to be available for sale to the land bank are located. The City of Dallas will make copies of the proposed plan available to the taxing entities and to the public beginning November 8, 2017. There must be a sixty-day public comment period prior to City Council action on the plan per state statute.

On October 13, 2017, Housing and Neighborhood Revitalization staff met with the taxing entities to resolve outstanding concerns related to the Interlocal Cooperation Contract. Program proposed changes were well received, including the application of the Fair Market Value (FMV) with any necessary discount for the lot sales price. Applying the Fair Market Value will prevent suppressing neighborhood values. It will also allow for the Land Bank Program to recognize the discounted rate and unaccounted subsidy it provides for the development of affordable housing.

BACKGROUND

This action will authorize a call for a public hearing on January 10, 2018, to consider public comments on the proposed FY 2017-18 Urban Land Bank Demonstration Program Plan attached as "Exhibit A" to the resolution and authorizes consideration of the Plan following the hearing.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council authorized the establishment of the Dallas Housing Acquisition and Development Corporation ("DHADC") as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an Interlocal Cooperation Contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On October 11, 2016, City Council held a public hearing to receive comments on the proposed City of Dallas FY 2016-17 Urban Land Bank Demonstration Program Plan; and approved the City of Dallas FY 2016-17 Urban Land Bank Demonstration Program Plan by Resolution No. 16-1687.

The Economic Development and Housing Committee will be briefed regarding the Urban Land Bank Demonstration Program which will outline proposed changes to the program on November 6, 2017.

FISCAL INFORMATION

No cost consideration to the City.

November 8, 2017

WHEREAS, on January 28, 2004, City Council authorized the establishment of the Dallas Housing Acquisition and Development Corporation ("DHADC") as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an Interlocal Cooperation Contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458; and

WHEREAS, the City of Dallas desires to operate an Urban Land Bank Demonstration Program during the Fiscal Year (FY) 2017-18, beginning October 1, 2017; and

WHEREAS, State law requires that a public hearing be held and action taken to adopt the Urban Land Bank Demonstration Program Plan annually; and

WHEREAS, holding a public hearing on January 10, 2018 for public comment on the proposed FY 2017-18 Urban Land Bank Demonstration Program Plan attached as "Exhibit A" will satisfy requirements set forth in the Urban Land Bank Demonstration Program Act.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That (1) a public hearing be held on January 10, 2018 before the Dallas City Council to receive comments from citizens on the proposed FY 2017-18 Urban Land Bank Demonstration Program Plan attached as "Exhibit A" and (2) at the close of the public hearing, consider approval of the FY 2017-18 Urban Land Bank Demonstration Program Plan.

SECTION 2. That this Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Urban Land Bank Demonstration Program Plan Fiscal Year 2017-18

City of Dallas

Housing & Neighborhood Revitalization
1500 Marilla Street
Room 6DN
Dallas, Texas 75201

January 10, 2018

CITY OF DALLAS' FY 2017-18 URBAN LAND BANK DEMONSTRATION PROGRAM PLAN

I. OVERVIEW

The 2003 Texas Urban Land Bank Demonstration Act, as amended, provides an opportunity for Dallas to address the dual needs of insufficient affordable housing and older neighborhoods at risk. The Act allows the governing body of a municipality to adopt an urban land bank demonstration program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale for purposes of affordable housing development.

The governing body of a municipality that adopts an Urban Land Bank Demonstration Program must adopt a plan annually. The plan for Fiscal Year (FY) 2017-18 includes the following elements:

1) A list of the parcels of real property that may become eligible for sale to the land bank during the plan year,

2) An estimate of the total number of tax lawsuits to be filed to acquire land bank properties in the plan year,

3) The proposed sale price of the properties anticipated to be sold to "qualified participating developers" during the plan year,

4) A list of community housing development organizations eligible to participate in the "right of first refusal" for acquisition and development of real property sold to the land bank,

5) The municipality's plan for affordable housing development on those parcels of real property, and

6) The sources and amounts of funding anticipated being available from the municipality for subsidies for development of affordable housing in the municipality, including any money specifically available for housing developed under the program, as approved by the governing body of the municipality at the time the plan is adopted.

The City of Dallas proposes to implement a local Urban Land Bank Demonstration Program and presents this plan for implementation. Before adopting the FY 2017-18 plan, the City of Dallas will hold a public hearing on the proposed plan. The City of Dallas will provide notice of the hearing to all City certified Community Housing Development Organizations (CHDOs) and to neighborhood associations identified by the City as serving the neighborhoods in which properties anticipated to be available for sale to the land bank are located. The City of Dallas will make copies of the proposed plan available to the public not later than the 60th day before the date of the public hearing.

Following the adoption of the FY 2017-18 Urban Land Bank Demonstration Program Plan, the plan will be implemented and the annual performance reports on the plan will be available through the Housing Department no later than November 1, 2018. The performance report for the FY 2016-17 Urban Land Bank Demonstration Program Plan are currently available.

II. PURPOSE

The objective of the City of Dallas' Urban Land Bank Demonstration Program is to acquire unproductive, vacant, and developable lots and lots improved with abandoned, vacant and uninhabitable houses to be "banked" by the Dallas Housing Acquisition and Development Corporation (the "Land Bank") for affordable housing or other commercial development. The acquisition of these lots will enable new single-family homeowner or rental development on the lots to house low income households and stabilize distressed communities. This initiative will be implemented by means of the tax foreclosure process for properties with five years or more of delinquent property taxes.

III. PARCELS OF PROPERTY

The City has identified parcels of real property that may become available for sale to the Land Bank during the fiscal year beginning October 1, 2017 (see Attachment C). The considerations for parcel identification included vacant residential/commercial properties with at least five years or more of delinquent property taxes (reported from Dallas County). Priority is given to properties located in: 1) neighborhoods designated within the City of Dallas, 2) neighborhoods with active Community Housing Development Organization projects, and 3) other neighborhoods identified by the City as being in need of new housing/commercial development. The parcels listed will follow a process of review to determine suitability for housing development before moving forward to tax foreclosure and possible land banking. This is a list of potential properties for the Land Bank. Up to 100 parcels from Attachment D that were previously referred for tax foreclosure may be resubmitted.

Notwithstanding any other right of first refusal granted under Texas Local Government Code ("Code") Chapter 379C, if the Land Bank determines that a property acquired by the Land Bank is not appropriate for residential development, the Land Bank first shall offer the property for sale to an eligible adjacent property owner for either the lower of the fair market value for the property as determined by the appraisal district in which the property is located, or the sales price recorded in the annual plan, i.e., the amount for which the property would be sold to a "qualified participating developer", calculated as shown on page 5 of this annual plan. An "eligible adjacent property owner" means a person who owns property located adjacent to property owned by the Land Bank and satisfies eligibility requirements adopted by the Land Bank. An adjacent property owner that purchases property under this section may not lease, sell, or transfer that property to another person before the third anniversary of the date the adjacent property owner purchased that property from

the Land Bank, unless the Land Bank adopts a policy permitting the transfer of the property to a family member of the eligible adjacent property owner or occurs as a result of the death of the eligible adjacent property owner.

IV. ADDITIONAL USE OF LAND BANK PROPERTY

The Land Bank may also acquire and sell to a developer property intended for commercial use.

V. QUALIFIED BUILDERS

A. Qualified Participating Developer

In order to be designated as a Qualified Participating Developer under Section 379C.005 of the Code and participate in the Urban Land Bank Demonstration Program, a developer must: (1) have built one or more housing units within the three-year period preceding the submission of a proposal to the Land Bank seeking to acquire real property from the Land Bank; (2) have a development plan approved by the City for the Land Bank property; and (3) demonstrate ability to develop, within a three-year period, its inventory of residential lots acquired through City of Dallas operated or assisted programs including proposed Land Bank property to be acquired.

B. Community Housing Development Organizations

An organization which meets the definition of a Community Housing Development Organization (CHDO), under 24 CFR 92.2 and is certified by the City of Dallas as such, may be a "qualified organization" under Section 379C.011 of the Code. Only "qualified organizations" as defined in the Code may engage in the "right of first refusal" for this program.

A listing of those CHDOs that may be eligible for the "Right of First Refusal" is available as Attachment A. In order to engage in the "right of first refusal" on the acquisition of a property from the Land Bank, the CHDO must also have the following to be considered a "qualified organization":

1. Contain within its designated geographical boundaries of operation, as set forth in its application for certification filed with and approved by the City, a portion of the property that the Land Bank is offering for sale,

2. Built at least three single-family homes or duplexes or one multifamily residential dwelling of four or more units in compliance with all applicable building codes within the preceding two-year period of the date the property becomes available for purchase through the Land Bank and within the organization's designated geographical boundaries of operation, and

3. Built or rehabilitated housing units (within the preceding two-year period) within a one-half mile radius of the offered parcel.

C. Right of First Refusal

Code Section 379C.011 explains the elements of the "Right of First Refusal" for "qualified organizations." The City of Dallas and Land Bank will apply the following points to this process:

1. Written notice will be provided to the "qualified organizations" by certified mail for the offering;

2. The time period for "right of first refusal" will be six (6) months from the date of the deed of conveyance of the property to the Land Bank;

3. During this six-month period, the Land Bank may not sell the property to a qualified participating developer other than a qualified organization. If all qualified organizations eligible to exercise the right of first refusal for that property notify the Land Bank that they are declining to exercise their right of first refusal during the 6-month period or if an offer to purchase the property is not received from a qualified organization during the 6-month period, the Land Bank may sell the property to any other qualified developer at the same price that the Land Bank offered the property to the qualified organization;

4. After the "right of first refusal" period expires, the subject property will be offered to a "qualified participating developer" as defined in the Code;

5. At the discretion of the Land Bank and consistent with the City approved development plan, the subject parcel may be held for up to twelve (12) additional months by the Land Bank once an offer has been received and accepted from a "qualified organization or "qualified participating developer";

6. If more than one "qualified organization" expresses an interest in exercising its "right of first refusal," the organization that has designated the most geographically compact area encompassing a portion of the property shall be given priority;

7. There will be no requirements for the Land Bank to give "right of first refusal" for "qualified organizations" under 379C.011, if the Land Bank is selling property that reverted to the Land Bank under Section 379C.009(d); and,

8. The "right of first refusal" applies only to properties acquired under Texas Local Government Code Chapter 379C: Urban Land Bank Demonstration Program. There is no "right of first refusal" for properties acquired by the City or its Land Bank through other City programs or initiatives. The qualified organization's "right of first refusal" is subject to an eligible adjacent property owner's "right of first refusal" as provided in Code Section 379C.0106.

VI. AFFORDABLE HOUSING DEVELOPMENT PLAN

A. Housing Need

Based on 2010 census data, the population of the City of Dallas has grown by 9,236 since 2000. The City of Dallas has identified high priority needs in the availability and affordability of housing. One main concern is the low rate of 42.3% for homeownership in Dallas compared to the national average of 63.7%.

In order to achieve a 50% homeownership rate goal, approximately 27,000 single-family units would have to be created. The priority for the City of Dallas is not only to create single-family homes but also to make them affordable. The definition of an affordable homeownership unit is one in which a household with income of 115% or less of area median family income can obtain financing to purchase the home. The creation of housing for families at 80% or below of median family income is a priority for the City of Dallas and this Urban Land Bank Demonstration Program.

B. Housing Requirements

At least 25% of the Land Bank properties must be deed restricted for sale to households with gross household incomes not greater than 60% of the area median family income adjusted for household size; and not more than 30% of those Land Bank properties may be deed restricted for sale to households with gross household incomes greater than 80% of the area median family income, adjusted for household size. In addition, a lease-purchase option may be used with the understanding that the purchaser must close on the house within twelve months from the date the lease-purchase begins. The City desires to take advantage of opportunities to leverage private and public funding for mixed income developments.

If a Land Bank property is developed for rental housing, the deed restrictions must be for a period of not less than 15 years and must require that: (1) 100 percent of the rental units be occupied by households with incomes not greater than 60 percent of area median family income, based on gross household income, adjusted for household size, for the metropolitan statistical area in which the municipality is located, as determined annually by the United States Department of Housing and Urban Development; (2) 40 percent of the units be occupied by households with incomes not greater than 50 percent of area median family income, based on gross household income, adjusted for household size, for the metropolitan statistical area in which the municipality is located, as determined annually by the United States Department of Housing and Urban Development; or (3) 20 percent of the units be occupied by households with incomes not greater than 30 percent of area median family income, based on gross household income, adjusted for household size, for the metropolitan statistical area in which the

municipality is located, as determined annually by the United States Department of Housing and Urban Development. The deed restrictions for rental properties must require the owner to file an annual occupancy report with the municipality on a reporting form provided by the municipality. The deed restrictions must also prohibit any exclusion of an individual or family from admission to the development based solely on the participation of the individual or family in the housing choice voucher program under Section 8, United States Housing Act of 1937 (42 U.S.C. Section 1437f), as amended. Except as otherwise provided by this section, if the deed restrictions imposed under this section are for a term of years, the deed restrictions shall renew automatically.

C. Housing Opportunities

The City of Dallas intends to continue implementation of the Urban Land Bank Demonstration Program to produce affordable housing. Attachment D identifies the list of 2539 properties the Land Bank has referred for tax foreclosure under the FY 2003-04, FY 2004-05, FY 2005-06, FY 2006-07, FY 2007-08, FY 2008-09, FY 2009-10, FY 2010-11, FY 2011-12, FY 2012-13, FY 2013-14, FY 2014-15 and FY 2015-16 Plans. In the event any properties are removed from Attachment D, an equal number of qualified lots may be substituted. The City of Dallas intends to sell up to 200 properties in FY 2017-18 to "qualified organizations" and "qualified participating developers" for affordable housing development under this program. Subject parcels will first be offered for sale in FY 2017-18 to "qualified organizations" at fair market value with a discount consideration amount needed to ensure the viable sale to an income qualified household. All properties will be deed restricted and have provisions in place to ensure the intended purpose of the Land Bank Program. For example, a property sold to a qualified homeowner will be assigned a deed restriction for an affordability period, and a property developed for rental shall retain the deed restriction under the owner entity.

D. Qualified Builder Requirements

All parcels will be conveyed with a right of reverter so that if the "qualified participating developer" does not apply for a construction permit and close on any construction financing within the three-year period following the date of the conveyance of the property from the Land Bank to the "qualified participating developer," the property will revert to the Land Bank for subsequent resale to another "qualified participating developer" or conveyance to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law. If a property is not sold within four (4) years to a "qualified organization" or a "qualified participating developer," the property will be transferred from the Land Bank to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law. A property may be transferred to the taxing units before completion of the four-year period if the Land Bank

determines that the property is not appropriate for residential or commercial development. The Land Bank may also sell property to a political subdivision or a nonprofit organization before completion of the four-year period.

The Land Bank may permit a qualified participating developer to exchange a property purchased from the Land Bank with any other property owned by the developer if the developer agrees to construct on the other property affordable housing for low income households as provided in this plan and state law and the other property is located in a planned development incorporating the property originally purchased from the Land Bank or another location as approved by the Land Bank. The Land Bank shall adjust the Deed Restrictions under Texas Local Government Code Section 379C.010 for each of the properties exchanged by the developer under this section.

The Land Bank may sell two adjacent properties that are owned by the Land Bank to a "qualified participating developer" if at least one of the properties is appropriate for residential development and the developer agrees to replat the two adjacent properties as one property that is appropriate for residential development.

VII. Supportive Funding

Attachment B reflects the sources and amounts for funding anticipated to be available from the City for subsidies for development of affordable housing in the City of Dallas.

ATTACHMENT A
COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS
RE-CERTIFICATION LIST FOR FY 2017-18
Updated – 5/23/16

CHDO	*GEOGRAPHIC BOUNDARIES*	*DATE CERTIFIED*
Builders of Hope CDC 7920 Elmbrook Drive, Suite 103 Dallas, Texas 75247 Office (214) 920-9850 Fax (214) 630-5155 David Campbell, President	West Dallas - Sylvan Avenue on the East; Trinity River on the North; IH-30 on the South; Loop 12 (Walton Walker Blvd.) on the West	12/15/1999
City Wide Community Development Corp. 3730 S. Lancaster Rd., Suite 110 Dallas, Texas 75216 Office (214) 371-0888 Fax (214) 371-0887 Sherman Roberts, President	City-wide	5/21/2007
East Dallas Community Organization 4210 Junius St., Suite 5th Floor Dallas, Texas 75246 Office (214) 515-9779 Fax (214) 826-1966 Gerald Carlton, President Rick Guerrero, Director of Operations Jesse A. Banda, Homebuyer Consultant	City-wide	10/09/1997
Innercity Community Development Corporation/ South Dallas/Fair Park 4907 Spring Ave. Dallas, Texas 75210 Office (214) 915-9900 Fax (214) 915-9909 Diane Ragsdale, Managing Director	South Dallas/Fair Park including Zip Codes 75210 & 75215 and Census Tracts 27.01, 27.02, 28, 29, 35, 36, 37, 38, 39.01 & 39.02	8/17/1992
SouthFair Community Development Corporation 2610 Martin Luther King Blvd. Dallas, Texas 75215 Office (214) 421-1363 Fax (214) 421-1364 Annie Jones Evans, Executive Director	Martin Luther King Jr. Blvd. on the South; Good-Latimer on the West; Dart Green Line on the North; Robert B. Cullum Blvd. on the East	02/03/1994

ATTACHMENT B
2017-2018 ASSISTANCE PROGRAM

The City of Dallas is required to include in its Urban Land Bank Demonstration Program Plan the sources and amounts of funding anticipated to be available from the City for development of affordable housing in Dallas, including any money specifically available for housing developed under the program, as approved by the governing body of the municipality at the time the plan is adopted. This Plan is proposed for City Council adoption on January 10, 2018.

DALLAS HOMEBUYER ASSISTANCE PROGRAM

FY 2014-15 Actual	$2,100,000
FY 2015-16 Actual	$2,100,000
FY 2016-17 Actual	$2,100,000
FY 2017-18 Actual	$1,501,792

Provides deferred payment loans to low-mod-income homebuyers for down payment, closing costs and principle reduction. (214-670-4447)

HOUSING DEVELOPMENT ASSISTANCE

Community Housing Development Organization Program

FY 2014-15 Actual	$1,000,000
FY 2015-16 Actual	$1,000,000
FY 2016-17 Actual	$1,000,000
FY 2017-18 Actual	$825,000

Provides operating assistance grants and both pre-development and development loans to nonprofit City-certified Community Housing Development Organizations (CHDOs) developing affordable housing for low-income households. Development funding may be used for property acquisition and housing acquisition, rehabilitation and/or new construction. (214-670-3601)

Community Based Development Organization Program

FY 2014-15 Actual	None
FY 2015-16 Actual	None
FY 2016-17 Actual	None
FY 2017-18 Proposed	None

Provides vertical construction loans to Community Based Development Organizations. (214-670-3601)

Economic Development GO Bond Program for Southern Dallas

FY 2014-15 Actual	None
FY 2015-16 Actual	None
FY 2016-17 Actual	None
FY 2017-18 Proposed	Subject to November 2017 Bond Election

Provides funding to promote economic development in the Southern area of the City and transit oriented development throughout the City. The funds can be used for acquisition, demolition, planning, design, construction, as well as, public streets and utilities. This includes providing funding for mixed-income residential in the Southern sector or mixed-use transit oriented development throughout the City. (214-670-3633)

Housing Development Loan Program

FY 2014-15 Actual	$1,977,078
FY 2015-16 Actual	$1,348,807
FY 2016-17 Actual	$2,488,780
FY 2017-18 Proposed	$3,605,570

Provides private and non-profit organizations with loans/grants for the development of permanent supportive housing and senior housing including but not limited to pre-development costs, development costs, construction subsidies, relocation costs, demolition costs, acquisition costs, related acquisition costs and rental rehabilitation. (214-670-3601)

Dallas Housing Finance Corporation Multifamily Program

Funding subject to availability of bond proceeds

Provides financing through issuance of tax-exempt mortgage revenue bonds for new construction of multifamily housing for low- and moderate-income households. (214-671-8266)

ATTACHMENT C
FY 2017-18 LAND BANK PLAN

RESIDENTIAL

204	E	10TH	4533	FELLOWS	2017	MORRIS
401	E	10TH	4629	FELLOWS	2020	MORRIS
424	W	10TH	4724	FELLOWS	3502	MORRIS
912	E	10TH	4728	FELLOWS	1842	MORRIS
1024	E	10TH	4732	FELLOWS	3500	MORRIS
1027	E	10TH	4736	FELLOWS	3506	MORRIS
1102	E	10TH	4752	FELLOWS	3510	MORRIS
1124	E	10TH	4812	FELLOWS	3542	MORRIS
1214	E	10TH	4816	FELLOWS	3602	MORRIS
1221	E	10TH	4820	FELLOWS	3606	MORRIS
1300	E	10TH	4832	FELLOWS	3639	MORRIS
1308	E	10TH	4836	FELLOWS	3701	MORRIS
1107	E	10TH	4844	FELLOWS	3722	MORRIS
1031	E	11TH	2414	FELTON	3741	MORRIS
1125	E	11TH	806	FERNWOOD	1	MOSSGLEN
1624	E	11TH	1527	FERNWOOD	1222	MOUNTAIN LAKE
1013	E	11TH	1835	FERNWOOD	1405	MOUNTAIN LAKE
1700	E	11TH	2519	FERNWOOD	1	MOUNTAIN SHORES
1716	E	11TH	2521	FERNWOOD	2	MOUNTAIN SHORES
1720	E	11TH	2526	FERNWOOD	3	MOUNTAIN SHORES
1823	E	11TH	2603	FERNWOOD	4	MOUNTAIN SHORES
1825	E	11TH	2638	FERNWOOD	5	MOUNTAIN SHORES
2410	E	11TH	3914	FERNWOOD	16	MOUNTAIN SHORES
409	W	12TH	4330	FERNWOOD	2206	MOUSER
722	W	12TH	2639	FERNWOOD	3616	MT EVEREST
901	E	12TH	2719	FERNWOOD	3726	MT RANIER
917	E	12TH	2935	FERNWOOD	3623	MT ROYAL
911		18TH	3001	FERNWOOD	804	MUNCIE
2714		1ST	3007	FERNWOOD	908	MUNCIE
4208		1ST	3217	FERNWOOD	910	MUNCIE
4210		1ST	3225	FERNWOOD	913	MUNCIE
4215		1ST	3922	FERNWOOD	1812	MUNCIE
4216		1ST	3930	FERNWOOD	1911	MUNCIE
4224		1ST	2612	FERRIS	1927	MUNCIE
4226		1ST	2620	FERRIS	1923	MUNCIE
2304		2ND	301	FIDELIS	930	MUNCIE
2538	S	2ND	8820	FILES	119	MURDEAUX
4230		2ND	8919	FILES	547	MURDOCK

5366		2ND	4008		FINIS	605		MURDOCK
2008		3RD	4011		FINIS	609		MURDOCK
2971		50TH	2402		FINKLEA	720		MURDOCK
2436		51ST	2406		FINKLEA	824		MURDOCK
2506		51ST	2410		FINKLEA	1624	N	MURDOCK
2611		51ST	2414		FINKLEA	10019		MUSKOGEE
2624		51ST	2418		FINKLEA	3511		MYRTLE
2436		52ND	2430		FINKLEA	3015		MYRTLE
2522		52ND	4500		FIRESIDE	3824		MYRTLE
2612		52ND	9305		FIRESIDE	4316		MYRTLE
2633		52ND	9309		FIRESIDE	6310		MYRTLE
2641		52ND	1		FISH	6318		MYRTLE
2705		52ND	2708		FISH TRAP	123		NACHITA
2727		52ND	2714		FISH TRAP	2810		NAMUR
2433		52ND	5124		FITCHBURG	2825	S	NAMUR
2630		52ND	5512		FITCHBURG	3145		NANDINA
2746		52ND	1315		FITZHUGH	3244		NANDINA
618	E	5TH	1520	S	FITZHUGH	9999		NANTUCKET VILLAGE
817	E	6TH	1625	S	FITZHUGH	10311		NANTUCKET VILLAGE
918	W	7TH	1627	S	FITZHUGH	2446		NAOMA
115	W	8TH	3311	S	FITZHUGH	2506		NAOMA
406	E	8TH	3706	S	FITZHUGH	7934		NASSAU
513	E	8TH	4222	S	FITZHUGH	8002	S	NASSAU
521	E	8TH	3608	S	FITZHUGH	3343	S	NAVAJO
1922	E	8TH	1014	S	FIVE MILE	3314		NAVAJO
1930	E	8TH	1022	W	FIVE MILE	3116		NAVARO
2934	W	9TH	1531	W	FLEETWOOD	3226		NAVARO
1030	E	9TH	1630		FLEETWOOD	3314		NAVARO
110	S	ACRES	304		FLEMING	3321		NAVARO
111	N	ACRES	312		FLEMING	3503		NAVARO
116	N	ACRES	1218		FLETCHER	3018		NAVARO
230	S	ACRES	1300		FLETCHER	3226		NAVARO
350	N	ACRES	1308		FLETCHER	5		NAVY
350	N	ACRES	1325		FLETCHER	15		NAVY
1439		ADELAIDE	1330		FLETCHER	221		NAVY
1535		ADELAIDE	1000		FLETCHER	1909		NEAL
1818		ADELAIDE	1212		FLETCHER	111		NECHES
3907		AGNES	1302		FOLEY	654		NEELY
4002		AGNES	1310		FOLEY	631	W	NEOMI
1413	W	AIRPORT FWY	2423		FONVILLE	722		NEOMI
2210		AKRON	12800		FOOTHILL	726		NEOMI

1910	AL LIPSCOMB	1335		FORDHAM	731	NEOMI
1823	ALABAMA	1526		FORDHAM	1359	NEPTUNE
2119	ALABAMA	1746		FORDHAM	9999	NEW BEDFORD
2200	ALABAMA	2110		FORDHAM	9325	NEWHALL
2206	ALABAMA	2218		FORDHAM	9407	NEWHALL
2210	ALABAMA	2227		FORDHAM	1115	NEWPORT
2214	ALABAMA	2246		FORDHAM	3115	NICHOLSON
2218	ALABAMA	2302		FORDHAM	5	NO NAME
2222	ALABAMA	2403		FORDHAM	8	NO NAME
2226	ALABAMA	2406		FORDHAM	363	NO NAME
2404	ALABAMA	2522		FORDHAM	999	NO NAME
2412	ALABAMA	2729		FORDHAM	1219	NO NAME
2423	ALABAMA	2402		FORDHAM	3515	NO NAME
2641	ALABAMA	1827		FORDHAM	5839	NO NAME
2705	ALABAMA	2254		FORDHAM	6036	NO NAME
2722	ALABAMA	2733		FORDHAM	6500	NO NAME
2831	ALABAMA	2751		FORDHAM	6524	NO NAME
2835	ALABAMA	2819		FORDHAM	6532	NO NAME
2847	ALABAMA	2826		FORDHAM	6534	NO NAME
2900	ALABAMA	2839		FORDHAM	9011	NO NAME
2919	ALABAMA	3217		FORDHAM	1224	NOAH
2926	ALABAMA	3223		FORDHAM	1100	NOKOMIS
2935	ALABAMA	3300		FORDHAM	1131	NOLTE
2939	ALABAMA	3304		FORDHAM	1415	NOMAS
3014	ALABAMA	2627		FOREMAN	1525	NOMAS
3038	ALABAMA	2738		FOREMAN	1735	NOMAS
3042	ALABAMA	2923		FOREMAN	1842	NOMAS
3102	ALABAMA	12026		FOREST GLEN CT	1846	NOMAS
2541	ALAMAIN	3407		FORNEY	1939	NOMAS
2715	ALAMAIN	3423		FORNEY	1955	NOMAS
2723	ALAMAIN	3427		FORNEY	1966	NOMAS
2739	ALAMAIN	3511		FORNEY	2010	NOMAS
2747	ALAMAIN	1900		FORT WORTH	3316	NOMAS
1514	ALASKA	114		FRANCES	3320	NOMAS
1631	ALASKA	210	N	FRANCES	3321	NOMAS
1706	ALASKA	215	N	FRANCES	3324	NOMAS
2006	ALASKA	218	N	FRANCES	3326	NOMAS
2402	ALASKA	315	S	FRANCES	3407	NOMAS
2720	ALASKA	2726		FRANK	3431	NOMAS
2730	ALASKA	3510		FRANK	3529	NOMAS
2814	ALASKA	3604		FRANK	3615	NOMAS

2914	ALASKA	3607	FRANK	1805	NOMAS
2927	ALASKA	3610	FRANK	3630	NOMAS
1510	ALASKA	3710	FRANK	3715	NOMAS
2931	ALASKA	3714	FRANK	3718	NOMAS
2946	ALASKA	3807	FRANK	3720	NOMAS
3036	ALASKA	4010	FRANK	5518	NOMAS
3123	ALASKA	4117	FRANK	5521	NOMAS
414	ALBRIGHT	4303	FRANK	5703	NOMAS
401	ALBRIGHT	4326	FRANK	5707	NOMAS
403	ALBRIGHT	4328	FRANK	5711	NOMAS
405	ALBRIGHT	4343	FRANK	5715	NOMAS
410	ALBRIGHT	4347	FRANK	5719	NOMAS
415	ALBRIGHT	4414	FRANK	5723	NOMAS
421	ALCALDE	4431	FRANK	4705	NOME
2902	ALEX	4435	FRANK	4711	NOME
2911	ALEX	4504	FRANK	4716	NOME
2927	ALEX	4510	FRANK	4720	NOME
2907	ALEX	4535	FRANK	4723	NOME
2914	ALEX	4602	FRANK	4732	NOME
2055	ALHAMBRA	4611	FRANK	4736	NOME
1010	ALLEN	2726	FRAZIER	4744	NOME
4004	ALSBURY	2739	FRAZIER	4748	NOME
13	ALTO GARDEN	2911	FRAZIER	4812	NOME
1325	AMOS	2915	FRAZIER	4820	NOME
1333	AMOS	1321	FRIENDSHIP	4832	NOME
1340	AMOS	4838	FRIO	4836	NOME
2212	ANDERSON	1000	FRONT	4843	NOME
2223	ANDERSON	1219	FRONT	4851	NOME
2225	ANDERSON	2817	FROST	4123	NORCO
2227	ANDERSON	2834	FROST	1201	NORTH
2229	ANDERSON	2846	FROST	1207	NORTH
2234	ANDERSON	2850	FROST	1215	NORTH
2239	ANDERSON	2858	FROST	1310	NORTH
2219	ANDERSON	2859	FROST	239	NORTH SHORE
2241	ANDERSON	2870	FROST	851	OAK FOREST
2243	ANDERSON	2874	FROST	2826	OAK LN
2251	ANDERSON	9351	FROSTWOOD	714	OAK PARK
2302	ANDERSON	4014	FUREY	2328	OAK PLAZA
2402	ANDERSON	3507	FUREY	2404	OAK PLAZA
2414	ANDERSON	3919	FUREY	2419	OAK PLAZA
2600	ANDERSON	4002	FUREY	2364	OAKDALE

2629		ANDERSON	4015	FUREY	2370		OAKDALE
2710		ANDERSON	4031	FUREY	2428		OAKDALE
2643		ANDERSON	4109	FUREY	2510		OAKDALE
1815		ANGELINA	4127	FUREY	2514		OAKDALE
1955		ANGELINA	4130	FUREY	2519		OAKDALE
2017		ANGELINA	4131	FUREY	2521		OAKDALE
2024		ANGELINA	2651	GADBERRY	2542		OAKDALE
2037		ANGELINA	1843	GALLAGHER	2543		OAKDALE
2914		ANGELINA	1910	GALLAGHER	2547		OAKDALE
9414		ANGELUS	1950	GALLAGHER	2829		OAKDALE
9422		ANGELUS	2026	GALLAGHER	2834		OAKDALE
9430		ANGELUS	3404	GALLAGHER	2837		OAKDALE
713		ANGUS	3510	GALLAGHER	2844		OAKDALE
717		ANGUS	3710	GALLAGHER	1306		OAKLEY
2324		ANN ARBOR	5215	GALLAGHER	1308		OAKLEY
2326		ANN ARBOR	2207	GALLATIN	1406		OAKLEY
1503	E	ANN ARBOR	1102	GALLOWAY	1506		OAKLEY
1514	E	ANN ARBOR	3227	GARDEN	9999		OAKWOOD
1522	E	ANN ARBOR	3335	GARDEN	2403		OBENCHAIN
1719	E	ANN ARBOR	1634	GARDEN	4		ODESSA
1955	E	ANN ARBOR	1626	GARDEN	4103		ODESSA
1961	E	ANN ARBOR	1715	GARDEN	3431		ODESSA
1965	E	ANN ARBOR	2223	GARDEN	8621		ODOM
2107	E	ANN ARBOR	2231	GARDEN	318	E	OHIO
2143	E	ANN ARBOR	2238	GARDEN	1238	W	OHIO
2207	E	ANN ARBOR	2246	GARDEN	1242	E	OHIO
2211	E	ANN ARBOR	2254	GARDEN	1567	E	OHIO
2215	E	ANN ARBOR	2345	GARDEN	114		OHIO
2671		ANN ARBOR	2402	GARDEN	119	W	OHIO
2019	E	ANN ARBOR	2403	GARDEN	1547	E	OHIO
2219	E	ANN ARBOR	2404	GARDEN	1538	E	OHIO
2251	E	ANN ARBOR	2407	GARDEN	219	W	OKLAUNION
2323	E	ANN ARBOR	2408	GARDEN	900001		OLD MOSS
2407	E	ANN ARBOR	2410	GARDEN	3708		OPAL
2504	E	ANN ARBOR	2424	GARDEN	3723		OPAL
2516	E	ANN ARBOR	2425	GARDEN	3810		OPAL
2528		ANN ARBOR	13600	GARDEN GROVE	3831		OPAL
2671	E	ANN ARBOR	13826	GARDEN GROVE	3923		OPAL
2723	E	ANN ARBOR	942	GARDENVIEW	4214		OPAL
2746	E	ANN ARBOR	4600	GARLAND	4234		OPAL
2773	E	ANN ARBOR	4611	GARLAND	829		OSLO

654	ANNAROSE	4818	GARLAND	800		OSLO
710	ANNAROSE	4822	GARLAND	4406	N	OTTAWA
2111	ANNEX	5409	GARLAND	76		OVERLOOK
803	APACHE	5014	GARLAND	1427		OVERTON
3725	ARANSAS	5229	GARLAND	1607	E	OVERTON
3814	ARANSAS	4414	GARRISON	1618	E	OVERTON
3826	ARANSAS	4512	GARRISON	1623	E	OVERTON
3922	ARANSAS	4516	GARRISON	1651	E	OVERTON
4114	ARANSAS	4520	GARRISON	2307	E	OVERTON
1317	ARBOR VITAE	4601	GARRISON	2730	E	OVERTON
2111	ARDEN	4602	GARRISON	2803	E	OVERTON
2117	AREBA	4609	GARRISON	2835	E	OVERTON
2119	AREBA	4618	GARRISON	1230		OVERTON
1711	ARIZONA	4710	GARRISON	405	E	OVERTON
1918	ARIZONA	4711	GARRISON	1426	E	OVERTON
2021	ARIZONA	4712	GARRISON	2815	E	OVERTON
2201	ARIZONA	4713	GARRISON	2855	E	OVERTON
2209	ARIZONA	1523	GARZA	3907		OVERTON
2221	ARIZONA	1529	GARZA	3915		OVERTON
2227	ARIZONA	1610	GARZA	4007		OVERTON
2420	ARIZONA	1618	GARZA	4011		OVERTON
2430	ARIZONA	1630	GARZA	4015		OVERTON
2606	ARIZONA	1634	GARZA	4023		OVERTON
2609	ARIZONA	1718	GARZA	1418		OWEGA
2610	ARIZONA	1730	GARZA	1422		OWEGA
2618	ARIZONA	1733	GARZA	1426		OWEGA
2642	ARIZONA	1735	GARZA	1442		OWEGA
2716	ARIZONA	1742	GARZA	1446		OWEGA
2814	ARIZONA	1823	GARZA	1510		OWEGA
2839	ARIZONA	2231	GARZA	1542		OWEGA
2914	ARIZONA	2900	GAY	4721		OWENWOOD
3006	ARIZONA	2909	GAY	4818		OWENWOOD
3018	ARIZONA	2914	GAY	4822		OWENWOOD
3006	ARIZONA	2810	GAY	4838		OWENWOOD
3031	ARIZONA	2904	GAY	1179		OXBOW
3035	ARIZONA	2910	GAY	1183		OXBOW
3047	ARIZONA	2911	GAY	4907		PACIFIC
3328	ARIZONA	2912	GAY	704		PACKARD
8218	ARLENE	1238	GEORGIA	705		PACKARD
5511	ARLINGTON PARK	1239	GEORGIA	713		PACKARD
3732	ARMOR	1410	GEORGIA	717		PACKARD

3734	ARMOR	1514	GEORGIA	721		PACKARD
3736	ARMOR	1537	GEORGIA	1011	S	PACKARD
3738	ARMOR	2723	GERTRUDE	1014		PACKARD
3742	ARMOR	2707	GERTRUDE	3522		PACKARD
5	ARMY	2515	GHENT	417		PAGE
20	ARMY	2518	GHENT	4022	W	PALACIOS
21	ARMY	2522	GHENT	2322		PALL MALL
22	ARMY	2526	GHENT	2620		PALL MALL
23	ARMY	2542	GHENT	2656		PALL MALL
1614	ARROW	2555	GHENT	2660		PALL MALL
4504	ASH	2621	GHENT	2715		PALL MALL
4526	ASH	2634	GHENT	2719		PALL MALL
5407	ASH	2401	GIBBS WILLIAMS	2723		PALL MALL
9566	ASH CREEK	2445	GIBBS WILLIAMS	2750		PALL MALL
1	ASHWOOD	2521	GIBBS WILLIAMS	2808		PALL MALL
2	ASHWOOD	3526	GIBSONDELL	2814		PALL MALL
600	ASPENDALE	4513	GINGER	2815		PALL MALL
3208	ATLANTA	4539	GINGER	2820		PALL MALL
3619	ATLANTA	2434	GIVENDALE	2824		PALL MALL
3942	ATLANTA	2502	GIVENDALE	557		PALMETTO
3736	ATLANTA	2506	GIVENDALE	2741		PALO ALTO
3905	ATLANTA	2510	GIVENDALE	3155		PALO ALTO
3938	ATLANTA	9	GLADEWATER	3172		PALO ALTO
3943	ATLANTA	4116	GLADEWATER	9302		PARAMOUNT
1833	ATLAS	4126	GLADEWATER	9426		PARAMOUNT
5104	AUDREY	4154	GLADEWATER	9502		PARAMOUNT
5141	AUDREY	4170	GLADEWATER	1409		PARK ROW
5301	AUDREY	4227	GLADEWATER	1805		PARK ROW
5309	AUDREY	4239	GLADEWATER	1815		PARK ROW
1906	AUTUMN MEADOW	4247	GLADEWATER	1819		PARK ROW
3912	AVANT ST	4327	GLADEWATER	1831		PARK ROW
407	AVE A	1415	GLEN	2532		PARK ROW
409	AVE A	1418	GLEN	2723		PARK ROW
415	AVE A	5722	GLEN FOREST	2445		PARKCLIFF
1619	AVE B	2519	GLENFIELD	5407		PARKDALE
1703	AVE B	2524	GLENFIELD	5411		PARKDALE
1710	AVE B	2711	GLENFIELD	6903		PARKDALE
1727	AVE B	2719	GLENFIELD	6919		PARKDALE
1731	AVE B	9	GLIDDEN	6927		PARKDALE
1	AVE D	19	GLIDDEN	6938		PARKDALE
423	AVE E	20	GLIDDEN	5008		PARKLAND

426		AVE E	1331		GLIDDEN	721	PARKVIEW
426		AVE E	1338		GLIDDEN	509	PARKWOOD
444		AVE E	2919		GLOYD	516	PARKWOOD
319		AVE F	2945		GLOYD	605	PARKWOOD
351		AVE F	2730		GOLDMAN	611	PARKWOOD
418		AVE F	3206		GOLDSPIER	617	PARKWOOD
323		AVE G	2315		GOOCH	623	PARKWOOD
327		AVE G	2333		GOOCH	629	PARKWOOD
607		AVE G	2339		GOOCH	740	PARKWOOD
419		AVE H	2346		GOOCH	1211	PARLAY
516		AVE H	2403		GOOCH	1212	PARLAY
402		AVE J	2420		GOOCH	1215	PARLAY
403		AVE J	2503		GOOCH	1216	PARLAY
503		AVE J	2701		GOOCH	1219	PARLAY
419		AVE L	2809		GOOCH	1222	PARLAY
405		AVE L	2814		GOOCH	1223	PARLAY
410		AVE L	2820		GOOCH	2708	PARNELL
3962		AVOCADO	2825		GOOCH	2722	PARNELL
4202		AZTEC	2310		GOOCH	2724	PARNELL
4208		AZTEC	2412		GOOD LATIMER	2732	PARNELL
4212		AZTEC	2425	S	GOOD LATIMER	2828	PARNELL
4249		AZTEC	2715		GOODWILL	2901	PARNELL
4306		AZTEC	2716		GOODWILL	2915	PARNELL
4311		AZTEC	2722		GOODWILL	4815	PARRY
4118		BABCOCK	2723		GOODWILL	4528	PARRY
1305		BADEN	1900		GOULD	4910	PARRY
1315		BADEN	2608		GOULD	2708	PARSONS
1322		BADEN	2700		GOULD	2712	PARSONS
1330		BADEN	2716		GOULD	2711	PARSONS
1336		BADEN	2724		GOULD	3343	PARVIA
118	S	BAGLEY	2727		GOULD	5168	PATONIA
400	N	BAGLEY	2829		GOULD	1307	PEABODY
403	N	BAGLEY	9700		GRADY	1319	PEABODY
1042	N	BAGLEY	10706		GRADY	1325	PEABODY
4019		BAKER	2703		GRAFTON	1812	PEABODY
3916		BALCH	608		GRAHAM	2311	PEABODY
3914		BALCH	702		GRAHAM	2406	PEABODY
4503		BALDWIN	710		GRAHAM	2408	PEABODY
4727		BALDWIN	1502		GRAND	2413	PEABODY
4731		BALDWIN	1507		GRAND	2509	PEABODY
4806		BALDWIN	1910		GRAND	2524	PEABODY

4611	BALDWIN	2524		GRAND	2525	PEABODY
4810	BALDWIN	2534		GRAND	2529	PEABODY
4811	BALDWIN	2723		GRAND	2533	PEABODY
4819	BALDWIN	4309		GRAND	2610	PEABODY
4161	BALL	1101	E	GRANT	2612	PEABODY
4134	BALL	1231		GRANT	2724	PEABODY
710	BANK	1307		GRANT	2431	PEABODY
1114	BANK	3017		GRAYSON	1637	PEAR
1419	BANK	2722		GRAYSON	1712	PEAR
1430	BANK	1		GREAT TRINITY FOREST	1713	PEAR
1500	BANK	804		GREEN CASTLE	2819	PEARY
1515	BANK	9999		GREENGROVE	2823	PEARY
1516	BANK	13101		GREENGROVE	2859	PEARY
71	BANKS	13305		GREENGROVE	2875	PEARY
78	BANKS	214		GREENHAVEN	2839	PEARY
140	BANKS	234		GREENHAVEN	999	PEBBLE VALLEY
145	BANKS	1611		GREENLAWN	401	PECAN
1615	BANNOCK	1615		GREENLAWN	402	PECAN
1625	BANNOCK	1619		GREENLAWN	407	PECAN
1635	BANNOCK	1406		GREENVILLE	408	PECAN
1641	BANNOCK	2218		GREER	413	PECAN
1710	BANNOCK	2325		GREER	416	PECAN
5135	BARBER	2226		GREER	423	PECAN
5213	BARBER	3126		GREGG	431	PECAN
2619	BARLOW	3128		GREGG	606	PEMBERTON HILL
2623	BARLOW	3141		GREGG	648	PEMBERTON HILL
2709	BARLOW	620		GRIFFITH	1031	PEMBERTON HILL
2717	BARLOW	1626		GRINNELL	3532	PENELOPE
3301	BARNARD	1630		GRINNELL	3533	PENELOPE
5500	BARREE	10404		GROVE OAKS	3533	PENELOPE
5634	BARREE	200	E	GRUBB DR	3602	PENELOPE
5734	BARREE	3738		GUARANTY	3603	PENELOPE
1449	BARRY	3212		GUNTER	3606	PENELOPE
916	BAYONNE	3224		GUNTER	3614	PENELOPE
805	BAYONNE	4845		GURLEY	3631	PENELOPE
811	BAYONNE	2811		GUYMON	3702	PENELOPE
818	BAYONNE	3325		HALLETT	3704	PENELOPE
1115	BAYONNE	3333		HALLETT	3707	PENELOPE
1121	BAYONNE	3507		HALLETT	3719	PENELOPE
1836	BAYSIDE	3515		HALLETT	3811	PENELOPE

1847		BAYSIDE	3200		HAMILTON	3815	PENELOPE
2023		BAYSIDE	3306		HAMILTON	3819	PENELOPE
2019		BAYSIDE	3523		HAMILTON	3922	PENELOPE
2023		BAYSIDE	3602		HAMILTON	4006	PENELOPE
605	S	BEACON	3702		HAMILTON	1313	PENNSYLVANIA
3313		BEALL	4117		HAMILTON	1317	PENNSYLVANIA
3322		BEALL	3706		HAMILTON	1325	PENNSYLVANIA
3326		BEALL	3726		HAMILTON	1415	PENNSYLVANIA
3327		BEALL	3815		HAMILTON	2414	PENNSYLVANIA
3330		BEALL	3909		HAMILTON	2504	PENNSYLVANIA
8119		BEARDEN	3925		HAMILTON	2525	PENNSYLVANIA
3023		BEAUCHAMP	4105		HAMILTON	2710	PENNSYLVANIA
3066		BEAUCHAMP	4309		HAMILTON	2722	PENNSYLVANIA
3067		BEAUCHAMP	4343		HAMILTON	2728	PENNSYLVANIA
3300		BEAUCHAMP	4400		HAMILTON	2812	PENNSYLVANIA
3302		BEAUCHAMP	4414		HAMILTON	2822	PENNSYLVANIA
3019		BEAUCHAMP	4426		HAMILTON	2834	PENNSYLVANIA
3421		BEAUCHAMP	4508		HAMILTON	2908	PENNSYLVANIA
1534		BEAUFORD	4510		HAMILTON	3105	PENNSYLVANIA
1553		BEAUFORD	1858		HAMLET	3110	PENNSYLVANIA
1577		BEAUFORD	4033		HAMMERLY	3117	PENNSYLVANIA
1643		BEAUFORD	4013		HAMMERLY	3203	PENNSYLVANIA
1737		BEAUFORD	3303		HAMPTON	2617	PENNSYLVANIA
1739		BEAUFORD	3601		HANCOCK	2512	PENNSYLVANIA
1819		BEAUFORD	3617	S	HANCOCK	3423	PEORIA
1821		BEAUFORD	3621		HANCOCK	3717	PEORIA
12402		BEAUFORD	3625		HANCOCK	3722	PEORIA
1409		BEAUMONT	3906		HANCOCK	3738	PEORIA
707	N	BECKLEY	3910		HANCOCK	3838	PEORIA
719	N	BECKLEY	3911		HANCOCK	3842	PEORIA
735	N	BECKLEY	3918		HANCOCK	4528	PERRY
828	N	BECKLEY	3926		HANCOCK	2	PERSIMMON
912	S	BECKLEY	4004		HANCOCK	2906	PERSIMMON
918	S	BECKLEY	24		HARBOR	2918	PERSIMMON
1512	S	BECKLEY	2301		HARDING	2937	PERSIMMON
2938	S	BECKLEY	2227		HARDING	3038	PERSIMMON
3042	S	BECKLEY	2246		HARDING	3045	PERSIMMON
3206	S	BECKLEY	2311		HARDING	3049	PERSIMMON
3302	S	BECKLEY	2326		HARDING	3053	PERSIMMON
8924		BECKLEYCREST	2327		HARDING	3129	PERSIMMON
9116		BECKLEYCREST	2335		HARDING	3156	PERSIMMON

8918		BECKLEYCREST	2343	HARDING	3203	PERSIMMON
9421		BECKLEYCREST	2418	HARDING	4508	PHILIP
9224		BECKLEYVIEW	1522	HARLANDALE	4515	PHILIP
9228		BECKLEYVIEW	1735	HARLANDALE	4520	PHILIP
209		BECKLEYWOOD	2314	HARLANDALE	4523	PHILIP
336		BECKLEYWOOD	2318	HARLANDALE	4524	PHILIP
3712		BEDFORD	2431	HARLANDALE	4531	PHILIP
5238		BEEMAN	2644	HARLANDALE	5119	PHILIP
3200	S	BELTLINE	3031	HARLANDALE	5509	PICKFAIR
1100	S	BELTLINE	2923	HARLANDALE	108	PIN OAK
4231	S	BELTLINE	3014	HARLANDALE	112	PIN OAK
4233	S	BELTLINE	3121	HARLANDALE	267	PIN OAK
2058		BEN HUR	3135	HARLANDALE	410	PIN OAK
2065		BEN HUR	3328	HARLANDALE	1600	PINE
2070		BEN HUR	3105	HARMON	1603	PINE
2122		BEN HUR	3108	HARMON	1609	PINE
2158		BEN HUR	3130	HARMON	1617	PINE
2164		BEN HUR	3143	HARMON	1725	PINE
2176		BEN HUR	1538	HARRIS CT	2232	PINE
2182		BEN HUR	1550	HARRIS CT	2233	PINE
2222		BEN HUR	1579	HARRIS CT	2408	PINE
7041		BENNING	1600	HARRIS CT	2506	PINE
2726		BENROCK	1602	HARRIS CT	2522	PINE
2730		BENROCK	2315	HARRISON	2538	PINE
2731		BENROCK	2605	HARRISON	2539	PINE
2806		BENROCK	2609	HARRISON	2603	PINE
2807		BENROCK	2611	HARRISON	2616	PINE
2815		BENROCK	2819	HARSTON	2643	PINE
2823		BENROCK	2823	HARSTON	2830	PINE
2830		BENROCK	3631	HARSTON	3218	PINE
2906		BENROCK	401	HART	3235	PINE
2907		BENROCK	407	HART	3319	PINE
2918		BENROCK	409	HART	3335	PINE
2934		BENROCK	411	HART	3622	PINE
2938		BENROCK	444	HART	3635	PINE
2946		BENROCK	452	HART	3639	PINE
2947		BENROCK	457	HART	3642	PINE
2954		BENROCK	608	HARTSDALE	3702	PINE
2955		BENROCK	11001	HARVEST	3710	PINE
2962		BENROCK	9800	HARWELL	3714	PINE
2963		BENROCK	3308	HARWOOD	3723	PINE

9350	BERMUDA	3409	S	HARWOOD	3902		PINE
3401	BERNAL	3513	S	HARWOOD	3902		PINE
3427	BERNAL	3521	S	HARWOOD	4002		PINE
3439	BERNAL	4926	S	HARWOOD	4010		PINE
5518	BERNAL	3516	S	HARWOOD	2627		PINE
5704	BERNAL	1644	S	HASKELL	3410		PINE
5708	BERNAL	3212	S	HASKELL	2810		PINE
5726	BERNAL	1205	S	HASKELL	2327		PINE
3227	BERTRAND	2310	S	HASLETT	2002		PLAINCREEK
3603	BERTRAND	2711		HASTINGS	2010		PLAINCREEK
3614	BERTRAND	1624		HATCHER	2016		PLAINCREEK
3723	BERTRAND	1632		HATCHER	8334		PLAINVIEW
4306	BERTRAND	1705		HATCHER	8344		PLAINVIEW
2026	BERWICK	2255		HATCHER	8351		PLAINVIEW
534	BETHPAGE	2303		HATCHER	8401		PLAINVIEW
630	BETHPAGE	2503		HATCHER	8430		PLAINVIEW
634	BETHPAGE	2525		HATCHER	604		PLEASANT
707	BETHPAGE	2541		HATCHER	612		PLEASANT
642	BETHPAGE	2551		HATCHER	1038		PLEASANT
714	BETHPAGE	2561		HATCHER	1813		PLEASANT
2210	BETHURUM	2600		HATCHER	2267		PLEASANT
2214	BETHURUM	2603		HATCHER	2271		PLEASANT
2216	BETHURUM	2615		HATCHER	2851		PLEASANT
2302	BETHURUM	2645		HATCHER	3105		PLEASANT
2311	BETHURUM	2819		HATCHER	134		PLEASANT MEADOWS
2316	BETHURUM	3112		HATCHER	204		PLEASANT MEADOWS
2743	BETHURUM	3801		HATCHER	204		PLEASANT MEADOWS
845	BETTERTON	3814		HATCHER	612		PLEASANT VISTA
900	BETTERTON	3926		HATCHER	613		PLEASANT VISTA
903	BETTERTON	3930		HATCHER	619		PLEASANT WOODS
1015	BETTERTON	533		HATTON	627		PLEASANT WOODS
1101	BETTERTON	538		HATTON	1420	N	PLUM
1105	BETTERTON	3739		HAVANA	5734	N	PLUM DALE
1112	BETTERTON	772		HAVENWOOD	5739		PLUM DALE
1131	BETTERTON	929		HAVENWOOD	5744		PLUM DALE
1145	BETTERTON	4412		HAVERTY	5800		PLUM DALE
1139	BETTERTON	728		HAYMARKET	5801		PLUM DALE
5414	BEXAR	1019		HAYMARKET	5818		PLUM DALE
6004	BEXAR	2021		HAYMARKET	5906		PLUM DALE
6018	BEXAR	2045		HAYMARKET	5908		PLUM DALE
6022	BEXAR	2071		HAYMARKET	6018		PLUM DALE

6520	BEXAR	2101		HAYMARKET	6022		PLUM DALE
6526	BEXAR	2161		HAYMARKET	6023		PLUM DALE
6702	BEXAR	7610		HAZEL	6031		PLUM DALE
6812	BEXAR	2003		HEARNE	6035		PLUM DALE
6915	BEXAR	2714		HECTOR	6039		PLUM DALE
6919	BEXAR	2720		HECTOR	6043		PLUM DALE
7011	BEXAR	2707		HECTOR	6047		PLUM DALE
7013	BEXAR	4430		HEDGDON	6051		PLUM DALE
1503	BICKERS	4511		HEDGDON	6055		PLUM DALE
1518	BICKERS	538		HELENA	6059		PLUM DALE
1711	BICKERS	542		HELENA	6067		PLUM DALE
1719	BICKERS	602		HELENA	6071		PLUM DALE
1823	BICKERS	611		HELENA	6072		PLUM DALE
1910	BICKERS	619		HELENA	800		PLYMOUTH
1930	BICKERS	731		HELENA	4114		POINSETTIA
3423	BICKERS	734		HELENA	4105	S	POINTER
3431	BICKERS	747		HELENA	925		POLK
3634	BICKERS	402		HENDERSON	9330		POLK
3638	BICKERS	1110		HENDRICKS	9408	S	POLK
3642	BICKERS	1311	S	HENDRICKS	1818	S	POLLARD
3702	BICKERS	1327		HENDRICKS	1842		POLLARD
3706	BICKERS	1401		HENDRICKS	1919	S	POLLARD
3724	BICKERS	1419		HENDRICKS	3915		POLLY
3317	BIGLOW	1631		HERALD	3919		POLLY
4002	BIGLOW	1638		HERALD	3924		POLLY
4006	BIGLOW	1621		HERALD	3927		POLLY
4019	BIGLOW	1635		HERALD	3933		POLLY
4151	BIGLOW	3819		HERRLING	3927		POLLY
4155	BIGLOW	4817		HEYWORTH	3933		POLLY
4159	BIGLOW	5726		HIAWATHA	3919		POLLY
4175	BIGLOW	5732		HIAWATHA	3915		POLLY
3911	BIGLOW	523		HIGH	3425		PONDROM
4207	BIGLOW	718		HIGHFALL	3509		PONDROM
4214	BIGLOW	1960		HIGHLAND	708		PONTIAC
4218	BIGLOW	3420		HIGHLAND WOODS	800		PONTIAC
4231	BIGLOW	3421		HIGHLAND WOODS	801		PONTIAC
3126	BILL HARROD	3426		HIGHLAND WOODS	903		PONTIAC
2615	BIRDSONG	3430		HIGHLAND WOODS	1023		PONTIAC
2401	BIRMINGHAM	3436		HIGHLAND WOODS	1624		POPLAR
2408	BIRMINGHAM	3440		HIGHLAND WOODS	1715		POPLAR
2501	BIRMINGHAM	3444		HIGHLAND WOODS	2207		POPLAR

2521	BIRMINGHAM	3504		HIGHLAND WOODS	2307		POPLAR
2700	BIRMINGHAM	3505		HIGHLAND WOODS	2206		PORTERFIELD
2825	BIRMINGHAM	3510		HIGHLAND WOODS	2210		PORTERFIELD
2901	BIRMINGHAM	3511		HIGHLAND WOODS	2213		PORTERFIELD
2909	BIRMINGHAM	3516		HIGHLAND WOODS	2214		PORTERFIELD
2929	BIRMINGHAM	3517		HIGHLAND WOODS	2218		PORTERFIELD
2929	BIRMINGHAM	3521		HIGHLAND WOODS	2221		PORTERFIELD
2931	BIRMINGHAM	3525		HIGHLAND WOODS	800		PRAIRIE CREEK
3020	BIRMINGHAM	3526		HIGHLAND WOODS	1002	N	PRAIRIE CREEK
3021	BIRMINGHAM	3529		HIGHLAND WOODS	1		PRAIRIE FLOWER
3025	BIRMINGHAM	3533		HIGHLAND WOODS	8509		PRAIRIE HILL
3034	BIRMINGHAM	3536		HIGHLAND WOODS	900009		PRATER
3118	BIRMINGHAM	3537		HIGHLAND WOODS	1432		PRESIDIO
3119	BIRMINGHAM	940		HILLBURN	1506		PRESIDIO
3725	BLACK OAK	1227		HILLBURN	1613		PRESIDIO
1210	BLISS	1231		HILLBURN	1651		PRESIDIO
1214	BLISS	9999		HILLBURN	6526		PROSPER
1218	BLISS	2703		HILLGLENN	2727		PROSPERITY
1222	BLISS	227		HILLVALE	2745		PROSPERITY
1308	BLISS	917	E	HOBSON	2753		PROSPERITY
1314	BLISS	1010		HOBSON	2761		PROSPERITY
1318	BLISS	1115	E	HOBSON	2763		PROSPERITY
1022	BLUEBERRY	1144	E	HOBSON	2769		PROSPERITY
9025	BLUECREST	5019		HOHEN	2771		PROSPERITY
9211	BLUECREST	5023		HOHEN	2781		PROSPERITY
5868	BLUFFMAN	841		HOLCOMB	2801		PROSPERITY
6002	BLUNTER	846		HOLCOMB	2802		PROSPERITY
6006	BLUNTER	851		HOLCOMB	2910		PROSPERITY
6007	BLUNTER	930		HOLCOMB	2918		PROSPERITY
6014	BLUNTER	942		HOLCOMB	2931		PROSPERITY
402	BOBBIE	950		HOLCOMB	3018		PROSPERITY
416	BOBBIE	1032	E	HOLCOMB	3019		PROSPERITY
417	BOBBIE	1224		HOLCOMB	3706		PROSPERITY
400	BOBBIE	1032		HOLCOMB	3710		PROSPERITY
8329	BOHANNON	6232		HOLLIS	2759		PROSPERITY
5635	BON AIR	7459		HOLLY HILL	1403		PUEBLO
5643	BON AIR	1004		HOLLYWOOD	1414		PUEBLO
5647	BON AIR	2703		HOLMES	1515		PUEBLO
5663	BON AIR	2715		HOLMES	1903		PUEBLO
5707	BON AIR	2820		HOLMES	1922		PUEBLO
5711	BON AIR	2824		HOLMES	1933		PUEBLO

5714		BON AIR	2913	HOLMES	1947	PUEBLO
5731		BON AIR	3012	HOLMES	3318	PUEBLO
5735		BON AIR	3105	HOLMES	3324	PUEBLO
5739		BON AIR	3522	HOLMES	3329	PUEBLO
5667		BON AIR	3720	HOLMES	3423	PUEBLO
1240	N	BOND	3734	HOLMES	3434	PUEBLO
1252	N	BOND	3821	HOLMES	3521	PUEBLO
315		BONNIE VIEW	3826	HOLMES	3525	PUEBLO
327		BONNIE VIEW	2908	HOLMES	3541	PUEBLO
332		BONNIE VIEW	2708	HOLMES	3543	PUEBLO
345		BONNIE VIEW	3826	HOLMES	3552	PUEBLO
349		BONNIE VIEW	3830	HOLMES	3622	PUEBLO
405		BONNIE VIEW	3833	HOLMES	3623	PUEBLO
417		BONNIE VIEW	3847	HOLMES	3624	PUEBLO
426		BONNIE VIEW	3908	HOLMES	3626	PUEBLO
431		BONNIE VIEW	1722	HOMELAND	3700	PUEBLO
434		BONNIE VIEW	3642	HOMELAND	5618	PUEBLO
440		BONNIE VIEW	3642	HOMELAND	5622	PUEBLO
1529		BONNIE VIEW	3730	HOMELAND	5626	PUEBLO
2202		BONNIE VIEW	3702	HOMELAND	5630	PUEBLO
2210		BONNIE VIEW	1520	HOMELAND	5633	PUEBLO
2214		BONNIE VIEW	9429	HOMEPLACE	5634	PUEBLO
2304		BONNIE VIEW	35	HONEYSUCKLE	5637	PUEBLO
2538		BONNIE VIEW	8317	HONEYSUCKLE	5638	PUEBLO
3704		BONNIE VIEW	8321	HONEYSUCKLE	5641	PUEBLO
3716		BONNIE VIEW	8327	HONEYSUCKLE	5642	PUEBLO
3815		BONNIE VIEW	8331	HONEYSUCKLE	5645	PUEBLO
3921		BONNIE VIEW	8521	HONEYSUCKLE	5646	PUEBLO
4114		BONNIE VIEW	8607	HONEYSUCKLE	5649	PUEBLO
4310		BONNIE VIEW	8611	HONEYSUCKLE	5650	PUEBLO
4431		BONNIE VIEW	8617	HONEYSUCKLE	5654	PUEBLO
5261		BONNIE VIEW	2222	HOOPER	5658	PUEBLO
5603		BONNIE VIEW	2403	HOOPER	5702	PUEBLO
3508		BOOKER	2435	HOOPER	5703	PUEBLO
3515		BOOKER	2530	HOOPER	5706	PUEBLO
3516		BOOKER	2532	HOOPER	5707	PUEBLO
3339		BORGER	2538	HOOPER	5802	PUEBLO
3434		BORGER	2555	HOOPER	5805	PUEBLO
3603		BORGER	2615	HOOPER	5806	PUEBLO
3426		BORGER	2618	HOOPER	5809	PUEBLO
1219		BOSWELL	2622	HOOPER	5810	PUEBLO

1220	BOSWELL	2629	HOOPER	5813	PUEBLO
1222	BOSWELL	18	HORIZON HILLS	5814	PUEBLO
6623	BOULDER	19	HORIZON HILLS	5817	PUEBLO
2020	BOURBON	2	HORTENSE	5818	PUEBLO
5011	BOURQUIN	1334	HORTENSE	5821	PUEBLO
5104	BOURQUIN	1342	HORTENSE	5822	PUEBLO
5140	BOURQUIN	1506	HORTENSE	5825	PUEBLO
5144	BOURQUIN	1510	HORTENSE	5826	PUEBLO
5213	BOURQUIN	1511	HORTENSE	5829	PUEBLO
5415	BOURQUIN	1601	HORTENSE	5830	PUEBLO
5424	BOURQUIN	5406	HOUSTON SCHOOL	5900	PUEBLO
4711	BOWLING	1306	HUDSPETH	3332	PUEBLO
4828	BOXWOOD	1422	HUDSPETH	3107	PUGET
2710	BOYNTON	1607	HUDSPETH	3221	PUGET
2718	BOYNTON	1611	HUDSPETH	4011	PUGET
1044	BRADFIELD	1710	HUDSPETH	1201	PURITAN
4507	BRADSHAW	1714	HUDSPETH	1205	PURITAN
4626	BRADSHAW	2135	HUDSPETH	1208	PURITAN
4626	BRADSHAW	2159	HUDSPETH	1209	PURITAN
4519	BRADSHAW	2203	HUDSPETH	1212	PURITAN
3216	BRANDON	2306	HUDSPETH	8724	QUINN
4814	BRASHEAR	2436	HUDSPETH	9039	QUINN
4818	BRASHEAR	2546	HUDSPETH	6606	RACINE
4822	BRASHEAR	2550	HUDSPETH	5404	RAILROAD
4826	BRASHEAR	2706	HUDSPETH	5408	RAILROAD
4827	BRASHEAR	2708	HUDSPETH	5412	RAILROAD
4930	BRASHEAR	2710	HUDSPETH	5416	RAILROAD
1429	BRIAR CLIFF	2733	HUDSPETH	5420	RAILROAD
1544	BRIAR CLIFF	2735	HUDSPETH	5438	RAILROAD
414	BRIDGES	2820	HUDSPETH	4219	RAMONA
6816	BRIERFIELD	4702	HUEY	15	RAMSEY
7005	BRIERFIELD	4712	HUEY	1609	RAMSEY
2814	BRIGHAM	4716	HUEY	1818	RAMSEY
2708	BRIGHAM	4718	HUEY	1931	RAMSEY
2736	BRIGHAM	4806	HUEY	2019	RAMSEY
2807	BRIGHAM	4807	HUEY	2218	RAMSEY
2814	BRIGHAM	4810	HUEY	2431	RAMSEY
2838	BRIGHAM	7740	HULL	2614	RAMSEY
2908	BRIGHAM	7904	HULL	2615	RAMSEY
2916	BRIGHAM	7935	HULL	2716	RAMSEY
2920	BRIGHAM	7944	HULL	2742	RAMSEY

2924		BRIGHAM	7958		HULL	2743		RAMSEY
700	S	BRIGHTON	7905		HULL	2819		RAMSEY
1137	S	BRIGHTON	7911		HULL	3038		RAMSEY
8823		BRILEY	7912		HULL	3042		RAMSEY
2330		BRITTON	7935		HULL	3051		RAMSEY
2114		BRITTON	7953		HULL	3106		RAMSEY
2416		BRITTON	8024		HUME	5700		RANCHERO
2519		BRITTON	3746		HUMPHREY	2453		RANDOLPH
2526		BRITTON	4404		HUMPHREY	2519		RANDOLPH
2643		BRITTON	2711		HUNTER	2551		RANDOLPH
2610		BRITTON	1930		HUNTINGDON	2531		RANDOLPH
2631		BRITTON	2002		HUNTINGDON	2453		RANDOLPH
2633		BRITTON	2006		HUNTINGDON	4020		RANGER
2715		BRITTON	1401		HUTCHINS	4024		RANGER
2814		BRITTON	1403		HUTCHINS	1411		RANIER
2822		BRITTON	1404		HUTCHINS	110		RAVINIA
2903		BRITTON	1503		HUTCHINS	202		RAVINIA
2914		BRITTON	1321		HUTCHINS	502	S	RAYENELL
1031		BROADVIEW	1810		IDAHO	563	S	RAYENELL
1116		BROCK	1918		IDAHO	607		RAYENELL
1120		BROCK	2018		IDAHO	623		RAYENELL
1121		BROCK	2222		IDAHO	643		RAYENELL
1123		BROCK	2223		IDAHO	650		RAYENELL
4923		BRONX	2323		IDAHO	766		RAYENELL
2119		BROOKHAVEN	2511		IDAHO	802		RAYENELL
1519		BROOKHAVEN	2630		IDAHO	821		RAYENELL
2627	W	BROOKLYN	3110		IDAHO	2538		RAYMOND
2858	W	BROOKLYN	4023		IDAHO	7202		RED BUD
823		BROOKWOOD	4228		IDAHO	319		RED WING
912		BROOKWOOD	4407		IDAHO	334		RED WING
917		BROOKWOOD	2515		IDAHO	7012		REDBUD
923		BROOKWOOD	3915		IDAHO	3206		REED
929		BROOKWOOD	1121	E	ILLINOIS	2808		REED
936		BROOKWOOD	2716		ILLINOIS	2815		REED
2007		BROWDER	2720	E	ILLINOIS	2835		REED
2009		BROWDER	3437	E	ILLINOIS	2919		REED
408	E	BROWNLEE	2100	E	INADALE	2923		REED
515	E	BROWNLEE	3105		INDIANOLA	3003		REED
322	W	BROWNLEE	1927		INGERSOLL	3014		REED
7720		BROWNSVILLE	1928		INGERSOLL	3018		REED
7721		BROWNSVILLE	1930		INGERSOLL	3022		REED

7724		BROWNSVILLE	1934		INGERSOLL	3220	REED
7727		BROWNSVILLE	1935		INGERSOLL	3228	REED
7732		BROWNSVILLE	1938		INGERSOLL	3231	REED
7735		BROWNSVILLE	1939		INGERSOLL	3311	REED
7743		BROWNSVILLE	2434		INGERSOLL	3327	REED
7807		BROWNSVILLE	2622		INGERSOLL	3335	REED
7808		BROWNSVILLE	3402		INGERSOLL	3706	REESE
7820		BROWNSVILLE	3615		INGERSOLL	4625	REIGER
9529		BROWNWOOD	3722		INGERSOLL	4825	REIGER
4015		BRUNDRETTE	4010		INGERSOLL	5533	REIGER
4018		BRUNDRETTE	4026		INGERSOLL	1200	RENNER
4022		BRUNDRETTE	1503		IOWA	1315	RENNER
254	N	BRYAN CIR	1413		IOWA	3107	REYNOLDS
202	N	BRYAN CIR	111		IRA	3119	REYNOLDS
248	N	BRYAN PL	118	N	IRA	3239	REYNOLDS
250	N	BRYAN WAY	10899	N	IRIS	3306	RICH ACRES
9999	N	BUCKNER	1922		IROQUOIS	3312	RICH ACRES
2199		BUCKSKIN CIR	2507		IROQUOIS	3312	RICH ACRES
2418		BUDD	2622		IROQUOIS	1126	RIDGEWOOD
2313		BUDD	2807		IROQUOIS	2623	RIPPLE
2418		BUDD	3520		IROQUOIS	2627	RIPPLE
2422		BUDD	2015		IVANHOE	2631	RIPPLE
15319		BUDEUDY	4010		IVANHOE	2637	RIPPLE
15323		BUDEUDY	4022		IVANHOE	2637	RIPPLE
7545		BUFORD	7924		IVORY LN	2640	RIPPLE
709		BUICK	7927		IVORY LN	2641	RIPPLE
115		BUNCHE	7944		IVORY LN	2919	RIPPLE
125		BUNCHE	7924		IVORY LN	2935	RIPPLE
126		BUNCHE	7927		IVORY LN	5618	RIVERSIDE
224		BUNCHE	5035		IVY	718	RIVERWOOD
2606		BURGER	5041		IVY	2506	ROBERT B CULLUM
2610		BURGER	5103		IVY	4306	ROBERT L PARISH SR
2626		BURGER	5156		IVY	2734	ROBERTA
2711		BURGER	1702		J B JACKSON	2803	ROBERTA
2818		BURGER	1916		J B JACKSON	2807	ROBERTA
1004		BURLINGTON	1917		J B JACKSON	2811	ROBERTA
1515		BURLINGTON	1921		J B JACKSON	3437	ROBERTS
2310		BURLINGTON	944		JADEWOOD	3501	ROBERTS
4516		BURMA	3526		JAMAICA	3516	ROBERTS
4532		BURMA	3711		JAMAICA	3927	ROBERTS

4536		BURMA	3715		JAMAICA	4003	ROBERTS
4540		BURMA	4018		JAMAICA	4006	ROBERTS
4628		BURMA	4202		JAMAICA	4010	ROBERTS
4635		BURMA	4214		JAMAICA	4014	ROBERTS
4640		BURMA	4346		JAMAICA	4515	ROBERTS
4704		BURMA	4352		JAMAICA	2601	ROCHESTER
4725		BURMA	4406		JAMAICA	2711	ROCHESTER
4726		BURMA	4426		JAMAICA	2718	ROCHESTER
4740		BURMA	4431		JAMAICA	2907	ROCHESTER
4741		BURMA	4518		JAMAICA	2910	ROCHESTER
4744		BURMA	4606		JAMAICA	2915	ROCHESTER
4745		BURMA	3607		JAMAICA	2922	ROCHESTER
4815		BURMA	4603		JAMAICA	3002	ROCHESTER
4830		BURNSIDE	4415		JAMAICA	3006	ROCHESTER
4914		BURNSIDE	6616		JEANE	3010	ROCHESTER
5114		BURNSIDE	2430		JEFF	3016	ROCHESTER
5154		BURNSIDE	3347		JEFFERSON	2231	ROCKEFELLER
555		BURRELL	1601	W	JEFFRIES	2203	ROCKEFELLER
561	W	BURRELL	2401		JEFFRIES	10726	ROCKINGHAM
9800		C F HAWN	2410		JEFFRIES	709	ROCKWOOD
10100		C F HAWN	2413		JEFFRIES	713	ROCKWOOD
13800		C F HAWN	2414		JEFFRIES	717	ROCKWOOD
14000		C F HAWN	2426		JEFFRIES	725	ROCKWOOD
6010		C F HAWN	2431		JEFFRIES	2731	ROGERS
4510		C.L. VEASEY	2501		JEFFRIES	2715	ROGERS
4710		C.L. VEASEY	2502		JEFFRIES	2719	ROGERS
2419		CADILLAC	2505		JEFFRIES	2227	ROMINE
2422		CADILLAC	2506		JEFFRIES	2526	ROMINE
1521		CALDWELL	2513		JEFFRIES	2530	ROMINE
1530		CALDWELL	2514		JEFFRIES	1211	ROSE GARDEN
1536		CALDWELL	2515		JEFFRIES	3409	ROSELAND
1542		CALDWELL	2517		JEFFRIES	4407	ROSELAND
1554		CALDWELL	2606		JEFFRIES	5	ROSEMONT
1613		CALDWELL	2610		JEFFRIES	7512	ROSEMONT
1615		CALDWELL	2621		JEFFRIES	7922	ROSEMONT
1618		CALDWELL	2629		JEFFRIES	4407	ROSINE
1423		CALDWELL	2636		JEFFRIES	4428	ROSINE
1425		CALDWELL	3406		JEFFRIES	5120	ROSINE
1534		CALDWELL	2741		JENNINGS	8003	ROTHINGTON
1614		CALDWELL	2747		JENNINGS	8005	ROTHINGTON
3332		CALHOUN	2753		JENNINGS	1401	ROWAN

3431	CALHOUN	2759		JENNINGS	1424	ROWAN
3502	CALHOUN	2655		JENNINGS	1616	ROXANA
3506	CALHOUN	1714		JEROME	5700	ROYAL
9725	CALLE DEL ORO	3117		JESSIE BELL	2100	ROYAL OAKS
1920	CALYPSO	2406		JEWELL	2200	ROYAL OAKS
2008	CALYPSO	2402		JIM	10110	ROYCE
2020	CALYPSO	1250		JIM	10117	ROYCE
2038	CALYPSO	2802		JIM	4334	RUSK
2058	CALYPSO	137	N	JIM MILLER	4411	RUSK
2510	CAMEL	307	S	JIM MILLER	4414	RUSK
2611	CAMEL	1021		JIM MILLER	3702	RUSKIN
2612	CAMEL	4708	N	JIM MILLER	3709	RUSKIN
2627	CAMEL	8107	N	JOHN	3724	RUSKIN
2630	CAMEL	8111		JOHN	3238	RUTLEDGE
2631	CAMEL	8115		JOHN	3300	RUTLEDGE
2634	CAMEL	8116		JOHN	3306	RUTLEDGE
2706	CAMEL	5739		JOHNSON	3310	RUTLEDGE
2708	CAMEL	5921		JOHNSON	3315	RUTLEDGE
2710	CAMEL	9999		JOHNSON	3322	RUTLEDGE
2732	CAMEL	5818		JOHNSON	3323	RUTLEDGE
2736	CAMEL	604		JONELLE	3327	RUTLEDGE
2741	CAMEL	627		JONELLE	3441	RUTZ
2743	CAMEL	632		JONELLE	8143	RYLIE
6218	CANAAN	648		JONELLE	10708	RYLIE CREST
1505	CANADA	660		JONELLE	9557	RYLIE CREST
1902	CANADA	711		JONELLE	110	S ACRES
3018	CANADA	715		JONELLE	506	SABINE
3511	CANADA	746		JONELLE	1020	SABINE
3523	CANADA	4731		JONES	1031	SABINE
3837	CANADA	2224		JORDAN	7920	SAIPAN
3845	CANADA	2234		JORDAN	832	SAMIA
3931	CANADA	2235		JORDAN	2519	SAMOA
4023	CANADA	2215		JORDAN	2515	SAMOA
4425	CANADA	2225		JORDAN	3100	SAMUELL
4429	CANADA	18		JORDAN RIDGE	7534	SAN JOSE
4443	CANADA	2019		JORDAN VALLEY	2812	SANDERSON
4643	CANADA	2104		JORDAN VALLEY	1104	SANE ST
4007	CANAL	429		JOSEPHINE	1518	SANGER
4216	CANAL	503		JOSEPHINE	1808	SANGER
4419	CANAL	519		JOSEPHINE	1822	SANGER
4233	CANAL	3610		JULIUS SCHEPPS	2703	SANTA CRUZ

4235		CANAL	3614		JULIUS SCHEPPS	2611		SANTA FE
4317		CANAL	315		JUSTIN	4934		SANTA FE
4319		CANAL	2418	N	KAHN	7125		SANTA FE
4322		CANAL	2141		KATHLEEN	5318		SANTA FE
4511		CANAL	2407		KATHLEEN	6221		SARAH LEE
4606		CANAL	2655		KATHLEEN	6227		SARAH LEE
4611		CANAL	2115		KATHLEEN	1001		SARGENT
4615		CANAL	2125		KATHLEEN	2731		SCAMMEL
2840		CANARY	2135		KATHLEEN	15		SCARSDALE
1829		CANELO	2736		KAVASAR	3902		SCHOFIELD
213	E	CANTY	2807		KAVASAR	3918		SCHOFIELD
1614		CANYON	2814		KAVASAR	3607		SCHUSTER
2012		CANYON	2818		KAVASAR	2203		SCOTLAND
2016		CANYON	2831		KAVASAR	2323		SCOTLAND
7724		CARBONDALE	2906		KAVASAR	2414		SCOTLAND
7728		CARBONDALE	2914		KAVASAR	2754		SCOTLAND
7824		CARBONDALE	2918		KAVASAR	2775		SCOTLAND
8110		CARBONDALE	2919		KAVASAR	2415		SCOTLAND
8450		CARBONDALE	2935		KAVASAR	2329		SCOTT
7704		CARBONDALE	2936		KAVASAR	2341		SCOTT
7816		CARBONDALE	2939		KAVASAR	2343		SCOTT
7832		CARBONDALE	2942		KAVASAR	2418		SCOTT
4201		CARDINAL	2952		KAVASAR	3407		SCOUT
4205		CARDINAL	2962		KAVASAR	3517		SCOUT
4221		CARDINAL	2963		KAVASAR	4300		SCYENE
4229		CARDINAL	9999		KAVASAR	4401		SCYENE
4309		CARDINAL	201	E	KEARNEY	4403		SCYENE
4310		CARDINAL	2728		KEELER	7225		SCYENE
4410		CARDINAL	2732		KEELER	7331		SCYENE
3709		CARL	5300		KEENLAND	7339		SCYENE
3802		CARL	2732		KELLER	7800		SCYENE
4214		CARL	2913		KELLOGG	8000		SCYENE
4245		CARL	2419		KEMP	131		SEAGOVILLE
3201		CARL	2457		KEMP	134		SEAGOVILLE
4230		CARL	2462		KEMP	141	N	SEAGOVILLE
4231		CARL	2466		KEMP	235	N	SEAGOVILLE
5800		CARLTON GARRETT	1		KEMROCK	340		SEAGOVILLE
5814		CARLTON GARRETT	11		KEMROCK	356		SEAGOVILLE
5902		CARLTON GARRETT	6015		KEMROCK	9622		SEAGOVILLE
5908		CARLTON GARRETT	6030		KEMROCK	10115		SEAGOVILLE
5914		CARLTON GARRETT	6039		KEMROCK	14100		SEAGOVILLE

6200	CARLTON GARRETT	6040		KEMROCK	2824		SEATON
6205	CARLTON GARRETT	6042		KEMROCK	2827		SEATON
6207	CARLTON GARRETT	6043		KEMROCK	2845	S	SEATON
6212	CARLTON GARRETT	6107		KEMROCK	2924		SEATON
6306	CARLTON GARRETT	6109		KEMROCK	2926		SEATON
6307	CARLTON GARRETT	6121		KEMROCK	2930		SEATON
6310	CARLTON GARRETT	6125		KEMROCK	4427		SEAY
2617	CARPENTER	6131		KEMROCK	6516		SEBRING
2621	CARPENTER	6207		KEMROCK	6546		SEBRING
2633	CARPENTER	6216		KEMROCK	8906		SEDGEMOOR
2647	CARPENTER	6222		KEMROCK	9310		SEDGEMOOR
2707	CARPENTER	6311		KEMROCK	1508		SEEGAR
2719	CARPENTER	6411		KEMROCK	1516		SEEVERS
2721	CARPENTER	6419		KEMROCK	1615		SEEVERS
2731	CARPENTER	6427		KEMROCK	1702		SEEVERS
2819	CARPENTER	6434		KEMROCK	1711		SEEVERS
3006	CARPENTER	6454		KEMROCK	1723		SEEVERS
3612	CARPENTER	6505		KEMROCK	1912		SEEVERS
2618	CARPENTER	6511		KEMROCK	1918		SEEVERS
2715	CARPENTER	2811		KENESAW	2118		SEEVERS
3205	CARPENTER	3509		KENILWORTH	2502		SEEVERS
3206	CARPENTER	3723		KENILWORTH	2518		SEEVERS
3224	CARPENTER	3623		KENILWORTH	2522		SEEVERS
3303	CARPENTER	3706		KENILWORTH	2624		SEEVERS
3531	CARPENTER	3916		KENILWORTH	2638		SEEVERS
3711	CARPENTER	700		KESSLER LAKE	2714		SEEVERS
3715	CARPENTER	3418		KEYRIDGE	2930		SEEVERS
3801	CARPENTER	3422		KEYRIDGE	3054		SEEVERS
3914	CARPENTER	3511		KEYRIDGE	3011		SEEVERS
4006	CARPENTER	3515		KEYRIDGE	1331		SELKIRK
4007	CARPENTER	3516		KEYRIDGE	4111		SHADRACK
4211	CARPENTER	1409	E	KIEST	2510		SHARON
4226	CARPENTER	1700	E	KIEST	2512		SHARON
4229	CARPENTER	1713	E	KIEST	2758		SHARON
1514	CARSON	1805	E	KIEST	1702		SHAW
1446	CARSON ST	2720	E	KIEST	1716		SHAW
2800	CARTER	3517	E	KIEST	1846		SHAW
2806	CARTER	2503	E	KILBURN	1910		SHAW
2818	CARTER	2606		KILBURN	1917		SHAW
2810	CARTER	2615		KILBURN	1940		SHAW
5807	CARY	2846		KILBURN	1964		SHAW

5815		CARY	2623		KILBURN	1968		SHAW
5817		CARY	4833		KILDARE	2028		SHAW
413		CASCADA DR	4914		KILDARE	7		SHAYNA
2842		CASEY	4926		KILDARE	1222		SHEFFIELD
2842		CASEY ST	4935		KILDARE	1402		SHEFFIELD
2842		Casey St	4943		KILDARE	1408		SHEFFIELD
3878		CASTLE HILLS	4947		KILDARE	3436		SHELDON
10534		CASTLEROCK	4738		KILDARE	3444		SHELDON
3706		CAUTHORN	1231		KILLOUGH	3932		SHELLEY
3824		CAUTHORN	1329		KILLOUGH	2113		SHELLHORSE
3907		CAUTHORN	1339		KILLOUGH	2123		SHELLHORSE
3530		CAUTHORN	1427		KILLOUGH	2124		SHELLHORSE
3533		CAUTHORN	1505		KILLOUGH	2130		SHELLHORSE
3614		CAUTHORN	1545		KILLOUGH	2140		SHELLHORSE
3718		CAUTHORN	3819		KIMBALLDALE	2206		SHELLHORSE
2322		CEDAR CREST	3407		KIMBLE	2212		SHELLHORSE
2536		CEDAR CREST	2606		KIMSEY	2218		SHELLHORSE
2229		CEDAR CREST	2810		KINGBRIDGE	23		SHEPHERD
2237		CEDAR CREST	2718		KINGBRIDGE	3906		SHINDOLL
2536		CEDAR CREST	1038		KINGS	1711		SHORE
3303		CEDAR LAKE	2200		KINGS	1715		SHORE
1421		CEDAR OAKS	8325		KINGSFIELD	1719	E	SHORE
1427		CEDAR OAKS	8345		KINGSFIELD	1619		SICILY
5405		CEDAR RIDGE	8353		KINGSFIELD	1702	E	SICILY
4571		CEDARDALE	3617		KINGSFORD	1715		SICILY
4736		CEDARDALE	1507		KINGSLEY	3517		SIDNEY
4820		CEDARDALE	1511		KINGSLEY	3521		SIDNEY
3711	S	CENTRAL	1815		KINGSLEY	3527		SIDNEY
3713	S	CENTRAL	2522		KINGSTON	3529		SIDNEY
3717	S	CENTRAL	2503		KIRKLEY	3533		SIDNEY
3741	S	CENTRAL	2517		KIRKLEY	3534		SIDNEY
7615	S	CENTRAL EXPY	1317		KIRNWOOD	3601		SIDNEY
3711	S	CENTRAL EXPY	1800		KIRNWOOD	3603		SIDNEY
3713	S	CENTRAL EXPY	408		KIRSAN	3607		SIDNEY
3717	S	CENTRAL EXPY	2627		KIRVEN	3621		SIDNEY
3741	S	CENTRAL EXPY	8111		KISKA	3622		SIDNEY
2103		CHALK HILL	8112		KISKA	3711		SIDNEY
2123		CHALK HILL	7919		KISKA	3802		SIDNEY
2623		CHALK HILL	9030		KISSELL	3926		SIDNEY
2		CHAMBLIN	5806		KITTY	2614		SILKWOOD
2711		CHARBA	12		KIWANIS	2618		SILKWOOD

1204		CHARLOTTE	11800		KLEBERG	2620	SILKWOOD
1205		CHARLOTTE	12239		KLEBERG	2701	SILKWOOD
1302		CHARLOTTE	12611		KLEBERG	2718	SILKWOOD
1332		CHARLOTTE	2438		KNIGHT	2723	SILKWOOD
5910		CHELSEA	3733		KOLLOCH	2726	SILKWOOD
5918		CHELSEA	3742		KOLLOCH	2727	SILKWOOD
5922		CHELSEA	3907		KOLLOCH	2730	SILKWOOD
5934		CHELSEA	4308		KOLLOCH	2802	SILKWOOD
5935		CHELSEA	4609		KOLLOCH	2811	SILKWOOD
5941		CHELSEA	4720		KOLLOCH	2814	SILKWOOD
5945		CHELSEA	4726		KOLLOCH	2818	SILKWOOD
6003		CHELSEA	2517		KOOL	2819	SILKWOOD
6006		CHELSEA	2611		KOOL	4635	SILVER
4346		CHERBOURG	2622		KOOL	4655	SILVER
4514		CHERBOURG	2626		KOOL	4701	SILVER
4515		CHERBOURG	2631		KOOL	4800	SILVER
4525		CHERBOURG	2635		KOOL	4806	SILVER
4534		CHERBOURG	2708		KOOL	4807	SILVER
4535		CHERBOURG	2717		KOOL	4820	SILVER
4538		CHERBOURG	2719		KOOL	4831	SILVER
4545		CHERBOURG	2726		KOOL	9406	SILVER FALLS
4549		CHERBOURG	2740		KOOL	4020	SILVERHILL
4561		CHERBOURG	1928		KRAFT	2411	SIMPSON STUART
4608		CHERBOURG	1938		KRAFT	2417	SIMPSON STUART
4611		CHERBOURG	2006		KRAFT	2955	SIMPSON STUART
4612		CHERBOURG	2012		KRAFT	5327	SIMPSON STUART
4627		CHERBOURG	2024		KRAFT	5512	SINGING HILLS
4636		CHERBOURG	2031		KRAFT	5711	SINGLETON
4639		CHERBOURG	322	N	KRAMER	9700	SKILLMAN
4640		CHERBOURG	3420	N	KRISTEN	14000	SKYFROST
4643		CHERBOURG	3819		KYNARD	14300	SKYFROST
4647		CHERBOURG	3304		KYSER	14515	SKYFROST
238	E	CHERRY POINT	6810		LACY	2403	SKYLARK
307	E	CHERRY POINT	6816		LACY	8746	SLAY
315	E	CHERRY POINT	4122		LADALE	8752	SLAY
323	E	CHERRY POINT	3411		LADD	1948	SMOKE TREE
331	E	CHERRY POINT	2720		LAGOW	1940	SMOKE TREE
339	E	CHERRY POINT	2403		LAGOW	1903	SMOKE TREE
2659		CHERRY VALLEY	2628		LAGOW	1852	SMOKE TREE
2919		CHERRY VALLEY	2820		LAGOW	1732	SMOKE TREE
425		CHEYENNE	2902		LAGOW	1717	SMOKE TREE

1335	CHEYENNE	2906		LAGOW	1711	SMOKE TREE
1933	CHEYENNE	103		LAKE	1707	SMOKE TREE
1939	CHEYENNE	405		LAKE	1703	SMOKE TREE
2818	CHICAGO	8322		LAKE ANNA	1514	SMOKE TREE
2902	CHICAGO	421		LAKE CLIFF	3760	SOFT WIND
3102	CHICAGO	7420		LAKE JUNE	3623	SOFTCLOUD
3222	CHICAGO	9501		LAKE JUNE	3623	SOFTCLOUD
3338	CHICAGO	8745		LAKE JUNE	4510	SOLAR
3610	CHICAGO	835		LAKE TERRACE	4534	SOLAR
2797	CHIESA RD	2118		LAKEVIEW	4535	SOLAR
3314	CHIHUAHUA	1608		LAKEVIEW	4542	SOLAR
3400	CHIHUAHUA	2724	S	LAMAR	4543	SOLAR
3407	CHIHUAHUA	4910	S	LAMAR	4550	SOLAR
3429	CHIHUAHUA	834		LAMBERT	4553	SOLAR
3438	CHIHUAHUA	22		LANARK	4557	SOLAR
3502	CHIHUAHUA	2434		LANARK	4600	SOLAR
2709	CHILDS ST	619	S	LANCASTER	4603	SOLAR
5308	CHIPPEWA	2410	S	LANCASTER	4624	SOLAR
5426	CHIPPEWA	4226		LANCASTER	4002	SOLOMAN
2723	CHOICE	6318	N	LANCASTER	4006	SOLOMAN
2402	CHRYSLER	6322	S	LANCASTER	4019	SOLOMAN
2411	CHRYSLER	6326	S	LANCASTER	4102	SOLOMAN
2415	CHRYSLER	6620	S	LANCASTER	4135	SOLOMAN
2518	CHRYSLER	7422	S	LANCASTER	4029	SONNY CIR
1027	CHURCH	623	N	LANCASTER	3703	SONORA
1028	CHURCH	4226	S	LANCASTER	3934	SONORA
1030	CHURCH	7536	S	LANCASTER	3935	SONORA
1033	CHURCH	13122	S	LAND	1802	SOUTH
1103	CHURCH	202		LANDIS	1804	SOUTH
1109	CHURCH	208		LANDIS	1901	SOUTH
1124	CHURCH	215		LANDIS	2516	SOUTH
1136	CHURCH	216		LANDIS	2524	SOUTH
1403	CHURCH	218		LANDIS	2934	SOUTH
1410	CHURCH	227		LANDIS	3101	SOUTH
1415	CHURCH	229		LANDIS	3116	SOUTH
4322	CICERO	4202		LANDRUM	222	SOUTH SHORE
6424	CINNAMON	4206		LANDRUM	625	SOUTHEAST
9	CIRCLEWOOD	4210		LANDRUM	1717	SOUTHERLAND
9538	CIRCLEWOOD	4217		LANDRUM	1535	SOUTHERLAND
3220	CLAIBOURNE	4220		LANDRUM	3158	SOUTHERN OAKS
3222	CLAIBOURNE	4222		LANDRUM	3202	SOUTHERN OAKS

2612		CLARENCE	4224	LANDRUM	3234	SOUTHERN OAKS
2616		CLARENCE	4227	LANDRUM	3292	SOUTHERN OAKS
2630		CLARENCE	4233	LANDRUM	2202	SOUTHLAND
2704		CLARENCE	4300	LANDRUM	2241	SOUTHLAND
2737		CLARENCE	4304	LANDRUM	2319	SOUTHLAND
911	W	CLARENDON	4309	LANDRUM	2515	SOUTHLAND
915	W	CLARENDON	4317	LANDRUM	2522	SOUTHLAND
1316	E	CLARENDON	4402	LANDRUM	2607	SOUTHLAND
1403	E	CLARENDON	9212	LANEYVALE	2622	SOUTHLAND
915	W	CLARENDON	9219	LANEYVALE	2623	SOUTHLAND
914		CLAUDE	9426	LANEYVALE	2631	SOUTHLAND
1009		CLAUDE	2507	LANGDON	2635	SOUTHLAND
1102		CLAUDE	8502	LAPANTO	2701	SOUTHLAND
1104		CLAUDE	2202	LAPSLEY	2714	SOUTHLAND
1201		CLAUDE	2626	LAPSLEY	2722	SOUTHLAND
1204		CLAUDE	3123	LAPSLEY	2731	SOUTHLAND
1209		CLAUDE	3203	LAPSLEY	2826	SOUTHLAND
1222		CLAUDE	3207	LAPSLEY	2838	SOUTHLAND
1229		CLAUDE	3211	LAPSLEY	2823	SOUTHLAND
1315		CLAUDE	3215	LAPSLEY	2526	SOUTHLAND
1330		CLAUDE	3219	LAPSLEY	2535	SOUTHLAND
1506		CLAUDE	3302	LAPSLEY	405	SPARKS
1432		CLAUDIA	3306	LAPSLEY	418	SPARKS
810		CLEARFIELD	3310	LAPSLEY	421	SPARKS
944		CLEARFIELD	3314	LAPSLEY	433	SPARKS
2563		CLEARVIEW	3315	LAPSLEY	442	SPARKS
401		CLEAVES	3318	LAPSLEY	505	SPARKS
419		CLEAVES	3319	LAPSLEY	622	SPARKS
438		CLEAVES	3322	LAPSLEY	624	SPARKS
447		CLEAVES	3323	LAPSLEY	6530	SPEIGHT
437		CLEAVES	3326	LAPSLEY	3810	SPENCE
439		CLEAVES	3327	LAPSLEY	3905	SPENCE
2705		CLEVELAND	3330	LAPSLEY	4006	SPENCE
2818		CLEVELAND	3331	LAPSLEY	3707	SPENCE
3216		CLEVELAND	3334	LAPSLEY	3809	SPENCE
3512		CLEVELAND	3335	LAPSLEY	3818	SPENCE
3642		CLEVELAND	3338	LAPSLEY	3819	SPENCE
4100		CLEVELAND	3339	LAPSLEY	3827	SPENCE
4521		CLEVELAND	3342	LAPSLEY	3835	SPENCE
2814		CLEVELAND	3345	LAPSLEY	11521	SPENCE
222	S	CLIFF	3346	LAPSLEY	6105	SPORTSMANS

612	N	CLIFF	3349		LAPSLEY	6111	SPORTSMANS
616	N	CLIFF	3350		LAPSLEY	6115	SPORTSMANS
715	N	CLIFF	3354		LAPSLEY	6121	SPORTSMANS
510	S	CLINTON	3356		LAPSLEY	6125	SPORTSMANS
818	S	CLINTON	4727		LARUE	6131	SPORTSMANS
1521	N	CLINTON	910		LASALLE	6135	SPORTSMANS
2036		CLOUDCROFT	3015		LATIMER	6141	SPORTSMANS
7339		CLOVERGLEN	3414		LATIMER	6145	SPORTSMANS
2974		CLOVIS	3504		LATIMER	6151	SPORTSMANS
2987		CLOVIS	3513		LATIMER	6155	SPORTSMANS
5525		CLUB CREST	3521		LATIMER	6165	SPORTSMANS
2203		CLYMER	3730		LATIMER	6211	SPORTSMANS
2407		CLYMER	3732		LATIMER	6165	SPORTSMANS CT
2411		CLYMER	3815		LATIMER	6171	SPORTSMANS CT
2607		CLYMER	3922		LATIMER	6181	SPORTSMANS CT
3306		CLYMER	2327		LAUREL HILL	6105	SPORTSMANS PKWY
3310		CLYMER	10		LAURELAND	6231	SPORTSMANS PKWY
3314		CLYMER	546	E	LAURELAND	6241	SPORTSMANS PKWY
24		COLDBROOK	406	W	LAURELAND	6221	SPORTSMANS PKWY
28		COLDBROOK	62		LAWLER RD	3303	SPRING
2247		COLDBROOK	51		LAWLER RD	3304	SPRING
1216		COLEMAN	62		LAWLER RD	3310	SPRING
1220		COLEMAN	2218		LAWRENCE	3319	SPRING
1307		COLEMAN	2318		LAWRENCE	3331	SPRING
1314		COLEMAN	2410		LAWRENCE	3335	SPRING
6917		COLESHIRE	2627		LAWRENCE	3524	SPRING
4505		COLLINS	2327		LAWRENCE	3619	SPRING
4818		COLLINS	2418		LAWRENCE	3623	SPRING
4904		COLLINS	2422		LAWRENCE	3627	SPRING
4419		COLLINS	2426		LAWRENCE	3804	SPRING
4611		COLLINS	2434		LAWRENCE	3808	SPRING
4822		COLLINS	2442		LAWRENCE	3900	SPRING
2815		COLONIAL	2446		LAWRENCE	3905	SPRING
3504		COLONIAL	2454		LAWRENCE	4237	SPRING
3600		COLONIAL	2503		LAWRENCE	4304	SPRING
3613		COLONIAL	2535		LAWRENCE	4326	SPRING
3627		COLONIAL	2601		LAWRENCE	4334	SPRING
3717		COLONIAL	2628		LAWRENCE	4335	SPRING
3722		COLONIAL	2700		LAWRENCE	4723	SPRING
3815		COLONIAL	2710		LAWRENCE	4803	SPRING
3820		COLONIAL	2711		LAWRENCE	4927	SPRING

3830		COLONIAL	2719		LAWRENCE	4603		SPRING GARDEN RD
4019		COLONIAL	336	W	LAWSON	4611		SPRING GARDEN RD
4114		COLONIAL	3818		LE FORGE	4631		SPRING GARDEN RD
4224		COLONIAL	3902		LE FORGE	5508		SPRING VALLEY RD
4317		COLONIAL	1905		LEACREST	2714		SPRINGDALE ST
4318		COLONIAL	2000		LEACREST	3021		SPRINGVIEW
4422		COLONIAL	1902		LEACREST	3026		SPRINGVIEW
4522		COLONIAL	1910		LEACREST	3211		SPRINGVIEW
4600		COLONIAL	2132		LEACREST	3240		SPRINGVIEW
4810		COLONIAL	2533		LEACREST	3327		SPRINGVIEW
4811		COLONIAL	325		LEADS	3337		SPRINGVIEW
4902		COLONIAL	336		LEADS	3347		SPRINGVIEW
4904		COLONIAL	6315		LEANA	3350		SPRINGVIEW
4919		COLONIAL	6413		LEANA	3360		SPRINGVIEW
5003		COLONIAL	1819		LEATH	3361		SPRINGVIEW
5007		COLONIAL	2035		LEATH	2865		SPRUCE VALLEY
5012		COLONIAL	2046		LEATH	2925		SPRUCE VALLEY
5019		COLONIAL	2711		LEBROCK	3103		SPURLOCK
5031		COLONIAL	2718		LEBROCK	348	S	ST AUGUSTINE
5102		COLONIAL	2719		LEBROCK	1101		ST AUGUSTINE
5218		COLONIAL	2720		LEBROCK	1337		ST AUGUSTINE
5323		COLONIAL	2724		LEBROCK	1619	S	ST AUGUSTINE
4901/4903		COLONIAL	2728		LEBROCK	1925	S	ST AUGUSTINE
202	N	COLSON	2733		LEBROCK	2237	N	ST AUGUSTINE
3020		COLUMBINE	2736		LEBROCK	2945	S	ST AUGUSTINE
3034		COLUMBINE	2737		LEBROCK	5259		ST CHARLES
3040		COLUMBINE	2745		LEBROCK	2411		ST CLAIR
3048		COLUMBINE	2749		LEBROCK	2413		ST CLAIR
4541		COLWICK	2807		LEBROCK	2414		ST CLAIR
1100		COMAL	2815		LEBROCK	2415	S	ST CLAIR
1102		COMAL	2822		LEBROCK	2416		ST CLAIR
1110		COMAL	2823		LEBROCK	2418		ST CLAIR
1204		COMANCHE	2826		LEBROCK	2421		ST CLAIR
1205		COMANCHE	2827		LEBROCK	2422		ST CLAIR
1208		COMANCHE	2838		LEBROCK	2425		ST CLAIR
1209		COMANCHE	2843		LEBROCK	2428		ST CLAIR
1212		COMANCHE	2854		LEBROCK	2434		ST CLAIR
1213		COMANCHE	2855		LEBROCK	2437		ST CLAIR
1216		COMANCHE	1048		LEDBETTER	2439		ST CLAIR
1123		COMPTON	1915	E	LEDBETTER	2506		ST CLAIR
1202		COMPTON	2003	E	LEDBETTER	2517		ST CLAIR

1228	COMPTON	2007	E	LEDBETTER	2521	ST CLAIR
1311	COMPTON	2346	E	LEDBETTER	407	ST MARY
1315	COMPTON	2615	E	LEDBETTER	3820	STANLEY SMITH
1316	COMPTON	3307	E	LEDBETTER	3914	STANLEY SMITH
1325	COMPTON	3311	E	LEDBETTER	3919	STANLEY SMITH
1522	COMPTON	3427	E	LEDBETTER	2315	STARKEY
7506	CONCORD	3540	E	LEDBETTER	2331	STARKS
1	CONCORDIA	337	E	LEDBETTER	2336	STARKS
2403	CONKLIN	3421	E	LEDBETTER	2344	STARKS
2409	CONKLIN	5538	S	LEEWOOD	2404	STARKS
2411	CONKLIN	4417		LELAND	2406	STARKS
2614	CONKLIN	4506		LELAND	2410	STARKS
1612	CONNER	4519		LELAND	2412	STARKS
2046	COOL MIST	4911		LELAND	2415	STARKS
2058	COOL MIST	4918		LELAND	2424	STARKS
2140	COOL MIST	4215		LELAND	2425	STARKS
2147	COOL MIST	3823		LEMAY	2440	STARKS
2157	COOL MIST	3903		LEMAY	2441	STARKS
2170	COOL MIST	3915		LEMAY	2510	STARKS
2191	COOL MIST	13328		LENOSA	2511	STARKS
2200	COOL MIST	1307		LENWAY	2538	STARKS
2247	COOL MIST	1708		LENWAY	2627	STARKS
2364	COOL MIST	2521		LENWAY	2635	STARKS
3942	COOLIDGE	1710		LENWAY	2702	STARKS
3922	COOLIDGE	2412		LENWAY	2707	STARKS
3906	COOLIDGE	2501		LENWAY	6625	STARKS
3907	COOLIDGE	2521		LENWAY	2607	STARKS
3922	COOLIDGE	2601		LENWAY	319	STARR
3938	COOLIDGE	2611		LENWAY	3731	STATE OAK
2704	COOMBS	1922		LEROY	1315	STELLA
2712	COOMBS	2042		LEROY	1406	STELLA
2716	COOMBS	2904		LEWISTON	1451	STELLA
2708	COOMBS	1619		LIFE	1446	STELLA
2702	COOMBSVILLE	2023		LIFE	816	STELLA
2210	COOPER	1816		LINCOLN	2522	STEPHENSON
2216	COOPER	7436		LINDA	2529	STEPHENSON
1817	COOPER	7507		LINDA	2711	STEPHENSON
3714	COPELAND	5035		LINDER	2715	STEPHENSON
3807	COPELAND	5002		LINDER	2727	STEPHENSON
3918	COPELAND	5006		LINDER	4	STILLWELL
4003	COPELAND	5035		LINDER	5	STILLWELL

4005		COPELAND	4702		LINDSLEY	1425	STIRLING
4104		COPELAND	5319		LINDSLEY	1444	STIRLING
4011		COPELAND	4706		LINDSLEY	4611	STOKES
4015		COPELAND	4718		LINDSLEY	4616	STOKES
4114		COPELAND	2816		LINFIELD	4640	STOKES
4210		COPELAND	3023		LINFIELD	4646	STOKES
4302		COPELAND	3514		LINFIELD	4648	STOKES
4322		COPELAND	3518		LINFIELD	4708	STOKES
4323		COPELAND	4632		LINFIELD	4716	STOKES
4326		COPELAND	4816		LINFIELD	4719	STOKES
4334		COPELAND	11518		LIPPITT	4720	STOKES
4335		COPELAND	4532		LIVE OAK	4723	STOKES
224	S	CORINTH	2631		LOBDELL	4727	STOKES
611	S	CORINTH	2638		LOBDELL	4729	STOKES
615	S	CORINTH	2539		LOBDELL	4735	STOKES
621	S	CORINTH	3300		LOCKETT	4743	STOKES
800	S	CORINTH	3523		LOCKETT	4748	STOKES
1331		CORINTH	3527		LOCKETT	4751	STOKES
1630		CORINTH	6806		LOCKHEED	4752	STOKES
1910		CORINTH	2739		LOCUST	4803	STOKES
1912		CORINTH	2251		LOCUST	4804	STOKES
7440		CORONADO	2201		LOCUST	4704	STOKES
3341		CORONET	2226		LOCUST	8123	STONEHURST
4515		CORREGIDOR	2238		LOCUST	1741	STONEMAN
4516		CORREGIDOR	2250		LOCUST	2227	STONEMAN
4519		CORREGIDOR	2739		LOCUST	1714	STONEMAN
4520		CORREGIDOR	2266		LOLITA	1724	STONEMAN
4523		CORREGIDOR	2740		LOLITA	1010	STONEWALL
4524		CORREGIDOR	2914		LOLITA	1	STRAUS
4525		CORREGIDOR	2915		LOLITA	1038	STRICKLAND
4538		CORREGIDOR	850		LONG ACRE	1402	STRICKLAND
4539		CORREGIDOR	319		LONGRIDGE	1404	STRICKLAND
4540		CORREGIDOR	1220		LONSDALE	1411	STRICKLAND
4543		CORREGIDOR	1233		LONSDALE	1435	STRICKLAND
4548		CORREGIDOR	1		LOOP 12	4500	STROBEL
4551		CORREGIDOR	13		LOOP 12	4907	STROBEL
4552		CORREGIDOR	14		LOOP 12	4915	STROBEL
4553		CORREGIDOR	15		LOOP 12	4919	STROBEL
4556		CORREGIDOR	7455		LOOP 12	4	STRONG
4559		CORREGIDOR	1617	S	LORIS	2416	SUE
4603		CORREGIDOR	1300		LOTUS	8116	SUETELLE

4604		CORREGIDOR	1302		LOTUS	1861	SUMMIT
4607		CORREGIDOR	1309		LOTUS	1725	SUNBEAM
4623		CORREGIDOR	1311		LOTUS	1807	SUNBEAM
4627		CORREGIDOR	1313		LOTUS	2322	SUNBEAM
4628		CORREGIDOR	2214		LOTUS	2324	SUNBEAM
4631		CORREGIDOR	2226		LOTUS	2424	SUNBEAM
4632		CORREGIDOR	799		LOTUS	2426	SUNBEAM
4636		CORREGIDOR	210	E	LOUISIANA	2427	SUNBEAM
4639		CORREGIDOR	224	E	LOUISIANA	2428	SUNBEAM
4640		CORREGIDOR	300	W	LOUISIANA	2430	SUNBEAM
4643		CORREGIDOR	319	W	LOUISIANA	2516	SUNBEAM
4644		CORREGIDOR	1423	E	LOUISIANA	2550	SUNBEAM
4647		CORREGIDOR	1616		LOUISIANA	3814	SUNNYVALE
4648		CORREGIDOR	1415	E	LOUISIANA	3218	SUNNYVALE
10436		CORY	7012	W	LOVETT	237	SUNSET
8926		COTTONVALLEY	3716		LOVINGOOD	18	SUNSET VILLAGE
9008		COTTONVALLEY	3810		LOVINGOOD	2807	SUTTON
2718		COUNCIL	3729		LOVINGOOD	2819	SUTTON
2710		COUNCIL	2302		LOWERY	2823	SUTTON
2731		COUNCIL	2308		LOWERY	2728	SWANSON
2723		COUNCIL	2331		LOWERY	2803	SWANSON
2729		COUNCIL	2406		LOWERY	2806	SWANSON
800		COUNTRY CLUB PL	2605		LOWERY	2728	SWANSON ST
816		COUNTRY CLUB PL	2340		LOWERY	3354	SYLVAN
4827		COWAN AVE	2510		LOWERY	4244	SYLVESTER
2518		CRADDOCK	6623		LUCY	2404	SYLVIA
3615		CRANE	6627		LUCY	2432	SYLVIA
3623		CRANE	4504		LUZON	2517	SYLVIA
3629		CRANE	4528		LUZON	2429	TALCO DR
3639		CRANE	4531		LUZON	2210	TALLYHO
3716		CRANE	4535		LUZON	2214	TALLYHO
1		CRANFILL	4540		LUZON	2403	TALLYHO
4419		CRANFILL	4611		LUZON	2407	TALLYHO
4508		CRANFILL	4623		LUZON	2410	TALLYHO
4517		CRANFILL	4631		LUZON	2411	TALLYHO
4525		CRANFILL	4639		LUZON	2415	TALLYHO
800	N	CRAWFORD	4640		LUZON	2419	TALLYHO
8471		CREEKWOOD	4644		LUZON	2430	TALLYHO
3835		CREPE MYRTLE	4647		LUZON	503	TAMA
2523		CREST	4648		LUZON	524	TAMA
502		CRETE	1410		LYNN HAVEN	100	TAMALPAIS

1	CRIMNSON	2426		LYOLA	99999		TAMALPAIS
3670	CRIPPLE CREEK	2433		LYOLA	2603		TANNER
2311	CROSS	2441		LYOLA	2636		TANNER
2710	CROSS	2716		LYOLA	2643		TANNER
2721	CROSS	2726		LYOLA	2830		TANNER
2715	CROSS	2804		LYOLA	2835		TANNER
2719	CROSS	2808		LYOLA	812		TARRYALL
2725	CROSS	2814		LYOLA	818		TARRYALL
2404	CROSSMAN	2821		LYOLA	925		TARRYALL
2415	CROSSMAN	2838		LYOLA	101		TATUM
2603	CROSSMAN	2845		LYOLA	703		TATUM
3105	CROSSMAN	2849		LYOLA	6907	S	TAYLOE
3438	CROSSMAN	2853		LYOLA	8773	N	TEAGARDEN
2615	CROSSMAN	2854		LYOLA	6309		TEAGUE
9643	CROWNFIELD	11050	N	MACARTHUR	6311		TEAGUE
9649	CROWNFIELD	2141		MACK	6317		TEAGUE
3907	CROZIER	2249		MACON	6418		TEAGUE
3919	CROZIER	2310		MACON	6419		TEAGUE
4303	CROZIER	2338		MACON	6510		TEAGUE
4524	CROZIER	2402		MACON	6530		TEAGUE
4930	CROZIER	2818		MACON	3906		TELEPHONE
4934	CROZIER	2451		MACON	1302		TEMPEST
4915	CROZIER	2518		MACON	1306		TEMPEST
2613	CRYSTAL	2622		MACON	1454		TEMPEST
601	CUMBERLAND	2633		MACON	2940		TERMINAL
609	CUMBERLAND	2637		MACON	239		TERRACE
2969	CUMMINGS	2711		MACON	116		TERRACE
2969	CUMMINGS	2715		MACON	3431		TERRELL
115	CUNEY	2718		MACON	3535		TERRELL
119	CUNEY	2726		MACON	4801		TERRY
2018	CUSTER	2731		MACON	5102		TERRY
2123	CUSTER	2732		MACON	5232		TERRY
2127	CUSTER	2807		MACON	2049		THEDFORD
2130	CUSTER	2810		MACON	909		THELMA
2202	CUSTER	2826		MACON	3209		THOMAS
2214	CUSTER	2835		MACON	2431		THROCKMORTON
2319	CUSTER	8233		MADDOX	216	S	TILLERY
2503	CUSTER	2139		MAIL	218	N	TILLERY
2511	CUSTER	2143		MAIL	1116		TILLERY
2519	CUSTER	245		MAIN	1120		TILLERY
2543	CUSTER	266	W	MAIN	802	N	TILLERY

2623	CUSTER	2014		MAIN	3502	S	TIOGA
2656	CUSTER	202	W	MAIN ST	3312	N	TOKAY
10359	CYMBAL	4321	S	MALCOLM X BLVD	3316		TOKAY
1317	DACKI	4400	S	MALCOLM X BLVD	3317		TOKAY
3231	DAHLIA	5003	S	MALCOLM X BLVD	3320		TOKAY
3234	DAHLIA	5007	S	MALCOLM X BLVD	3321		TOKAY
917	DALE	5023	S	MALCOLM X BLVD	3324		TOKAY
22	DALVIEW	5031	S	MALCOLM X BLVD	3325		TOKAY
1250	DALVIEW	5041	S	MALCOLM X BLVD	3328		TOKAY
1254	DALVIEW	5124	S	MALCOLM X BLVD	3329		TOKAY
1258	DALVIEW	5207	S	MALCOLM X BLVD	3332		TOKAY
1307	DALVIEW	5239	S	MALCOLM X BLVD	3333		TOKAY
1315	DALVIEW	5307	S	MALCOLM X BLVD	3336		TOKAY
1319	DALVIEW	3815		MALDEN	3337		TOKAY
1428	DALVIEW	3014	S	MALLORY	3341		TOKAY
1435	DALVIEW	3122		MALLORY	3342		TOKAY
353	DANIELDALE	3212		MALLORY	3345		TOKAY
365	DANIELDALE	2703		MANILA	3346		TOKAY
431	DANIELDALE	6718		MANITOBA	3349		TOKAY
803	DANIELDALE	1610		MARBURG	3352		TOKAY
1636	DANUBE	2231		MARBURG	12		TOLUCA
3634	DARIEN	2318		MARBURG	1710		TOLUCA
2225	DARIEN	2524		MARBURG	1720		TOLUCA
2238	DARIEN	2539		MARBURG	3230		TOPEKA
2241	DATHE	2614		MARBURG	1718		TORONTO
2403	DATHE	2618		MARBURG	1731		TORONTO
2411	DATHE	2622		MARBURG	1835		TORONTO
2610	DATHE	2701		MARBURG	1836		TORONTO
2611	DATHE	2706		MARBURG	1848		TORONTO
2705	DATHE	2723		MARBURG	1950		TORONTO
2810	DATHE	2727		MARBURG	2009		TORONTO
2838	DATHE	2730		MARBURG	2014		TORONTO
3634	DATHE	2731		MARBURG	3402		TORONTO
4027	DATHE	2735		MARBURG	3403		TORONTO
2814	DAWSON	2738		MARBURG	3407		TORONTO
2822	DAWSON	2739		MARBURG	3423		TORONTO
3804	DE MAGGIO	2826		MARBURG	3519		TORONTO
3806	DE MAGGIO	2827		MARBURG	3540		TORONTO
3811	DE MAGGIO	2828		MARBURG	3548		TORONTO
3900	DE MAGGIO	2830		MARBURG	3561		TORONTO
3907	DE MAGGIO	2843		MARBURG	3618		TORONTO

1611		DEAN	3001		MARBURG	3619	TORONTO
202		DEBRA	3010		MARBURG	3624	TORONTO
203		DEBRA	1604		MARBURG	3632	TORONTO
7		DEEP GREEN	2816		MARBURG	3719	TORONTO
3506		DEL REY	2821		MARBURG	5803	TORONTO
3534		DEL REY	4538		MARCELL	900063	TOWNE HOUSE
3811		DELHI	3301		MARCOLE	6030	TRACY
3922		DELHI	3307		MARCOLE	6034	TRACY
2510		DELL VIEW	3311		MARCOLE	6102	TRACY
6283		DENHAM CIR	3312		MARCOLE	6314	TRACY
100	S	DENLEY	3315		MARCOLE	6316	TRACY
336	N	DENLEY	3316		MARCOLE	6342	TRACY
419	N	DENLEY	3319		MARCOLE	9711	TRAVIS
421	N	DENLEY	3320		MARCOLE	9715	TRAVIS
425	N	DENLEY	3323		MARCOLE	9719	TRAVIS
427	N	DENLEY	3324		MARCOLE	9723	TRAVIS
505	N	DENLEY	3327		MARCOLE	9727	TRAVIS
507	N	DENLEY	3328		MARCOLE	9731	TRAVIS
527	N	DENLEY	3331		MARCOLE	4709	TREMONT
603	N	DENLEY	3332		MARCOLE	3300	TRINITY GATE
632	N	DENLEY	3335		MARCOLE	3400	TRINITY GATE
1410	S	DENLEY	3342		MARCOLE	7903	TROJAN
1438	S	DENLEY	2802		MARDER	7912	TROJAN
1732	S	DENLEY	2819		MARDER	7928	TROJAN
2416	S	DENLEY	2618		MARDER	7931	TROJAN
2719	S	DENLEY	2802		MARDER	7936	TROJAN
2907	S	DENLEY	2823		MARDER	7955	TROJAN
336	N	DENLEY	1212		MARFA	7959	TROJAN
635	S	DENLEY	1236		MARFA	7960	TROJAN
1356	S	DENLEY	1242		MARFA	7932	TROJAN
1356	S	DENLEY	1247		MARFA	2813	TROY
1414	S	DENLEY	1415		MARFA	2819	TROY
2416	S	DENLEY	1502		MARFA	2823	TROY
2907	S	DENLEY	1514		MARFA	1708	TRUNK
3011	S	DENLEY	1527		MARFA	1818	TRUNK
3910	S	DENLEY	1530		MARFA	1822	TRUNK
4011	S	DENLEY	1531		MARFA	4011	TRUNK
4019	S	DENLEY	1610		MARFA	4042	TUMALO
4021	S	DENLEY	1722		MARFA	6495	TUMBLING CREEK
4030	S	DENLEY	18		MARGEWOOD	1702	TUNE
4423	S	DENLEY	20		MARGEWOOD	1925	TUNE

4502	S	DENLEY	5714		MARGEWOOD	2329		TUNE
4506	S	DENLEY	2900		MARIDEEN	2402		TUNE
4515	S	DENLEY	2934		MARIDEEN	2446		TUNE
4521	S	DENLEY	2938		MARIDEEN	2471		TUNE
4631	S	DENLEY	8619		MARIGOLD	2561		TUNE
4718	S	DENLEY	8701		MARIGOLD	2566		TUNE
2104		DENMARK	9		MARINE	2574		TUNE
2116		DENMARK	10		MARINE	21		TURFWAY
2122		DENMARK	2431		MARJORIE	3107		TUSKEGEE
2171		DENMARK	2515		MARJORIE	3112		TUSKEGEE
2317		DENMARK	2521		MARJORIE	3114		TUSKEGEE
1822		DENNISON	2804		MARJORIE	3208		TUSKEGEE
1831		DENNISON	3021		MARJORIE	3217		TUSKEGEE
1954		DENNISON	3115		MARJORIE	3224		TUSKEGEE
1966		DENNISON	2747		MARJORIE	3226		TUSKEGEE
2029		DENNISON	140		MARKS	3228		TUSKEGEE
1		DEPAUL	150		MARKS	1110		TYLER
3330		DETONTE	208		MARKS	2526		TYLER
3322		DETONTE	902	S	MARLBOROUGH	5406		UNIVERSITY HILLS
3919		DIAMOND	507	S	MARLBOROUGH	9	S	UNKNOWN
4000		DIAMOND	5001	S	MARNE	3007		URBAN
3911		DIAMOND	5007		MARNE	3107	S	URBAN
1303		DICEMAN	5026		MARNE	3115		URBAN
1418		DICEMAN	5039		MARNE	2611		VALENTINE
1424		DICEMAN	5017		MARNE	2702		VALENTINE
1429		DICEMAN	5010		MARNE	2726		VALENTINE
1125		DICEMAN	5006		MARNE	2802		VALENTINE
3714		DILDOCK	5012		MARNE	2811		VALENTINE
3521		DIXON	5021		MARNE	2814		VALENTINE
3707		DIXON	5102		MARNE	2822		VALENTINE
7830		DOAK	2116		MARS	2823		VALENTINE
1026		DODD	825	S	MARSALIS	2907		VALENTINE
4701		DOLPHIN	1331		MARSALIS	2926		VALENTINE
4705		DOLPHIN	1342	S	MARSALIS	3015		VALENTINE
4709		DOLPHIN	1703	S	MARSALIS	3027		VALENTINE
4714		DOLPHIN	1903	S	MARSALIS	3041		VALENTINE
4827		DOLPHIN	1907	S	MARSALIS	1301		VALLEY
2843		DON	2002	S	MARSALIS	1303		VALLEY
2847		DON	2415	S	MARSALIS	1306		VALLEY
2935		DON	2818	S	MARSALIS	1307		VALLEY
2939		DON	2823	S	MARSALIS	1314		VALLEY

2712	DONALD	2830	S	MARSALIS	1316		VALLEY
2716	DONALD	2911	S	MARSALIS	1335		VALLEY
2623	DONALD	2915	S	MARSALIS	40		VALLEY MILLS
2627	DONALD	2923	S	MARSALIS	42		VALLEY MILLS
8943	DONNYBROOK	2935	S	MARSALIS	45		VALLEY MILLS
11626	DORCHESTER	3107	S	MARSALIS	47		VALLEY MILLS
2608	DORRIS	4103	S	MARSALIS	9652		VALLEY MILLS
2716	DORRIS	4915	S	MARSALIS	820		VAN BUREN
2718	DORRIS	1516	S	MARSALIS	5611		VAN WINKLE
2825	DORRIS	3709		MARSHALL	3716	N	VANDERVOORT
2901	DORRIS	3919		MARSHALL	3806		VANDERVOORT
2902	DORRIS	4002		MARSHALL	3810		VANDERVOORT
2909	DORRIS	4103		MARSHALL	3914		VANDERVOORT
2914	DORRIS	4220		MARSHALL	4010		VANDERVOORT
2930	DORRIS	4302		MARSHALL	4006		VANDERVORT
2931	DORRIS	4315		MARSHALL	3129		VANNERSON
3006	DORRIS	4335		MARSHALL	3141		VANNERSON
220	DOWDY FERRY	4338		MARSHALL	7342		VECINO
512	DOWDY FERRY	2633		MARTIN LUTHER KING JR	114		VENTURA
708	DOWDY FERRY	412		MARTIN LUTHER KING JR	2		VERDE
710	DOWDY FERRY	2320		MARTIN LUTHER KING JR	4		VERDE
1344	DOWDY FERRY	2714		MARTIN LUTHER KING JR	4610		VERDUN
2028	DOWDY FERRY	5700		MARTINEZ	4635		VERDUN
2111	DOWDY FERRY	515		MARTINIQUE	801		VERMONT
1723	DOWDY FERRY	811		MARTINIQUE	813		VERMONT
1414	DOYLE	3402		MARVIN D LOVE	1013		VERMONT
1418	DOYLE	7446		MARY DAN	1126		VERMONT
1502	DOYLE	1704		MARY ELLEN	5029		VETERANS
1506	DOYLE	1726		MARYLAND	5143		VETERANS
1507	DOYLE	2418		MARYLAND	5106		VETERANS
1521	DOYLE	2419		MARYLAND	4213		VICTOR
1526	DOYLE	2635		MARYLAND	4616		VICTOR
1530	DOYLE	2915		MARYLAND	9999		VIDA
1111	DRAGON	4129		MARYLAND	13000		VIDA
1726	DRISKELL	4026		MARYLAND	2726		VILBIG
11570	DRUMMOND	3614		MARYLAND	1730		VILBIG
319	DU BOIS	4216		MARYLAND	3106		VILBIG
407	DU BOIS	4250		MARYLAND	3110		VILBIG
523	DU BOIS	200		MASTERS	3118		VILBIG
2031	DUDLEY	322	S	MASTERS	3205		VILBIG
810	DULUTH	1608	N	MATAGORDA	3300		VILBIG

1110		DULUTH	1608	MATAGORDA	3335	VILBIG
1826		DULUTH	2711	MAURINE F BAILEY WAY	3339	VILBIG
1915		DULUTH	2723	MAURINE F BAILEY WAY	3401	VILBIG
1926		DULUTH	2726	MAURINE F BAILEY WAY	3502	VILBIG
1910		DULUTH	2746	MAURINE F BAILEY WAY	3510	VILBIG
3512		DUNBAR	3315	MAYBETH	3705	VILBIG
3514		DUNBAR	3806	MAYBETH	3722	VILBIG
8529		DUNLAP	3930	MAYBETH	3826	VINEYARD
8730		DUNLAP	1403	MAYWOOD	3831	VINEYARD
2613		DURHAM	1426	MAYWOOD	3906	VINEYARD
2626		DURHAM	1515	MAYWOOD	3922	VINEYARD
2628		DURHAM	1509	MAYWOOD	4006	VINEYARD
706	N	DWIGHT	1413	MCBROOM	4011	VINEYARD
1024		DWIGHT	1414	MCBROOM	2311	VOLGA
411	N	DWIGHT	1511	MCBROOM	1335	WACO
2334	N	DYSON	1721	MCBROOM	1415	WACO
2400		DYSON	1729	MCBROOM	1522	WACO
2523		DYSON	1834	MCBROOM	1611	WACO
2311		DYSON	1906	MCBROOM	1614	WACO
2218		DYSON	1939	MCBROOM	1706	WACO
812		EADS	1956	MCBROOM	1423	WACO
816		EADS	2012	MCBROOM	1503	WACO
818		EADS	2015	MCBROOM	1510	WACO
2937		EAGLE	2016	MCBROOM	8822	WADLINGTON
2961		EAGLE	2017	MCBROOM	5006	WADSWORTH
2928		EAGLE	2029	MCBROOM	4503	WAHOO
2941		EAGLE	3402	MCBROOM	4515	WAHOO
5519		EAST GRAND	3610	MCBROOM	4519	WAHOO
5439		EAST GRAND	3615	MCBROOM	4523	WAHOO
5415		EAST GRAND	3618	MCBROOM	4531	WAHOO
4309		EAST GRAND	3630	MCBROOM	4535	WAHOO
4729		EAST SIDE	3705	MCBROOM	3808	WALDRON
4932		EAST SIDE	3723	MCBROOM	3918	WALDRON
2724		EASTER	3734	MCBROOM	4039	WALKER
2806		EASTER	3143	MCDERMOTT	907	WALKWAY
4114		EASTER	2815	MCDERMOTT	1012	WALKWAY
4150		EASTER	3115	MCDERMOTT	1621	WALMSLEY
4162		EASTER	3150	MCDERMOTT	1213	WALMSLEY
4166		EASTER	739	MCDOWELL	54	WALNUT
4204		EASTER	1509	MCKEE	1715	WARREN
4218		EASTER	1315	MCKENZIE	2409	WARREN

4219		EASTER	1325		MCKENZIE	2413		WARREN
4246		EASTER	1332		MCKENZIE	2614		WARREN
4234		EASTER	1334		MCKENZIE	2617		WARREN
1915		EBBTIDE	1336		MCKENZIE	2625		WARREN
2106		EBBTIDE	1338		MCKENZIE	2625		WARREN
4930		ECHO	1414		MCKENZIE	2631		WARREN
4935		ECHO	1428		MCKENZIE	2701		WARREN
5018		ECHO	3018		MCNEIL	3004		WARREN
5027		ECHO	3333		MCNEIL	3021		WARREN
5107		ECHO	2800		MEADOW	1627		WARSAW
2054		ECHO LAKE	2820		MEADOW	1337		WASCO
2147		ECHO LAKE	3410		MEADOW	1345		WASCO
2170		ECHO LAKE	4618		MEADOW	1346		WASCO
2182		ECHO LAKE	2816		MEADOW	1349		WASCO
2188		ECHO LAKE	2900		MEADOW	1365		WASCO
2194		ECHO LAKE	3414		MEADOW	1438		WASCO
2204		ECHO LAKE	3520		MEADOW	10327		WATERBURY
2217		ECHO LAKE	2742		MEADOW DAWN	5018		WATSON
2323		ECHO LAKE	4921		MEADOW VIEW	5043		WATSON
2050		EDD	304		MEADOWCREEK	5102		WATSON
2058		EDD	428		MELBA	5127		WATSON
2111		EDD	1206		MELBOURNE	5127		WATSON
2147		EDD	201		MELINDA	5131		WATSON
2341		EDD	202		MELINDA	235	S	WAVERLY
2347		EDD	4220		MEMORY	902	S	WAVERLY
3041		EDD	4234		MEMORY	1009		WAVERLY
9999		EDD	4400		MEMORY	1703		WAVERLY
2341		EDD	4414		MEMORY	1104		WAYNE
1222		EDGEFIELD	4520		MEMORY	373	N	WEAVER
317		EDGEMONT	1600		MENTOR	3017		WEISENBERGER
914		EDGEMONT	1610		MENTOR	3122	S	WEISENBERGER
1316	S	EDGEMONT	1622		MENTOR	3519		WEISENBERGER
1322		EDGEMONT	1734		MENTOR	3813		WEISENBERGER
1421		EDGEMONT	2405		MERLIN	3916		WEISENBERGER
1627		EDGEMONT	2406		MERLIN	4026		WEISENBERGER
3117		EDGEWOOD	2409		MERLIN	4130		WEISENBERGER
3502		EDGEWOOD	2412		MERLIN	2521		WELLS
3410		EDGEWOOD	2415		MERLIN	2517		WELLS
3419		EDGEWOOD	2418		MERLIN	2519		WELLS
2829		EISENHOWER	2435		MERLIN	2521		WELLS
3203		EISENHOWER	2435		MERLIN	2527		WELLS

3000		EL BENITO	2510		MERLIN	2531		WELLS
3506		EL BENITO	2514		MERLIN	2533		WELLS
14		EL SOL	2518		MERLIN	3217		WENDELKIN
2961		EL TOVAR	206		MERRIFIELD	3317		WENDELKIN
2969		EL TOVAR	5535		MESA	3401		WENDELKIN
2973		EL TOVAR	5507		MESA CIR	3417		WENDELKIN
6413		ELAM	4230	S	MESA GLEN	3425		WENDELKIN
6419		ELAM	1607		METROPOLITAN	3514		WENDELKIN
6520		ELAM	1611		METROPOLITAN	3518		WENDELKIN
8314		ELAM	2237		METROPOLITAN	3624		WENDELKIN
8300		ELAM	2240		METROPOLITAN	3636		WENDELKIN
4311		ELECTRA	2319		METROPOLITAN	3722		WENDELKIN
623		ELI	2821		METROPOLITAN	3730		WENDELKIN
33200		ELIHU	2826		METROPOLITAN	3741		WENDELKIN
1400		ELK CREEK	3527		METROPOLITAN	8103		WES HODGES
1410		ELK CREEK	2715		METROPOLITAN	8107		WES HODGES
1425		ELK CREEK	2827		METROPOLITAN	8111		WES HODGES
1507		ELK CREEK	3514		METROPOLITAN	8119		WES HODGES
730		ELKHART	3526		METROPOLITAN	8120		WES HODGES
619		ELLA	3606		METROPOLITAN	8123		WES HODGES
638		ELLA	3614		METROPOLITAN	8124		WES HODGES
738		ELLA	3803		METROPOLITAN	8127		WES HODGES
746		ELLA	3809		METROPOLITAN	8128		WES HODGES
1207		ELLENWOOD	3821		METROPOLITAN	8131		WES HODGES
915		ELMDALE	3905		METROPOLITAN	8132		WES HODGES
107		ELMORE	3926		METROPOLITAN	4242		WESTCLIFF
231	E	ELMORE	4006		METROPOLITAN	24		WESTERHAM
338	W	ELMORE	4015		METROPOLITAN	25		WESTERHAM
1507	E	ELMORE	4105		METROPOLITAN	33		WESTERHAM
1542	E	ELMORE	4213		METROPOLITAN	34		WESTERHAM
1618	E	ELMORE	4301		METROPOLITAN	35		WESTERHAM
1622	E	ELMORE	4339		METROPOLITAN	36		WESTERHAM
1743	E	ELMORE	4422		METROPOLITAN	4105		WESTMORELAND
1711	W	ELMWOOD	4507		METROPOLITAN	3125	N	WESTMORELAND
659		ELSBERRY	4515		METROPOLITAN	2874		WESTRIDGE
726		ELSBETH	4517		METROPOLITAN	9013		WESTSIDE
1624		ELSIE FAYE HEGGINS	4522		METROPOLITAN	9014		WESTSIDE
1632		ELSIE FAYE HEGGINS	4523		METROPOLITAN	15		WESTWAY
2225		ELSIE FAYE HEGGINS	4602		METROPOLITAN	1294		WHISPERING
2255		ELSIE FAYE HEGGINS	4618		METROPOLITAN	1	N	WHISPERING OAKS
2303		ELSIE FAYE HEGGINS	9120		METZ	1507		WHITAKER

2503		ELSIE FAYE HEGGINS
2525		ELSIE FAYE HEGGINS
2541		ELSIE FAYE HEGGINS
2551		ELSIE FAYE HEGGINS
2561		ELSIE FAYE HEGGINS
2603		ELSIE FAYE HEGGINS
2615		ELSIE FAYE HEGGINS
2645		ELSIE FAYE HEGGINS
3112		ELSIE FAYE HEGGINS
3615		ELSIE FAYE HEGGINS
3801		ELSIE FAYE HEGGINS
3814		ELSIE FAYE HEGGINS
3926		ELSIE FAYE HEGGINS
3930		ELSIE FAYE HEGGINS
4319		ELSIE FAYE HEGGINS
653		ELSTON
711		ELSTON
3012		ELVA
3108		ELVA
3110		ELVA
3202		ELVA
522		ELWAYNE
548		ELWAYNE
610		ELWAYNE
631		ELWAYNE
650		ELWAYNE
659		ELWAYNE
706		ELWAYNE
734		ELWAYNE
746		ELWAYNE
747		ELWAYNE
770		ELWAYNE
759		EMBERWOOD
547		EMBREY
559		EMBREY
1303		EMILY
8400		ENDICOTT
1307		ENGLEWOOD
2720	S	ERVAY
4021		ESMALDA
4048		ESMALDA
9211		METZ
4825		MEXICANA
4911		MEXICANA
4934		MEXICANA
5015		MEXICANA
5019		MEXICANA
2414		MEYERS
2423		MEYERS
2506		MEYERS
2509		MEYERS
2515		MEYERS
2522		MEYERS
2526		MEYERS
2527		MEYERS
2602		MEYERS
2609		MEYERS
2611		MEYERS
2612		MEYERS
2621		MEYERS
2622		MEYERS
2641		MEYERS
3314		MEYERS
3519		MEYERS
3622		MEYERS
3630		MEYERS
2704		MEYERSVILLE
1251		MICHIGAN
1610		MICHIGAN
1632		MICHIGAN
1735		MICHIGAN
2642		MICHIGAN
2710		MICHIGAN
2926		MICHIGAN
2938		MICHIGAN
3011		MICHIGAN
3051		MICHIGAN
3055		MICHIGAN
3302		MICHIGAN
3300		MIDDLEFIELD
1015		MILDRED
4715		MILITARY
1503		WHITAKER
1323		WHITAKER
8916		WHITEHALL
9216		WHITEHALL
9222		WHITEHALL
9428		WHITEHALL
920		WHITEHALL
2837		WHITEWOOD
1110		WHITLEY
1000		WILD BRICK
3806		WILDER
2234		WILHURT
2235		WILHURT
2243		WILHURT
2246		WILHURT
2247		WILHURT
2251		WILHURT
2314		WILHURT
2318		WILHURT
2414		WILHURT
2507		WILHURT
2515		WILHURT
2535		WILHURT
2607		WILHURT
2619		WILHURT
2631		WILHURT
2747		WILHURT
2921		WILHURT
2926		WILHURT
3400		WILHURT
3529		WILHURT
510	S	WILLOMENT
9025		WILLOUGHBY
9031		WILLOUGHBY
9419		WILLOUGHBY
121		WILMER KLEBERG
4278		WILSHIRE
5522		WILSON
5526		WILSON
5530		WILSON
5534		WILSON

4107		ESMALDA	4727		MILITARY	5703		WILSON
6519		ETHEL	4819		MILITARY	5707		WILSON
1735		EUGENE	10011		MILL VALLEY	5711		WILSON
1743		EUGENE	5625		MILLAR	5805		WILSON
2226		EUGENE	623		MILLARD	5809		WILSON
2228		EUGENE	808		MILLARD	5813		WILSON
2235		EUGENE	813		MILLARD	5903		WILSON
2306		EUGENE	825		MILLARD	5907		WILSON
2602		EUGENE	2807		MILLBROOK	5919		WILSON
6120		EVERGLADE	3502		MINGO	6105		WIN ONLY
6300		EVERGLADE	3510		MINGO	6106		WIN ONLY
604	N	EWING	3531		MINGO	6110		WIN ONLY
1202	S	EWING	3539		MINGO	6111		WIN ONLY
1204	S	EWING	3547		MINGO	6115		WIN ONLY
1214	S	EWING	3516		MINGO	6116		WIN ONLY
1216	S	EWING	3558		MINGO	6121		WIN ONLY
1226	S	EWING	1143		MISSOURI	6122		WIN ONLY
1631	S	EWING	1643	E	MISSOURI	6125		WIN ONLY
1818	S	EWING	2718	E	MITCHELL	6130		WIN ONLY
1827	S	EWING	2728		MITCHELL	6131		WIN ONLY
2015	S	EWING	8200		MOBERLY	6135		WIN ONLY
2315	S	EWING	2106		MOFFATT	6136		WIN ONLY
2324	S	EWING	2110		MOFFATT	6140		WIN ONLY
2505	S	EWING	2111		MOFFATT	6141		WIN ONLY
2507	S	EWING	2222		MOFFATT	6146		WIN ONLY
2617	S	EWING	2226		MOFFATT	6150		WIN ONLY
2625	S	EWING	2230		MOFFATT	6156		WIN ONLY
2702	S	EWING	2235		MOFFATT	6160		WIN ONLY
2704	S	EWING	2242		MOFFATT	6161		WIN ONLY
2731	S	EWING	2246		MOFFATT	6164		WIN ONLY
4407	S	EWING	2302		MOFFATT	6165		WIN ONLY
1318		EXETER	2759		MOFFATT	6170		WIN ONLY
1346		EXETER	2303		MOFFATT	6171		WIN ONLY
1349		EXETER	2314		MOFFATT	4039		WIND RIVER
1414		EXETER	2319		MOFFATT	1		WINNETKA
1423		EXETER	2322		MOFFATT	1618	N	WINNETKA
1502		EXETER	2327		MOFFATT	2411	N	WINNETKA
1550		EXETER	2410		MOFFATT	2509	N	WINNETKA
2255		EXETER	2415		MOFFATT	1614	N	WINNETKA
2322		EXETER	2422		MOFFATT	3331	N	WINNETKA
2327		EXETER	2431		MOFFATT	3331	N	WINNETKA

2255	EXETER	2763		MOFFATT	904	N	WINSTON
1334	EXETER	2656		MOJAVE	4835	N	WISTERIA
2522	EXETER	2724		MOJAVE	820		WIXOM
2538	EXETER	2839		MOJAVE	830		WIXOM
2615	EXETER	2906		MOJAVE	922		WOLF CREEK
2626	EXETER	2820		MOJAVE	905		WOODACRE
2631	EXETER	2921		MOJAVE	508		WOODBINE
2743	EXETER	3139		MOJAVE	559		WOODBINE
2510	EXLINE	3216		MOJAVE	623		WOODBINE
2514	EXLINE	4542		MOLER	709		WOODBINE
2515	EXLINE	345		MONTANA	520		WOODBINE
2534	EXLINE	237		MONTANA	26		WOODED GATE
2535	EXLINE	1122	E	MONTCLAIR	603	E	WOODIN
2540	EXLINE	1220	S	MONTCLAIR	822	E	WOODIN
2650	EXLINE	2021	S	MONTCLAIR	907	E	WOODIN
2722	EXLINE	2017	N	MONTCLAIR	915	E	WOODIN
2726	EXLINE	2017	N	MONTCLAIR	1125		WOODIN
2730	EXLINE	4003		MONTIE	1227		WOODIN
2731	EXLINE	4311		MONTIE	1229	E	WOODIN
2734	EXLINE	4018		MONTIE	1531	E	WOODIN
2735	EXLINE	2300		MOONLIGHT	1615	E	WOODIN
526	EZEKIAL	2317		MOONLIGHT	1619	E	WOODIN
540	EZEKIAL	106	N	MOORE	1623	E	WOODIN
610	EZEKIAL	110	S	MOORE	1627	E	WOODIN
618	EZEKIAL	114	S	MOORE	1239	E	WOODIN
722	EZEKIAL	118	S	MOORE	9999	E	WOODLEAF
731	EZEKIAL	122	S	MOORE	515		WOODMONT
734	EZEKIAL	333	N	MOORE	647		WOODMONT
746	EZEKIAL	338	N	MOORE	5316	E	WOODSBORO
747	EZEKIAL	340	N	MOORE	1931		WOODY
750	EZEKIAL	402	N	MOORE	500		WORTH
754	EZEKIAL	420	N	MOORE	9011		WORTH
7817	FAIRPORT	423	N	MOORE	5117		WYNELL
7909	FAIRPORT	424	N	MOORE	5119		WYNELL
8123	FAIRPORT	426	N	MOORE	5115		WYNELL
5903	FAIRWAY	427	N	MOORE	4511		YANCY
5907	FAIRWAY	428	N	MOORE	4531		YANCY
5306	FANNIE	506	N	MOORE	4536		YANCY
5406	FANNIE	507	N	MOORE	4543		YANCY
5410	FANNIE	508	N	MOORE	4544		YANCY
5524	FANNIE	509	N	MOORE	4548		YANCY

5608	FANNIE	511	N	MOORE	4709	YANCY
2812	FARRAGUT	513	N	MOORE	4739	YANCY
2807	FARRAGUT	515	N	MOORE	4749	YANCY
2810	FARRAGUT	602	N	MOORE	4754	YANCY
2812	FARRAGUT	607	N	MOORE	4758	YANCY
2823	FARRAGUT	135		MOORE	4766	YANCY
2825	FARRAGUT	310	S	MOORE	4808	YANCY
2842	FARRAGUT	329	N	MOORE	5610	YELLOWSTONE
2844	FARRAGUT	406	N	MOORE	3510	YORK
2845	FARRAGUT	406	N	MOORE	3518	YORK
2859	FARRAGUT	413	N	MOORE	3531	YORK
2861	FARRAGUT	413	N	MOORE	3615	YORK
2870	FARRAGUT	501	N	MOORE	3616	YORK
2311	FATIMA	503	N	MOORE	3618	YORK
2315	FATIMA	612	S	MOORE	3622	YORK
2319	FATIMA	2554	N	MORGAN	3624	YORK
2323	FATIMA	2728		MORGAN	3627	YORK
2328	FATIMA	3046		MORGAN	3701	YORK
2336	FATIMA	3115		MORGAN	3703	YORK
2339	FATIMA	3210		MORGAN	3707	YORK
2350	FATIMA	3107		MORGAN	3719	YORK
2354	FATIMA	2811		MORNING	4226	YORK
2358	FATIMA	3902		MORNING	434	YOUNGSTOWN
2362	FATIMA	2738		MORNING	525	YOUNGSTOWN
2363	FATIMA	1018		MOROCCO	8316	YUKON
2366	FATIMA	1210	N	MOROCCO	8320	YUKON
2367	FATIMA	1250	N	MOROCCO	8324	YUKON
2371	FATIMA	1018	N	MOROCCO	8325	YUKON
2375	FATIMA	1420	N	MORRELL	8328	YUKON
2403	FATIMA	1215		MORRELL	8332	YUKON
2407	FATIMA	1303		MORRELL	8338	YUKON
2420	FATIMA	1307		MORRELL	8339	YUKON
2523	FATIMA	1311		MORRELL	8343	YUKON
2639	FATIMA	1427		MORRELL	8344	YUKON
2709	FATIMA	1431		MORRELL	8350	YUKON
2714	FATIMA	1722		MORRELL	8357	YUKON
2717	FATIMA	1726		MORRELL	8360	YUKON
2718	FATIMA	1735		MORRELL	708	ZANG
2719	FATIMA	1802		MORRELL	4705	ZEALAND
2720	FATIMA	2803		MORRELL	4737	ZEALAND
2722	FATIMA	1506		MORRIS	4741	ZEALAND

2723	FATIMA	1512	MORRIS	4745	ZEALAND
2724	FATIMA	1516	MORRIS	4807	ZEALAND
2737	FATIMA	1714	MORRIS	4812	ZEALAND
508	FAULK	1901	MORRIS	4816	ZEALAND
521	FAULK	1912	MORRIS	4820	ZEALAND
531	FAULK	1920	MORRIS	4824	ZEALAND
544	FAULK	1925	MORRIS	4828	ZEALAND
1411	FAYETTE	1929	MORRIS	3331	ZELMA
1415	FAYETTE	2011	MORRIS		

COMMERCIAL

2012		CANYON ST
2016		CANYON ST
106	S	BECKLEY AVE
717		ROCKWOOD ST
777	S	R L THORNTON FWY
4515		VILLAGE FAIR DR
1612	E	11TH ST
224	S	CORINTH ST RD
5410		LBJ FWY
1544		BRIAR CLIFF RD
3407		SCOUT AVE
3517		SCOUT AVE
5530	S	HAMPTON RD

ATTACHMENT D
POTENTIAL LAND BANK LOTS SUBMITTED
FY 2003-04 TO FY 2015-16

4210	1 ST
4215	1 ST
4226	1 ST
2714	1 ST
329	10TH
405	10TH
627	10TH
1124	10TH E
1031	11TH
1125	11TH E
1709	4 TH
1916	4 TH
618	5 TH
2436	51 ST
2506	51 ST
2627	52 ND
3217	52 ND
2516	56 TH
316	6 TH
401	8 TH
521	8 TH
424	9 TH
701	9 TH
731	9 TH
1439	ADELAIDE
3907	AGNES
4002	AGNES
2722	ALABAMA
2847	ALABAMA
2900	ALABAMA
2926	ALABAMA
2935	ALABAMA
2939	ALABAMA
3038	ALABAMA
3042	ALABAMA
2641	ALABAMA
2705	ALABAMA
1514	ALASKA
1631	ALASKA
2006	ALASKA
2720	ALASKA
2927	ALASKA
3036	ALASKA
3123	ALASKA
2631	EXETER
2743	EXETER
2255	EXETER
1334	EXETER
2515	EXLINE
2534	EXLINE
2603	EXLINE
2607	EXLINE
2622	EXLINE
2722	EXLINE
2725	EXLINE
2726	EXLINE
2730	EXLINE
2731	EXLINE
2734	EXLINE
2514	EXLINE
2540	EXLINE
2735	EXLINE
2535	EXLINE
526	EZEKIAL
618	EZEKIAL
731	EZEKIAL
746	EZEKIAL
747	EZEKIAL
750	EZEKIAL
754	EZEKIAL
1339	FAIRVIEW
1510	FAIRVIEW
5907	FAIRWAY
5403	FANNIE
5406	FANNIE
5410	FANNIE
5524	FANNIE
2810	FARRAGUT
2812	FARRAGUT
2315	FATIMA
2323	FATIMA
2403	FATIMA
2639	FATIMA
424	FAULK
508	FAULK
532	FAULK
540	FAULK
544	FAULK
3055	MICHIGAN
3302	MICHIGAN
2710	MICHIGAN
2938	MICHIGAN
1143	MISSOURI
1643	MISSOURI
2728	MITCHELL
2111	MOFFATT
2211	MOFFATT
2222	MOFFATT
2226	MOFFATT
2230	MOFFATT
2235	MOFFATT
2242	MOFFATT
2302	MOFFATT
2303	MOFFATT
2314	MOFFATT
2322	MOFFATT
2410	MOFFATT
2427	MOFFATT
2431	MOFFATT
3139	MOJAVE
3216	MOJAVE
2906	MOJAVE
2839	MOJAVE
1403	MONTAGUE
237	MONTANA, W.
2017	MONTCLAIR
2021	MONTCLAIR
4003	MONTIE
4018	MONTIE
4022	MONTIE
4311	MONTIE
329	MOORE
333	MOORE
406	MOORE
410	MOORE
413	MOORE
424	MOORE
501	MOORE
503	MOORE
508	MOORE
523	MOORE
603	MOORE

2814	ALASKA
2931	ALASKA
403	ALBRIGHT
405	ALBRIGHT
410	ALBRIGHT
414	ALBRIGHT
415	ALBRIGHT
2221	ANDERSON
2239	ANDERSON
2241	ANDERSON
2245	ANDERSON
2402	ANDERSON
2629	ANDERSON
2663	ANDERSON
2715	ANDERSON
1815	ANGELINA
1832	ANGELINA
1834	ANGELINA
1838	ANGELINA
1855	ANGELINA
1922	ANGELINA
1941	ANGELINA
1955	ANGELINA
1962	ANGELINA
1966	ANGELINA
1967	ANGELINA
1974	ANGELINA
2005	ANGELINA
2017	ANGELINA
2024	ANGELINA
2027	ANGELINA
2028	ANGELINA
2032	ANGELINA
2037	ANGELINA
2059	ANGELINA
1503	ANN ARBOR
1514	ANN ARBOR
1522	ANN ARBOR
1955	ANN ARBOR
1959	ANN ARBOR
1961	ANN ARBOR
1965	ANN ARBOR
2107	ANN ARBOR
2219	ANN ARBOR
2251	ANN ARBOR
545	FAULK
1407	FAYETTE
1415	FAYETTE
4533	FELLOWS
4728	FELLOWS
4752	FELLOWS
4812	FELLOWS
4816	FELLOWS
4820	FELLOWS
4832	FELLOWS
4812	FELLOWS
2415	FELTON
2414	FELTON
728	FERNWOOD
2521	FERNWOOD
2638	FERNWOOD
2709	FERNWOOD
2712	FERNWOOD
2719	FERNWOOD
2900	FERNWOOD
3001	FERNWOOD
3217	FERNWOOD
2519	FERNWOOD
3225	FERNWOOD
3914	FERNWOOD
301	FIDELIS
1311	FITZHUGH
1331	FITZHUGH
1625	FITZHUGH
3706	FITZHUGH
3608	FITZHUGH, S.
1527	FLEETWOOD
1625	FLEETWOOD
1634	FLEETWOOD
1336	FLETCHER
1322	FOLEY
2423	FONVILLE
1526	FORDHAM
1531	FORDHAM
1554	FORDHAM
1555	FORDHAM
2110	FORDHAM
2118	FORDHAM
2246	FORDHAM
2302	FORDHAM
607	MOORE
612	MOORE
613	MOORE
614	MOORE
734	MOORE
2738	MORNING
2811	MORNING
1722	MORRELL
1726	MORRELL
1506	MORRIS
1512	MORRIS
1710	MORRIS
1714	MORRIS
1838	MORRIS
1847	MORRIS
1901	MORRIS
1912	MORRIS
1920	MORRIS
1925	MORRIS
1929	MORRIS
2011	MORRIS
2017	MORRIS
2020	MORRIS
2026	MORRIS
3420	MORRIS
3542	MORRIS
3606	MORRIS
3610	MORRIS
3639	MORRIS
3701	MORRIS
3741	MORRIS
4731	MORRIS
4853	MORRIS
1018	MORROCO, N.
2206	MOUSER
1809	MUNCIE
1922	MUNCIE
1923	MUNCIE
10019	MUSKOGEE
4316	MYRTLE
6318	MYRTLE
2446	NAOMA
3116	NAVARO
3226	NAVARO
3234	NAVARO

2528	ANN ARBOR
2723	ANN ARBOR
2773	ANN ARBOR
2746	ANN ARBOR, E.
2324	ANN ARBOR, E.
2326	ANN ARBOR, E.
3827	ARANSAS
4103	ARANSAS
4114	ARANSAS
1317	ARBOR VITAE
2111	ARDEN
2119	AREBA
2609	ARIZONA
2914	ARIZONA
3047	ARIZONA
3328	ARIZONA
2839	ARIZONA
4510	ASH
5407	ASH
3604	ATLANTA
3619	ATLANTA
3736	ATLANTA
5301	AUDREY
229	AVE A
315	AVE A
323	AVE A
331	AVE A
426	AVE A
427	AVE A
430	AVE A
431	AVE A
441	AVE A
1703	AVE B
1721	AVE B
1727	AVE B
1731	AVE B
1742	AVE B
1806	AVE B
324	AVE E
355	AVE E
402	AVE E
414	AVE E
419	AVE E
426	AVE E
435	AVE E
2406	FORDHAM
2806	FORDHAM
2807	FORDHAM
2402	FORDHAM
1223	FORESTER
3510	FRANK
3604	FRANK
3607	FRANK
3714	FRANK
3807	FRANK
4117	FRANK
4215	FRANK
4303	FRANK
4314	FRANK
4326	FRANK
4343	FRANK
4347	FRANK
4409	FRANK
4414	FRANK
4415	FRANK
4418	FRANK
4431	FRANK
4435	FRANK
4504	FRANK
4507	FRANK
4535	FRANK
4602	FRANK
4711	FRANK
4726	FRANK
4510	FRANK
3710	FRANK
3610	FRANK
2719	FRAZIER
2726	FRAZIER
2915	FRAZIER
4838	FRIO
3507	FUREY
4002	FUREY
4010	FUREY
4015	FUREY
4103	FUREY
4109	FUREY
4127	FUREY
4130	FUREY
1723	GALLAGHER
3406	NAVARO
731	NEOMI
531	NOMAS
1418	NOMAS
1525	NOMAS
1710	NOMAS
1714	NOMAS
1730	NOMAS
1816	NOMAS
1970	NOMAS
2010	NOMAS
2014	NOMAS
2021	NOMAS
3316	NOMAS
3320	NOMAS
3321	NOMAS
3324	NOMAS
3431	NOMAS
3528	NOMAS
3529	NOMAS
3615	NOMAS
3715	NOMAS
3718	NOMAS
4705	NOME
4711	NOME
4723	NOME
4744	NOME
4832	NOME
4836	NOME
4843	NOME
4748	NOME
2834	OAKDALE
1326	OAKLEY
1330	OAKLEY
1406	OAKLEY
3021	OBENCHAIN
3713	ODESSA
3719	ODESSA
4103	ODESSA
4142	ODESSA
8621	ODOM
1242	OHIO
1539	OHIO
1547	OHIO
1538	OHIO, E.

444 AVE E
418 AVE F
323 AVE G
607 AVE G
418 AVE H
419 AVE H
516 AVE H
523 AVE H
402 AVE J
403 AVE J
431 AVE J
316 AVE L
323 AVE L
506 AVE L
510 AVE L
518 AVE L
3962 AVOCADO
4202 AZTEC
4249 AZTEC
3914 BALCH
4422 BALDWIN
4423 BALDWIN
4507 BALDWIN
4518 BALDWIN
4701 BALDWIN
4707 BALDWIN
4712 BALDWIN
4715 BALDWIN
4723 BALDWIN
4727 BALDWIN
4735 BALDWIN
4803 BALDWIN
4806 BALDWIN
4823 BALDWIN
4863 BALDWIN
4869 BALDWIN
4611 BALDWIN
4134 BALL
4161 BALL
1118 BALLARD
710 BANK
1401 BANK
1420 BANK
1429 BANK
710 BANK
1823 GALLAGHER
1835 GALLAGHER
1843 GALLAGHER
1908 GALLAGHER
1911 GALLAGHER
1913 GALLAGHER
1955 GALLAGHER
1961 GALLAGHER
1967 GALLAGHER
3710 GALLAGHER
3739 GALLAGHER
1107 GALLOWAY
2345 GANDEN
2223 GARDEN
2231 GARDEN
2238 GARDEN
2246 GARDEN
2254 GARDEN
2403 GARDEN
2407 GARDEN
2424 GARDEN
2425 GARDEN
2402 GARDEN
1634 GARDEN
942 GARDENVIEW
4529 GARLAND
4531 GARLAND
4600 GARLAND
4611 GARLAND
5409 GARLAND
4600 GARLAND
4513 GARRISON
4516 GARRISON
4602 GARRISON
4512 GARRISON
1523 GARZA
1525 GARZA
1529 GARZA
1618 GARZA
1630 GARZA
1634 GARZA
1635 GARZA
1719 GARZA
1723 GARZA
1730 GARZA
3708 OPAL
3710 OPAL
3714 OPAL
3723 OPAL
3801 OPAL
3810 OPAL
3816 OPAL
3822 OPAL
3831 OPAL
4117 OPAL
4207 OPAL
4214 OPAL
4234 OPAL
4243 OPAL
4507 OTTAWA
1618 OVERTON
1623 OVERTON
2307 OVERTON
2730 OVERTON
2835 OVERTON
3418 OVERTON
2855 OVERTON
1230 OVERTON
1426 OVERTON
2803 OVERTON, E
1418 OWEGA
1442 OWEGA
1510 OWEGA
1542 OWEGA
1422 OWEGA
1426 OWEGA
4617 OWENWOOD
4705 OWENWOOD
4818 OWENWOOD
4822 OWENWOOD
4838 OWENWOOD
1414 PADGITT
1534 PADGITT
3612 PALACIOS
3719 PALACIOS
4003 PALACIOS
2652 PALL MALL
2656 PALL MALL
2719 PALL MALL
2723 PALL MALL

1641	BANNOCK
1407	BARRY
1437	BARRY
1449	BARRY
1501	BARRY
4844	BARTLETT
805	BAYONNE
811	BAYONNE
818	BAYONNE
916	BAYONNE
1121	BAYONNE
1610	BAYSIDE
1619	BAYSIDE
1623	BAYSIDE
1702	BAYSIDE
1711	BAYSIDE
1715	BAYSIDE
1834	BAYSIDE
1836	BAYSIDE
1843	BAYSIDE
1847	BAYSIDE
1909	BAYSIDE
1911	BAYSIDE
1918	BAYSIDE
2019	BAYSIDE
3326	BEALL
3330	BEALL
3435	BEALL
3023	BEAUCHAMP
3067	BEAUCHAMP
3421	BEAUCHAMP
724	BECKLEY
728	BECKLEY
8918	BECKLEYCREST
9228	BECKLEYVIEW
3712	BEDFORD
5238	BEEMAN
7041	BENNING
3427	BERNAL
3439	BERNAL
3508	BERTRAND
3520	BERTRAND
3614	BERTRAND
3723	BERTRAND
4302	BERTRAND
1733	GARZA
1739	GARZA
1742	GARZA
1751	GARZA
1815	GARZA
1610	GARZA
1718	GARZA
2911	GAY
1238	GEORGIA
1410	GEORGIA
1514	GEORGIA
1537	GEORGIA
2711	GERTRUDE
2707	GERTRUDE
2515	GHENT
2519	GHENT
2526	GHENT
2542	GHENT
2622	GHENT
2621	GHENT
4116	GLADEWATER
4126	GLADEWATER
4154	GLADEWATER
4170	GLADEWATER
4227	GLADEWATER
5722	GLEN FOREST
1306	GLIDDEN
1327	GLIDDEN
3206	GOLDSPIER
3211	GOLDSPIER
2310	GOOCH
2403	GOOCH
2701	GOOCH
2825	GOOCH
2715	GOODWILL
2722	GOODWILL
2723	GOODWILL
2700	GOULD
2710	GOULD
2712	GOULD
2716	GOULD
2724	GOULD
2727	GOULD
2733	GOULD
2703	GRAFTON
1805	PARK ROW
1819	PARK ROW
2723	PARK ROW
2532	PARK ROW
6927	PARKDALE
2708	PARNELL
2722	PARNELL
2724	PARNELL
2820	PARNELL
3510	PARNELL
4831	PARRY
4907	PARRY
4910	PARRY
4815	PARRY
2611	PARSONS
2703	PARSONS
2712	PARSONS
2715	PARSONS
2723	PARSONS
9999	PARSONS
2708	PARSONS
2711	PARSONS
3333	PARVIA
1307	PEABODY
1313	PEABODY
1325	PEABODY
1404	PEABODY
1709	PEABODY
1812	PEABODY
2300	PEABODY
2408	PEABODY
2413	PEABODY
2525	PEABODY
2529	PEABODY
1319	PEABODY
2533	PEABODY
1637	PEAR
1713	PEAR
400	PECAN
402	PECAN
410	PECAN
411	PECAN
413	PECAN
416	PECAN
606	PEMBERTON

4306 BERTRAND
4318 BERTRAND
4322 BERTRAND
3227 BERTRAND
634 BETHPAGE
642 BETHPAGE
714 BETHPAGE
707 BETHPAGE
2208 BETHURUM
2214 BETHURUM
2216 BETHURUM
2218 BETHURUM
2302 BETHURUM
2311 BETHURUM
2313 BETHURUM
2336 BETHURUM
2743 BETHURUM
903 BETTERTON
6520 BEXAR
6526 BEXAR
6702 BEXAR
6812 BEXAR
1518 BICKERS
1526 BICKERS
1531 BICKERS
1606 BICKERS
1615 BICKERS
1623 BICKERS
1626 BICKERS
1719 BICKERS
1822 BICKERS
1831 BICKERS
1906 BICKERS
1910 BICKERS
1918 BICKERS
1930 BICKERS
1956 BICKERS
3634 BICKERS
3638 BICKERS
3642 BICKERS
3702 BICKERS
3734 BICKERS
3738 BICKERS
3317 BIGLOW
3907 BIGLOW
608 GRAHAM
702 GRAHAM
710 GRAHAM
1822 GRAND
2524 GRAND
1215 GRANT
1309 GRANT
1313 GRANT
1326 GRANT
1345 GRANT
1361 GRANT
2722 GRAYSON
2226 GREER
2218 GREER
3224 GUNTER
4538 GURLEY
3306 HAMILTON
3523 HAMILTON
3702 HAMILTON
3706 HAMILTON
3726 HAMILTON
3909 HAMILTON
3912 HAMILTON
3925 HAMILTON
4105 HAMILTON
4226 HAMILTON
4309 HAMILTON
4314 HAMILTON
4321 HAMILTON
4343 HAMILTON
4403 HAMILTON
4410 HAMILTON
4414 HAMILTON
4418 HAMILTON
3123 HAMMERLY
3408 HAMMERLY
4013 HAMMERLY
4017 HAMMERLY
4033 HAMMERLY
4123 HAMMERLY
4143 HAMMERLY
3601 HANCOCK
3811 HANCOCK
3926 HANCOCK
3906 HANCOCK
3533 PENELOPE
3602 PENELOPE
3603 PENELOPE
3627 PENELOPE
3631 PENELOPE
3718 PENELOPE
3719 PENELOPE
3815 PENELOPE
3819 PENELOPE
3922 PENELOPE
4337 PENELOPE
3707 PENELOPE
3614 PENELOPE
1308 PENNSYLVANIA
1313 PENNSYLVANIA
1317 PENNSYLVANIA
1325 PENNSYLVANIA
2525 PENNSYLVANIA
2710 PENNSYLVANIA
2722 PENNSYLVANIA
2812 PENNSYLVANIA
2822 PENNSYLVANIA
2836 PENNSYLVANIA
3105 PENNSYLVANIA
3117 PENNSYLVANIA
2414 PENNSYLVANIA
2617 PENNSYLVANIA
2908 PENNSYLVANIA
4508 PHILIP
4515 PHILIP
4520 PHILIP
4523 PHILIP
4524 PHILIP
4530 PHILIP
4531 PHILIP
4603 PHILIP
4717 PHILIP
4911 PHILIP
5119 PHILIP
4515 PHILIP
4531 PHILIP
1617 PINE
2232 PINE
2233 PINE
2522 PINE

4002 BIGLOW
4151 BIGLOW
4155 BIGLOW
4159 BIGLOW
4175 BIGLOW
4207 BIGLOW
4208 BIGLOW
4231 BIGLOW
4019 BIGLOW
3911 BIGLOW
2408 BIRMINGHAM
2521 BIRMINGHAM
2825 BIRMINGHAM
2931 BIRMINGHAM
3020 BIRMINGHAM
3025 BIRMINGHAM
2700 BIRMINGHAM
2401 BIRMINGHAM
3836 BLACK OAK
5868 BLUFFMAN
400 BOBBIE
403 BOBBIE
406 BOBBIE
412 BOBBIE
417 BOBBIE
418 BOBBIE
5662 BON AIR
315 BONNIE VIEW
345 BONNIE VIEW
349 BONNIE VIEW
405 BONNIE VIEW
406 BONNIE VIEW
426 BONNIE VIEW
431 BONNIE VIEW
434 BONNIE VIEW
438 BONNIE VIEW
443 BONNIE VIEW
1011 BONNIE VIEW
1235 BONNIE VIEW
2304 BONNIE VIEW
3515 BOOKER
3516 BOOKER
3508 BOOKER
3426 BORGER
3607 BORGER
3625 HANCOCK
3617 HANCOCK
2327 HARDING
2340 HARDING
2344 HARDING
2414 HARDING
2246 HARDING
1423 HARLANDALE
1907 HARLANDALE
2314 HARLANDALE
2431 HARLANDALE
2915 HARLANDALE
3014 HARLANDALE
3328 HARLANDALE
3714 HARLINGEN
3803 HARLINGEN
3130 HARMON
2122 HARRELL
2819 HARSTON
401 HART
407 HART
409 HART
413 HART
445 HART
448 HART
449 HART
452 HART
455 HART
3513 HARWOOD
3521 HARWOOD
3212 HASKELL
3311 HASKELL
2701 HASTINGS/Maurine F. Bailey
2711 HASTINGS/Maurine F. Bailey
2718 HASTINGS/Maurine F. Bailey
2727 HASTINGS/Maurine F. Bailey
2506 HATCHER
3515 HATCHER
7610 HAZEL
2703 HECTOR
2715 HECTOR
2707 HECTOR
542 HELENA
734 HELENA
1331 HENDRICKS
3218 PINE
3319 PINE
3335 PINE
3635 PINE
3642 PINE
3710 PINE
3714 PINE
3802 PINE
3817 PINE
3902 PINE
3906 PINE
4002 PINE
4010 PINE
3410 PINE
2603 PINE
2643 PINE
5908 PLUM DALE
5918 PLUM DALE
6043 PLUM DALE
6047 PLUM DALE
4116 PLUTO
3915 POLLY
3919 POLLY
3927 POLLY
3933 POLLY
3425 PONDROM
1619 POPLAR
1717 POPLAR
2307 POPLAR
1002 PRAIRIE CREEK, N.
1651 PRESIDIO
2727 PROSPERITY
2759 PROSPERITY
2763 PROSPERITY
2771 PROSPERITY
2802 PROSPERITY
3022 PROSPERITY
3706 PROSPERITY
3710 PROSPERITY
2771 PROSPERITY
1403 PUEBLO
1414 PUEBLO
1515 PUEBLO
1720 PUEBLO
1726 PUEBLO

3623	BORGER
3627	BORGER
5011	BOURQUIN
5104	BOURQUIN
5424	BOURQUIN
4711	BOWLING
3320	BRANTLEY
4826	BRASHEAR
4930	BRASHEAR
6816	BRIERFIELD
7005	BRIERFIELD
2702	BRIGHAM
2708	BRIGHAM
2806	BRIGHAM
2807	BRIGHAM
2814	BRIGHAM
2838	BRIGHAM
2906	BRIGHAM
2918	BRIGHAM
2924	BRIGHAM
1137	BRIGHTON
2114	BRITTON
2416	BRITTON
2519	BRITTON
2522	BRITTON
2526	BRITTON
2610	BRITTON
2631	BRITTON
2633	BRITTON
2715	BRITTON
2814	BRITTON
2822	BRITTON
2903	BRITTON
3106	BRITTON
1116	BROCK
1120	BROCK
1123	BROCK
118	BROOKLYN
122	BROOKLYN
7720	BROWNSVILLE
7721	BROWNSVILLE
7724	BROWNSVILLE
7727	BROWNSVILLE
7735	BROWNSVILLE
7736	BROWNSVILLE
1352	HENDRICKS
1405	HENDRICKS
1612	HERALD
1621	HERALD
3819	HERRLING
602	HIGH
3536	HIGHLAND WOODS
1227	HILLBURN
1115	HOBSON
1032	HOLCOMB
1004	HOLLYWOOD
2703	HOLMES
2708	HOLMES
2716	HOLMES
2814	HOLMES
2820	HOLMES
2824	HOLMES
2828	HOLMES
2902	HOLMES
2913	HOLMES
3012	HOLMES
3016	HOLMES
3221	HOLMES
3412	HOLMES
3522	HOLMES
3526	HOLMES
3734	HOLMES
3833	HOLMES
3826	HOLMES
3830	HOLMES
1510	HOMELAND
1527	HOMELAND
1631	HOMELAND
1716	HOMELAND
1722	HOMELAND
1811	HOMELAND
1815	HOMELAND
1831	HOMELAND
1835	HOMELAND
1850	HOMELAND
1854	HOMELAND
1918	HOMELAND
1927	HOMELAND
3702	HOMELAND
2230	HOOPER
1815	PUEBLO
1818	PUEBLO
1822	PUEBLO
1903	PUEBLO
1933	PUEBLO
1947	PUEBLO
1973	PUEBLO
2024	PUEBLO
3314	PUEBLO
3329	PUEBLO
3423	PUEBLO
3521	PUEBLO
3525	PUEBLO
3623	PUEBLO
3626	PUEBLO
3700	PUEBLO
4727	PUEBLO
3332	PUEBLO
3112	PUGET
3116	PUGET
3118	PUGET
3535	PUGET
4011	PUGET
4802	RAMONA
3106	RAMSEY
2614	RAMSEY
2615	RAMSEY
2453	RANDOLPH
2519	RANDOLPH
2531	RANDOLPH
2551	RANDOLPH
4016	RANGER
563	RAYNELL
607	RAYNELL
650	RAYNELL
2835	REED
2923	REED
3014	REED
3018	REED
3022	REED
3215	REED
3220	REED
3228	REED
3231	REED
3327	REED

7807	BROWNSVILLE	2246	HOOPER	3335	REED
7820	BROWNSVILLE	2403	HOOPER	3311	REED
4018	BRUNDRETTE	2431	HOOPER	3600	REESE
2313	BUDD	2434	HOOPER	3706	REESE
2418	BUDD	2439	HOOPER	1403	RENNER
2711	BURGER	2445	HOOPER	1505	RENNER
2818	BURGER	2510	HOOPER	643	REYENELL
4635	BURMA	2514	HOOPER	2906	REYNOLDS
4704	BURMA	2530	HOOPER	3006	REYNOLDS
4726	BURMA	2531	HOOPER	3107	REYNOLDS
4744	BURMA	2532	HOOPER	3239	REYNOLDS
4745	BURMA	2535	HOOPER	730	RIDGE
4740	BURMA	2555	HOOPER	1221	RING
4914	BURNSIDE	2563	HOOPER	2640	RIPPLE
4710	C.L. VEASEY	2607	HOOPER	3501	ROBERTS
1217	CALDWELL	2615	HOOPER	3516	ROBERTS
1231	CALDWELL	2622	HOOPER	3927	ROBERTS
1403	CALDWELL	1306	HUDSPETH	4003	ROBERTS
1419	CALDWELL	1314	HUDSPETH	4006	ROBERTS
1423	CALDWELL	1323	HUDSPETH	4010	ROBERTS
1425	CALDWELL	1326	HUDSPETH	4014	ROBERTS
1521	CALDWELL	1415	HUDSPETH	2617	ROCHESTER
1530	CALDWELL	1438	HUDSPETH	2711	ROCHESTER
1534	CALDWELL	1527	HUDSPETH	2718	ROCHESTER
1536	CALDWELL	1606	HUDSPETH	2803	ROCHESTER
1542	CALDWELL	1607	HUDSPETH	2815	ROCHESTER
1554	CALDWELL	1642	HUDSPETH	2827	ROCHESTER
1614	CALDWELL	1710	HUDSPETH	2910	ROCHESTER
1814	CALYPSO	2003	HUDSPETH	2915	ROCHESTER
2022	CALYPSO	2135	HUDSPETH	2918	ROCHESTER
2054	CALYPSO	2159	HUDSPETH	2932	ROCHESTER
2058	CALYPSO	2203	HUDSPETH	3000	ROCHESTER
2510	CAMEL	2546	HUDSPETH	3002	ROCHESTER
2611	CAMEL	2306	HUDSPETH	3006	ROCHESTER
2614	CAMEL	7904	HULL	3014	ROCHESTER
2630	CAMEL	7905	HULL	612	ROCKWOOD
2732	CAMEL	7911	HULL	709	ROCKWOOD
2736	CAMEL	3607	HUMPHREY	713	ROCKWOOD
6218	CANAAN	3727	HUMPHREY	717	ROCKWOOD
6906	CANAAN	3731	HUMPHREY	725	ROCKWOOD
6910	CANAAN	3735	HUMPHREY	717	ROCKWOOD
1615	CANADA	3746	HUMPHREY	725	ROCKWOOD
1622	CANADA	1930	HUNTINGDON	2715	ROGERS
1923	CANADA	2002	HUNTINGDON	2719	ROGERS
3343	CANADA	2006	HUNTINGDON	2731	ROGERS

3511	CANADA
3611	CANADA
3837	CANADA
4007	CANAL
4215	CANAL
4235	CANAL
4317	CANAL
4319	CANAL
4322	CANAL
4328	CANAL
4338	CANAL
4611	CANAL
4615	CANAL
4606	CANAL
213	CANTY, E
2012	CANYON
2016	CANYON
2018	CANYON
2024	CANYON
5127	CARDIFF
4201	CARDINAL
4205	CARDINAL
4221	CARDINAL
3204	CARL
3208	CARL
3605	CARL
3607	CARL
3614	CARL
3709	CARL
3724	CARL
3802	CARL
3814	CARL
4211	CARL
4214	CARL
4215	CARL
4218	CARL
4230	CARL
4245	CARL
5809	CARLTON GARRETT
5814	CARLTON GARRETT
5902	CARLTON GARRETT
5908	CARLTON GARRETT
6205	CARLTON GARRETT
6207	CARLTON GARRETT
6212	CARLTON GARRETT
832	HUTCHINS
836	HUTCHINS
910	HUTCHINS
1230	HUTCHINS
1403	HUTCHINS
1321	HUTCHINS
2323	IDAHO
1918	IDAHO
3915	IDAHO
2223	IDAHO
4527	IMPERIAL
4622	IMPERIAL
4630	IMPERIAL
1938	INGERSOLL
2622	INGERSOLL
4010	INGERSOLL
1934	INGERSOLL
1503	IOWA
2622	IROQUOIS
2807	IROQUOIS
4003	IVANHOE
4014	IVANHOE
4018	IVANHOE
4026	IVANHOE
7915	IVORY
7924	IVORY
7927	IVORY
7944	IVORY
5035	IVY
5041	IVY
5103	IVY
1917	J.B. JACKSON
3526	JAMAICA
3711	JAMAICA
3715	JAMAICA
3803	JAMAICA
3807	JAMAICA
4018	JAMAICA
4114	JAMAICA
4343	JAMAICA
4346	JAMAICA
4352	JAMAICA
4406	JAMAICA
4427	JAMAICA
4431	JAMAICA
2530	ROMINE
2526	ROMINE
5120	ROSINE
5132	ROSINE
1423	ROWAN
1448	ROWAN
1520	ROWAN
1530	ROWAN
3709	RUSKIN
3238	RUTLEDGE
3300	RUTLEDGE
3314	RUTLEDGE
3315	RUTLEDGE
3323	RUTLEDGE
3122	RUTZ
3524	RUTZ
2515	SAMOA
2517	SAMOA
2519	SAMOA
5424	SANTA FE
4807	SAPPHIRE
4811	SAPPHIRE
2203	SCOTLAND
2211	SCOTLAND
2410	SCOTLAND
2754	SCOTLAND
2775	SCOTLAND
2415	SCOTLAND
2341	SCOTT
2343	SCOTT
2930	SEATON
6516	SEBRING
2522	SEEVERS
2502	SEEVERS
3011	SEEVERS
1331	SELKIRK
2510	SHARON
1702	SHAW
1707	SHAW
1811	SHAW
1818	SHAW
1826	SHAW
1917	SHAW
1927	SHAW
1940	SHAW

6307	CARLTON GARRETT	4518	JAMAICA	1942	SHAW
6310	CARLTON GARRETT	4526	JAMAICA	1943	SHAW
6212	CARLTON GARRETT	4606	JAMAICA	1964	SHAW
2621	CARPENTER	4705	JAMAICA	1976	SHAW
2647	CARPENTER	4426	JAMAICA	2013	SHAW
2719	CARPENTER	4603	JAMAICA	2020	SHAW
2731	CARPENTER	1323	JEFFERSON	3444	SHELDON
2819	CARPENTER	2401	JEFFRIES	2124	SHELLHORSE
3006	CARPENTER	2405	JEFFRIES	2130	SHELLHORSE
3205	CARPENTER	2410	JEFFRIES	2140	SHELLHORSE
3206	CARPENTER	2414	JEFFRIES	1619	SICILY
3303	CARPENTER	2426	JEFFRIES	1623	SICILY
3531	CARPENTER	2431	JEFFRIES	1627	SICILY
3711	CARPENTER	2502	JEFFRIES	1631	SICILY
3715	CARPENTER	2505	JEFFRIES	1707	SICILY
3801	CARPENTER	2506	JEFFRIES	3517	SIDNEY
4007	CARPENTER	2514	JEFFRIES	3521	SIDNEY
4211	CARPENTER	2517	JEFFRIES	3529	SIDNEY
4226	CARPENTER	2518	JEFFRIES	3533	SIDNEY
4229	CARPENTER	2602	JEFFRIES	3603	SIDNEY
4233	CARPENTER	2636	JEFFRIES	3621	SIDNEY
3612	CARPENTER	3406	JEFFRIES	3622	SIDNEY
1446	CARSON	1714	JEROME	3711	SIDNEY
1506	CARSON	2406	JEWELL	3534	SIDNEY
1527	CARSON	604	JONELLE	1002	SIGNET
1514	CARSON	627	JONELLE	1006	SIGNET
2806	CARTER	648	JONELLE	2614	SILKWOOD
2810	CARTER	4614	JONES	2618	SILKWOOD
2818	CARTER	4731	JONES	2620	SILKWOOD
5815	CARY	2215	JORDAN	2718	SILKWOOD
2818	CASEY	2224	JORDAN	2726	SILKWOOD
3510	CAUTHORN	2225	JORDAN	2727	SILKWOOD
3614	CAUTHORN	2115	KATHLEEN	2730	SILKWOOD
3718	CAUTHORN	2125	KATHLEEN	2802	SILKWOOD
3907	CAUTHORN	2141	KATHLEEN	2808	SILKWOOD
1321	CEDAR HAVEN	2407	KATHLEEN	2811	SILKWOOD
3303	CEDAR LAKE	2607	KATHLEEN	2814	SILKWOOD
2707	CHARBA	2716	KEELER	2819	SILKWOOD
2711	CHARBA	2728	KEELER	2820	SILKWOOD
4514	CHERBOURG	2732	KEELER	2906	SILKWOOD
4515	CHERBOURG	2913	KELLOGG	2922	SILKWOOD
4525	CHERBOURG	6019	KEMROCK	4600	SILVER
4534	CHERBOURG	6434	KEMROCK	4604	SILVER
4538	CHERBOURG	6435	KEMROCK	4605	SILVER
4545	CHERBOURG	6505	KEMROCK	4609	SILVER

4549 CHERBOURG
4608 CHERBOURG
4631 CHERBOURG
4636 CHERBOURG
4639 CHERBOURG
4640 CHERBOURG
4643 CHERBOURG
4647 CHERBOURG
3610 CHICAGO
3615 CHICAGO
3523 CHIHUAHUA
5426 CHIPPEWA
2723 CHOICE
2724 CHOICE
939 CHURCH
1030 CHURCH
1103 CHURCH
1109 CHURCH
1124 CHURCH
1403 CHURCH
1410 CHURCH
1415 CHURCH
4322 CICERO
6424 CINNAMON OAKS
2700 CLARENCE
2704 CLARENCE
919 CLAUDE
1010 CLAUDE
1201 CLAUDE
1217 CLAUDE
1314 CLAUDE
1339 CLAUDE
1422 CLAUDE
401 CLEAVES
402 CLEAVES
412 CLEAVES
435 CLEAVES
437 CLEAVES
439 CLEAVES
2705 CLEVELAND
2706 CLEVELAND
2712 CLEVELAND
2818 CLEVELAND
3216 CLEVELAND
3224 CLEVELAND
6511 KEMROCK
6434 KEMROCK
3509 KENILWORTH
3623 KENILWORTH
3706 KENILWORTH
3723 KENILWORTH
3916 KENILWORTH
3432 KEYRIDGE
3504 KEYRIDGE
3508 KEYRIDGE
3515 KEYRIDGE
3516 KEYRIDGE
1306 KIEST
2606 KILBURN
2607 KILBURN
2623 KILBURN
2639 KILBURN
2836 KILBURN
4833 KILDARE
4914 KILDARE
4926 KILDARE
4935 KILDARE
4943 KILDARE
1507 KINGSLEY
1511 KINGSLEY
2522 KINGSTON
1610 KINMORE
1632 KINMORE
2517 KIRKLEY
7919 KISKA
4310 KOLLOCH
3907 KOLLOCH
2517 KOOL
2611 KOOL
2631 KOOL
1826 KRAFT
1834 KRAFT
1842 KRAFT
1933 KRAFT
1938 KRAFT
2024 KRAFT
2031 KRAFT
318 KRAMER
322 KRAMER
3819 KYNARD
4612 SILVER
4631 SILVER
4701 SILVER
4800 SILVER
4806 SILVER
4807 SILVER
4812 SILVER
4831 SILVER
4835 SILVER
4838 SILVER
2403 SKYLARK
2403 SKYLARK
3623 SOFTCLOUD
4542 SOLAR
4534 SOLAR
4002 SOLOMAN
4006 SOLOMAN
4019 SOLOMAN
4102 SOLOMAN
4135 SOLOMAN
4013 SONNY
3934 SONORA
3935 SONORA
3703 SONORA
3835 SONORA
3843 SONORA
3116 SOUTH
1526 SOUTHERLAND
2623 SOUTHLAND
2646 SOUTHLAND
2714 SOUTHLAND
2826 SOUTHLAND
2722 SOUTHLAND
2823 SOUTHLAND
2526 SOUTHLAND
2731 SOUTHLAND
2622 SOUTHLAND
2515 SOUTHLAND
2319 SOUTHLAND
405 SPARKS
441 SPARKS
442 SPARKS
443 SPARKS
615 SPARKS
617 SPARKS

3512	CLEVELAND
3605	CLEVELAND
3634	CLEVELAND
3306	CLYMER
3310	CLYMER
3314	CLYMER
1212	COLEMAN
1307	COLEMAN
6917	COLESHIRE
4505	COLLINS
4708	COLLINS
2731	COLONIAL
2807	COLONIAL
2815	COLONIAL
3613	COLONIAL
3717	COLONIAL
3815	COLONIAL
4102	COLONIAL
4106	COLONIAL
4109	COLONIAL
4114	COLONIAL
4224	COLONIAL
4318	COLONIAL
4410	COLONIAL
4422	COLONIAL
4522	COLONIAL
4902	COLONIAL
4919	COLONIAL
5012	COLONIAL
5031	COLONIAL
5102	COLONIAL
4317	COLONIAL
3830	COLONIAL
1118	COMPTON
1228	COMPTON
1231	COMPTON
1232	COMPTON
1522	COMPTON
1530	COMPTON
2403	CONKLIN
2411	CONKLIN
2614	CONKLIN
3907	COOLIDGE
3918	COOLIDGE
3938	COOLIDGE
3432	LADD
2403	LAGOW
2628	LAGOW
2720	LAGOW
421	LAKE CLIFF
826	LAMBERT
834	LAMBERT
2118	LAMONT
421	LANCASTER
601	LANCASTER
609	LANCASTER
618	LANCASTER
208	LANDIS
218	LANDIS
4220	LANDRUM
4222	LANDRUM
4224	LANDRUM
4227	LANDRUM
4301	LANDRUM
4304	LANDRUM
4309	LANDRUM
4317	LANDRUM
8502	LAPANTO
2626	LAPSLEY
3513	LATIMER
3922	LATIMER
3504	LATIMER
2218	LAWRENCE
2227	LAWRENCE
2318	LAWRENCE
2410	LAWRENCE
2422	LAWRENCE
2446	LAWRENCE
2454	LAWRENCE
2503	LAWRENCE
2530	LAWRENCE
2628	LAWRENCE
2700	LAWRENCE
2710	LAWRENCE
2711	LAWRENCE
2719	LAWRENCE
2418	LAWRENCE
2627	LAWRENCE
2806	LE CLERC
2810	LE CLERC
622	SPARKS
624	SPARKS
421	SPARKS
3707	SPENCE
3809	SPENCE
3810	SPENCE
3818	SPENCE
3835	SPENCE
3905	SPENCE
4006	SPENCE
3827	SPENCE
3819	SPENCE
3303	SPRING
3304	SPRING
3331	SPRING
3524	SPRING
3905	SPRING
3310	SPRING
4304	SPRING
4326	SPRING
4334	SPRING
4335	SPRING
4631	SPRING GARDEN
2714	SPRINGDALE
4603	SPRINGGARDEN
3027	SPRINGVIEW
3103	SPRINGVIEW
3347	SPRINGVIEW
3350	SPRINGVIEW
3360	SPRINGVIEW
3361	SPRINGVIEW
3367	SPRINGVIEW
5259	ST CHARLES
2421	ST CLAIR
2506	ST CLAIR
2521	ST CLAIR
3814	STANLEY SMITH
3820	STANLEY SMITH
2331	STARKS
2344	STARKS
2404	STARKS
2410	STARKS
2412	STARKS
2415	STARKS
2430	STARKS

3943 COOLIDGE
4006 COOLIDGE
3922 COOLIDGE
3906 COOLIDGE
2214 COOPER
3819 COPELAND
3910 COPELAND
3918 COPELAND
4003 COPELAND
4114 COPELAND
4227 COPELAND
4302 COPELAND
4335 COPELAND
4011 COPELAND
4326 COPELAND
615 CORINTH
618 CORINTH
611 CORINTH, S.
3329 CORONET
4523 CORREGIDOR
4524 CORREGIDOR
4525 CORREGIDOR
4538 CORREGIDOR
4539 CORREGIDOR
4540 CORREGIDOR
4548 CORREGIDOR
4551 CORREGIDOR
4559 CORREGIDOR
4632 CORREGIDOR
4636 CORREGIDOR
4644 CORREGIDOR
4628 CORREGIDOR
4603 CORREGIDOR
4604 CORREGIDOR
4607 CORREGIDOR
4817 CORRIGAN
2710 COUNCIL
2718 COUNCIL
2723 COUNCIL
2729 COUNCIL
2731 COUNCIL
4525 CRANFILL
2319 CREST
2523 CREST
518 CRETE
2818 LE CLERC
2822 LE CLERC
1905 LEACREST
2000 LEACREST
335 LEADS
325 LEADS
336 LEADS
6610 LEANA
1819 LEATH
1846 LEATH
1847 LEATH
2003 LEATH
2006 LEATH
2034 LEATH
2046 LEATH
2050 LEATH
2605 LEDBETTER
3307 LEDBETTER
4502 LELAND
4506 LELAND
4911 LELAND
4918 LELAND
4918 LELAND
1610 LIFE
1619 LIFE
1923 LIFE
1935 LIFE
1941 LIFE
1949 LIFE
1967 LIFE
5002 LINDER
5006 LINDER
4702 LINDSLEY
4718 LINDSLEY
5319 LINDSLEY
2820 LINFIELD
3514 LINFIELD
2638 LOBDELL
2539 LOBDELL
2210 LOCUST
2214 LOCUST
2226 LOCUST
2739 LOCUST
2201 LOCUST
2251 LOCUST
2441 STARKS
2538 STARKS
2543 STARKS
2555 STARKS
2559 STARKS
2563 STARKS
2627 STARKS
2702 STARKS
2607 STARKS
319 STARR
3731 STATE OAK
1439 STELLA
1627 STELLA
2522 STEPHENSON
2529 STEPHENSON
2544 STEPHENSON
2714 STEPHENSON
1444 STIRLING
4611 STOKES
4720 STOKES
4723 STOKES
4616 STOKES
4743 STOKES
4727 STOKES
1728 STONEMAN
1741 STONEMAN
605 STOREY
2450 STOVALL
1035 STRICKLAND
1038 STRICKLAND
1223 STRICKLAND
1418 STRICKLAND
4915 STROBEL
2427 SUE
3218 SUNNYVALE
2703 SWANSON
2728 SWANSON
2432 SYLVIA
4720 TACOMA
2429 TALCO
10 TAMA
2643 TANNER
2603 TANNER
6214 TEAGUE
6510 TEAGUE

535	CRETE
539	CRETE
2710	CROSS
2603	CROSSMAN
2615	CROSSMAN
3404	CROSSMAN
2415	CROSSMAN
4524	CROZIER
4922	CROZIER
4930	CROZIER
4934	CROZIER
216	CUMBERLAND
601	CUMBERLAND
2018	CUSTER
2022	CUSTER
2031	CUSTER
2202	CUSTER
2402	CUSTER
2502	CUSTER
2511	CUSTER
2543	CUSTER
2607	CUSTER
2623	CUSTER
2627	CUSTER
2656	CUSTER
2018	CUSTER
2130	CUSTER
3231	DAHLIA
1319	DALVIEW
3634	DARIEN
2238	DATHE
2326	DATHE
2810	DATHE
2838	DATHE
2411	DATHE
3804	DE MAGGIO
3808	DE MAGGIO
3811	DE MAGGIO
3922	DELHI
6283	DENHAM
421	DENLEY
425	DENLEY
427	DENLEY
505	DENLEY
527	DENLEY
2250	LOCUST
2740	LOLITA
1300	LOTUS
1302	LOTUS
1309	LOTUS
1311	LOTUS
1203	LOUISIANA
1226	LOUISIANA
1415	LOUISIANA
1423	LOUISIANA
1426	LOUISIANA
2334	LOWERY
2509	LOWERY
2510	LOWERY
4531	LUZON
4535	LUZON
4540	LUZON
4611	LUZON
1325	LYNN HAVEN
1410	LYNN HAVEN
2441	LYOLA
2225	MACON
2254	MACON
2310	MACON
2337	MACON
2338	MACON
2451	MACON
2455	MACON
2459	MACON
2518	MACON
2633	MACON
2637	MACON
2641	MACON
2702	MACON
2718	MACON
2731	MACON
2732	MACON
2807	MACON
2810	MACON
2826	MACON
2833	MACON
2835	MACON
2837	MACON
2818	MACON
5007	MALCOLM X
3535	TERRELL
4801	TERRY
5102	TERRY
5232	TERRY
5420	TERRY
802	TILLERY, N.
3230	TOPEKA
3234	TOPEKA
1718	TORONTO
1731	TORONTO
1733	TORONTO
1737	TORONTO
1741	TORONTO
1804	TORONTO
1818	TORONTO
1839	TORONTO
1950	TORONTO
2009	TORONTO
2014	TORONTO
2026	TORONTO
3332	TORONTO
3402	TORONTO
3403	TORONTO
3407	TORONTO
3411	TORONTO
3415	TORONTO
3423	TORONTO
3519	TORONTO
3548	TORONTO
3561	TORONTO
3618	TORONTO
3619	TORONTO
3624	TORONTO
3628	TORONTO
3711	TORONTO
3719	TORONTO
3725	TORONTO
3540	TORONTO
7903	TROJAN
7912	TROJAN
7928	TROJAN
7931	TROJAN
7936	TROJAN
7955	TROJAN
7960	TROJAN

603	DENLEY
607	DENLEY
610	DENLEY
614	DENLEY
628	DENLEY
1408	DENLEY
1412	DENLEY
1414	DENLEY
1502	DENLEY
1508	DENLEY
1527	DENLEY
2404	DENLEY
2416	DENLEY
2629	DENLEY
2907	DENLEY
2930	DENLEY
3011	DENLEY
3910	DENLEY
3930	DENLEY
4021	DENLEY
4030	DENLEY
4101	DENLEY
4215	DENLEY
4403	DENLEY
4502	DENLEY
4506	DENLEY
4515	DENLEY
4631	DENLEY
4718	DENLEY
507	DENLEY, N
4521	DENLEY, S.
1703	DENNISON
1729	DENNISON
1813	DENNISON
1822	DENNISON
1823	DENNISON
1831	DENNISON
1911	DENNISON
1954	DENNISON
1962	DENNISON
1966	DENNISON
2014	DENNISON
2023	DENNISON
2029	DENNISON
1954	DENNISON
5023	MALCOLM X
5031	MALCOLM X
5041	MALCOLM X
5307	MALCOLM X
5124	MALCOLM X
3122	MALLORY
3429	MALLORY
2319	MARBURG
2524	MARBURG
2539	MARBURG
2706	MARBURG
2735	MARBURG
3010	MARBURG
2622	MARBURG
1604	MARBURG
2727	MARBURG
2731	MARBURG
2723	MARBURG
2618	MARDER
2802	MARDER
2819	MARDER
1242	MARFA
1247	MARFA
1313	MARFA
1415	MARFA
1419	MARFA
1503	MARFA
1530	MARFA
1531	MARFA
1610	MARFA
1634	MARFA
1642	MARFA
2134	MARFA
2603	MARJORIE
2736	MARJORIE
2981	MARJORIE
2747	MARJORIE (13A)
2747	MARJORIE (13B)
507	MARLBOROUGH
5001	MARNE
5006	MARNE
5007	MARNE
5012	MARNE
5021	MARNE
5027	MARNE
2813	TROY
2823	TROY
1818	TRUNK
1822	TRUNK
4011	TRUNK
4015	TUMALO
3131	TUSKEGEE
2611	VALENTINE
2619	VALENTINE
2625	VALENTINE
2722	VALENTINE
2726	VALENTINE
2727	VALENTINE
2802	VALENTINE
2810	VALENTINE
2811	VALENTINE
2813	VALENTINE
2814	VALENTINE
2822	VALENTINE
2825	VALENTINE
2907	VALENTINE
2914	VALENTINE
2926	VALENTINE
3015	VALENTINE
3027	VALENTINE
3035	VALENTINE
3041	VALENTINE
3720	VANDERVOORT
3806	VANDERVOORT
3810	VANDERVOORT
3917	VANDERVOORT
3923	VANDERVOORT
4006	VANDERVOORT
4010	VERDERVOOR
4635	VERDUN
1126	VERMONT
1226	VERMONT
1230	VERMONT
5029	VETERANS
5143	VETERANS
2	VILBIG
1730	VILBIG
3106	VILBIG
3203	VILBIG
3220	VILBIG

3310 DETONTE
3315 DETONTE
3322 DETONTE
3330 DETONTE
3411 DETONTE
3322 DETONTE
3714 DILDOCK
4709 DOLPHIN
4815 DOLPHIN
4819 DOLPHIN
2935 DON
2843 DON
2623 DONALD
2627 DONALD
2714 DORRIS
2716 DORRIS
2718 DORRIS
2813 DORRIS
2825 DORRIS
2902 DORRIS
2909 DORRIS
2914 DORRIS
2918 DORRIS
2922 DORRIS
2930 DORRIS
3017 DORRIS
3023 DORRIS
3026 DORRIS
3028 DORRIS
3029 DORRIS
3030 DORRIS
1406 DOYLE
1409 DOYLE
1419 DOYLE
1502 DOYLE
1503 DOYLE
1506 DOYLE
1507 DOYLE
1510 DOYLE
1515 DOYLE
1521 DOYLE
1525 DOYLE
1414 DOYLE
319 DU BOIS
2031 DUDLEY
5034 MARNE
5039 MARNE
5102 MARNE
5017 MARNE
5010 MARNE
4103 MARSALIS
3107 MARSALIS, S.
2002 MARSALIS, S.
1907 MARSALIS, S.
3709 MARSHALL
3919 MARSHALL
4002 MARSHALL
4103 MARSHALL
4302 MARSHALL
4334 MARSHALL
4335 MARSHALL
4338 MARSHALL
4136 MART
515 MARTINIQUE
811 MARTINIQUE
1704 MARY ELLEN
3921 MARYLAND
4030 MARYLAND
4250 MARYLAND
4216 MARYLAND
4026 MARYLAND
2726 MAURINE F BAILEY
2723 MAURINE F BAILEY
2746 MAURINE F BAILEY
1407 MAYWOOD
1610 MAYWOOD
1426 MAYWOOD
1715 MCBROOM
1729 MCBROOM
1835 MCBROOM
1838 MCBROOM
1930 MCBROOM
1934 MCBROOM
1948 MCBROOM
1956 MCBROOM
2015 MCBROOM
2016 MCBROOM
2017 MCBROOM
2022 MCBROOM
2027 MCBROOM
3401 VILBIG
3502 VILBIG
3510 VILBIG
3514 VILBIG
3540 VILBIG
3614 VILBIG
3705 VILBIG
3714 VILBIG
3722 VILBIG
3721 VINEYARD
3806 VINEYARD
3826 VINEYARD
3906 VINEYARD
3906 VINEYARD
2015 VOLGA
2130 VOLGA
2311 VOLGA
1438 WACO
1706 WACO
1727 WACO
1423 WACO
4515 WAHOO
4519 WAHOO
3809 WALDRON
2625 WARREN
2631 WARREN
3004 WARREN
2413 WARREN
2409 WARREN
5127 WATSON
5131 WATSON
5139 WATSON
5043 WATSON
5018 WATSON
1338 WAWEENOC
3122 WEISENBERGER
3322 WEISENBERGER
3813 WEISENBERGER
4016 WEISENBERGER
4026 WEISENBERGER
2517 WELLS
2519 WELLS
2521 WELLS
2527 WELLS
2531 WELLS

1110	DULUTH
1826	DULUTH
1910	DULUTH
1912	DULUTH
1915	DULUTH
1926	DULUTH
3634	DUNBAR
3738	DUNBAR
3514	DUNBAR
8730	DUNLAP
2311	DYSON
2400	DYSON
2218	DYSON
2226	DYSON
2941	EAGLE
2928	EAGLE
2437	EASLEY
2441	EASLEY
4930	ECHO
5015	ECHO
5018	ECHO
5027	ECHO
5107	ECHO
5118	ECHO
1400	EDGEMONT
1627	EDGEMONT
3502	EDGEWOOD
3218	EL BENITO
3227	EL BENITO
6419	ELAM
4311	ELECTRA
4503	ELECTRA
638	ELLA
738	ELLA
1542	ELMORE
1507	ELMORE
1743	ELMORE
659	ELSBERRY
4319	ELSIE FAYE HEGGINS
522	ELWAYNE
610	ELWAYNE
650	ELWAYNE
734	ELWAYNE
631	ELWAYNE
1323	EMILY
2028	MCBROOM
3402	MCBROOM
3430	MCBROOM
3431	MCBROOM
3610	MCBROOM
3615	MCBROOM
3618	MCBROOM
3630	MCBROOM
3705	MCBROOM
3723	MCBROOM
3724	MCBROOM
3734	MCBROOM
1210	MCKENZIE
1304	MCKENZIE
1315	MCKENZIE
1336	MCKENZIE
1410	MCKENZIE
1414	MCKENZIE
3333	MCNEIL
2816	MEADOW
2820	MEADOW
3604	MEADOW
3622	MEADOW
3624	MEADOW
4921	MEADOW VIEW
1610	MENTOR
1734	MENTOR
2405	MERLIN
2418	MERLIN
2510	MERLIN
2514	MERLIN
2518	MERLIN
2237	METROPOLITAN
2240	METROPOLITAN
3142	METROPOLITAN
3514	METROPOLITAN
3614	METROPOLITAN
3615	METROPOLITAN
3622	METROPOLITAN
3715	METROPOLITAN
3803	METROPOLITAN
3809	METROPOLITAN
3905	METROPOLITAN
3926	METROPOLITAN
4000	METROPOLITAN
2533	WELLS
3417	WENDELKIN
3514	WENDELKIN
3518	WENDELKIN
3636	WENDELKIN
3722	WENDELKIN
3425	WENDELKIN
1503	WHITAKER
1538	WHITAKER
8916	WHITEHALL
2234	WILHURT
2235	WILHURT
2243	WILHURT
2246	WILHURT
2247	WILHURT
2251	WILHURT
2314	WILHURT
2318	WILHURT
2326	WILHURT
2410	WILHURT
2414	WILHURT
2418	WILHURT
2507	WILHURT
2515	WILHURT
2535	WILHURT
2603	WILHURT
2606	WILHURT
2607	WILHURT
2619	WILHURT
2631	WILHURT
2635	WILHURT
2747	WILHURT
2411	WINNETKA
3611	WINNETKA
1618	WINNETKA
511	WOODBINE
515	WOODBINE
520	WOODBINE
530	WOODBINE
555	WOODBINE
635	WOODBINE
709	WOODBINE
603	WOODIN
1226	WOODIN
1239	WOODIN

2226	EUGENE
2228	EUGENE
2235	EUGENE
2306	EUGENE
2226	EUGENE
609	EWING
619	EWING
906	EWING
1216	EWING
2324	EWING
4407	EWING
2625	EWING, S.
1318	EXETER
1349	EXETER
1414	EXETER
1423	EXETER
1502	EXETER
2314	EXETER
2319	EXETER
2322	EXETER
2327	EXETER
2510	EXETER
2522	EXETER
2530	EXETER
2538	EXETER
2602	EXETER
2610	EXETER
2614	EXETER
2626	EXETER
4011	METROPOLITAN
4106	METROPOLITAN
4223	METROPOLITAN
4301	METROPOLITAN
4415	METROPOLITAN
4422	METROPOLITAN
4427	METROPOLITAN
4507	METROPOLITAN
4515	METROPOLITAN
4517	METROPOLITAN
4523	METROPOLITAN
4602	METROPOLITAN
4606	METROPOLITAN
4618	METROPOLITAN
4006	METROPOLITAN
2715	METROPOLITAN
2319	METROPOLITAN
2414	MEYERS
2422	MEYERS
2423	MEYERS
2505	MEYERS
2506	MEYERS
2509	MEYERS
2522	MEYERS
2602	MEYERS
2609	MEYERS
2612	MEYERS
2641	MEYERS
3523	MEYERS
1554	WOODIN
1615	WOODIN
1619	WOODIN
647	WOODMONT
515	WOODMONT
5117	WYNELL
5119	WYNELL
5610	YELLOWSTONE
3510	YORK
3518	YORK
3531	YORK
3615	YORK
3618	YORK
3622	YORK
3624	YORK
3719	YORK
3807	YORK
4226	YORK
3627	YORK
4705	ZEALAND
4737	ZEALAND
4741	ZEALAND
4742	ZEALAND
4745	ZEALAND
4807	ZEALAND
4812	ZEALAND
4816	ZEALAND
4820	ZEALAND
4824	ZEALAND

AGENDA ITEM # 12

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Business Diversity
CMO:	Kimberly Bizor Tolbert, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize amendments to the City's Business Inclusion and Development Plan to **(1)** Change references to Business Development and Procurement Services to Office of Business Diversity; and **(2)** establish a sunset date of September 30, 2020 for the existing Minority and Women Owned Business Enterprise subcontracting goals - Financing: No Cost Consideration for the City

BACKGROUND

In an effort to highlight the City's commitment to diversity and inclusion, and provide greater visibility, the Office of Business Diversity (OBD) was established by the City Manager's Office effective October 1, 2017. The Office of Business Diversity consists of two divisions, Contract Compliance and Resource Link Team formerly a part of Procurement Services. As a result of the new office, the City's existing Business Inclusion & Development (BID) Plan must be updated to reference the new Office of Business Diversity.

Additionally, OBD is establishing a sunset date of September 30, 2020 to the existing Minority and Women Owned Business Enterprise (M/WBE) subcontracting goals.

BACKGROUND (continued)

The City Council established the initial Good Faith Effort (GFE) Plan in 1984. In 2004, after conducting an Availability and Disparity Study to establish subcontracting goals, the City Council authorized renewal and adoption of the GFE Plan. In 2008, City Council changed the name from GFE Plan to the Business Inclusion and Development (BID) Plan but the current subcontracting goals remained the same.

The current M/WBE subcontracting goals are:

Construction = 25.00%
Architecture & Engineering = 25.66%
Professional Service = 36.30%
Other Services = 23.80%
Goods = 18.00%

OBD is preparing to conduct a new Availability and Disparity (A&D) Study to review market conditions. The A&D Study will assist the City to identify program elements which may include updated subcontracting goals. The City anticipates the A&D Study to be completed within the next 24 to 36 months.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee was briefed regarding this item on October 2, 2017.

FISCAL INFORMATION

No cost consideration to the City.

November 8, 2017

WHEREAS, on October 2, 2017, the Government Performance and Financial Management Committee was briefed on the new Office of Business Diversity action plan and amendments to the City's Business Inclusion and Development (BID) Plan; and

WHEREAS, among the amendments being recommended are: **(1)** change Business Development and Procurement Services to The Office of Business Diversity; and **(2)** establish a sunset date of September 30, 2020 for the existing Minority and Women Owned Business Enterprise (M/WBE) program goals; and

WHEREAS, it is in the best interest of the City of Dallas to adopt the recommended amendments to the BID Plan as attached.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council hereby authorizes the recommended amendments to change the Business Development and Procurement Services to the Office of Business Diversity.

SECTION 2. That a sunset date of September 30, 2020 is established and adopted for the existing M/WBE program goals.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

Business Inclusion and Development Plan

Policy Statement

It is the policy of the City of Dallas to involve Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. It is the policy of the City of Dallas to encourage the growth and development of M/WBEs that can successfully compete for contracting opportunities. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development (BID) Plan for all City of Dallas contracts.

Scope of BID Plan

The BID Plan shall apply to all contracts for the purchase of goods or services over $50,000 with special emphasis on those contracts with first tier subcontracting opportunities. The provision of the BID Plan takes precedence over any departmental plans or procedures in conflict herewith, except for specific requirements mandated by the terms or conditions of agreements in force between the City and the Federal Government or the State of Texas that require different procedures than those described in the BID Plan.

Objectives

The objectives of the BID Plan are to:

- Promote inclusion of M/WBEs by providing equal opportunity for participating in City construction, procurement and professional service contracts

- Provide procedures for monitoring compliance with M/WBE requirements

Administration of the BID Plan

The City Manager will take all usual and legal administrative actions necessary to implement the BID Plan and is ultimately responsible for the administration of the BID Plan.

The City Manager is designated to serve as the City's M/WBE Liaison Officer for the BID Plan. The Liaison Officer is responsible for implementing, coordinating and managing the BID Plan. The M/WBE Liaison Officer has appointed ~~Business Development and Procurement Services~~ The Office of Business Diversity (OBD) to be responsible for the following:

- Developing, managing, implementing, and evaluating the BID Plan

- Disseminating information related to business opportunities

- Maintaining and providing a directory of certified and registered City of Dallas M/WBE vendors

- Tracking and monitoring M/WBE participation including subcontractor utilization with emphasis on subcontractors utilization post council award

- Granting evaluation points to encourage a meaningful inclusion of M/WBE participation in response to proposals including best value bids estimated to be in excess of $250,000.
- Advising prospective contractors/proposers on Business Inclusion and Development compliance requirements

- Communicating M/WBE goals and BID compliance requirements

- Maintaining and submitting accurate and current reports on M/WBE performance

- Providing opportunities for networking among contractors and firms

Procedures to Ensure Equal Opportunity

~~BDPS~~ OBD will facilitate participation of M/WBEs in construction, procurement, and professional service contracts. To ensure compliance with the BID Plan, at a minimum ~~BDPS~~ OBD will:

- Conduct outreach functions to communicate contracting and procurement opportunities and procedures
- Provide bonding, financing, and technical assistance services
- Explain Business Inclusion and Development compliance procedures
- Encourage prime and subcontracting relationships
- Communicate the City's M/WBE goals and Business Inclusion and Development requirements
- Maintain and distribute a directory of certified and registered M/WBEs
- Review Business Inclusion and Development documentation to ensure compliance with the BID Plan

Certificates of M/WBEs

The City of Dallas is a member of the North Central Texas Regional Certification Agency (NCTRCA), DFW Minority ~~Business~~ Supplier Development Council, and Women Business Council – Southwest. The agencies certify M/WBE ownership and control and provide M/WBE certification service for the City of Dallas.

The City reserves the right to accept M/WBE certifications issued by other certifying organizations or agencies that use the same essential criteria for certification.

Other Provisions
In addition to this goal-based policy, it is the preference of the City of Dallas for the workforce of its contractors to be reflective of the diversity of the citizens of the City of Dallas. In accordance with Chapter 15 B of the Dallas City Code, awardees of construction contracts involving the expenditure of more than $10,000 and awardees for the procurement of goods and services involving and expenditure of more than $50,000 are required to incorporate an equal employment opportunity clause which provides that the contractor shall not discriminate against any employer or applicant for employees because of race, age, color, sex, sexual orientation or national origin. The City reserve the right to request a contractor's affirmative action plan or equal opportunity plan. In addition, if the contractor

plans to hire additional staff to complete the contract, the City reserves the right to request a local hiring plan.

The BID Plan of the diverse workforce preference is not to be construed to require the City of Dallas to award a contract to anyone other than the lowest responsible bidder, best value, or most advantageous proposer. The BID Plan is also not to be construed to require contractors/proposers to award subcontractors/sub-proposals to or make significant material purchases from M/WBEs who do not submit the lowest responsible sub-bid.

Before award of a contract, the City of Dallas will require bidders/proposers to document good faith efforts to meet established goals.
Failure to adequately document a good faith effort to obtain M/WBE participation may result in award to the next lowest bidder or advantageous proposer.

Failure to utilize M/WBEs listed in Business Inclusion and Development forms without proper documentation to explain the change will be consider in future awards.

The City Manager's Office is responsible for procedures and process related to the administration of this plan.

BID Plan Goals

Construction:	25.00%
Architectural & Engineering:	25.66%
Other Professional Services:	36.30%
Other Services:	23.80%
Goods:	18.00%

A sunset date of September 30, 2020 has been established for these goals.

AGENDA ITEM # 13

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Office of Cultural Affairs
CMO:	Joey Zapata, 670-1204
MAPSCO:	45-G

SUBJECT

A resolution authorizing **(1)** reimbursement to Dallas Center For The Performing Arts Foundation, Inc for payments made to Mooring Recovery Services, Inc. for emergency flood remediation and related repairs at the Dee and Charles Wyly Theater located at 2400 Flora Street in an amount not to exceed $139,404; and **(2)** an increase in appropriations in an amount not to exceed $139,404 in the Office of Cultural Affairs budget - Not to exceed $139,404 - Financing: Contingency Reserve Funds (to be reimbursed by property insurance)

BACKGROUND

On March 30, 2017, a contractor working on the fire safety system at the Dee and Charles Wyly Theater, a City-owned cultural facility operated by Dallas Center For The Performing Arts Foundation, Inc. d/b/a AT&T Performing Arts Center (ATTPAC), located at 2400 Flora Street, inadvertently triggered the building's fire suppression system, which released a tremendous deluge of water into the theater, inundating the space, fixtures and theatrical equipment.

Mooring Recovery Services, Inc., which specializes in commercial water damage restoration and has been used by the City in previous flooding incidents, was engaged by ATTPAC to assess the damage and remediate the immediate damage to flooring, seats, walls, ceiling, and specialized theatrical and electrical equipment.

This action seeks authorization to reimburse ATTPAC for payments made to Mooring Recovery Services, Inc. for emergency flood remediation and related repairs. Per the use agreement for the venue, the City is responsible for property insurance against loss or damage to the premises. Staff is working on an insurance claim and a settlement with the vendor whose employee was responsible for the incident. Once settled, the City is expected to be fully reimbursed for these costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 27, 2017.

FISCAL INFORMATION

Contingency Reserve Funds - $139,403.87 (to be reimbursed by property insurance)

November 8, 2017

WHEREAS, on March 30, 2017, a contractor working on the fire safety system at the Dee and Charles Wyly Theater located at 2400 Flora Street inadvertently triggered the building's fire suppression system, which released a tremendous deluge of unclean water into the theater; and

WHEREAS, at the direction of the Dallas Center For The Performing Arts Foundation, Inc., d/b/a AT&T Performing Arts Center (ATTPAC), which manages the facility on behalf of the City, Mooring Recovery Services, Inc. responded to this emergency by providing flood remediation services, and temporary repairs and painting to theater fixtures including seats and floors, walls and ceiling; and

WHEREAS, ATTPAC rendered payment to Mooring Recovery Services, Inc. for these services; and

WHEREAS, the City desires to make a bridge payment to ATTPAC to reimburse expenses from Mooring Recovery Services, Inc. for emergency flood remediation and related repairs at the Dee and Charles Wyly Theater, in an amount not to exceed $139,403.87; and

WHEREAS, it is anticipated that this expense will be recovered by the City upon the insurance claim settlement now in-process.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to reimburse Dallas Center For The Performing Arts Foundation for payments made to Mooring Recovery Services, Inc. for emergency flood remediation and related repairs at the Dee and Charles Wyly Theater located at 2400 Flora Street in an amount not to exceed $139,403.87.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer funds not to exceed $139,404.00 from Fund 0001, Department NBG, Unit 1000, Revenue Code RTRF, to Fund 0001, Department OCA, Unit 4903, Revenue Code 9229; and a clearing entry, in the same amount, to Fund 0001, Department BMS, BSA 0991 (Debit) and to Fund 0001, Department BMS, BSA 0950 (Credit).

SECTION 3. That the City Manager is hereby authorized to increase the Office of Cultural Affairs appropriations not to exceed $139,404.00 in Fund 0001, Department OCA, Unit 4903, Object 3210; increase total General Fund expenditure appropriations by $139,404.00, from $1,273,770,942.00 to $1,273,910,346.00; and increase total General Fund revenue appropriations by $139,404.00, from $1,276,420,942.00 to $1,276,560,346.00.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0001, Department OCA, Unit 4903, Object 3210, Contract No./Encumbrance CX-OCA-2018-00004424, to Dallas Center For The Performing Arts Foundation (Vendor VS0000004959), in an amount not to exceed $139,403.87.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit any funds received from insurance for claim eligible expenses into General Fund 0001, Department OCA, Unit 4903, Revenue Code 8519.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 14

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Emergency Management
CMO:	Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize **(1)** acceptance of additional grant funds from the U.S. Department of Homeland Security under the 2015 Homeland Security Grant Program-State Homeland Security Program (Grant No. EMW-2015-SS-00080/CFDA No. 97.067) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters in an amount not to exceed $6,000 for the period September 1, 2017 through December 31, 2017; **(2)** an increase in appropriations in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; **(3)** receipt and deposit of additional grant funds in an amount not to exceed $6,000 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund; and **(4)** execution of the grant agreement - Not to exceed $6,000, from $6,158,431 to $6,164,431 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

The Department of Homeland Security (DHS) was created in 2002 and began releasing funds to state and local governments through grant programs. Since 2003, the City of Dallas has received over $105 million in grant funds under the initiatives that make up the Homeland Security Grant Program (HSGP). In 2015, the City of Dallas was awarded funds under two initiatives: the Urban Area Security Initiative (UASI) and the State Homeland Security Grant Program (SHSP). In order to facilitate the distribution of these federal funds, each State is required to establish a State Administrative Agency (SAA) to administer and distribute the grant funding to local governments. In Texas, the SAA has been established within the Office of the Governor.

BACKGROUND (continued)

These initiatives provide funding for equipment acquisition, and planning and training activities to increase the ability of the City of Dallas to prevent, protect against, respond to, and recover from natural and man-made disasters. Some of the activities that funds support include planning and training for first responders and departmental staff, as well as for citizens participating in the Citizen Emergency Response Team and a public awareness campaign.

Additionally, these funds are also used to assist departments with meeting national, state and regional preparedness goals through the procurement of equipment for various initiatives, such as increasing interoperability during incidents.

On October 5, 2017, the SAA increased the original award in the amount of $6,000.00 from $6,158,430.93 to $6,164,430.93.

This action will authorize the increase of funding for the HSGP.

Program	Original	Increase	Revised
HSGP	$6,158,430.93	$6,000.00	$6,164,430.93

Funding associated with this Homeland Security Grant is provided through federal tax dollars and not civil asset forfeitures.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council authorized the acceptance of the 2015 Homeland Security Grant Program by Resolution No. 16-0083.

On April 26, 2017, City Council authorized an increase of the 2015 Homeland Security Program by Resolution No. 17-0694.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on November 3, 2017.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $6,000.00

November 8, 2017

WHEREAS, the U.S. Department of Homeland Security has made funding available to the City of Dallas under the State Homeland Security Grant Program to build our capacity to prevent, protect against, respond to, and recover from a terrorist attack or natural disaster; and

WHEREAS, grant funds have been awarded to the City of Dallas to procure equipment and provide training for first responders; and

WHEREAS, the City of Dallas will benefit from increased preparedness throughout the city.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to **(1)** accept additional grant funds from the U.S. Department of Homeland Security under the 2015 State Homeland Security Program Grant (Grant No. EMW-2015-SS-00080/CFDA No. 97.067) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters in an amount not to exceed $6,000.00 for the period September 1, 2017 through December 31, 2017; and **(2)** sign the grant agreement and any other documents required by the agreement with the U.S. Department of Homeland Security, approved as to form by the City Attorney, in an amount not to exceed $6,000.00, from $6,158,430.93 to $6,164,430.93.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $6,000.00 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund, Fund F480, Department MGT, Unit 1821, Object 3099.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit additional grant funds in an amount not to exceed $6,000.00 in the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund, Fund F480, Department MGT, Unit 1821, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse the funds in an amount not to exceed $6,000.00 from the 2015 Homeland Security Grant-State Homeland Security Program 15-16 Fund, Fund F480, Department MGT, Unit 1821, Object 3099.

SECTION 5. That the City Manager is hereby authorized to reimburse to the Department of Homeland Security any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. MGT-2018-00004333.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 15

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Emergency Management
CMO:	Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2017 Homeland Security Grant, which includes the Urban Area Security Initiative (UASI) and the State Homeland Security Program (Federal/State Award ID No. EMW-2017-SS-00005/Grant Nos. 2979903, 2980303, 2980503, 2980703, 3176402, 3321901, 3418201, 3418301/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,648,806 for the period September 1, 2017 through February 29, 2020; **(2)** establishment of appropriations in an amount not to exceed $5,648,806 in the DHS-FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $5,648,806 in the FY 2017 Homeland Security-Urban Area Security Initiative 17-20 Fund and the DHS-FY 2017 State Homeland Security Program 17-18 Fund; and **(4)** execution of the grant agreement - Not to exceed $$5,648,806 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

The Department of Homeland Security (DHS) was created in 2002 and began releasing funds to state and local governments through grant programs. Since 2003, the City of Dallas has received over $100 million in grant funds under the initiatives that make up the Homeland Security Grant Program. In 2017, the City of Dallas was awarded funds under the Urban Area Security Initiative (UASI). In order to facilitate the distribution of these federal funds, each State is required to establish a State Administrative Agency (SAA) to administer and distribute the grant funding to local governments. In Texas, the SAA has been established within the Texas Office of the Governor.

BACKGROUND (continued)

These initiatives provide funding for equipment acquisition, and planning and training activities to increase the ability of the City of Dallas to prevent, protect against, respond to, and recover from natural and man-made disasters all linked to a terrorism nexus. Some of the activities that these funds support include planning and training for first responders and departmental staff, as well as for citizens participating in the Citizen Emergency Response Team and a public awareness campaign. Additionally, these funds are also used to assist departments with meeting national, state and regional preparedness goals through the procurement of equipment for various initiatives such as increasing interoperability during incidents.

Each initiative focuses on a component of the overall needs of Dallas to respond in conjunction with state and federal agencies during times of natural and man-made disasters. UASI focuses on the unique planning, equipment, training, and exercise needs of high-threat, high-density urban areas, with specific carve outs for Law Enforcement (LE) activities and Management and Administration (M&A) of the grant.

Previous funding from the Homeland Security Grant Program has been used for equipment and programs to support public safety and homeland security initiatives.

Listed below are the levels of funding for each initiative:

Homeland Security Grant Programs

Urban Area Security Initiative Grant (UASI)	$5,634,605.25
UASI	$3,279,480.25
LE	$2,095,069.38
M&A	$ 260,055.62
State Homeland Security Grant	$ 14,200.00
Total Homeland Security Grant Programs	$5,648,805.25

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized the acceptance of the 2013 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2013 through June 30, 2015 and execution of the grant agreement by Resolution No. 13-2063.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On November 12, 2014, City Council authorized the acceptance of the 2014 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2014 through June 30, 2016 and execution of the grant agreement by Resolution No. 14-1902.

On January 13, 2016, City Council authorized the acceptance of the 2015 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2015 through May 31, 2018 and execution of the grant agreement by Resolution No. 16-0083.

On November 9, 2016, City Council authorized the acceptance of the 2016 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period October 1, 2016 through November 30, 2018 and execution of the grant agreement by Resolution No. 16-1805.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on November 3, 2017.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $5,648,805.25

November 8, 2017

WHEREAS, the U.S. Department of Homeland Security has made funding available to the City of Dallas, under the 2017 Homeland Security Grant Program to build our capacity to prevent, protect against, respond to, and recover from a terrorist attack or natural disaster; and

WHEREAS, grant funds will be used for operating expenses related to emergency preparedness and response activities; and

WHEREAS, the City of Dallas will benefit from increased preparedness throughout the city and region.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to accept a grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2017 Homeland Security Grant, which includes the Urban Area Security Initiative and the State Homeland Security Program (Federal/State Award ID No. EMW-2017-SS-00005/Grant Nos. 2979903, 2980303, 2980503, 2980703, 3176402, 3321901, 3418201, 3418301/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,648,805.25 for the period September 1, 2017 through February 29, 2020; and sign the grant agreement and any other documents required by the grant, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $3,279,480.25 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3558, Object 3099.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $2,095,069.38 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3559, Object 3099.

SECTION 4. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $260,055.62 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3560, Object 3099.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $14,200.00 in the DHS-FY 2017 State Homeland Security Progam 17-18 Fund, Fund F540, Department MGT, Unit 3561, Object 3099.

SECTION 6. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $3,279,480.25 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3558, Revenue Code 6506.

SECTION 7. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $2,095,069.38 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3559, Revenue Code 6506.

SECTION 8. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $260,055.62 in the DHS-FY 2017 Homeland Security Grant-Urban Area Security Initiative 17-20 Fund, Fund F539, Department MGT, Unit 3560, Revenue Code 6506.

SECTION 9. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $14,200.00 in the DHS-FY 2017 State Homeland Security Program 17-18 Fund, Fund F540, Department MGT, Unit 3561, Revenue Code 6506.

SECTION 10. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,279,480.25 from the DHS-FY 2017 Homeland Security Grant 17-20 Fund, Fund F539, Department MGT, Unit 3558, Object 3099.

SECTION 11. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,095,069.38 from the DHS-FY 2017 Homeland Security Grant 17-20 Fund, Fund F539, Department MGT, Unit 3559, Object 3099.

SECTION 12. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $260,055.62 from the DHS-FY 2017 Homeland Security Grant 17-20 Fund, Fund F539, Department MGT, Unit 3560, Object 3099.

SECTION 13. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $14,200.00 from the DHS-FY 2017 State Homeland Security Program 17-20 Fund, Fund F540, Department MGT, Unit 3561, Object 3099.

SECTION 14. That the City Manager is hereby authorized to reimburse to the U.S. Department of Homeland Security any expenditure identified as ineligible or in the event of loss of funds. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 15. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 16. That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation or termination of the grant as may be necessary to satisfy the U.S. Department of Homeland Security and Federal Emergency Management Agency.

SECTION 17. That this contract is designated as Contract No. MGT-2018-00004265.

SECTION 18. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved

AGENDA ITEM # 16

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Communication and Information Services
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a one-year service contract for licenses, maintenance, and support for McAfee VirusScan Threat Management Portfolio software – CDW Government LLC, most advantageous proposer of three - Not to exceed $166,422 - Financing: Current Funds (subject to appropriations)

BACKGROUND

This service contract will provide licenses, maintenance and support for the McAfee VirusScan Threat Management Portfolio software. This portfolio will enable the City to monitor and detect various types of computer viruses and malware threats on the City's end-computing devices such as desktops, laptops and tablets.

McAfee products are used to protect City computer systems against cybersecurity threats including but not limited to email, computer viruses, malware, internet and email spams, email phishing, other emerging internet threats and internal cyber threats. Additionally, the use of this threat management product assist in protecting confidential information shared within the City and between the City and our business partners.

A seven member committee from the following departments reviewed and evaluated the qualifications:

- Trinity Watershed Management (1)
- Dallas Water Utilities (2)
- Communication and Information Services (2)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)**

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

BACKGROUND (continued)

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 50%
- Capability and experience 10%
- Functional match 15%
- Training 10%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,211 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2014, City Council authorized a three-year service contract for license renewal of McAfee Threat management products by Resolution No. 14-1778.

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION:

Current Funds - $166,421.08 (subject to appropriations)

M/WBE INFORMATION

183 - Vendors contacted
183 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

M/WBE INFORMATION (continued)

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

The Office of Procurement Services received the following proposals from solicitation number BUZ1706. We opened them on February 2, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*CDW Government LLC	230 N. Milwaukee Ave. Vernon Hills, IL 60061	87.80%	$166,421.08
World Wide Technology, Inc.	60 Weldon Pkwy. Maryland HTS, MO 63043	54.80%	$345,205.90
Wynndalco Enterprises, LLC	55 W. Wacker Dr. Suite 900 Chicago, IL 60601	55.08%	$385,592.00

OWNER

CDW Government LLC

Christina V. Rother, President
Douglas E. Eckrote, Senior Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a one-year service contract for licenses, maintenance, and support for McAfee VirusScan Threat Management Portfolio software – CDW Government LLC, most advantageous proposer of three - Not to exceed $166,422 - Financing: Current Funds (subject to appropriations)

CDW Government LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$166,421.08	100.00%
TOTAL CONTRACT	$166,421.08	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

November 8, 2017

WHEREAS, on October 22, 2014, City Council authorized a three-year service contract for license renewal of McAfee Threat management products by Resolution No. 14-1778.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a service contract with CDW Government LLC (500105), approved as to form by the City Attorney, for licenses, maintenance, and support of McAfee VirusScan Threat Management Portfolio software for a term of one year, in an amount not to exceed $166,421.08. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to CDW Government LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by CDW Government LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $166,421.08 (subject to appropriations) to CDW Government LLC from Service Contract No. DSV-2018-00004138.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 17

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Communication and Information Services
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a **(1)** one-year maintenance contract for maintenance and support of existing Kronos licenses, and hardware maintenance; and **(2)** three-year contract, with a one-year renewal option, for the purchase of an upgraded Kronos timekeeping system using web-access software as a service with hosted cloud storage, data conversion, maintenance, and support, distributed by Kronos Incorporated and sold through immixTechnology, Inc. through the Texas Department of Information Resources - Not to exceed $526,344 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

These service contracts will provide one year of continuation of the existing Kronos timekeeping system, during which the conversion will occur to a web-based software as a service system with upgrades, maintenance, and support of the Kronos timekeeping system. The City uses the Kronos system to track time cards for over 5,000 non-exempt City employees. The Kronos system also provides valuable management tools to over 300 supervisors to manage the non-exempt employee's time, work schedules, and vacation accruals.

The existing Kronos software, clocks, and hardware, were initially installed approximately 16 years ago, and was last upgraded in 2012. The software is no longer supported by the vendor, this has resulted in significant service degradation, frequent service interruption, recurring software failures, and inability to implement newer features and enhancements to the system to support the various user departments.

This upgrade will move the current Kronos from an on-premise platform to a web-based software as a service (SaaS) platform.

BACKGROUND (continued)

Upgrades to the system will allow the City to realize many benefits, including but not limited to:

- Improved efficiencies in managing non-exempt time and scheduling
- A more robust payroll time management system
- Improved security
- Improved ease of use for City staff
- Improved management reporting and tracking of staff's time and schedules
- Increase accuracy in data collection and payroll processing
- Improved flexibility to be able to access Kronos to report and approve time from any device, including desktop, laptop, or mobile phone

Maintenance and support includes updates to software patches and technical support.

The Texas Department of Information Resources is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

Current Funds - $526,343.91 (subject to annual appropriations)

OWNER

immixTechnology, Inc.

David Stewart, President
Greg Tarpinian, Vice President

November 8, 2017

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a **(1)** one-year maintenance contract for Kronos products distributed by Kronos Incorporated and sold through immixTechnology, Inc. (VS0000045932) through the Department of Information Resources for maintenance and support of existing Kronos licenses, and hardware maintenance; and **(2)** three-year contract, with a one-year renewal option, with Kronos Incorporated and sold through immixTechnology, Inc. through the Texas Department of Information Resources for the purchase of an upgraded Kronos timekeeping system using web-access software as a service with hosted cloud storage, data conversion, maintenance, and support, in an amount not to exceed $526,343.91, approved as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to immixTechnology, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by immixTechnology, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $526,343.91 (subject to annual appropriations) to immixTechnology, Inc. from Service Contract No. DSV-2017-00002617.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 18

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Court & Detention Services
CMO:	Elizabeth Reich, 670-7804 Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a four-year service contract, with one three-year renewal option, to provide payment substation and call center services for the payment of municipal court citations by defendants – Government Payment Service, Inc., most advantageous proposer of four - Financing: No cost consideration to the City (fees to be paid by the defendant)

BACKGROUND

This service contract will provide call center services and retail store outlets to accept municipal court citation payments. Defendants will have the option to call into a bilingual call center that operates 24/7, and submit a payment with a credit or debit card. If the defendant only has cash, then the call agent will send the defendant a pay order by email or text with a bar code than can be paid at a neighborhood retail outlet. The retail stores available for payment include: 7-Eleven, Family Dollar, CVS, and Ace Cash Express. There are 774 locations in the greater Dallas-Fort Worth area of which 240 are neighborhood locations in the City of Dallas for defendants to make cash payments. User fees associated with the payment transaction will be paid by the defendant. Anyone wishing to avoid user fees may still pay in person at the Municipal Court or send payment by mail.

Currently, over 40 percent of court transactions are handled online, however, there is a segment of the population that does not have easy access to online services. This service contract will provide more options for defendants to resolve their citations.

BACKGROUND (continued)

A seven member committee from the following departments reviewed and evaluated the qualifications:

- Court & Detention Services (2)
- Dallas Water Utilities (1)
- Management Services (1)
- Dallas Fire-Rescue (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30%
- Overall approach and methodology 30%
- Capability and expertise 25%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 253 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Public Safety and Criminal Justice Committee was briefed on this item as part of the Court Technology Improvements briefing on September 11, 2017.

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

No cost consideration to the City (fees to be paid by the defendant as follows: for cash payments at retail locations a defendant may be charged $4.74 (for a cash payment up to $995.00 with cash payments over $995.00 requiring multiple transactions); and for call center card payment transactions a defendant may be charged $3.85 for debit card transactions and 2.35 percent of the payment amount (minimum fee $3.00) for credit card transactions.)

M/WBE INFORMATION

31 - Vendors contacted
31 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

PROPOSAL INFORMATION

The Office of Procurement Services received the following proposals from solicitation number BKZ1705. We opened them on April 7, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Government Payment Service, Inc.	7102 Lakeview Pkwy. West Drive Indianapolis, IN 46268	Group 1 - 87.45% Group 2 - 92.20%
NCourt, LLC	955A Cobb Place Blvd. N.W. Kennesaw, GA 30144	Group 1 - 82.80% Group 2 - 69.02%
The Payment Group, LLC	5151 Beltline Rd. Suite 505 Dallas, TX 75254	Group 1 - No bid Group 2 - 60.63%
MoneyGram International	2828 N. Harwood St. Dallas, TX 75201	Non-responsive**

**Moneygram International was deemed non-responsive due to not meeting the specifications.

OWNER

Government Payment Service, Inc.

Mark E. MacKenzie, President
Brian Kibble-Smith, Vice President

November 8, 2017

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Government Payment Service, Inc. (VS93947), approved as to form by the City Attorney, to provide payment substation and call center services for the payment of municipal court citations by defendants for a term of four years, with one three-year renewal option.

SECTION 2. That Government Payment Service, Inc. and subcontractors may charge the following convenience fees to defendants who elect to use the vendor's facilities for payment of municipal citations: for cash payments at retail locations a defendant may be charged $4.74 (for a cash payment up to $995.00 with cash payments over $995.00 requiring multiple transactions); and for call center card payment transactions a defendant may be charged $3.85 for debit card transactions and 2.35 percent of the payment amount (minimum fee $3.00) for credit card transactions.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit all funds received from Government Payment Service, Inc. to the appropriate department.

SECTION 4. That this contract is designated as Contract No. POM-2017-00003085.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 19

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services City Controller Convention and Event Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Joey Zapata, 670-3009 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a five-year service contract for arbitrage rebate calculation and compliance services for all applicable debt obligations outstanding and debt issued during the contract period – First Southwest Asset Management, LLC, most advantageous proposer of three - Not to exceed $95,000 – Financing: Current Funds ($57,000), Convention and Event Services Current Funds ($4,750), and Water Utilities Current Funds ($33,250) (subject to annual appropriations)

BACKGROUND

This service contract is to provide for the City arbitrage rebate calculation and compliance services. These services are required to ensure compliance with Internal Revenue Service (IRS) Code Section 148. There are currently over 40 outstanding bond issues for which Section 148 calculations will be performed. Additionally, any bonds issued subsequently may require computations during the term of the contract. The contract includes the following services:

- Performing annual arbitrage calculations each September 30, for all eligible outstanding obligations
- Monitoring all required IRS filing dates
- Post-issuance record retention policies and procedures compliance monitoring with IRS regulations

BACKGROUND (continued)

A six member committee from the following departments reviewed and evaluated the qualifications:

- Office of Budget (1)
- City Controller's Office (1)
- Dallas Water Utilities (1)
- Convention and Event Services (1)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30%
- Overall approach and methodology 30%
- Capability and expertise 25%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 798 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contract information obtained from user departments to contract additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

Current Funds - $57,000.00 (subject to annual appropriations)
Water Utilities Current Funds - $33,250.00 (subject to annual appropriations)
Convention and Event Services Current Funds - $4,750.00 (subject to annual appropriations)

M/WBE INFORMATION

126 - Vendors contacted
126 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

The Office of Procurement Services received the following proposals from solicitation number BKZ1715. We opened them on July 28, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposer	Address	Amount	Score
*First Southwest Asset Management, LLC	1201 Elm St. Suite 3500 Dallas, TX 75270	$95,000.00	87.00%
BLX Group, LLC	2711 N. Haskell Ave. Suite 2600, Lockbox #35 Dallas, TX 75204	$160,000.00	74.81%
PFM Asset Management, LLC	One Keystone Plaza Suite 300 Harrisburg, PA 17101	$192,000.00	73.84%

OWNER

First Southwest Asset Management, LLC

David Medanich, President
Joseph Michael Edge, Chief Financial Officer
Brian Wittneben, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for arbitrage rebate calculation and compliance services for all applicable debt obligations outstanding and debt issued during the contract period – First Southwest Asset Management, LLC, most advantageous proposer of three - Not to exceed $95,000 – Financing: Current Funds ($57,000), Convention and Event Services Current Funds ($4,750), and Water Utilities Current Funds ($33,250) (subject to annual appropriations)

First Southwest Asset Management, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$95,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$95,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

November 8, 2017

WHEREAS, on November 10, 2010, City Council authorized a five-year service contract for arbitrage rebate calculation and compliance services by Resolution No. 10-2861; and

WHEREAS, on October 27, 2015, Administrative Action No. 15-6977 authorized Supplemental Agreement No. 1 extending the term of the service contract for three months from January 1, 2016 to March 31, 2016; and

WHEREAS, on January 22, 2016, Administrative Action No. 16-5268 authorized Supplemental Agreement No. 2 extending the term of the service contract for one year from April 1, 2016 to March 31, 2017; and

WHEREAS, on January 27, 2017, Administrative Action No. 17-5423 authorized Supplemental Agreement No. 3 extending the term of the service contract for six months from April 1, 2017 to September 30, 2017.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a service contract with First Southwest Asset Management, LLC (193056), approved as to form by the City Attorney, for arbitrage rebate calculation and compliance services for all applicable debt obligations outstanding and debt issued during the contract period for a term of five years in an amount not to exceed $95,000. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to First Southwest Asset Management, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by First Southwest Asset Management, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $95,000 (subject to annual appropriations) to First Southwest Asset Management, LLC from Service Contract No. CCO-2018-00004167.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 20

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a five-year service contract for a water consumption rebate program for industrial, commercial, and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of three - Not to exceed $842,320 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide water consumption audits to the City's industrial, commercial, and institutional (ICI) customers by helping them identify potential water savings throughout their facilities. ICI water consumption audits are included as a water conservation strategy in the City's 2016 Five-Year Work Plan on Water Conservation Update (Plan).

The current plan targets a reduction in gallons per capita per day by an average 1.0 percent per year by FY 2019-20. A heavy emphasis will be placed on efforts to aid ICI customers to realize their full potential for water savings and increased efficiency. To that end, professional water audits will be offered free of charge to the City's top 10 percent of the City's water customers as this segment consumes 80 percent of total ICI water demand. The City's goal is to have the awarded contractor perform on average 60 audits annually, totaling 300 audits for the contract term. The contract also provides for follow-up inspections and verification of completed water conservation rebate projects.

BACKGROUND (continued)

The rebate effort will serve to complement and enhance the ICI Audit Initiative. By providing financial incentives that encourage large ICI water users to install new water efficient equipment, the City will help lower the cost of water efficiency investments and accelerate large volumes of water savings among high water-using customers.

The program is projected to save approximately 1.5 million gallons per day (mgd) in the third year of the Five-Year Plan Update (FY 2017-18) and approximately 2.5 mgd by the fifth year (FY 2019-20). Annual water savings are projected to be 900 million gallons assuming program participation and minimum water saving goals are met. Actual water savings will vary.

Customers participating in the ICI Rebate Program will be required to sign an agreement with the City that specifies the rebate amount, installation deadline, and other conditions to ensure that the expected water savings are achieved and maintained after the rebate has been paid. The rebate for each project shall be the lesser of half the combined cost of the purchase price of the equipment and the cost of the contracted labor to install the equipment, or the amount determined by calculating total savings in thousand gallons increments over the life of the project and multiplying that amount by the allowable cost per 1,000 gallons of water saved. The allowable cost per 1,000 gallons of water saved may be adjusted annually depending upon the true cost of regional water supplies. The maximum rebate for any given project is $100,000. Proposals in excess of $25,000 shall require approval from the City Council.

A five member evaluation committee from the following departments reviewed and evaluated the qualifications:

- Dallas Water Utilities (1)
- Housing & Neighborhood Revitalization (1)
- Equipment and Building Services (1)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30 points
- Experience 30 points
- Approach 25 points
- Business Inclusion and Development Plan 15 points

BACKGROUND (continued)

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,268 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity's ResourceLINK Team (RLT) sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2012, City Council authorized a five-year service contract for water consumption audits for industrial, commercial and institutional facilities by Resolution No. 12-0529.

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

Water Utilities Currents Funds - $842,320 (subject to annual appropriations)

M/WBE INFORMATION

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

The Office of Procurement Services received the following proposals from solicitation number BMZ1728. We opened them on July 14, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

PROPOSAL INFORMATION (continued)

*Denotes successful proposer

Proposers	Address	Score	Amount
*Alan Plummer and Associates, Inc.	1320 S. University Dr. Suite 300 Fort Worth, TX 76107	100.00%	$842,320
Water Management, Inc.	117 Clermont Ave. Alexandria, VA 22304	72.55%	$1,314,625
Concept Facility Services, LLC	646 E. Hwy. 67 Duncanville, TX 75137	50.00%	$1,430,000

OWNER

Alan Plummer and Associates, Inc.

Alan Tucker, President
Ellen McDonald, Vice President
Steve Coonan, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for a water consumption rebate program for industrial, commercial, and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of three - Not to exceed $842,320 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Alan Plummer and Associates, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$842,320.00	100.00%
TOTAL CONTRACT	$842,320.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

November 8, 2017

WHEREAS, on February 22, 2012, City Council authorized a five-year service contract for water consumption audits for industrial, commercial and institutional facilities by Resolution No. 12-0529.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Alan Plummer and Associates, Inc. (165323), approved as to form by the City Attorney, for a water conservation rebate program for industrial, commercial, and institutional facilities for a term of five years, in an amount not to exceed $842,320. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Alan Plummer and Associates, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Alan Plummer and Associates, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $842,320 (subject to annual appropriations) to Alan Plummer and Associates, Inc. from Service Contract No. DWU-2018-00004235.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 21

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Park & Recreation
CMO:	Elizabeth Reich, 670-7804 Willis Winters, 670-4071
MAPSCO:	N/A

SUBJECT

Authorize **(1)** a two-year master agreement for the purchase of grounds maintenance equipment with Longhorn, Inc. in the amount of $320,000, Professional Turf Products LP in the amount of $300,000, Z-Riders of Texas dba Cypress Lawn and Turf Equipment in the amount of $265,000, Four Brothers Outdoor Power in the amount of $90,000, C&M Air Cooled Engine, Inc. in the amount of $80,000, Kubota Tractor Corporation in the amount of $70,000, Tom Loftus Inc. dba Austin Turf & Tractor in the amount of $57,000, Luber Brothers in the amount of $40,000, Magnum Trailers in the amount of $33,000, Vermeer Equipment of Texas, Inc. in the amount of $28,000, Landmark Equipment, Inc., in the amount of $20,000, Terrain King Corporation in the amount of $10,000, and Hustler Turf Equipment in the amount of $10,000 through the Texas Association of School Boards; and **(2)** a two-year master agreement for the purchase of grounds maintenance equipment with Landmark Equipment, Inc. in the amount of $96,000, EZ-Liner Industries in the amount of $15,000, Earle Kinlaw Association, Inc. dba EKA, Inc. in the amount of $14,000, Cypress Lawn and Turf Equipment dba Z-Riders of Texas in the amount of $10,000, Luber Brothers in the amount of $6,000, and Textron, Inc. dba Jacobsen in the amount of $5,000 through the Houston-Galveston Area Council of Governments - Total not to exceed $1,469,000 – Financing: Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

BACKGROUND (continued)

This master agreement will be used to purchase grounds maintenance equipment such as, mowers, tractors, utility vehicles, hand held equipment, and other types of grounds maintenance equipment. The equipment will be used to maintain parks, athletic fields, golf course greens and fairways, Fair Park grounds, other facility grounds and outdoor venues located throughout the City.

The Texas Association of School Boards and the Houston-Galveston Area Council of Governments are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board will be briefed by memorandum regarding this matter on November 2, 2017.

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

Current Funds - $1,469,000

OWNERS

Longhorn, Incorporated

Loyd Evans, President
Lynn Evans, Vice President
Lynn Evans, Secretary
Tom Swor, Treasurer

Professional Turf Products LP

Edward Clark, President
David Lau, Treasurer

Z-Riders of Texas dba Cypress Lawn and Turf Equipment

Raymond Sustala, President

OWNERS (continued)

Four Brothers Outdoor Power

Rex Kelly, President
Russell Kelly, Vice President
Eddy Kelly, Secretary

C&M Air Cooled Engine, Inc.

Jerry Don Mathis, President
Darlyne Mathis, Vice President

Kubota Tractor Corporation

Masato Yoshikawa, President
Todd Stucke, Vice President
Krish Gudipaty, Treasurer

Tom Loftus Inc. dba Austin Turf and Tractor

Tom Loftus, President
Harry Jukes, Operations Director

Luber Brothers

Rick Luber, President
Ron Luber, Vice President

Magnum Trailers

Charles McLemore, President
Vangle McLemore, Vice President

Vermeer Equipment of Texas, Inc.

Whit D. Perryman, President and Chief Execuitve Officer
Mark Krueger, Chief Operating Officer
Darren Tallman, Chief Financial Officer

Landmark Equipment Incorporated

Mike Lyle, President
Gary Lyle, Vice President
Marla Lyle, Secretary
Kimberly Chambers, Treasurer

OWNERS (continued)

Terrain King Corporation

Ian Burden, President
Jeffery Leonard, Vice President
Robert George, Secretary
Robert George, Treasurer

Hustler Turf Equipment

Paul Mullet, President
Bob Mullet, Vice President

EZ-Liner Industries

Drew Vogel, President
Dave Van Gorp, Vice President
Bert Aarsen, Secretary

Earle Kinlaw Association, Inc.

Earle F Kinlaw, President
MaryAnn Kinlaw, Secretary
MaryAnn Kinlaw, Treasurer

Cypress Lawn and Turf Equipment dba Z-Riders

Raymond Sustala, President

Textron Inc. dba Jacobsen

Kevin Holleran, President
Hamish Lusty, Vice President
Christine Hineman, Secretary

November 8, 2017

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign **(1)** a two-year master agreement with Longhorn, Inc. (VS0000005048) in the amount of $320,000, Professional Turf Products LP (355952) in the amount of $300,000, Z-Riders of Texas dba Cypress Lawn and Turf Equipment (VS0000041886) in the amount of $265,000, Four Brothers Outdoor Power (256331) in the amount of $90,000, C&M Air Cooled Engine, Inc. (VS0000045907) in the amount of $80,000, Kubota Tractor Corporation (VC0000010333) in the amount of $70,000, Tom Loftus Inc. dba Austin Turf & Tractor (353926) in the amount of $57,000, Luber Brothers (507154) in the amount of $40,000, Magnum Trailers (VS0000052959) in the amount of $33,000, Vermeer Equipment of Texas, Inc. (048268) in the amount of $28,000, Landmark Equipment, Inc. (502100) in the amount of $20,000, Terrain King Corporation (VC17760) in the amount of $10,000, and Hustler Turf Equipment (VS88164) in the amount of $10,000, through the Texas Association of School Boards, approved as to form by the City Attorney, for the purchase of grounds maintenance equipment; and **(2)** a two-year master agreement with Landmark Equipment, Inc. (502100) in the amount of $96,000, EZ-Liner Industries (510099) in the amount of $15,000, Earle Kinlaw Association, Inc. dba EKA (VC0000007136) in the amount of $14,000, Z-Riders of Texas dba Cypress Lawn & Turf Equipment (VS0000041886) in the amount of $10,000, Luber Brothers (507154) in the amount of $6,000, and Textron, Inc. dba Jacobsen (187725) in the amount of $5,000 through the Houston-Galveston Area Council of Governments,approved as to form by the City Attorney, for the purchase of grounds maintenance equipment, in a total amount not to exceed $1,469,000.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for grounds maintenance equipment. If a written contract is required or requested for any or all purchases for grounds maintenance equipment under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,469,000 to Longhorn, Inc., Professional Turf Products LP, Z-Riders of Texas dba Cypress Lawn and Turf Equipment, Four Brothers Outdoor Power, C&M Air Cooled Engine, Inc., Kubota Tractor Corporation, Tom Loftus Inc. dba Austin Turf & Tractor, Luber Brothers, Magnum Trailers, Vermeer Equipment of Texas, Inc., Landmark Equipment, Inc.,Terrain King Corporation, Hustler Turf Equipment, Earle Kinlaw Association, Inc. dba EKA, Inc., and Textron, Inc. dba Jacobsen from Master Agreement Contract No. PKR-2017-00004116 and to EZ-Liner Industries from Master Agreement Contract No. PKR-2018-00004431.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 22

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services Communication and Information Services Fire
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390 Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract with ESO Solutions, Inc. for maintenance and support of Visual Fire software - Not to exceed $168,223, from $312,797 to $481,020 – Financing: Current Funds (subject to appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This Supplemental Agreement will exercise the renewal option for ongoing maintenance and support of the Visual Fire software that links to the Fire Record Management System utilized by Dallas Fire-Rescue (DFR). This system supports built-in data validation tools that assists DFR with ensuring fire incident reports are correctly and completely filled in accordance with the National Fire Incident Reporting System (NFIRS) standards.

DFR is required by federal law to report specific information on all fire incidents. The Visual Fire software is the entry tool and repository for capturing and storing this information. In accordance with NFIRS standards, DFR must complete an incident report for every fire related incident. Within these reports, critical information must be captured such as types and quantity of equipment used, arrival time on scene, etc. These reports are submitted to the State of Texas in the NFIRS protocol and compliance with reporting standards impact receipt of state and federal grants.

Maintenance and support includes patches, updates, compliance with any new state or federal requirements, technical, and customer service support.

BACKGROUND (continued)

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2016, City Council authorized a two-year service contract, with a one-ye ar renewal option, for maintenance and support of Visual Fire software by Resolution No. 16-1167.

The Government Performance & Financial Management Committee will receive this item for consideration on November 6, 2017.

FISCAL INFORMATION

Current Funds - $168,223 (subject to appropriations)

OWNER

ESO Solutions, Inc.

Chris Dillie, Chief Executive Officer
Elaine Gordon, Chief Financial Officer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract with ESO Solutions, Inc. for maintenance and support of Visual Fire software - Not to exceed $168,223, from $312,797 to $481,020 – Financing: Current Funds (subject to appropriations)

ESO Solutions, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$168,223.00	100.00%
TOTAL THIS ACTION	$168,223.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

November 8, 2017

WHEREAS, on August 10, 2016, City Council authorized a two-year service contract, with a one-year renewal option, for maintenance and support of Visual Fire software by Resolution No. 16-1167.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to exercise the one-year renewal option to the service contract with ESO Solutions, Inc. (VC14899), approved as to form by the City Attorney, for maintenance and support of Visual Fire software, in an amount not to exceed $168,223, increasing the service contract amount from $312,797 to $481,020.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $168,223 (subject to appropriations) to ESO Solutions, Inc. from Service Contract MASCDSV18DFDTI.

SECTION 3. That this contract is designated as Contract No. DSV-2017-00003643.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 23

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	10
DEPARTMENT:	Park & Recreation
CMO:	Willis Winters, 670-4071
MAPSCO:	27 Z

SUBJECT

Authorize a construction contract for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center located at 10031 East Northwest Highway - HP Ecological Services, LLC dba HP EnviroVision, lowest responsible bidder of five - Not to exceed $342,069 - Financing: 2006 Bond Funds

BACKGROUND

On September 15, 2017, five bids were received by the City of Dallas for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center. Two of the five bids were non-responsive. The scope of work includes asbestos and lead abatement, demolition and application of primer and lead paint encapsulant. This action authorizes the award of the construction contract with HP Ecological Services, LLC dba HP EnviroVision for the Base Bid and Alternate No. 1 (primer coat application prior to lead paint encapsulant) for a total bid amount of $342,069.

HP Ecological Services, LLC dba HP EnviroVision has had no contractual activities with the City of Dallas for the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2016
Completed Design	August 2017
Begin Construction	November 2017
Complete Construction	April 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 17, 2017, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

FISCAL INFORMATION

2006 Bond Funds – $342,069

M/WBE INFORMATION

See attached.

BID INFORMATION

The following five bids were received and opened on September 15, 2017.

*Denotes the successful bidder

Bidders	Base Bid	Alternate No. 1**	Total Bid
*HP Ecological Services, LLC dba HP EnviroVision 310 E. Trinity Blvd., Ste. 800 Grand Prairie, TX 75050	$336,069.00	$ 6,000.00	$342,069.00
RNDI Companies, Inc.	$386,000.00	$67,000.00	$453,000.00
AECOM	$728,957.60	$90,000.00	$818,957.60
Horsleay Specialties, Inc.	$367,943.00		***Non-responsive
ARC Abatement	$459,687.50		***Non-responsive

*Alternate No. 1 - provides for primer coat application prior to lead paint encapsulant.
***Horsleay Specialties, Inc. was deemed non-responsive due to providing unit price in lieu of lumpsum amount.
***ARC Abatement was deemed non-responsive due to providing unit price in lieu of lumpsum amount.

OWNER

HP Ecological Services, LLC dba HP EnviroVision

Thomas Palet, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center located at 10031 East Northwest Highway - HP Ecological Services, LLC dba HP EnviroVision, lowest responsible bidder of five - Not to exceed $342,069 - Financing: 2006 Bond Funds

HP Ecological Services, LLC dba HP EnviroVision is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$342,069.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$342,069.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

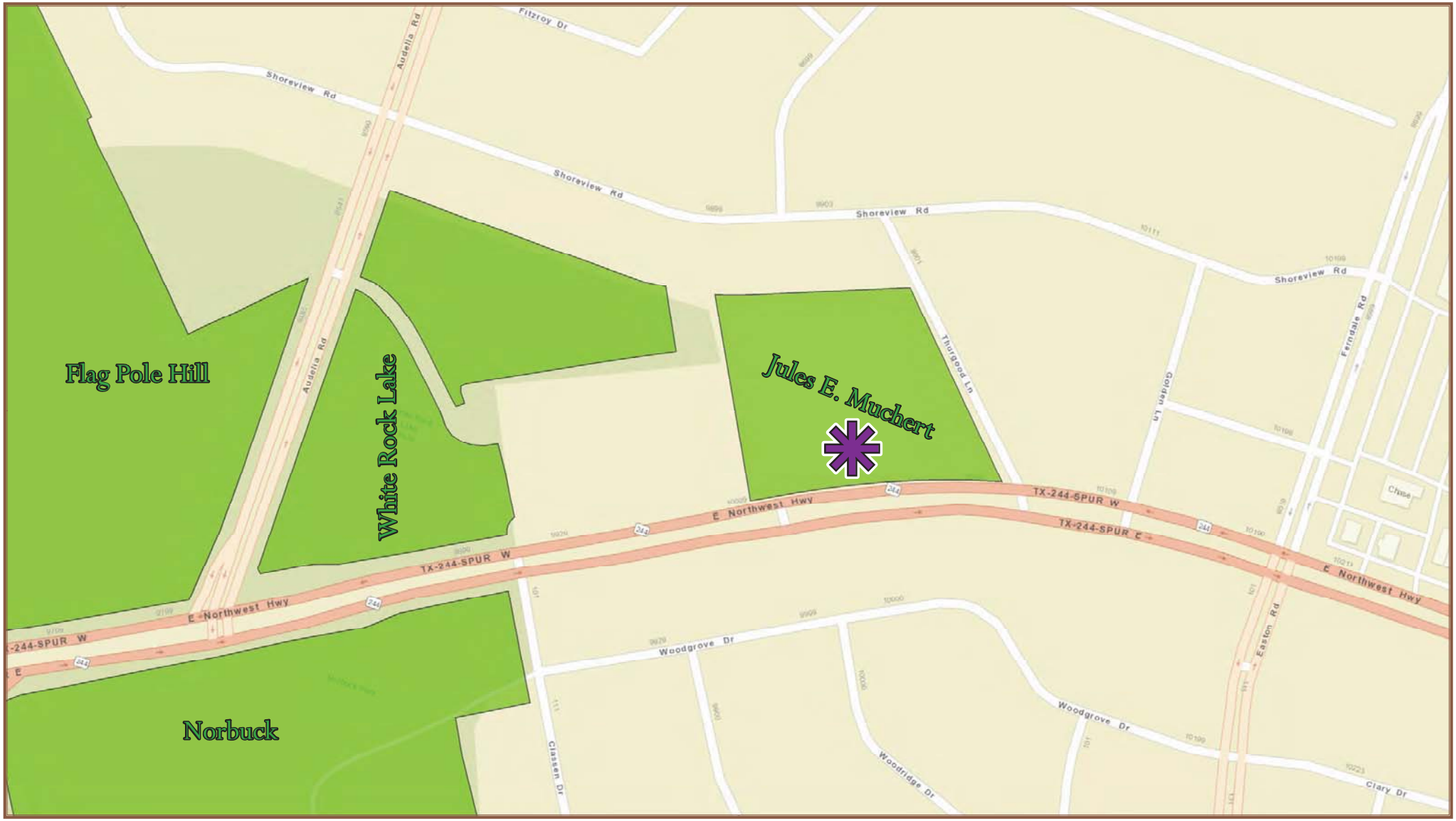
Local	Certification	Amount	Percent
Dallas Remodeling Group	HFMB78125N0518	$78,675.87	23.00%
B & B Waste	WFDB42002Y1217	$6,841.38	2.00%
Total Minority - Local		$85,517.25	25.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$78,675.87	23.00%	$78,675.87	23.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$6,841.38	2.00%	$6,841.38	2.00%
Total	$85,517.25	25.00%	$85,517.25	25.00%



0 100 200 400 600 Feet

1 in = 200 ft

Dallas Park & Recreation

Muchert Center
(10031 E Northwest Highway)

Mapsco
27 Z

District
10

WHEREAS, on September 15, 2017, five bids were received for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center. The scope of work includes asbestos and lead abatement, demolition and primer coat application prior to lead paint encapsulant.

Bidders	**Base Bid**	**Alternate No. 1****	**Total Bid**
HP Ecological Services, LLC dba HP EnviroVision	$336,069.00	$ 6,000.00	$342,069.00
RNDI Companies, Inc.	$386,000.00	$67,000.00	$453,000.00
AECOM	$728,957.60	$90,000.00	$818,957.60
Horsleay Specialties, Inc.	$367,943.00		**Non-responsive
ARC Abatement	$459,687.50		**Non-responsive

**Alternate No. 1 - provides for primer coat application prior to lead paint encapsulant.
***Horsleay Specialties, Inc. was deemed non-responsive due to providing unit price in lieu of lumpsum amount.
***ARC Abatement was deemed non-responsive due to providing unit price in lieu of lumpsum amount.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with HP Ecological Services, LLC dba HP EnviroVision, approved as to form by the City Attorney, for asbestos and lead abatement at the Park and Recreation Department Operations and Maintenance Facility, the former Jules E. Muchert United States Army Reserve Center, in an amount not to exceed $342,069.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with HP Ecological Services, LLC dba HP EnviroVision, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $342,069 to HP Ecological Services, LLC dba HP EnviroVision from (2006) Park and Recreation Facilities Fund, Fund 2T00, Department PKR, Unit P762, Object 4313, Program PKP762, Commodity 92678, Encumbrance/Contract No. CX-PKR-2018-00004302, Vendor VS0000048827.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 24

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Park & Recreation
CMO:	Willis Winters, 670-4071
MAPSCO:	45A E

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International Inc. for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing public access from the adjacent street right-of-way to the Katy Trail located at northern terminus of North Harwood Street - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International Inc. (Harwood) for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing public access from North Harwood Street (Exhibit A, attached to the Resolution).

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.

2. Harwood at its own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park. Harwood will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

3. Harwood at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.

BACKGROUND (continued)

4. Harwood will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

5. Harwood agrees to allow the public access to the Katy Trail from North Harwood Street.

6. The City of Dallas will retain the right to require Harwood to modify the improvements if and when necessary to maintain public safety of the Katy Trail.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

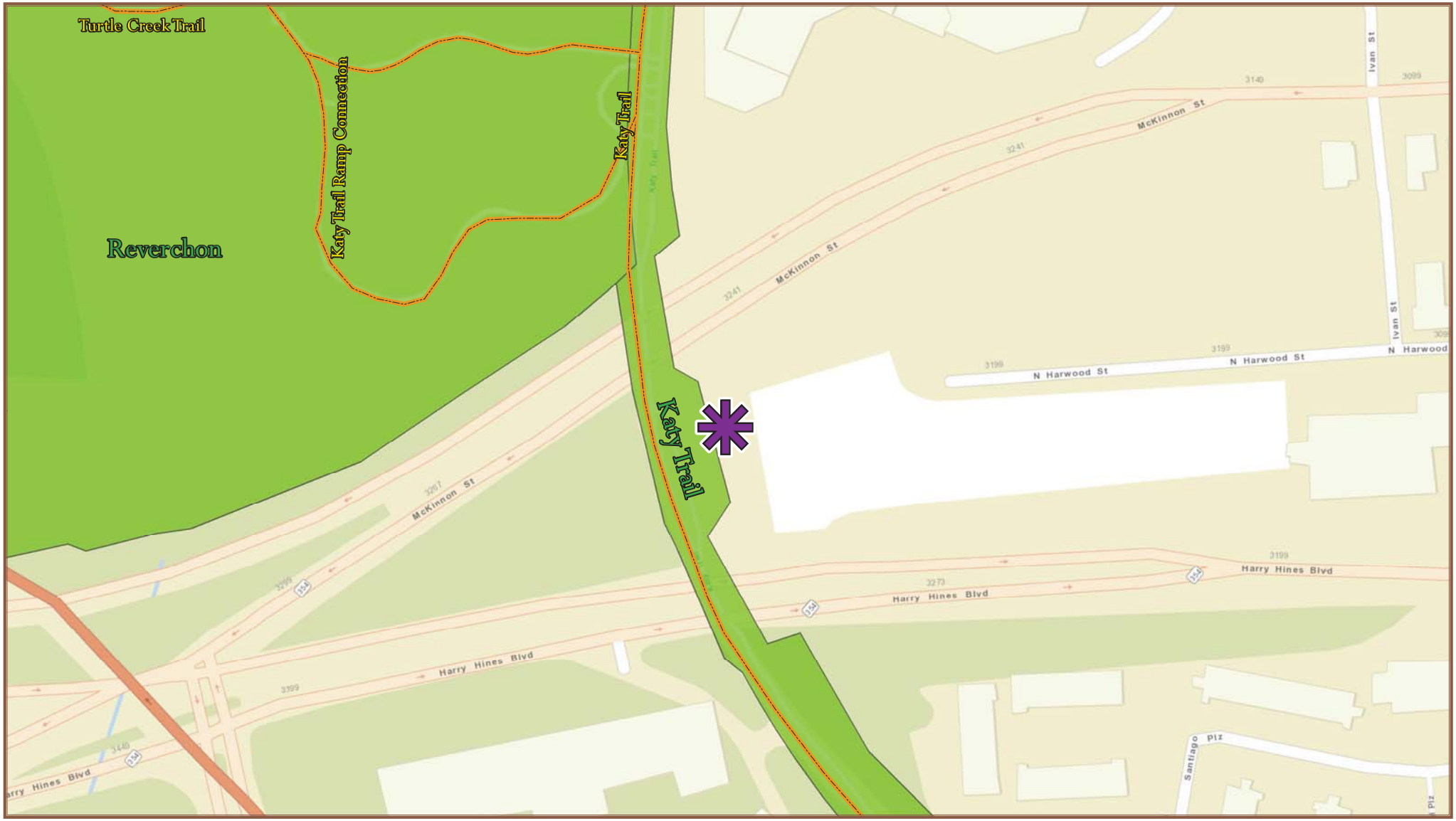
On September 7, 2017, the Park and Recreation Board authorized a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International Inc.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 45 90 180 270 Feet

August 3, 2017

Katy Trail Agreement—Harwood International

(northern terminus of North Harwood Street)

Mapsco
45 A,E

District
2

November 8, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Harwood International Inc. (Harwood), a Texas Corporation, desire to enter into a twenty-year development, operation, and maintenance agreement, with one five-year renewal option for the purpose of development, operation, and maintenance of a portion of parkland at the Katy Trail located at North Harwood Street shown in Exhibit A; and

WHEREAS, the City desires to have Harwood develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all City of Dallas citizens.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood International, Inc., approved as to form by the City Attorney, for the development, operation, and maintenance of a portion of parkland at the Katy Trail.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Harwood, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this contract is designated as Contract No. PKR-2017-00002000.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

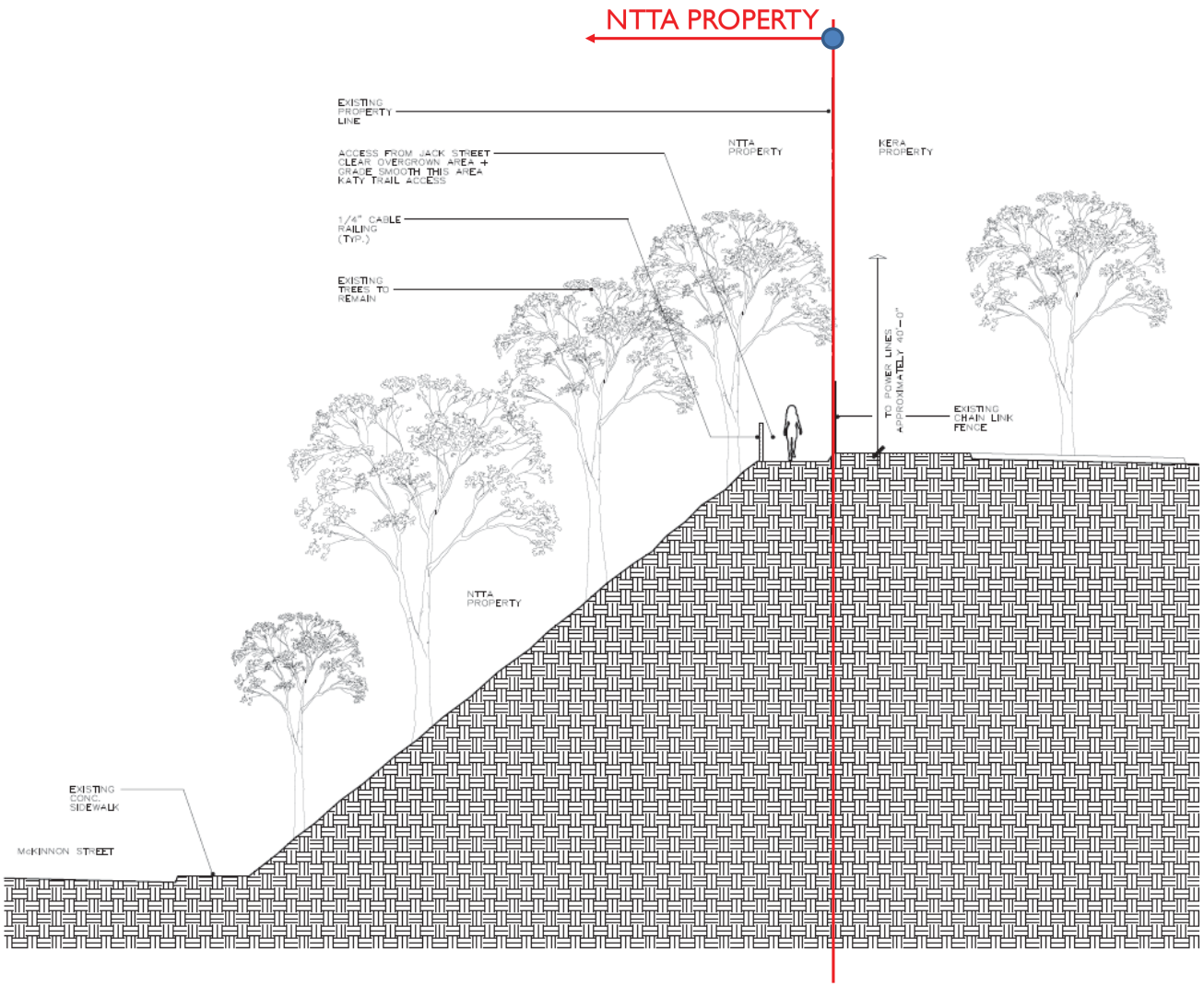


RENDERING



COLORED SITE PLAN

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AGENDA ITEM # 25

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Police
CMO:	Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2018-Dallas-IDM-00011, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of $38,655 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018; **(2)** the establishment of appropriations in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $38,655 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund; **(4)** a local cash match in an amount not to exceed $9,772; and **(5)** execution of the grant agreement - Total not to exceed $48,427 - Financing: Texas Department of Transportation Grant Funds ($38,655) and Current Funds ($9,772) (subject to appropriations)

BACKGROUND

The Impaired Driver Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant provides for the reimbursement of salaries paid to officers enforcing Driving While Intoxicated and Driving Under the Influence laws at targeted locations throughout the City of Dallas. This grant is one of the “Wave” grants from the Texas Department of Transportation (TxDOT) that are part of the National Traffic Safety Plan and are awarded to TxDOT grant recipients. The Traffic Unit of the Field Services Division of the Dallas Police Department is requesting this item. The grant award is for a one-year period for FY 2017-18. The total grant amount is $38,655.00 with a City required match of $9,771.50.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 12, 2012, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 21, 2012 through September 2, 2013, by Resolution No. 12-3055.

On December 11, 2013, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 13, 2013 through September 2, 2014, by Resolution No. 13-2151.

On December 10, 2014, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2014 through September 30, 2015, by Resolution No. 14-2196.

On December 9, 2015, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2015 through September 30, 2016, by Resolution No. 15-2218.

On December 14, 2016, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2016 through September 30, 2017, by Resolution No. 16-1996.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on November 3, 2017.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $38,655.00
Current Funds - $9,771.50 (subject to appropriations)

November 8, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) has made Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant Funds available for salaries for statewide Driving While Intoxicated and Driving Under the Influence campaigns during various holiday periods, for the period December 9, 2017 through September 30, 2018; and

WHEREAS, the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant will award $38,655.00 to the City of Dallas for the statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018; and

WHEREAS, the City of Dallas will contribute a city match in the amount of $9,771.50; and

WHEREAS, it is in the best interest of the City of Dallas to apply for and accept such funding.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to apply for and accept the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant (Grant No. 2018-Dallas-IDM-00011, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation in an amount not to exceed $38,655.00 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018; provide local cash match in the amount of $9,771.50; and sign the grant agreement and other documents required by the grant, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund, Fund F541, Department DPD, Unit 3562, Object 3090.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund, Fund F541, Department DPD, Unit 3562, and Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $38,655.00 from the TxDOT-STEP Impaired Driving Mobilization Grant FY18 Fund, Fund F541, Department DPD, Unit 3562 , Object 3090; to reimburse Fund 0001, DPD, Unit 2127, Object 5011, for expenses incurred.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse a local match in an amount not to exceed $9,771.50 (subject to appropriations) from Fund 0001, Department DPD, Unit 2127, various Object Codes, according to the attached Schedule.

SECTION 6. That the City Manager is hereby authorized to reimburse to the Texas Department of Transportation any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 7. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 8. That this contract is designated as Contract No. DPD-2018-00004395.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE
Selective Traffic Enforcement Program Impaired Driving Mobilization Grant
Fund F541, Department DPD, Unit 3562, Revenue Code 6506
December 9, 2017 - September 30, 2018

Object Code	Description	Amount
3090	City Forces	$ 38,655.00
	Grand Total	**$ 38,655.00**

Matching Funds

Cash Match
Fund 0001, Department DPD, Unit 2127

Object Code	Description	Amount
1306	FICA	$ 560.50
*Other Object Codes	TBD	$ 9,211.00
	Total	**$ 9,771.50**

* Other Object Codes
1. Volunteer Sources
2. In-Kind Contributions
3. Surveys
4. Indirect Cost
5. Fringe Benefits
6. Vehicle Operation Costs
7. Salaries not Claimed as Reimbursement
8. Distribution of Materials
9. Court Time
10. Paid Media, Social Media, Earned Media

AGENDA ITEM # 26

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	12
DEPARTMENT:	Public Works Department Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	5 H M Q

SUBJECT

Authorize a contract for the reconstruction of alley paving, storm drainage, drive approaches, and wastewater improvements for Alley Reconstruction Group 12-2033 (list attached) - MACVAL Associates, LLC, lowest responsible bidder of nine - Not to exceed $2,372,467 - Financing: 2012 Bond Funds ($1,690,297), Water Utilities Capital Improvement Funds ($639,620) and Water Utilities Capital Construction Funds ($42,550)

BACKGROUND

Alley Reconstruction Group 12-2033 was approved in the 2012 Bond Program. On October 22, 2014, City Council authorized a professional services contract with Kleinfelder Central, Inc. for engineering design services for Alley Reconstruction Group 12-2033 by Resolution 14-1806.

This action will authorize a contract with MACVAL Associates, LLC, for the reconstruction of Alley Group 12-2033 which consists of the following alleys: Blue Mesa Drive (6834-6922) and Hillcrest Road (17702-17726), Claren Court (7114-7122) and Judi Court (7104-7112), Duffield Drive (6321-6415) and Earthwind Drive (17134-17222), Earthwind Drive (17101-17409) and Campbell Road (6001-6101), Hillcrest Road (17226-17820) and Blue Mesa Drive (6926-6930), Hillcrest Road (17920-18014) and Bremerton Drive (7003-7011), and Townsley Court (17203-17215).

The scope of this project will provide reconstruction of reinforced concrete alley pavement, drive approaches, storm drainage and wastewater main improvements.

BACKGROUND (continued)

The following chart illustrates MACVAL Associates, LLC's contractual activities with the City of Dallas for the past three years.

	PBW	DWU	PKR	TWM
Projects Completed	0	0	2	0
Change Orders	0	0	2	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2014
Completed Design	July 2017
Begin Construction	December 2017
Complete Construction	May 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2014, City Council authorized a professional services contract with Kleinfelder Central Inc. for engineering design services, by Resolution No. 14-1806.

FISCAL INFORMATION

2012 Bond Funds - $1,690,297.00
Water Utilities Capital Construction Funds - $42,550.00
Water Utilities Capital Improvement Funds - $639,620.00

Design - PBW	$ 234,766.30
Design - DWU	$ 30,915.00
Construction (this action)	
Paving & Drainage - PBW	$1,690,297.00
Wastewater - DWU	$ 682,170.00
Total Project Cost	$2,638,148.30

M/WBE INFORMATION

See attached.

BID INFORMATION

The following nine bids with quotes were received and opened on August 25, 2017:

*Denotes successful bidder

Bidders	**Bid Amount**
*MACVAL Associates, LLC 8500 N. Stemmons Freeway #5036 Dallas, TX 75247	$2,372,467.00
Construction Companies Group, LLC	$2,463,701.00
Ken-Do Contracting, LP	$2,646,416.00
Jeske Construction Company	$2,892,259.00
Texas Standard Construction, Ltd.	$2,927,150.61
Ark Contracting Services	$3,135,595.00
RBR Infrastructure Road, LLC	$3,195,750.00
Camino Construction, L.P.	$3,233,347.00
Vescorp Construction, LLC	$3,323,496.55

Original estimate: PBW - $2,218,350.00
DWU - $ 622,425.00

Total $2,840,775.00

OWNER

MACVAL Associates, LLC

Aloysius A. Attah, P.E., President

MAPS

Attached

Alley Reconstruction Group 12-2033

Project	Council District
Blue Mesa Drive (6834-6922) and Hillcrest Road (17702-17726)	12
Claren Court (7114-7122) and Judi Court (7104-7112)	12
Duffield Drive (6321-6415) and Earthwind Drive (17134-17222)	12
Earthwind Drive (17101-17409) and Campbell Road (6001-6101)	12
Hillcrest Road (17226-17820) and Blue Mesa Drive (6926-6930)	12
Hillcrest Road (17920-18014) and Bremerton Drive (7003-7011)	12
Townsley Court (17203-17215)	12

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the reconstruction of alley paving, storm drainage, drive approaches, and wastewater improvements for Alley Reconstruction Group 12-2033 (list attached) - MACVAL Associates, LLC, lowest responsible bidder of nine - Not to exceed $2,372,467 - Financing: 2012 Bond Funds ($1,690,297), Water Utilities Capital Improvement Funds ($639,620) and Water Utilities Capital Construction Funds ($42,550)

MACVAL Associates, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$2,372,467.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$2,372,467.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Flow Line Utilities	HMMB31596N0419	$806,100.00	33.98%
Total Minority - Local		$806,100.00	33.98%

Non-Local Contractors / Sub-Contractors

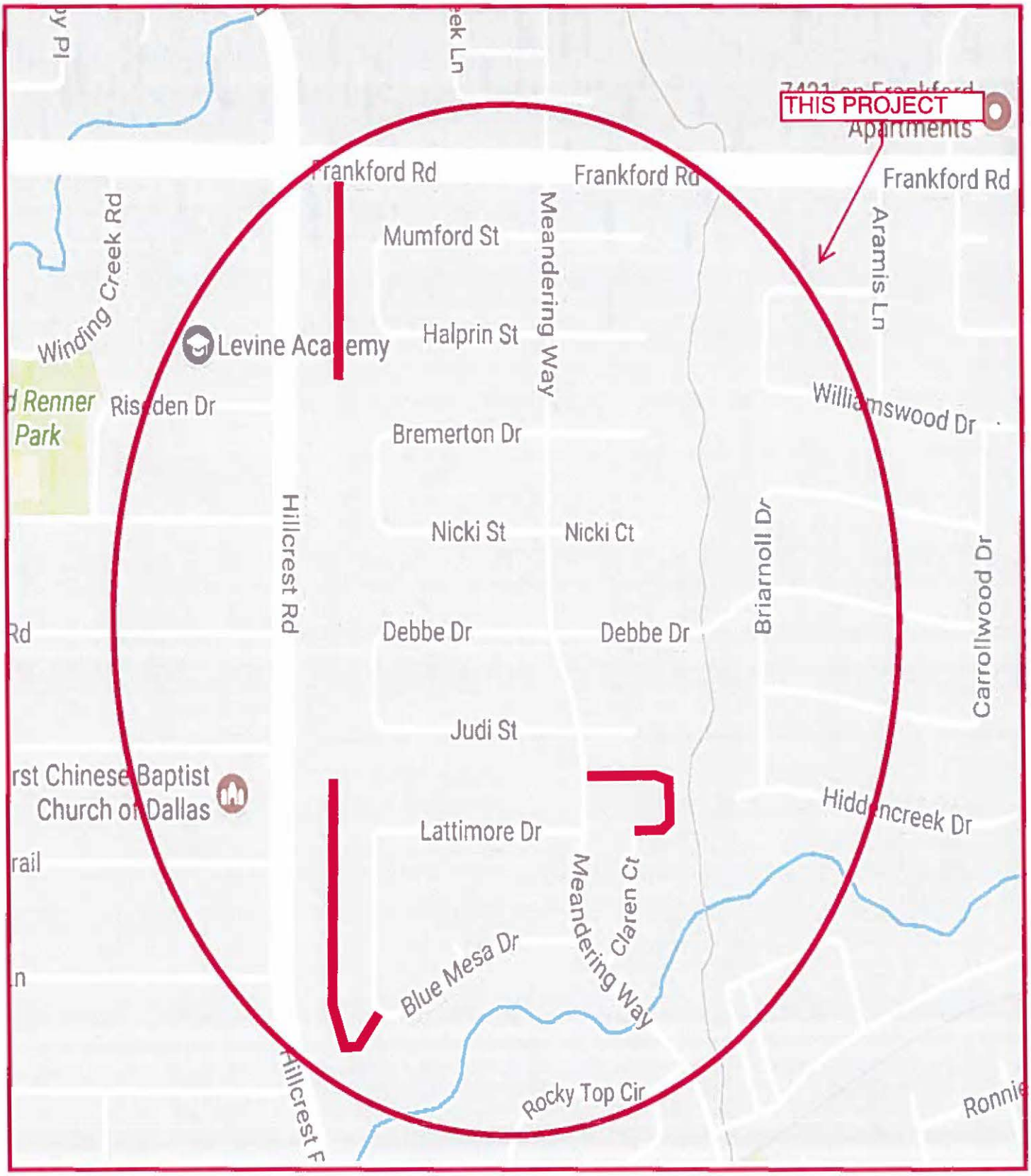
None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$806,100.00	33.98%	$806,100.00	33.98%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$806,100.00	33.98%	$806,100.00	33.98%

ALLEY RECONSTRUCTION GROUP 12-2033

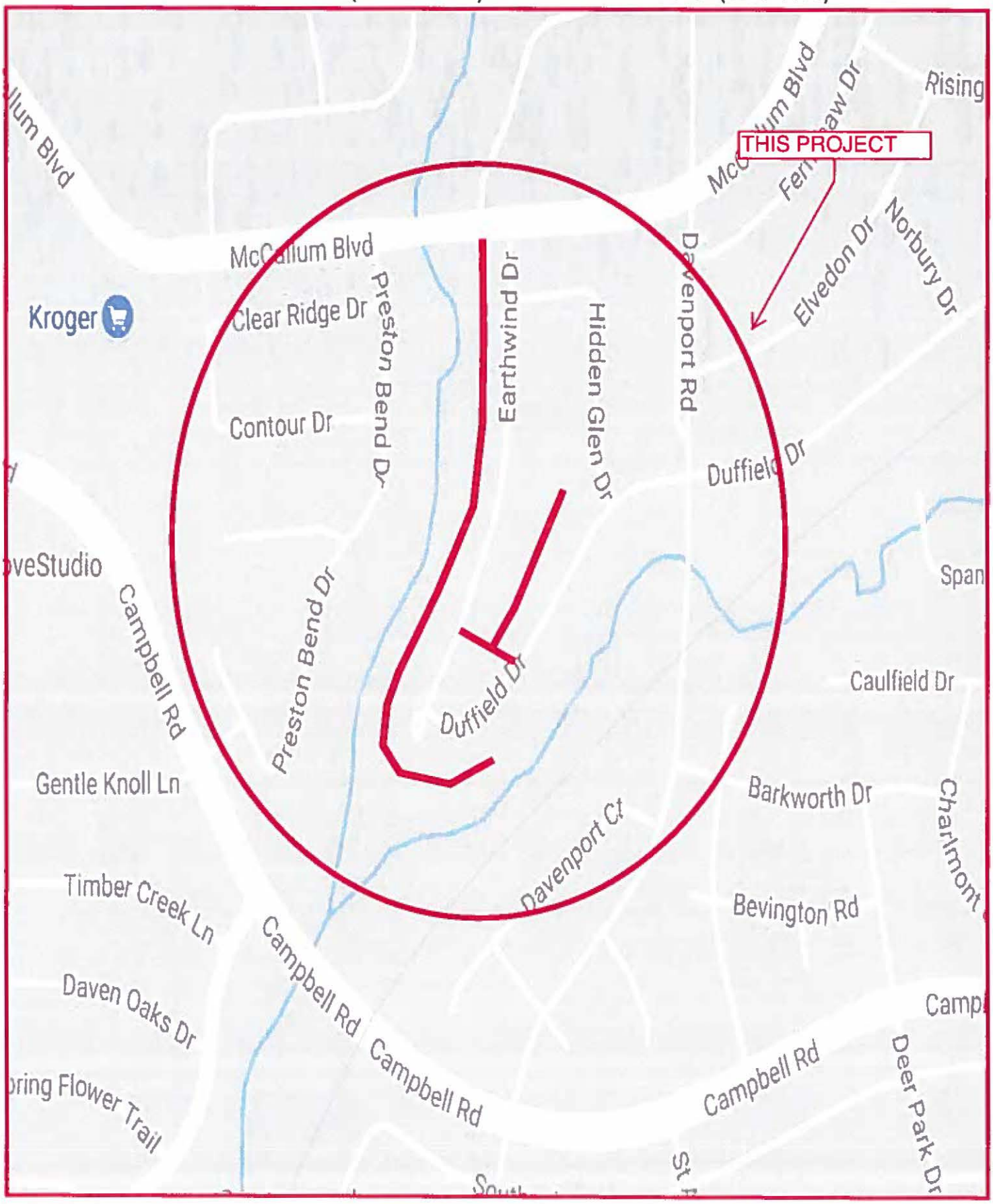
BLUE MESA DRIVE (6834-6922) AND HILLCREST ROAD (17702-17726)
CLAREN COURT (7114-7122) AND JUDI COURT (7104-7112)
HILLCREST ROAD (17226-17820) AND BLUE MESA DRIVE(6926-6930)
HILLCREST ROAD (17920-18014) AND BREMERTON DRIVE (7003-7011)



MAPSCO 5H, M

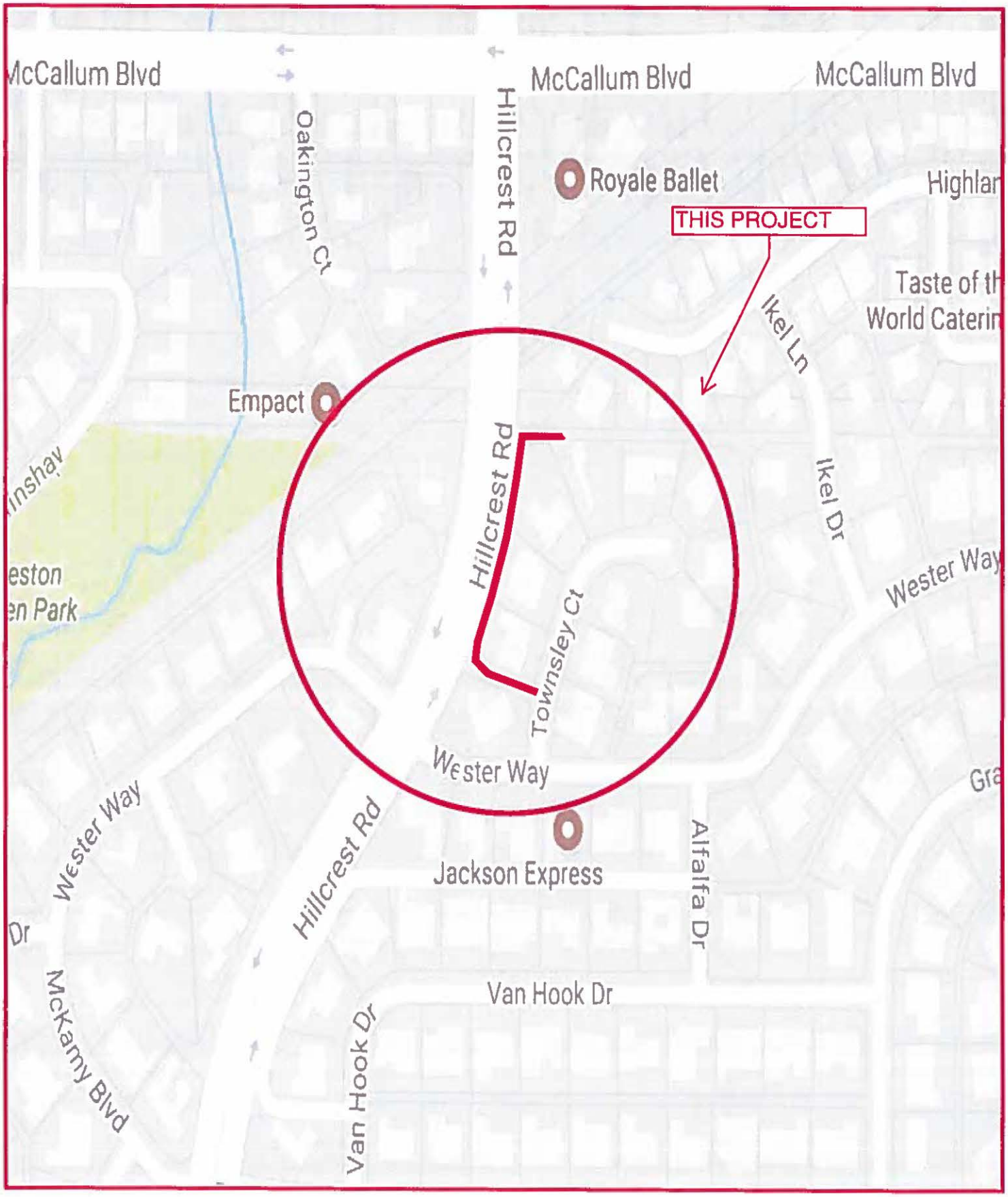
ALLEY RECONSTRUCTION GROUP 12-2033

DUFFIELD DRIVE (6321-6415) AND EARTHWIND DRIVE (17134-17222)
EARTHWIND DRIVE (17101-17409) AND CAMPBELL ROAD (6001-6101)



MAPSCO 5Q

ALLEY RECONSTRUCTION GROUP 12-2033
TOWNSLEY COURT (17203-17215)



MAPSCO 5M

WHEREAS, on October 22, 2014, City Council authorized a professional services contract with Kleinfelder Central Inc., for the engineering design of Alley Reconstruction Group 12-2033, in an amount not to exceed $265,681.30, by Resolution No. 14-1806; and

WHEREAS, on August 25, 2017, nine bids were received for the reconstruction of alley paving, storm drainage, drive approaches, and wastewater main improvements for Alley Reconstruction Group 12-2033, as follows:

Bidders	**Bid Amount**
MACVAL Associates, LLC	$2,372,467.00
Construction Companies Group, LLC	$2,463,701.00
Ken-Do Contracting, LP	$2,646,416.00
Jeske Construction Company	$2,892,259.00
Texas Standard Construction, Ltd.	$2,927,150.61
Ark Contracting Services	$3,135,595.00
RBR Infrastructure Road, LLC	$3,195,750.00
Camino Construction, L.P.	$3,233,347.00
Vescorp Construction, LLC	$3,323,496.55

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a contract with MACVAL Associates, LLC, approved as to form by the City Attorney, for the reconstruction of alley paving, storm drainage, drive approaches and wastewater improvements for Alley Reconstruction Group 12-2033, in an amount not to exceed $2,372,467.00, this being the lowest responsible bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,372,467.00 to MACVAL Associates, LLC, in accordance with the terms and conditions of the contract as follows:

Street and Transportation Improvements Fund	
Fund 2U22, Department PBW, Unit S221	
Activity AREC, Object 4510, Program PB12S221	
Encumbrance/Contract No. CX-PBW-2017-00003728	
Vendor VS0000025999	$ 109,759.02

SECTION 2. (continued)

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S221 Activity AREC, Object 4510, Program PB12S221 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	129,475.98
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S237 Activity AREC, Object 4510, Program PB12S237 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	49,262.14
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S237 Activity AREC, Object 4510, Program PB12S237 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	129,070.86
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S248 Activity AREC, Object 4510, Program PB12S248 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	58,211.25
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S248 Activity AREC, Object 4510, Program PB12S248 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	106,061.75
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S249 Activity AREC, Object 4510, Program PB12S249 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	102,281.93
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S249 Activity AREC, Object 4510, Program PB12S249 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$	448,418.07

SECTION 2. (continued)

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S257 Activity AREC, Object 4510, Program PB12S257 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$ 185,168.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S258 Activity AREC, Object 4510, Program PB12S258 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$ 220,065.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S306 Activity AREC, Object 4510, Program PB12S306 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$ 152,523.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4560, Program 717018 Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$ 639,620.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 717018X Encumbrance/Contract No. CX-PBW-2017-00003728 Vendor VS0000025999	$ 42,550.00
Total amount not to exceed	$2,372,467.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 27

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	1
DEPARTMENT:	Public Works Department Office of Economic Development
CMO:	Majed Al-Ghafry, 670-3302 Raquel Favela, 670-3309
MAPSCO:	44Z

SUBJECT

Authorize **(1)** the First Amendment to the Funding Agreement with the North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline; and **(2)** an Amendment to Resolution No. 12-1624, previously approved on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project - Financing: No cost consideration to the City

BACKGROUND

The Zang Triangle Sustainable Development Infrastructure Project was submitted by the City of Dallas and selected as a candidate project and subsequently selected by the North Central Texas Council of Governments (NCTCOG) in their 2009/2010 Sustainable Development Program (SDP) Call for Projects.

On June 27, 2012, City Council authorized an agreement with NCTCOG and the State of Texas to obtain funding for costs of design and construction of the Zang Triangle Sustainable Development Infrastructure Project by Resolution No. 12-1624.

BACKGROUND (continued)

The original scope of work and project limits for the Zang Triangle Sustainable Development Infrastructure Project (also known as the Colorado Boulevard/Beckley Avenue Sidewalk Enhancement Project) entailed sidewalk improvements, crosswalk enhancements, landscaping and pedestrian lighting along: (1) Colorado Boulevard from Zang Boulevard to Ballard Street, (2) Beckley Avenue from Greenbriar Lane to Colorado Boulevard, and (3) Zang Boulevard from Plowman Avenue to Beckley Avenue. However, based on community stakeholder input, including Methodist Medical Center, the project limits were modified to: (1) Colorado Boulevard from Zang Boulevard to Ballard Street, (2) Beckley Avenue from Colorado Boulevard to Zang Boulevard; and (3) Zang Boulevard from Plowman Avenue to Colorado Boulevard. The design for the project is complete. Construction is estimated to start in early 2018, which will allow for some of the other public and private development projects currently under construction in the area to get completed, thus reducing construction related traffic impacts.

This action will authorize **(1)** the First Amendment to the Funding Agreement with North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline; and **(2)** an Amendment to Resolution No. 12-1624, previously approved by City Council on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project.

The NCTCOG Sustainable Development Program will reimburse $1,750,000 of the total project costs. The required 20 percent local match will be funded in an amount of $437,500 in the 2006 Bond Funds that have been allocated for pedestrian improvements in this area.

ESTIMATED SCHEDULE OF PROJECT

Began Design	July 2013
Completed Design	January 2017
Begin Construction	April 2018
Complete Construction	February 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable by Resolution No. 10-2152.

On June 27, 2012, City Council authorized an agreement with North Central Texas Council of Governments and the State of Texas to obtain funding for the costs of design and construction of the Zang Triangle Sustainable Development Infrastructure Project by Resolution No. 12-1624.

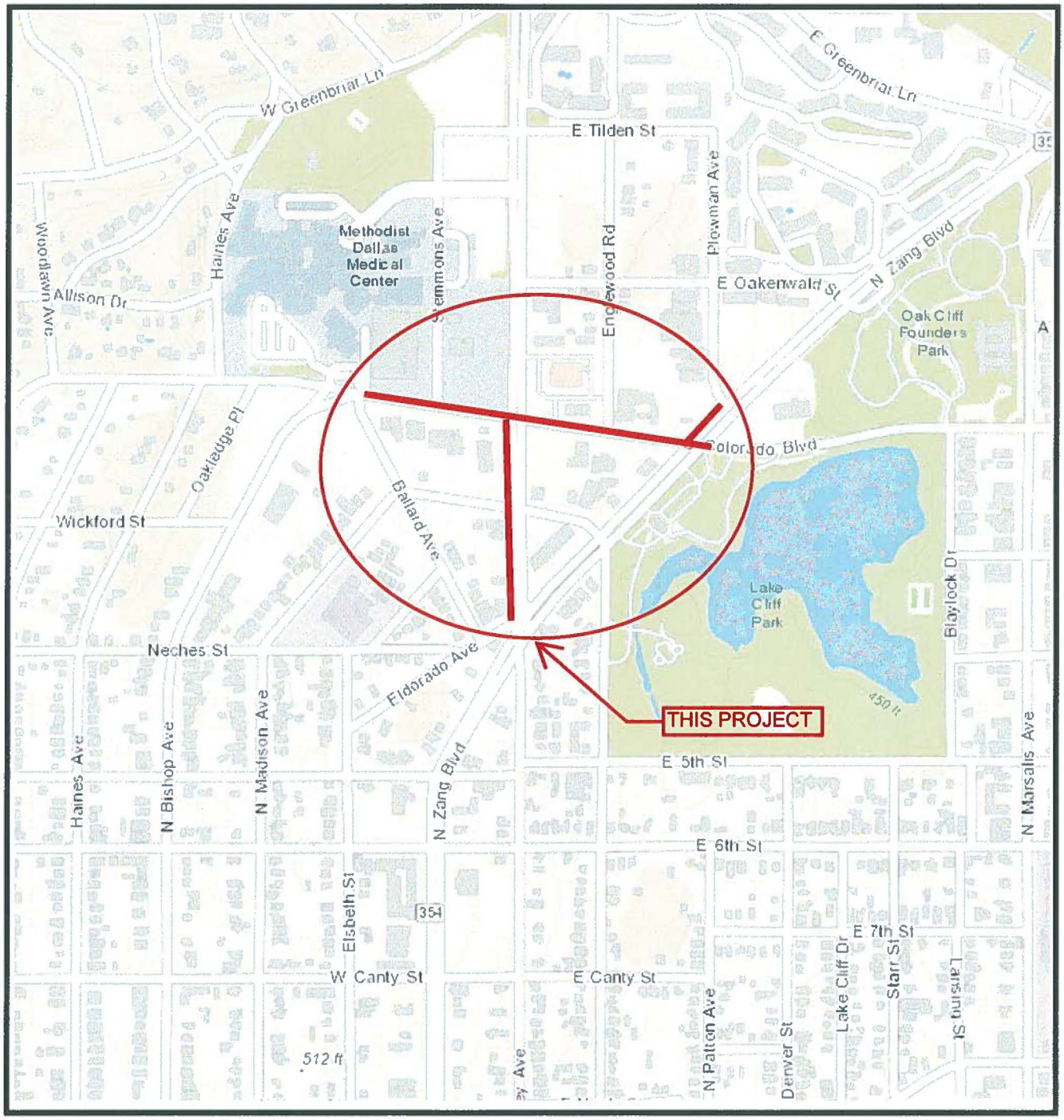
On June 12, 2013, City Council authorized a professional services contract with Lina T. Ramey & Associates, Inc. for engineering design of sidewalk enhancements for the Colorado Boulevard/Beckley Avenue area by Resolution No. 13-0965.

On April 26, 2017, City Council authorized a contract with Texas Standard Construction, Ltd. for the construction of the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project by Resolution No. 17-0691.

MAP

Attached

ZANG TRIANGLE SUSTAINABLE DEVELOPMENT INFRASTRUCTURE PROJECT



MAPSCO 44Z

November 8, 2017

WHEREAS, the Regional Transportation Council (RTC) is the regional transportation policy board of the North Central Texas Council of Governments (NCTCOG), and is a regional forum for cooperative decisions on transportation; and

WHEREAS, pursuant to Chapter 228 of the Texas Transportation Code, the State of Texas provided surplus revenue from a State Highway 121 Toll Project to RTC for its Sustainable Development Program; and

WHEREAS, the RTC approved $41 million for the 2009-2010 Sustainable Development Program Call for Projects; and

WHEREAS, the City of Dallas issued Requests for Proposals to private developers and other organizations to solicit projects to submit to the RTC's Sustainable Development Call for Projects; and

WHEREAS, the City of Dallas submitted sixteen infrastructure projects, including the Zang Triangle Infrastructure Project, and seven planning projects to the RTC's Sustainable Development Call for Projects; and

WHEREAS, on June 3, 2010, the RTC approved $13,779,712.00 in Regional Toll Revenue (RTR) or local funds for nine infrastructure and three planning projects in the City of Dallas; and

WHEREAS, the RTC awarded funding included $1,750,000.00 in RTR funds for the Zang Triangle Sustainable Development Infrastructure Project; and

WHEREAS, on August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the RTC Sustainable Development Program, and authorized the City Manager to negotiate agreements with North Central Texas Council of Governments and private sector partners by Resolution No. 10-2152; and

WHEREAS, on June 27, 2012, City Council authorized an agreement with North Central Texas Council of Governments and the State of Texas to obtain funding for costs of design and construction of Zang Triangle Sustainable Development Infrastructure Project, in an amount not to exceed $1,750,000.00, by Resolution No. 12-1624; and

WHEREAS, the Zang Triangle Sustainable Development Infrastructure Project scope is known locally as the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project; and

WHEREAS, on June 12, 2013, City Council authorized a professional services contract with Lina T. Ramey & Associates, Inc. for engineering design and of sidewalk enhancements for the Colorado Boulevard/Beckley Avenue area, in an amount not to exceed $209,789.40, by Resolution No. 13-0965; and

WHEREAS, on January 14, 2014, Administrative Action No. 14-5319 authorized Supplemental Agreement No. 1 to the professional services contract with Lina T. Ramey & Associates, Inc. for two additional neighborhood meetings and the preparation work for the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project, in an amount not to exceed $8,200.00, from $209,789.40 to $217,989.40; and

WHEREAS, on October 24, 2014, Administrative Action No. 14-7166 authorized Supplemental Agreement No. 2 to the professional services contract with Lina T. Ramey & Associates, Inc. to revise the construction plans due to the revised project limits and attending the Design Studio's Peer Review Committee review of the project for the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project, in an amount not to exceed $31,861.00, from $217,989.40 to $249,850.40; and

WHEREAS, on October 19, 2016, Administrative Action No. 16-6831 authorized Supplemental Agreement No. 3 to the professional services contract with Lina T. Ramey & Associates, Inc. to provide additional survey services and revise the construction plans to account for Streetcar's catenary poles locations within the project limit for the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project, in an amount not to exceed $11,441.98, from $249,850.40 to $261,292.38; and

WHEREAS, on February 10, 2017, seven bids were received for the construction of the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project; and

WHEREAS, on April 26, 2017, City Council authorized a contract with Texas Standard Construction, Ltd. for the construction of the Colorado Boulevard/Beckley Avenue Area Sidewalk Enhancement Project, in an amount not to exceed $2,006,959.57, by Resolution No. 17-0691; and

WHEREAS, it is now necessary to authorize **(1)** the First Amendment to the Funding Agreement with North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline; and **(2)** an Amendment to Resolution No. 12-1624, previously approved on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign the First Amendment to the Funding Agreement with the North Central Texas Council of Governments and the State of Texas for the Zang Triangle Sustainable Development Infrastructure Project, approved as to form by the City Attorney, to revise the project limits, change the reimbursement schedule to solely cover the construction phase, and extend the project completion deadline.

SECTION 2. That the City Manager is hereby authorized to amend Resolution No. 12-1624, previously approved on June 27, 2012, to correct the funding source to receive and deposit funds from the Texas Department of Transportation for the Zang Triangle Sustainable Development Infrastructure Project as indicated below:

"**Section 3.** That the ~~City Controller~~ Chief Financial Officer is hereby authorized to receive and deposit funds from the ~~North Central Texas Council of Governments~~ Texas Department of Transportation in Fund S246, Department ~~PBW~~ ~~STS~~, PBW, Unit P731, Activity ECSD, Revenue Source 6516, in an amount not to exceed $1,750,000."

SECTION 3. That the City Manager is hereby authorized to reimburse to the Texas Department of Transportation any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 4. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 5. That this contract is designated as Contract No. PBW-2017-00003855.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 28

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	3
DEPARTMENT:	Public Works Department Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	52 D, H, M

SUBJECT

Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project to provide the City of Dallas' share of additional construction costs for water main and wastewater main improvements; and **(2)** payment to Dallas County for the City's share of additional construction costs for water main and wastewater main improvements – Not to exceed $150,398 – Financing: Water Utilities Capital Construction Funds ($2,000) and Water Utilities Capital Improvement Funds ($148,398)

BACKGROUND

Cockrell Hill Road from Moler Street to Davis Street Project is a partnership project between the City of Dallas, Dallas County, the City of Cockrell Hill, and the Texas Department of Transportation (TxDOT). Dallas County is the lead agency and is responsible for administering design and construction of this project. Cockrell Hill Road from Moler Street to Davis Street Project is located in both the city of Dallas and the city of Cockrell Hill. The design for this project is complete and Dallas County recently received construction bids with the lowest bid coming in approximately $150,398.00 higher than the original estimate for the water main and wastewater main improvements. This action will authorize the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project improvements for the City of Dallas' share of additional construction costs for water main and wastewater main improvements.

The scope of this project is to reconstruct the existing two-lane asphalt roadway to a four-lane undivided reinforced concrete roadway within the city of Dallas and a two-lane roadway with a continuous center turn lane within the city of Cockrell Hill. The project includes paving, curbs and gutters, sidewalks, and drainage improvements.

BACKGROUND (continued)

It also includes water main and wastewater main improvements entailing 1,840 linear feet of 8-inch water main and 1,190 linear feet of 8-inch wastewater main, respectively.

The total project cost is estimated at $15,350,391.75. The funding breakdown by agency is as follows: City of Dallas (2006 and 2012 Bond Funds) - $750,861.00; Dallas Water Utilities (DWU) - $820,398.00; Dallas County - $8,290,099.00; City of Cockrell Hill - $448,734.75; and TxDOT Regional Toll Revenues (RTR) - $5,040,299.00. The City of Dallas' share of project costs will be used for the roadway section within city of Dallas limits.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2012
Began Right-of-Way Acquisition	October 2014
Completed Right-of-Way Acquisition	August 2015
Completed Design	December 2016
Begin Construction	November 2017
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104.

On April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927.

On August 12, 2015, City Council authorized a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, water main and wastewater main improvements for the Cockrell Hill Road Project from Moler Street to Davis Street Project; and payment to Dallas County for the City's share of design and construction costs by Resolution No. 15-1389.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $2,000.00
Water Utilities Capital Improvement Funds - $148,398.00

FISCAL INFORMATION (continued)

Estimated Project Cost

Design	$ 787,624.17
Right-of-Way	$ 89,412.00
Construction (Paving and Drainage)	$10,787,080.80
Construction (Dallas County's Division)	$ 150,000.00
Construction (Dallas Water Utilities)	$ 820,398.00
City of Cockrell Hill Water & Wastewater	$ 326,795.75
Dallas County's In-House Delivery Costs	$ 1,300,000.00
Contingencies	$ 1,089,081.03
Estimated Total Project Cost	$15,350,391.75

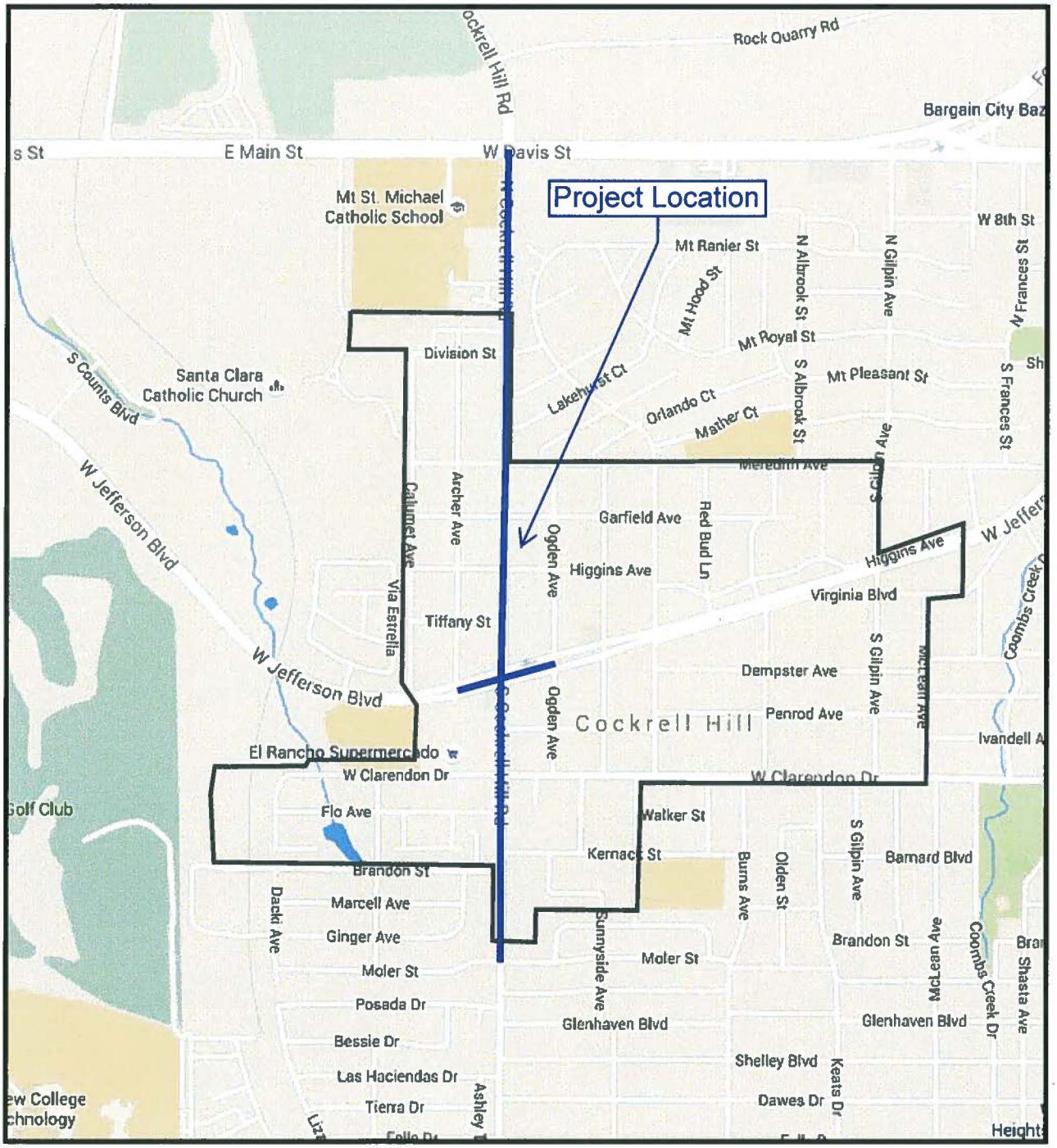
Funding Sources

Dallas County's share	$ 8,290,099.00
TxDOT's (RTR) share	$ 5,040,299.00
City of Cockrell Hill's share	$ 448,734.75
City of Dallas' (Public Works) share	$ 750,861.00
City of Dallas' (DWU) share	$ 820,398.00
Total	$15,350,391.75

MAP

Attached

Cockrell Hill Road
Moler Street to Davis Street



Mapsco 52 D H M

November 8, 2017

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on April 13, 2011, City Council authorized the new ten-year Master Agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927; and

WHEREAS, Cockrell Hill Road from Davis Street to city limits was submitted by the City of Dallas and selected by Dallas County's Major Capital Improvement Program Fourth Call for Projects in October 2007; and

WHEREAS, Dallas County later obtained Regional Toll Revenue Funds for the project and combined it with a City of Cockrell project, revising the southern project limits to Moler Street; and

WHEREAS, on August 12, 2015, City Council authorized a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, water main and wastewater main improvements for the Cockrell Hill Road Project from Moler Street to Davis Street; and payment to Dallas County for the City's share of design and construction costs, in an amount not to exceed $1,420,861.00, by Resolution No. 15-1389; and

WHEREAS, Dallas County is the lead agency for the project and is responsible for administering the design, construction, right-of-way acquisition, and utility relocation of the Cockrell Hill Road from Moler Street to Davis Street Project; and

WHEREAS, on March 30, 2017, Dallas County received construction bids for the Cockrell Hill Road from Moler Street to Davis Street Project, which the lowest bid was $11,586,205.80; and

WHEREAS, on March 30, 2017, the lowest construction bid received was $1,731,205.80 higher than the engineer's estimate for the Cockrell Hill Road from Moler Street to Davis Street Project and will require an additional $150,398.00 from Dallas Water Utilities for the water main and wastewater main improvements; and

WHEREAS, it is now necessary to authorize the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project to provide the City of Dallas' share of additional construction costs for water main and wastewater main improvements; and payment to Dallas County for the City's share of additional construction costs for the water main and wastewater main improvements, in an amount not to exceed $150,398.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign the First Amendment to the Project Specific Agreement with Dallas County for the Cockrell Hill Road from Moler Street to Davis Street Project, approved as to form by the City Attorney, to provide the City of Dallas' share of additional construction costs for water main and wastewater main improvements, in an amount not to exceed $150,398.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $150,398.00 to Dallas County in accordance with the terms and conditions of agreement, as follows:

Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Object 4550 Program 716005, Encumbrance CT-PBW716005CP Vendor 014003	$ 85,774.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Object 4560 Program 716006, Encumbrance CT-PBW716006CP Vendor 014003	$ 62,624.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Object 3221 Program 716005X, Encumbrance CT-PBW716005EN Vendor 014003	$ 1,000.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Object 3222 Program 716006X, Encumbrance CT-PBW716006EN Vendor 014003	$ 1,000.00
Total amount not to exceed	$150,398.00

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project in Fund 2T22, Department PBW, Unit U206, Revenue Code 6511.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Water Construction Funds advanced to Dallas County pertaining to this project in Fund 0102, Department DWU, Unit CW42, Revenue Code 8488.

SECTION 5. That the Chief Financial officer is hereby authorized to deposit any unused Wastewater Construction Funds advanced to Dallas County pertaining to this project in Fund 0103, Department DWU, Unit CS42, Revenue Code 8488.

SECTION 6. That this contract is designated as Contract No. PBW-2017-00003767.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 29

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	6
DEPARTMENT:	Public Works Department Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	23 A, E, J, N

SUBJECT

Authorize **(1)** the Second Amendment to the Project Supplemental Agreement with Dallas County for the City's share of additional construction costs for water and wastewater main improvements on Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane; and **(2)** payment to Dallas County for the City's share of additional construction costs for water and wastewater improvements - Not to exceed $1,099,033 - Financing: Water Utilities Capital Construction Funds ($22,850) and Water Utilities Capital Improvement Funds ($1,076,183)

BACKGROUND

Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane is a partnership project between the City of Dallas, Dallas County, and the Texas Department of Transportation (TxDOT). Dallas County is the lead agency and responsible for administering design and construction for this project. The design for this project is complete and Dallas County recently received construction bids with the lowest bid coming in higher than the original engineer's estimate and will require an additional $1,099,032.47 for the water and wastewater main improvements.

This action will authorize the Second Amendment to the Project Specific Agreement with Dallas County for the Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane Project for the City's share of additional construction costs for water and wastewater main improvements, and payment to Dallas County for the additional construction costs for water and wastewater improvements.

BACKGROUND (continued)

The scope of this project entails reconstructing and widening Denton Drive from the existing two-lane asphalt roadway to a three-lane concrete roadway with bike lanes along with drainage, streetscape, 6,000 linear feet of 12-inch water main, and 2,600 linear feet of 10-inch wastewater main improvements.

The total project cost for the Denton Drive Phase I Project is $17,232,895.96, of which $550,000.00 is to be funded by TxDOT, $6,990,000.00 by Dallas County, and $9,692,895.96 by the City of Dallas ($6,990,000.00 by the Public Works Department and $2,702,895.96 by Dallas Water Utilities).

ESTIMATED SCHEDULE OF PROJECT

Denton Drive Phase I

Began Design	January 2012
Completed Design	June 2017
Begin Construction	November 2017
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation Major Capital Improvement Projects between the City of Dallas and Dallas County by Resolution No. 01-0104.

On August 24, 2005, City Council authorized submission of the list of candidate projects to the Dallas County for Dallas County's 2005 Major Capital Improvement Fund Thoroughfare Program's 2005 Call for Projects; and authorize acceptance and implementation of the projects selected by Dallas County for this program by Resolution No. 05-2432.

On April 13, 2011, City Council authorized a new ten-year master agreement with Dallas County governing future transportation Major Capital Improvement Projects by Resolution No. 11-0927.

On September 28, 2011, City Council authorized a Project Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the paving and drainage improvements on Denton Drive from Webb Chapel Extension to the north City Limits and Harry Hines Boulevard from Manana Drive to Royal Lane, and payment to Dallas County for the City's share of design and construction cost by Resolution No. 11-2544.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On January 28, 2015, City Council authorized the First Amendment to the Project Supplemental Agreement with Dallas County for the paving, drainage, water, and wastewater main improvements on Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane, and Harry Hines Boulevard from Manana Drive to Royal Lane and payment to Dallas County for the City's share of additional design, right-of-way acquisition, and construction costs by Resolution No.15-0172.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $22,850.00
Water Utilities Capital Improvement Funds - $1,076,182.47

Project Cost

Denton Drive Phase I

Design and ROW	$ 1,500,000.00
Construction	$10,402,116.29
DWU (Design and Construction)	$ 2,693,915.46
County Administrative Cost	$ 1,150,000.00
Contingencies (PBW)	$ 1,477,883.71
Contingencies (DWU)	$ 8,980.50
Estimated Total Project Cost	$ 17,232,895.96

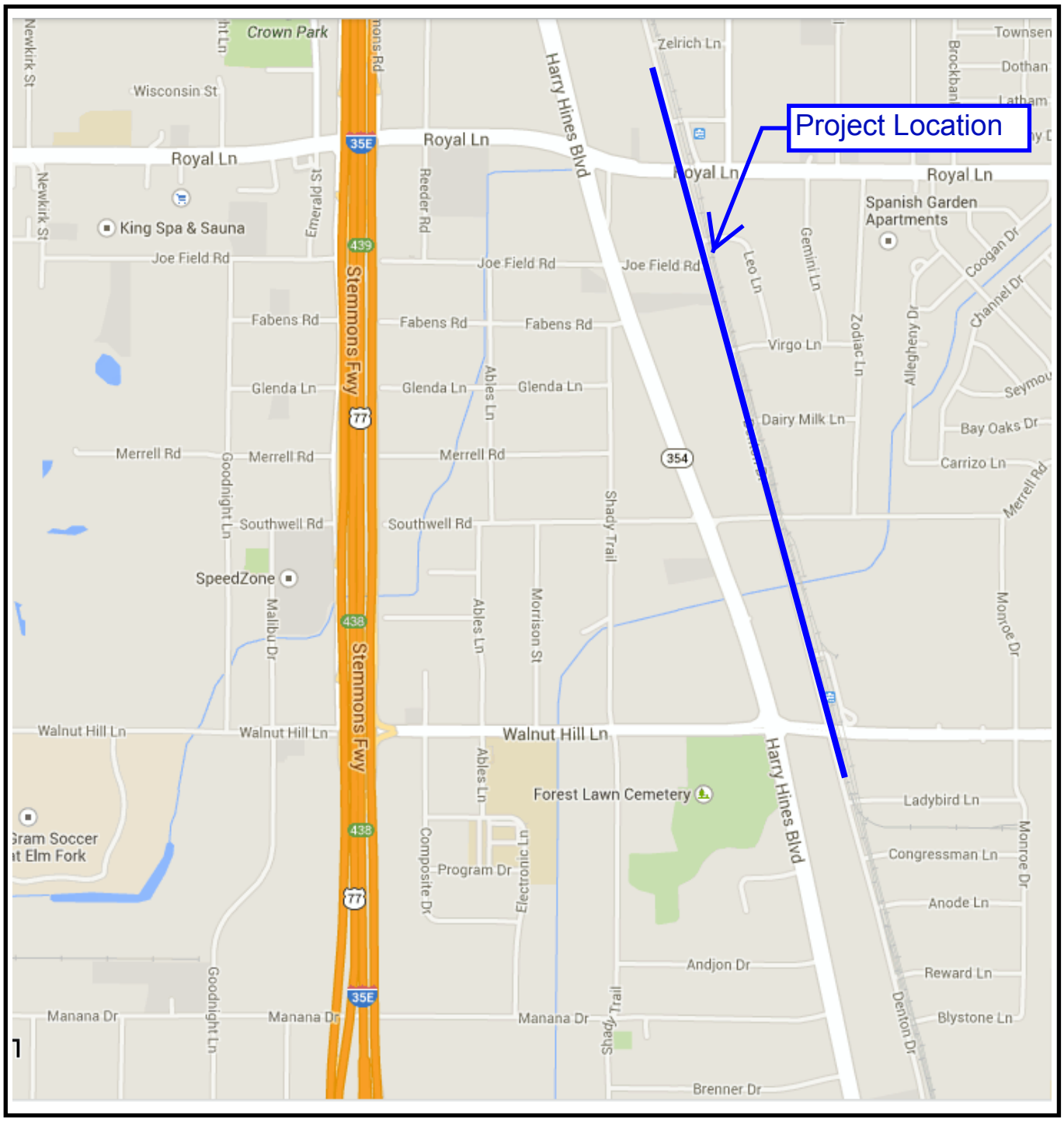
Funding Sources

TxDOT's share	$ 550,000.00
Dallas County's share	$ 6,990,000.00
City's (PBW) share	$ 6,990,000.00
City's (DWU) share	$ 2,702,895.96
Total	$17,232,895.96

MAP

Attached

Denton Dr Phase I - Royal Ln to Walnut Hill Ln



Mapsco 23 A E J N

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation Major Capital Improvement Projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on August 24, 2005, City Council authorized submission of the list of candidate projects to the Dallas County for Dallas County's 2005 Major Capital Improvement Fund Thoroughfare Program's 2005 Call for Projects; and authorize acceptance and implementation of the projects selected by Dallas County for this program by Resolution No. 05-2432; and

WHEREAS, the Master Agreement with Dallas County contained a ten-year expiration clause and expired on April 24, 2011; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement governing future transportation Major Capital Improvement Projects with Dallas County replacing the previously expired one by Resolution No. 11-0927; and

WHEREAS, the City of Dallas and Dallas County desired to improve Denton Drive from Webb Chapel Extension to the north City Limits and Harry Hines Boulevard from Manana Drive to Royal Lane; and

WHEREAS, on September 28, 2011, City Council authorized a Project Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the paving and drainage improvements on Denton Drive from Webb Chapel Extension to the north City limits and Harry Hines Boulevard from Manana Drive to Royal Lane, and payment to Dallas County for the City's share of design and construction cost on Denton Drive ($1,000,000) and the City's share of design and construction costs on Harry Hines Boulevard ($500,000) by Resolution No. 11-2544; and

WHEREAS, Dallas County is the lead agency for the project and responsible for administering the design, right-of-way acquisition, and utility relocation of Denton Drive and Harry Hines Boulevard, and construction of Denton Drive; and

WHEREAS, the Texas Department of Transportation was responsible for administering the construction of Harry Hines Boulevard from Manana Drive to north of Royal Lane and completed the construction in June 2016; and

WHEREAS, Denton Drive from Webb Chapel Extension to the north City limits is to be implemented in three phases: Phase I is from north of Royal Lane to the south of Walnut Hill Lane, Phase II is from the south of Walnut Hill Lane to Webb Chapel Extension; and Phase III is from north of Royal Lane to north City limits; and

November 8, 2017

WHEREAS, on January 28, 2015, City Council authorized the First Amendment to the Project Supplemental Agreement with Dallas County for the paving, drainage, water, and wastewater main improvements on Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane, and Harry Hines Boulevard from Manana Drive to Royal Lane and payment to Dallas County for the City's share of additional design, right-of-way acquisition, and construction costs, in an amount not to exceed $7,803,890, by Resolution No.15-0172; and

WHEREAS, on August 17, 2017, Dallas County received construction bids for the Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane Project and the lowest bid was $12,992,571.29; and

WHEREAS, on August 17, 2017, the lowest construction bid received was higher than the engineer's estimate and will require an additional $1,099,032.47 for the Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane from Dallas Water Utilities for the water and wastewater improvements; and

WHEREAS, it is now necessary to authorize the Second Amendment to the Project Specific Agreement with Dallas County for the Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane project and payment to Dallas County for the City's share of additional construction costs for the water and wastewater main improvements, in an amount not to exceed $1,099,032.47.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign the Second Amendment to the Project Supplemental Agreement with Dallas County for the Denton Drive Phase I from north of Royal Lane to south of Walnut Hill Lane, approved as to form by the City Attorney, for the City's share of additional construction costs for the water and wastewater main improvements, in an amount not to exceed $1,099,032.47.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,099,032.47 to Dallas County in accordance with the terms and conditions of the agreement, as follows:

Water Construction Fund	
Fund 0102, Department DWU, Unit CW42, Object 3221	
Program 715015X, Encumbrance CT PBW715015EN	
Vendor 014003	$ 22,850.00

SECTION 2. (continued)

Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Object 4550 Program 715015, Encumbrance CT PBW715015CP Vendor 014003	$ 632,315.77
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Object 4560 Program 715016, Encumbrance CT PBW715016CP Vendor 014003	$ 443,866.70
Total amount not to exceed	$1,099,032.47

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Water Construction Fund advanced to Dallas County pertaining to this project in Fund 0102, Department DWU, Unit CW42, Revenue Source 8488.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Wastewater Construction Fund advanced to Dallas County pertaining to this project in Fund 0103, Department DWU, Unit CS42, Revenue Source 8488.

SECTION 5. That this contract is designated as Contract No. PBW-2017-00004068.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 30

STRATEGIC PRIORITY:	Economic Vibrancy
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	4
DEPARTMENT:	Sustainable Development and Construction Equipment & Building Services
CMO:	Majed Al-Ghafry, 670-3302 Jody Puckett, 670-3390
MAPSCO:	55H

SUBJECT

Authorize acquisition from Rosa Flor Delgado, of approximately 7,500 square feet of land improved with a single family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights Phase II Project - Not to exceed $33,500 ($29,500, plus closing costs not to exceed $4,000) - Financing: General Obligation Commercial Paper Funds

BACKGROUND

This item authorizes the acquisition of approximately 7,500 square feet of land improved with a single family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights Phase II Project. This property will be used for future location of City service and maintenance facilities. The consideration is based on an independent appraisal. No relocation costs are associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $33,500 ($29,500 plus closing costs not to exceed $4,000)

OWNER

Rosa Flor Delgado

MAP

Attached


N
BUICK AVE
CEDAR CREST BLVD
CEDAR CREST BLVD
MORRELL AVE
LA SALLE DR
CADILLAC DR
PONTIAC AVE
PACKARD ST
DR
CHRYSLER DR
PACKARD ST
GLOYD ST

SUBJECT

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 7,500 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Cadillac Heights Phase II

"USE": City service and maintenance facilities provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Rosa Flor Delgado, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $29,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $4,000

"AUTHORIZED AMOUNT": Not to exceed $33,500

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition in Cadillac Heights Fund, Fund 4T11, Department EBS, Unit T825, Activity LAAQ, Program PB06T825, Object 4210, Encumbrance/Contract No. EBS-2017-00003248. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit "A"

Being Lot 21, in Block 3/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

EXHIBIT B

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Rosa Flor Delgado, a single person (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWENTY NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($29,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators, or successors to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

_____
Rosa Flor Delgado

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____by Rosa Flor Delgado.

.

_____
Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 35553

Exhibit "A"

Being Lot 21, in Block 3/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

AGENDA ITEM # 31

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from the Estate of Allan Zidell, of approximately 59,554 square feet of land with a manufactured dwelling located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $30,000 ($26,860, plus closing costs and title expenses not to exceed $3,140) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from Estate of Allan Zidell, of approximately 59,554 square feet of land with a manufactured dwelling located in Hunt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. No relocation costs are associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $30,000 ($26,860, plus closing costs and title expenses not to exceed $3,140)

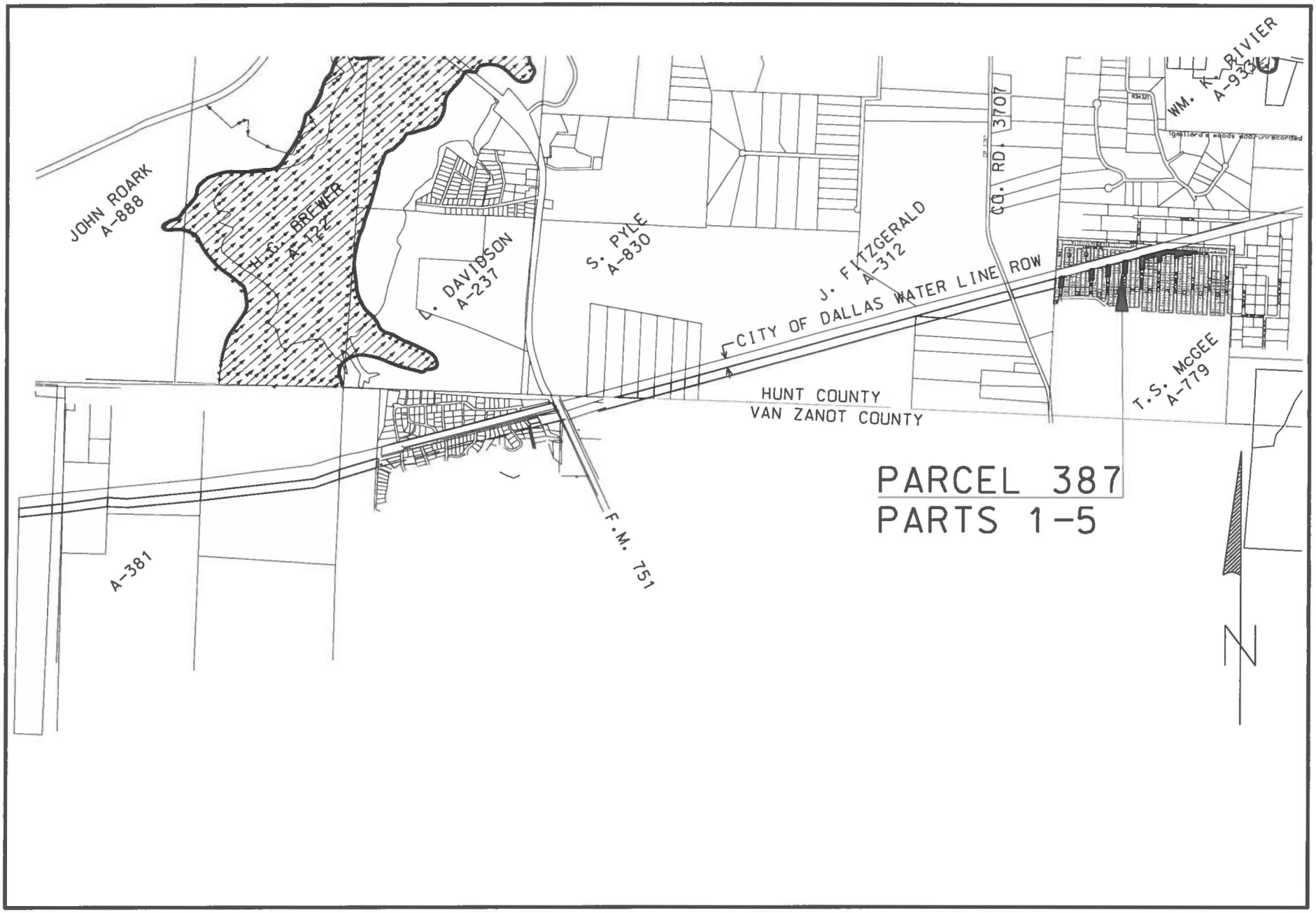
OWNER

Estate of Allan Zidell

MAP

Attached

P:\0515-LakeTawakoni\Parcel\ParcelsMap_387.dgn Plotted on 6/10/2015 at 2:46:11 PM By: jason Project:City Of Dallas Plot Driver: dteprinter.pltcfg PenTable:dte.tbl



VICINITY MAP
APPROXIMATE SCALE 1"= 2000'

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 59,554 square feet of land located in Hunt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Estate of Allan Zidell, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $26,860

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,140

"AUTHORIZED AMOUNT": Not to exceed $30,000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002864. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

Part 1

BEING a 5,478 square foot (0.1258 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Lakeview Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, of the Deed Records of Hunt County, Texas (D.R.H.C.T.);

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the east line of said Lakeview Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T. and being in the west line of Lot 59, Block 1D, of said Waco Bay Estates Subdivision;

THENCE South 00 degree 46 minutes 08 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way, with the east line of said Lakeview Drive and the west line of Lots 59-65 of said Block 1D, a distance of 136.20 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Lakeview Drive and the west line of said Lot 65, a distance of 41.90 feet to a 1/2-inch iron rod with cap set in the west line of said Lakeview Drive and the east line of Lot 22, Block R of said Waco Bay Estates Subdivision;

THENCE North 00 degrees 57 minutes 46 seconds West, with the west line of said Lakeview Drive and the east line of Lots 17-22 of said Block R, a distance of 136.06 feet to a 1/2-inch iron rod with cap set in the east line of said Lot 17, Block R, being in the southeast line of a said City of Dallas Water Line Right-of-Way;

THENCE North 71 degrees 52 minutes 43 seconds East, departing the west line of said Lakeview Drive and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 42.38 feet to the POINT OF BEGINNING and containing 5,478 square feet or 0.1258 acres of land, more or less.

Part 2

BEING a 5,358 square foot (0.1230 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Mallard Point Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Mallard Point Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 1, Block 1D of said Waco Bay Estates Subdivision;

FIELD NOTES APPROVED: 7/27/15

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 40.67 feet to a 1/2-inch iron rod with cap set in the east line of said Mallard Point Drive, and being in the west line of Lot 59, Block Z of said Waco Bay Estates Subdivision, said point being on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 93 degrees 08 minutes 34 seconds;

THENCE, departing the southeast line of said City of Dallas Water Line Right-of-Way and with said curve to the right, and with the east line of said Mallard Point Drive and the west line of Lots 59 and 60 of said Block Z, an arc distance of 40.64 feet (Chord bearing South 07 degrees 06 minutes 45 seconds East – 36.31) to a 3/8-inch iron rod found at the southwest corner of said Lot 60, Block Z of said Waco Bay Estates Subdivision;

THENCE South 01 degree 38 minutes 56 seconds East, continuing with the east line of said Mallard Point Drive and the west line of Lots 61-64 of said Block Z, a distance of 98.40 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Mallard Point Drive, a distance of 39.29 feet to a 1/2-inch iron rod with cap set in the west line of said Mallard Point Drive and the east line of Lot 6 of said Block 1D;

THENCE North 01 degree 38 minutes 56 seconds West, with the west line of said Mallard Point Drive and the east line of Lots 2-6 of said Block 1D, a distance of 109.53 to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 60 degrees 11 minutes 53 seconds;

THENCE, with said curve to the right, and with the west line of said Mallard Point Drive and the east line of Lots 1 and 2 of said Block 1D, an arc distance of 26.27 feet (Chord bearing North 12 degrees 39 minutes 28 seconds West – 25.07) to the POINT OF BEGINNING and containing 5,358 square feet or 0.1230 acres of land, more or less.

Part 3

BEING a 5,576 square foot (0.1280 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Paradise Lane of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Paradise Lane and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 6, Block Z of said Waco Bay Estates Subdivision;

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 40.47 feet to a 1/2-inch iron rod with cap set in the east line of said Paradise Lane, and being in the west line of Lot 70, Block Y of said Waco Bay Estates Subdivision, said point being on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 89 degrees 07 minutes 02 seconds;

THENCE, departing the southeast line of said City of Dallas Water Line Right-of-Way and with said curve to the right, and with the east line of said Paradise Lane, and with the west line of said Lots 70-72 of said Block Y, an arc distance of 38.88 feet (Chord bearing South 09 degrees 31 minutes 18 seconds East – 35.08) to a 1/2-inch iron rod with cap set;

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Paradise Lane and the west line of Lots 72-76 of said Block Y, a distance of 99.55 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Paradise Lane, a distance of 41.16 feet to a 1/2-inch iron rod with cap set in the west line of said Paradise Lane and the east line of Lot 11 of said Block Z;

THENCE North 01 degree 38 minutes 56 seconds West, with the west line of said Paradise Lane and the east line of Lots 7-11 of said Block Z, a distance of 111.11 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 56 degrees 29 minutes 42 seconds;

THENCE, with said curve to the right, and with the west line of said Paradise Lane and the east line of Lots 6 and 7 of said Block Z, an arc distance of 24.65 feet (Chord bearing North 10 degrees 24 minutes 36 seconds West – 23.66) to the POINT OF BEGINNING and containing 5,576 square feet or 0.1280 acres of land, more or less.

Part 4

BEING a 5,272 square foot (0.1210 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Riverview Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Riverview Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 3, Block Y of said Waco Bay Estates Subdivision;

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 44.42 feet to a 1/2-inch iron rod with cap set in the east line of said Riverview Drive, and being in the west line of Lot 69, Block X of said Waco Bay Estates Subdivision;

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE South 01 degree 20 minutes 20 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the east line of said Riverview Drive and the west line of Lots 69 and 70 of said Block X, a distance of 2.17 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 85 degrees 36 minutes 14 seconds;

THENCE, with said curve to the right, and with the east line of said Riverview Drive and with the west line of Lots 70 and 71 of said Block X, an arc distance of 37.35 feet (Chord bearing South 01 degree 20 minutes 20 seconds East – 33.97) to a 1/2-inch iron rod with cap set;

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Riverview Drive and the west line of Lots 71-75 of said Block X, a distance of 99.64 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Riverview Drive, a distance of 38.50 feet to a 1/2-inch iron rod with cap set in the west line of said Riverview Drive and the east line of Lot 8 of said Block Y;

THENCE North 01 degree 16 minutes 16 seconds West, with the west line of said Riverview Drive and the east line of Lot 4-8 of said Block Y, a distance of 110.81 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 57 degrees 19 minutes 00 seconds;

THENCE, with said curve to the right, and with the west line of said Riverview Drive and the east line of Lots 3 and 4 of said Block Y, an arc distance of 25.01 feet (Chord bearing North 15 degrees 19 minutes 58 seconds West – 23.98) to the POINT OF BEGINNING and containing 5,272 square feet or 0.1210 acres of land, more or less.

Part 5

BEING a 37,870 square foot (0.8694 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of tracts of land known as Lakeview Drive, Hemlock Drive, Pinecrest Drive and Maplewood Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, (P.R.H.C.T.), said tracts being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the intersection of the west line of said Hemlock Drive and the northwest line of said Lakeview Drive, and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 2, Block X of said Waco Bay Estates Subdivision;

THENCE North 71 degrees 52 minutes 43 seconds East, with the northwest line of said Lakeview Drive and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 475.18 feet to a 1/2-inch iron rod with cap set at the southwest corner of Lot 29, Block 1C of the Waco Bay Estates Subdivision, Phase 1, as recorded in Volume 400, Page 576, P.R.H.C.T.;

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE South 89 degrees 44 minutes 00 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the north line of said Lakeview Drive and with the south line of said of Lots 18-29 of said Block 1C, a distance of 412.11 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the north line of said Lakeview Drive, a distance of 126.80 feet to a 1/2-inch iron rod with cap set in the south line of said Lakeview Drive and the north line of Lot 1, Block U of said Waco Bay Estates Subdivision, Phase III;

THENCE North 89 degrees 44 minutes 00 seconds West, with the south line of said Lakeview Drive and the north line of Lots 1, 43 and 85 of said Block U, a distance of 196.17 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Lot 85, Block U, being in the east line of said Maplewood Drive;

THENCE South 01 degree 18 minutes 50 seconds East, with the east line of said Maplewood Drive and with the west line of Lots 85-87 of said Block U, a distance of 64.64 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Maplewood Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Maplewood Drive and the east line of Lot 3, Block V of said Waco Bay Estates Subdivision, Phase III;

THENCE North 01 degree 18 minutes 50 seconds East, with the west line of said Maplewood Drive and the east line of Lots 1-3 of said Block V, a distance of 77.83 feet to a 1/2-inch iron rod with cap set at the northeast corner of Lot 1 of said Block V, being in the south line of said Lakeview Drive;

THENCE North 89 degrees 44 minutes 00 seconds West, with the south line of said Lakeview Drive and with the north line of Lots 1 and 38 of said Block V, a distance of 99.92 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 31 minutes 11 seconds West, with the southeast line of said Lakeview Drive and the northwest line of Lots 38 and 75 of said Block V, a distance of 115.25 feet to a 1/2-inch iron rod with cap set at the northwest corner of Lot 75, Block V, being in the east line of said Pinecrest Drive;

THENCE South 01 degree 18 minutes 50 seconds East, with the east line of said Pinecrest Drive and with the west line of Lots 75-79 of said Block V, a distance of 110.00 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Pinecrest Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Pinecrest Drive and the east line of Lot 7, Block W of said Waco Bay Estates Subdivision, Phase III;

THENCE North 01 degree 18 minutes 50 seconds West, with the west line of said Pinecrest Drive and the east line of Lots 4-7 of said Block W, a distance of 109.73 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Lot 4, Block W, being in the southeast line of said Lakeview Drive;

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE South 71 degrees 31 minutes 11 seconds West, with the southeast line of said Lakeview Drive and with the northwest line of Lots 4, 40 and 75 of said Block W, a distance of 215.84 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Lot 75, Block W, and being in the east line of said Hemlock Drive;

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Hemlock Drive and the west line of Lots 75-79 of said Block W, a distance of 108.30 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Hemlock Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Hemlock Drive and the east line of Lot 7, Block X;

THENCE North 01 degree 20 minutes 20 seconds West, with the west line of said Hemlock Drive and with the east line of Lots 3-7 of said Block X, a distance of 105.03 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right having a radius of 25.00 feet and a central angle of 73 degrees 17 minutes 08 seconds;

THENCE, with said curve to the right, and with the west line of said Hemlock Drive and the east line of Lots 2 and 3 of said Block X, an arc distance of 31.98 feet (Chord bearing North 27 degrees 27 minutes 06 seconds West – 29.84) to the POINT OF BEGINNING and containing 37,870 square feet or 0.8694 acres of land, more or less.

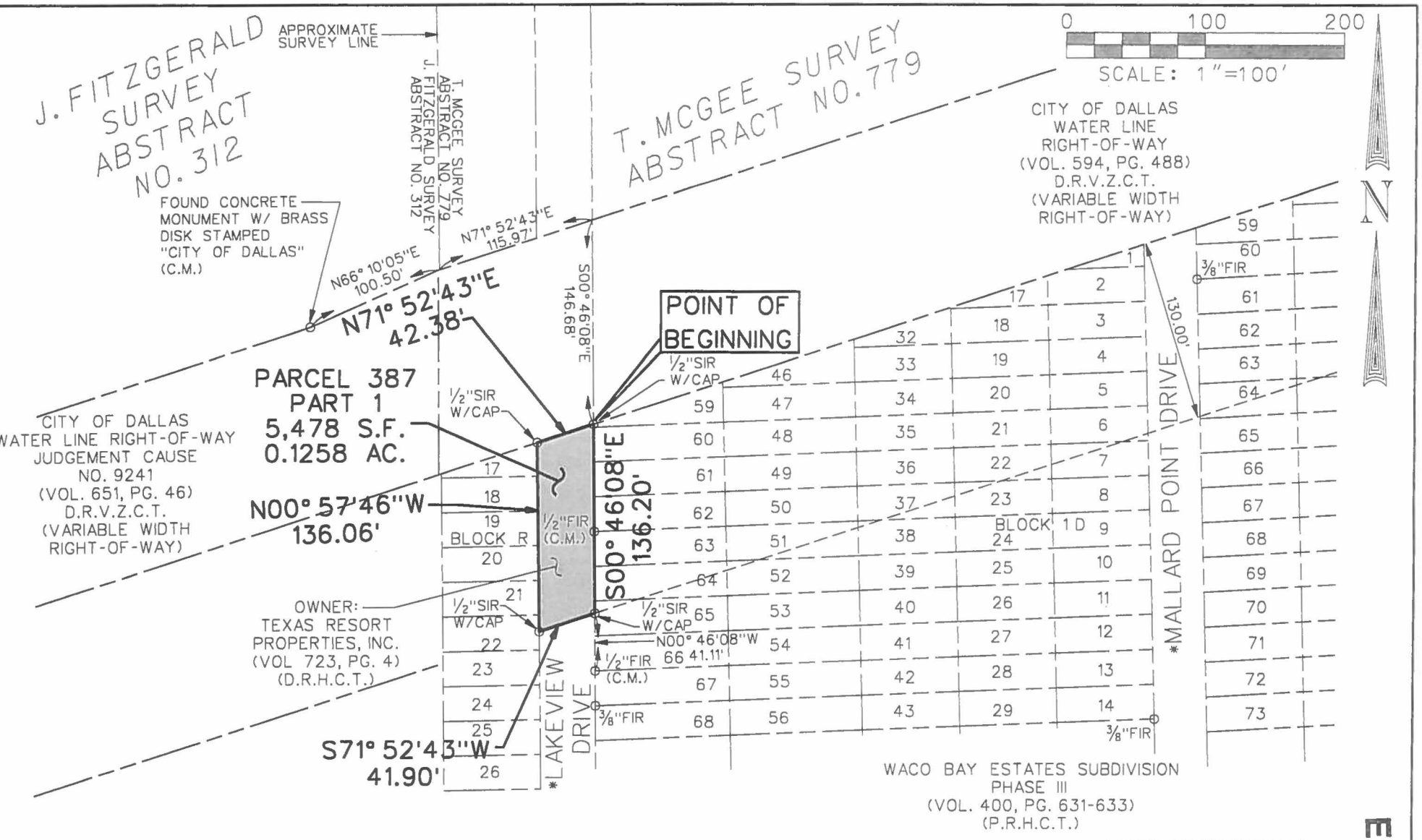
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/10/15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504





STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

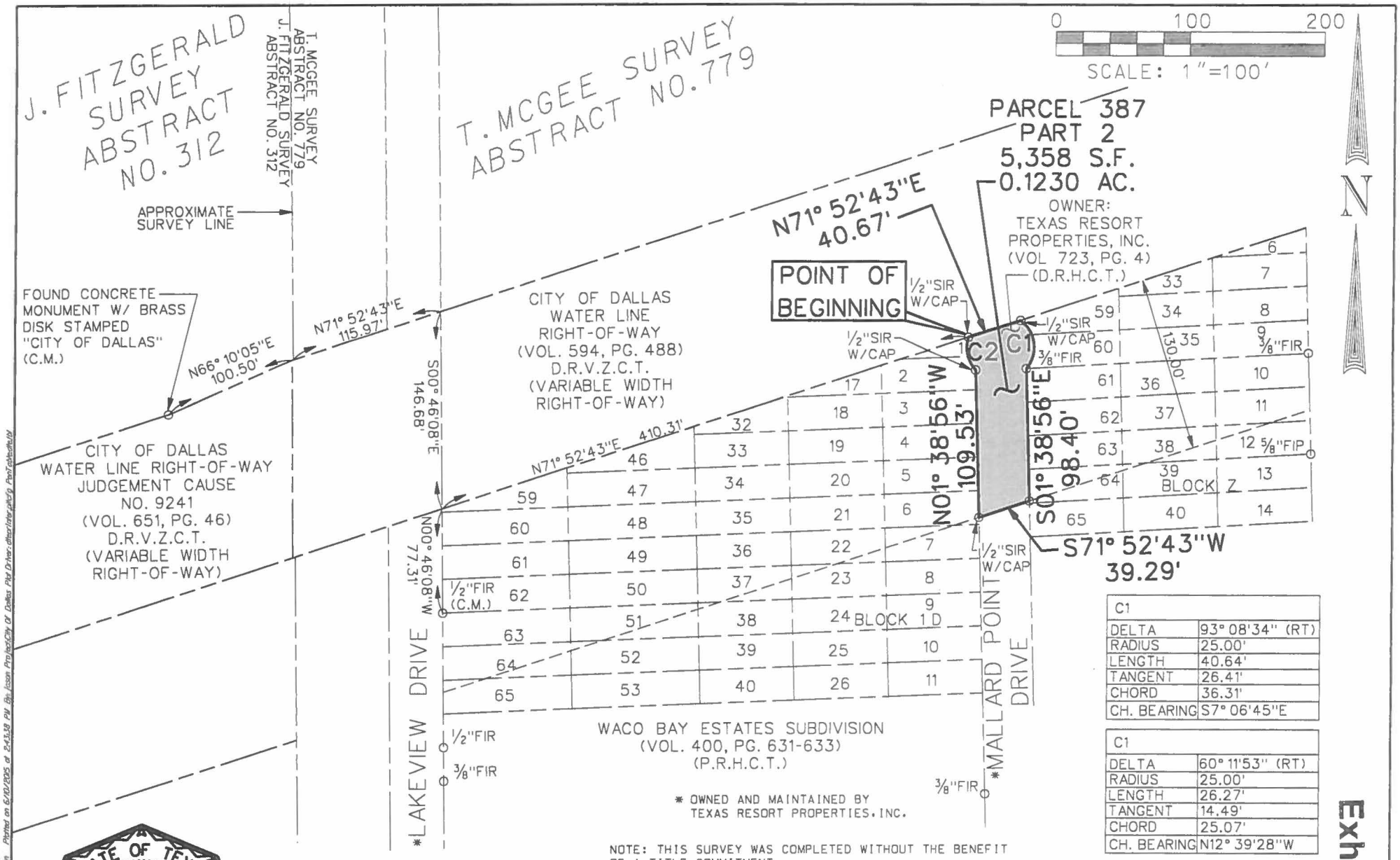
EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T. MCGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: APR. 2015 | REVISED - JUNE 2015 | SCALE: 1" = 100' | SHEET 7 OF 11

Exhibit A

P:\0295-Lake\Taxation\Parcel\PAR-387-FIT.dgn Plotted on 6/10/2015 at 8:44:44 PM By: Jason Pruitt



C1	
DELTA	93° 08'34" (RT)
RADIUS	25.00'
LENGTH	40.64'
TANGENT	26.41'
CHORD	36.31'
CH. BEARING	S7° 06'45"E

C1	
DELTA	60° 11'53" (RT)
RADIUS	25.00'
LENGTH	26.27'
TANGENT	14.49'
CHORD	25.07'
CH. BEARING	N12° 39'28"W

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

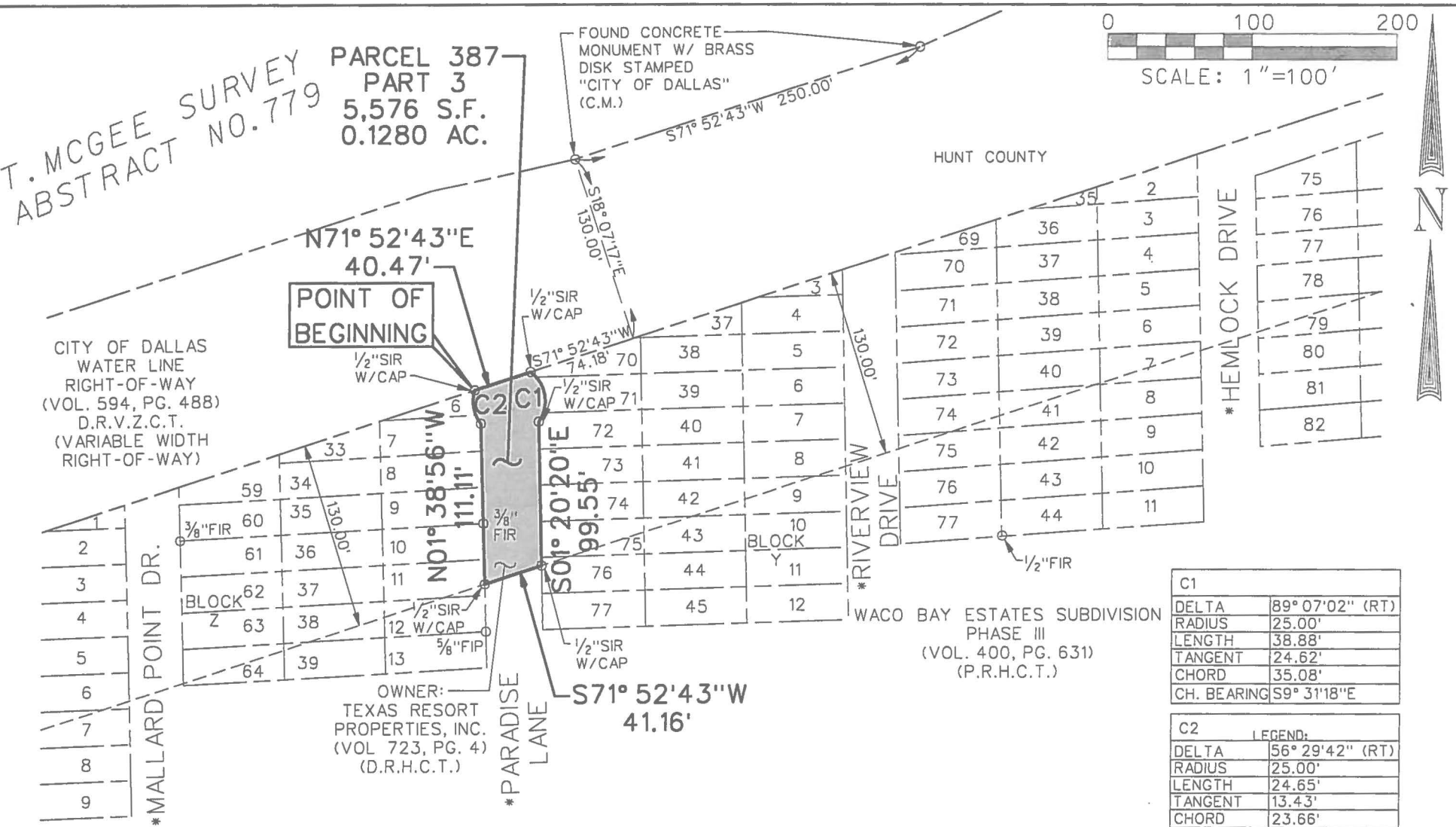
Exhibit A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T. MCGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015 | REVISED - JUNE 2015 | SCALE- 1"=100' | SHEET 8 OF 11

P:\0295\Lots\Tenants\Parcel\PAR 387-PT2.dgn Plotted on 6/10/2015 at 8:43:38 PM By Alison Project:\City Of Dallas Plat Drive\drive.ptl\City Plot Table.stb



C1	
DELTA	89° 07'02" (RT)
RADIUS	25.00'
LENGTH	38.88'
TANGENT	24.62'
CHORD	35.08'
CH. BEARING	S9° 31'18"E

C2	LEGEND:
DELTA	56° 29'42" (RT)
RADIUS	25.00'
LENGTH	24.65'
TANGENT	13.43'
CHORD	23.66'
CH. BEARING	N10° 24'36"W

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

6/10/15

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

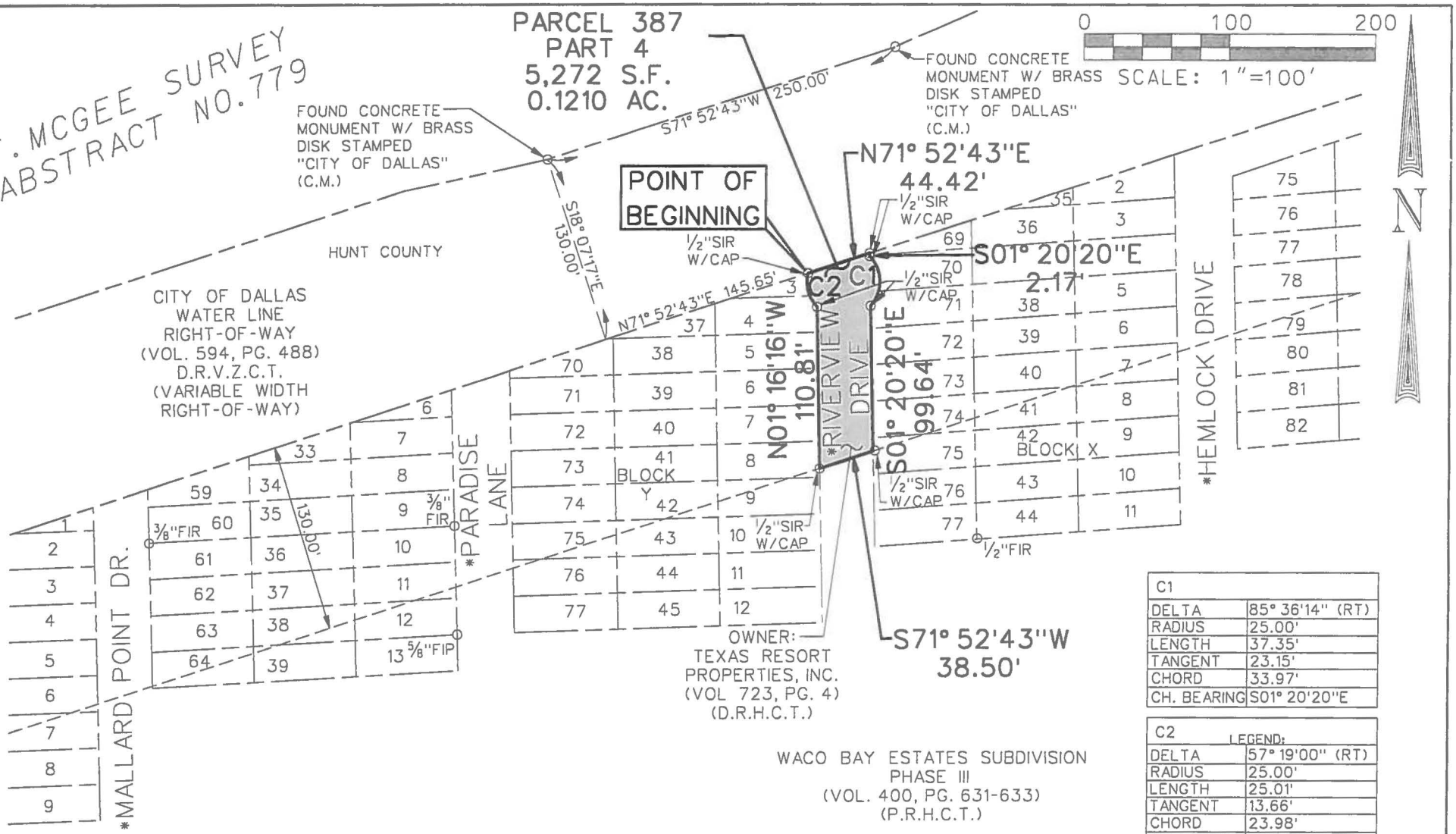
Exhibit A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T. McGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- DEC. 2014 | REVISED - JUNE 2015 | SCALE- 1"=100' | SHEET 9 OF 11

P:\DSFS\Lake\Junction\Parcel\PAR-387-PT3.dgn Plotted on 6/10/2015 at 2:44:23 PM By: tasan Project:City Of Dallas Plat Driver: dtexas1.ctb Config: Plat Tables.stb



C1	
DELTA	85° 36'14" (RT)
RADIUS	25.00'
LENGTH	37.35'
TANGENT	23.15'
CHORD	33.97'
CH. BEARING	S01° 20'20"E

C2	LEGEND:
DELTA	57° 19'00" (RT)
RADIUS	25.00'
LENGTH	25.01'
TANGENT	13.66'
CHORD	23.98'
CH. BEARING	N15° 19'58"W

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

6/10/15

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

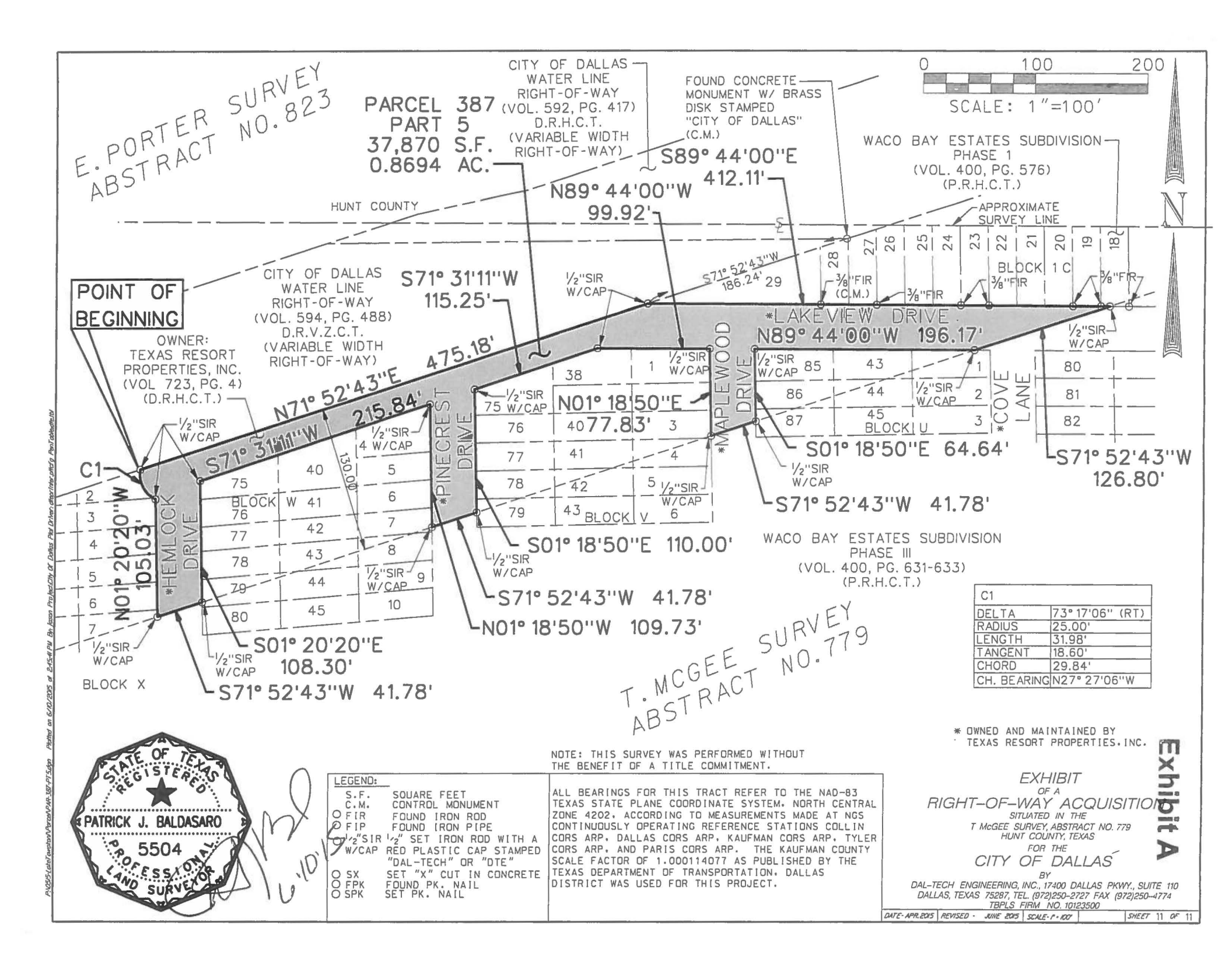
Exhibit A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T McGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015 | REVISED - JUNE 2015 | SCALE- 1"=100' | SHEET 10 OF 11

P:\0855\Late\Exhibit\Parcel\PAR-387-PT4.dgn Plotted on 6/10/2015 at 8:45:05 PM By: Jason Project:City Of Dallas Plot Driver: dtworkstation.ctb Pen Table:ctb.tbl



C1	
DELTA	73° 17'06" (RT)
RADIUS	25.00'
LENGTH	31.98'
TANGENT	18.60'
CHORD	29.84'
CH. BEARING	N27° 27'06"W

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
	½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

Exhibit A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T McGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727 FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: APR. 2015 | REVISED: JUNE 2015 | SCALE: 1"=100' | SHEET 11 OF 11

P:\055\Cdd\Section\Parcel\PAR-387-PT5.dgn Plotted on 6/10/2015 at 8:45:41 PM By: Jason Pruitt\City Of Dallas Plat Drivers.dlsp\Interface\Config Part\default.tbl

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Michael Ben Zidell, as Independent Co- Executor of the Estate of Allan Zidell, and Jeffrey Stuart Zidell, as Independent Co- Executor of the Estate Allan Zidell, of partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWENTY SIX THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS ($26,800.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

_____

Michael Ben Zidell,
Co- Executor of the Estate of Allan Zidell

Approved As To Form:
LARRY E. CASTO
City Attorney

By: _____
Assistant City Attorney

_____

Jeffrey Stuart Zidell,
Co- Executor of the Estate of Allan Zidell

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by Michael Ben Zidell, as Independent Co – Executor and trustee of The Estate of Allan Zidell, on behalf of said estate.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by Jeffrey Stuart Zidell as Independent Co – Executor and trustee of The Estate of Allan Zidell, on behalf of said estate.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 44281

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

Part 1

BEING a 5,478 square foot (0.1258 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Lakeview Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, of the Deed Records of Hunt County, Texas (D.R.H.C.T.);

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the east line of said Lakeview Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T. and being in the west line of Lot 59, Block 1D, of said Waco Bay Estates Subdivision;

THENCE South 00 degree 46 minutes 08 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way, with the east line of said Lakeview Drive and the west line of Lots 59-65 of said Block 1D, a distance of 136.20 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Lakeview Drive and the west line of said Lot 65, a distance of 41.90 feet to a 1/2-inch iron rod with cap set in the west line of said Lakeview Drive and the east line of Lot 22, Block R of said Waco Bay Estates Subdivision;

THENCE North 00 degrees 57 minutes 46 seconds West, with the west line of said Lakeview Drive and the east line of Lots 17-22 of said Block R, a distance of 136.06 feet to a 1/2-inch iron rod with cap set in the east line of said Lot 17, Block R, being in the southeast line of a said City of Dallas Water Line Right-of-Way;

THENCE North 71 degrees 52 minutes 43 seconds East, departing the west line of said Lakeview Drive and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 42.38 feet to the POINT OF BEGINNING and containing 5,478 square feet or 0.1258 acres of land, more or less.

Part 2

BEING a 5,358 square foot (0.1230 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Mallard Point Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Mallard Point Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 1, Block 1D of said Waco Bay Estates Subdivision;



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 40.67 feet to a 1/2-inch iron rod with cap set in the east line of said Mallard Point Drive, and being in the west line of Lot 59, Block Z of said Waco Bay Estates Subdivision, said point being on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 93 degrees 08 minutes 34 seconds;

THENCE, departing the southeast line of said City of Dallas Water Line Right-of-Way and with said curve to the right, and with the east line of said Mallard Point Drive and the west line of Lots 59 and 60 of said Block Z, an arc distance of 40.64 feet (Chord bearing South 07 degrees 06 minutes 45 seconds East – 36.31) to a 3/8-inch iron rod found at the southwest corner of said Lot 60, Block Z of said Waco Bay Estates Subdivision;

THENCE South 01 degree 38 minutes 56 seconds East, continuing with the east line of said Mallard Point Drive and the west line of Lots 61-64 of said Block Z, a distance of 98.40 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Mallard Point Drive, a distance of 39.29 feet to a 1/2-inch iron rod with cap set in the west line of said Mallard Point Drive and the east line of Lot 6 of said Block 1D;

THENCE North 01 degree 38 minutes 56 seconds West, with the west line of said Mallard Point Drive and the east line of Lots 2-6 of said Block 1D, a distance of 109.53 to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 60 degrees 11 minutes 53 seconds;

THENCE, with said curve to the right, and with the west line of said Mallard Point Drive and the east line of Lots 1 and 2 of said Block 1D, an arc distance of 26.27 feet (Chord bearing North 12 degrees 39 minutes 28 seconds West – 25.07) to the POINT OF BEGINNING and containing 5,358 square feet or 0.1230 acres of land, more or less.

Part 3

BEING a 5,576 square foot (0.1280 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Paradise Lane of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Paradise Lane and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 6, Block Z of said Waco Bay Estates Subdivision;

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 40.47 feet to a 1/2-inch iron rod with cap set in the east line of said Paradise Lane, and being in the west line of Lot 70, Block Y of said Waco Bay Estates Subdivision, said point being on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 89 degrees 07 minutes 02 seconds;

THENCE, departing the southeast line of said City of Dallas Water Line Right-of-Way and with said curve to the right, and with the east line of said Paradise Lane, and with the west line of said Lots 70-72 of said Block Y, an arc distance of 38.88 feet (Chord bearing South 09 degrees 31 minutes 18 seconds East – 35.08) to a 1/2-inch iron rod with cap set:

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Paradise Lane and the west line of Lots 72-76 of said Block Y, a distance of 99.55 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Paradise Lane, a distance of 41.16 feet to a 1/2-inch iron rod with cap set in the west line of said Paradise Lane and the east line of Lot 11 of said Block Z;

THENCE North 01 degree 38 minutes 56 seconds West, with the west line of said Paradise Lane and the east line of Lots 7-11 of said Block Z, a distance of 111.11 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 56 degrees 29 minutes 42 seconds;

THENCE, with said curve to the right, and with the west line of said Paradise Lane and the east line of Lots 6 and 7 of said Block Z, an arc distance of 24.65 feet (Chord bearing North 10 degrees 24 minutes 36 seconds West – 23.66) to the POINT OF BEGINNING and containing 5,576 square feet or 0.1280 acres of land, more or less.

Part 4

BEING a 5,272 square foot (0.1210 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of a tract of land known as Riverview Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said tract being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the west line of said Riverview Drive and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 3, Block Y of said Waco Bay Estates Subdivision;

THENCE North 71 degrees 52 minutes 43 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 44.42 feet to a 1/2-inch iron rod with cap set in the east line of said Riverview Drive, and being in the west line of Lot 69, Block X of said Waco Bay Estates Subdivision;

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HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE South 01 degree 20 minutes 20 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the east line of said Riverview Drive and the west line of Lots 69 and 70 of said Block X, a distance of 2.17 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 85 degrees 36 minutes 14 seconds;

THENCE, with said curve to the right, and with the east line of said Riverview Drive and with the west line of Lots 70 and 71 of said Block X, an arc distance of 37.35 feet (Chord bearing South 01 degree 20 minutes 20 seconds East – 33.97) to a 1/2-inch iron rod with cap set;

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Riverview Drive and the west line of Lots 71-75 of said Block X, a distance of 99.64 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Riverview Drive, a distance of 38.50 feet to a 1/2-inch iron rod with cap set in the west line of said Riverview Drive and the east line of Lot 8 of said Block Y;

THENCE North 01 degree 16 minutes 16 seconds West, with the west line of said Riverview Drive and the east line of Lot 4-8 of said Block Y, a distance of 110.81 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right, having a radius of 25.00 feet and a central angle of 57 degrees 19 minutes 00 seconds;

THENCE, with said curve to the right, and with the west line of said Riverview Drive and the east line of Lots 3 and 4 of said Block Y, an arc distance of 25.01 feet (Chord bearing North 15 degrees 19 minutes 58 seconds West – 23.98) to the POINT OF BEGINNING and containing 5,272 square feet or 0.1210 acres of land, more or less.

Part 5

BEING a 37,870 square foot (0.8694 acre) tract of land in the T. McGee Survey, Abstract No. 779, being part of tracts of land known as Lakeview Drive, Hemlock Drive, Pinecrest Drive and Maplewood Drive of the Waco Bay Estates Subdivision, Phase III, as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, (P.R.H.C.T.), said tracts being conveyed to Texas Resort Properties, Inc., as recorded in Volume 723, Page 4, D.R.H.C.T.;

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the intersection of the west line of said Hemlock Drive and the northwest line of said Lakeview Drive, and being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 594, Page 488, D.R.H.C.T., and being in the east line of Lot 2, Block X of said Waco Bay Estates Subdivision;

THENCE North 71 degrees 52 minutes 43 seconds East, with the northwest line of said Lakeview Drive and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 475.18 feet to a 1/2-inch iron rod with cap set at the southwest corner of Lot 29, Block 1C of the Waco Bay Estates Subdivision, Phase 1, as recorded in Volume 400, Page 576, P.R.H.C.T.;

FIELD NOTES
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HUNT COUNTY, TEXAS
Parcel: 387 Part 1-5

THENCE South 89 degrees 44 minutes 00 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the north line of said Lakeview Drive and with the south line of said of Lots 18-29 of said Block 1C, a distance of 412.11 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the north line of said Lakeview Drive, a distance of 126.80 feet to a 1/2-inch iron rod with cap set in the south line of said Lakeview Drive and the north line of Lot 1, Block U of said Waco Bay Estates Subdivision, Phase III;

THENCE North 89 degrees 44 minutes 00 seconds West, with the south line of said Lakeview Drive and the north line of Lots 1, 43 and 85 of said Block U, a distance of 196.17 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Lot 85, Block U, being in the east line of said Maplewood Drive;

THENCE South 01 degree 18 minutes 50 seconds East, with the east line of said Maplewood Drive and with the west line of Lots 85-87 of said Block U, a distance of 64.64 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Maplewood Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Maplewood Drive and the east line of Lot 3, Block V of said Waco Bay Estates Subdivision, Phase III;

THENCE North 01 degree 18 minutes 50 seconds East, with the west line of said Maplewood Drive and the east line of Lots 1-3 of said Block V, a distance of 77.83 feet to a 1/2-inch iron rod with cap set at the northeast corner of Lot 1 of said Block V, being in the south line of said Lakeview Drive;

THENCE North 89 degrees 44 minutes 00 seconds West, with the south line of said Lakeview Drive and with the north line of Lots 1 and 38 of said Block V, a distance of 99.92 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 31 minutes 11 seconds West, with the southeast line of said Lakeview Drive and the northwest line of Lots 38 and 75 of said Block V, a distance of 115.25 feet to a 1/2-inch iron rod with cap set at the northwest corner of Lot 75, Block V, being in the east line of said Pinecrest Drive;

THENCE South 01 degree 18 minutes 50 seconds East, with the east line of said Pinecrest Drive and with the west line of Lots 75-79 of said Block V, a distance of 110.00 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Pinecrest Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Pinecrest Drive and the east line of Lot 7, Block W of said Waco Bay Estates Subdivision, Phase III;

THENCE North 01 degree 18 minutes 50 seconds West, with the west line of said Pinecrest Drive and the east line of Lots 4-7 of said Block W, a distance of 109.73 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Lot 4, Block W, being in the southeast line of said Lakeview Drive;

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THENCE South 71 degrees 31 minutes 11 seconds West, with the southeast line of said Lakeview Drive and with the northwest line of Lots 4, 40 and 75 of said Block W, a distance of 215.84 feet to a 1/2-inch iron rod with cap set at the northwest corner of said Lot 75, Block W, and being in the east line of said Hemlock Drive;

THENCE South 01 degree 20 minutes 20 seconds East, with the east line of said Hemlock Drive and the west line of Lots 75-79 of said Block W, a distance of 108.30 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Hemlock Drive, a distance of 41.78 feet to a 1/2-inch iron rod with cap set in the west line of said Hemlock Drive and the east line of Lot 7, Block X;

THENCE North 01 degree 20 minutes 20 seconds West, with the west line of said Hemlock Drive and with the east line of Lots 3-7 of said Block X, a distance of 105.03 feet to a 1/2-inch iron rod with cap set on a non-tangent curve to the right having a radius of 25.00 feet and a central angle of 73 degrees 17 minutes 08 seconds;

THENCE, with said curve to the right, and with the west line of said Hemlock Drive and the east line of Lots 2 and 3 of said Block X, an arc distance of 31.98 feet (Chord bearing North 27 degrees 27 minutes 06 seconds West – 29.84) to the POINT OF BEGINNING and containing 37,870 square feet or 0.8694 acres of land, more or less.

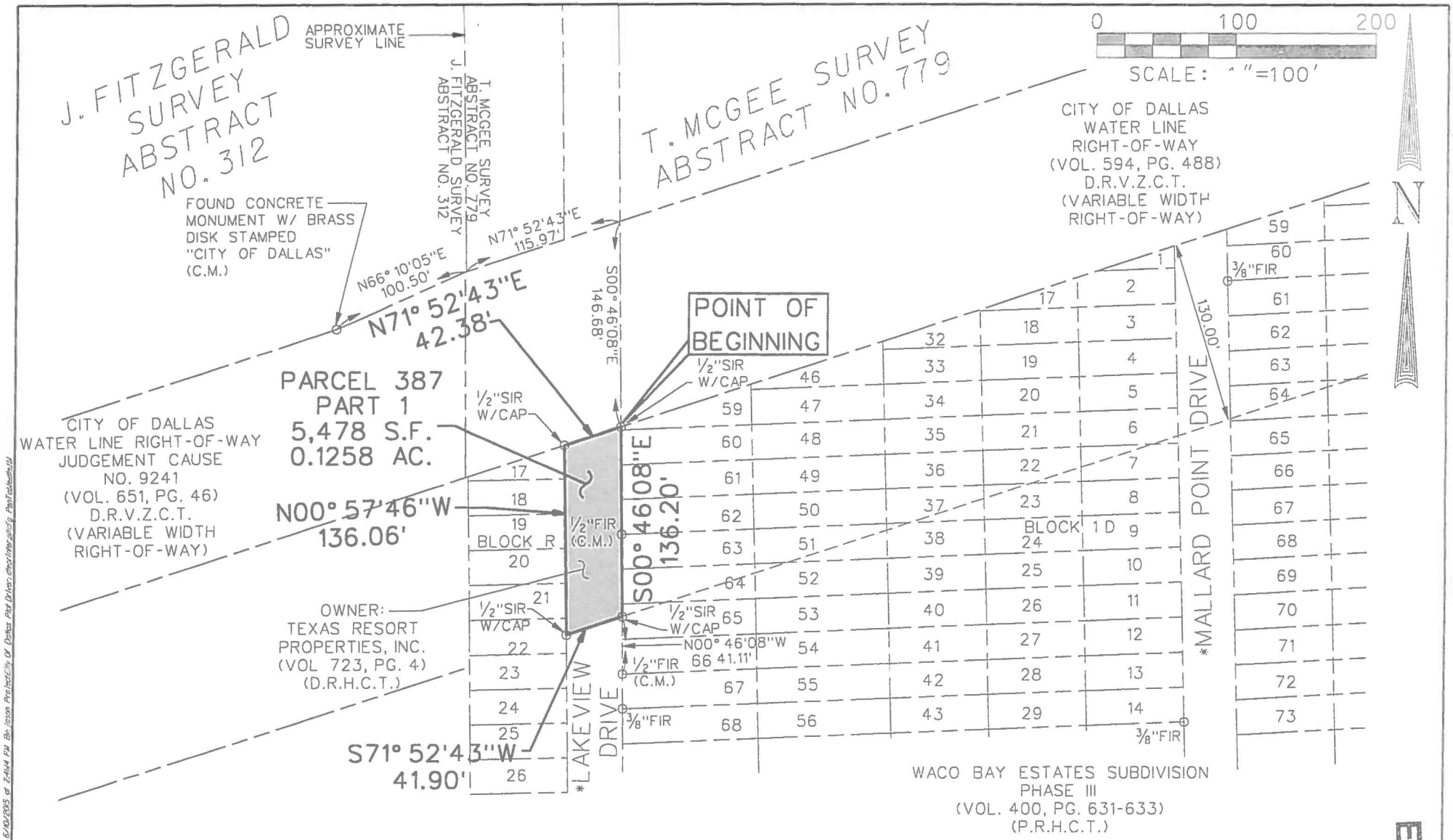
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/10/15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504





STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

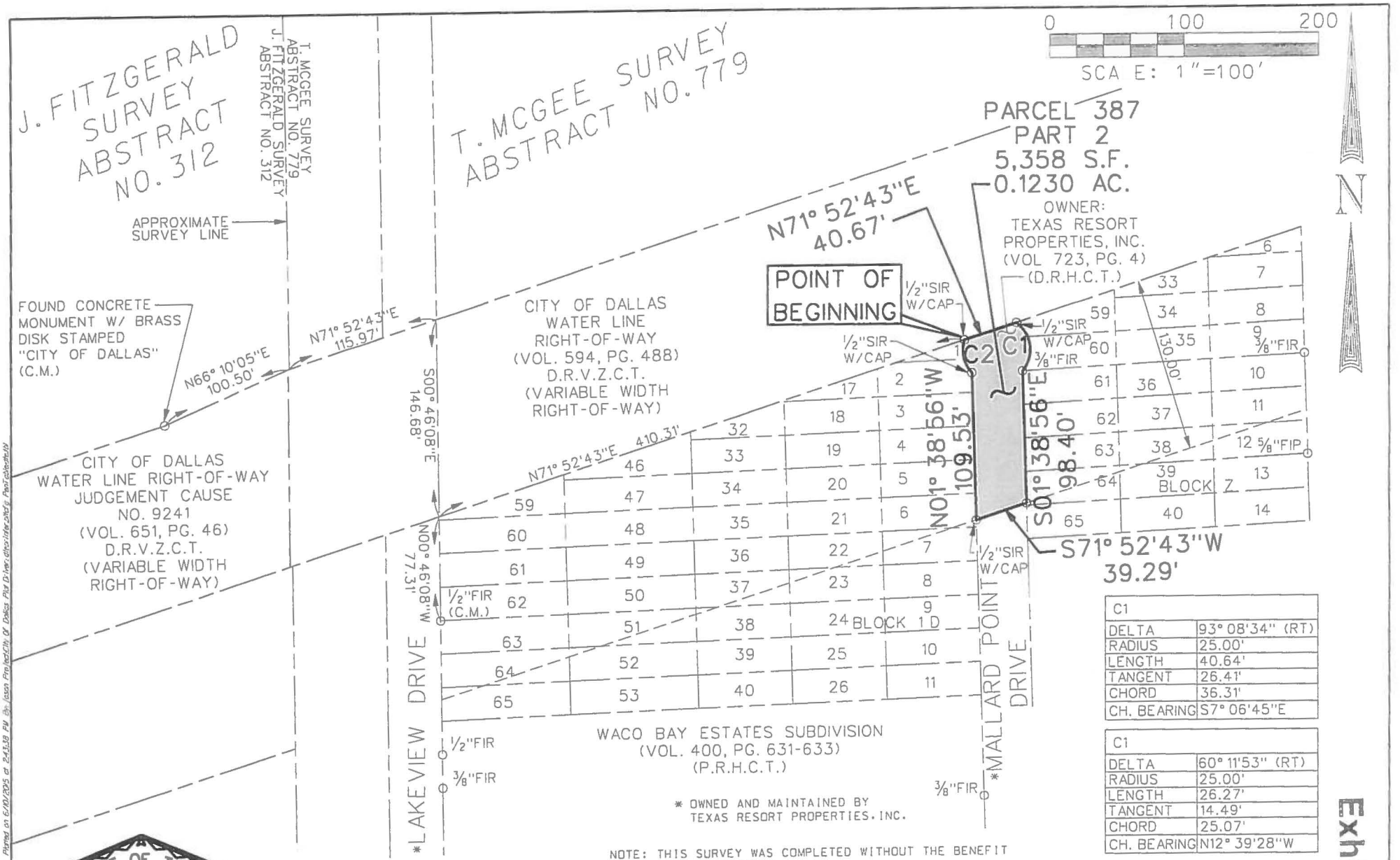
ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T MCGEE SURVEY, ABSTRACT NO 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

Exhibit A

P:\05S-Lot Twelve\Parcel\PAR-387-PT1.dgn Plotted on 5/10/2015 at 2:44:14 PM By: Jason Projects\My Dr Dates Plot Drivers: dtm.tbl;ctb.ctb; Pen Tables: ctb



C1	
DELTA	93° 08'34" (RT)
RADIUS	25.00'
LENGTH	40.64'
TANGENT	26.41'
CHORD	36.31'
CH. BEARING	S7° 06'45"E

C1	
DELTA	60° 11'53" (RT)
RADIUS	25.00'
LENGTH	26.27'
TANGENT	14.49'
CHORD	25.07'
CH. BEARING	N12° 39'28"W

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

6/10/19

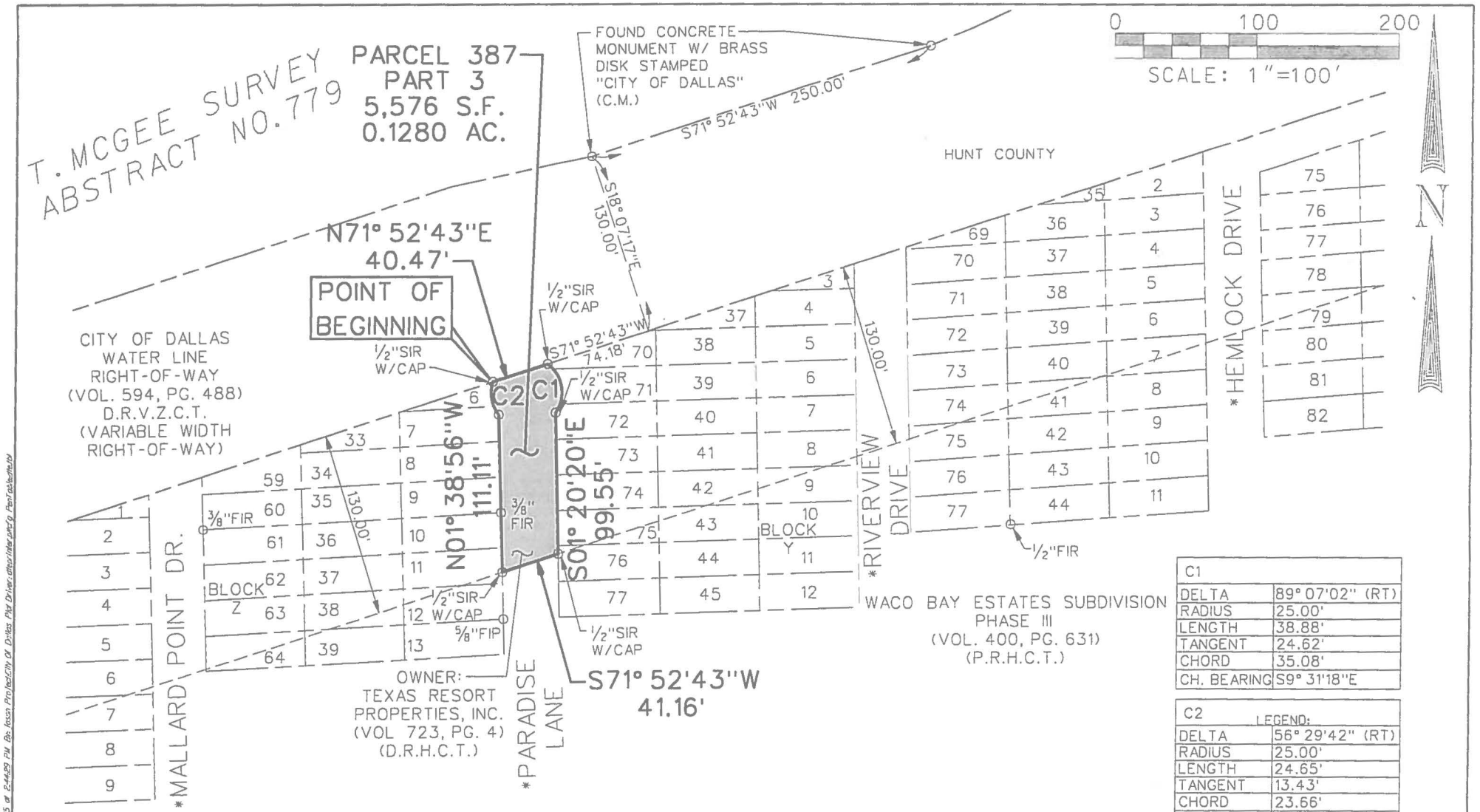
EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T MCGEE SURVEY, ABSTRACT NO 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL TECH ENGINEERING INC 17400 DALLAS PKWY, SUITE 11
DALLAS TEXAS 75287 TEL (972)250-2727 FAX (972)250-4774
TBPLS FIRM NO 10123500

DATE: 6/10/2019 DRAWN: CHECKED:

Exhibit A

P:\095\Data\Tex\Arcp\VPAR-TBP-PT2.dgn Plotted on 6/10/2019 at 2:43:18 PM by Jason Projects\City Of Dallas Plat D-Ver; dtm=Inter.dtm(g) PenTable=fullBW



C1	
DELTA	89° 07'02" (RT)
RADIUS	25.00'
LENGTH	38.88'
TANGENT	24.62'
CHORD	35.08'
CH. BEARING	S9° 31'18"E

C2	
DELTA	56° 29'42" (RT)
RADIUS	25.00'
LENGTH	24.65'
TANGENT	13.43'
CHORD	23.66'
CH. BEARING	N10° 24'36"W

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

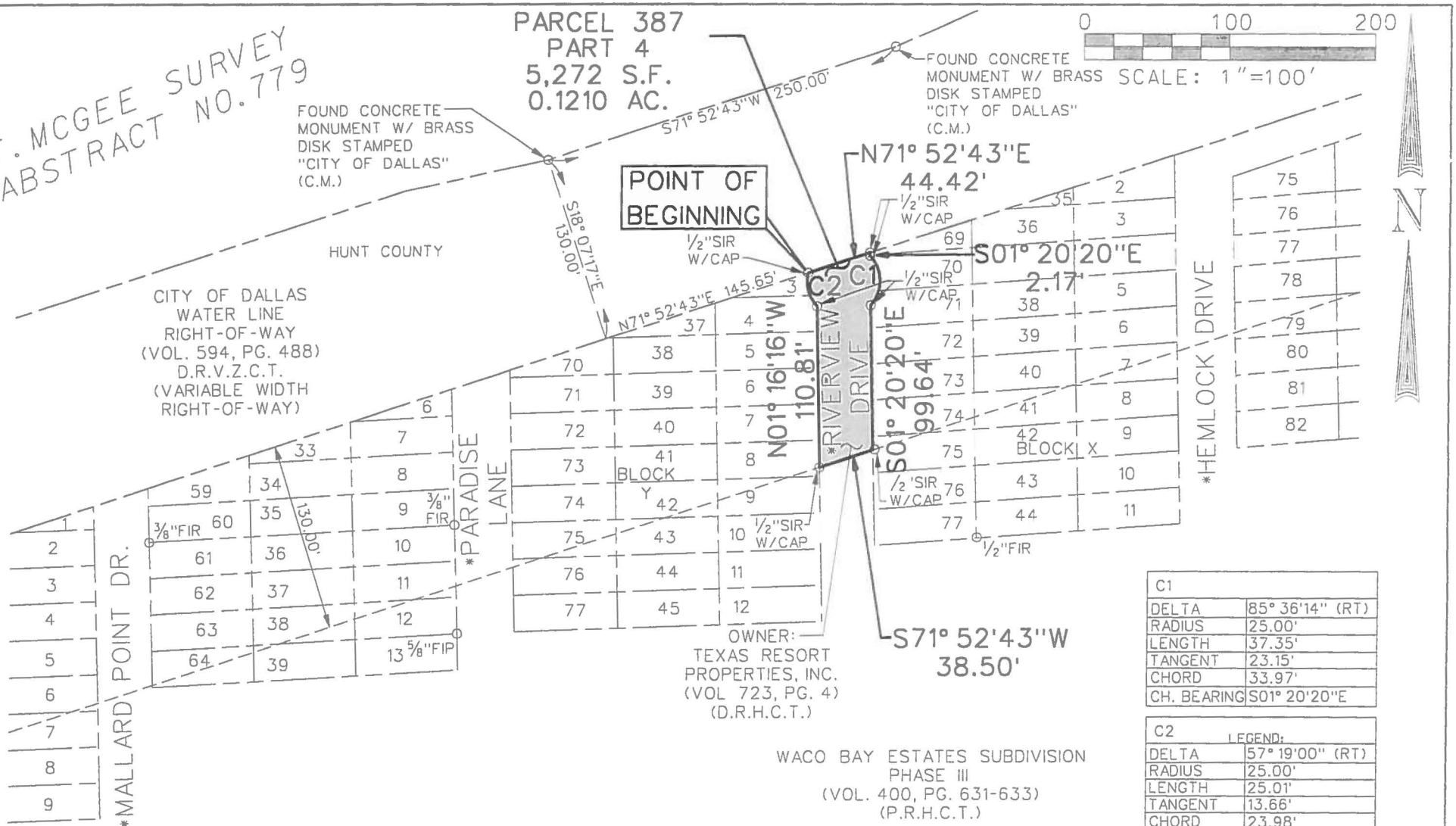
ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

Exhibit A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T McGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287 TEL (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

P:\0595\Late\Exhibits\Parcel\PAR-387-P3.dgn Plotted on 5/10/2015 at 2:44:59 PM By: tessa Protected By Dallas Plot Driver: dfw.plotter.pltCfg PenTableName:



C1	
DELTA	85° 36'14" (RT)
RADIUS	25.00'
LENGTH	37.35'
TANGENT	23.15'
CHORD	33.97'
CH. BEARING	S01° 20'20"E

C2	
DELTA	57° 19'00" (RT)
RADIUS	25.00'
LENGTH	25.01'
TANGENT	13.66'
CHORD	23.98'
CH. BEARING	N15° 19'58"W

LEGEND:

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

LEGEND:	
S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

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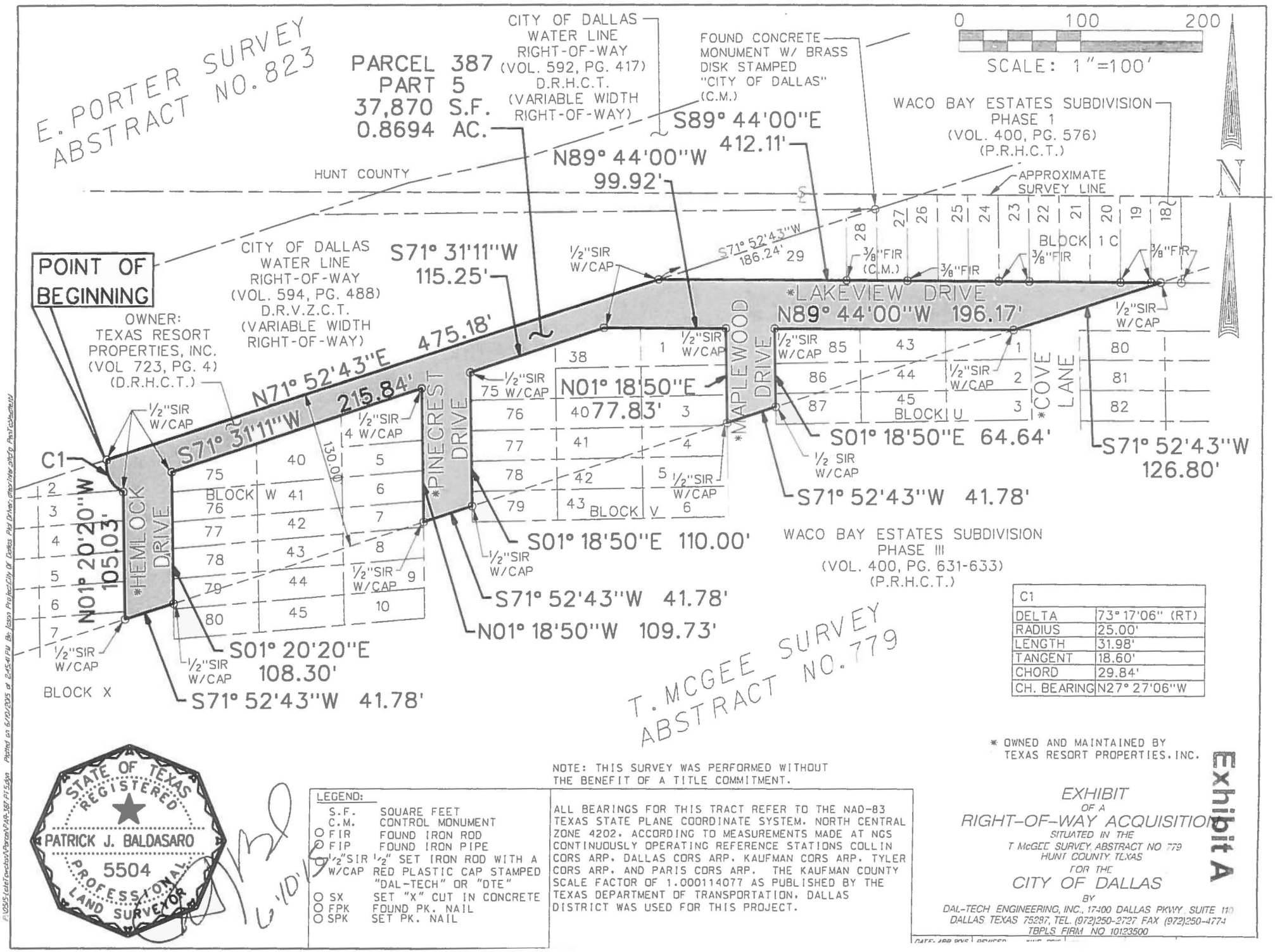
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CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287 TEL. (972)250-2727, FAX (972)250-1774
TBPLS FIRM NO. 10123500

DATE: APR PDS REVISED

P:\05\Data\waco\Parcel\PSR-387-PT4.dgn Plotted on 5/10/2015 at 2:45:05 PM By: tyson ProjectCity Of Dallas PM Driver: dnc/Interact.cfg PenTable: fsh.tbl



C1	
DELTA	73° 17'06" (RT)
RADIUS	25.00'
LENGTH	31.98'
TANGENT	18.60'
CHORD	29.84'
CH. BEARING	N27° 27'06"W

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK. NAIL
○ SPK	SET PK. NAIL

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HUNT COUNTY, TEXAS
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BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

DATE: APR 2005 REVISED

A:\0595\teletech\to\Parcel\PAR-387-P1.5.dgn Plotted on: 6/10/2005 at 2:45:41 PM By: Jason Projects\Dly or Dates: Plot Driver: dfwprinter.ctb/g Pen Table Used:

AGENDA ITEM # 32

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from George Bowman and Delia C. Bowman, of approximately 8,070 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $34,000 ($31,000, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition from George Bowman and Delia C. Bowman, of approximately 8,070 square feet of land with a manufactured dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. No relocation costs are associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $34,000 ($31,000, plus closing costs and title expenses not to exceed $3,000)

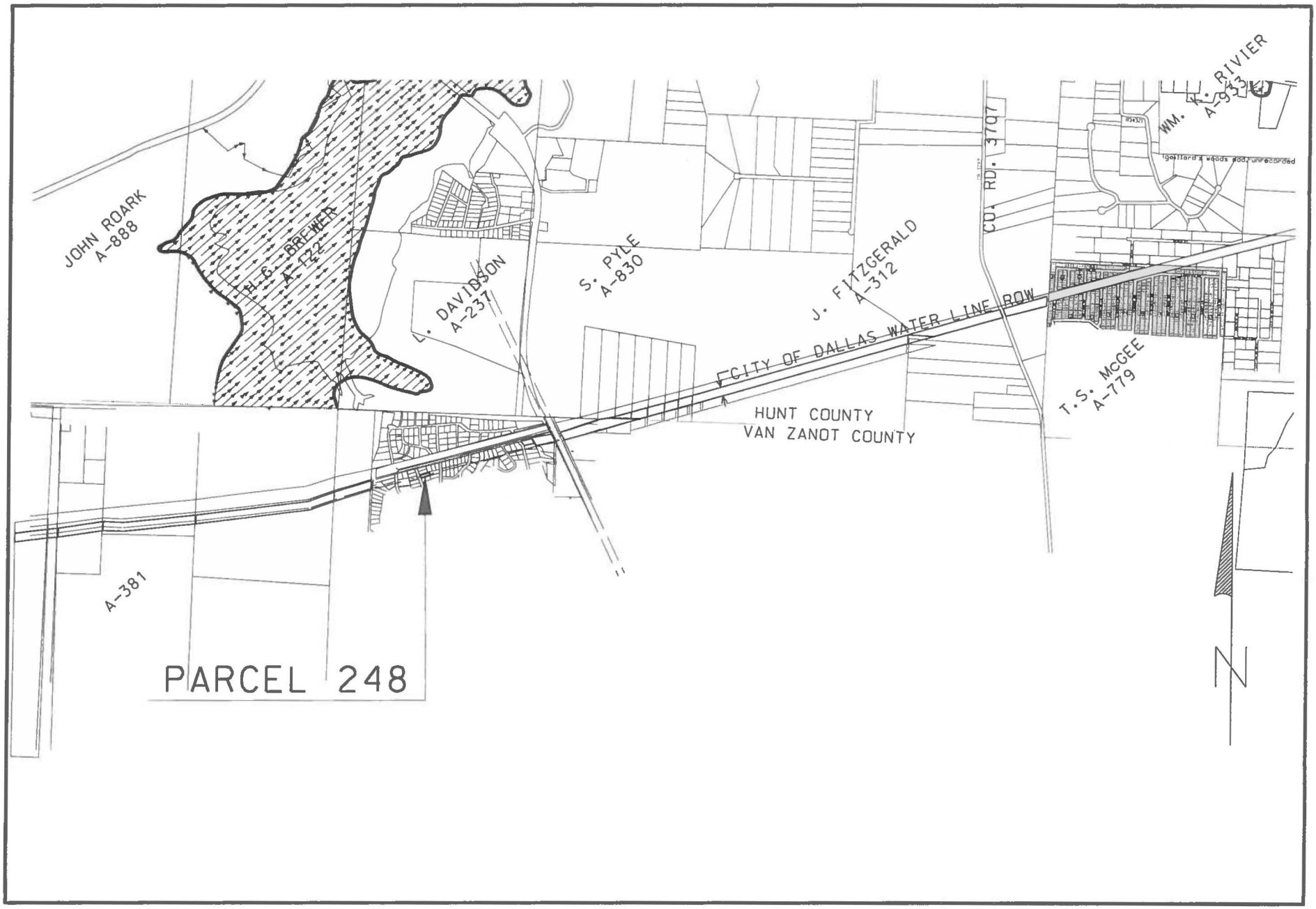
OWNERS

George Bowman

Delia C. Bowman

MAP

Attached



P:\0515-LakeTawakoni\Parcel\ParcelsMap_248.dgn Plotted on 6/1/2015 at 2:10:16 PM By jason Project:City Of Dallas Plot Driver:dteprinter.pltcfg PenTable:dte.tbl

VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 8,070 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": George Bowman and Delia C. Bowman, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $31,000

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000

"AUTHORIZED AMOUNT": Not to exceed $34,000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX DWU-2017-00002880. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 248

BEING a 8,070 square foot (0.1853 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 235 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lot 235 being described in Warranty Deed with Vendor's Lien dated August 18, 1998 to George Bowman, as recorded in Volume 1478, Page 425, of the Deed Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/1/15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6/8/15

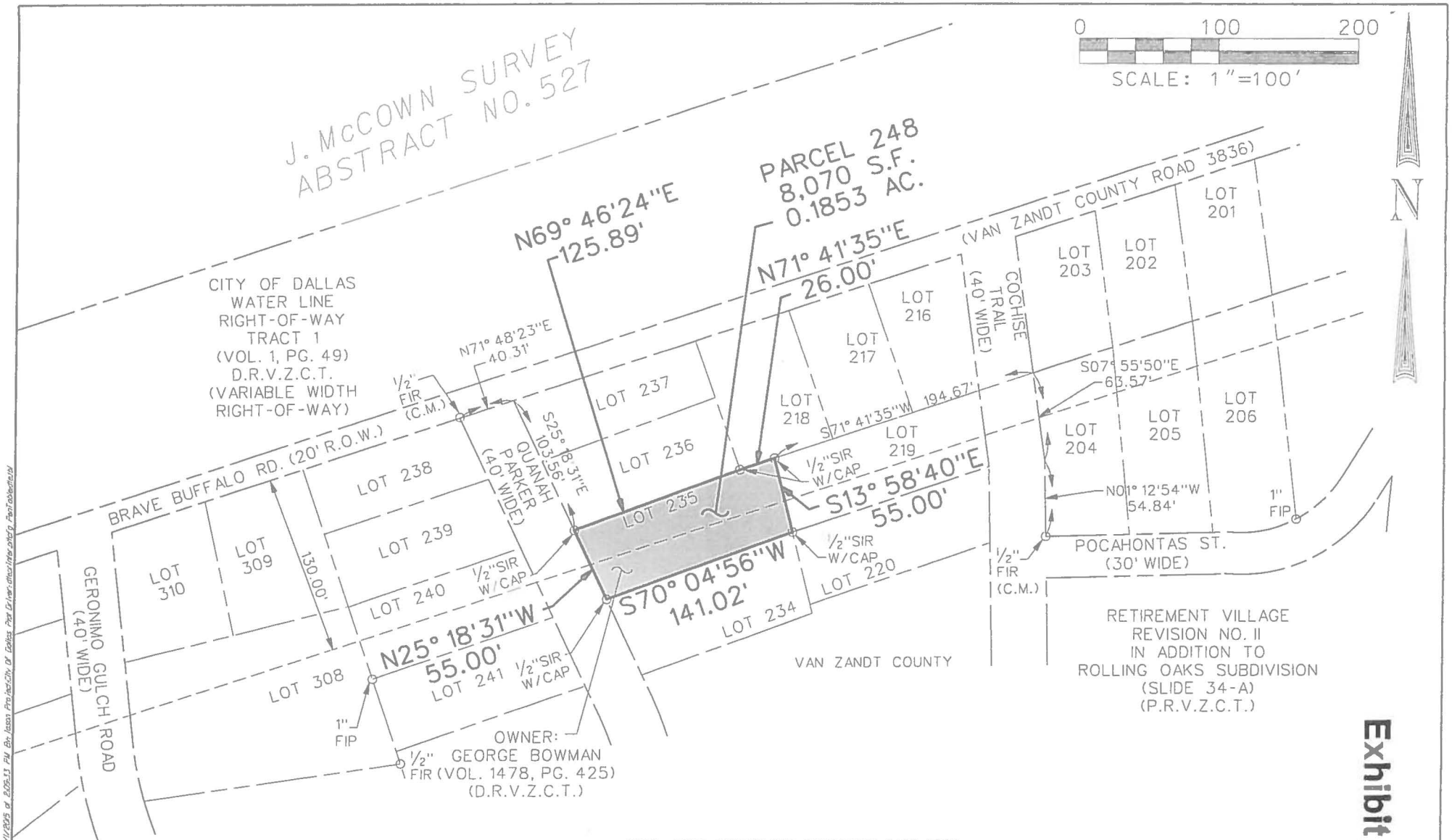


Exhibit A

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30919-CB11, WITH AN EFFECTIVE DATE OF JULY 16, 2013

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J McCOWN SURVEY, ABSTRACT NO 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015 | REVISED - JUNE 2015 | SCALE- 1" = 100' | SHEET 2 OF 2

P:\055\dgn\Cad\Exhibit\Parcel\PAR-248.dgn Plotted on 6/1/2015 at 8:06:53 PM By: Jason Pinchin/Dir of Cadd Per Drivers.dtsr/Interpreting Pen Tables.dat

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF VAN ZANDT §

That we, George Bowman, and spouse, Delia C. Bowman, a married couple (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of EIGHT THOUSAND SIX HUNDRED AND 00/100 DOLLARS ($31,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Approved As To Form:
LARRY E. CASTO
City Attorney

By: _____
Assistant City Attorney

_____
George Bowman

_____
Delia C. Bowman

* *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by George Bowman.

_____
Notary Public, State of TEXAS

* *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Delia C. Bowman.

_____
Notary Public, State of TEXAS

* *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 44283

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 248

BEING a 8,070 square foot (0.1853 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 235 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lot 235 being described in Warranty Deed with Vendor's Lien dated August 18, 1998 to George Bowman, as recorded in Volume 1478, Page 425, of the Deed Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/1/15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6/8/15

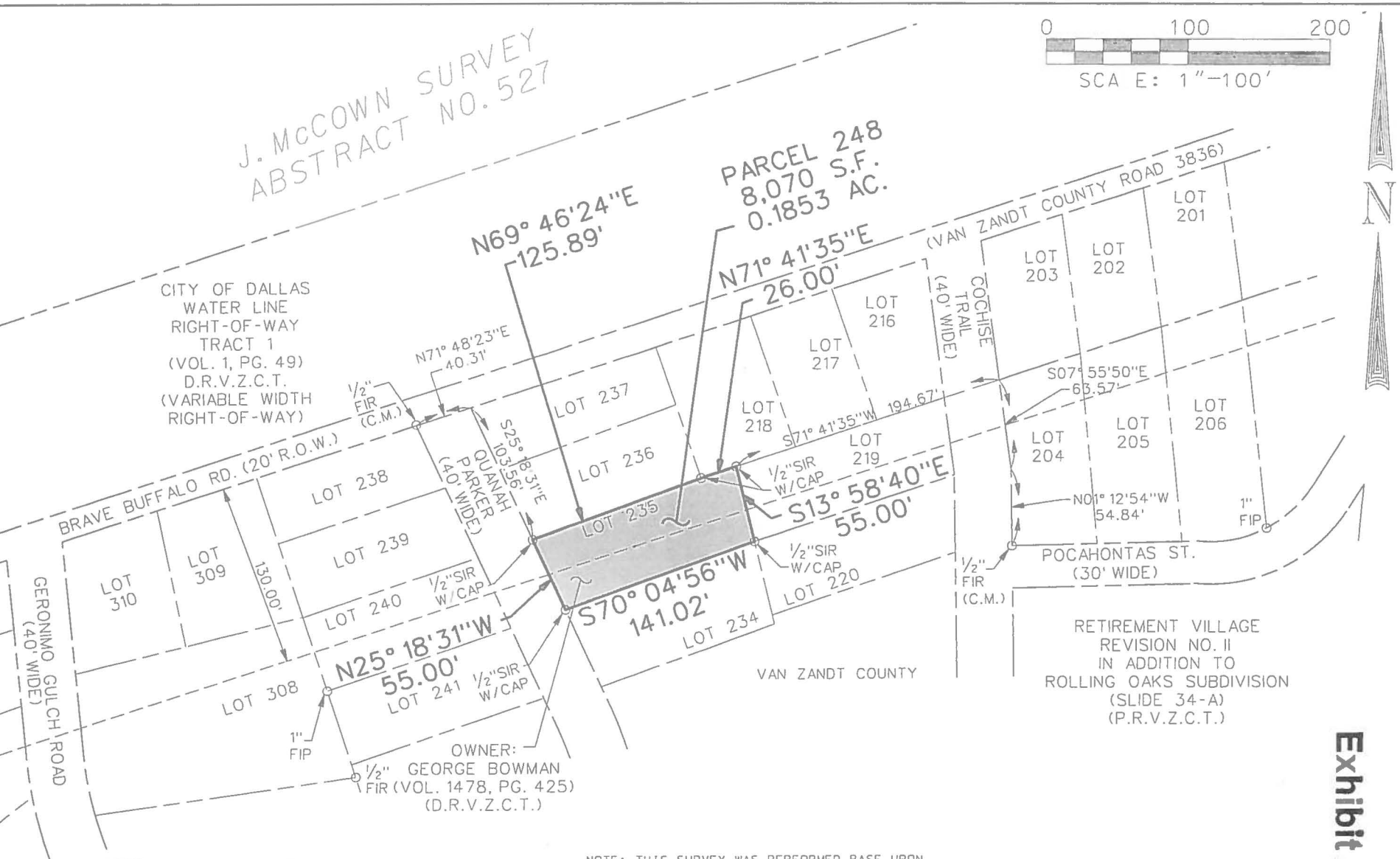


Exhibit A

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30919-CB11, WITH AN EFFECTIVE DATE OF JULY 16, 2013

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
○	FIR	FOUND IRON ROD
○	FIP	FOUND IRON PIPE
○	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
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○	FPK	FOUND PK. NAIL
○	SPK	SET PK. NAIL

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OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J McCOWN SURVEY, ABSTRACT NO 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727 FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015	REVISED - JUNE 2015	SCALE- 1" = 100'	SHEET 2 OF 2

F:\2015\Data\Division\Parcel\PAR-248.dgn Plotted on 6/1/2015 at 8:05:33 PM By: Jason Proctor/City of Dallas Plot Driver: dfconverter.stb/Q. PenTables.tbl

AGENDA ITEM # 33

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Margaret Dodson, of approximately 15,853 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $55,500 ($52,500, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition from Margaret Dodson, of approximately 15,853 square feet of land with a manufactured dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation costs are estimated to be $39,500.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

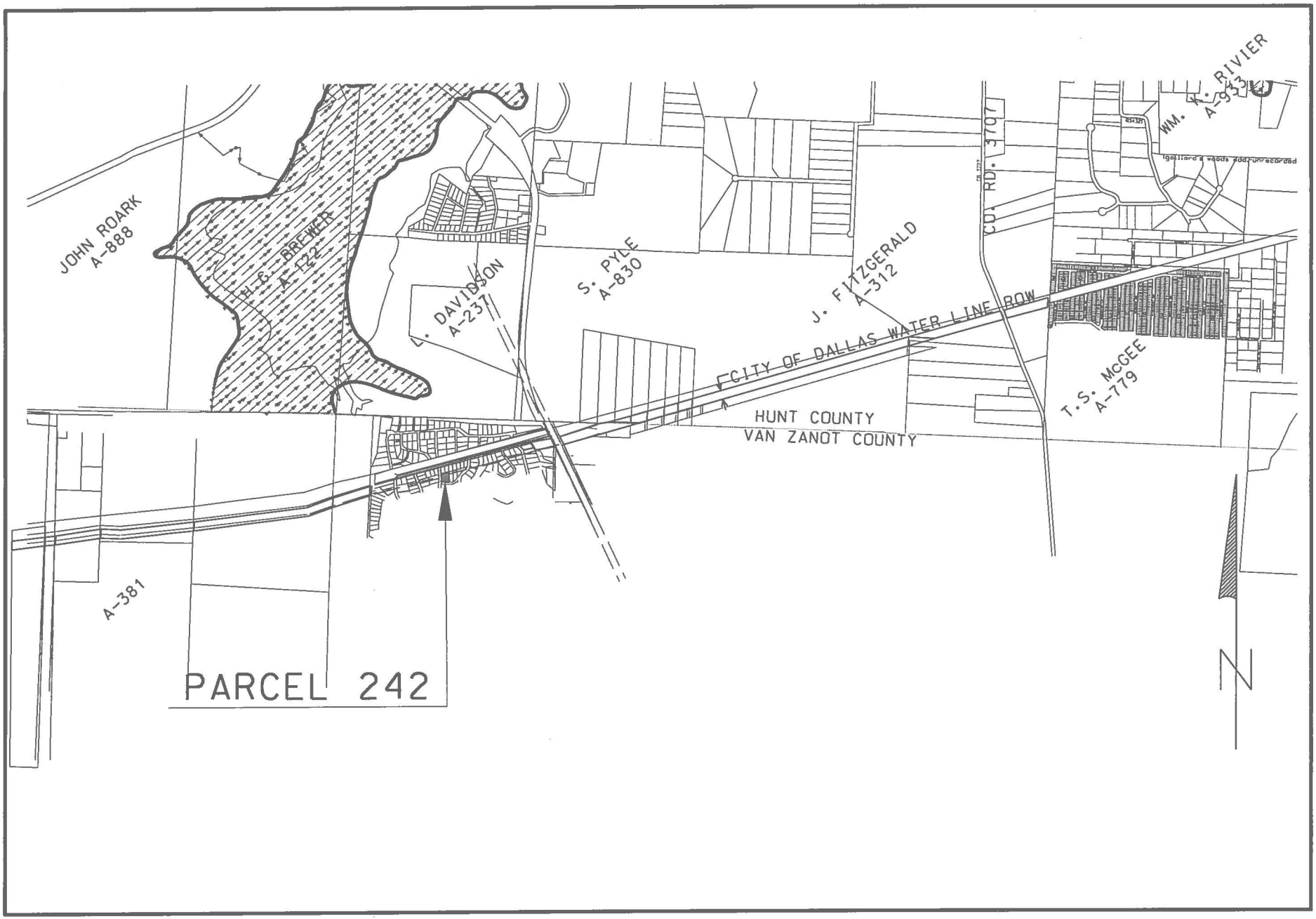
Water Utilities Capital Improvement Funds - $55,500 ($52,500, plus closing costs and title expenses not to exceed $3,000)

OWNER

Margaret Dodson

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_242.dgn Plotted on 6/1/2015 at 1:53:53 PM By: jason Project:City Of Dallas Plot Driver: dtsprinter plt.cfg PenTable:dte.tbl

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

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"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Margaret Dodson, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $52,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000

"AUTHORIZED AMOUNT": Not to exceed $55,500

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002884. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 242

BEING a 15,853 square foot (0.3639 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lots 204 and 205 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Cabinet 34, Slide A of the Plat Records of Van Zandt County, also recorded in Volume 1, Page 71 of the Deed Records of Van Zandt County, Texas, said Lot 204 and 205 being described in General Warranty Deed with Vendor's Lien to Gene Dodson and Margaret Dodson, husband and wife, as recorded in Volume 1949, Page 336, of the Official Public Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

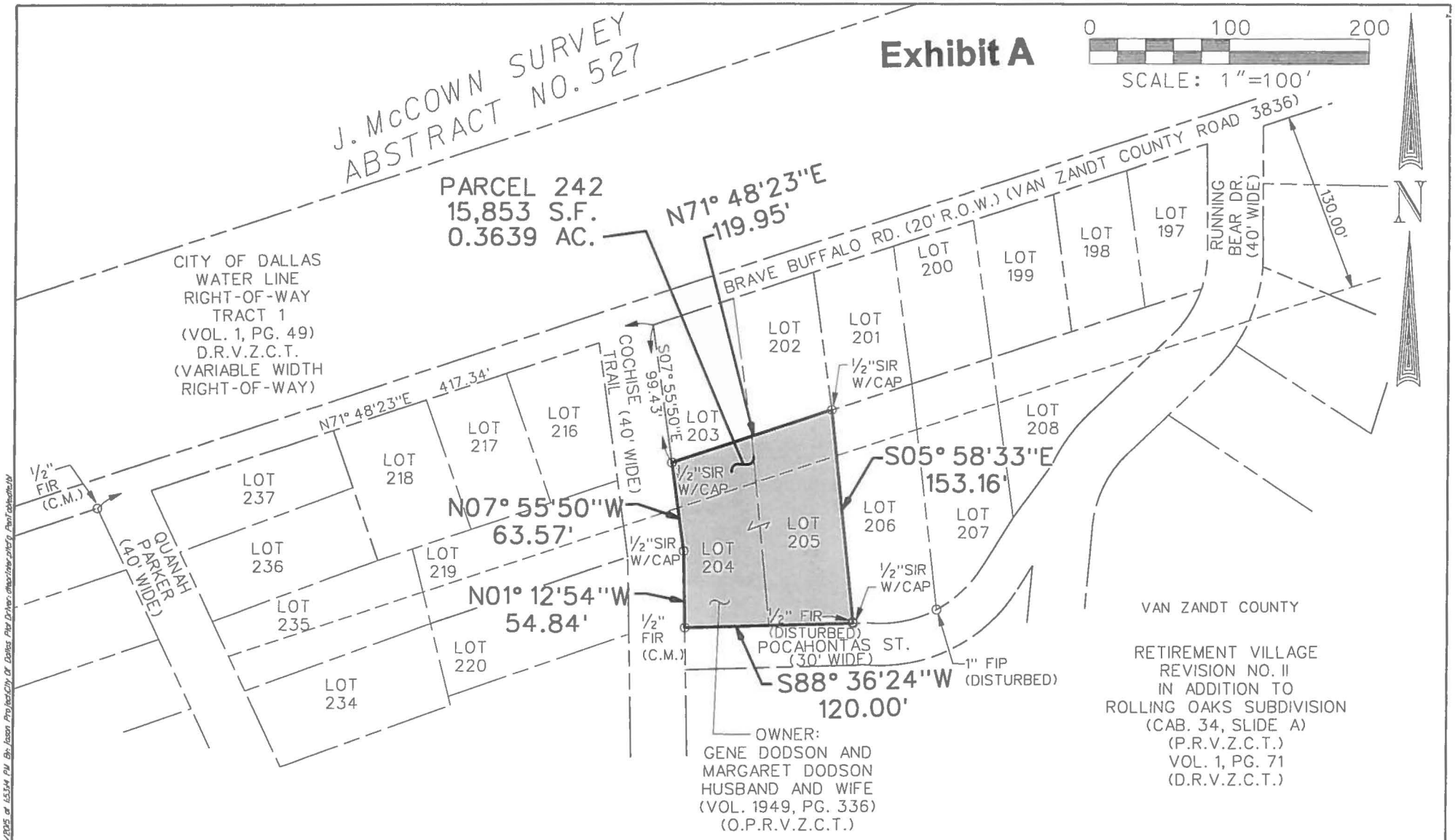
By: _____ Date: 6.1.15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6/8/15

Exhibit A



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30880-CB11. WITH AN EFFECTIVE DATE OF JULY 16, 2013

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ SX	SET "X" CUT IN CONCRETE
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○ SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

DATE: APR 2015	REVISED - JUNE 2015	SCALE: 1" = 100'		SHEET 2 OF 2

P:\0515-Dal\Dwaton\Parcel\PAR-542.dgn Plotted on 6/1/2015 at 15:34 PM By: Jason Project\City Of Dallas Plot Driver: dwg\plotter.pltcfg PenTable:stb

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF VAN ZANDT §

That Margaret Dodson, a widow (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of FIFTY TWO THOUSAND FIVE HUNDRED AND 00/100 DOLLARS ($52,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

_____
Margaret Dodson

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Margaret Dodson.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 44374

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 242

BEING a 15,853 square foot (0.3639 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lots 204 and 205 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Cabinet 34, Slide A of the Plat Records of Van Zandt County, also recorded in Volume 1, Page 71 of the Deed Records of Van Zandt County, Texas, said Lot 204 and 205 being described in General Warranty Deed with Vendor's Lien to Gene Dodson and Margaret Dodson, husband and wife, as recorded in Volume 1949, Page 336, of the Official Public Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

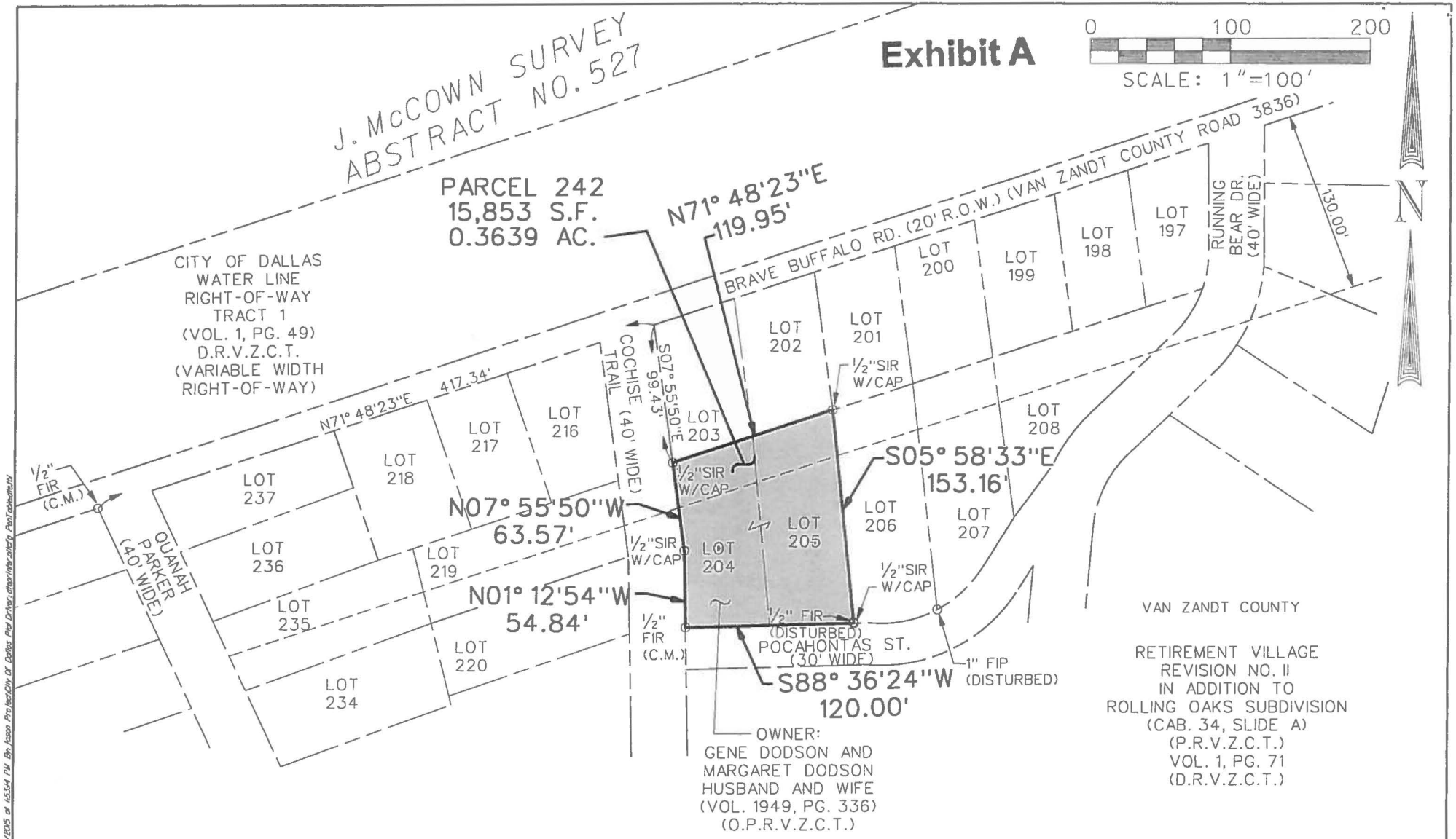
By: _____ Date: 6.1.15

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED:
6/8/15

Exhibit A



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30880-CB11, WITH AN EFFECTIVE DATE OF JULY 16, 2013

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM. NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP. DALLAS CORS ARP. KAUFMAN CORS ARP. TYLER CORS ARP. AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION. DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

DATE- APR. 2015 | REVISED - JUNE 2015 | SCALE- 1"=100' | SHEET 2 OF 2

P:\0515 LakeTawakoni\Parcels\Plat\Exh242.dgn Plotted on 6/11/2015 at 15:34 PM By: Jason Prybal,City of Dallas, Plot Driver: dwg to hpgl2.pc3, PenTable: fatLW

AGENDA ITEM # 34

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Judy Duncan and Raymond Anthony Duncan, of approximately 20,179 square feet of land with a manufactured dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $37,000 ($34,400, plus closing costs and title expenses not to exceed $2,600) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition from Judy Duncan and Raymond Anthony Duncan, of approximately 20,179 square feet of land with a manufactured dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. No relocation costs are associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $37,000 ($34,400, plus closing costs and title expenses not to exceed $2,600)

OWNERS

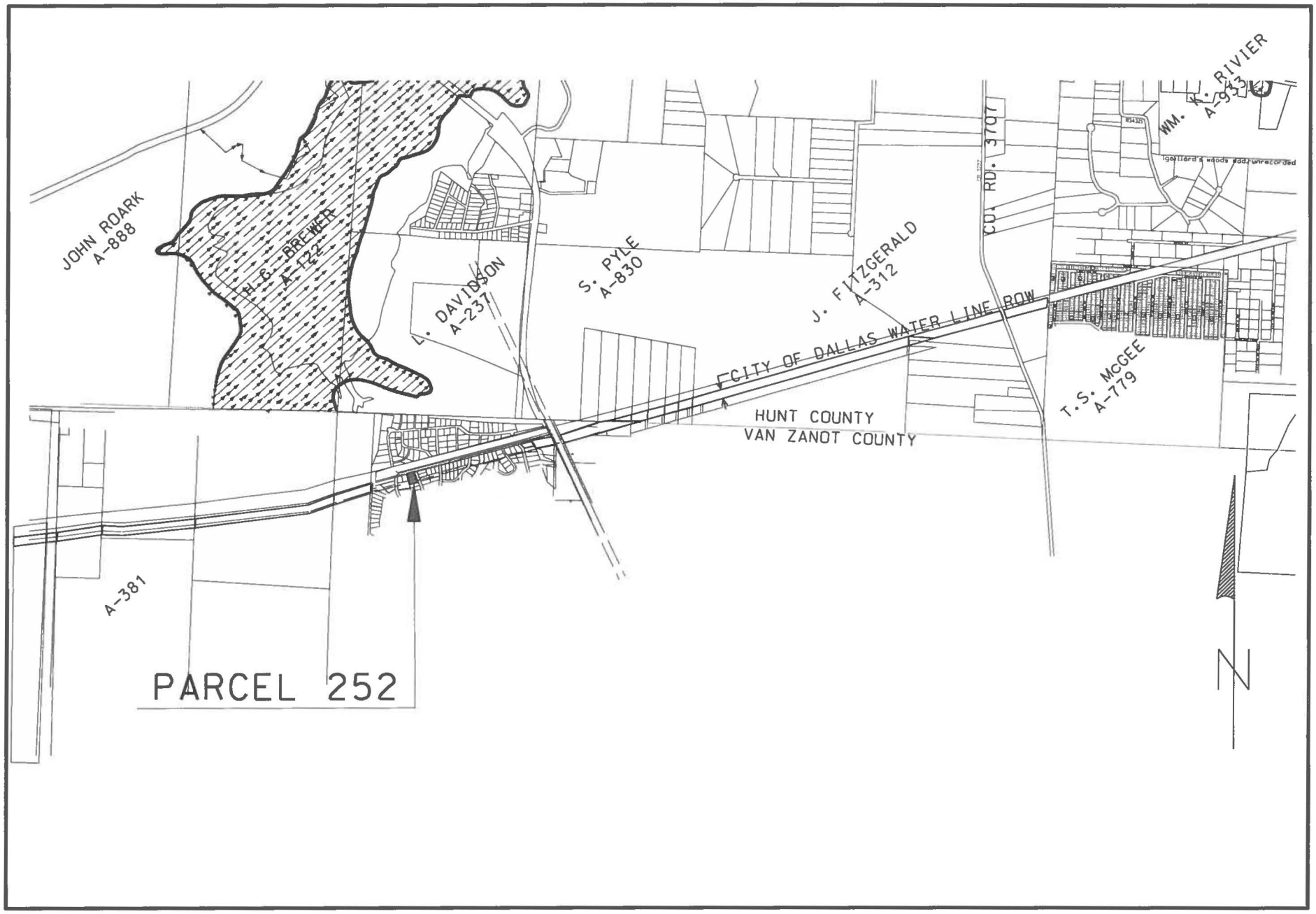
Judy Duncan

Raymond Anthony Duncan

MAP

Attached

P:\0515-LakeTawakoni\Parcel\ParcelsMap_252.dgn Plotted on 6/1/2015 at 2:47:19 PM By: jason Project:City Of Dallas Plot Driver: dteprinter.pltcfg PenTable:dte.tbl



VICINITY MAP
APPROXIMATE SCALE 1"= 2000'

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 20,179 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Judy Duncan and Raymond Anthony Duncan, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $34,400

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,600

"AUTHORIZED AMOUNT": Not to exceed $37,000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002882. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 252

BEING a 20,179 square foot (0.4633 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lots 238, 239 and 240 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lots 238, 239, and 240 being described in Warranty Deed to R.A. Duncan, dated September 17, 2007, as recorded in Volume 2223, Page 330, of the Deed Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6.1.15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6/8/15

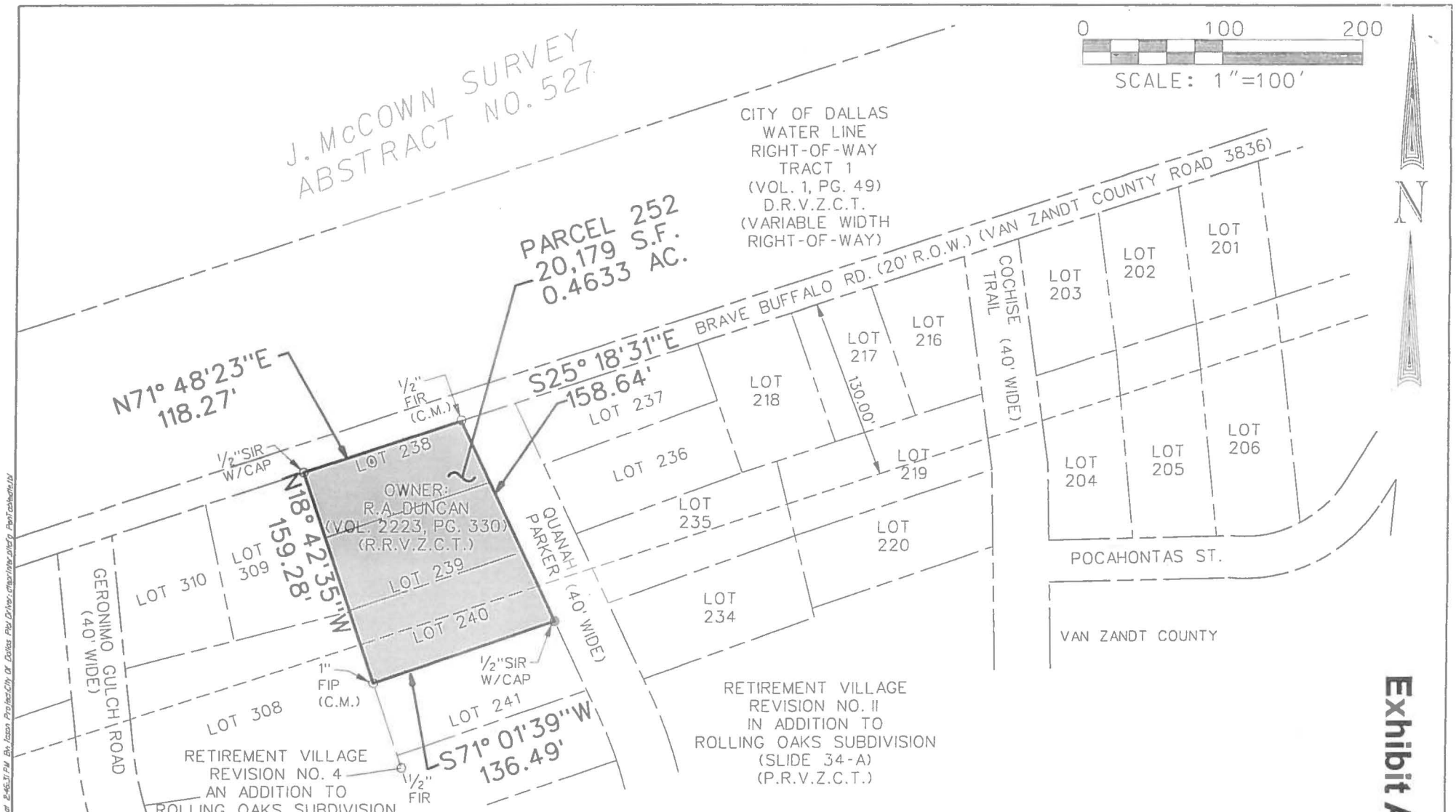


Exhibit A

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30922-CB11, WITH AN EFFECTIVE DATE OF JULY 16, 2013

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727 FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: APR. 2015	REVISED - JUNE 2015	SCALE: 1" = 100'	SHEET 2 OF 2

F:\DSK\Data\Toretta\Parcel\PAR-252.dgn Plotted on 6/11/2015 at 2:46:11 PM By: Jason Pruitt City or Dallas Plot Driver: dwg.ini Plot Config: PwToMeMJV

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF VAN ZANDT §

That Judy Duncan, a widow and Raymond Anthony Duncan, a single man, (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of THIRTY FOUR THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($34,400.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Approved As To Form:
LARRY E. CASTO
City Attorney

By: _____
Assistant City Attorney

_____
Judy Duncan

_____
Raymond Anthony Duncan

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Judy Duncan.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Raymond Anthony Duncan.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 44274

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 252

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A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6.1.15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6/8/15

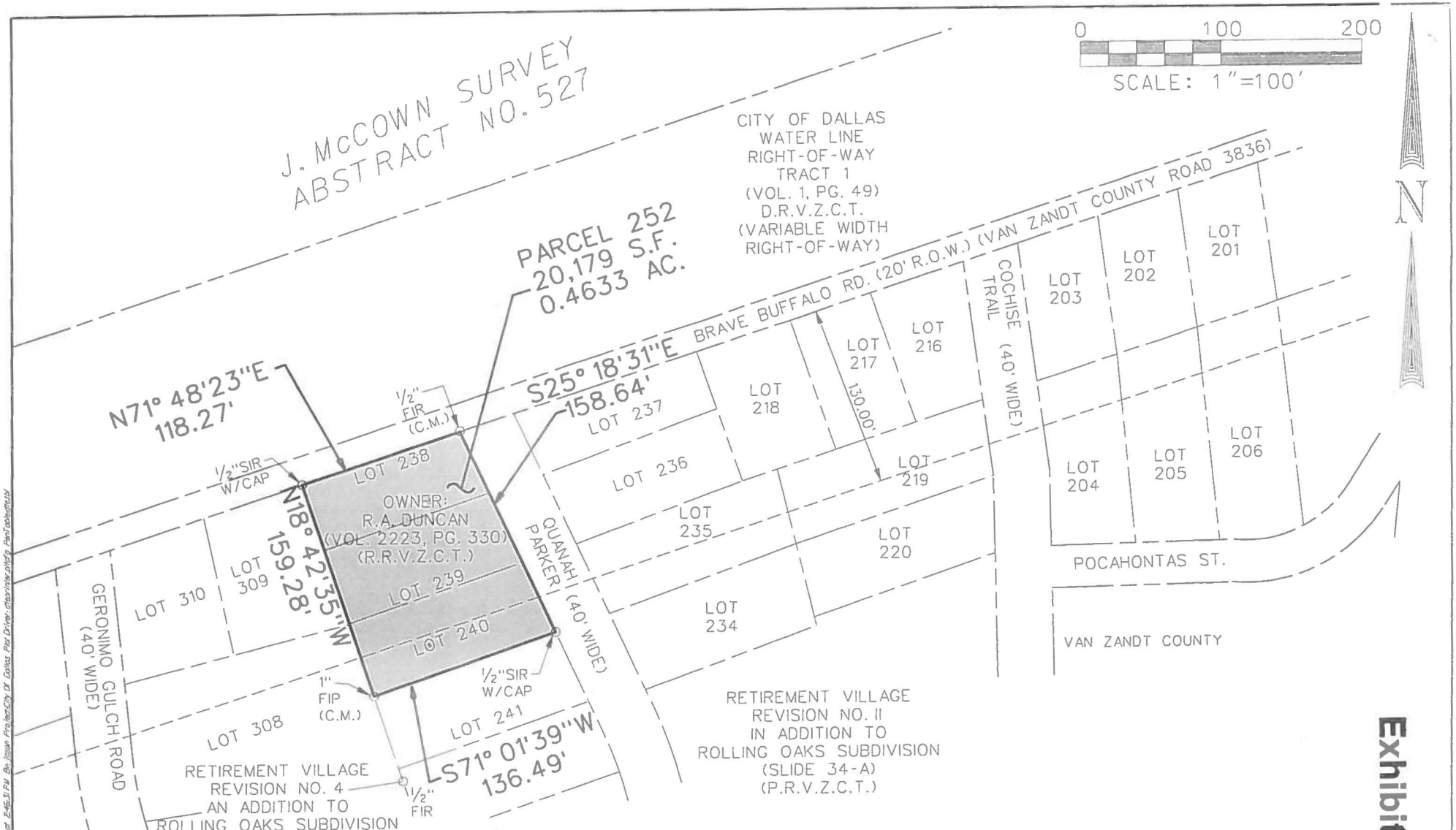


Exhibit A

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30922-CB11, WITH AN EFFECTIVE DATE OF JULY 16, 2013

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
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O SPK	SET PK. NAIL

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EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: APR.2015 | REVISED - JUNE 2015 | SCALE: 1"=100' | SHEET 2 OF 2

P:\055-Data\Towers\Parcel\PAR-252.dgn Plotted on 6/1/2015 at 8:46:31 PM By: Jason Projects\City Of Lakes Pkr Drive-dfw\Map\Proj Par\detailed

AGENDA ITEM # 35

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	12
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	5 P

SUBJECT

Authorize acquisition from AV Prestonwood Trails, LLC, a wastewater easement of a total of approximately 21,872 square feet of land located near the southeast corner of Keller Springs Road and Campbell Road for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $274,954 ($264,954, plus closing costs and title expenses not to exceed $10,000) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from AV Prestonwood Trials, LLC, of a wastewater easement of a total of approximately 21,872 square feet of land located near the southeast corner of Keller Springs Road and Campbell Road for the McKamy and Osage Branch Wastewater Interceptor Project. This property will be used for improvements and relocation of the McKamy & Osage Branch wastewater line. The consideration is based on an independent appraisal. No relocation costs are associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $274,954 ($264,954, plus closing costs and title expenses not to exceed $10,000)

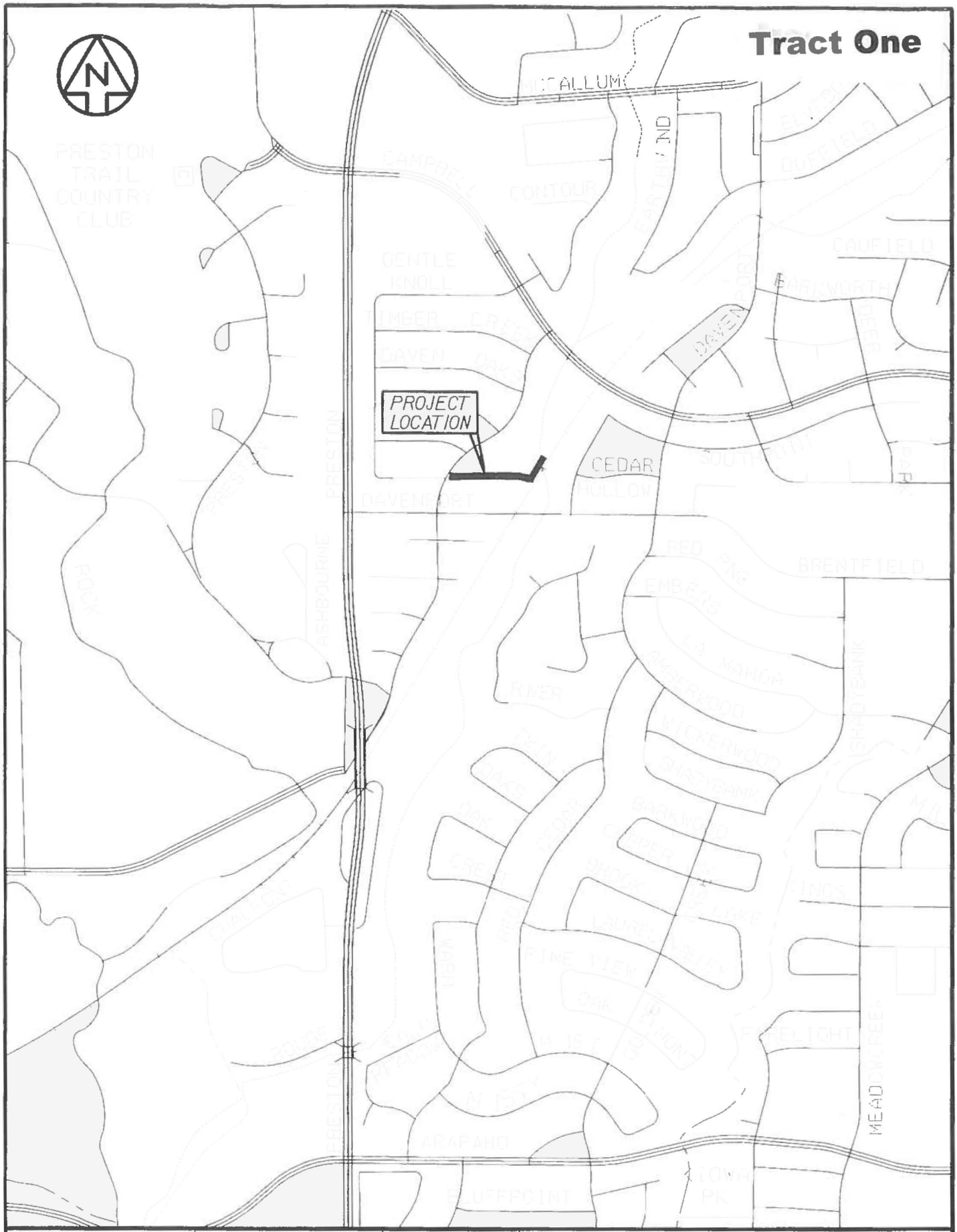
OWNER

AV Prestonwood Trails, LLC

Bernard Englard, President

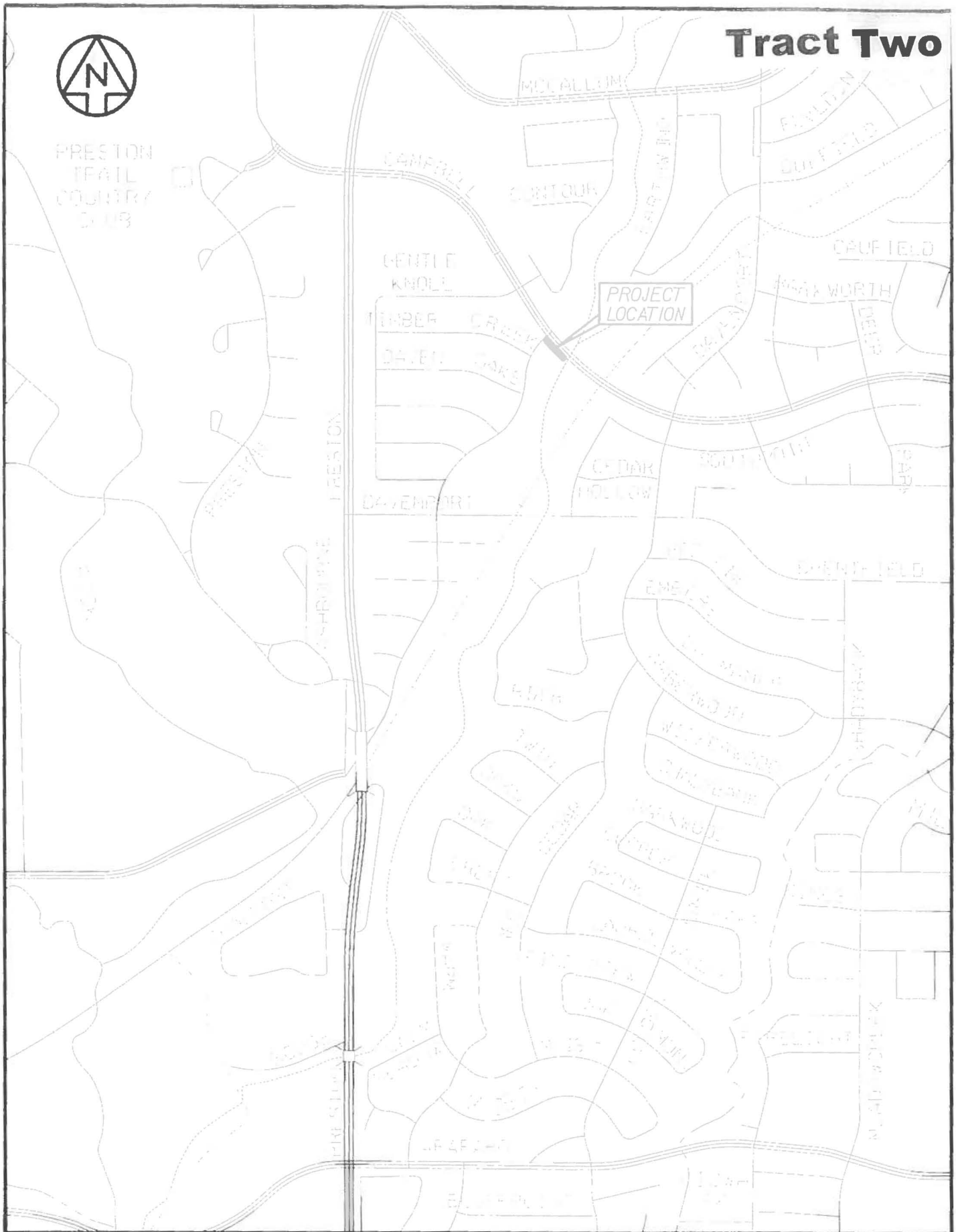
MAP

Attached



COMPUTED PMC CKD JHS DRAWN PMC CKD JHS SUPERVISOR F.D. UTZMAN DATE SCALE N.T.S.	REVISION HISTORY	ARREDONDO, ZEPEDA & BRUNZ, INC. 11355 McCREE ROAD DALLAS, TX. 75238 PH. 214-341-9900 FAX 214-341-9925 email - office@azb-engrs.com	LOCATOR MAP 18,468 S.F. (0.424 ACRE) PARCEL J.M. OVERTON SURVEY ~ ABSTRACT NO. 1108 & A.B. DANKS SURVEY ~ ABSTRACT NO. 400 DALLAS CITY BLOCK 8203	
			SHEET OF	DWG No. REV

Tract Two



COMPUTED BM JH
DRAWN BM JH
SUPERV SOR TWEEL
DATE
SCALE

REVISION HISTORY

ARREDONDO, ZEPEDA & BRUNZ, INC.
3116 McKEE ROAD
DALLAS, TX 75235
PH: 214.343.0200
FAX: 214.343.9325
email: office@azb-engrs.com

LOCATOR MAP

3,404 S.F. (0.078 ACRE) PARCEL
J.M. OVERTON SURVEY ~ ABSTRACT NO. 1108
DALLAS CITY BLOCK 8203

SHEET	OF	DWG No.	REV

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 21,872 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": McKamy and Osage Branch Wastewater Interceptor Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of wastewater together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Easement subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": AV Prestonwood Trails, LLC, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $264,954

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $10,000

"AUTHORIZED AMOUNT": Not to exceed $274,945

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Fund, Fund 0103, Department DWU, Unit CS40, Activity MPSA, Program 706028, Object 4250, Encumbrance No. CX-DWU-2017-00002353. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

18,468 SQUARE FOOT (0.424 ACRE)
DALLAS CITY BLOCK 8203
WASTEWATER EASEMENT
AV PRESTONWOOD TRAILS, LLC

EXHIBIT A

TRACT 1

BEING an 18,468 square foot (0.424 acre) parcel of land situated in the J.W. OVERTON SURVEY, ABSTRACT NO. 1108, and the A.B. DANKS SURVEY, ABSTRACT NO. 400, in Official City Block No. 8203 in On The Creek Apartments, an addition to the City of Dallas according to the plat thereof recorded in Volume 79209, Page 1 of the Deed Records of Dallas County, Texas, and being the same property described in a Special Warranty Deed to AV Prestonwood Trails, LLC, recorded as Instrument No. 20080081112 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a PK nail found (controlling monument) in the East line of Keller Springs Road (64' right-of-way) and the north line of a 125 foot wide Dallas Power & Light Company right-of-way at the southwest corner of said 13.381 acre tract and said On The Creek Apartment addition;

THENCE Northerly, along the easterly line of said Keller Springs Road and a curve to the right which has a chord that bears North 13 degrees 48 minutes 05 seconds East for 20.54 feet, a central angle of 02 degrees 38 minutes 29 seconds and a radius of 445.50 feet, for an arc distance of 20.54 feet to an "X" cut set for the **POINT OF BEGINNING**;

THENCE Northerly, continuing along the east line of said Keller Springs Road and said curve to the right which has a chord that bears North 16 degrees 44 minutes 27 seconds East for 25.13 feet, a central angle of 03 degrees 13 minutes 56 seconds and a radius of 445.50 feet, for an arc distance of 25.13 to a ½-inch steel rod with a cap marked "AZ&B" set for the end of said curve;

THENCE across said 13.381 acre tract the following courses and distances;

North 89 degrees 29 minutes 56 seconds East, a distance of 514.55 feet to a PK nail set for corner;

South 77 degrees 59 minutes 07 seconds East, a distance of 94.26 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner;

North 30 degrees 40 minutes 38 seconds East, a distance of 170.73 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner;

South 59 degrees 15 minutes 09 seconds East, a distance of 20.00 feet to a ½-inch steel rod with a cap marked "AZ&B" set in the easterly boundary of said 13.381 acre tract and the westerly line of the Dallas Area Rapid Transit (DART) right-of-way (100' R.O.W.);

FIELD NOTES APPROVED: 10/30/12

18,468 SQUARE FOOT (0.424 ACRE)
DALLAS CITY BLOCK 8203
WASTEWATER EASEMENT
AV PRESTONWOOD TRAILS, LLC

EXHIBIT A

THENCE South 30 degrees 40 minutes 38 seconds West, along the common line between said 13.381 acre tract and said DART right-of-way, a distance of 186.00 feet to a ½-inch steel rod found in the north line of said Dallas Power & Light (DP&L) R.O.W. for the southeast corner of said 13.381 acre tract;

THENCE South 89 degrees 29 minutes 46 seconds West, along the south line of said 13.381 acre tract and the north line of said DP&L R.O.W. a distance of 18.95 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner;

THENCE North 77 degrees 59 minutes 07 seconds West, across said 13.381 acre tract, a distance of 91.69 feet to a PK nail set for corner;

THENCE South 89 degrees 29 minutes 56 seconds West, continuing across said 13.381 acre tract, a distance of 514.75 feet to the **POINT OF BEGINNING** and containing 18,468 square feet, or 0.424 acre of land, more or less.

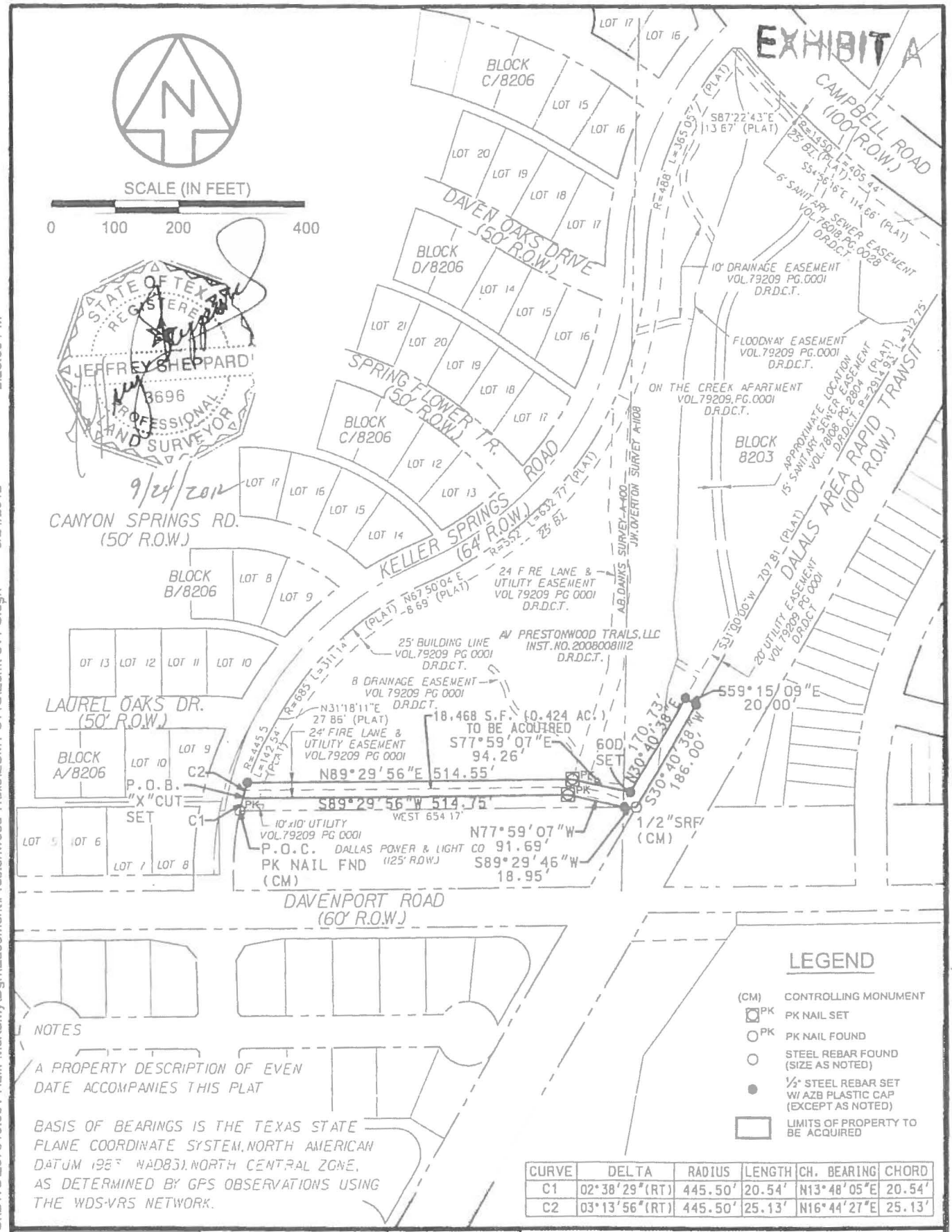
Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

A survey plat of even date accompanies this property description.

I the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this description and the accompanying survey plat were prepared from an actual survey made on the ground in the month of December, 2011.

Jeffrey Sheppard 9/24/2012
Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696





NOTES

A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), NORTH CENTRAL ZONE, AS DETERMINED BY GPS OBSERVATIONS USING THE WDS-VRS NETWORK.

CURVE	DELTA	RADIUS	LENGTH	CH. BEARING	CHORD
C1	02°38'29"(RT)	445.50'	20.54'	N13°48'05"E	20.54'
C2	03°13'56"(RT)	445.50'	25.13'	N16°44'27"E	25.13'

COMPUTED EMC CHK'D JLS
DRAWN EMC CHK'D JH
SUPERVISOR JLS
DATE 9/24/2012
SCALE 1" = 200'

REVISION HISTORY

AZB
ARREDONDO, ZEPEDA & BRUNZ, INC.
11255 McCREE ROAD
DALLAS, TX. 75238
PH 214-341-9000
FAX 214-341-9025
email - office@azb-engrs.com

18,468 SQUARE FOOT (0.424 ACRE) DALLAS CITY BLOCK 8203 WASTEWATER EASEMENT PRESTONWOOD TRAILS

SHEET 3 OF 3 | DWG No. | REV

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3,404 SQUARE FOOT (0.078 ACRE)
DALLAS CITY BLOCK 8203
WASTEWATER EASEMENT
AV PRESTONWOOD TRAILS, LLC

EXHIBIT A

TRACT 2

BEING a 3,404 square foot (0.078 acre) parcel of land situated in the J.W. OVERTON SURVEY, ABSTRACT NO. 1108, in Official City Block No. 8203 in On The Creek Apartment, an addition to the City of Dallas according to the plat thereof recorded in Volume 79209, Page 1 of the Deed Records of Dallas County, Texas, and being the same property described in a Special Warranty Deed to AV Prestonwood Trails, LLC, recorded as Instrument No. 20080081112 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch steel rod (controlling monument) found at the easterly end of a corner clip at the intersection of the east line of Keller Springs Road (64' right-of-way) and the southwest line of Campbell Road (100' right-of-way);

THENCE Southeasterly, along the southwesterly line of said Campbell Road and a curve to the left which has a chord that bears South 45 degrees 36 minutes 12 seconds East for 227.80 feet, a central angle of 09 degrees 00 minutes 38 seconds and a radius of 1450.00 feet, for an arc distance of 228.03 feet to a point for the end of said curve (unable to monument), from which a ½-inch steel rod with a cap marked "AZ&B" set bears North 40 degrees 17 minutes 58 seconds East, a distance of 7.09'.

THENCE across said 13.381 acre tract the following courses and distances:

South 40 degrees 17 minutes 58 seconds West, a distance of 17.66 feet to a point for corner (unable to monument);

North 49 degrees 42 minutes 02 seconds West, a distance of 60.11 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner;

North 40 degrees 34 minutes 12 seconds West, a distance of 56.15 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner and the beginning of a non-tangent curve to the right;

Northwesterly, along said curve to the right which has a chord that bears North 43 degrees 09 minutes 54 seconds West for 122.98 feet, a central angle of 04 degrees 49 minutes 10 seconds and a radius of 1462.50 feet, for an arc distance of 123.02 feet to a ½-inch steel rod with a cap marked "AZ&B" set in the easterly right-of-way line of Keller Springs Road for the end of said curve and the beginning of a non-tangent curve to the right;

THENCE Northeasterly, along the easterly line of said Keller Springs Road and said curve to the right which has a chord that bears North 44 degrees 20 minutes 42 seconds East for 2.00 feet, a central angle of 00 degrees 14 minutes 05 seconds and a

FIELD NOTES APPROVED: 10/30/12

EXHIBIT A

radius of 488.00 feet, for an arc distance of 2.00 feet to a ½-inch steel rod (controlling monument) found at the westerly end of said corner clip;

THENCE North 89 degrees 15 minutes 11 seconds East, continuing along said Keller Springs Road and said corner clip, a distance of 13.75 feet to the **POINT OF BEGINNING** and containing 3,404 square feet (0.078 acre) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

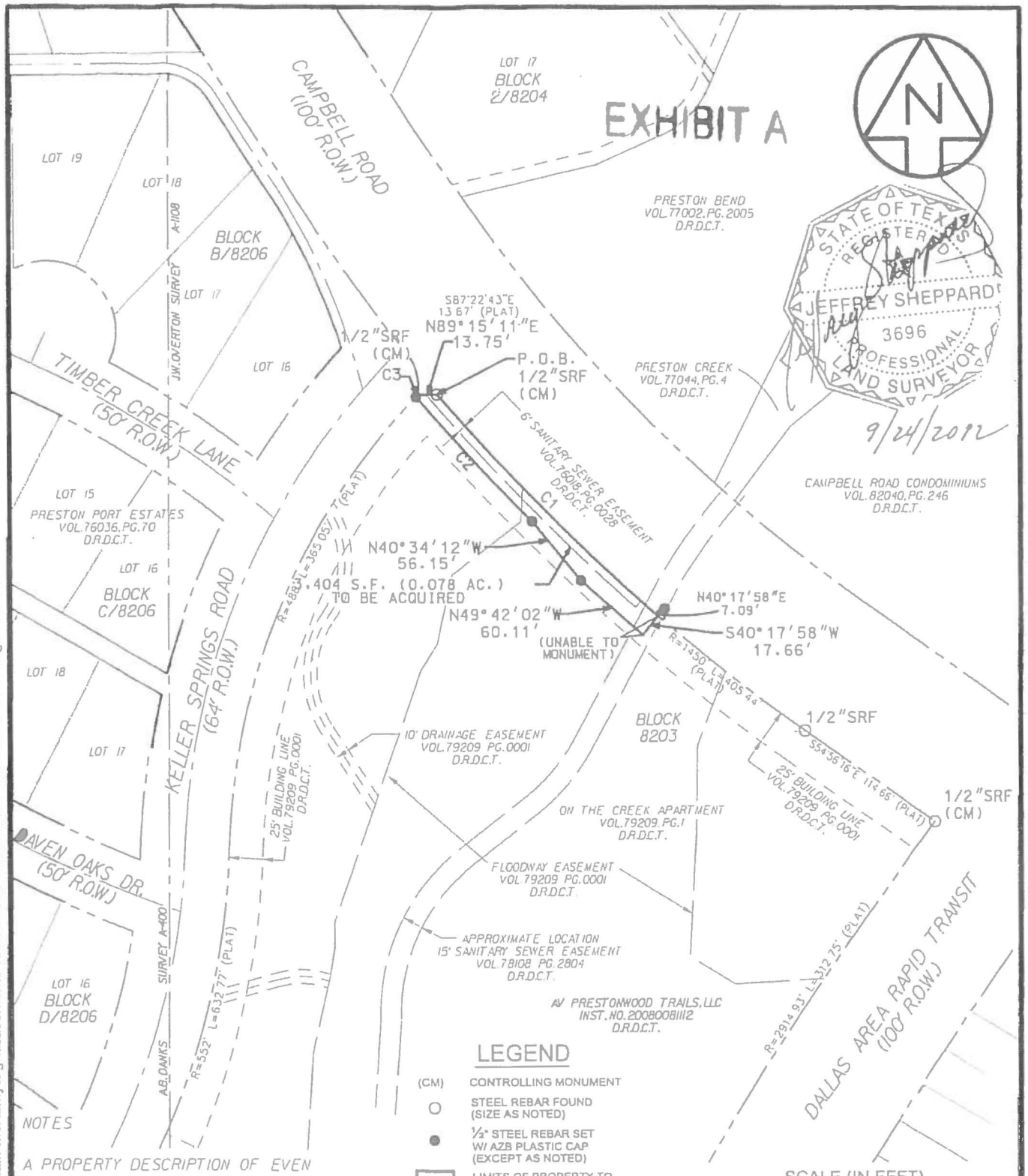
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Jeffrey Sheppard 9/24/2012

Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696





NOTES

A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

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C2	04°49'10"(RT)	1462.50'	123.02'	N43°09'54"W	122.98'
C3	00°14'05"(RT)	488.00'	2.00'	N44°20'42"E	2.00'

COMPUTED [illegible] JHE
DRAWN [illegible] JHE
SUPERVISOR [illegible] TZMAN
DATE [illegible]
SCALE [illegible]

REVISION HISTORY

AZB
ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 McCREE ROAD
DALLAS, TX. 75238
PH. 214-341-9500
FAX 214-341-9925
email - office@azb-engrs.com

3,404 SQUARE FOOT (0.078 ACRE) DALLAS CITY BLOCK 8203 WASTEWATER EASEMENT PRESTONWOOD TRAILS

SHEET 3 OF 3 | DWG No. | REV

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©

EXHIBIT B

WASTEWATER EASEMENT

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That AV Prestonwood Trails, LLC, a Texas limited liability company (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWO HUNDRED SIXTY FOUR THOUSAND NINE HUNDRED FIFTY FOUR AND NO/100 DOLLARS ($264,954.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future in, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit A, attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances, and such additional main or mains and appurtenances as are needed in the future, according to such plans and specifications as will, in City's opinion, best serve the public purpose. The payment of the purchase price shall be considered full and adequate compensation for the easement rights herein granted.

Should one or more of the Grantors herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to, the right of ingress and egress over and across said property to and from said easement for the purpose of constructing, reconstructing, maintaining, inspecting or repairing said main or mains and appurtenances.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance, repair or operation of the said main or mains. (Grantor, its successors or assigns, shall not place or store any material upon, or cover, bury, pave over or otherwise obstruct any cleanout, valve, meter or manhole located within the herein described permanent easement.)

Grantor, its successors or assigns, shall not be permitted to plant trees or shrubs of any kind within the boundaries of the herein described permanent easement.

EXHIBIT B

All expenses in the construction and maintenance of said main or mains and appurtenances shall be borne by the City. In the construction of said main or mains and appurtenances, should the City find it necessary to remove any improvements now on the above-described property, all of those expenses shall also be borne by the City. Upon completion of construction, all surplus excavation, debris, trash or litter resulting from construction shall be cleaned up and hauled off the premises, and the easement property, including any fences disturbed, shall be restored to its original contour and condition.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said easement unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

AV Prestonwood Trails, LLC,
a Texas limited liability company

By: _____
Name: _____
Title: _____

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by _____, _____ of AV Prestonwood Trails, LLC, a Texas limited liability company on behalf said limited liability company.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: LOIS KING

Wastewater Easement Log No. 39014

18,468 SQUARE FOOT (0.424 ACRE)
DALLAS CITY BLOCK 8203
WASTEWATER EASEMENT
AV PRESTONWOOD TRAILS, LLC

EXHIBIT A

TRACT 1

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FIELD NOTES APPROVED:
10/30/12

EXHIBIT A

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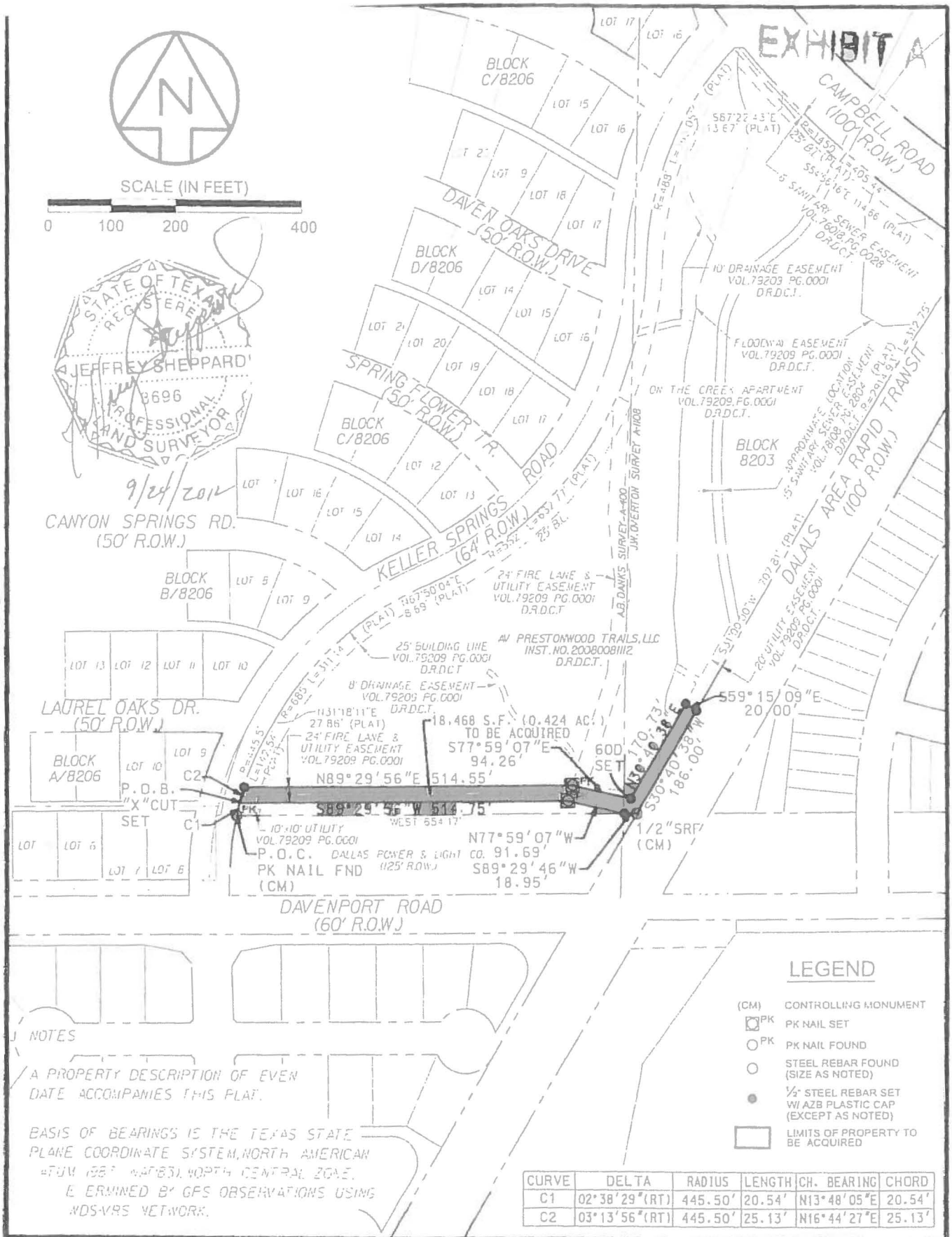
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Jeffrey Sheppard 9/24/2012

Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696





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COMPUTED PMG, EIT JHS
DRAWN PMG, EIT JHS
SUPERVISOR FC GUTZMAN
DATE 12-15-11
SCALE 1"=200'

REVISION HISTORY

AZB
ARREDONDO, ZEPEDA & BRUNZ, INC.
11356 McCREE ROAD
DALLAS, TX. 75238
PH 214-341-9300
FAX 214-341-9925
email: office@azb-engrs.com

18,468 SQUARE FOOT (0.424 ACRE) DALLAS CITY BLOCK 8203 WASTEWATER EASEMENT PRESTONWOOD TRAILS

SHEET 3 OF 3 | DWG No. | REV

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3,404 SQUARE FOOT (0.078 ACRE)
DALLAS CITY BLOCK 8203
WASTEWATER EASEMENT
AV PRESTONWOOD TRAILS, LLC

EXHIBIT A

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FIELD NOTES APPROVED: 10/30/12

EXHIBIT A

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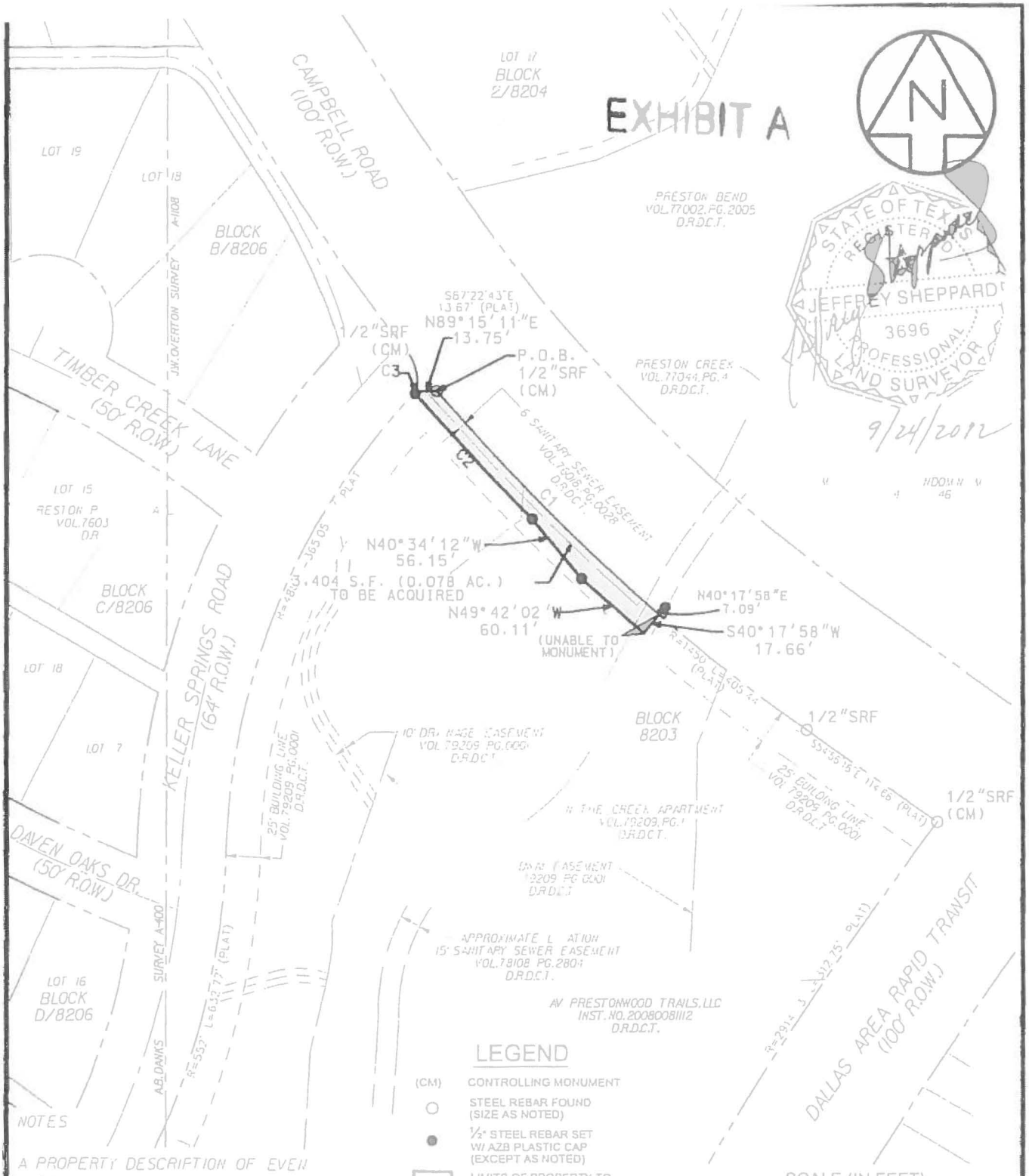
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Jeffrey Sheppard 9/24/2012

Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696



EXHIBIT A



STATE OF TEXAS
REGISTERED
JEFFREY SHEPPARD
3696
PROFESSIONAL
LAND SURVEYOR

9/24/2012

LEGEND

(CM)	CONTROLLING MONUMENT
○	STEEL REBAR FOUND (SIZE AS NOTED)
●	½" STEEL REBAR SET W/ AZB PLASTIC CAP (EXCEPT AS NOTED)
▭	LIMITS OF PROPERTY TO BE ACQUIRED

SCALE (IN FEET)

0 50 100 200

CURVE	DELTA	RADIUS	LENGTH	CH. BEARING	CHORD
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COMPUTED	PMC 12-13, JHS
DRAWN	PMC 12-13 JHS
SUPERVISOR	E.D. UTZMAN
DATE	12-14-11
SCALE	1"=100'

REVISION HISTORY

AZB
ARREDONDO ZEPEDA & BRUNZ, INC
11355 McCREE ROAD
DALLAS TX, 75238
PH 214.341.1900
FAX 214.341.9925
email office@azb-engrs.com

3,404 SQUARE FOOT (0.078 ACRE) DALLAS CITY BLOCK 8203 WASTEWATER EASEMENT PRESTONWOOD TRAILS

SHEET	DWG No	REV
3 OF 3		

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AGENDA ITEM # 36

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	12
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	5Q R

SUBJECT

Authorize acquisition from John H. Richardson, of a wastewater easement of approximately 325 square feet of land located near the intersection of Spanky Branch Court for the McKamy and Osage Branch Wastewater Interceptor Project - Not to exceed $5,144 ($4,144, plus closing costs and title expenses not to exceed $1,000) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from John H. Richardson, of a wastewater easement of approximately 325 square feet of land located near the intersection of Spanky Branch Court for the McKamy and Osage Branch Wastewater Interceptor Project. This property will be used for improvements and relocation of the McKamy & Osage Branch wastewater line. The consideration is based on an independent appraisal. No relocation costs are associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $5,144 ($4,144, plus closing costs and title expenses not to exceed $1,000)

OWNER

John H. Richardson

MAP

Attached



COMPUTED ____ CKD ____ DRAWN ____ CKD ____ SUPERVISOR ____ ____ ____ DATE ____ ____ ____ SCALE ____ ____ ____		AZ&B ARREDONDO, ZEPEDA & BRUNZ, INC 11355 McCREE ROAD DALLAS, TX. 75238 PH: 214-341-9900 FAX 214-341-9925 email - office@azb-engrs.com	LOCATOR MAP 325 S.F. (0.007 ACRE) PARCEL JOHN OVERTON SURVEY ABSTRACT NO. 1108 DALLAS CITY BLOCK 8200	
			SHEET OF	DWG No. REV

November 8, 2017

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 325 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": McKamy and Osage Branch Wastewater Interceptor Project

"USE": The installation use, and maintenance of a pipeline or lines for the transmission of wastewater together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Easement subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": John H. Richardson, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $4,144

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $1,000

"AUTHORIZED AMOUNT": Not to exceed $5,144

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0103, Department DWU, Unit CS40, Activity MPSA, Program 706028, Object 4210, Encumbrance/Contract No. CX-DWU-2018-00004312. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

325 SQUARE FOOT (0.007 ACRE)
DALLAS CITY BLOCK 8200
WASTEWATER EASEMENT
JOHN H. RICHARDSON

BEING a 325 square foot (0.007 Acre) parcel of land situated in the JOHN OVERTON SURVEY, ABSTRACT NO. 1108, in the City of Dallas, Dallas County, Texas, said parcel being a part of Lot 44, Block G/8200 of Court Estates, an addition to the City of Dallas according to the plat thereof recorded in Volume 95009, Page 2960 of the Deed Records of Dallas County, Texas, owned by John H. Richardson as evidenced by deed recorded in Volume 90067, Page 3472 of said Deed Records, and being more particularly described as follows:

COMMENCING at a ½-inch steel rod (controlling monument) found in the southerly right-of-way of Spanky Branch Court (50' right-of-way) for the east corner of Lot 17, Block G/8200 and the north corner of Lot 16, Block G/8200 of Highland of McKamy III, an addition to the City of Dallas according to the plat thereof recorded in Volume 77120, Page 1318 of said Deed Records, from which a ½-inch steel rod (controlling monument) found in the northerly right-of-way of said Spanky Branch Court for the south corner of Lot 21 and the west corner of Lot 22, Block G/8200 of said Highland of McKamy III, bears North 76 degrees 21 minutes 31 seconds East, a distance of 225.18 feet;

THENCE along the southerly and westerly right-of-way of Spanky Branch Court the following courses and distances:

South 89 degrees 11 minutes 16 seconds West, a distance of 100.00 feet to the north corner of Lot 17 and the east corner of Lot 18 and the beginning of a tangent curve to the right;

Northerly, along the curve to the right which has a chord that bears North 21 degrees 12 minutes 43 seconds West for 93.73 feet, a central angle of 139 degrees 12 minutes 02 seconds and a radius of 50.00 feet, for an arc distance of 121.48 feet to the end of said curve;

North 11 degrees 36 minutes 42 seconds West, a distance of 143.41 feet to a point on a non-tangent curve to the right;

Northerly, along said non-tangent curve to the right which has a chord that bears North 08 degrees 42 minutes 32 seconds West for 89.02 feet, a central angle of 125 degrees 48 minutes 20 seconds and a radius of 50.00 feet, for an arc distance of 109.79 feet to an "X" cut set at the most westerly southwest corner of said Lot 44 for the **POINT OF BEGINNING;**

THENCE North 30 degrees 50 minutes 06 seconds West, along the west line of said Lot 44, a distance of 12.18 feet to a 1/2-inch steel rod with a cap marked

FIELD NOTES APPROVED:

EXHIBIT A

325 SQUARE FOOT (0.007 ACRE)
DALLAS CITY BLOCK 8200
WASTEWATER EASEMENT
JOHN H. RICHARDSON

"AZ&B" set for the most northerly northwest corner thereof in the southerly right-of-way of a 100-foot wide Dallas Area Rapid Transit (DART) right-of-way;

THENCE North 59 degrees 09 minutes 54 seconds East, along the common line between said Lot 44 and said DART right-of-way, a distance of 24.66 feet to a 1/2-inch steel rod with a cap marked "AZ&B" set for corner;

THENCE South 30 degrees 50 minutes 56 seconds East, across said Lot 44, a distance of 16.31 feet to an "X" cut set on a non-tangent curve to the left in the northerly right-of-way of Spanky Branch Court;

THENCE Southwesterly, along the non-tangent curve to the left which has a chord that bears South 68 degrees 40 minutes 28 seconds West for 25.01 feet, a radius of 50.00 feet and a central angle of 28 degrees 57 minutes 41 seconds, for an arc distance of 25.27 feet to the **POINT OF BEGINNING** and containing 325 square feet (0.007 Acre) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

A survey plat of even date accompanies this property description.

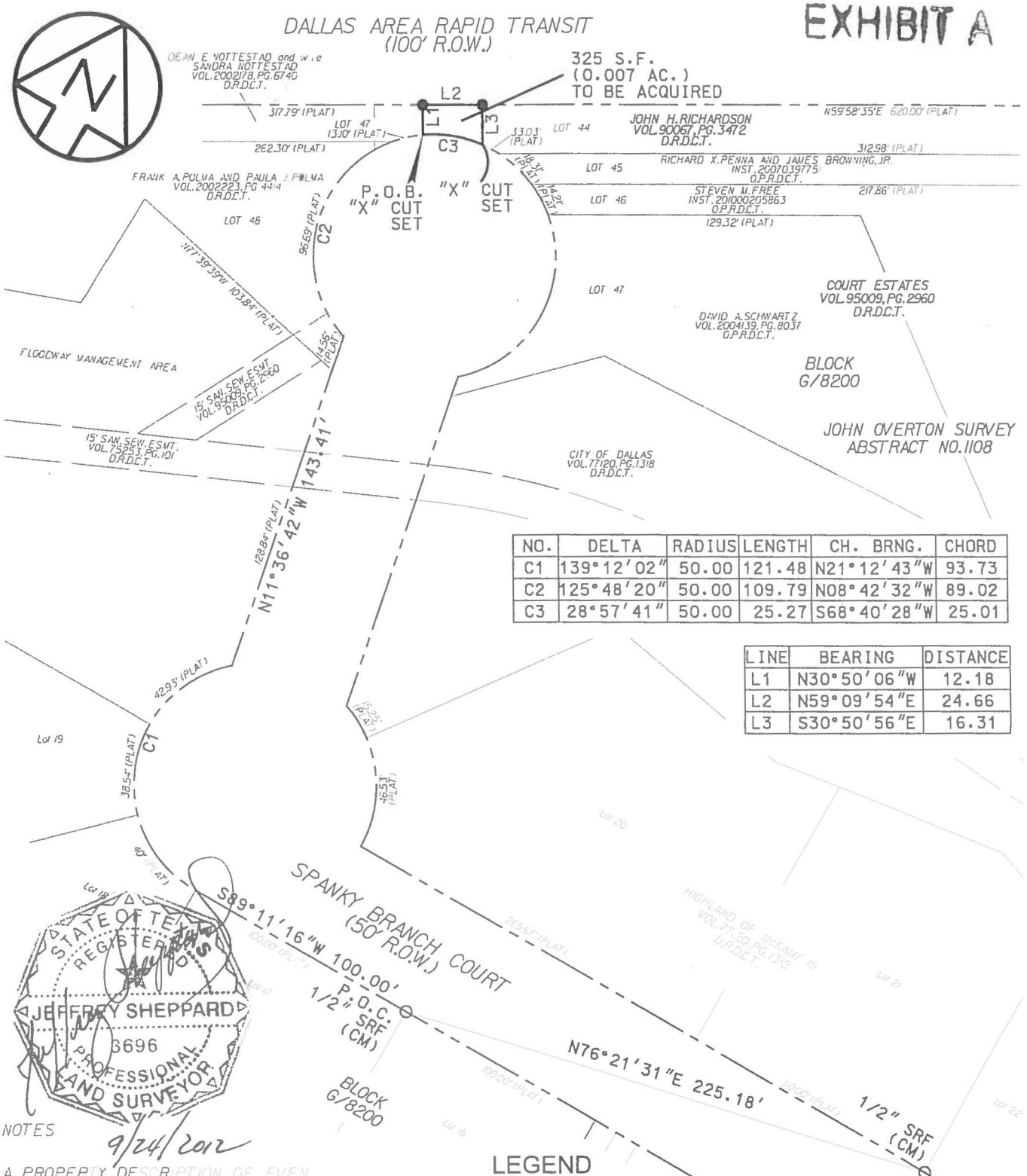
I the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this description and the accompanying survey plat were prepared from an actual survey made on the ground in the month of December, 2011.

9/24/2012

Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696



EXHIBIT A



NO.	DELTA	RADIUS	LENGTH	CH. BRNG.	CHORD
C1	139°12'02"	50.00	121.48	N21°12'43"W	93.73
C2	125°48'20"	50.00	109.79	N08°42'32"W	89.02
C3	28°57'41"	50.00	25.27	S68°40'28"W	25.01

LINE	BEARING	DISTANCE
L1	N30°50'06"W	12.18
L2	N59°09'54"E	24.66
L3	S30°50'56"E	16.31

NOTES

9/24/2012

A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), NORTH CENTRAL ZONE, AS DETERMINED BY GPS OBSERVATIONS USING THE WDS-VRS NETWORK.

LEGEND

(CM) CONTROLLING MONUMENT

○ STEEL REBAR FOUND (SIZE AS NOTED)

● ½" STEEL REBAR SET W/ AZB PLASTIC CAP (EXCEPT AS NOTED)

▭ LIMITS OF PROPERTY TO BE ACQUIRED

SCALE (IN FEET)

0 30 60 120

COMPUTED KMM CKD. JHS
DRAWN KMM CKD. JHS
SUPERVISOR E.D. UTZMAN
DATE 3-14-12
SCALE 1"=60'

REVISION HISTORY

AZ&B
ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 McCREE ROAD
DALLAS, TX. 75238
PH 214-341-9900
FAX 214-341-9925
email - office@azb-engrs.com

325 SQUARE FOOT (0.007 ACRE) DALLAS CITY BLOCK 8758 WASTEWATER EASEMENT JOHN H. RICHARDSON

SHEET 3 OF 3 | DWG No. | REV 1

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WASTEWATER EASEMENT EXHIBIT B

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That John H. Richardson, and spouse Linda Richardson (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of FOUR THOUSAND ONE HUNDRED FORTY FOUR AND NO/100 DOLLARS ($4,144.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future in, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit A, attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances, and such additional main or mains and appurtenances as are needed in the future, according to such plans and specifications as will, in City's opinion, best serve the public purpose. The payment of the purchase price shall be considered full and adequate compensation for the easement rights herein granted.

Should one or more of the Grantors herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to, the right of ingress and egress over and across said property to and from said easement for the purpose of constructing, reconstructing, maintaining, inspecting or repairing said main or mains and appurtenances.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance, repair or operation of the said main or mains. (Grantor, its successors or assigns, shall not place or store any material upon, or cover, bury, pave over or otherwise obstruct any cleanout, valve, meter or manhole located within the herein described permanent easement.)

Grantor, its successors or assigns, shall not be permitted to plant trees or shrubs of any kind within the boundaries of the herein described permanent easement.

All expenses in the construction and maintenance of said main or mains and appurtenances shall be borne by the City. In the construction of said main or mains and appurtenances, should the City find it necessary to remove any improvements now on the above-described property, all of those expenses shall also be borne by the City. Upon completion of construction, all surplus excavation, debris, trash or litter resulting from construction shall be cleaned up and hauled off the premises, and the easement property, including any fences disturbed, shall be restored to its original contour and condition.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said easement unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

By: _____
John H. Richardson

_____
Linda Richardson

* * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by John H. Richardson.

_____
Notary Public, State of TEXAS

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by Linda Richardson.

_____
Notary Public, State of TEXAS

EXHIBIT A

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DALLAS CITY BLOCK 8200
WASTEWATER EASEMENT
JOHN H. RICHARDSON

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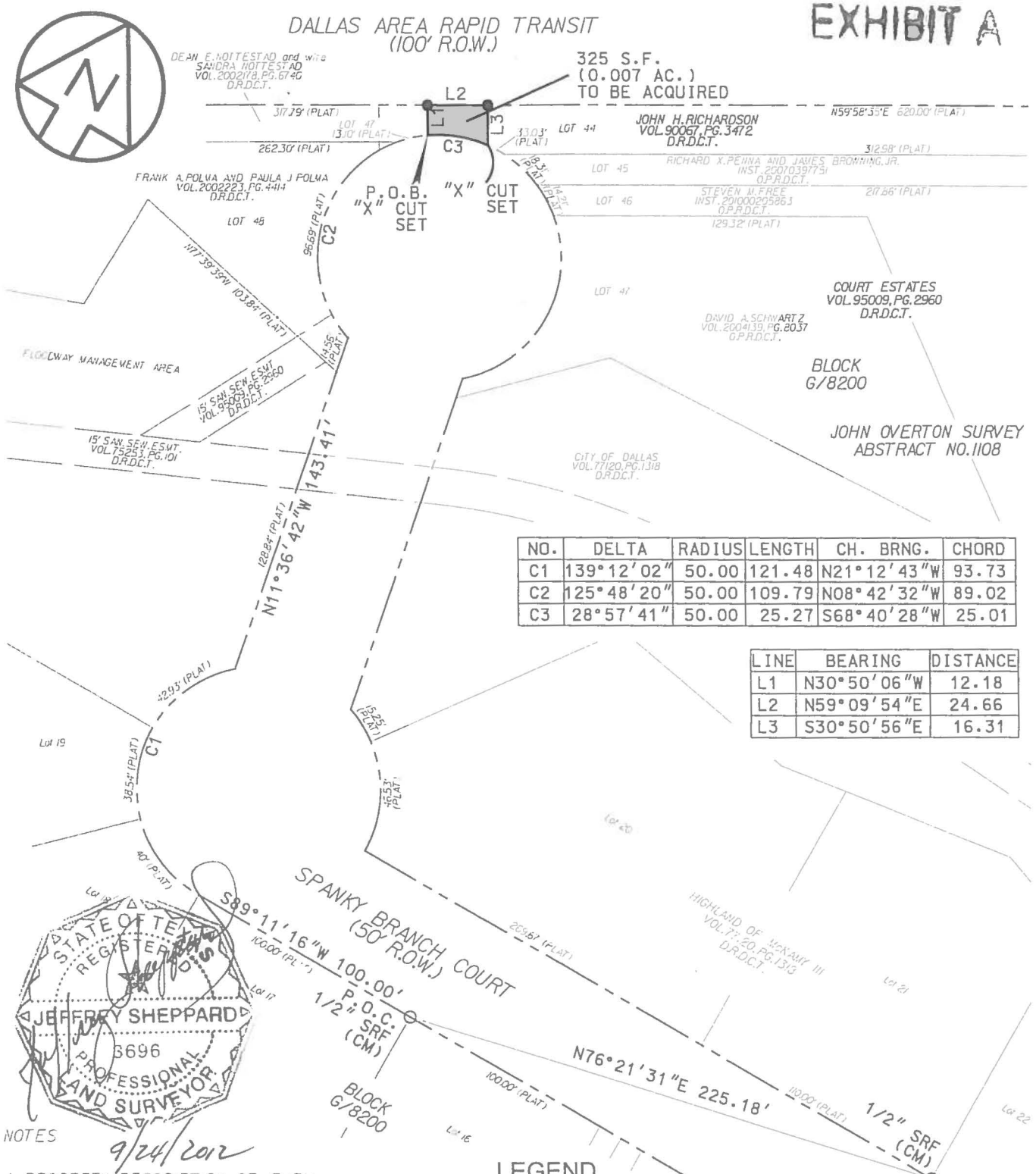
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9/24/2012

Jeffrey Sheppard
Registered Professional Land Surveyor No. 3696



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9/24/2012

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LEGEND

(CM)	CONTROLLING MONUMENT
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●	½" STEEL REBAR SET W/ AZB PLASTIC CAP (EXCEPT AS NOTED)
▭	LIMITS OF PROPERTY TO BE ACQUIRED

SCALE (IN FEET)

0 30 60 120

COMPUTED	KMM CKD.	JHS
DRAWN	KMM CKD	JHS
SUPERVISOR	E.C. UTZMAN	
DATE	9-14-12	
SCALE	1"=60'	

REVISION HISTORY

AZ&B
ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 McCREE ROAD
DALLAS, TX. 75238
PH. 214-341-9900
FAX 214-341-9925
email - office@azb-engrs.com

325 SQUARE FOOT (0.007 ACRE)
DALLAS CITY BLOCK 8758
WASTEWATER EASEMENT
JOHN H. RICHARDSON

SHEET 3 OF 3 | DWG No. | REV 1

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AGENDA ITEM # 37

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46S

SUBJECT

A resolution authorizing the conveyance of approximately 17,641 square feet of improved City-owned land to the State of Texas located near the intersection of South Harwood Street and Park Row Avenue - Revenue: $198,279

BACKGROUND

This item authorizes the conveyance of approximately 17,641 square feet of improved City-owned land to the State of Texas located near the intersection of South Harwood Street and Park Row Avenue for the redevelopment and improvement to Interstate Highway 45. This property is the former location site of Fire Station No. 6. The State of Texas is an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price of $198,279 is based on an independent appraisal.

This property will be conveyed with a reservation of all oil, gas and other minerals in and under the property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

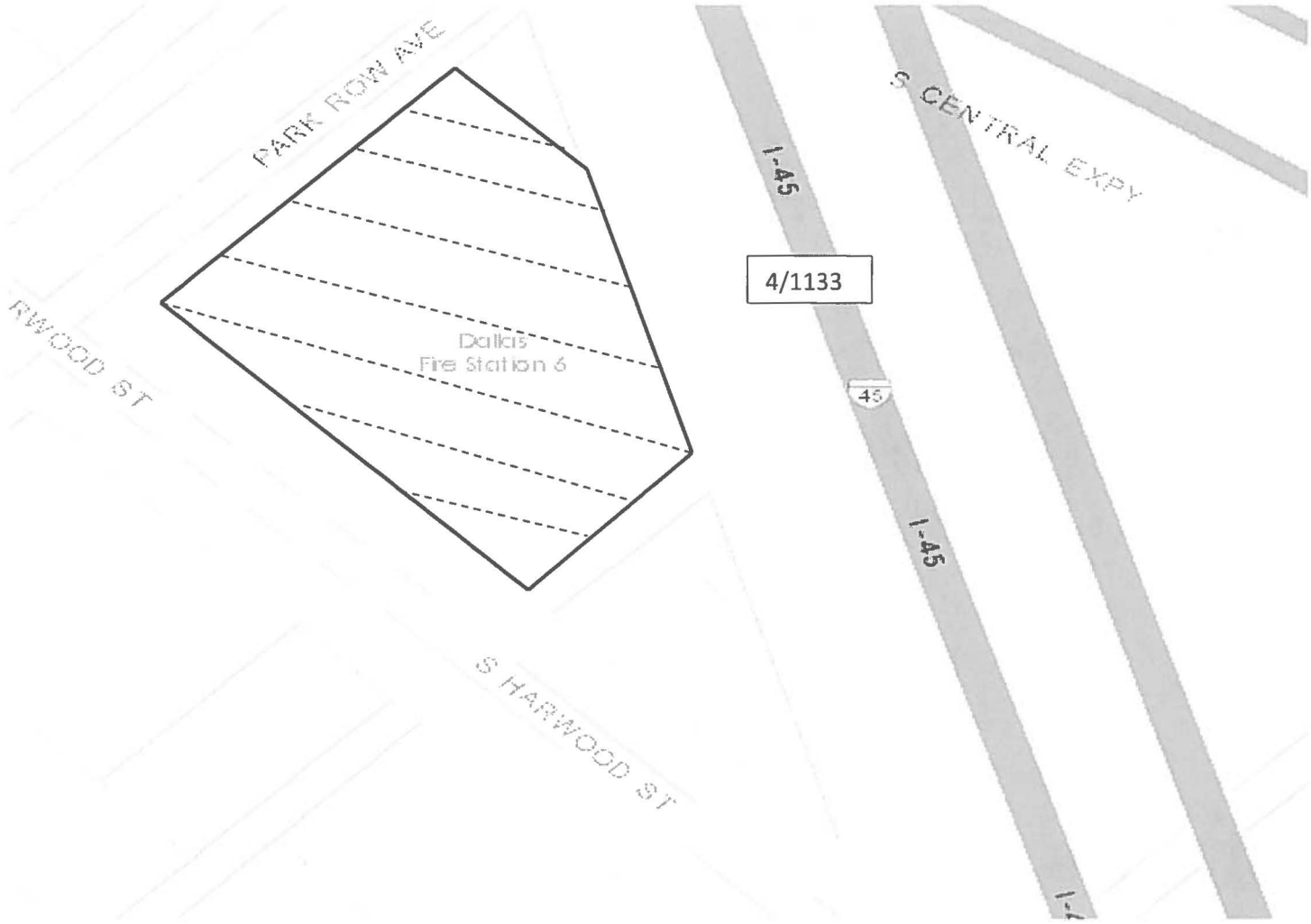
This item has no prior action.

FISCAL INFORMATION

Revenue - $198,279

MAP

Attached



SURPLUS PROPERTY: 2808 S Harwood St

N

WHEREAS, the City of Dallas is the owner of a tract of land containing approximately 17,641 square feet of land, being in Block 4/1133, Dallas, Dallas County, Texas, (the "Property"), and is located near the intersection of South Harwood Street and Park Row Avenue, which is no longer needed for municipal use; and

WHEREAS, the Texas Department of Transportation, a State of Texas agency, has the power of eminent domain and proposes to acquire said property at fair market value for a state highway project for Interstate Highway 45; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That upon receipt of **ONE HUNDRED NINETY EIGHT THOUSAND TWO HUNDRED SEVENTY NINE AND NO/100 DOLLARS ($198,279.00)** from the State of Texas, acting by and through the Texas Transportation Commission, the City Manager or designee is authorized to execute a Special Warranty Deed, to be attested by the City Secretary, approved as to form by the City Attorney, said Special Warranty Deed is subject to the conditions contained in Section 2.

SECTION 2. That the Deed without Warranty shall provide that the conveyance to the State of Texas, acting by and through the Texas Transportation Commission, **("GRANTEE"**) is subject to the following:

(a) a restriction prohibiting the placement of industrialized housing on the property; and

(b) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and

(c) any visible and apparent easements and any encroachments whether of record or not; and

SECTION 2. (continued)

(d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

(e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) GRANTOR expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and

(f) GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended,

SECTION 2. (continued)

(c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder; and

(g) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction Services-Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8118.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 6. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 7. That this contract is designated as Contract No. DEV-2017-00002781.

November 8, 2017

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

AGENDA ITEM # 38

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability Quality of Life
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Sustainable Development and Construction Park & Recreation
CMO:	Majed Al-Ghafry, 670-3302 Willis Winters, 670-4071
MAPSCO:	45L

SUBJECT

An ordinance providing for the closure and vacation of a portion of Live Oak Street containing approximately 22,120 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Financing: No cost consideration to the City

BACKGROUND

This item authorizes the closure and vacation of a portion of Live Oak Street. The area will be included with the adjacent City-owned property for Pacific Plaza Park.

Notices were sent to 16 property owners located within 300 feet of the proposed closure and vacation area. There were no responses received in opposition to the request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 23, 2017, the Park & Recreation Board authorized the terms of the Development Agreement and Operating Endowment Agreement for the design and construction of a public park currently named Pacific Plaza.

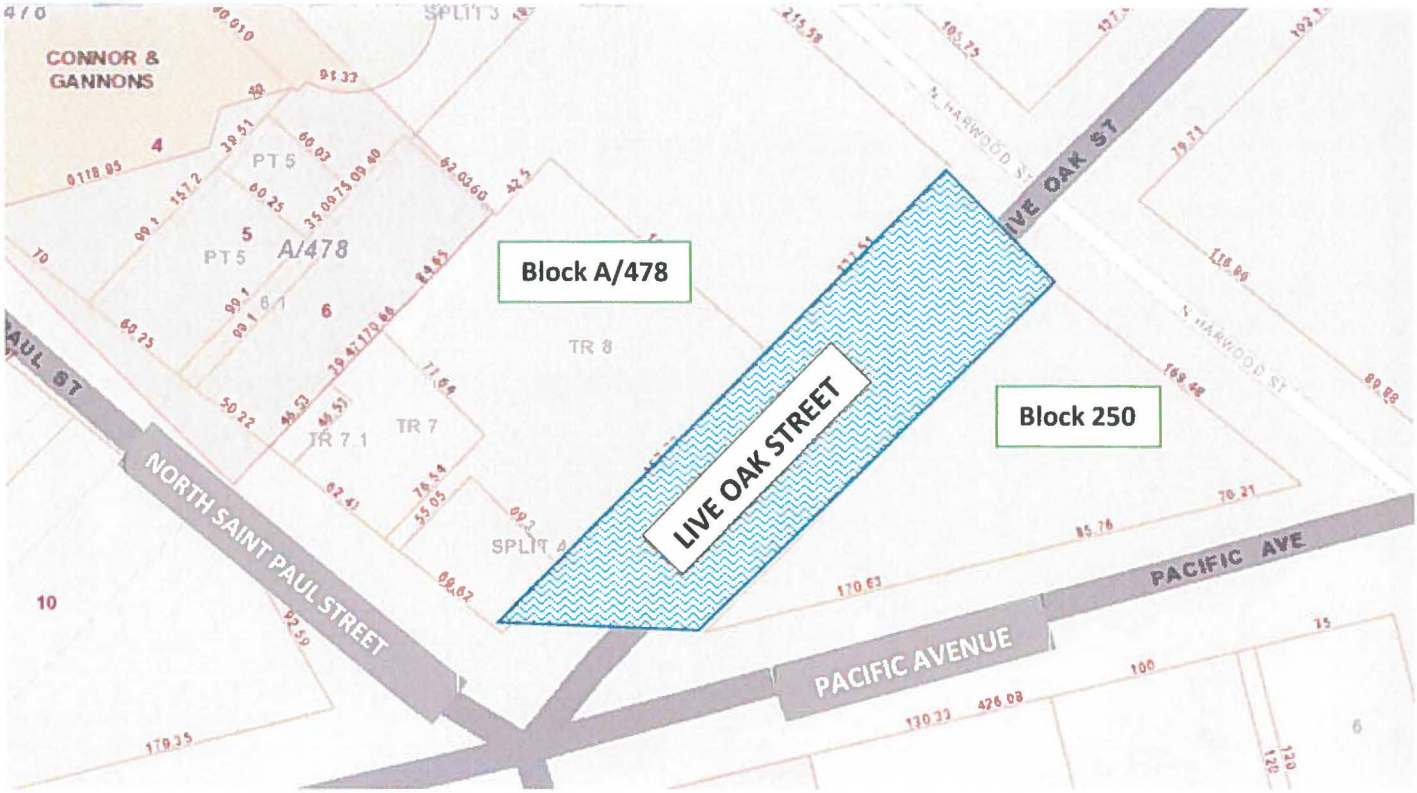
On March 22, 2017, City Council authorized approval of the terms for the Development Agreement between the Pacific Plaza LLC and Parks for Downtown Dallas collectively the "Developer" and the City for the design and construction of a public park currently named Pacific Plaza; and approval of an Operating Endowment Agreement between the City and Developer by Resolution No. 17-0494.

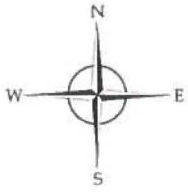
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached







ABANDONMENT AREA:

CLOSE AND VACATE A PORTION OF LIVE OAK STREET

ORDINANCE NO. _____

An ordinance providing for the closure and vacation of a portion of Live Oak Street adjacent to City Blocks 250 and A/478 in the City of Dallas and County of Dallas, Texas; providing for the terms, provisions and effective date of the closure and vacation made herein; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the Park and Recreation Department has requested the closure and vacation of a portion of Live Oak Street for the Pacific Plaza Park Project; and

WHEREAS, the City Council of the City of Dallas, acting pursuant to law, is of the opinion that the best interest and welfare of the public will be served by closing and vacating a portion of Live Oak Street adjacent to City-owned property in City Blocks 250 and A/478 to all vehicular and pedestrian traffic.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same is hereby vacated and closed insofar as the right, title and easement of the public to use said tract for pedestrian and vehicular purposes are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That the closure and vacation provided for herein is made subject to:

a) all present zoning and deed restrictions, if the latter exist;

b) those certain provisions of Section 43-144 of the Dallas City Code regarding Conformance with Public Improvements relating to public service utility providers;

c) the execution of a Private Development Contract (P-Contract) related to the existing 6" water main;

d) an approved plan by Transportation Department-Parking Management for temporary hooding and the permanent removal of parking meters during construction;

SECTION 2. (continued)

e) pedestrian access being provided through the park maintaining a connection from Live Oak Street to Pacific Avenue and North of St. Paul Street.

SECTION 3. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Development Services, or her designee.

SECTION 4. That this contract is designated as Contract No. DEV-2017-00003741.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

CLOSE AND VACATE

LIVE OAK STREET

ADJACENT TO CITY BLOCK A/478 AND CITY BLOCK 250

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495

CITY OF DALLAS, DALLAS COUNTY, TEXAS

All of that certain tract of land (22,120 square feet, 0.508 acres) to the City of Dallas , being a portion of Live Oak Street (68.0 foot right of way) described in City of Dallas Ordinance Book 1-A, Years 1873-1882, Page 135, and Warranty Deed recorded in Volume 2654, Page 463, Warranty Deed recorded in Volume 2696, Page 430, Warranty Deed recorded in Volume 2654 page 461, Warranty Deed recorded in Volume 2627 Page 588, Warranty Deed recorded in Volume 2687 Page 268, Warranty Deed recorded in Volume 2687 Page 269, Warranty Deed recorded in Volume 2696 Page 426, Warranty Deed recorded in Volume 2696 Page 428, Warranty Deed recorded in Volume 2643 Page 12, Warranty Deed recorded in Volume 2831 Page 502, Warranty Deed recorded in Volume 2813 Page 93, and Warranty Deed recorded in Volume 2813 Page 84 described in the Deed Records, Dallas County, Texas (D.R.D.C.T.) and adjacent to City Block A/478 and City Block 250, all in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas and being more completely described as follows, to-wit:

BEGINNING at a cut "x" (found) for the Southeast corner of a tract to the City of Dallas recorded in Special Warranty Deed recorded in Instrument Number 20080067856, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), at the intersection of the Southwest right of way line of Harwood Street (60.0 foot right of way) described in City of Dallas Ordinance Book 1-A, Page 140, with the Northwest right of way line of said Live Oak Street ;

THENCE South 45° 56' 36" East a distance of 68.00 feet along the Southwest line of said Harwood Street to a cut "x" (found) for the North corner of said City Block 250 being the north corner of that certain tract described in a Special Warranty Deed to the City of Dallas recorded in Volume 83008, Page 3438 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), at the intersection of the Southwest right of way line of said Harwood Street with the Southeast right of way line of said Live Oak Street;

THENCE South 44° 27' 15" West with the Southeast right of way line of said Live Oak Street and along the northwest line of said City Block 250 a distance of 257.46 feet to a cut "x" (found) for the West corner of said City Block 250, at the intersection of the Southeast right of way line of said Live Oak Street with the North right of way line of Pacific Avenue (80.0 foot right of way) described in City of Dallas Ordinance Book 1-A, Page 133;

THENCE South 44° 27' 15" West a distance of 31.64 feet to a cut "x" (set) for the southeast corner of said 0.508 acre tract;

THENCE South 83° 05' 08" West a distance of 65.17 feet to a cut "x" (set) for the southwest corner of said 0.508 acre tract;

(For SPRG use only)
Reviewed by: A.Rodriguez
Date: 9/28/17
SPRG No. 4080_____

Exhibit A

CLOSE AND VACATE

LIVE OAK STREET

ADJACENT TO CITY BLOCK A/478 AND CITY BLOCK 250

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495

CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 51° 04' 29" West a distance of 27.53 feet along the North line of said Pacific Avenue, to a cut "x" (found) for the Southwest corner of said City Block A/478, at the intersection of the Northwest right of way line of said Live Oak Street with the East right of way line of St. Paul Street (60.0 foot width right of way) described in City of Dallas Ordinance Book 1-A, Page 138, ;

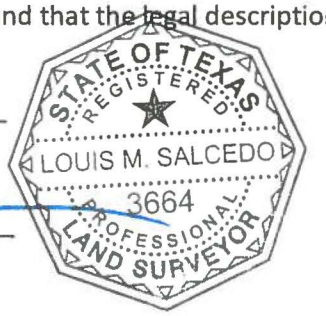
THENCE North 44° 28' 15" East along the North right of way line of said Live Oak Street and the South line of said City Block A/478, a distance of 342.19 feet to the **Point of Beginning**, containing 0.508 of an acre or 22,120 square feet of land.

The basis of bearings for this survey is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (2011). Geodetic Bearing established by G.P.S. measurements taken on May 06, 2016.

SURVEYOR'S CERTIFICATE

The undersigned hereby certifies the above legal description was prepared from an on the ground survey performed under the supervision of the undersigned and that the legal description sets out the metes and bounds of the property described.

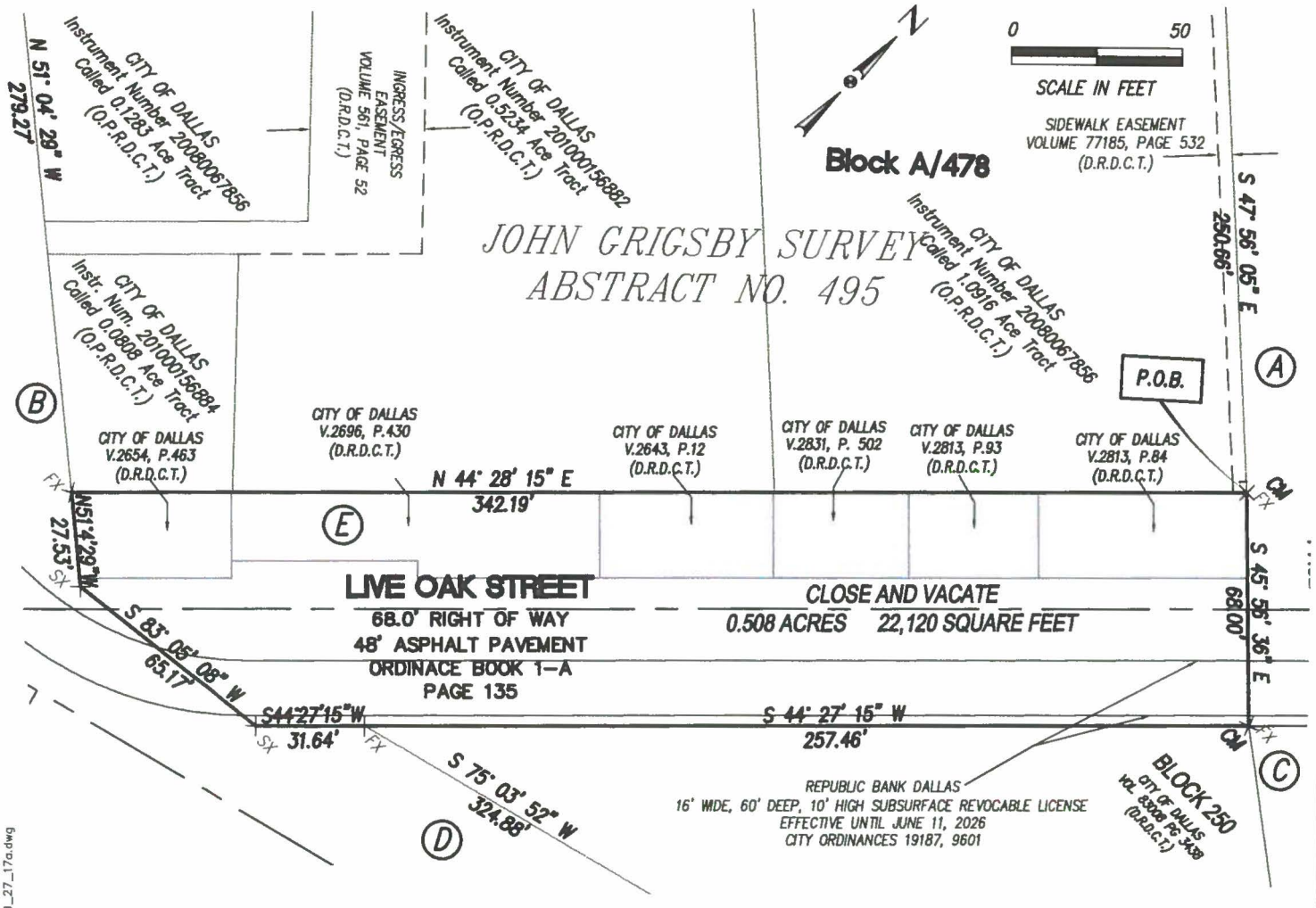
Dated: 9-27-17



Louis M. Salcedo, RPLS No. 3664

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 9/28/17
SPRG No. 4080

Exhibit A



(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 9/28/17

SPRG No. 4080

× FX FOUND CUT X

× SX SET CUT X

× FPK FOUND PK NAIL

× CM CONTROL MONUMENT

● IRF/12/ HALFF FOUND 1/2" IRON ROD WITH YELLOW CAP MARKED "HALFF"

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS
Instr. Num.	INSTRUMENT NUMBER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
V. P.	VOLUME PAGE
VOL PG.	VOLUME PAGE

(E) 1/6 of 1/2 interest:
V 2654 P 461; V 2627 P 588; V 2687 P 268
V 2687 P 269; V 2696 P 426; V 2696 P 428

(A) Harwood Street
60' ROW – 41' Asphalt
Ordinance Book 1-A, Pg 140

(B) St. Paul Street
60' ROW – 42' Asphalt
Ordinance Book 1-A, Pg 138

(C) City of Dallas
Vol. 1236. Pg 256
(D.R.D.C.T.)

(D) Pacific Avenue
80' ROW – 44' Asphalt
Ordinance Book 1-A, Pg 133

GENERAL NOTES:

1. The basis of bearing for this survey is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, (2011). Geodetic Bearing established by G.P.S. measurements taken on May 06, 2016.

SURVEYOR'S CERTIFICATE:

I LOUIS M. SALCEDO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THE MONUMENTS SHOWN THEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION.

LOUIS M. SALCEDO
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3664

DATE 9-27-17

STATE OF TEXAS
REGISTERED
LOUIS M. SALCEDO
3664
PROFESSIONAL
LAND SURVEYOR

Date of Last Revision: 09-27-17
Date Printed: 09-27-17
SGI Project No. 16673

Close and Vacate

LIVE OAK STREET
ADJACENT TO CITY BLOCK A/478 AND CITY BLOCK 250
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SGI Salcedo Group, Inc.

Texas P.E. F-5482 : Texas TBPLS Firm License 10070800

Sep 27,2017 11:02am lsalcedo
M:\projects\J16673_SWA_Pacific_Park\Survey\live_oak_abandonment\pacific_park_plaza_revised_live_oak_abandonment_09_27_17a.dwg

AGENDA ITEM # 39

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45D

SUBJECT

An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 2,250 square feet of land, located near the intersection of Lafayette and Ashby Streets; and authorizing the quitclaim - Revenue: $76,500, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of an alley to AHC Development Dallas I LLC, the abutting owner. The area will be included with the property of the abutting owner for a townhome development. The abandonment fee is based on an independent appraisal.

Notices were sent to 23 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $76,500, plus the $20 ordinance publication fee

OWNER

AHC Development Dallas I LLC

AHC Management Texas, LLC

OWNER (continued)

AHC Management, LLC

MAP

Attached



Abandonment Areas:

ORDINANCE NO. _____

An ordinance providing for the abandonment of an alley located adjacent to City Block I/660 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to AHC Development Dallas I LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of AHC Development Dallas I LLC, a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **SEVENTY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($76,500.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section

SECTION 8. (continued)

2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance; and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the

SECTION 11. (continued)

City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this contract is designated as Contract No. DEV-2017-00002618.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

BEING A 0.052 ACRE (2,250 SQ. FT.) TRACT OF LAND LOCATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, BEING IN BLOCK I/660, BEING A 15' WIDE PUBLIC ALLEY CREATED BY DEERE PARK, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 1, PAGE 55, MAP RECORDS, DALLAS COUNTY, TEXAS (M.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD WITH CAP STAMPED "JBI" FOUND AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF CABELL STREET (50' RIGHT-OF-WAY) AND THE NORTHEAST RIGHT-OF-WAY LINE OF ASHBY STREET (VARIABLE WIDTH RIGHT-OF-WAY), SAME BEING THE WEST CORNER OF LOT 10, BLOCK I/660 OF THE ABOVE MENTIONED DEERE PARK, AND THE WEST CORNER OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600234929, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.);

THENCE SOUTH 44 DEGREES 43 MINUTES 43 SECONDS EAST, ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF ASHBY STREET, A DISTANCE OF 150.01 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTH CORNER OF THE ABOVE MENTIONED LOT 10, BLOCK I/660, SAME BEING THE SOUTH CORNER OF SAID AHC DEVELOPMENT DALLAS I LLC TRACT AND THE WEST CORNER OF THE ABOVE MENTIONED 15' WIDE PUBLIC ALLEY BEING DESCRIBED HEREIN, AND BEING THE **POINT OF BEGINNING**;

THENCE NORTH 45 DEGREES 47 MINUTES 42 SECONDS EAST, ALONG THE SOUTHEAST LINE OF LOTS 10 THROUGH 12 IN SAID BLOCK I/660, SAME BEING THE SOUTHEAST LINE OF SAID AHC DEVELOPMENT I LLC TRACT AND THE NORTHWEST LINE OF SAID 15' WIDE PUBLIC ALLEY, FOR A DISTANCE OF 150.00 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTHWEST LINE OF A 15' WIDE PUBLIC ALLEY CREATED BY SAID DEERE PARK AT THE EAST CORNER OF SAID LOT 12, BLOCK I/660, SAME BEING THE EAST CORNER OF SAID AHC DEVELOPMENT I LLC TRACT;

THENCE SOUTH 44 DEGREES 43 MINUTES 43 SECONDS EAST, ALONG THE SOUTHWEST LINE OF THE ABOVE MENTIONED 15' WIDE PUBLIC ALLEY, SAME BEING THE NORTHEAST LINE OF SAID 15' WIDE PUBLIC ALLEY DESCRIBED HEREIN, A DISTANCE OF 15.00 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" (PREVIOUSLY SET) AT THE NORTH CORNER OF LOT 7, BLOCK I/660 IN SAID DEERE PARK, SAME BEING THE NORTH CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600247978, (O.P.R.D.C.T.);

7/5/17

STATE OF TEXAS
REGISTERED
DANIEL CHASE O'NEAL
6570
PROFESSIONAL
LAND SURVEYOR

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6570
3111 COLE AVE., STE. 103
DALLAS, TEXAS 75204
PH. 903-708-2891
daniel.oneal@onealsurveying.com

(For SPRG use only)
Reviewed By: G.S.
Date: 7-10-17
SPRG NO: 4163

O'NEAL SURVEYING CO.
3111 COLE AVE., STE. 103
DALLAS, TX 75204
(903) 708-2891
TBPLS FIRM # 10194132
WWW.ONEALSURVEYING.COM

Scale	Checked by	Date	Project	Sheet No.
1:60	DCO	[illegible] 2017	[illegible]	[illegible]

ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

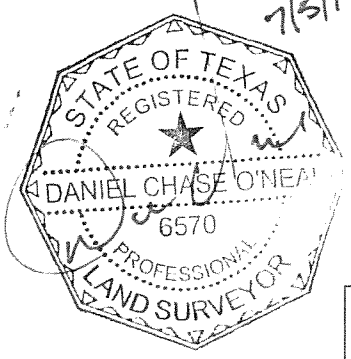
Exhibit A

THENCE SOUTH 45 DEGREES 47 MINUTES 42 SECONDS WEST, ALONG THE NORTHWEST LINE OF LOTS 7 THROUGH 9 IN SAID BLOCK I/660, SAME BEING THE NORTHWEST LINE OF THE ABOVE MENTIONED AHC DEVELOPMENT DALLAS I LLC TRACT (INSTRUMENT NUMBER 201600247978, O.P.R.D.C.T.), THE NORTHWEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600247619, (O.P.R.D.C.T.), AND THE NORTHWEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600234929, O.P.R.D.C.T.) A DISTANCE OF 150.00 FEET TO A 1/2" IRON ROD FOUND IN THE NORTHEAST LINE OF SAID ASHBY STREET AT THE WEST CORNER OF LOT 9, BLOCK I/660, THE WEST CORNER OF SAID AHC DEVELOPMENT DALLAS I LLC TRACT (INSTRUMENT NUMBER 201600234929, O.P.R.D.C.T.) AND THE SOUTH CORNER OF THE 15' WIDE PUBLIC ALLEY DESCRIBED HEREIN;

THENCE NORTH 44 DEGREES 43 MINUTES 43 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID ASHBY STREET AND THE SOUTHWEST LINE OF THE 15' WIDE PUBLIC ALLEY DESCRIBED HEREIN, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.052 ACRES (2,250 SQ. FT.) OF LAND, MORE OR LESS.

BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011), NORTH CENTRAL ZONE (4202).

7/5/17



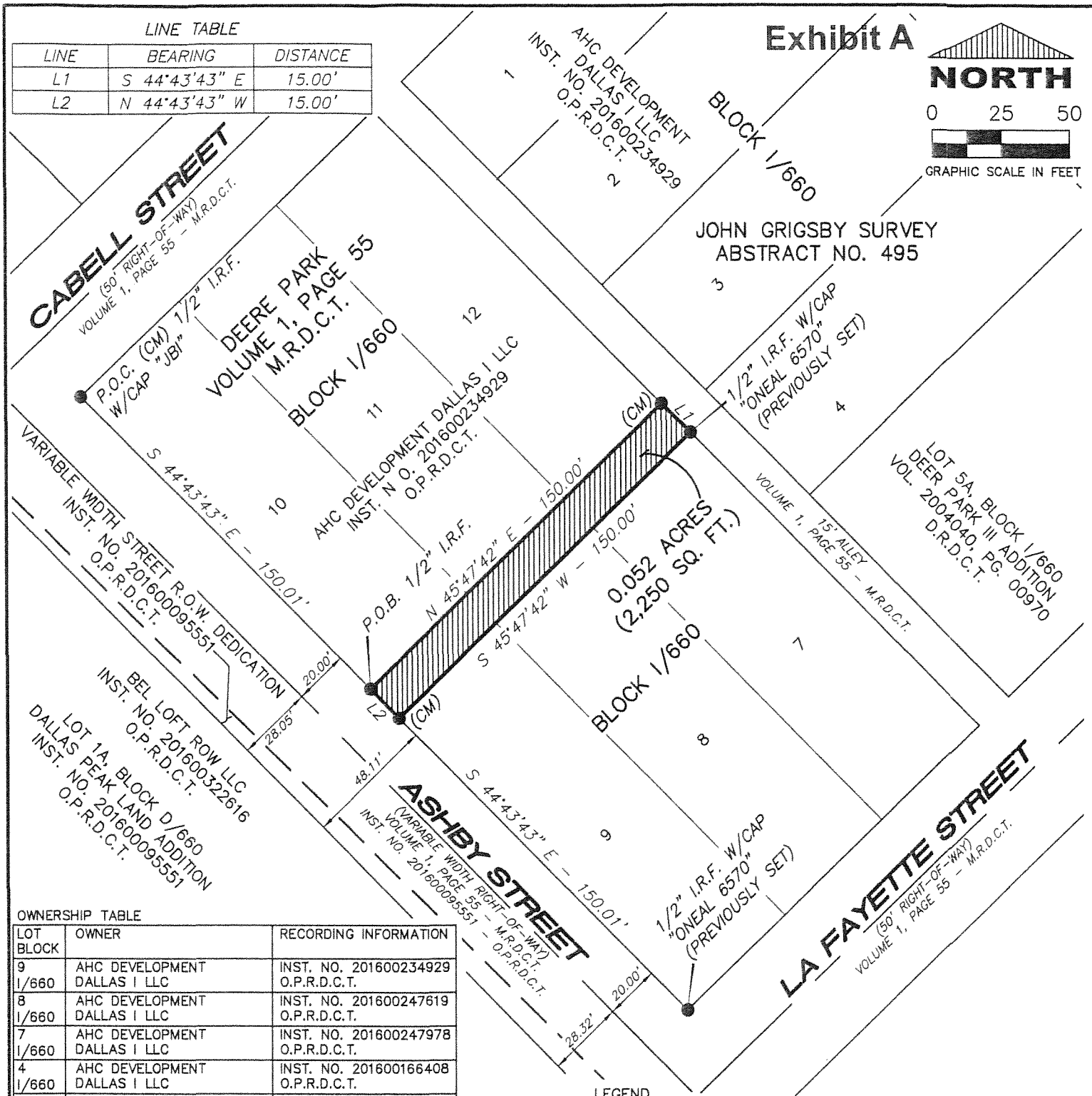
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Reviewed By: CS
Date: 7-10-17
SPRG NO: 4163

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Scale	Checked by	Date	Project	Sheet No.
1:50	DCO	7/5/2017	16135.01	2 OF 3

Exhibit A



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 44°43'43" E	15.00'
L2	N 44°43'43" W	15.00'

OWNERSHIP TABLE

LOT BLOCK	OWNER	RECORDING INFORMATION
9 I/660	AHC DEVELOPMENT DALLAS I LLC	INST. NO. 201600234929 O.P.R.D.C.T.
8 I/660	AHC DEVELOPMENT DALLAS I LLC	INST. NO. 201600247619 O.P.R.D.C.T.
7 I/660	AHC DEVELOPMENT DALLAS I LLC	INST. NO. 201600247978 O.P.R.D.C.T.
4 I/660	AHC DEVELOPMENT DALLAS I LLC	INST. NO. 201600166408 O.P.R.D.C.T.
3 I/660	AHC DEVELOPMENT DALLAS I LLC	INST. NO. 201600166565 O.P.R.D.C.T.
5A I/660	THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS, A BODY CORPORATE AND POLITIC OF THE STATE OF TEXAS	VOL. 200120, PG. 03536 D.R.D.C.T.

LEGEND

(CM) ●	CONTROLLING MONUMENT 1/2" IRON ROD FOUND (UNLESS NOTED)
INST. NO.	INSTRUMENT NUMBER
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
I.R.F.	IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY

NOTES:

1. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011), NORTH CENTRAL ZONE (4202).

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STATE OF TEXAS
REGISTERED
DANIEL CHASE O'NEAL
6570
PROFESSIONAL
LAND SURVEYOR
7/5/17

(For SPRG use only)
Reviewed By: GS
Date: 7-10-17
SPRG NO: 4163

ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

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1:50	DCO	JUL 2017	16187.01	1 OF 1

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 40

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45D

SUBJECT

An ordinance abandoning an alley to AHC Development Dallas I LLC, the abutting owner, containing approximately 4,725 square feet of land, located near the intersection of Lafayette Street and Carroll Avenue; and authorizing the quitclaim - Revenue: $161,500, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of an alley to AHC Development Dallas I LLC, the abutting owner. The area will be included with the property of the abutting owner for a townhome development. The abandonment fee is based on an independent appraisal .

Notices were sent to 36 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $161,500, plus the $20 ordinance publication fee

OWNER

AHC Development Dallas I LLC

AHC Management Texas, LLC

OWNER (continued)

AHC Management, LLC

MAP

Attached



Abandonment Areas:

ORDINANCE NO. _____

An ordinance providing for the abandonment of an alley located adjacent to City Block I/660 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to AHC Development Dallas I LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of a needed easement to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of AHC Development Dallas I LLC, a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **ONE HUNDRED-SIXTY THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($161,500.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, and 12, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery

SECTION 8. (continued)

Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay. The Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to

SECTION 11. (continued)

GRANTEE hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this contract is designated as number DEV-2017-00002620.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 0.108 ACRE (4,725 SQ. FT.) TRACT OF LAND LOCATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, BEING IN BLOCK I/660, BEING A 15' WIDE PUBLIC ALLEY CREATED BY DEERE PARK, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 1, PAGE 55, MAP RECORDS, DALLAS COUNTY, TEXAS (M.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD WITH CAP STAMPED "JBI" FOUND AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF CABELL STREET (50' RIGHT-OF-WAY) AND THE NORTHEAST RIGHT-OF-WAY LINE OF ASHBY STREET (VARIABLE WIDTH RIGHT-OF-WAY), SAME BEING THE WEST CORNER OF LOT 10, BLOCK I/660 OF THE ABOVE MENTIONED DEERE PARK, AND A WEST CORNER OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600234929, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.);

THENCE NORTH 45 DEGREES 47 MINUTES 42 SECONDS EAST, ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF CABELL STREET AND THE NORTHWEST LINE OF LOTS 10 THROUGH 12 IN SAID BLOCK I/660, FOR A DISTANCE OF 150.00 FEET TO A 1/2" IRON ROD FOUND AT A NORTH CORNER OF SAID AHC DEVELOPMENT DALLAS I LLC TRACT AND THE WEST CORNER OF THE ABOVE MENTIONED 15' WIDE PUBLIC ALLEY BEING DESCRIBED HEREIN, AND BEING THE POINT OF BEGINNING;

THENCE NORTH 45 DEGREES 47 MINUTES 42 SECONDS EAST, CONTINUING ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF CABELL STREET AND THE NORTHWEST LINE OF SAID 15' WIDE PUBLIC ALLEY BEING DESCRIBED HEREIN, A DISTANCE OF 15.00 FEET TO A 1/2" IRON ROD FOUND AT THE WEST CORNER OF LOT 1, BLOCK I/660 OF SAID DEERE PARK, SAME BEING A WEST CORNER OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600234929, (O.P.R.D.C.T.);

THENCE SOUTH 44 DEGREES 43 MINUTES 43 SECONDS EAST, ALONG THE NORTHEAST LINE OF THE 15' WIDE PUBLIC ALLEY BEING DESCRIBED HEREIN, THE SOUTHWEST LINE OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600166565, (O.P.R.D.C.T.), AND THE SOUTHWEST LINE OF LOT 1 THROUGH LOT 4 IN SAID BLOCK I/660, SAME BEING THE SOUTHWEST LINE OF THE ABOVE MENTIONED AHC DEVELOPMENT DALLAS I LLC TRACT (INSTRUMENT NUMBER 201600234929, O.P.R.D.C.T.) AND THE SOUTHWEST LINE OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600166408, (O.P.R.D.C.T.) AND THE SOUTHWEST LINE OF LOT 5A, BLOCK I/660, DEER PARK III ADDITION, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 2004040, PAGE 00970, (D.R.D.C.T.), A DISTANCE OF 315.01 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "PACHECO KOCH" FOUND IN THE NORTHWEST RIGHT-OF-WAY LINE OF LA FAYETTE STREET (50' RIGHT-OF-WAY) AND THE SOUTH CORNER OF SAID LOT 5A, BLOCK I/660;

7/5/17

STATE OF TEXAS
REGISTERED
DANIEL CHASE O'NEAL
6570
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ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

THENCE SOUTH 45 DEGREES 47 MINUTES 42 SECONDS WEST, ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF SAID LA FAYETTE STREET AND THE SOUTHEAST LINE OF THE 15' WIDE PUBLIC ALLEY BEING DESCRIBED HEREIN, A DISTANCE OF 15.00 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" FOUND (PREVIOUSLY SET) AT THE EAST CORNER OF LOT 7, BLOCK I/660 IN SAID DEERE PARK, SAME BEING THE EAST CORNER OF THAT TRACT OF LAND CONVEYED TO AHC DEVELOPMENT DALLAS I LLC BY SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 201600247978, (O.P.R.D.C.T.), FROM WHICH A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" FOUND (PREVIOUSLY SET) AT THE INTERSECTION OF THE NORTHWEST RIGHT-OF-WAY LINE OF SAID LA FAYETTE STREET AND THE NORTHEAST RIGHT-OF-WAY LINE OF THE ABOVE MENTIONED ASHBY STREET, SAME BEING THE SOUTH CORNER OF LOT 9, BLOCK I/660 IN SAID DEERE PARK, BEARS SOUTH 45 DEGREES 47 MINUTES 42 SECONDS WEST, A DISTANCE OF 150.00 FEET;

THENCE NORTH 44 DEGREES 43 MINUTES 43 SECONDS WEST, ALONG THE SOUTHWEST LINE OF THE 15' PUBLIC ALLEY BEING DESCRIBED HEREIN, AND THE NORTHEAST LINE OF SAID LOT 7, BLOCK I/660, SAME BEING THE NORTHEAST LINE OF SAID AHC DEVELOPMENT DALLAS I LLC TRACT (INSTRUMENT NUMBER 201600247978, O.P.R.D.C.T.) AND THE NORTHEAST LINE OF THE ABOVE MENTIONED LOT 12, BLOCK I/660, SAME BEING A NORTHEAST LINE OF THE ABOVE MENTIONED AHC DEVELOPMENT DALLAS I LLC TRACT (INSTRUMENT NUMBER 201600234929, O.P.R.D.C.T.), A DISTANCE OF 315.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.108 ACRES (4,725 SQ. FT.) OF LAND, MORE OR LESS.

BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011), NORTH CENTRAL ZONE (4202).

7/5/17

STATE OF TEXAS
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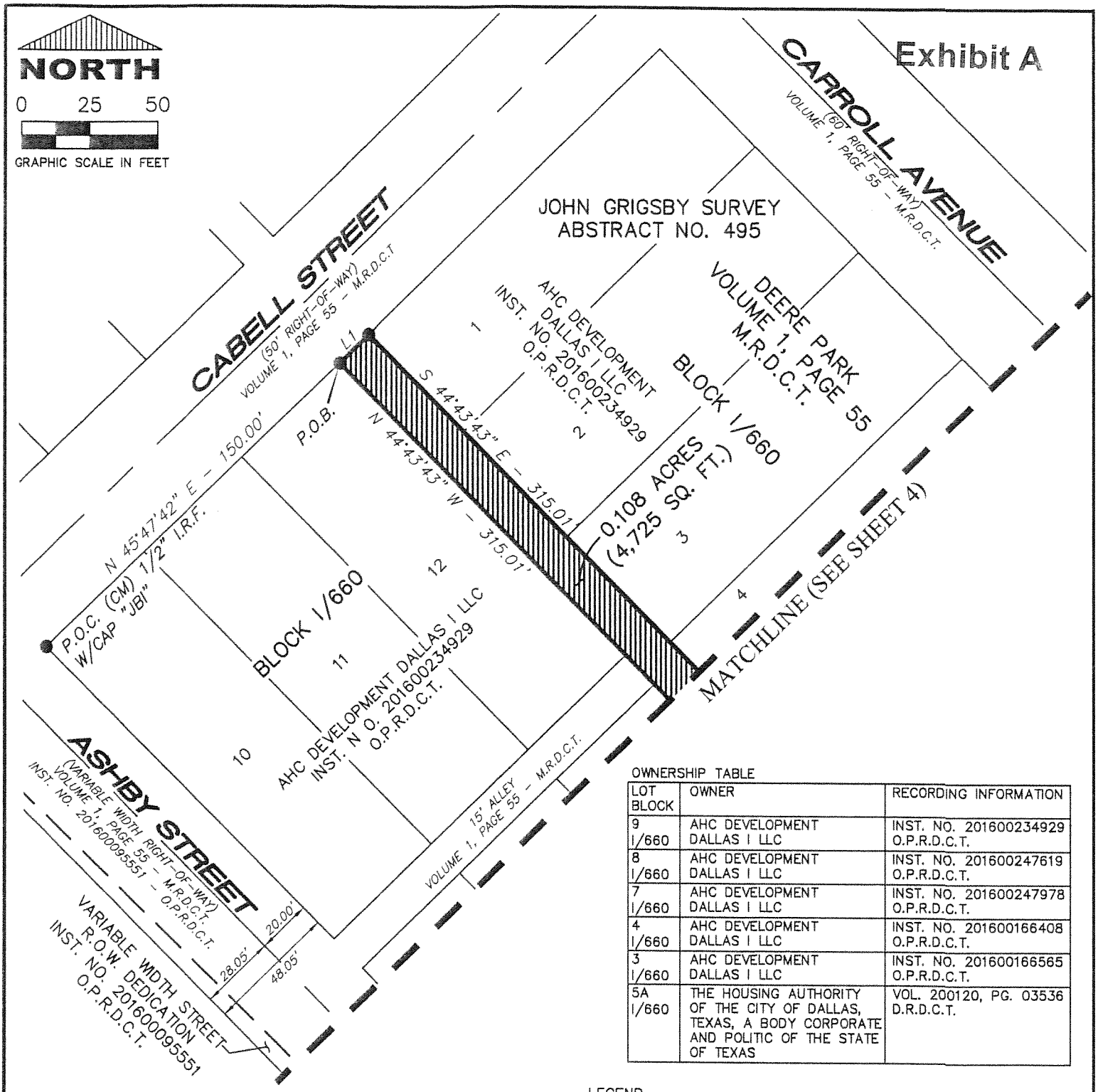
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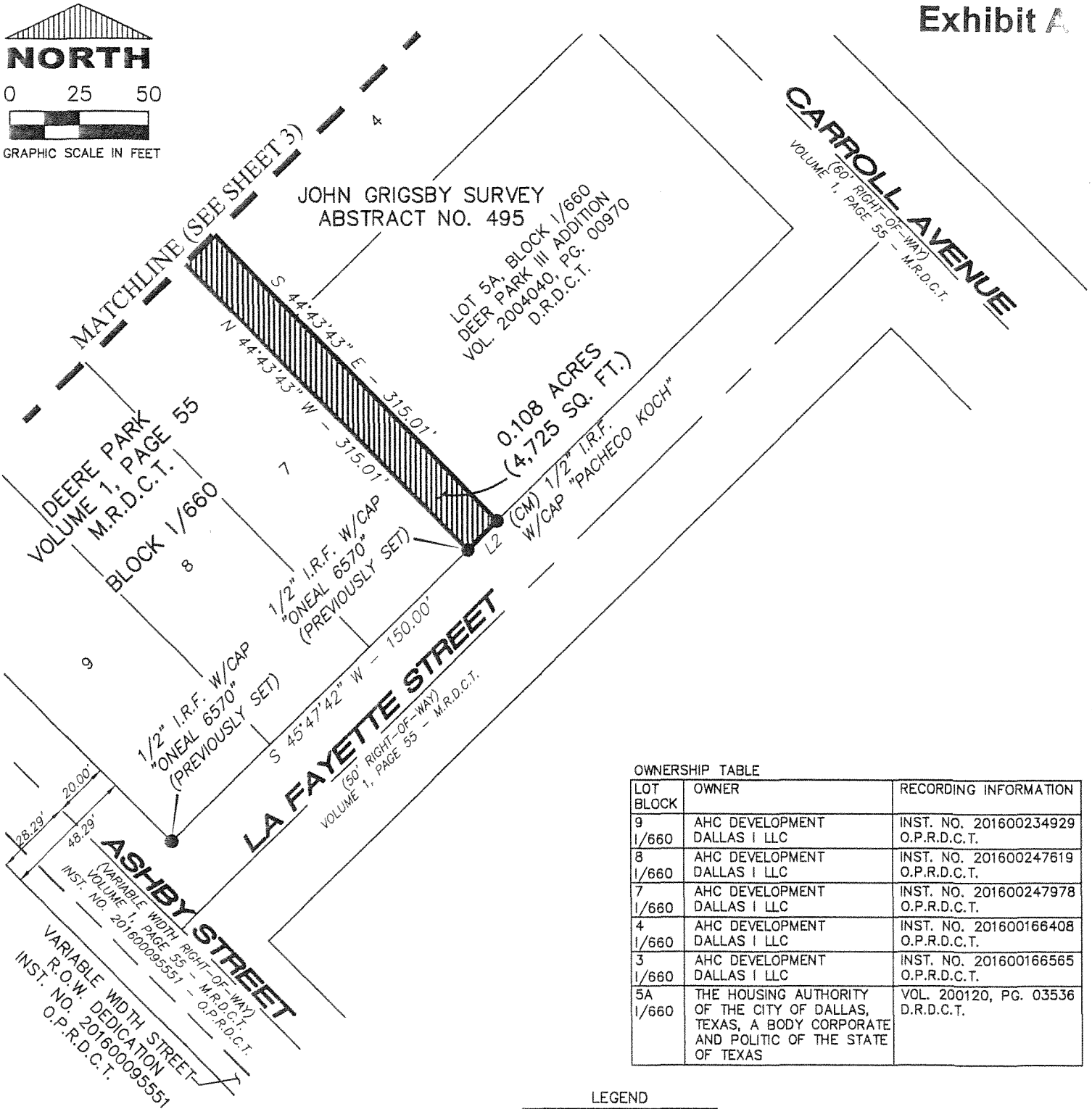
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LEGEND

(CM) ●	CONTROLLING MONUMENT 1/2" IRON ROD FOUND (UNLESS NOTED)
INST. NO.	INSTRUMENT NUMBER
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
I.R.F.	IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY

NOTES:

1. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011), NORTH CENTRAL ZONE (4202).

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6570
3111 COLE AVE., STE. 103
DALLAS, TEXAS 75204
PH. 903-708-2891
daniel.oneal@onealsurveying.com

STATE OF TEXAS
REGISTERED
DANIEL CHASE O'NEAL
6570
PROFESSIONAL
LAND SURVEYOR
7/5/17

(For SPRG use only)
Reviewed By: GS
Date: 7-10-17
SPRG NO: 4164

ALLEY ABANDONMENT
BLOCK I/660
DEERE PARK
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

O'NEAL SURVEYING CO.
3111 COLE AVE., STE. 103
DALLAS, TX 75204
(903) 708-2891
TBPLS FIRM # 10194132
WWW.ONEALSURVEYING.COM

Scale	Checked by	Date	Project	Sheet No.
1:50	DCO	Jun. 2017	16183.01	4 OF 4

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 41

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36W

SUBJECT

An ordinance abandoning a portion of an alley to Henderson Residential Lands (Dallas), LLC, the abutting owner, containing approximately 925 square feet of land, located near the intersection of McMillan and Henderson Avenues; authorizing the quitclaim; and providing for the dedication of approximately 4,059 square feet of land needed for street right-of-way - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an alley to Henderson Residential Lands (Dallas), LLC, the abutting owner. The area will be included with the property of the abutting owner for a retail and office development. The owner will dedicate approximately 4,059 square feet of land needed for street right-of-way. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code.

Notices were sent to 35 property owners located within 300 feet of the proposed abandonment area. There was one response received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

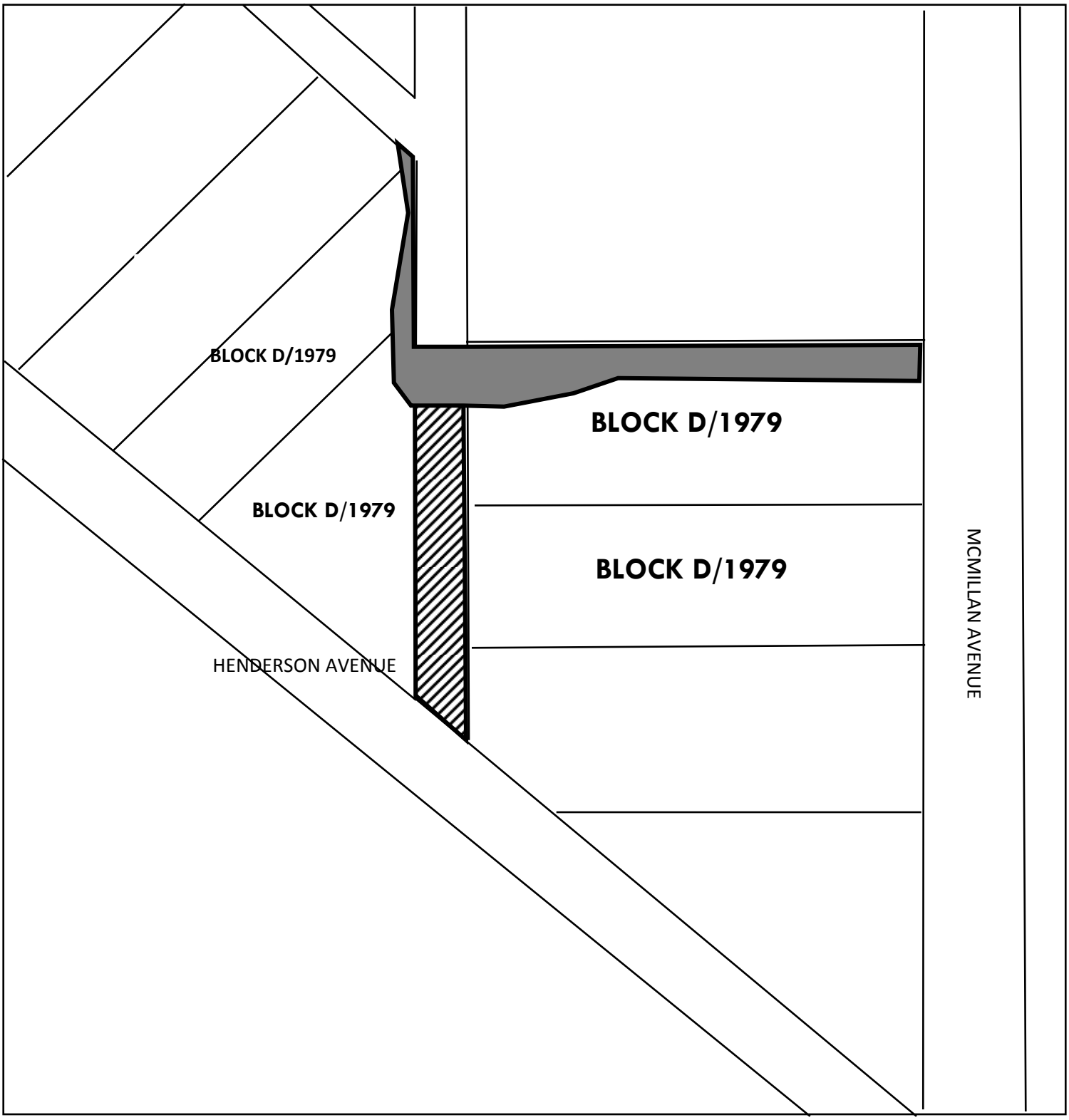
OWNER

Henderson Residential Lands (Dallas), LLC

David Thompson, Chief Financial Officer

MAP

Attached



ABANDONMENT AREA

DEDICATION AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment of portion of an alley located adjacent to City Block D/1979 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Henderson Residential Lands (Dallas), LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Henderson Residential Lands (Dallas), LLC, a Delaware limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Section 8, 9, 10, 11, 14 and 15 the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to

SECTION 7. (continued)

that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.

SECTION 8. (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall be responsible for design and design and construct at **GRANTEE**'s sole cost and expense, the turn out alley within the dedication area described in Exhibit C attached hereto based on City's standards.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by General Warranty Deed to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Block D/1979, containing a total of approximately 4,059 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C, Tracts 1 and 2. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 12. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in

SECTION 12. (continued)

the official real property records of the county in which the subject property is located.

SECTION 13. That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

SECTION 14. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 11 above.

SECTION 15. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 16. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Sections 2 and 14, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication and conditions set forth in Section 10 and 11 respectively, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified

SECTION 16. (continued)

copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 17. That this contract is designated as Contract No. DEV-2016-00001226.

SECTION 18. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

Exhibit A

ALLEY ABANDONMENT
SITUATED IN BLOCK D/1979, ROSS AVE ANNEX
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

BEING a 925 square foot 0.021 acre tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of an 11-foot alley across Block D/1979, created in said plat of Ross Ave Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Deed Records, Dallas County, Texas, and being adjacent to a tract of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC recorded in Instrument No. 201700004804 & 201700004808 Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of Henderson Avenue, (a variable width right-of-way) created in said plat of Ross Ave Annex and with the west right-of-way line of McMillan Avenue, (a 60-foot right-of-way) created in said plat of Ross Ave Annex and being the south corner of Lot 36 of said Block D/1979, and being the south corner of an Easement for street purposes to the City of Dallas recorded in Volume 92085, Page 2882, Deed Records, Dallas County, Texas from which a 1/2-inch iron rod found for the southeast corner of Lot 38 of said Block D/1979, bears North 00°56'21" West, a distance of 167.77 feet;

THENCE with said northeast right-of-way line of Henderson Avenue and the southwest line of said Block D/1979, North 45°06'21" West, a distance of 215.28 feet, to an "X" cut in concrete set for the intersection of said northeast right-of-way line and the east line of an 11-foot wide alley created by plat of said Ross Ave Annex and being the **POINT OF BEGINNING**;

THENCE continuing with said northeast right-of-way line of Henderson Avenue and southwest line of Block D/1979, North 45°06'21" West, a distance of 15.79 feet to an "X" cut in concrete set at the intersection of said northeast right-of-way line with the west right-of-way line of said 11-foot wide alley, and being the southeast corner of Lot 35 of said Block D/1979 from which a 3/4-inch pipe found of the west corner of Lot 30 of said Block D/1979 bears North 45°06'21" West a distance of 364.43 feet;

THENCE departing said northeast right-of-way line and the southwest line of said Block D/1979 and with the west right-of-way line of said 11-foot alley and the east line of said Lot 35 of said Block D/1979, North 0°56'21" West, a distance of 79.77 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 23°17'16", a radius of 21.50 feet, a chord bearing and distance of South 79°17'43" East, 8.68 feet;

THENCE departing said west right-of-way line and the east line of Lot 35 of said Block D/1979, across said 11-foot wide alley, the following courses and distances to wit:

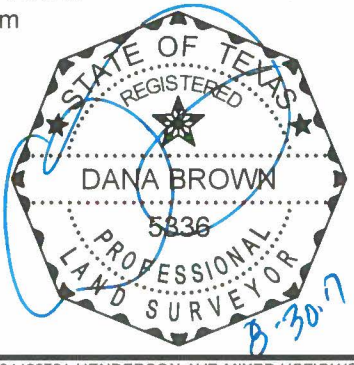
In a southeasterly direction, with said curve to the left, an arc distance of 8.74 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

North 89°03'39" East, a distance of 2.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the east right-of-way line of said 11-foot alley;

THENCE with said east right-of-way line of the 11-foot alley and the west lines of Lot 37, 38 and 39 of said Block D/1979, South 0°56'21" East, a distance of 89.35 feet to the **POINT OF BEGINNING** and containing 925 square feet or 0.021 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
dana.brown@kimley-horn.com

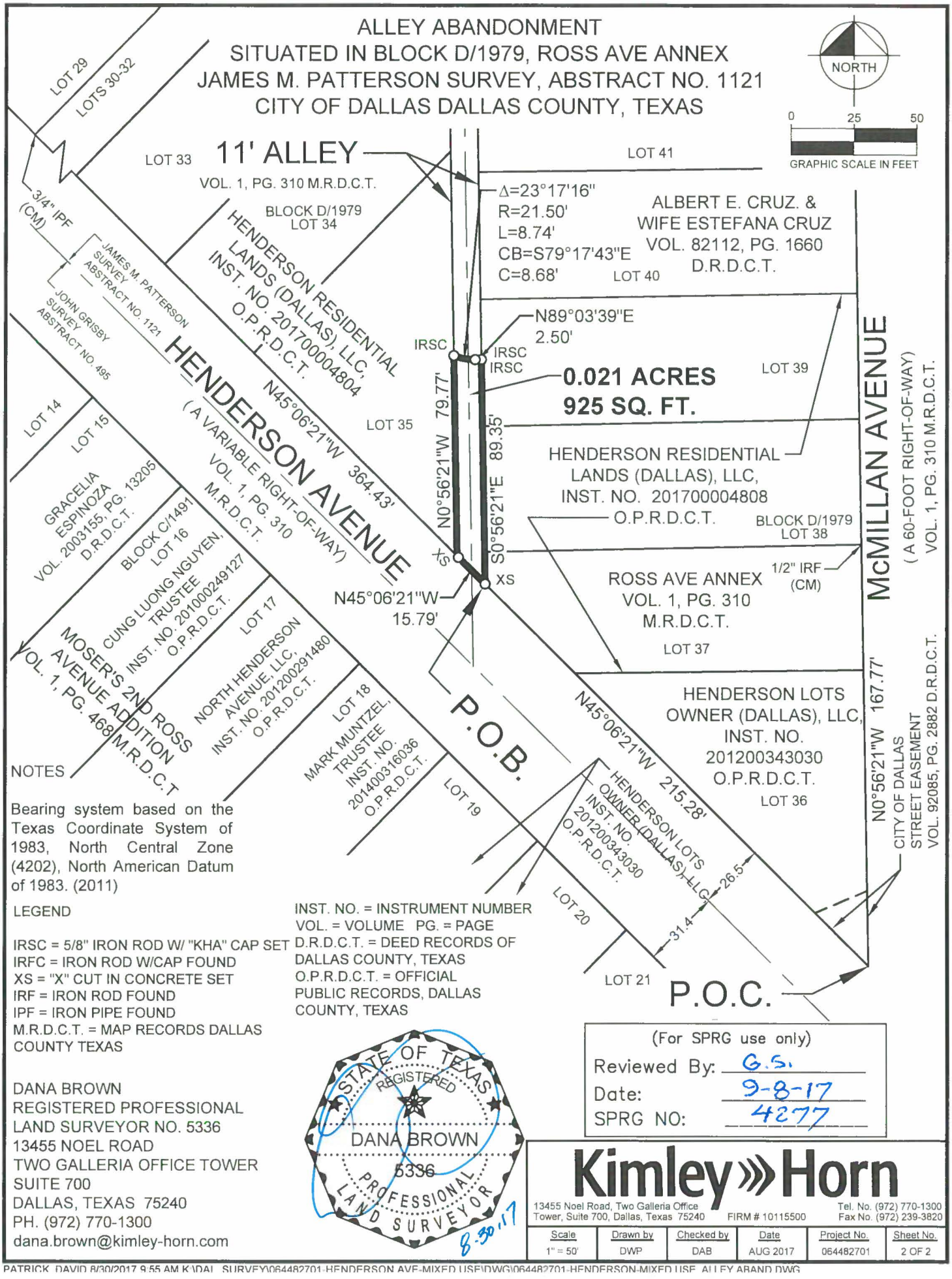


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Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4277

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DWP	DAB	AUG 2017	064482701	1 OF 2

Exhibit A



NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

LEGEND

IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
XS = "X" CUT IN CONCRETE SET
IRF = IRON ROD FOUND
IPF = IRON PIPE FOUND
M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS

INST. NO. = INSTRUMENT NUMBER
VOL. = VOLUME PG. = PAGE
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

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STATE OF TEXAS
REGISTERED
DANA BROWN
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PROFESSIONAL
LAND SURVEYOR
8-30-17

(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4277

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	DWP	DAB	AUG 2017	064482701	2 OF 2

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

EXHIBIT C TRACT 1

RIGHT-OF-WAY DEDICATION
ROSS AVE ANNEX
LOTS 33-35, BLOCK D/1979
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

BEING a 1,260 square foot 0.029 acres tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of Lots 33-35, Block D/1979, Ross Ave. Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Map Records, Dallas County, Texas, and being part of the tracts of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC recorded in Instrument Numbers 201200343034, 201700004804 & 201700004805, Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of Henderson Avenue (a variable width right-of-way) created in plat of said Ross Ave Annex and with the west line of an 11-foot alley created in plat of said Ross Ave Annex, from which a 3/4-inch iron pipe found at the west corner of Lot 30, Block D/1979, bears North 45°06'21" West, a distance of 364.43 feet;

THENCE departing said northwest right-of-way line of Henderson Avenue and with the east line of said Lot 35, Block D/1979, and west right-of-way line of said 11-foot alley, North 0°56'21" West, a distance of 79.77 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**, and being the beginning of a non-tangent curve to the right having a central angle of 66°42'44", a radius of 21.50 feet, a chord bearing and distance of North 34°17'43" West, 23.64 feet;

THENCE departing said west right-of-way line of the 11-foot alley and east line of Lot 35, Block D/1979, over and across said Lots 33-35, Block D/1979, the following courses and distances to wit:

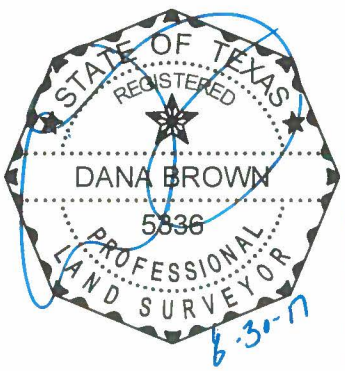
In a northwesterly direction, with said curve to the right, an arc distance of 25.03 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
North 0°56'21" West, a distance of 48.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
North 15°45'37" East, a distance of 31.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
North 0°56'21" West, a distance of 24.93 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 44°10'00", a radius of 40.00 feet, a chord bearing and distance of North 23°01'21" West, 30.08 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 30.83 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the southwest right-of-way line of said 11-foot alley and being in the northeast line of said Lot 33, Block D/1979;

THENCE with said southwest right-of-way line of the 11-foot alley and northeast line of said Lot 33, Block D/1979, South 45°06'21" East, passing at a distance of 10.34 feet a 1/2-inch iron rod found at the east corner of said Lot 33, Block D/1979, continuing with the northeast line of said Lot 34, Block D/1979 in all a total distance of 21.97 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the west corner of said Lot 34, Block D/1979;

THENCE with said west right-of-way line of the 11-foot alley and east lines of said Lot 34 & 35, Block D/1979, South 0°56'21" East, a distance of 135.29 feet to the **POINT OF BEGINNING** and containing 1,260 square feet or 0.029 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
dana.brown@kimley-horn.com



(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4209

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DWP	DAB	AUG 2017	064482701	1 OF 3

EXHIBIT C TRACT 1

RIGHT-OF-WAY DEDICATION
ROSS AVE ANNEX
LOTS 33-35, BLOCK D/1979
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

LEGEND
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
XS = "X" CUT IN CONCRETE SET
IRF = IRON ROD FOUND
IPF = IRON PIPE FOUND
M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS
INST. NO. = INSTRUMENT NUMBER
VOL. = VOLUME PG. = PAGE
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
C.M. = CONTROL MONUMENT

LOT 17
3/8" IRF
1/2" IRF (CM)
L4
LOT 42
5/8" IRFC "KHA" (CM)
C2
TRUMAN L. LOVELADY
VOL. 83154, PG. 2745
D.R.D.C.T.
L3
LOT 41
11' ALLEY
VOL. 1, PG. 310 M.R.D.C.T.
L2
L5
ALBERT E. CRUZ. & WIFE ESTEFANA CRUZ
VOL. 82112, PG. 1660
D.R.D.C.T.
LOT 40
L1
0.029 ACRES
1,260 SQ. FT.
C1
ROSS AVE ANNEX
VOL. 1, PG. 310
M.R.D.C.T.
LOT 39
BLOCK D/1979
P.O.B.
LOT 38
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004808 O.P.R.D.C.T.
LOT 37
N0°56'21"W 79.77'
N45°06'21"W 364.43'
P.O.C.
HENDERSON AVENUE
(A VARIABLE RIGHT-OF-WAY)
VOL. 1, PG. 310
M.R.D.C.T.
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004804 O.P.R.D.C.T.
LOT 35
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004805 O.P.R.D.C.T.
BLOCK D/1979
LOT 34
LOT 33
ROSS AVE ANNEX VOL. 1, PG. 310 M.R.D.C.T.
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201200343034 O.P.R.D.C.T.
LOT 29
LOTS 30-32
3/4" IPF
26.5'
31.2'
57.7'
JAMES M. PATTERSON SURVEY ABSTRACT NO. 1121
JOHN GRISBY SURVEY ABSTRACT NO. 495
NORTH
0 20 40
GRAPHIC SCALE IN FEET

NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

NOTE:

ALL CORNERS 5/8" IRON ROD W/ "KHA" CAP SET UNLESS OTHERWISE NOTED

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
8.30.17

(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4209

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Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	DWP	DAB	AUG 2017	064482701	2 OF 3

EXHIBIT C TRACT 1

RIGHT-OF-WAY DEDICATION
ROSS AVE ANNEX
LOTS 33-35, BLOCK D/1979
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°56'21"W	48.50'
L2	N15°45'37"E	31.32'
L3	N00°56'21"W	24.93'
L4	S45°06'21"E	21.97'
L5	S00°56'21"E	135.29'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	66°42'44"	21.50'	25.03'	N34°17'43"W	23.64'
C2	44°10'00"	40.00'	30.83'	N23°01'21"W	30.08'

STATE OF TEXAS
REGISTERED
DANA BROWN
5836
PROFESSIONAL
LAND SURVEYOR

8.30.17

(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4209

Kimley»Horn
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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = ##	DWP	DAB	AUG. 2017	064482701	3 OF 3

EXHIBIT C TRACT 2

RIGHT-OF-WAY DEDICATION
ROSS AVE ANNEX
LOT 39, BLOCK D/1979
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

BEING a 2,799 square foot 0.064 acres tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of Lot 39, Block D/1979, Ross Ave. Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Map Records, Dallas County, Texas, and being part of the tract of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC, recorded in Instrument Number 201700004808 Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "KHA" found in the west right-of-way line of McMillan Avenue (a 60-foot right-of-way) created in plat of said Ross Ave Annex and being the northeast corner of said Lot 39, Block D/1979;

THENCE with said west right-of-way line of McMillan Avenue and east line of said Lot 39, Block D/1979, South 0°56'21" East, a distance of 15.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set, from which a 1/2-inch iron rod found for the southeast corner of Lot 38, Block D/1979 bears South 0°56'21" East, a distance of 85.00 feet;

THENCE departing said west right-of-way line of McMillian Avenue, over and across said Lot 39, Block D/1979, the following courses and distances to wit:

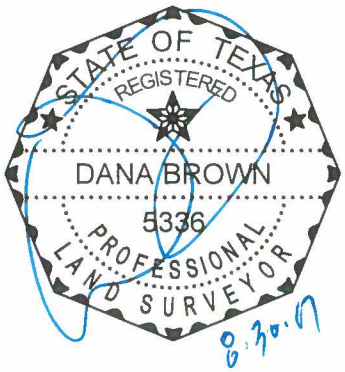
South 89°03'39" West, a distance of 74.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
South 72°21'42" West, a distance of 31.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
South 89°03'39" West, a distance of 46.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the east right-of-way line of an 11-foot alley created in plat of said Ross Avenue Annex;

THENCE with said east right-of-way line of the 11-foot alley and the west line of said Lot 39, Block D/1979, North 0°56'21" West, a distance of 24.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 39, Block D/1979;

THENCE departing said east right-of-way line of the 11-foot alley and with the north line of said Lot 39, Block D/1979, and south line of Lot 40, Block D/1979, North 89°03'39" East, a distance of 150.00 feet to the **POINT OF BEGINNING** and containing 2,799 square feet or 0.064 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
13455 NOEL ROAD
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dana.brown@kimley-horn.com



(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4276

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DWP	DAB	AUG 2017	064482701	1 OF 2

EXHIBIT C TRACT 2

RIGHT-OF-WAY DEDICATION
ROSS AVE ANNEX
LOT 39, BLOCK D/1979
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121
CITY OF DALLAS DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°56'21"E	15.00'
L2	S89°03'39"W	74.00'
L3	S72°21'42"W	31.32'
L4	S89°03'39"W	46.00'
L5	N00°56'21"W	24.00'
L6	N89°03'39"E	150.00'

(For SPRG use only)
Reviewed By: G.S.
Date: 9-8-17
SPRG NO: 4276

LOT 17
LOT 43
3/8" IRF
LOT 42
1/2" IRF (CM)
5/8" IRFC "KHA" (CM)
LOT 33
TRUMAN L. LOVELADY VOL. 83154, PG. 2745 D.R.D.C.T.
LOT 32
ROSS AVE ANNEX VOL. 1, PG. 310 M.R.D.C.T.
LOT 41
11' ALLEY
VOL. 1, PG. 310 M.R.D.C.T.
LOT 19
ALBERT E. CRUZ. & WIFE ESTEFANA CRUZ VOL. 82112, PG. 1660 D.R.D.C.T.
BLOCK D/1979
LOT 34
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004805 O.P.R.D.C.T.
LOT 40
0.064 ACRES
2,799 SQ. FT.
LOT 20
L6
L1
L5
L2
L3
L4
LOT 39
BLOCK D/1979
5/8" IRFC "KHA" (CM)
P.O.B.
LOT 21
ROSS AVE ANNEX VOL. 1, PG. 310 M.R.D.C.T.
JAMES M. PATTERSON SURVEY ABSTRACT NO. 1121
JOHN GRISBY SURVEY ABSTRACT NO. 495
LOT 14
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004804 O.P.R.D.C.T.
LOT 35
85.00'
HENDERSON RESIDENTIAL LANDS (DALLAS), LLC, INST. NO. 201700004808 O.P.R.D.C.T.
LOT 38
1/2" IRF (CM)
LOT 22
60'
30'
30'
LOT 15
BLOCK C/1491
LOT 16
LOT 17
HENDERSON AVENUE
(A VARIABLE RIGHT-OF-WAY)
VOL. 1, PG. 310 M.R.D.C.T.
ROSS AVE ANNEX VOL. 1, PG. 310 M.R.D.C.T.
LOT 37
LOT 23
McMILLAN AVENUE
(A 60-FOOT RIGHT-OF-WAY)
VOL. 1, PG. 310 M.R.D.C.T.
S0°56'21"E 167.77'
HENDERSON LOTS OWNER (DALLAS), LLC, INST. NO. 201200343030 O.P.R.D.C.T.
LOT 24
26.5
31.4
LOT 36
CITY OF DALLAS STREET EASEMENT VOL. 92085, PG. 2882 D.R.D.C.T.

NOTE:

ALL CORNERS 5/8" IRON ROD W/ "KHA" CAP SET UNLESS OTHERWISE NOTED

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

LEGEND

IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
XS = "X" CUT IN CONCRETE SET
IRF = IRON ROD FOUND
IPF = IRON PIPE FOUND
M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS
INST. NO. = INSTRUMENT NUMBER
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
C.M. = CONTROL MONUMENT

NORTH
0 30 60
GRAPHIC SCALE IN FEET

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL LAND SURVEYOR
8.30.17

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DWP	DAB	AUG. 2017	064482701	2 OF 2

AGENDA ITEM # 42

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45L

SUBJECT

An ordinance abandoning a sanitary sewer easement to the City of Dallas, the abutting owner, containing approximately 2,131 square feet of land, located near the intersection of St. Paul and Live Oak Streets - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a sanitary sewer easement to the City of Dallas, the abutting owner. The area will be included with the property of the abutting owner to benefit Pacific Plaza Park. The cost for these abandonments is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

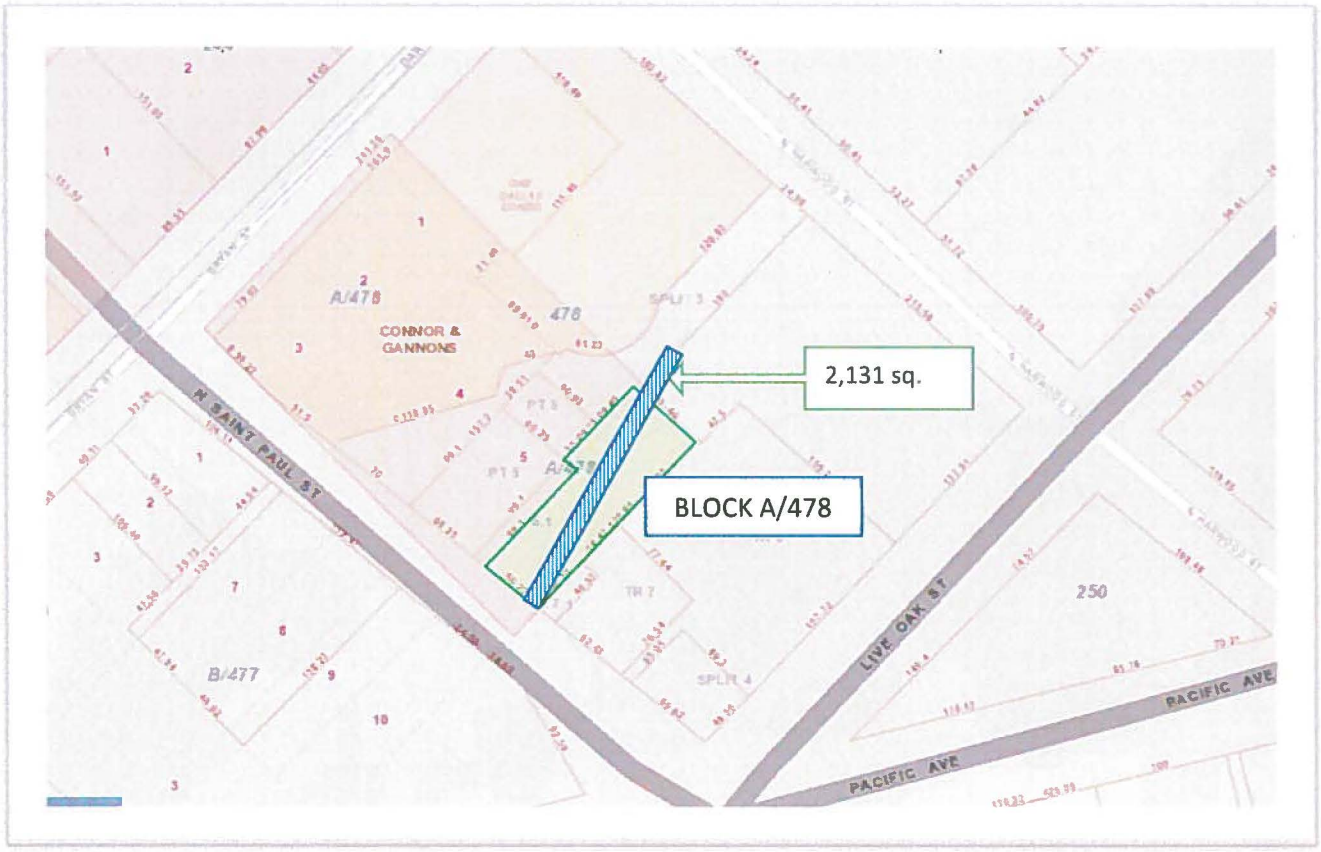
This item has no prior action.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

MAP

Attached



N
W E
S

ABANDONMENT AREA
SANITARY SEWER EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a sanitary sewer easement, located in City Block A/478 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to City of Dallas; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of City of Dallas, a Texas municipal corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said sanitary sewer easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8 and 9 the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE,** its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE,** its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment, relinquishment and quitclaim made herein, **GRANTEE** shall obtain a Private Development Contract (P-Contract) and City shall retain easements until the existing main is relocated.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this contract is designed as Contract No. DEV-2017-00003731.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT

CONNOR AND GANNON'S SUBDIVISION OF THE MAY'S ESTATE

IN CITY BLOCK A/478

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495

CITY OF DALLAS, DALLAS COUNTY, TEXAS

All of that certain tract of land (2,131 square feet, 0.049 acres) recorded in the Sanitary Sewer Easement to the City of Dallas recorded in Volume 77161, Page 637 of the Deed Records of Dallas County Texas (D.R.D.C.T.), being a part of a 1.0919 acre tract and a 0.2181 acre tract to the City of Dallas recorded in Special Warranty Deed recorded in Instrument Number 20080067856 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T), and a tract to the City of Dallas recorded in Special Warranty Deed recorded in Instrument Number 20070070235 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), all part of City Block A/478 in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, and being more completely described as follows, to-wit:

COMMENCING at a found "x" cut for the southwest corner of a tract of land to the City of Dallas, recorded in Special Warranty Deed recorded in Instrument Number 201000156884 (O.P.R.D.C.T.) and the Southwest corner of City Block A/478 and being the intersection of the Northeast Right of Way line of St. Paul Street (60-foot right of way) described in City of Dallas Ordinance Book 1A, Page 138 and the Northwest Right of Way line of Live Oak Street (68-foot right of way) described in City of Dallas Ordinance Book 1-A;

THENCE N 51° 04' 29" W a distance of 154.06 feet with the said Northeast right of way line of St. Paul Street to a point for a corner, being the POINT OF BEGINNING and the southwest corner of said Sanitary Sewer Easement;

THENCE N 51° 04' 29" W a distance of 10.13' with the said Northeast right of way line of St. Paul Street to a point for a corner, being the Northwest corner of said Sanitary Sewer Easement;

THENCE N 29° 50' 20" E a distance of 212.34 feet departing said right of way line of St. Paul Street to a point for a corner being the North corner of said Sanitary Sewer Easement;

THENCE S 60° 09' 40" E a distance of 10.00 feet to a point for a corner being the East corner of said Sanitary Sewer easement;

THENCE S 29° 50' 20" E a distance of 213.79 feet to a point for a corner on the said Northeast right of way line of St. Paul Street to the POINT OF BEGINNING, containing 0.049 of an acre or 2,131 square feet of land.

The basis of bearings for this survey is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (2011). Geodetic Bearing established by G.P.S. measurements taken on May 06, 2016.

(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 9/28/17

SPRG No. 4086_____

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT

CONNOR AND GANNON'S SUBDIVISION OF THE MAY'S ESTATE

IN CITY BLOCK A/478

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495

CITY OF DALLAS, DALLAS COUNTY, TEXAS

SURVEYOR'S CERTIFICATE

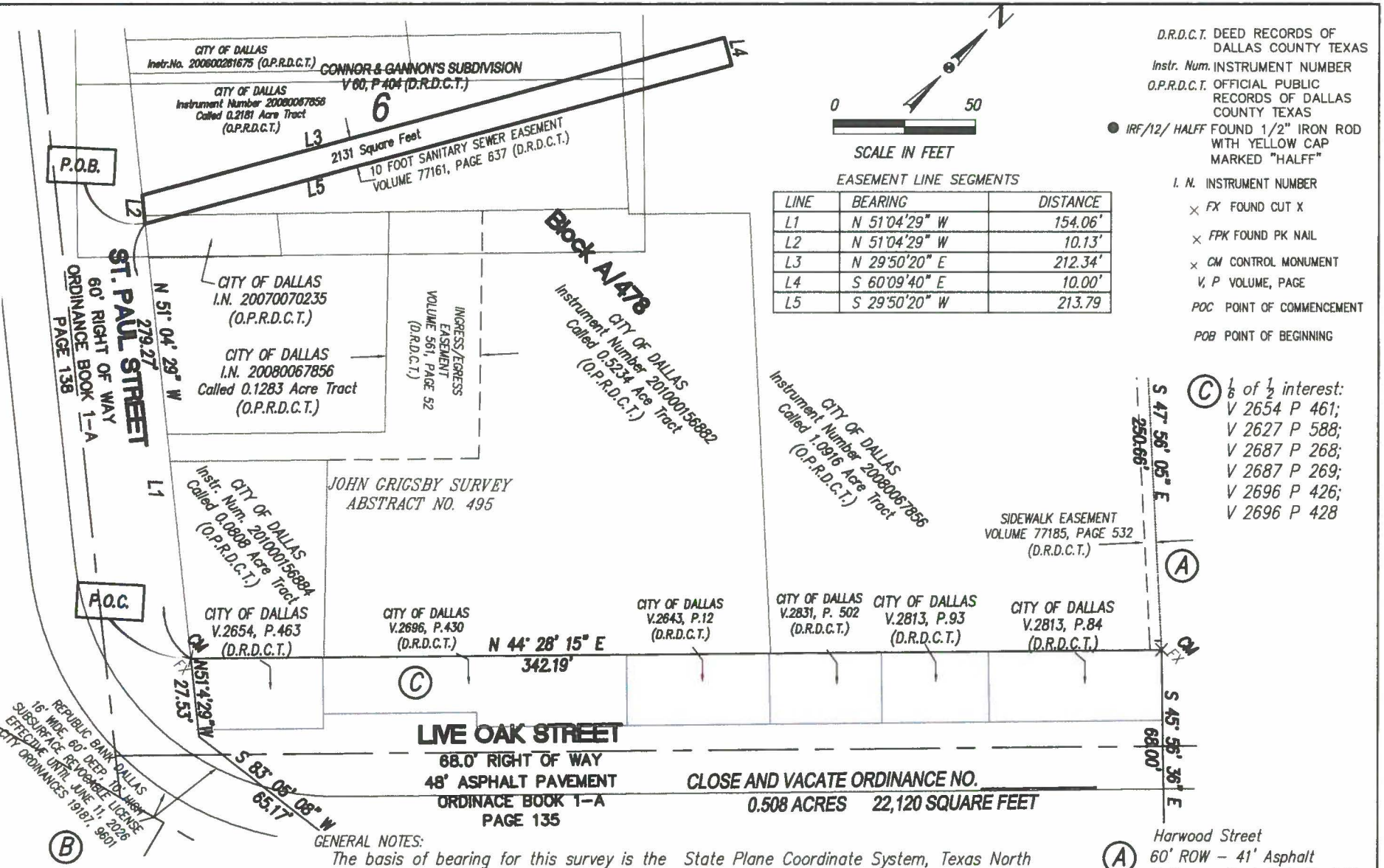
The undersigned hereby certifies the above legal description was prepared from an on the ground survey performed under the supervision of the undersigned and that the legal description sets out the metes and bounds of the property described.

Dated: 9-27-17



Louis M. Salcedo, RPLS No. 3664

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 9/28/17
SPR No.4086



GENERAL NOTES:

The basis of bearing for this survey is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, (2011). geodetic Bearing established by G.P.S. measurements taken on May 06, 2016.

SURVEYOR'S CERTIFICATE:

I LOUIS M. SALCEDO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL ON THE GROUND SURVEY OF THE LAND, AND THE MONUMENTS SHOWN THEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION.

STATE OF TEXAS
REGISTERED
LOUIS M. SALCEDO
3664
PROFESSIONAL
LAND SURVEYOR

LOUIS M. SALCEDO
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3664

9-27-17
DATE

Texas TBPLS Firm License 10070800

(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 9/28/17

SPRG No. 4080

Sanitary Sewer Easement Abandonment

CONNOR AND GANNON'S
SUBDIVISION OF THE MAY'S ESTATE
CITY BLOCK A/478
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SGI Salcedo Group, Inc.

SGI Project No. 16673

09-27-17 Page 3/3

Sep 27,2017 11:16am lsalcedo
M:\projects\16673_SWA_Pacific_Park\Survey\WW_easement_abandonment\pacific_park_plaza_ww_easement_abandonment_09_27_17a.dwg

Exhibit A

AGENDA ITEM # 43

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 52W

SUBJECT

An ordinance abandoning a sanitary sewer easement, a water easement and a public drainage easement to Whitewave Foods Company, the abutting owner, containing a total of approximately 42,365 square feet of land located near the intersection of Kiest Boulevard and Dan Morton Drive - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a sanitary sewer easement, a water easement and a public drainage easement to Whitewave Foods Company, the abutting owner. The area will be included with the property of the abutting owner to construct a new warehouse. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

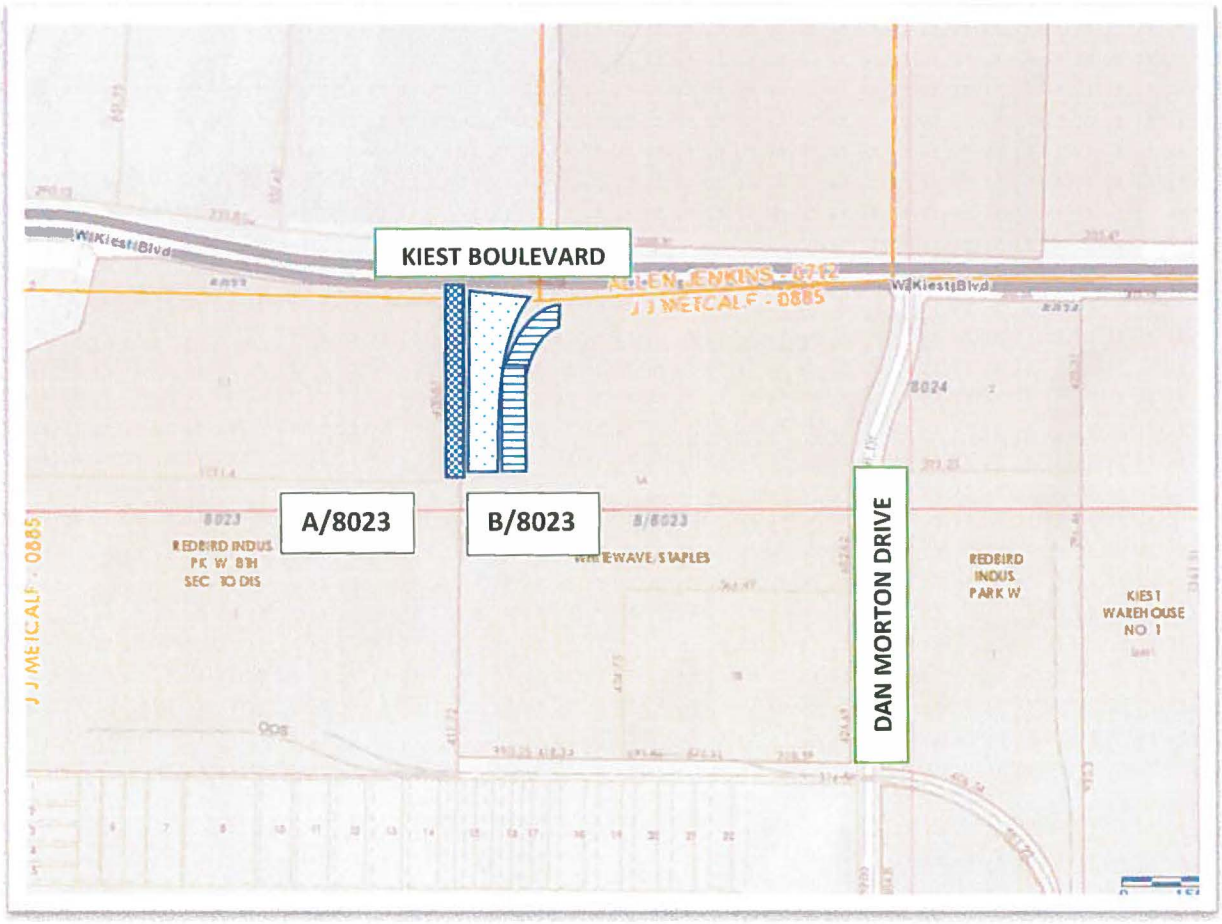
OWNER

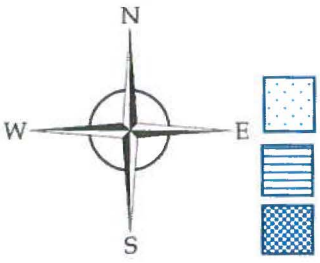
Whitewave Foods Company

Mariano Lozano, Chief Executive Officer

MAP

Attached





PUBLIC DRAINAGE EASEMENT ABANDONMENT

WATER EASEMENT ABANDONMENT

SANITARY SEWER EASEMENT ABANDONMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of portions of a sanitary sewer easement, water easement and public drainage easement located in City Blocks A/8023 and B/8023 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Whitewave Foods Company; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of new easements, to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Whitewave Foods Company, a Delaware corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and

SECTION 1. (continued)

made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE,** its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.

SECTION 8. (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall obtain a Private Development Contract (P-Contract) with the City of Dallas.

SECTION 10. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said portions of a sanitary sewer easement, water easement and public drainage easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to new easements, to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easements are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. **GRANTEE** will grant the new easements at no cost consideration to the City and all work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this contract is designated as Contract No. DEV-2017-00002899.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT
IN BLOCK A/8023
THIRD SECTION REDBIRD INDUSTRIAL PARK WEST ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 7,269 square foot (0.1669 acre) tract of land situated in the John Metcalf Survey, Abstract Number 885, City of Dallas, Dallas County, Texas, being a part of a 15 foot wide sanitary sewer easement created in Volume 81074, Page 568, Deed Records, Dallas County, Texas, (D.R.D.C.T.), and being part of Block A/8023 of Third Section Redbird Industrial Park West, an addition to the City of Dallas as recorded in Volume 78042, Page 1087, (D.R.D.C.T.), and being part of a 0.686 acre tract of land described in Special Warranty Deed to WWF Operating Company as recorded in Instrument Number 201700026016, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at 1/2-inch iron rod found for the most northerly northeast corner of said Lot 1A, Block B/8023, and being the north corner of a corner clip at the intersection of the south right-of-way line of Kiest Boulevard (State Highway Spur 303) (a 120 foot wide right-of-way recorded in Volume 75075, Page 1898), Deed Records of Dallas County, Texas (D.R.D.C.T.), and the west right-of-way line of Dan Morton Drive (a 64 foot wide right-of-way recorded in Volume 79226, Page 2086), (D.R.D.C.T.);

THENCE South 89 degrees 24 minutes 42 seconds West, along the common south right-of-way line of said Kiest Boulevard and the north line of said Block B/8023, a distance of 1068.27 feet to the common northwest corner of said Block B/8023, and northeast corner of said Block A/8023, also being the northeast corner of said existing sanitary sewer easement recorded in Volume 81074, Page 568, (D.R.D.C.T.), and the POINT OF BEGINNING of the herein described tract, from which said point a 1/2-inch iron rod found bears North 70 degrees 06 minutes 30 seconds West, a distance of 0.19 feet;

THENCE South 00 degrees 19 minutes 01 second East, departing said common line, and with the common east line of said Block A/8023 and west line of said B/8023, and with the east line of said existing sanitary sewer easement, a distance of 484.66 feet to a point for corner, from which said point a found 1/2-inch iron rod with a cap stamped "TXHS" bears South 70 degrees 27 minutes 36 seconds West, a distance of 0.16 feet;

THENCE South 89 degrees 38 minutes 55 seconds West, departing said common line and said east line, a distance of 15.00 feet to a point on the west line of said existing sanitary sewer easement, from which said point a found 1/2-inch iron rod for the northwest corner of said 20.804 acre tract bears South 89 degrees 38 minutes 55 seconds West, a distance of 1,180.22 feet;

(For SPRG use only)
Reviewed By: G.S.
Date: 9-25-17
SPRG NO.: 4185

EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT
IN BLOCK A/8023
THIRD SECTION REDBIRD INDUSTRIAL PARK WEST ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 00 degrees 19 minutes 01 second West, along said west line, a distance of 484.59 feet to a point on the common south right-of-way line of said Kiest Boulevard and north line of said Block A/8023;

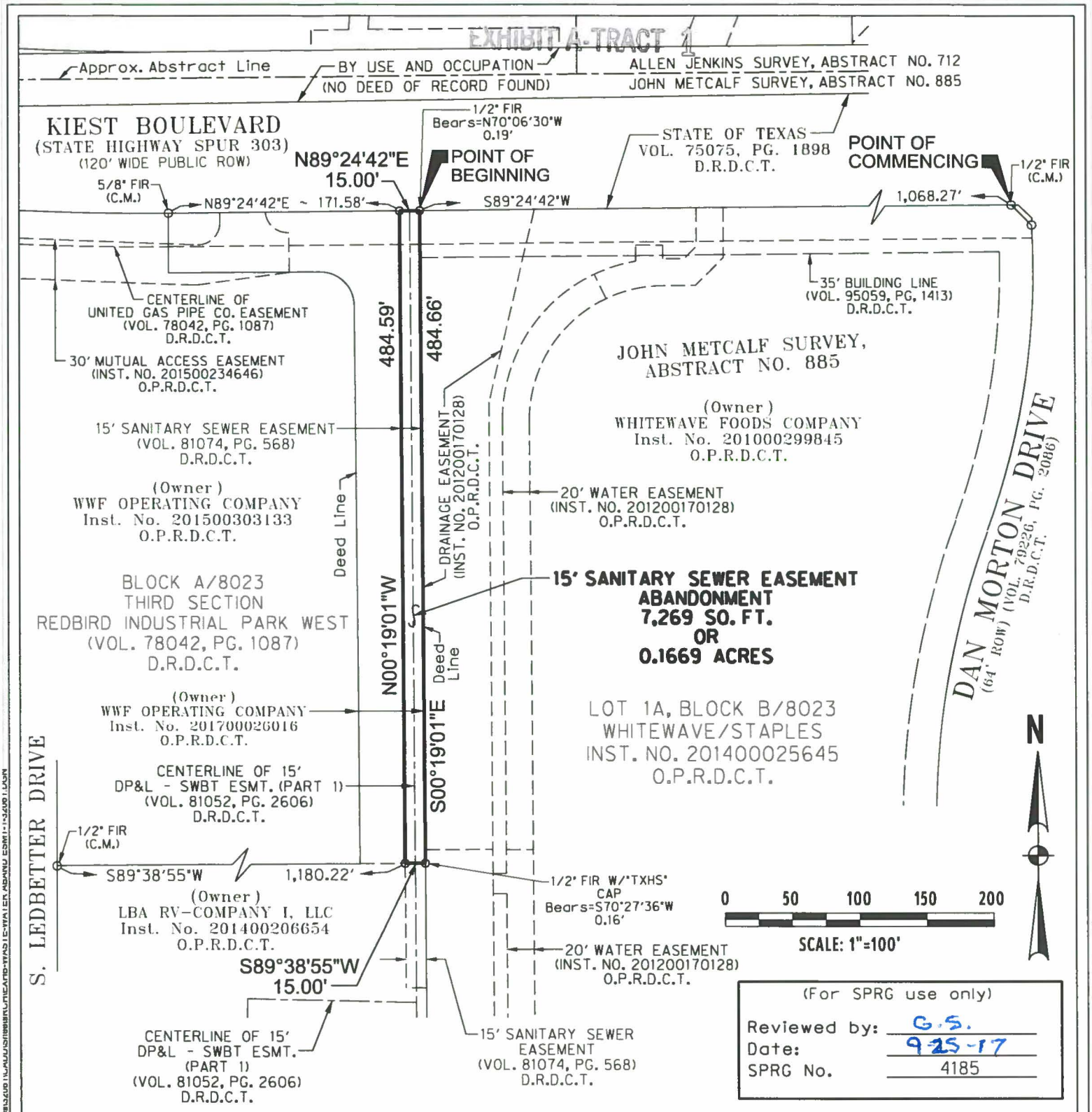
THENCE North 89 degrees 24 minutes 42 seconds East, with said common line, a distance of 15.00 feet to the POINT OF BEGINNING AND CONTAINING 7,269 square feet or 0.1669 acres of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011.

Andrew J. Shafer 9/19/2017
ANDREW J. SHAFER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5017
TBPLS FIRM NO. 10029600



(For SPRG use only)
Reviewed By: G.S.
Date: 9-25-17
SPRG NO.: 4185



(For SPRG use only)

Reviewed by: G.S.

Date: 9-25-17

SPRG No. 4185

NOTE:

1. Basis of bearings is the North American Datum of 1983 (1993) Texas State Plan Coordinate System, North Central Zone 4202, established by GPS observations using the Leica Geosystems SmartNet RTK network. All distances shown hereon are surface using the TxDot Dallas County surface adjustment combined scale factor (CSF) of 1.000136506.

LEGEND

FIR	FOUND IRON ROD
W/CAP	WITH YELLOW CAP STAMPED "HALFF"
C.M.	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

Andrew J. Shafer 9/19/2017

SANITARY SEWER EASEMENT ABANDONMENT

IN BLOCK A/8023, THIRD SECTION
REDBIRD INDUSTRIAL PARK WEST ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

TBPLS FIRM NO. 10029600
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=100' TELE. 214-346-6200 AVO. 32061 SEPT., 2017

EXHIBIT A-TRACT 2

WATER EASEMENT ABANDONMENT
IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 8,856 square foot (0.2033 acre) tract of land situated in the John Metcalf Survey, Abstract Number 885, City of Dallas, Dallas County, Texas, being a part of a 20-foot wide water easement created by Plat of Whitewave Foods Addition, as recorded in Instrument Number 201200170128, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being a part of Lot 1A, Block B/8023 of Whitewave/Staples Addition, an addition to the City of Dallas as recorded in Instrument Number 201400025645, (O.P.R.D.C.T.), and being a part of that tract of land described in Special Warranty Deed to Whitewave Foods Company as recorded in Instrument Number 201000299845, (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at 1/2-inch iron rod found for the most northerly northeast corner of said Lot 1A, Block B/8023, and being the north corner of a corner clip at the intersection of the south right-of-way line of Kiest Boulevard (State Highway Spur 303) (a 120 foot wide right-of-way recorded in Volume 75075, Page 1898), Deed Records of Dallas County, Texas (D.R.D.C.T.), and the west right-of-way line of Dan Morton Drive (a 64 foot wide right-of-way recorded in Volume 79226, Page 2086), (D.R.D.C.T.);

THENCE South 89 degrees 24 minutes 42 seconds West, along the common south right-of-way line of said Kiest Boulevard and the north line of said Block B/8023, a distance of 843.26 feet to a point for the northeast corner of said existing water easement created by Whitewave Foods Addition recorded in Instrument Number 201200170128, (O.P.R.D.C.T.), from which said point a 5/8-inch found iron rod at a point of curvature in said right-of-way bears South 89 degrees 24 minutes 42 seconds West, a distance of 411.59 feet;

THENCE departing said common line and along the east line of said existing water easement, the following bearings and distances:

South 00 degrees 19 minutes 01 second East, a distance of 36.95 feet to a point for corner;

South 44 degrees 40 minutes 59 seconds West, a distance of 29.51 feet to a point for corner;

South 89 degrees 40 minutes 59 seconds West, a distance of 24.14 feet to the point of curvature of a tangent circular curve to the left, having a radius of 100.00 feet, and a chord that bears South 77 degrees 08 minutes 42 seconds West, a distance of 43.42 feet;

(For SPRG use only)	
Reviewed By:	G.S.
Date:	9-25-17
SPRG NO.:	4187

EXHIBIT A-TRACT 2

WATER EASEMENT ABANDONMENT
IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Westerly, with said curve, through a central angle of 25 degrees 04 minutes 35 seconds, an arc distance of 43.77 feet to THE POINT OF BEGINNING of the herein described tract, and the beginning of a tangent circular curve to the left, having a radius of 100.00 feet and a chord that bears South 32 degrees 08 minutes 42 seconds West, a distance of 107.35 feet;

Southwesterly, with said curve, through a central angle of 64 degrees 55 minutes 25 seconds, an arc distance of 113.31 feet to the point of tangency;

South 00 degrees 19 minutes 01 second East, a distance of 318.16 feet to a point for corner;

THENCE South 89 degrees 38 minutes 39 seconds West, departing said east line and crossing over said easement, a distance of 20.00 feet to a point for corner on the west line of said existing water easement;

THENCE North 00 degrees 19 minutes 01 second West, along said west line, a distance of 318.17 feet to the point of curvature of a tangent circular curve to the right, having a radius of 120.00 feet and a chord that bears North 32 degrees 08 minutes 42 seconds East, a distance of 128.82 feet;

THENCE Northeasterly, continuing along said west line and with said curve, through a central angle of 64 degrees 55 minutes 25 seconds, an arc distance of 135.98 feet to a point for corner;

THENCE South 25 degrees 23 minutes 36 seconds East, departing said west line and crossing over said easement, a distance of 20.00 feet to the POINT OF BEGINNING AND CONTAINING 8,856 square feet or 0.2033 acres of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011.

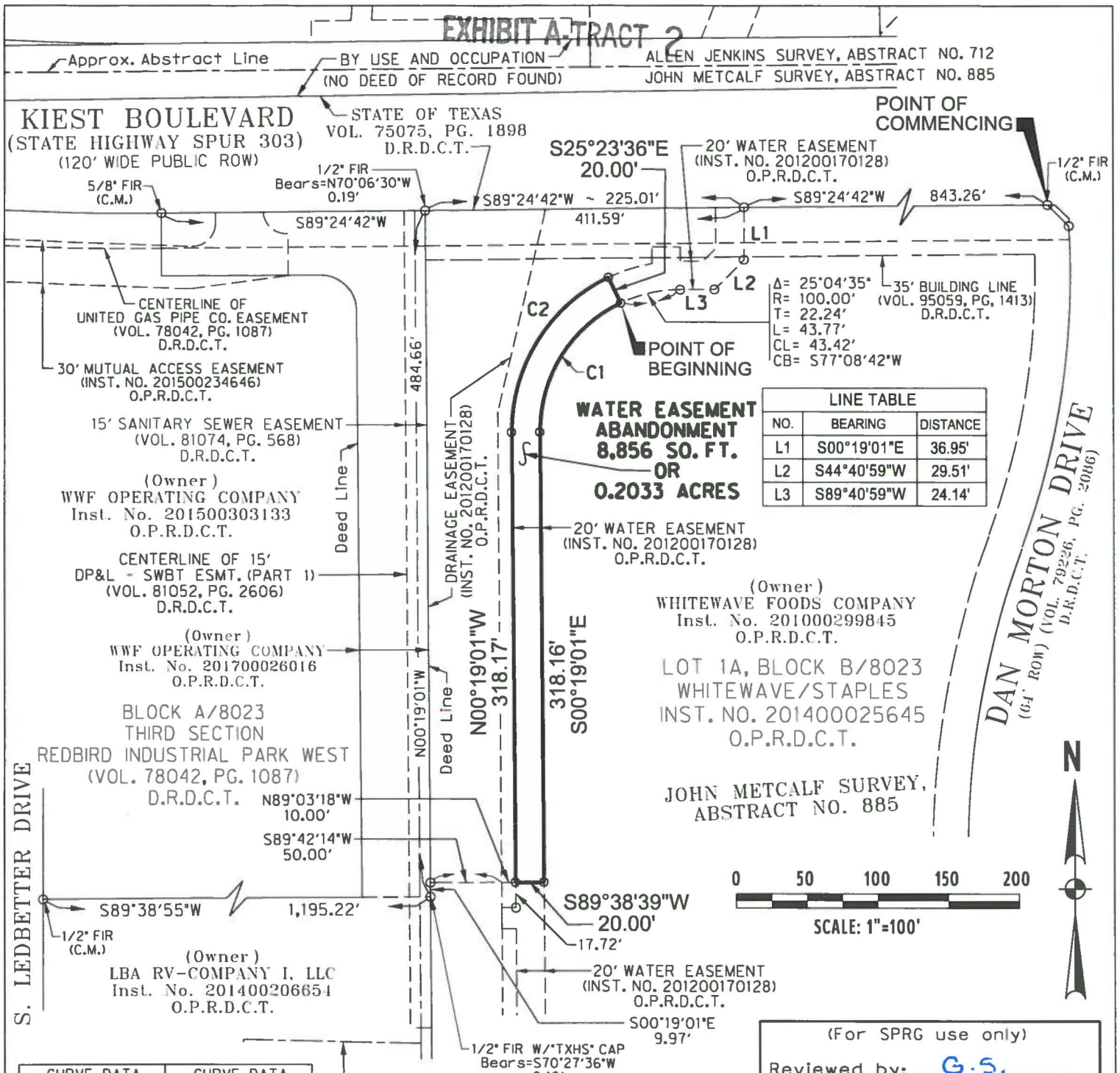
Andrew J Shafer 9/19/2017

ANDREW J. SHAFER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5017
TBPLS FIRM NO. 10029600



(For SPRG use only)
Reviewed By: G.S.
Date: 9-25-17
SPRG NO.: 4187

EXHIBIT A, TRACT 2



LINE TABLE		
NO.	BEARING	DISTANCE
L1	S00°19'01"E	36.95'
L2	S44°40'59"W	29.51'
L3	S89°40'59"W	24.14'

CURVE DATA	CURVE DATA
C1	C2
Δ= 64°55'25"	Δ= 64°55'25"
R= 100.00'	R= 120.00'
T= 63.61'	T= 76.34'
L= 113.31'	L= 135.98'
CL= 107.35'	CL= 128.82'
CB= S32°08'42"W	CB= N32°08'42"E

(For SPRG use only)
Reviewed by: G.S.
Date: 9-25-17
SPRG No. 4187

NOTE:

1. Basis of bearings is the North American Datum of 1983 (1993) Texas State Plan Coordinate System, North Central Zone 4202, established by GPS observations using the Leica Geosystems SmartNet RTK network. All distances shown hereon are surface using the TxDot Dallas County surface adjustment combined scale factor (CSF) of 1.000136506.

LEGEND

FIR	FOUND IRON ROD
W/CAP	WITH YELLOW CAP STAMPED "HALFF"
C.M.	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

Andrew J. Shafer 9/19/2017

WATER EASEMENT ABANDONMENT

IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

TBPLS FIRM NO. 10029600
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=100' TELE. 214-346-6200 AVO. 32061 SEPT., 2017

EXHIBIT A-TRACT 3

PUBLIC DRAINAGE EASEMENT ABANDONMENT
IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 26,240 square foot (0.6024 acre) tract of land situated in the John Metcalf Survey, Abstract Number 885, City of Dallas, Dallas County, Texas, being a part of a public drainage easement created by Plat of Whitewave Foods Addition, as recorded in Instrument Number 201200170128, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being a part of Lot 1A, Block B/8023 of Whitewave/Staples Addition, an addition to the City of Dallas as recorded in Instrument Number 201400025645, (O.P.R.D.C.T.), and being a part of that tract of land described in Special Warranty Deed to Whitewave Foods Company as recorded in Instrument Number 201000299845, (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at 1/2-inch iron rod found for the most northerly northeast corner of said Lot 1A, Block B/8023, and being the north corner of a corner clip at the intersection of the south right-of-way line of Kiest Boulevard (State Highway Spur 303) (a 120 foot wide right-of-way recorded in Volume 75075, Page 1898), Deed Records of Dallas County, Texas (D.R.D.C.T.), and the west right-of-way line of Dan Morton Drive (a 64 foot wide right-of-way recorded in Volume 79226, Page 2086), (D.R.D.C.T.);

THENCE South 89 degrees 24 minutes 42 seconds West, along the common south right-of-way line of said Kiest Boulevard and the north line of said Block B/8023, a distance of 983.27 feet to the POINT OF BEGINNING of the herein described tract, being the northeast corner of said existing public drainage easement created by said Whitewave Foods Addition recorded in Instrument Number 201200170128, (O.P.R.D.C.T.);

THENCE South 13 degrees 26 minutes 00 seconds West, departing said common line, and along the east line of said existing public drainage easement, a distance of 147.26 feet to a point for corner;

THENCE South 00 degrees 19 minutes 01 second East, continuing along said east line, a distance of 332.07 feet to a point for corner;

THENCE South 89 degrees 42 minutes 14 seconds West, departing said east line and crossing over said easement, a distance of 50.00 feet to a point on the west line of said existing drainage easement, also being on the common west line of said Block B/8023 and east line of Block A/8023 of Third Section Redbird Industrial Park West, an addition to the City of Dallas as recorded in Volume 78042, Page 1087, D.R.D.C.T.;

(For SPRG use only)
Reviewed By: G.S.
Date: 9-25-17
SPRG NO.: 4186

EXHIBIT A-TRACT 3

PUBLIC DRAINAGE EASEMENT ABANDONMENT
IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 00 degrees 19 minutes 01 second West, along said common line, a distance of 474.68 feet to a point on the south right-of-way line of said Kiest Boulevard, being the common northwest corner of said Block B/8023, and northeast corner of said Block A/8023, from which said point a 1/2-inch iron rod found bears North 70 degrees 06 minutes 30 seconds West, a distance of 0.19 feet, and also from which said point a 5/8-inch found iron rod at a point of curvature in said right-of-way bears South 89 degrees 24 minutes 42 seconds West, a distance of 186.58 feet;

THENCE North 89 degrees 24 minutes 42 seconds East, along said south line of Kiest Boulevard, a distance of 85.00 feet to the POINT OF BEGINNING AND CONTAINING 26,240 square feet or 0.6024 acres of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011.

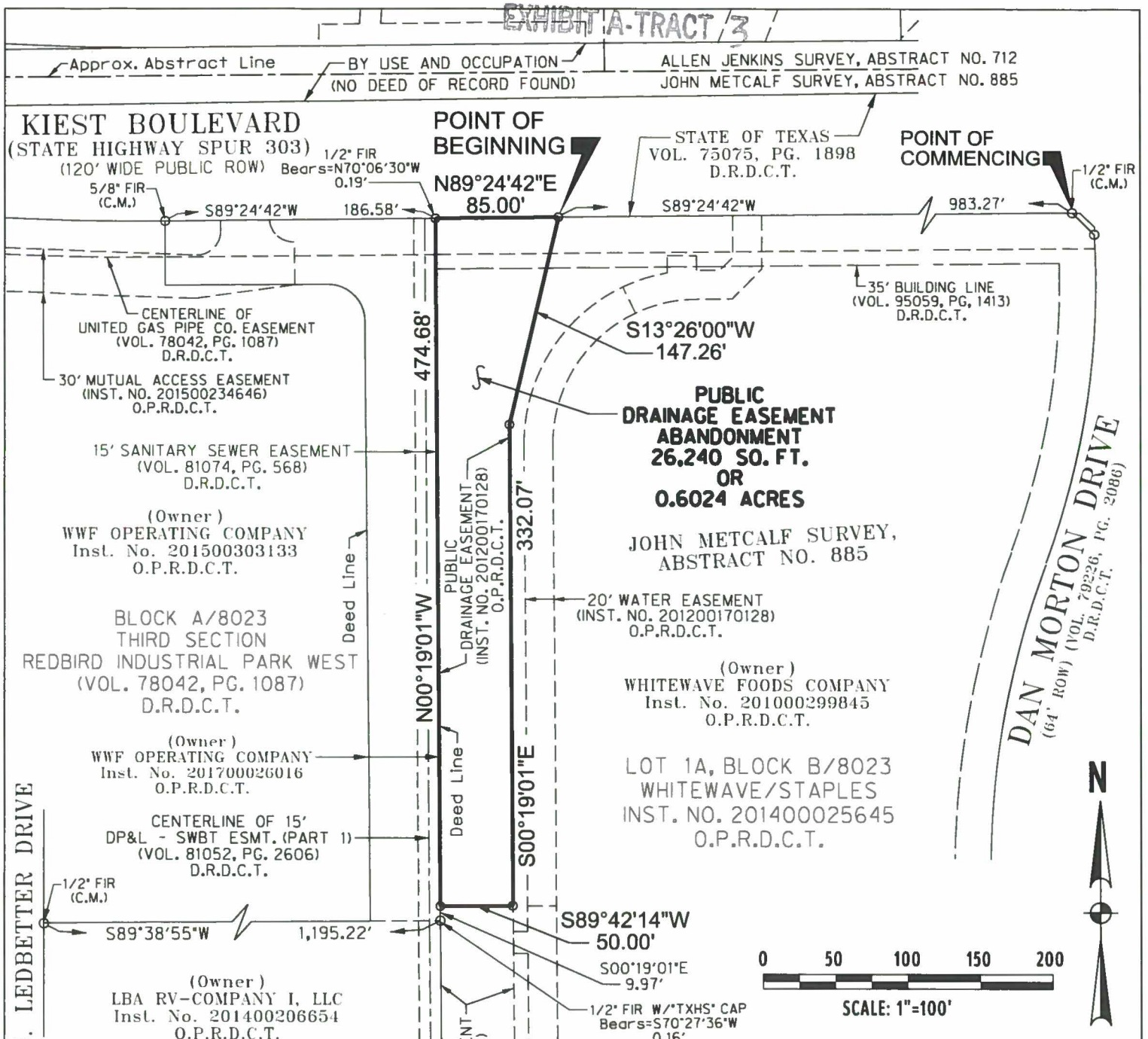
Andrew J. Shafer 9/19/2017

ANDREW J. SHAFER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5017
TBPLS FIRM NO. 10029600



(For SPRG use only)
Reviewed By: G.S.
Date: 9-25-17
SPRG NO.: 4186

EXHIBIT A-TRACT 3



(For SPRG use only)

Reviewed by: G.S.

Date: 9-25-17

SPRG No. 4186

NOTE:

1. Basis of bearings is the North American Datum of 1983 (1993) Texas State Plan Coordinate System, North Central Zone 4202, established by GPS observations using the Leica Geosystems SmartNet RTK network. All distances shown hereon are surface using the TxDot Dallas County surface adjustment combined scale factor (CSF) of 1.000136506.

LEGEND

1/2" SIR W/BLUE "HALFF ESMT"	HALF-INCH SET IRON ROD WITH BLUE PLASTIC CAP STAMPED "HALFF ESMT"
FIR	FOUND IRON ROD
W/CAP	WITH YELLOW CAP STAMPED "HALFF"
C.M.	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

Andrew J. Shafer 9/19/2017

PUBLIC DRAINAGE EASEMENT ABANDONMENT

IN LOT 1A, BLOCK B/8023
WHITEWAVE/STAPLES ADDITION
JOHN METCALF SURVEY, ABSTRACT NO. 885
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

TBPLS FIRM NO. 10029600
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=100' TELE. 214-346-6200 AVO. 32061 SEPT., 2017

AGENDA ITEM # 44

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 27J

SUBJECT

An ordinance abandoning a utility easement to LH Skillman Partners, Ltd., the abutting owner, containing approximately 18,757 square feet of land, located near the intersection of Skillman Street and Vintage Oaks Court - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a utility easement to LH Skillman Partners, Ltd., the abutting owner. The area will be included with the property of the abutting owner to facilitate a residential development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

OWNER

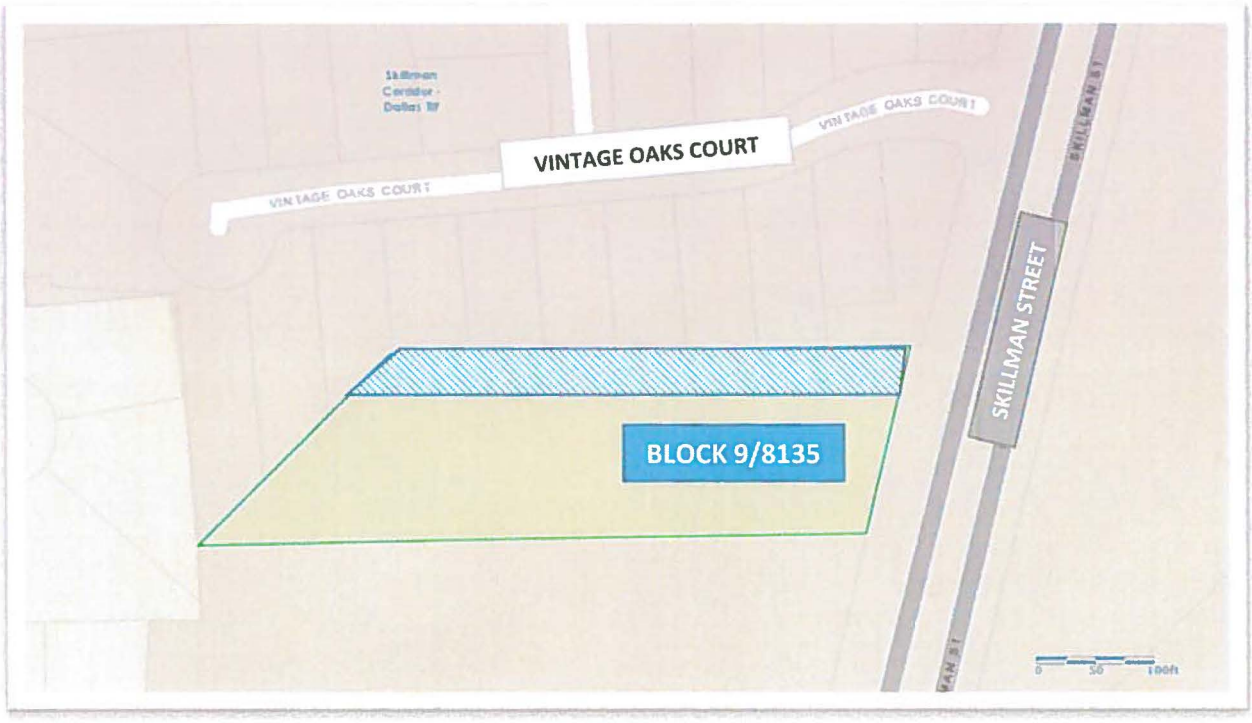
LH Skillman Partners, Ltd.

7475 LH, LLC, General Partner

Jonathan S. Perlman, Manager

MAP

Attached



N
W
E
S

ABANDONMENT AREA

UTILITY EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a utility easement, located in City Block 9/8135 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to LH Skillman Partners, Ltd.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of LH Skillman Partners, Ltd., a Texas limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE,** its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall execute and complete terms of a Private Development Contract (P-Contract) with the City of Dallas "City". City shall retain easement until existing water and wastewater mains are disconnected.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this contract is designated as Contract No. DEV-2017-00003881.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____

40' UTILITY EASEMENT ABANDONMENT
Skillman Highlands West
Part of Lot 1, Block 9/8135,
W.P. Wyche Survey, Abstract No. 1522
City of Dallas, Dallas County, Texas

Exhibit A

DESCRIPTION, of a 18,757 square foot (0.431 acre) tract of land situated in the W.P. Wyche Survey, Abstract No. 1522, Dallas County, Texas, Official City Block Number 9/8135; said tract being part of Lot 1, Block 9/8135, Skillman Highlands West, an addition to the City of Dallas, Texas according to the plat recorded in Volume 81241, Page 2467 of the Deed Records of Dallas County, Texas; said tract being all of a 40 foot wide Public Utility Easement created by said Skillman Highlands West according to said plat, and being part of that certain tract of land described in Special Warranty Deed to LH Skillman Partners, LTD., recorded in Instrument Number 20070416280 of the Official Public Records of Dallas County, Texas; said 18,757 square foot tract of land being more particularly described as follows (bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface adjustment factor of 1.000136506):

BEGINNING, at a point in the west right-of-way line of Skillman Street (a 130-foot right-of-way described in Cause No. 91038-B, County Court No. 2 and Volume 3788, Page 518 of said Deed Records); said point being the southeast corner of Common Area "A", Block 8/8135 of Bordeaux at Lake Highlands, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201400094572 of said Official Public Records and the northeast corner of said Lot 1;

THENCE, South 13 degrees, 12 minutes, 37 seconds West, along said west line of Skillman Street and the east line of said Lot 1, a distance of 41.41 feet to a point for corner;

THENCE, South 88 degrees, 12 minutes, 37 seconds West, departing the said west line of Skillman Street and the said east line of Lot 1, a distance of 484.41 feet to a point in the southeast line of Lot 8, Block 8/8135 of said Bordeaux at Lake Highlands addition and the northwest line of said Lot 1;

THENCE, North 44 degrees, 22 minutes, 46 seconds East, along said southeast line of Lot 8 and said northwest line of Lot 1, a distance of 57.76 feet to a 5/8-inch iron rod with "RPLS 3963" cap found for corner; said point being the southwest corner of Lot 7, Block 8/8135 of said Bordeaux at Lake Highlands addition and the southeast corner of said Lot 8; said point being the northwest corner of said Lot 1;

THENCE, North 88 degrees, 12 minutes, 37 seconds East, along the south line of said Lot 7 and the south line of Lots 6, 5, 4, 3, 2 and Common Area "A", Block 8/8135 of said Bordeaux at Lake Highlands addition, a distance of 453.46 feet to the **POINT OF BEGINNING**;

CONTAINING: 18,757 square feet or 0.431 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement abandonment tract described.

10-9-2017

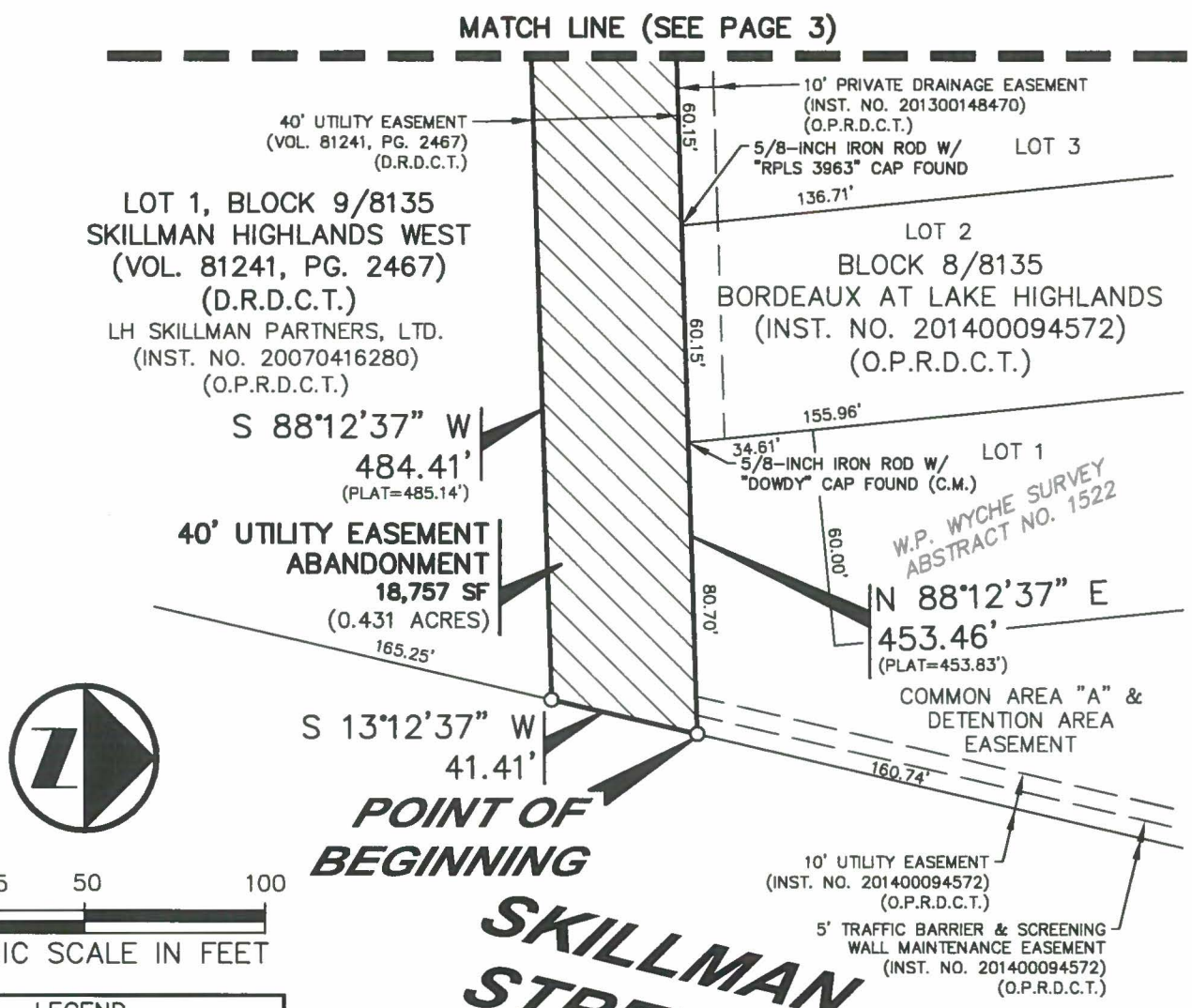
Jonathan E. Cooper Date
Registered Professional Land Surveyor No. 5369
Pacheco Koch, LLC
7557 Rambler Road, Suite 1400, Dallas, TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10193805

STATE OF TEXAS
REGISTERED
JONATHAN E. COOPER
5369
PROFESSIONAL
LAND SURVEYOR

2796-15.488EX1.doc
2796-15.448EX1.dwg cm

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/12/17
SPRG NO: 3918

EXHIBIT A



0 25 50 100

GRAPHIC SCALE IN FEET

LEGEND	
———	PROPERTY LINE
———	EASEMENT ABANDONMENT
— — —	EXISTING EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	– CONTROLLING MONUMENT
(O.P.R.D.C.T.)	– OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
(D.R.D.C.T.)	– DEED RECORDS OF DALLAS COUNTY, TEXAS
(INST. NO.)	– INSTRUMENT NUMBER
(VOL./PG.)	– VOLUME / PAGE
SF	– SQUARE FEET

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/12/17
SPRG NO: 3918

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface adjustment factor of 1.000136506.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement abandonment tract described.

10-9-2017

Jonathan E. Cooper — Date
Registered Professional
Land Surveyor No. 5369

STATE OF TEXAS
REGISTERED
JONATHAN E. COOPER
5369
PROFESSIONAL
LAND SURVEYOR

Pacheco Koch

7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	JEC	1"=50'	AUGUST 2016	2796-15.448

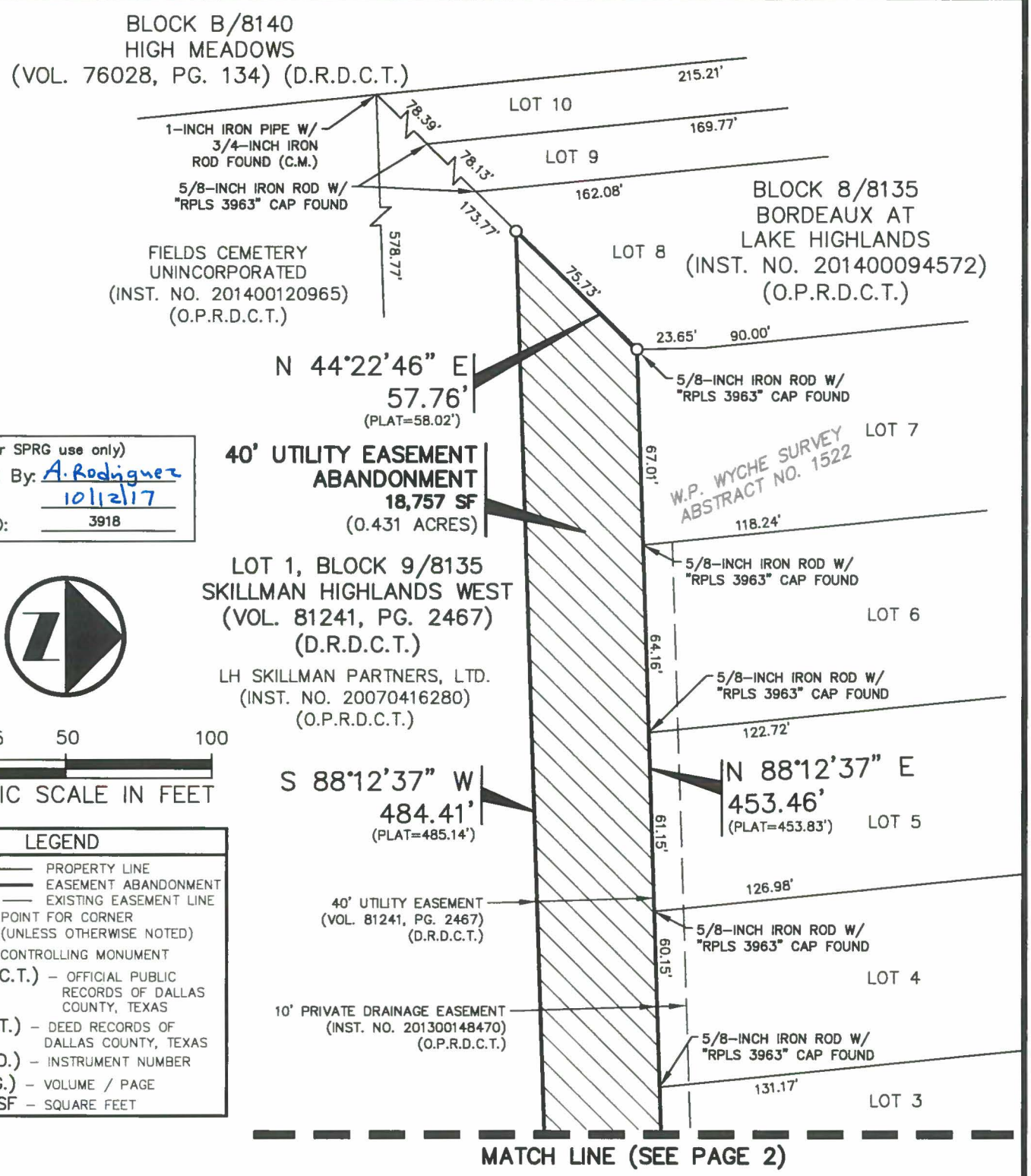
40' UTILITY EASEMENT ABANDONMENT

SKILLMAN HIGHLANDS WEST
PART OF LOT 1, BLOCK 9/8135
W.P. WYCHE SURVEY, ABSTRACT NO. 1522
CITY OF DALLAS, DALLAS COUNTY, TEXAS
PAGE 2 OF 3

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JCOOPER

DWG FILE: 2796-15.448EX1.DWG

Exhibit A



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/12/17
SPRG NO: 3918

0 25 50 100
GRAPHIC SCALE IN FEET

LEGEND

- PROPERTY LINE
- EASEMENT ABANDONMENT
- EXISTING EASEMENT LINE
- ○ POINT FOR CORNER (UNLESS OTHERWISE NOTED)
- (C.M.) – CONTROLLING MONUMENT
- (O.P.R.D.C.T.) – OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- (D.R.D.C.T.) – DEED RECORDS OF DALLAS COUNTY, TEXAS
- (INST. NO.) – INSTRUMENT NUMBER
- (VOL./PG.) – VOLUME / PAGE
- SF – SQUARE FEET

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface adjustment factor of 1.000136506.

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	JEC	1"=50'	AUGUST 2016	2796-15.448

40' UTILITY EASEMENT ABANDONMENT

SKILLMAN HIGHLANDS WEST
PART OF LOT 1, BLOCK 9/8135
W.P. WYCHE SURVEY, ABSTRACT NO. 1522
CITY OF DALLAS, DALLAS COUNTY, TEXAS
PAGE 3 OF 3

DWG FILE: 2796-15.448EX1.DWG

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AGENDA ITEM # 45

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: Citywide

SUBJECT

An ordinance amending Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code, by amending Sections 39A-1, 39A-2, 39A-3; repealing and reserving Sections 39A-4, 39A-5, and 39A-6; **(1)** providing a purpose of the chapter; **(2)** adopting the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and additional Provisions as the City's relocation assistance program; **(3)** adding and deleting definitions; and **(4)** making certain other structural, grammatical, or clarifying changes – Financing: No cost consideration to the City

BACKGROUND

Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code currently provides for relocation assistance for individuals and businesses displaced as a direct result of the City's real property acquisition activities. Pursuant to the Texas Property Code - Senate Bill 18, enacted by the 82nd Texas Legislature, Title 4, Chapter 21, "Eminent Domain", provides for Relocation Assistance to be compatible with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) passed by Congress in 1970, as amended.

The proposed ordinance amendment will allow for relocation assistance for City projects to be administered and to adhere to those definitions, rules and regulations as established and outlined in the URA. It will further provide consistency, create efficiency and allow for relocation claims to be processed in a cost-effective manner.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development and Housing Committee on August 21, 2017.

FISCAL INFORMATION

No cost consideration to the City.

10/24/17

ORDINANCE NO. _____

An ordinance amending Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code, by amending Sections 39A-1, 39A-2, 39A-3; repealing and reserving Sections 39A-4, 39A-5, and 39A-6; providing a purpose of the chapter; adopting the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and additional provisions as the city's relocation assistance program; adding and deleting definitions; making certain other structural, grammatical, or clarifying changes; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 39A-1, "Scope of Chapter," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-1. <u>PURPOSE;</u> SCOPE OF CHAPTER.

(a) <u>The purpose of this chapter is to provide a relocation assistance program pursuant to Section 21.046 of the Texas Property Code, as amended. The city hereby adopts, as its relocation assistance program, the URA and the provisions in this chapter governing a code enforcement, rehabilitation, or demolition program.</u>

(<u>b</u>) The provisions of this chapter shall apply only to city of Dallas projects <u>and code enforcement, rehabilitation, or demolition programs</u>. The provisions of this chapter shall be performed by the city manager [~~or such employees or agents of the city of Dallas as he shall from time to time designate~~]. All departments involved in land acquisition <u>and a code enforcement, rehabilitation, or demolition program</u> shall cooperate to the fullest extent to achieve the purposes of this chapter.

(<u>c</u>[~~b~~]) Damages and costs within the purview of this chapter shall not be considered elements of market value or damage and shall not be recoverable in any eminent domain proceeding instituted by or against the city of Dallas.

(<u>d</u>[~~c~~]) The city manager [~~or his designee~~] is hereby directed to comply with all regulations of any agency of the federal government, relating to land acquisition, relocation assistance, moving expenses, and replacement housing payments, when any such agency is rendering financial assistance to any city of Dallas project."

SECTION 2. That Section 39A-2, "Definitions," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-2. DEFINITIONS.

The terms used in this chapter have the meanings ascribed to them in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, or as defined [~~For the purposes of this chapter, the following words and phrases shall be defined as stated~~] below:

CITY MANAGER means the city manager or the city manager's designee.

CODE ENFORCEMENT, REHABILITATION, OR DEMOLITION PROGRAM means an official order issued by the fire marshal, building official, or the city's health officer, or their designees, and which, notwithstanding Section 21.046(e) of the Texas Property Code, as amended, is unrelated to real property title acquisition.

URA means the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and applicable regulations.

[~~BUSINESS. The term "business" means any lawful activity, excepting a farm operation, conducted primarily:~~

~~(a) for the purchase, sale, lease and rental of personal and real property, or for the manufacture, processing, or marketing of products, commodities or any other personal property;~~

~~(b) for the sale of services to the public;~~

~~(c) by a nonprofit organization; or~~

~~(d) for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted. [This activity is considered a "business" solely for the purpose of moving and related expenses under Section 39A-5(t)].~~

~~COMPARABLE REPLACEMENT DWELLING. A comparable replacement dwelling is one which is:~~

~~(a) decent, safe and sanitary as defined in Section 39A-3 below;~~

~~(b) functionally equivalent and substantially the same as the acquired dwelling with respect to:~~

~~(1) area of living space;~~

(2) type of construction;

(3) age; and

(4) state of repair.

(c) fair housing - open to all persons regardless of race, color, religion, sex or national origin and consistent with the requirements of Title VIII of the Civil Rights Act of 1968;

(d) located in areas not generally less desirable than the dwelling to be acquired with regard to:

(1) public utilities; and

(2) public and commercial facilities.

(e) reasonably accessible to the relocatee's place of employment, without regard to relocatee's accessibility prior to taking;

(f) adequate to accommodate the relocatee;

(g) in an equal or better neighborhood;

(h) available on the market to the displaced person; and

(i) within the financial means of the displaced family or individual.

DISPLACED PERSON.

(a) A person is displaced when:

(1) the person is in occupancy at the time public notice is given that the property or a portion of the property will probably be included in the project area;

(2) the person is in occupancy at the initiation of negotiations for the acquisition of the real property in whole or in part;

(3) the person is in occupancy at the time of being given a written notice by the city of Dallas of its intent to acquire the property by a given date;

(4) the person permanently moves from the real property or permanently moves personal property from the real property subsequent to the dates established in Paragraph (2) or (3); and

(5) the real property is subsequently acquired, except that if the move occurs after a written order to vacate is issued, the occupant is eligible even though the property is not acquired.

(b) A person who permanently moves or discontinues a business, permanently moves other personal property, or permanently moves from a dwelling as a direct result of any city of Dallas code enforcement project not involving real property acquisition shall, for the purposes of this chapter, be deemed to have been displaced as the result of the acquisition of real property. To be considered "a direct result of any city of Dallas code enforcement project," the move must be made pursuant to an official order issued personally by the fire marshal, the building official, or the city health officer.

DWELLING. The term "dwelling" means any single family house, a single family unit in a multi- family building, a unit of a condominium or cooperative housing project, a mobile home, or any other residential unit.

EXISTING PATRONAGE. The term "existing patronage" is the annual average dollar volume of business transacted during the two taxable years immediately preceding the taxable year in which the business is relocated.

FAMILY. The term "family" means two or more individuals, one of whom is the head of a household, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit. Where two or more individuals occupy the same dwelling with no identifiable head of a household, they shall be treated as one family for replacement housing payment purposes.

FARM OPERATION. The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support. The term "contributing materially" used in this definition means that the farm operation contributes at least one- third of the operator's income, however, in instances where such operation is obviously a farm operation it need not contribute one-third to the operator's income for him to be eligible for relocation payments.

FEDERAL FINANCIAL ASSISTANCE. The term "federal financial assistance" means a grant, loan, or contribution provided by the United States, except any federal guarantee or insurance.

INITIATION OF NEGOTIATIONS FOR THE PARCEL. The term "initiation of negotiations for a parcel" means the date the city of Dallas makes the first personal contact with the owner of the parcel or property to be acquired or his designated representative where price is discussed.

MORTGAGE. The term "mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of the State of Texas, together with the credit instruments, if any, secured thereby.

~~NONPROFIT ORGANIZATION. The term "nonprofit organization" means a corporation, partnership, individual or other public or private entity, engaged in a business, professional or instructional activity on a nonprofit basis, necessitating fixtures, equipment, stock in trade, or other tangible property for the carrying on of the business, profession or institutional activity on the premises.~~

~~OWNER. The term "owner" means an individual (or individuals):~~

~~(a) owning, legally or equitably, the fee simple estate, a life estate, a 99-year lease or other proprietary interest in the property.~~

~~(b) the contract purchaser of any of the foregoing estates or interests; or~~

~~(c) who has succeeded to any of the foregoing interests by devise, bequest, inheritance or operation of law. For the purpose of this chapter in the event of acquisition of ownership by any of the foregoing methods in this Subparagraph (c), the tenure of ownership, not occupancy, of the succeeding owner shall include the tenure of the preceding owner.~~

~~PERSON. The term "person" means any individual, partnership, corporation or association.~~

~~RELOCATEE. The term "relocatee" means any person who meets the definition of a displaced person~~]."

SECTION 3. That Section 39A-3, "Standards for Decent, Safe and Sanitary Housing," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-3. <u>CODE ENFORCEMENT, REHABILITATION, OR DEMOLITION PROGRAM</u> [~~STANDARDS FOR DECENT, SAFE AND SANITARY HOUSING~~].

<u>(a) A person is considered displaced when, as a direct result of a code enforcement, rehabilitation, or demolition program, the person permanently moves or discontinues a business, permanently moves personal property, or permanently moves from a dwelling.</u>

<u>(b) A person who is displaced under this section shall be treated as a displaced person under the URA.</u>

<u>(c) Whenever, due to a code enforcement, rehabilitation, or demolition program, a person is required to temporarily vacate or evacuate property, the occupant of the property may receive temporary housing payments, for a period not to exceed 72 hours, for housing and food expenses based on the U.S. General Services Administration's per diem standard rate for Texas</u>

for the current year, whether or not they could qualify for permanent relocation benefits under this chapter.

(d) When a person is displaced pursuant to this section, the city may, in accordance with Section 214.001 of the Texas Local Government Code, as amended, place a lien on the property, unless it is a homestead protected by the Texas Constitution, to recover costs incurred by the city in relocating the displaced person.

[~~Decent, safe and sanitary housing is housing which meets all of the following minimum requirements:~~

~~(a) Conforms to local housing codes of the city of Dallas. Conforms with all applicable provisions for existing structures that have been established under city of Dallas building, plumbing, electrical, housing and occupancy codes and similar ordinances or regulations.~~

~~(b) Water. Has a continuing and adequate supply of potable safe water.~~

~~(c) Kitchen requirements. Has a kitchen or an area set aside for kitchen use which contains a sink in good working condition and connected to hot and cold water, and an adequate sewage system. A stove and refrigerator in good operating condition shall be provided if required by city of Dallas ordinances or custom. When these facilities are not so required by codes, ordinances or custom, the kitchen area or area set aside for such use shall have utility service connections and adequate space for the installation of such facilities.~~

~~(d) Heating requirements. Has adequate gas or electric connections available to maintain a minimum temperature of 70¡ in the living area under local climatic conditions. Bedrooms are not included in the "living area" as referred to in this paragraph.~~

~~(e) Bathroom facilities. Has a bathroom, well lighted and ventilated and affording privacy to a person within it, containing a lavatory basin and a bathtub or stall shower, properly connected to an adequate supply of hot and cold running water, and a flush closet, all in good working order and properly connected to a sewage disposal system.~~

~~(f) Electric system. Has an adequate and safe wiring system for lighting and other electrical services.~~

~~(g) Structurally sound. Is structurally sound, weathertight, in good repair and adequately maintained.~~

~~(h) Egress. Each building used for dwelling purposes shall have a safe unobstructed means of egress leading to open space at ground level. Each dwelling unit in a multi-dwelling building must have access either directly or through a common corridor to a means of egress to open space at ground level. In multi-dwelling buildings of three stories or more, the common corridor on each story must have at least two means of egress.~~

~~(i) Habitable floor space. Has 150 square feet of habitable floor space for the first occupant in a standard living unit and at least 100 square feet (70 square feet for mobile homes) of habitable floor space for each additional occupant. The floor space is to be subdivided into sufficient rooms to be adequate for the family. All rooms must be adequately ventilated. Habitable floor space is defined as that space used for sleeping, living, cooking or dining purposes and excludes such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries and unfurnished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.~~

~~(j) Rental of sleeping rooms. The standards for decent, safe and sanitary housing as applied to rental of sleeping rooms shall include the minimum requirements contained in Subsections (a), (d), (f), (g) and (h) of this Section 39A-3 as well as the following:~~

~~(1) Habitable floor space. At least 100 square feet of habitable floor space for the first occupant and 50 square feet of habitable floor space for each additional occupant.~~

~~(2) Bathroom facilities. Lavatory, bath and toilet facilities that provide privacy including a door that can be locked if such facilities are separate from the room.~~]"

SECTION 4. That Section 39A-4, "Relocation Assistance Program," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-4. RESERVED. [~~RELOCATION ASSISTANCE PROGRAM.~~

~~(a) Assurances of adequate relocation assistance program.~~

~~(1) The city shall not proceed with any phase of any land acquisition project which will cause the relocation of any person until furnished satisfactory assurances from the city manager that:~~

~~(A) relocation payments and services were or will be provided as set forth in this chapter;~~

~~(B) the public was or will be adequately informed of the relocation payments and services which will be available as set forth in Section 39A-4(e); provided that where dislocation occurs without land acquisition the required information shall be presented on an individual basis rather than publicly; and~~

~~(C) to the greatest extent practicable, no person lawfully occupying real property shall be required to move from his dwelling or to move his business or farm operation, without at least 90 days written notice from the city of the date by which such move is required.~~

~~(2) The city of Dallas shall not proceed with land acquisition negotiations on any project which will cause the relocation of any person until the city manager or his designee finds that:~~

(A) Comparable replacement housing. Within a reasonable period of time prior to displacement, comparable replacement dwellings will be available or provided (built if necessary) for each displaced person. Such assurance shall be accompanied by an analysis of the relocation problems involved and a specific plan to resolve such problems as described in Section 39A-4(i)(2).

Where real property is acquired in hardship cases and/or for protective buying, the required assurance together with an analysis of the relocation problems involved and a specific plan to resolve such problems shall be provided for each parcel or for the project.

(B) Adequate relocation program. The city of Dallas relocation program is adequate to provide orderly, timely and efficient relocation of displaced persons as provided in this chapter.

(b) Eligibility for participation.

(1) Reimbursement requirement. Payment will be made only for the cost of relocating those persons in occupancy at the time public notice is given that the property or a portion thereof will probably be included in the project area, and to no subsequent occupants. Relocation payments to eligible persons will be made when all of the following conditions have been met:

(A) Person relocated. When in fact the person has been or will be relocated by the project or from the right-of-way approved for such project.

(2) Interest acquired. The type of interest acquired does not affect the eligibility of relocation costs for reimbursement provided the interest acquired is sufficient to cause displacement. In like manner, the terms under which a tenant is occupying property do not affect eligibility for participation provided the tenant is actually displaced by the project and the occupancy is lawful.

(3) Losses due to negligence. Losses due to negligence of the relocated person, his agent or employees are not eligible for payment or reimbursement.

(4) Refusal of assistance. A displaced person can refuse relocation services and still be eligible for payments. There is no requirement that he accept the services if he wants to relocate on his own. However, he must meet the decent, safe and sanitary requirements and make application within the time limits to qualify for replacement housing payments.

(c) Organization requirements for administration of relocation assistance programs.

(1) Organization and procedures. The city manager shall have an individual whose primary responsibility is the administration of the city's relocation assistance program. The organization and procedures of the relocation assistance program shall provide as a minimum that:

(A) Responsibility assigned on project basis. Each project, where relocations will occur, shall have assigned to it one or more individuals whose primary responsibility is to provide relocation assistance. These individuals may have responsibility for more than one project where reasonable.

(B) Local relocation office. A local relocation office shall be established which is reasonably convenient to public transportation or within walking distance of each project when the city determines that the volume of work or the needs of the displaced persons are sufficient to justify the establishment of such an office. The determination whether or not to establish a local relocation office shall be made on an individual project basis and if financial assistance on the project is being rendered by a federal agency, such decision shall be submitted to the head of such agency rendering financial assistance to the project in question for its approval or disapproval. These offices shall be opened during hours convenient to the persons to be relocated, including evening hours if necessary. Consideration should be given to the employment of people in the local relocation office who are familiar with the problems of the area.

(C) Information to be maintained on a project basis. The following shall be maintained and provided for each project:

i. current and continuing lists of replacement dwellings available to persons without regard to race, color, religion or national origin drawn from various sources, suitable in price, size and condition for displaced persons to the extent they are available;

ii. current and continuing lists of comparable commercial properties and locations for displaced businesses;

iii. current data for such costs and security deposits, closing costs, typical downpayments, interest rates and terms;

iv. maps showing the location of schools, parks, playgrounds, shopping and public transportation routes in the area where applicable;

v. schedules and costs of public transportation where applicable;

vi. copies of the brochure, prepared by the city manager or his designee, explaining its relocation program, city ordinances pertaining to housing, building codes, open housing, consumer education, literature on housing, shelter costs and family budgeting.

(D) Contact with and exchange of information with other agencies. Relocation officials shall maintain personal contact with and shall exchange information with other agencies providing services useful to persons who will be relocated.

i. Such agencies may include but not be limited to social welfare agencies, urban renewal agencies, redevelopment authorities, public housing authorities, the Federal Housing Administration, Veterans Administration and Small Business Administration.

ii. Personal contact shall also be maintained with local sources of information or private replacement properties, including real estate brokers, real estate boards, property managers, apartment owners and operators, and home building contractors.

iii. The city shall cooperate with FHA and VA in making available properties owned by FHA and VA which are for sale to the public.

(2) Policy and procedure statement or manual. The city manager or his designee shall provide and submit, when requested by any federal agency rendering financial assistance to any city of Dallas project, a policy and procedural statement in accordance with the requirements of said agency.

(d) Contracting procedures. Where the city manager elects to have the relocation services and payments required under this chapter administered by another federal, state, local government or private agency having an established organization, it shall enter into a written contract or agreement to that effect with the agency it selects. The contract or agreement shall have prior approval by the head of the federal agency rendering financial assistance to the project in question and shall be submitted to the city council for approval or rejection.

(e) Public information.

(1) General requirements. In order to assure that the public has adequate knowledge of the relocation program, the city manager or his designee shall present information and provide opportunity for discussion of relocation services and payments at public hearings, prepare a relocation brochure and give full and adequate public notice of the relocation assistance program.

(2) Public hearings. The discussions shall include but not necessarily be limited to the following:

(A) The eligibility requirements and payment procedures including:

i. eligibility requirements and payment limits for moving costs;

ii. replacement housing payment eligibility requirements and payment limits;

iii. mortgage interest rate differential, eligibility requirement and payment;

iv. payment of closing costs incident to the purchase of a replacement dwelling; and

v. appeal procedures.

~~(B) Discussion of the services available under the relocation assistance advisory program. The address and telephone number of the local relocation office and the name of the relocation officer in charge.~~

~~(C) The estimated number of individuals, families, businesses, farms and nonprofit organizations that are to be relocated by each of the alternatives under consideration at the hearing.~~

~~(D) The estimated number of dwelling units presently available that meet replacement housing requirements.~~

~~(E) An estimate of the time necessary for relocation and of the number of dwelling units meeting the replacement housing requirements that will become available during that period.~~

~~(F) The depth of presentation would be influenced by the comprehensiveness of the brochure. If the brochure covers a particular item in sufficient detail, it would be satisfactory to highlight what the brochure contains without going into any great detail. If a particular item is not applicable to the project it would not be necessary to discuss the item beyond the mere mention that the law makes provision for such item.~~

~~(3)~~ ~~Brochure~~. ~~The city manager or his designee shall prepare a brochure adequately describing its relocation program and distribute the same without cost at all public hearings and to all other individuals and organizations as appropriate. The brochure shall state where copies of the regulations implementing the relocation assistance program can be obtained. In order to give proper information and assistance to relocatees every effort should be made to communicate with them in their language. Where a language other than English is predominant it might be well to publish the brochure in such language also.~~

~~(4)~~ ~~Public announcements~~. ~~The city manager or his designee shall within 15 days after initiation of negotiations on the project provide public announcements of the relocation services to be provided, payments that can be made and where the brochure can be obtained. Such public announcements shall consist of the utilization of any combination of mass media which will provide full and adequate notice to the public. The mass media used could be: local newspaper, radio, television, local meetings and posted notices. Particular emphasis should be given to utilizing the media that is read, looked at or listened to the most by residents on the project. The public announcements shall:~~

~~(A) state the date of initiation of negotiations established for the project. For this purpose, the date of initiation of negotiations for the project means the date the acquiring agency makes the first personal contact with the owner of any property on the project or his designated representative where price is discussed except where such contact is made solely for protective buying or because of hardship. The control date thus established shall be documented in the project file;~~

~~(B) define the area of the project;~~

(C) advise occupants of such area of their eligibility for and the requirements to receive moving and replacement housing payments;

(D) advise that any occupants contemplating moving should, to insure eligibility for moving and replacement housing payments, notify the city manager before moving;

(E) advise that owner-occupant in order to be eligible for relocation benefits must sell to the acquiring agency; and

(F) state where the brochure describing the relocation program can be obtained.

(f) Relocation assistance advisory services.

(1) General. The city manager shall establish a relocation assistance advisory service program in order to provide assistance to persons required to relocate. The services shall be provided by personal contact. If such personal contact cannot be made, the city shall document the file to show that reasonable efforts were made to achieve the personal contact.

(2) Eligibility. Relocation assistance advisory service shall be offered to all displaced persons as defined herein.

(3) Advisory services. The city's relocation assistance advisory service shall:

(A) include discussion and explanation of services available, relocation payments and eligibility requirements therefor, and assistance in completing any applications or other forms required;

(B) provide current and continuing information on the availability, prices and rentals of comparable decent, safe and sanitary sales and rental housing, and of comparable commercial properties and locations for displaced businesses;

(C) supply information concerning federal and state housing programs, disaster loan programs, and other federal or state programs offering assistance to displaced persons.

The amount of the advisory services and extent shall be administered on a reasonable basis commensurate with the relocatee's needs.

(4) Coordination of relocation activities. The city manager or his designee shall contact other federal, state and local governmental agencies to determine the extent of present and proposed actions which will affect its relocation program and the availability of housing resources. Where other agencies are involved, positive action shall then be taken to assure maximum coordination of relocation activities.

(g) Written notices. The following written notices must be furnished each displaced person to insure that he is fully informed of the benefits and services available to him:

(1) Notice of intent to acquire.

(A) This notice shall be furnished to owners and tenants, along with the brochure as described in Section 39A-4(e)(3) when the city determines to establish eligibility for relocation benefits prior to the initiation of negotiations for acquisition of the parcel. This notice shall not be issued prior to authorizing the institution of negotiations on the project or authorizing acquisition of individual parcels solely for protective buying or because of hardship.

(B) The notice shall contain the statement of eligibility and any restrictions thereto, the anticipated date of the initiation of negotiations for acquisition of the property and how additional information pertaining to relocation assistance payments and services can be obtained.

(C) If a notice of intent to acquire is furnished an owner, it must also be furnished to his tenants within 15 days.

(D) If a notice of intent to acquire is furnished a tenant, the owner must be simultaneously notified of such action.

(2) Notice at initiation of negotiations. At the time of initiation of negotiations for acquisition of the parcel the following information shall be furnished:

(A) Owner-occupants of more than 180 days. Simultaneous with the fair market value offer, owner-occupants of more than 180 days shall be furnished:

i. a statement which specifies the maximum amount to which he is entitled for the purchase of a replacement dwelling; and

ii. an explanation of the eligibility requirements to receive payments for replacement housing, increased interest costs, incidental expenses, and of his option to rent replacement housing unless such explanations are adequately covered in the brochure; and

iii. the brochure.

(B) Owner-occupants of not less than 90 days. Simultaneous with the fair market value offer, owner-occupants of not less than 90 days shall be furnished:

i. a statement which specifies the maximum downpayment to which he is entitled for the purchase of a replacement dwelling; and

ii. an explanation of his option to receive a downpayment and incidental expenses to purchase replacement housing and the requirement therefor, and of his option to rent replacement housing unless such explanations are adequately covered in the brochure; and

iii. the brochure.

(C) Tenants. Within 15 days after initiation of negotiations for the parcel, tenants shall be personally contacted and furnished in writing:

i. the date of initiation of negotiations for the parcel; and

ii. a statement which specifies the amount of the rental replacement housing payment to which he is entitled; and

iii. an explanation of the eligibility requirements to receive a rental replacement housing payment, and of his option to purchase replacement housing, receive a downpayment and incidental expenses, including the matching requirements therefor, unless such explanations are adequately covered in the brochure; and

iv. the brochure.

(3) 90-day notice to vacate.

(A) The construction or development of a project shall be so scheduled that to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling, or to move his business or farm without at least 90 days written notice of the intended vacation date from the agency having responsibility for such acquisition. Exceptions to this provision should be made only in the case of very unusual conditions.

i. The 90-day notice shall not be given until such time as the city has control of the property.

ii. The 90-day notice shall give a firm specific date by which the relocatee must vacate the property. This date may be extended when conditions warrant, but any extension must be in writing and must give another specific date by which the property must be vacated.

iii. A notice is not required if an occupant moves on his own volition prior to the time the 90-day notice is given.

(B) As an alternative the city may adopt the following procedure:

i. The 90-day notice may be given on or after the initiation of negotiations for the parcel and shall include a statement that the relocatee will not be required to move from a dwelling, or to move his business or farm before 90 days from the date of the notice. Such notice shall inform the relocatee that he will be givena 30-day notice specifying the date by which the property must be vacated.

ii. The 30-day notice shall not be given until such time as the city has control of the property.

iii. Notices are not required if an occupant moves on his own volition prior to the time such notices are given.

(C) Any person occupying property subsequent to the deposit by the city of the award of the special commissioners shall pay reasonable rental to the city based upon the value of the property as found by the special commissioners.

(4) Notice of right to appeal. All eligible relocatees shall be furnished a written notice of their right to appeal, as provided in Section 39A-7 and the procedures for making such appeal. Such notification may be provided by the brochure if such procedures are adequately covered therein.

(h) Relocation program plan at conceptual stage.

(1) General requirements. A project will be considered to be in this stage until such time as the final location is approved. Prior to the completion of this stage and prior to the public hearings, the city manager or his designee shall make preliminary investigations which will furnish the necessary information to meet the public hearing requirements as provided in Section 39A-4(e)(2).

(2) Information to be obtained. The information to be developed at this time would be in the form of an estimate to determine:

(A) The estimated number of individuals, families, businesses, farms and nonprofit organizations that are to be relocated by each of the alternatives under consideration.

(B) The probable availability of decent, safe and sanitary replacement housing within the financial means of the individuals and families affected by each of the alternatives under consideration.

(3) Basis of information obtained. The basis upon which the above findings were made and a statement relative to the relocation problems involved in each location along with possible solutions shall be submitted by the city manager or his designee if requested by any federal agency furnishing financial assistance on the project in question, prior to the public hearings.

(i) Relocation program at right-of-way stage.

(1) General requirements. The city shall not proceed with negotiations on any project which will cause the relocation of any person until it has obtained approval of the project assurances as provided for in Section 39A-4(a)(2) of this chapter and the relocation plan as required by Subsection (2) below.

(2) Relocation plan.

(A) Inventory of individual needs. The city manager or his designee shall prepare an inventory of the characteristics and needs of individuals and families to be displaced based on the standard of comparable replacement housing. This inventory may be based upon a sampling survey process rather than a complete occupancy survey. The city manager may utilize recent census or other valid recent survey data to assist in preparing the inventory. However, any sampling survey process must be to the depth necessary to be fully representative of the characteristics and needs of the relocatees.

(B) Inventory of available housing. The city manager or his designee shall develop a reliable estimate of currently available comparable replacement housing. The estimate shall set forth the type of buildings, state of repair, number of rooms, adequacy of such housing as related to the needs of the persons or families to be relocated (based on standards outlined in Section 39A-3, type of neighborhood, proximity of public transportation and commercial shopping areas, and distance to any pertinent social institutions, such as church, community facilities, etc. Maps, plats, charts, etc., may be used at this point. This estimate should be developed to the extent necessary to insure that the relocation plan can be expeditiously and fully implemented.

(C) Analysis of inventories. The city manager or his designee shall prepare an analysis and correlation of the above information so as to develop a relocation plan which will:

i. outline the various relocation problems;

ii. provide an analysis of current and future federal, state, and community programs currently in operation in the project areas, and nearby areas affecting the supply and demand for housing, including detailed information on concurrent displacement and relocation by other governmental agencies or private concerns;

iii. provide an analysis of the problems involved and the method of operation to resolve such problems and relocate the relocatees in order to provide assistance.

(j) Relocation program at construction stage.

(1) Authorization for construction. The city manager or his designee shall find that all applicable provisions of this chapter have been complied with prior to authorizing clearance of the right-of-way.

(2) Adequate replacement housing. For the purposes of this chapter, the term "adequate replacement housing" means a dwelling which meets the requirements of a "comparable replacement dwelling" as defined in Section 39A-2 of this chapter.

(3) Available replacement housing. "Available" shall mean that the affected person has either by himself obtained and has the right of possession of replacement housing or the city has offered him decent, safe and sanitary replacement housing which is available for immediate occupancy. The city will be in compliance with the offer requirement when it can be shown that it has:

~~(A) determined that decent, safe and sanitary housing that is in an area not less desirable in regard to public utilities and public and commercial facilities, in the same general area from which he is being displaced and reasonably accessible to the relocatee's place of employment and adequate to accommodate the relocatee, is available and has informed the relocatee of its availability and location;~~

~~(B) informed the relocatee of the amount, if any, of supplemental payments available to him. In hardship cases, assure the relocatee that an advance of funds will be made should such become necessary;~~

~~(C) provide the relocatee reasonable time to negotiate for and obtain possession of the housing;~~

~~(D) determine that the available housing is within the financial means of the relocatee; and~~

~~(E) determine that the replacement housing offered is fair housing, open to all persons regardless of race, color, religion, sex or national origin.~~

~~(k) Recovery of relocation costs resulting from code enforcement. When a person is displaced from property as a direct result of an official order issued personally by the fire marshal, the building official, or the city health officer in a code enforcement action against the property, the city may, in accordance with Section 214.001 of the Texas Local Government Code, place a lien on the property, unless it is a homestead protected by the Texas Constitution, to recover costs incurred by the city in relocating the displaced person.~~]"

SECTION 5. That Section 39A-5, "Moving Expenses Provisions Related To All Relocatees," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-5. RESERVED. [~~MOVING EXPENSES PROVISIONS RELATED TO ALL RELOCATEES.~~

~~(a) Each individual, family, business or farm operator, displaced as the result of the acquisition of his property or a part thereof for use in a public project shall receive payment for the reasonable expenses of moving his personal property when:~~

~~(1) he is in occupancy at the time public notice is given that the property or a portion thereof will probably be included in the project area; and~~

~~(2) he is in occupancy at the initiation of negotiations for the acquisition of the real property in whole or in part; and~~

~~(3) he is in occupancy at the time he is given a written notice by the city of Dallas that it is its intent to acquire the property by a given date; and~~

~~(4) he moves from the real property or moves his personal property from the real property subsequent to the earliest date established in (2) or (3) above; and~~

~~(5) the real property is subsequently acquired.~~

~~(6) If the move occurs after a written order to vacate is issued the occupant is eligible even though the property is not acquired.~~

~~(b) Where the acquisition of real property used for a business or farm operation which is eligible for a payment under Section 39A-5(a), above, causes a person to vacate a dwelling or other real property not acquired or move his personal property from other real property not acquired, the additional expenses of moving such personalty are eligible for the appropriate moving payments under Sections 39A-5(p), 39A-5(q)(2), (3) and (4), 39A-5(r)(1) and 39A-5(s).~~

~~(c) The individual, family, business or farm operator shall receive payment for only one move.~~

~~(d) Reimbursement or payment of moving expenses shall not be made for a move in excess of 50 miles. In the event a relocatee desires to move a distance in excess of 50 miles he shall be paid only the reasonable cost of a move up to 50 miles.~~

~~(e) A relocatee who relocates personal property onto remaining or other lands owned by him or his landlord shall be paid his actual cost for making such relocation.~~

~~(f) In complicated or unusual moves where advertising is the only feasible method for securing bids, the city manager or his designee may advertise for bids for packing, crating and transportation.~~

~~(g) In the usual or ordinary situations, the city manager or his designee shall secure bids, not to exceed two per move.~~

~~(h) By written prearrangement between the city, acting through the city manager or his designee, and the relocatee, the relocatee may present an unpaid moving bill to the city for direct payment.~~

~~(i) The city manager or his designee, acting for the city, may enter into a contract with independent movers on a schedule basis and furnish a relocatee with a list of movers from which he may choose one to move his property. In such instances, direct payment shall be made to the mover.~~

~~(j) In hardship or emergency cases, the city manager or a designee may pay in advance up to $200 of the fixed moving expense payment to be used for temporary housing or other~~

emergency expenses, upon being furnished evidence that the hardship or emergency actually exists.

(k) When an actual expense basis is used and the city manager or his designee determines that it is necessary for a relocated person to store his personal property for a reasonable period of time not to exceed six months, the cost of such storage may be included as a moving expense. The property shall not be stored on the property being acquired or on other property owned or controlled by the relocatee.

(l) The cost of insurance premiums covering loss and damage of personal property while in storage or transit shall be treated as moving expenses to the extent that the coverage acquired does not exceed the reasonable replacement value of the personal property. Where insurance is not attainable at a reasonable cost the reasonable replacement value of personal property lost, stolen or damaged (not caused by the fault or negligence of the relocatee, his agent or employee) in the process of moving shall be paid the relocatee upon his assigning his rights of recovery against any third party who may be responsible to the city.

(m) Removal and reinstallation expenses.

(1) The expenses of removal, reinstallation and reestablishment of machinery, equipment, appliances and other items which are not acquired, including reconnection of utilities to such items, which do not constitute an improvement (except when required by law) to the replacement site are eligible for reimbursement. Such costs are not applicable to items classified by the city as real property and retained by the owner through the owner retention process. Prior to payment of any expenses for removal and reinstallation of such property, the owner and the city shall agree in writing that the property is personalty and that the city is released from any payment for the property as realty.

(2) Owner retention. When an owner retains his dwelling, the cost of moving it onto remainder or replacement land is not eligible for reimbursement as a part of the cost of moving personal property. However, if he chooses to use his dwelling as a means of moving personal property the cost of moving personal property may be considered. Payment in these cases would be on a fixed schedule basis.

(3) Delivery of payment checks. The person or persons who establish the moving cost payment shall not deliver the payment to the relocatee.

(n) Claims. In order to obtain a moving expense payment, a relocated person must file a written claim with the city of Dallas on a form provided by the city for that purpose within a reasonable time limit determined by the city. The moving expense payment should be made only after the move has been accomplished except as set out above, and after a fully executed release has been delivered to the city.

(o) Exclusions on moving expenses and losses. The following expenses are considered ineligible for participation as "actual moving expenses":

(1) Additional expenses incurred because of living in a new location.

(2) Cost of moving structures, improvements or other real property in which the displaced person reserved ownership.

(3) Improvements to the replacement site, except when required by law.

(4) Interest on loans to cover moving expenses.

(5) Loss of goodwill.

(6) Loss of business and/or profits.

(7) Loss of trained employees.

(8) Personal injury.

(9) Cost of preparing the application for moving and related expenses.

(10) Modification of personal property to adapt it to replacement site except when required by law.

(p) Moving payments to individuals and families.

(1) General. A displaced individual or family eligible under Section 39A-5(a) is entitled to receive a payment for moving his personal property, himself and his family. The relocatee has the option of payment on the basis of actual reasonable moving expenses or a moving expense schedule.

(2) Actual reasonable moving expenses.

(A) Commercial moves.

i. A relocated individual or family may be paid the actual, reasonable cost of a move accomplished by a commercial mover. Such expense will be supported by receipted bills.

ii. The city manager or his designee may contract with independent movers on a schedule basis and furnish the relocatee with a list of movers he may choose from to move his property. In such instances the city would pay the mover.

(B) Self-moves. In the case of a self-move the relocated individual or family may be paid his actual moving costs, supported by receipted bills or other evidence of expenses incurred but such payment may not exceed the estimated cost of moving commercially. The estimated cost may be prepared by a commercial moving company or by a qualified city employee.

(C) Cost of transportation. The costs of transportation of individuals and families to the new location are also eligible. Such costs may be on a mileage basis, not to exceed 10 cents per mile, or reasonable actual fees if commercial transport is used and may include special services such as the cost of an ambulance to transport invalid relocatees. The actual reasonable costs of meals and lodging, when the city manager or his designee determines that such costs are required because of unforeseen circumstances or practical necessities of the moving operation, are also eligible.

(3) Moving expense schedule.

(A) A relocated individual or family is eligible to receive a moving expense allowance based on the "Residential Moving Expense and Dislocation Allowance Payment Schedule" used by the U. S. Department of Transportation Federal Highway Administration, as applicable in the State of Texas, that is in effect on the date the individual or family is considered a "displaced person" as defined in Section 39A-2 of this chapter.

(4) Owner-occupants of multi-family dwellings. In addition to the payment for the moving of personal property, himself and his family from his dwelling unit in accordance with the provisions of this paragraph, the owner-occupant of a multi-family dwelling is also eligible to receive moving payments under the provisions of Section 39A-5(q) for the other units of the multi-family dwelling.

(q) Moving payments to businesses.

(1) General.

(A) The owner of a displaced business eligible under Section 39A-5(a) is entitled to receive a payment for actual reasonable moving and related expenses which include:

i. actual reasonable expenses in moving his business or other personal property as provided in Section 39A-5(q)(2);

ii. actual direct losses of tangible personal property in moving or discontinuing his business, as provided in Section 39A-5(q)(3);

iii. actual reasonable expenses in searching for a replacement business, as provided in Section 39A-5(q)(4).

(2) Actual reasonable moving expenses.

(A) Commercial moves. The owner of a business may be paid the actual reasonable cost of a move accomplished by a commercial mover. Such expense will be supported by receipted bills.

(B) Self-moves.

i. In the case of a self-move the owner of a relocated business may be paid an amount to be negotiated between the city manager or his designee and the business not to exceed the lower of two firm bids obtained by the city from qualified moving firms; or

ii. If such bids or estimates cannot be obtained, the owner may be paid his actual, reasonable moving costs supported by receipted bills or other evidence of expenses incurred.

iii. The city manager or his designee may adopt a procedure by which a qualified city employee, other than the employee handling the claim, makes a moving expense finding not to exceed $500. The amount of such moving expense finding may be paid the owner of the business upon completion of the move without supporting evidence of actual expenses incurred.

(C) Alternate payments.

i. The provisions of Section 39A-5(q)(3) contain the criteria under which reimbursement is based for personal property which is not moved to the new site.

ii. When personal property which is used in connection with the business to be moved is of low value and high bulk and the estimated cost of moving would be disproportionate in relation to the value, the city manager or his designee may negotiate with the owner for an amount not to exceed the difference between the cost of replacement of comparable item(s) on the market and the amount which would probably have been received for the item(s) on liquidation.

(3) Actual direct losses of tangible personal property. Actual direct losses of tangible personal property are allowed when a person who is displaced from his place of business is entitled to relocate such property in whole or in part but elects not to do so. Payments for actual direct losses may only be made after a bona fide effort has been made by the owner to sell the item(s) involved. When the item(s) is sold the payment will be determined in accordance with Subsections (A), or (B) below. If this item(s) cannot be sold the owner will be compensated in accordance with Subsection (C) below. The sales prices, if any, and the actual, reasonable costs of advertising and conducting the sale shall be supported by a copy of the bills of sale or similar documents and by copies of any advertisements, offers to sell, auction records, and other data supporting the bona fide nature of the sale.

(A) If the business is to be reestablished and an item of personal property which is used in connection with the business is not moved but promptly replaced with a comparable item at the new location, the reimbursement shall be the lesser of:

i. the replacement cost minus the net proceeds of the sale; or

ii. the estimated cost of moving the item.

(B) If the business is being discontinued or the item is not to be replaced in the reestablished business the payment will be the lesser of:

i. the difference between the depreciated value of the item in place and net proceeds of the sale; or

ii. the estimated cost of moving the item.

(C) If a bona fide sale is not effected under Subsections (A) or (B) above because no offer is received for the property the owner shall be entitled to the reasonable expenses of the sale and the estimated cost of moving the item. The claimant should arrange to have the personalty removed from the premises at no cost by a junk dealer, etc. If this fails the city shall remove the item in the most economical manner.

(D) When personal property is abandoned with no effort being made by the owner to dispose of such property by sale or by removal at no cost as specified in the above paragraphs, the owner will not be entitled to moving expenses, or losses, for the items involved.

(4) Actual reasonable expenses in searching for a replacement business.

(A) The owner of a displaced business may be reimbursed for the actual reasonable expenses in searching for a replacement business, not to exceed $500. Such expenses may include transportation expenses, meals, lodging away from home and the reasonable value of time actually spent in search, including the fees of real estate agents or real estate brokers.

i. Receipted bills. All expenses claimed except value of time actually spent in search must be supported by receipted bills.

ii. Time spent in search. Payment for time actually spent in search shall be based on the applicable hourly wage rate for each person conducting the search. A sworn statement of the time spent in search, listing the dates and hours each day, and the applicable hourly wage rate shall accompany the claim.

(5) In lieu of actual moving expenses. In lieu of the payments described in Section 39A-5(q)(2), (3) and (4), an owner of a discontinued or relocated business is eligible to receive a payment equal to the average annual net earnings of the business except that such payment shall be not less than $1,000 nor more than $20,000, providing the following requirements are met:

(A) City manager must determine. For the owner of a business to be entitled to this payment, the city manager or a designee must determine that:

i. The business cannot be relocated without a substantial loss of its existing patronage; this requirement is presumed. A determination of loss of patronage shall be made by the city manager or a designee only after investigation and consideration of all pertinent circumstances, including but not limited to the following factors:

(aa) the type of business conducted by the displaced concern;

(bb) the nature of the clientele of the displaced concern;

(cc) the relative importance of the present and proposed location to the displaced business.

ii. The business is not part of a commercial enterprise having at least one other establishment which is not being acquired by the city or the United States and which is engaged in the same or similar business.

iii. The business contributes materially to the income of the displaced owner. A part-time individual or family occupation in the home which does not contribute materially to the income of the displaced owner is not eligible for this payment.

(B) Payment determination. The term "average annual net earnings" means one-half of any net earnings of the business before federal income taxes, during the two taxable years immediately preceding the taxable year in which the business is relocated. "Average annual net earnings" include any compensation paid by the business to the owner or the owner's spouse or dependents during the two-year period. Such earnings and compensation may be established by federal income tax returns filed by the business and its owner and the owner's spouse and dependents during the two-year period. In the case of a corporate owner of a business, earnings shall include any compensation paid to the spouse or dependents of the owner of a majority interest in the corporation. For the purpose of determining majority ownership, stock held by a husband, wife, and any dependent children shall be treated as one unit.

(C) In business less than two years. If the business affected can show that it was in business 12 consecutive months during the two taxable years prior to the taxable year in which it is required to relocate, had income during such period and is otherwise eligible, the owner of a business is eligible to receive the "in lieu of" payment. Where the business was in operation for 12 consecutive months or more but was not in operation during the entire two preceding taxable years, the payment shall be computed by dividing the net earnings by the number of months the business was operated and multiplying by 12. A taxable year is defined as any 12- month period used by the business in filing income tax returns.

(D) Owner must provide information. For the owner of a business to be entitled to payment, the business must provide information to support its net earnings. Federal tax returns for the tax years in question will be accepted as evidence of earnings. Any commonly acceptable method could be accepted such as certified financial statements or an affidavit from the owner stating net earnings, providing it grants the city the right to review the records and accounts of the business. The owner's statement alone will not be sufficient.

(r) Moving payments to farm operators.

(1) General. The owner of a displaced farm operation eligible under Section 39A-5(a) is entitled to receive payments for actual reasonable moving expenses, actual direct losses of tangible personal property and actual reasonable expenses in searching for a replacement farm in accordance with Section 39A-5(q)(2), (3) and (4).

(2) In lieu of actual moving expenses. In lieu of the payments described in Section 39A-5(q)(2), (3) and (4), any owner of a displaced farm operation is eligible to receive a payment equal to the average annual net earnings of the farm operation except that such payments shall be not less than $1,000 nor more than $20,000 and providing the following requirements are met:

(A) City manager must determine. For the owner of a displaced farm operation to be entitled to this payment, the city manager or a designee must determine that:

i. the farm operator has discontinued or relocated the entire farm operation from the present location; and

ii. in the case of a partial taking, the property remaining after the acquisition is no longer an economic unit as determined by the city during its appraisal process.

(B) Payment determination. The term "average annual net earnings" means one-half of any net earnings of the farm operation before federal income taxes, during the two taxable years immediately preceding the taxable year in which the farm is relocated. "Average annual net earnings" include any compensation paid by the operation to the owner or the owner's spouse or dependents during the two-year period. Such earnings and compensation may be established by federal income tax returns filed by the operation and its owner and the owner's spouse and dependents during the two-year period. In the case of a corporate owner of a farm operation, earnings shall include any compensation paid to the spouse or dependents of the owner of a majority interest in the corporation. For the purpose of determining majority ownership, stock held by a husband, wife, and any dependent children shall be treated as one unit.

(C) In business less than two years. If the operation affected can show that it was in business 12 consecutive months during the two taxable years prior to the taxable year in which it is required to relocate, had income during such period and is otherwise eligible, the owner of a farm operation is eligible to receive the "in lieu of" payment. Where the farm was in operation for 12 consecutive months or more but was not in operation during the entire two preceding taxable years, the payment shall be computed by dividing the net earnings by the number of months the farm was operated and multiplying by 12. A taxable year is defined as any 12- month period used by the farm operation in filing income tax returns.

(D) Owner must provide information. For the owner of a farm operation to be entitled to payment, the operator must provide information to support its net earnings. Federal tax returns for the tax years in question will be accepted as evidence of earnings. Any commonly acceptable method could be accepted such as certified financial statements or an affidavit from the owner stating net earnings, providing it grants the city the right to review the records and accounts of the operation. The owner's agreement alone will not be sufficient.

(s) Moving payments - nonprofit organizations.

(1) General. A displaced nonprofit organization is eligible to receive payments for actual reasonable moving expenses, actual direct losses of tangible personal property, and actual reasonable expenses in searching for a replacement site in accordance with Section 39A-5(q)(2), (3), and (4).

(t) Advertising signs.

(1) General.

(A) The owner of a displaced advertising sign is eligible to receive a payment for actual reasonable moving and related expenses which include:

i. actual reasonable expenses in moving his advertising sign as provided in Subsection (2) below;

ii. actual direct losses of tangible personal property as provided in Subsection (3) below; and

iii. actual reasonable expenses in searching for a replacement sign site as provided in Subsection (4) below.

(B) An advertising sign that is otherwise eligible for moving payments will not be eligible when it is moved to a site in violation of state, federal or local regulations.

(C) The provisions of this paragraph do not apply separately to an advertising sign owned by and located on the business or farm being displaced. Such signs including those eligible under Section 39A-5(a) are to be considered items of the business or farm and included under the provisions of Section 39A-5(q).

(2) Actual reasonable moving expenses. The owner of a displaced sign may be reimbursed for his actual reasonable moving expenses in accordance with the provisions of Section 39A-5(q)(2) (A) and (B).

(3) Actual direct losses of tangible personal property. The owner of a sign may be reimbursed for actual direct losses when he is entitled to relocate the sign but does not do so. The amount of such loss will be the lesser of

(A) the depreciated reproduction cost of the sign as determined by the city; or

(B) the estimated cost of moving the sign.

~~(4) Actual reasonable expenses in searching for a replacement sign site. The owner of a displaced advertising sign may be reimbursed for his actual reasonable expenses in searching for a replacement sign site not to exceed $100. Such expenses may include transportation expenses, meals, lodging away from home and the reasonable value of time actually spent in search, including the fees of real estate agents or brokers.~~

~~(u) Temporary housing payments. Whenever the fire marshal, the building official, or the city health officer personally issues an official order to temporarily vacate or evacuate property because of code violations creating an imminent danger to the health or safety of the occupants, the occupants of the property may receive the following temporary housing payments for a period not to exceed 72 hours, whether or not they could qualify for permanent relocation benefits under this chapter:~~

~~(1) housing expenses not to exceed $50 per night for each household; and~~

~~(2) food expenses not to exceed $10 per day for each member of a household.~~]"

SECTION 6. That Section 39A-6, "Replacement Housing Payments," of Chapter 39A, "Relocation Assistance - Eminent Domain," of the Dallas City Code is amended to read as follows:

"SEC. 39A-6. RESERVED. [~~REPLACEMENT HOUSING PAYMENTS.~~

~~(a) General.~~

~~(1) General provisions.~~

~~(A) In addition to other payments authorized by this chapter, individuals and families displaced from a dwelling, including condominium or cooperative apartments, acquired for a project are eligible for replacement housing payments in accordance with this chapter.~~

~~(B) The displaced individual or family is not required to relocate to the same occupancy (owner or tenant) status but has other options according to his ownership status and tenure of occupancy as described in Sections 39A-6(b) through 39A-6(h).~~

~~(C) Payment or reimbursement shall not be made for more than one replacement housing payment for each dwelling unit except in the case of multi-family occupancy of a single family dwelling as shown in Section 39A-6(a)(10) of this chapter.~~

~~(2) Requirement to receive payments.~~

~~(A) In addition to the tenure of occupancy provisions the displaced person is otherwise eligible for the appropriate payments when he relocates and occupies a decent, safe and sanitary dwelling within a one-year period beginning on:~~

i. the date on which the owner received from the city final payment for all costs of the acquired dwelling in negotiated settlements; or in the case of condemnation, the date on which the city deposits the required amount in court for the benefit of the owner; or

ii. the date on which he is required to move by the city's written notice to vacate, whichever is later; or

iii. the date on which he moves, if earlier than the date on which he is required to move.

(B) A displaced person who has entered into a contract for the construction or rehabilitation of a replacement dwelling and, for reasons beyond his reasonable control, cannot occupy the replacement dwelling within the time period shown above shall be considered to have purchased and occupied the dwelling as of the date of such contract. The replacement housing payments under these conditions would be deferred until actual occupancy is accomplished.

(3) Inspection for decent, safe and sanitary. Before making payment to the relocatee the city manager or his designee must have inspected the replacement dwelling and determined that it meets the standards for decent, safe and sanitary housing. Such determination by the city that a dwelling meets the standards for decent, safe and sanitary housing is made solely for the purpose of determining the eligibility of relocated individuals and families for payments under this chapter and is not a representation for any other purpose.

(4) Statement of eligibility to lending agency. Where a relocatee otherwise qualifies for the replacement housing payment except that he has not yet purchased or occupied a suitable replacement dwelling, the city after inspection of the proposed dwelling by the city manager or his designee and a finding that it meets the standards set forth in Section 39A-3 of this chapter for decent, safe and sanitary dwellings shall upon the purchaser's request, state to any interested party, financial institution or lending agency, that the relocatee will be eligible for the payment of a specific sum provided he purchases and occupies the inspected dwelling within the time limits specified in Section 39A-6(a)(2).

(5) Application for replacement housing payments.

(A) General requirements. Application for replacement housing payments shall be in writing on a form provided by the city of Dallas. The application shall be filed no later than six months after the expiration of the one-year period specified in Section 39A-6(a)(2) except that, in condemnation cases, such period shall be extended to six months after final adjudication.

(B) Decent, safe and sanitary. In the application, the individual or family must indicate that, to the best of their knowledge and belief, the replacement dwelling meets the standards for decent, safe and sanitary housing established in Section 39A-3 of this chapter and that they are eligible for the payment requested. Before any such payments are made to the relocatee the city manager or his designee must have made the determination that the dwelling is decent, safe and sanitary as required by Section 39A-6(a)(3).

(C) To whom payment made. The payments described in this section may be made directly to the relocated individual or family, or upon written instruction from the relocated individual or family, directly to the lessor for rent or the seller for use towards the purchase of a decent, safe and sanitary dwelling. In cases where an applicant otherwise qualifies for replacement housing payments, and upon his specific request in the application, the city may make such payments into escrow prior to the relocatee's moving.

(6) Advance replacement housing payments in condemnation cases. No property owner should be deprived of the earliest possible payment of the replacement housing amounts to which he is rightfully due. An advance replacement housing payment can be computed and paid to a property owner if the determination of the acquisition price will be delayed pending the outcome of condemnation proceedings. Since the amount of the replacement housing payment cannot be determined due to the pending condemnation proceedings, a provisional replacement housing payment may be calculated by deeming the city's maximum offer for the property as the acquisition price. Payment of such amount may be made upon the owner-occupant's agreement that:

(A) upon final determination of the condemnation proceeding the replacement housing payment will be recomputed using the acquisition price determined by the court as compared to the actual price paid or the amount determined by the city manager or his designee necessary to acquire a comparable, decent, safe and sanitary dwelling; and

(B) if the amount awarded in the condemnation proceedings as the fair market value of the property acquired plus the amount of the recomputed replacement housing payment exceeds the price paid for or the city's determined cost of a comparable dwelling, he will refund to the city, from his judgment, an amount equal to the amount of the excess. However, in no event shall he be required to refund more than the amount of the replacement housing payment advanced. If the property owner does not agree to such adjustment, the replacement housing payment shall be deferred until the case is finally adjudicated and computed on the basis of the final determination using the award as the acquisition price.

(7) Ownership of replacement dwelling prior to displacement. Any person who has obtained legal ownership of a replacement dwelling any time after the initiation of negotiations on the project and occupies the replacement dwelling after being displaced but within the time limit specified in Section 39A-6(a)(2)(A) is eligible for replacement housing payment if the replacement dwelling meets the requirements of Section 39A-3 of this chapter. For this purpose, the date of initiation of negotiations for the project means the date the city of Dallas makes the first personal contact with the owner of the property on the land acquisition project or his designated representative where price is discussed except where such contact is made solely for protective buying or because of hardship. The control date thus established shall be documented in the project file of the city.

(8) Partial take.

(A) Where a dwelling is located on a tract normal for residential use in the area, the maximum replacement housing payment shall be determined by subtracting the "before

value" of the property from the estimated selling price of a comparable dwelling on a lot typical for the area.

(B) Where a dwelling is located on a tract larger than normal for residential use in the area, the maximum replacement housing payment shall be determined by estimating the value of the dwelling at the present location on a homesite typical in size for the area and deducting this amount from the selling price of a comparable dwelling on a site typical for the area.

(9) Dwelling on land with higher and better use. Where a dwelling is located on a tract where the fair market value is established on a higher and better than residential use, the maximum replacement housing payment shall be the difference, if any, between the actual cost which the owner is required to pay for a decent, safe and sanitary dwelling or the amount determined by the city manager or his designee as necessary to purchase a comparable decent, safe and sanitary dwelling, whichever is less, and the amount paid by the city for the tract.

(10) Code enforcement displacement. Where a dwelling is removed for code enforcement and the real estate is remaining, the maximum replacement housing payment shall be the difference, if any, between the actual cost which the owner is required to pay for a decent, safe and sanitary dwelling or the amount determined by the city manager or his designee as necessary to purchase a comparable decent, safe and sanitary dwelling, whichever is less, and the market value of the remaining tract of land owned by the displacee, which value shall be determined by the city manager or his designee.

(11) Multiple occupancy of same dwelling unit.

(A) Families. If two or more eligible families occupy the same single family dwelling unit, each family is eligible for a replacement housing payment if they relocate to separate dwelling units.

(B) Individuals. If two or more eligible individuals with no identifiable head of household occupy the same single family dwelling unit they are to be considered as one "family" for replacement housing payment purposes. When all individuals do not relocate to decent, safe and sanitary housing the city shall determine and pay those individuals who do relocate into decent, safe and sanitary housing a pro rata share of the appropriate payment that would have been received if all individuals had relocated together in the same ownership or rental status as they had at the time of initiation of negotiations.

(12) Joint residential and business use. Where displaced individuals or families occupy living quarters on the same premises as a displaced business, farm or nonprofit organization, such individuals or families are separate displaced persons for purposes of determining entitlement to relocation payments.

(13) Delivery of payment checks. The person or persons who establish the estimate of value of replacement housing payment shall not negotiate for the parcel nor deliver the payment to the relocatee. This also is applicable to situations where such payments and services

~~are being administered by a federal, state or local agency under authority of a contract or agreement.~~

~~(14) Last resort housing. Whenever it is determined on an individual basis that the applicable maximum replacement housing payment allowed by this section is not sufficient to provide a comparable replacement dwelling in a timely manner, the city council may by resolution authorize a replacement housing payment greater than the maximum payment allowed by this section.~~

~~(b) Replacement housing payments for owner- occupant for 180 days or more who purchases.~~

~~(1) General.~~

~~(A) A displaced owner-occupant of a dwelling may receive additional payments, the combined total of which may not exceed $22,500, for the additional cost necessary to purchase replacement housing, to compensate the owner for the loss of favorable financing on the owner's existing mortgage, in the financing of replacement housing, to reimburse the owner for incidental expenses incident to the purchase of replacement housing when such costs are incurred as specified in this section.~~

~~(B) The owner-occupant is eligible for such payments when:~~

~~i. he is in occupancy at the time public notice is given that the property or a portion thereof will probably be included in the project area; and~~

~~ii. he is in occupancy at the initiation of negotiations for the acquisition of the real property, in whole or in part; and~~

~~iii. he is in occupancy at the time he is given a written notice by the city that it is its intent to acquire the property by a given date; and~~

~~(iv) such occupancy has been for at least 180 consecutive days immediately prior to the date of vacation or initiation of negotiations, whichever is earlier; and~~

~~(v) the property was acquired from him by the city; and~~

~~(vi) he purchased and occupied a decent, safe and sanitary dwelling within the time period specified in Section 39A-6(a)(2).~~

~~(C) if otherwise eligible under Section 39A-6(b)(1)(B), the owner-occupant may receive these payments if the city issues an order to vacate even though the property is not acquired.~~

~~(2) Replacement housing payment.~~

(A) Amount of payment. The replacement housing payment is the amount, if any, when added to the amount for which the city acquired his dwelling, which equals the actual cost which the owner is required to pay for a decent, safe and sanitary dwelling or the amount determined by the city manager or his designee as necessary to purchase a comparable replacement dwelling, whichever is less.

(B) Determination of amount necessary to purchase.

i. Schedule. The city may establish a schedule of probable prices for comparable dwellings in the various types of dwellings being acquired. Such schedule will be prepared from an analysis of the probable selling prices of dwellings available on the market and periodically updated to reflect current probable selling prices. Such schedules shall be coordinated with other governmental agencies causing displacement in the same community or area so as to assure uniformity to the maximum extent possible.

ii. Three comparable method. The city manager or his designee may determine the probable selling price of a comparable dwelling by analyzing at least three comparable dwellings representative of the dwelling unit to be acquired which are available on the private market and meet the criteria set out in Section 39A-2 under "comparable replacement dwelling." Less than three comparables may be used for this determination when additional comparable dwellings are not available and the department documents the parcel file to this effect. Selection of comparables and computation of the payment must be by a qualified city employee other than the appraiser or review appraiser on the parcel involved. The selected comparables must be the most nearly comparable and equal to or better than the subject property.

(aa) Adjustment in asking price. Since the asking price on the market typically exceeds the actual selling price, the asking price of the selected comparables usually will require a downward adjustment. The amount of the adjustment shall be determined by comparing the asking prices and actual selling prices of recent sales. The city shall develop from the market a factor or percentage representing the average difference between the asking price and the actual selling price of recent sales. This factor or percentage shall be kept current.

(C) Revisions to replacement housing amount. If the relocatee requests assistance in finding replacement housing he must be offered housing which is comparable and available for purchase within the offered amount. When such housing is no longer available, the city will determine a new replacement housing amount based on available housing which is equal or better and meets the other comparable criteria.

(3) Increased interest payments.

(A) General.

i. Increased interest payments are provided to compensate a displaced person for the increased interest costs he is required to pay for financing a replacement dwelling.

ii. The increased interest payment shall be allowed only when both of the following conditions are met:

(aa) the dwelling acquired by the city was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days prior to the established eligibility date under Section 39A-6(a)(2);

(bb) the mortgage on the replacement dwelling bears a higher rate of interest than the mortgage interest rate on the acquired dwelling.

iii. The increased interest payment will be based on and limited to the lesser of the following amounts:

(aa) the present worth of the right to receive the monthly difference in mortgage payments on the existing mortgage using the old and new interest rates; or

(bb) the present worth of the right to receive the monthly difference in mortgage payments on the new mortgage using the old and new interest rates.

(B) Payment computation. The amount of increased interest payment will be computed as shown below with the following procedures:

COMPUTATION OF INCREASED INTEREST COST
EXAMPLE NO. 1

	MORTGAGE DATA	
	Existing Mortgage	**New Mortgage**
Interest Rate	6%	8%
Remaining Term	10 years	10 years
Remaining Principal Balance	$7,295.93	$10,000
Monthly Principal and Interest Payment	$81.02	$121.32
EXISTING MORTGAGE COMPUTATION (Maximum Payment)		
Monthly P&I Payment - $7,295.93 for 10 years at 8%	=	$88.57
Monthly P&I Payment - $7,295.93 for 10 years at 6%	=	81.02
Monthly Interest Difference	=	7.55
Present worth of $7.55 monthly for 10 years discounted at 5% savings deposit rate		
($7.55 x 12 x 7.72)	=	$699.43
The factor 7.72 is obtained from the present worth of one per period table		

NEW MORTGAGE COMPUTATION*		
Monthly P&I Payment - $10,000 for 10 years at 8%	=	$121.32
Monthly P&I Payment - $10,000 for 10 years at 6%	=	$111.02
Monthly Interest Difference	=	$10.30
Present worth of $10.30 monthly for 10 years discounted at 5% savings deposit rate		
($10.30 x 12 x 7.72)	=	$954.19
Amount of Interest Payment		$699.43

EXAMPLE NO. 2

	MORTGAGE DATA	
	Existing Mortgage	**New Mortgage**
Interest Rate	6%	8%
Remaining Term	10 years	5 years
Remaining Principal Balance	$7,295.93	$6,000
Monthly Principal and Interest Payment	$81.02	$121.65
EXISTING MORTGAGE COMPUTATION (Maximum Payment)		
Monthly P&I Payment - $7,295.93 for 10 years at 8%	=	$ 88.57
Monthly P&I Payment - $7,295.93 for 10 years at 6%	=	$81.02
Monthly Interest Difference	=	$ 7.55
Present worth of $7.55 monthly for 10 years discounted at 5% savings deposit rate	=	$699.43
NEW MORTGAGE COMPUTATION*		
Monthly P&I Payment - $6,000 for 5 years at 8%	=	$121.65
Monthly P&I Payment - $6,000 for 5 years at 6%	=	$115.99
Monthly interest Difference	=	$5.66
Present worth of $5.66 monthly for 5 years discounted at 5% savings deposit rate	=	$294.02
Amount of Interest Payment		$294.02
*New mortgage computation not necessary if new mortgage is for the same amount and term of the old mortgage.		

The Financial Compound Interest and Annuity Tables used for these computations.

i. The monthly principal and interest payment difference caused by the change in interest rates is computed for both the existing mortgage and new mortgage for their respective remaining terms and amounts. The old and new interest rates are used in each case.

ii. The present worth of the monthly interest difference found in l. above is computed for each mortgage by discontinuing the annual difference (the sum of the monthly difference for one year) at the savings deposit interest rate for the remaining term of each mortgage. The lesser of the amounts so derived is the increased interest payment.

(C) Interest rate of replacement dwelling mortgage.

i. The interest rate on the mortgage for the replacement dwelling to be used in the computation shall be the actual rate but may not exceed the prevailing interest rate currently charged by mortgage lending institutions in the vicinity.

ii. When the lending agency imposes debt service charges as an incident to the extension of credit, and such charges are normal to the market, the annual percentage rate shown in the Truth in Lending Statement shall be used in lieu of the mortgage interest rate in computing the monthly principal and interest payments. A Truth in Lending Statement must be provided the mortgagor by lending agencies under the Truth in Lending Act, Title I, Public Law 90-321 and Regulation Z issued pursuant thereto by the board of governors of the Federal Reserve System.

(D) Discount rate. The discount rate shall be the prevailing rate of interest paid on passbook savings account deposits by commercial banks in the general area in which the replacement dwelling is located.

(E) To whom payment made. The payment described in this section may be made directly to the relocated individual or family, or upon written instruction from the relocated individual or family, directly to the mortgagee of the replacement dwelling. In cases where an applicant otherwise qualifies for an interest payment, and upon his specific request, the city may make an advance payment into escrow prior to the relocatee's moving.

(F) Partial acquisition.

i. Where the dwelling is located on a tract normal for residential use in the area, the interest payment shall be reduced to the percentage ratio that the acquisition price bears to the before value; except, the reduction shall not apply when the mortgagee requires the entire mortgage balance to be paid because of the acquisition and it is necessary to refinance.

ii. Where a dwelling is located on a tract larger than normal for residential use in the area, the interest payment shall be reduced to the percentage ratio that the value of the residential portion bears to the before value. This reduction shall apply whether or not it is required that the entire mortgage balance be paid.

(G) Multi-use properties. The interest payment on multi-use properties shall be reduced to the percentage ratio that the residential value of the multi-use property bears to the before value.

(H) Other highest and best use. If a dwelling is located on a tract where the fair market value is established on a higher and better than residential use, and if the mortgage is based on residential value, the interest payment shall be computed as provided in the appropriate sections above. If the mortgage is obviously based on the higher use, however, the interest payment shall be reduced to the percentage ratio that the estimated residential value of the parcel has to the before value.

(4) Incidental expenses.

(A) Amount of payment. The incidental expenses payment is the amount necessary to reimburse the homeowner for the actual costs incurred by him incident to the purchase of the replacement dwelling, but not for prepaid expenses. Such costs may include the following items if normally paid by the buyer:

i. Legal, closing and related costs including title search, preparing conveyance contracts, notary fees, surveys, preparing drawings or plats and charges paid incident to recordation.

ii. Lenders, FHA or VA appraisal fee.

iii. FHA or VA application fee.

iv. Certification of structural soundness when required by lender, FHA or VA.

v. Credit report.

vi. Owner's title policy or abstract of title.

vii. Escrow agent's fee.

viii. State revenue stamps.

ix. Sales or transfer taxes.

x. No fee, cost, charge, or expense is reimbursable as incidental expenses which is determined to be a part of the debt service, or finance charge under the Truth in Lending Act, Title I, Public Law 90-321, and Regulation Z issued pursuant thereto by the board of governors of the Federal Reserve System.

(5) Combined payments not to exceed $22,500. If an owner-occupant is otherwise qualified for a payment under this section but has previously received a payment under Section 39A-6(c), the amount of such payment received under Section 39A-6(c) shall be deducted from the amount to which the owner-occupant is entitled under this section. In no event may the combined payments exceed $22,500.

(6) Owner retention. The owner shall be allowed the option of retaining his dwelling. The replacement housing payment in cases of owner retention shall be computed in accordance with the appropriate subsection below.

(A) Dwelling is decent, safe and sanitary. The payment, if any, shall be the amount by which the costs to relocate the retained dwelling exceed the acquisition price of the dwelling. The costs to relocate may include the reasonable costs of acquiring a new site and other expenses incident to retaining, moving the dwelling and restoring it to a condition comparable to that before the move.

(B) Dwelling is not decent, safe and sanitary. The payment shall be computed as shown above except that the costs to cure the decent, safe and sanitary deficiencies shall be included in the costs to relocate.

(C) Limitations. The payment so computed under Section 39A-6(b)(6)(A) or (B) above may not exceed the amount which the owner would have obtained under Section 39A-6(b)(2)(A) or, if no comparables are available on which to make such a determination, the cost of a new dwelling adequate to accommodate the relocatee.

(c) Rental replacement housing payment to owner-occupant for 180 days or more who rents.

(1) General. An owner-occupant eligible for a replacement housing payment under Section 39A-6(b)(1) who elects to rent a replacement dwelling is eligible for a rental replacement housing payment not to exceed $5,250.

(2) Computation and disbursement of payment. The payment shall be computed and disbursed in accordance with the provisions of Section 39A-6(f)(2), (3) and (4) with the following additional criteria:

(A) the present rental rate shall be economic rent as determined by market data; and

(B) the payment may not exceed the maximum amount which he would have received had he elected to receive a replacement housing payment under Section 39A-6(b)(2).

(d) Replacement housing payment to owner- occupant for less than 180 days but not less than 90 days who purchases.

~~(1) General. A displaced owner-occupant otherwise eligible under Section 39A-6(b)(1) except for having owned and occupied the dwelling for less than 180 days but not less than 90 days may receive an amount, not to exceed $5,250, to enable the owner- occupant to make a downpayment on the purchase of a replacement dwelling and reimbursement for actual expenses incident to the purchase or for additional costs to relocate the retained dwelling in accordance with this subsection.~~

~~(2) Computation of downpayment and incidental costs.~~

~~(A) The amount of the downpayment shall be determined by the city manager or a designee as the amount required as a downpayment on a comparable dwelling if the purchase was financed with a conventional loan.~~

~~(B) The expenses incident to the purchase of replacement housing are described in Section 39A-6(b)(4).~~

~~(C) Upon purchase and occupancy of a decent, safe, and sanitary dwelling by the relocatee within the time limits specified by Section 39A-6(a)(2), the relocatee may be reimbursed the full amount of the downpayment determined in Subparagraph (A) and the eligible incidental expenses if the total amount does not exceed $5,250.~~

~~(D) The full amount of the downpayment must be applied to the purchase price, and the downpayment and incidental costs claimed must be shown in the closing statement.~~

~~(3) Owner retention of dwelling. The owner may retain the dwelling, and the replacement housing payment, if any, will be determined in accordance with the provisions of Section 39A-6(b)(6)(A) and (B).~~

~~(4) Combined payments not to exceed $5,250. If an owner-occupant is otherwise qualified under this paragraph but has previously received a payment under Section 39A-6(e), the amount of the payment made under Section 39A-6(e) shall be deducted from the amount to which the owner- occupant is entitled under this subsection. In no event may the combined payments exceed $5,250.~~

~~(e) Rental replacement housing payment to owner-occupant for less than 180 days but not less than 90 days who rents.~~

~~(1) General. A displaced owner-occupant otherwise eligible under Section 39A-6(b)(1) except for having owned and occupied the dwelling for less than 180 days but not less than 90 days and elects to rent a replacement dwelling is eligible for a rental replacement housing payment not to exceed $5,250.~~

~~(2) Computation and disbursement of payment. The payment will be computed and disbursed in accordance with the provisions of Section 39A-6(f)(2), (3) and (4) except that the present rental rate shall be economic rent as determined by market data.~~

(f) Rental replacement housing payment to tenant-occupant for not less than 90 days who rents.

(1) General. A displaced tenant is eligible for a rental replacement housing payment, not to exceed $5,250, when:

(A) the tenant is in occupancy at the time public notice is given that the property or a portion of the property will probably be included in the project area;

(B) the tenant is in occupancy at the beginning of negotiations for the acquisition of the real property, in whole or in part;

(C) the tenant is in occupancy at the time of being given written notice by the city of its intent to acquire the property by a given date;

(D) the occupancy has been for at least 90 consecutive days immediately prior to the date of vacation or initiation of negotiations, whichever is earlier;

(E) the tenant rented and occupied a decent, safe, and sanitary dwelling within the time period specified in Section 39A-6(a)(2); and

(F) the property was subsequently acquired, or if otherwise eligible, the tenant may receive this payment if the city issues an order to vacate even though the property is not acquired.

(2) Computation of payment.

(A) The payment, not to exceed $5,250, shall be determined by subtracting from the amount necessary to rent a comparable dwelling for a period of 42 months the following amount:

i. 42 times the average monthly rental paid by the relocated individual or family during the last three months; or

ii. if the average monthly rental is not reasonably equal to market rentals for similar dwellings, the economic rent as established by the city.
The "rent being paid" shall include any rent supplements supplied by others except when, by law, the supplement is to be discontinued upon vacation of the property.

(B) When the average monthly rental being paid by the relocatee, not including supplemental rent by public agencies, exceeds 30% of the monthly gross income of the individual or family, the payment, not to exceed $5,250, shall be determined by subtracting 12 times the average monthly income of the relocatee from the lesser of the following amounts:

i. 42 times the monthly rental determined by the city as necessary to rent a comparable dwelling; or

ii. 42 times the monthly rental the relocatee is required to pay if relocating in public subsidized rental housing.

When a rental replacement housing payment computed under this criteria exceeds $5,250, the selected replacement dwelling may not be classed as comparable. Housing must be made available which is within the financial means of the relocatee.

(3) Determination of amount necessary to rent. The city manager or a designee may determine the rental rates of comparable housing by a schedule, three comparable method, or an approved alternate in accordance with the principles set forth in Section 39A-6(b)(2)(B) of this chapter, except with regard to adjustments of asking price.

(4) Disbursement of rental replacement housing payments.

(A) All rental replacement housing payments will be made in four equal installments on an annual basis or in a lump sum.

(B) Prior to receiving each installment payment, the tenant must certify to the city that the tenant is occupying decent, safe, and sanitary housing.

(g) Replacement housing payment to tenant- occupant for not less than 90 days who purchases.

(1) General. A displaced tenant eligible for a rental replacement housing payment under Section 39A-6(f) who elects to purchase a replacement dwelling is eligible to receive an amount, not to exceed $5,250, to enable the tenant to make a downpayment on the purchase of a replacement dwelling including the expenses incident to the purchase.

(2) Computation of payment. The payment shall be computed in accordance with the provisions of Section 39A-6(d)(2).

(h) Replacement housing payment to tenant of a sleeping room for not less than 90 days.

(1) General. A displaced tenant of a sleeping room who is eligible for a replacement housing payment under Section 39A-6(f)(1) may receive an amount, not to exceed $5,250, as a rental replacement housing payment or to enable the tenant to make a downpayment on a replacement dwelling in accordance with this subsection.

(2) Rental replacement housing payment.

(A) The payment, not to exceed $5,250, shall be determined by subtracting from the amount necessary to rent a comparable sleeping room for a period of 42 months the following amount:

i. 42 times the average monthly rental paid by the displaced tenant during the last three months; or

ii. if the average monthly rental is not reasonably equal to market rentals for similar sleeping rooms, the economic rent as established by the city.

(B) The city's determination of the amount necessary to rent and the disbursement of the rental replacement housing payments shall be as provided in Section 39A-6(f)(3) and (4).

(3) Downpayment. The downpayment amount, including the expenses incident to purchase of the replacement dwelling, are to be computed in accordance with the provisions of Section 39A-6(d)(2).

(i) Mobile homes - general.

(1) Real property. Relocatees may be eligible for payments under this chapter when the city acquires a mobile home when it is considered realty under Texas law.

(2) Personal property acquired. Relocatees may be eligible for payments under this chapter when the city acquires a mobile home when it is considered personalty under Texas law under the following conditions:

(A) the structural condition of the mobile home is such that it cannot be moved without substantial damage or unreasonable cost; or

(B) the mobile home is not considered to be a decent, safe and sanitary dwelling unit. A mobile home is considered to be decent, safe and sanitary if it meets the standards set forth in Section 39A-3 of this chapter except that the space requirements are reduced to a minimum of 150 square feet of habitable floor space for the first occupant and a minimum of 70 square feet of habitable floor space for each additional occupant and that one means of egress is acceptable.

(3) Partial acquisition of mobile home park. Where the city manager or his designee determines that a sufficient portion of a mobile home park is taken to justify the operator of such park to move his business or go out of business the owners and occupants of the mobile home dwellings not within the actual taking but who are forced to move would be eligible to receive the same payments as though their dwellings were within the actual taking.

(4) Mobile home as replacement dwelling. A mobile home may be considered a replacement dwelling provided it substantially meets applicable local requirements for decent, safe and sanitary dwellings.

(5) Computation of next highest type. When a comparable mobile home dwelling is not available it will be necessary to calculate the replacement housing payment on the basis of

the next highest type of dwelling that is available and meets the applicable requirements and standards, i.e., a higher type mobile home or a conventional dwelling.

(6) The general provisions for moving expenses and replacement housing payments of Section 39A-5(a) through 39A-5(o) and Section 39A-6(a) of this chapter are also applicable to owners and tenants of mobile homes.

(j) Moving expenses - mobile homes.

(1) General. The eligibility requirements of Sections 39A-5(a) through 39A-5(o) and the provisions of Sections 39A-5(a) through 39A-5(p) are applicable to owners and occupants displaced from a mobile home.

(2) Owners of mobile homes.

(A) The owner of a mobile home may be reimbursed for the actual reasonable costs of moving the mobile home and/or other personal property in accordance with the provisions of Section 39A-5(p)(2), or

(1) if the owner occupies the mobile home, and the mobile home is moved, he may elect to be reimbursed in accordance with Section 39A-5(p)(3); or

(2) if the owner occupies the mobile home, and the mobile home is not moved, he may elect to be reimbursed in accordance with Section 39A-5(p)(3).

(B) Reserved.

(C) Reserved.

(D) The cost of moving a mobile home on an actual cost basis may include the cost of detaching and reattaching fixtures and appliances where applicable.

(3) Tenants of mobile homes. Tenants who are displaced from a mobile home may elect to be reimbursed for moving their personal property on an actual reasonable cost basis as specified in Section 39A-5(p)(2) or in accordance with Section 39A-5(p)(3).

(k) Replacement housing payments for owner- occupants of mobile homes for 180 days or more.

(1) General.

(A) A displaced owner of a mobile home who has occupied, for at least 180 days, the mobile home on the site from which the owner is being displaced and who is otherwise eligible under the provisions of Section 39A-6(b)(1)(B) or (C) is eligible for payments, the total of which may not exceed $22,500, for:

i. additional costs necessary to purchase replacement housing as specified in Section 39A-6(k)(2)(A), (3)(A), and (4)(A) and in accordance with the principles of Section 39A-6(b)(2);

ii. an amount as determined to compensate the owner for the loss of favorable financing on an existing mortgage in the financing of replacement housing under the provisions of Section 39A-6(b)(3); and

iii. an amount to reimburse the owner for expenses incident to the purchase of replacement housing in accordance with the provisions of Section 39A-6(b)(4).

(B) A displaced owner-occupant of a mobile home eligible for a replacement housing payment under this subsection who elects to rent is eligible for a rental replacement housing payment, not to exceed $5,250, in accordance with Section 39A-6(k)(2)(B), (3)(B), and (4)(B). The payments will be computed and disbursed in accordance with the methods of Section 39A-6(f)(2), (3), and (4).

(2) Acquisition of mobile home and site from owner-occupant.

(A) Replacement housing payment. The replacement housing payment will be the amount, if any, when added to the amount for which the city acquired the mobile home and site equals the lesser of:

i. the amount the owner is required to pay for a decent, safe, and sanitary conventional dwelling or a decent, safe, and sanitary replacement mobile home and site; or

ii. the amount determined by the city as necessary to purchase a comparable mobile home and site in accordance with the provisions of Section 39A-6(b)(2).

(B) Rental replacement housing payment.

i. If the owner elects to rent, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable mobile home and site for a period of 42 months and 42 times the economic rent of the mobile home and site.

ii. This rental payment may not exceed the amount determined in Section 39A-6(k)(2)(A).

(3) Acquisition of site only from owner- occupant of mobile home. Upon acquisition of the site, but not the home situated upon the site and the mobile home is required to be moved, the replacement housing payment will be determined as follows:

(A) Replacement housing payment. The replacement housing payment will be the amount, if any, when added to the amount for which the city acquired the mobile homesite which equals the lesser of:

i. the amount the owner is required to pay for a comparable site; or

ii. the amount determined by the city as necessary to purchase a comparable mobile homesite.

(B) Rental replacement housing payment.

i. If the owner elects to rent, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable mobile homesite for a period of 42 months and 42 times the economic rent of the site acquired.

ii. This rental payment may not exceed the amount determined by the city in Section 39A-6(k)(3)(A).

(4) Acquisition of mobile home only - owner-occupant rents site. If the owner elects to rent a replacement mobile home, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable mobile home and site for a period of 42 months and 42 times the economic rent of the mobile home and actual rent of the site acquired.

(l) Replacement housing payments for owner- occupants of mobile homes for less than 180 days but more than 90 days.

(1) General.

(A) A displaced owner of a mobile home who has occupied, for less than 180 days but more than 90 days, the mobile home on the site from which the owner is being displaced and who is otherwise eligible under the provisions of Section 39A-6(b)(1)(B) or (C) is eligible for an amount, not to exceed $5,250.

i. to enable the owner to make a downpayment on the purchase of replacement housing in accordance with the provisions of Section 39A-6(1)(2)(A), (3)(A), and (4)(A) and reimburse the owner for the actual expenses incident to the purchase; or

ii. if the owner elects to rent, for a rental replacement housing payment as provided in Section 39A-6(1)(2)(B), (3)(B), and (4)(B). Such payments are to be computed and disbursed in accordance with Section 39A-6(f)(2), (3), and(4).

(2) Acquisition of mobile home and site from owner-occupant.

(A) Replacement housing payment. If the owner purchases a replacement dwelling, the replacement housing payment will be determined in accordance with the provisions of Section 39A-6(d)(2)(A) except that the amount of the downpayment shall be determined by the city as the amount required as a downpayment on the purchase of a comparable mobile home and site.

(B) Rental replacement housing payment. If the owner elects to rent, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable mobile home and site for a period of 42 months and 42 times the economic rent of the mobile home and site.

(3) Acquisition of site only from owner- occupant of mobile home.

(A) Replacement housing payment. If the owner purchases conventional housing or a site to which the mobile home is moved, the replacement housing payment will be an amount determined in accordance with the provisions of Section 39A-6(d)(2) except that the amount of the downpayment shall be determined by the city as the amount required as a downpayment on the purchase of a comparable site.

(B) Rental replacement housing payment. If the owner elects to rent, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable site for a period of 42 months and 42 times the economic rent of the site acquired.

(4) Acquisition of mobile home only - owner-occupant rents site.

(A) Replacement housing payment. If the owner purchases replacement housing the replacement housing payment will be:

i. an amount determined in accordance with the provisions of Section 39A-6(d)(2) except that the amount of the downpayment shall be determined by the city as the amount required as a downpayment on the purchase of a comparable mobile home; and

ii. the difference in the amount determined by the city as necessary to rent a comparable mobile homesite for a period of 42 months and 42 times the rent being paid on the site acquired.

(B) Rental replacement housing payment. If the owner elects to rent, the rental replacement housing payment shall be the difference in the amount determined by the city as necessary to rent a comparable mobile home and site for a period of 42 months and 42 times the economic rent of the mobile home and actual rent of the site acquired.

(m) Replacement housing payments to tenants of mobile homes for 90 days or more.

(1) General.

~~(A) A displaced tenant of a mobile home who has occupied for at least 90 days the mobile home on the site from which the tenant has been displaced and who is otherwise eligible under the provisions of Section 39A-6(f)(1) is eligible for a replacement housing payment, not to exceed $5,250:~~

~~i. to enable the tenant to make a downpayment on the purchase of a decent, safe, and sanitary dwelling and reimburse the tenant for the expenses incident to the purchase in accordance with the provisions of Section 39A-6(1)(2)(A); or~~

~~ii. if the tenant elects to rent, as a rental replacement housing payment determined in accordance with the provisions of Section 39A-6(1)(2)(B), except that actual rent being paid for the mobile home and site will be used in the computation. The payment will be computed and disbursed in accordance with the principles of Section 39A-6(f)(2), (3), and (4).~~]"

SECTION 7. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed $500.

SECTION 8. That Chapter 39A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By_____
Assistant City Attorney

Passed_____

AGENDA ITEM # 46

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the purchase of digital aerial orthophotography - Not to exceed $69,300 - Financing: Stormwater Drainage Management Current Funds

BACKGROUND

The City of Dallas has partnered with the North Central Texas Council of Governments (NCTCOG) to obtain digital orthophotography since 1990. The City's Geographic Information System (GIS) has archived digital orthophotography from 1995, 1997, 2000, 2003, 2005, 2007, 2009, 2011, 2013 and 2015 derived from Interlocal Agreements between the City of Dallas and NCTCOG.

The digital orthophotography map is a mosaic of aerial photographs that have been computerized and oriented to the correct geographical locations through a series of complex processes. This digital map is of a known, and consistent, accuracy and is the base level map that supports the City's GIS. With the acquisition of biannual digital orthophotos, the City can monitor historical trends on growth and new subdivisions can be identified programmatically. The digital photos also assist the City by posting on the internet for use by the citizens, improving emergency response and tactical strategy, and assisting in coordination with the City and neighboring jurisdictions.

NCTCOG will select the vendor and be the technical owner of the data. The data then becomes proprietary.

BACKGROUND (continued)

This data is used to identify the parcel changes to support stormwater fee billing. The stormwater fee rate structure relies on measured impervious area and that impervious area is captured from interpreting aerial imagery. In areas where new construction, demolition, or other land use changes has occurred, there is a need to update the impervious area that will be used for billing within Simple Invoice Management System and SAP. The need for this "update" is to add or change impervious area to appropriately adjust the fee based on the measured impervious area.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 2, 1993, City Council authorized the development of a City and Regional Geographic Information System by Resolution No. 93-1779.

FISCAL INFORMATION

Stormwater Drainage Management Current Funds - $69,300

November 8, 2017

WHEREAS, on May 2, 1993, City Council authorized the development of a City and Regional Geographic Information System by Resolution No. 93-1779; and

WHEREAS, the City of Dallas Geographic Information System (GIS) is being developed and maintained using updated land base information, including biannual digital aerial orthophotography; and

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has made a most advantageous offer to the City of Dallas for the purchase of digital aerial orthophotography of areas in and around the City of Dallas; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with the NCTCOG for the purchase of digital aerial orthophotography of the areas in and around the City of Dallas.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal Agreement with the North Central Texas Council of Governments, approved as to form by the City Attorney, for the purchase of digital aerial photography, in an amount not to exceed $69,300.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $69,300 to NCTCOG from Stormwater Drainage Management Current Fund, Fund 0061, Department SDM, Unit 4908 Activity SD01, Object 3070, Contract No./Encumbrance CX-TWM-2017-00003667, Vendor 066264.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 47

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: 42C D G H 43A B E F

SUBJECT

Authorize the conveyance of a **(1)** pipeline easement containing a total of approximately 839,628 square feet of land; and **(2)** temporary construction easement containing a total of approximately 278,151 square feet of land to Atmos Energy Corporation for the installation, use, and maintenance of gas facilities across City-owned land for the transportation of gas located in the Dallas Floodway between State Highway 356 and Inwood Road - Revenue: $54,574

BACKGROUND

This item authorizes the conveyance of a pipeline easement and temporary construction easement to Atmos Energy Corporation, located in the Dallas Floodway between State Highway 356 and Inwood Road. This easement will allow for the installation, use, and maintenance of gas facilities across City-owned land.

Atmos Energy Corporation's use of the easement area shall remain inferior, subordinate, and subject to the City of Dallas' paramount and superior right of use of the easement area for its levees, flood control, floodway management, recreation and transportation uses, efforts and improvements.

Atmos Energy Corporation is solely responsible for securing all state and federal approvals, subject to the U.S. Army Corps of Engineers' review and oversight, to facilitate the installation of gas facilities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue - $54,574

MAP

Attached



...\Trinity Baker Industrial Add'n 9/5/2017 7:54:43 AM

November 8, 2017

WHEREAS, the City of Dallas owns certain land being part of City Blocks 8663, 8664, 8665, 8669, 8670 and 8671, Dallas, Dallas County, Texas, which is used for the Dallas Floodway, being the same land conveyed to the City of Dallas by deed recorded in Volume 73066, Page 1073 of the Official Public Records of Dallas County, Texas; and

WHEREAS, Atmos Energy Corporation has requested a Pipeline Easement containing a total of approximately 839,628 square feet of land, being more fully described in Exhibit A, attached hereto and incorporated herein for all purposes (the Easement); for the construction, use, and maintenance of gas facilities; and

WHEREAS, Atmos Energy Corporation has requested a Temporary Construction Easement containing a total of approximately 278,151 square feet of land, being more fully described in Exhibit B, attached hereto and incorporated herein for all purposes (the Temporary Construction Easement); for the construction of gas facilities; and

WHEREAS, Atmos Energy Corporation's use of the Easement shall remain inferior, subordinate, and subject to the City of Dallas' paramount and superior right of use of the easement area for its levees, flood control, floodway management, recreation and transportation uses, efforts and improvements; and

WHEREAS, Atmos Energy Corporation is solely responsible for securing all state and federal approvals, subject to the U.S. Army Corps of Engineers' review and oversight, to facilitate the installation of gas facilities; and

WHEREAS, Atmos Energy Corporation has the power of eminent domain; and

WHEREAS, the City of Dallas needs and desires said utility service to provide gas service to the citizens of Dallas.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That upon the receipt of FIFTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-FOUR AND NO/100 DOLLARS ($54,574) from Atmos Energy Corporation, the City Manager or his designee is authorized to execute and deliver a Pipeline Easement for a total of approximately 839,628 square feet of land and a Temporary Construction Easement for a total of approximately 278,151 square feet of land to be attested by the City Secretary, approved as to form by the City Attorney and both more fully described in Exhibits A and B attached hereto and incorporated herein for all purposes.

SECTION 2. That the sale proceeds shall be deposited into the Stormwater Drainage Management Fund, Fund 0061, Department SDM, Unit 4908, Revenue Code 8428.

SECTION 3. That this contract is designated as Contract No. TWM-2017-00003766.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

FIELD NOTES DESCRIBING A
80,877 SQUARE FOOT (1.86 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8663
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 1

BEING a 80,877 square foot (1.86 acres) tract of land situated in the E. Durbin Survey, Abstract Number 384, City of Dallas Block Number 8663, City of Dallas, Dallas County, Texas, and being part of a called 298.45 acre tract of land described as Tract 2 in Warranty Deed to City of Dallas, as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a found "X" cut for the northwest corner of said 298.45 acre tract and the southwest corner of a called 3.6181 acre tract of land described in deed to City of Dallas as recorded in Instrument Number 200900184476 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said corner being on the east right-of-way line of W. Mockingbird Lane (a 100-foot wide right-of-way);

THENCE South 00 degrees 38 minutes 56 seconds East, with the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane, a distance of 609.13 feet to a corner for the POINT OF BEGINNING;

THENCE over and across said 298.45 acre tract, the following bearings and distances:

North 89 degrees 23 minutes 40 seconds East, a distance of 392.51 feet to a corner;

North 00 degrees 49 minutes 41 seconds West, a distance of 610.59 feet to a 1/2-inch set iron rod with blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with cap") for corner, said corner being on the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract;

THENCE North 89 degrees 10 minutes 52 seconds East, with the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract, a distance of 75.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE over and across said 298.45 acre tract, the following bearings and distances:

South 00 degrees 49 minutes 41 seconds East, departing the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract, a distance of 685.87 feet to a corner;

South 89 degrees 23 minutes 40 seconds West, a distance of 467.74 feet to a corner, said corner being on the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane;



FIELD NOTES DESCRIBING A
80,877 SQUARE FOOT (1.86 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8663
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 1 continued

THENCE North 00 degrees 38 minutes 56 seconds West, with the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane, a distance of 75.00 feet to the POINT OF BEGINNING AND CONTAINING 80,877 square feet or 1.86 acres of land, more or less.

Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

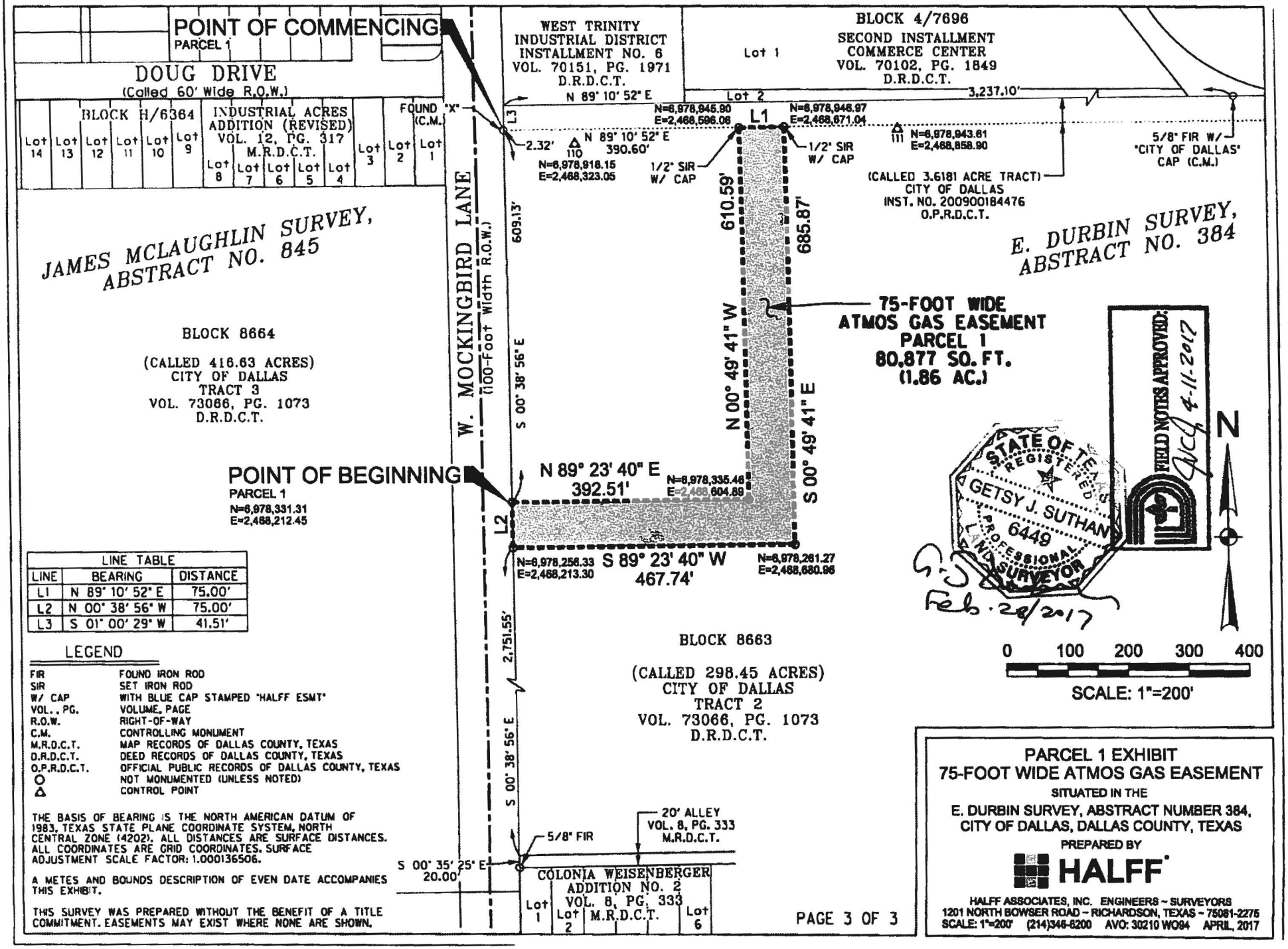
G. S. Suthan Feb - 28/2017

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600



FIELD NOTES APPROVED:
JVC 4-11-2017

4/4/2017 3:15:45 PM ah2481 HALFF I:\30000s\30210\WO94\CADD\Sheets\VEXH-GE01-PG01-30210-WO94.dgn



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89° 10' 52" E	75.00'
L2	N 00° 38' 56" W	75.00'
L3	S 01° 00' 29" W	41.51'

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE GRID COORDINATES. SURFACE ADJUSTMENT SCALE FACTOR: 1.000136506.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

PARCEL 1 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

SITUATED IN THE
E. DURBIN SURVEY, ABSTRACT NUMBER 384,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
PREPARED BY

HALFF
HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017

FIELD NOTES DESCRIBING A
682,483 SQUARE FOOT (15.67 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
8664, 8665, 8669, AND 8670
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2

BEING a 682,483 square foot (15.67 acres) tract of land situated in the James McLaughlin Survey, Abstract Number 845, the Jacob Knopfle Survey, Abstract Number 727, S. A. & M.G. RR. Co. Survey, Abstract Number 1436, and the U. Matthusen Survey, Abstract Number 1041, City of Dallas Block Numbers 8664, 8665, 8669, and 8670, City of Dallas, Dallas County, Texas, and being part of a called 416.63 acre and called 338.26 tract of land described as Tract 3 and Tract 4 in Warranty Deed to City of Dallas, as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" for the west corner of a tract of land described in deed to Trans Freight, Inc., as recorded in Instrument Number 201100233567 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and the westerly north corner of a tract of land described in deed to Dallas County Flood Control District, as recorded in Volume 4235, Page 19, D.R.D.C.T., said corner being on the southeast right-of-way line of Irving Boulevard (a variable width right-of-way);

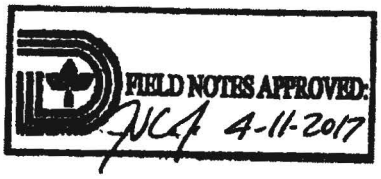
THENCE with the southeast right-of-way line of said Irving Boulevard, the following bearings and distances:

South 41 degrees 48 minutes 53 seconds West, with the northwest line of said Dallas County Flood Control District tract, a distance of 132.83 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;

South 42 degrees 23 minutes 19 seconds West, with the northwest line of said Dallas County Flood Control District tract and the northwest line of a called 338.26 acre tract of land described as Tract 4 in deed to City of Dallas, as recorded in Volume 73066, Page 1073, D.R.D.C.T., a distance of 240.97 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;

South 55 degrees 58 minutes 40 seconds East, with the northwest line of said 338.26 acre tract, a distance of 17.25 feet to a corner, from which a bent 5/8-inch found iron rod bears North 00 degrees 54 minutes 34 seconds West, a distance of 1.15 feet;

South 42 degrees 23 minutes 19 seconds West, with the northwest line of said 338.26 acre tract, a distance of 197.82 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap) for the POINT OF BEGINNING of herein described tract;



FIELD NOTES DESCRIBING A
682,483 SQUARE FOOT (15.67 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
8664, 8665, 8669, AND 8670
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2 continued

THENCE over and across said 338.26 acre tract and said 416.63 acre tract, the following bearings and distances:

South 62 degrees 36 minutes 29 seconds East, a distance of 390.11 feet to a corner;

South 69 degrees 20 minutes 12 seconds East, a distance of 3,499.79 feet to a corner;

South 78 degrees 59 minutes 44 seconds East, a distance of 1,556.82 feet to a corner;

North 89 degrees 23 minutes 40 seconds East, a distance of 3,624.63 feet to a corner (not monumented), said corner being on the east line of said 416.63 acre tract, and the west right-of-way line of W. Mockingbird Lane (a 100-foot wide right-of-way);

THENCE South 00 degrees 36 minutes 45 seconds East, with the east line of said 416.63 acre tract and the west right-of-way line of said W. Mockingbird Lane, a distance of 75.00 feet to a corner;

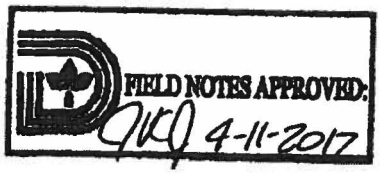
THENCE over and across said 416.63 acre tract and said 338.26 acre tract, the following bearings and distances:

South 89 degrees 23 minutes 40 seconds West, a distance of 3,632.26 feet to a corner;

North 78 degrees 59 minutes 44 seconds West, a distance of 1,570.78 feet to a corner;

North 69 degrees 20 minutes 12 seconds West, a distance of 3,510.54 feet to a corner;

North 62 degrees 36 minutes 29 seconds West, a distance of 414.61 feet to a 1/2-inch set iron rod with blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with cap") for corner, said corner being on the northwest line of said 338.26 acre tract and the southeast right-of-way line of Irving Boulevard (variable width right-of-way);



FIELD NOTES DESCRIBING A
682,483 SQUARE FOOT (15.67 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
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TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2 continued

THENCE North 42 degrees 23 minutes 19 seconds East, with the northwest line of said 338.26 acre tract and the southeast right-of-way line of said Irving Boulevard, a distance of 77.64 feet to the POINT OF BEGINNING AND CONTAINING 682,483 square feet or 15.67 acres of land, more or less.

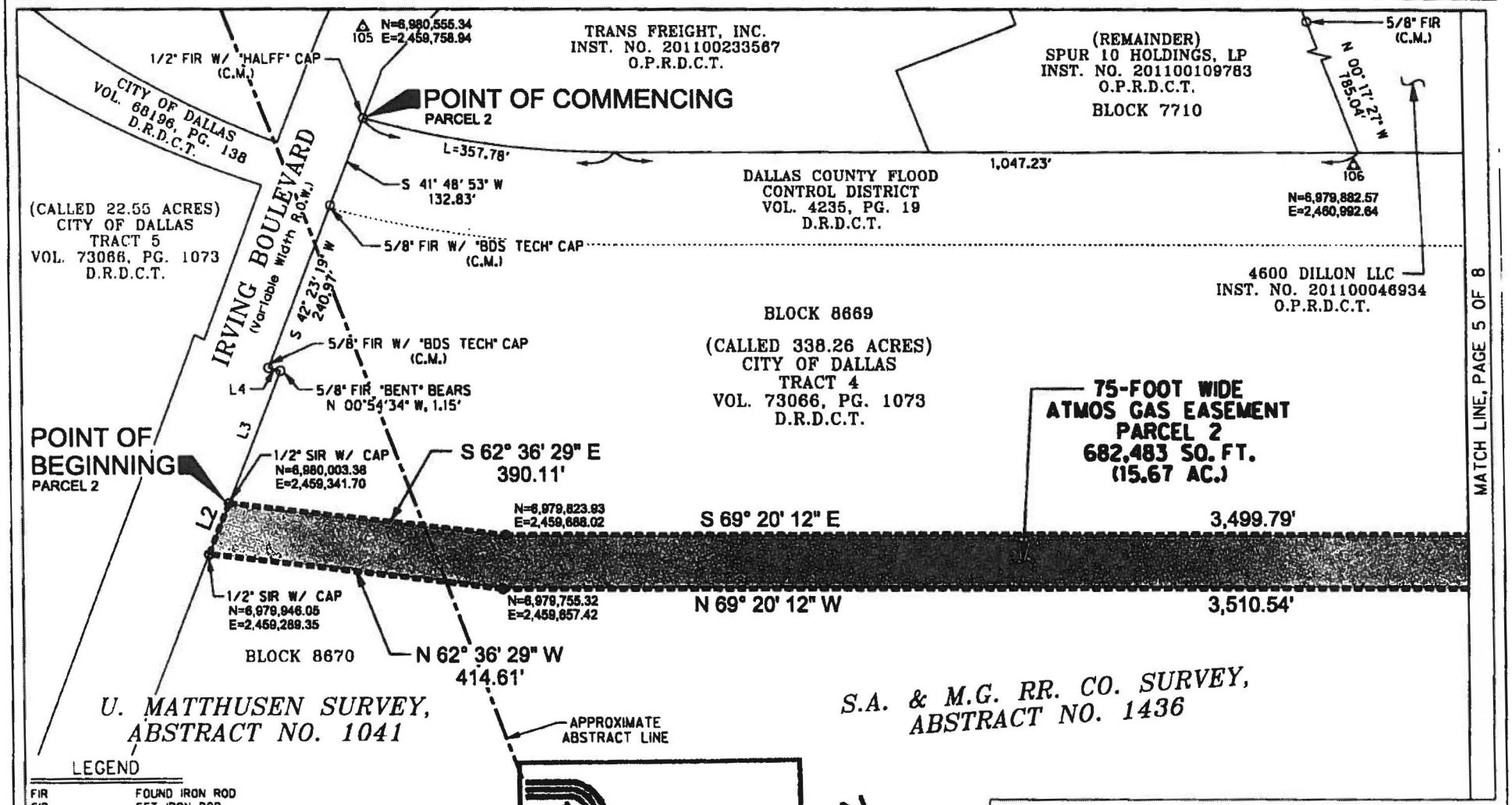
Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

G. J. Suthan Feb. 28/2017

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600







LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

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A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

FIELD NOTES APPROVED: NKJ 4-11-2017

LINE TABLE		
LINE	BEARING	DISTANCE
L2	N 42° 23' 19" E	77.64'
L3	S 42° 23' 19" W	197.82'
L4	S 55° 58' 40" E	17.25'

0 100 200 300 400

SCALE: 1"=200'

PAGE 4 OF 8

PARCEL 2 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

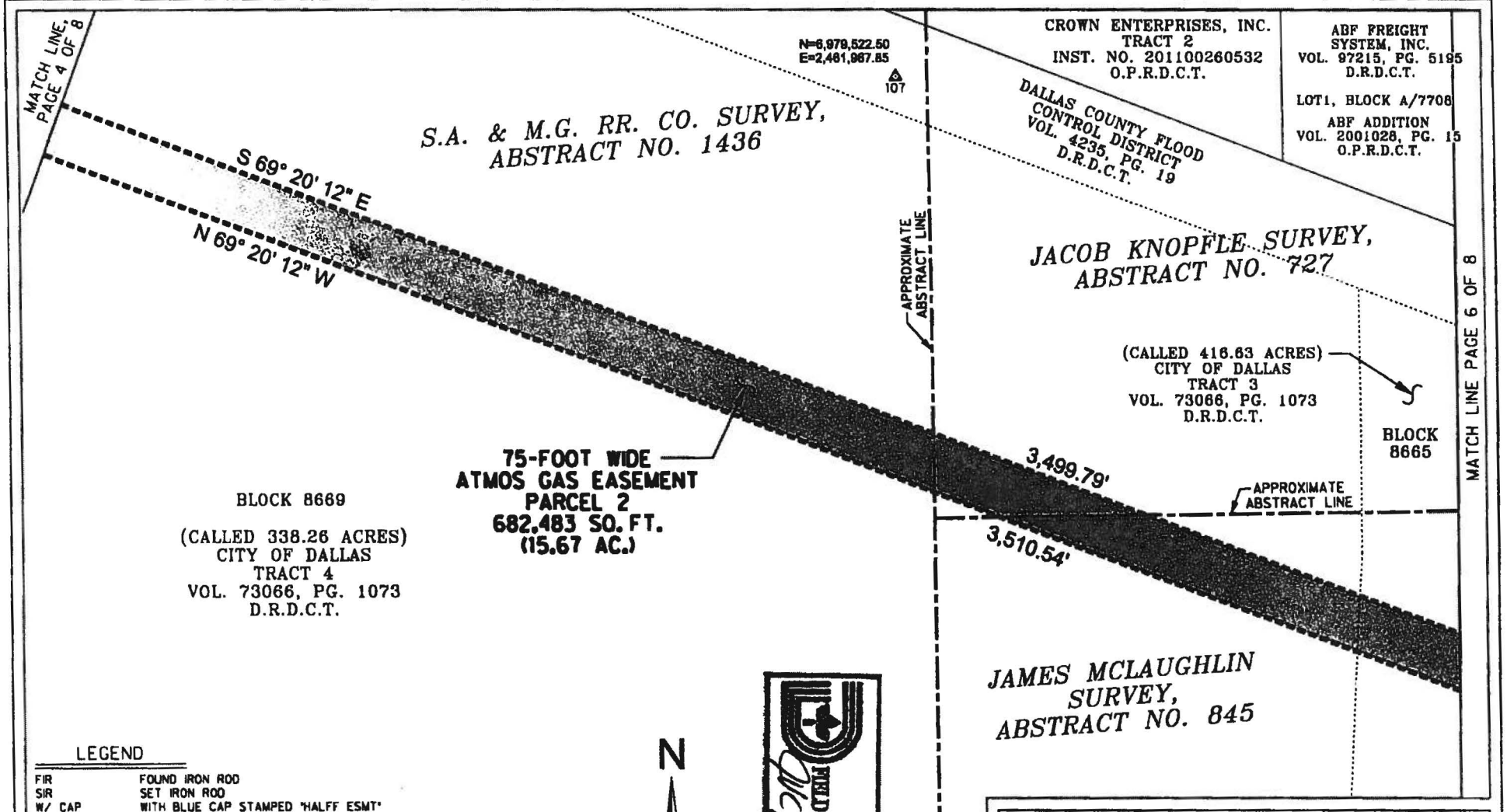
SITUATED IN THE

JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727, THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845, THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

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1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
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N

0 100 200 300 400

SCALE: 1"=200'

FIELD NOTES APPROVED 4-11-2017

PAGE 5 OF 8

PARCEL 2 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

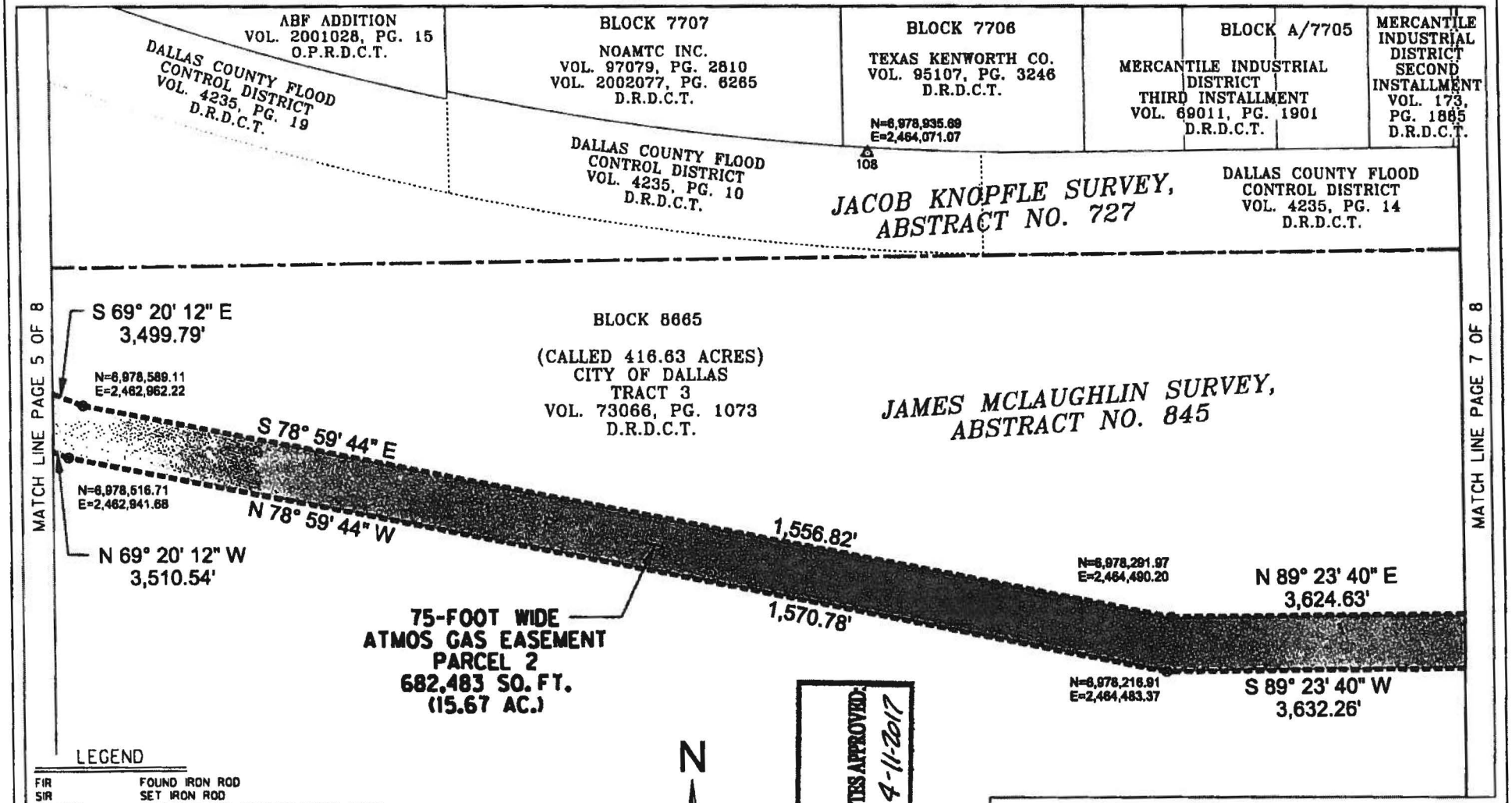
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CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

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SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



FIELD NOTES APPROVED
July 4-11-2017

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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N

0 100 200 300 400

SCALE: 1"=200'

PARCEL 2 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

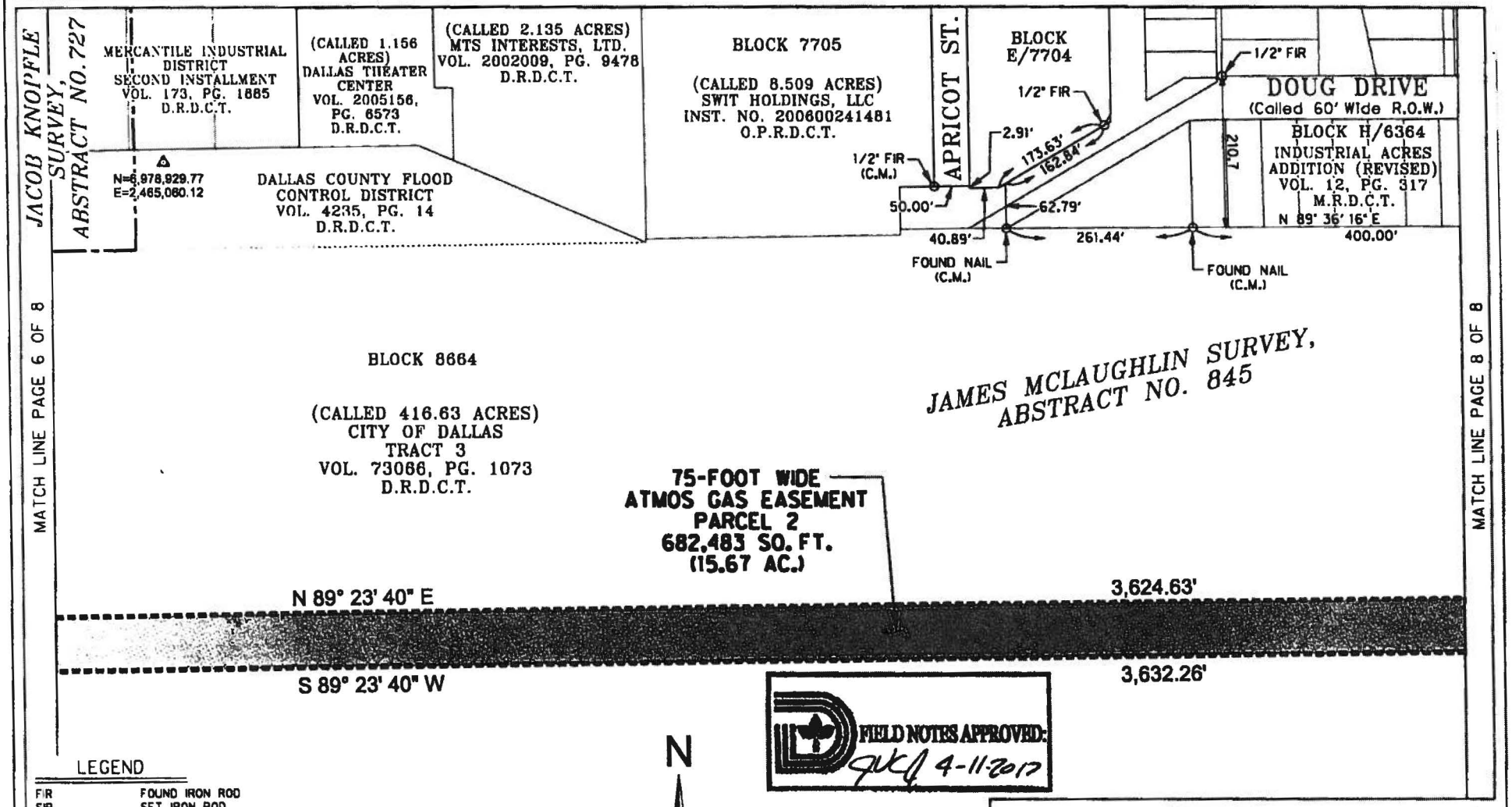
SITUATED IN THE

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THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845,
THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND
THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



FIELD NOTES APPROVED: 4-11-2017

LEGEND

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SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
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N

0 100 200 300 400

SCALE: 1"=200'

PARCEL 2 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

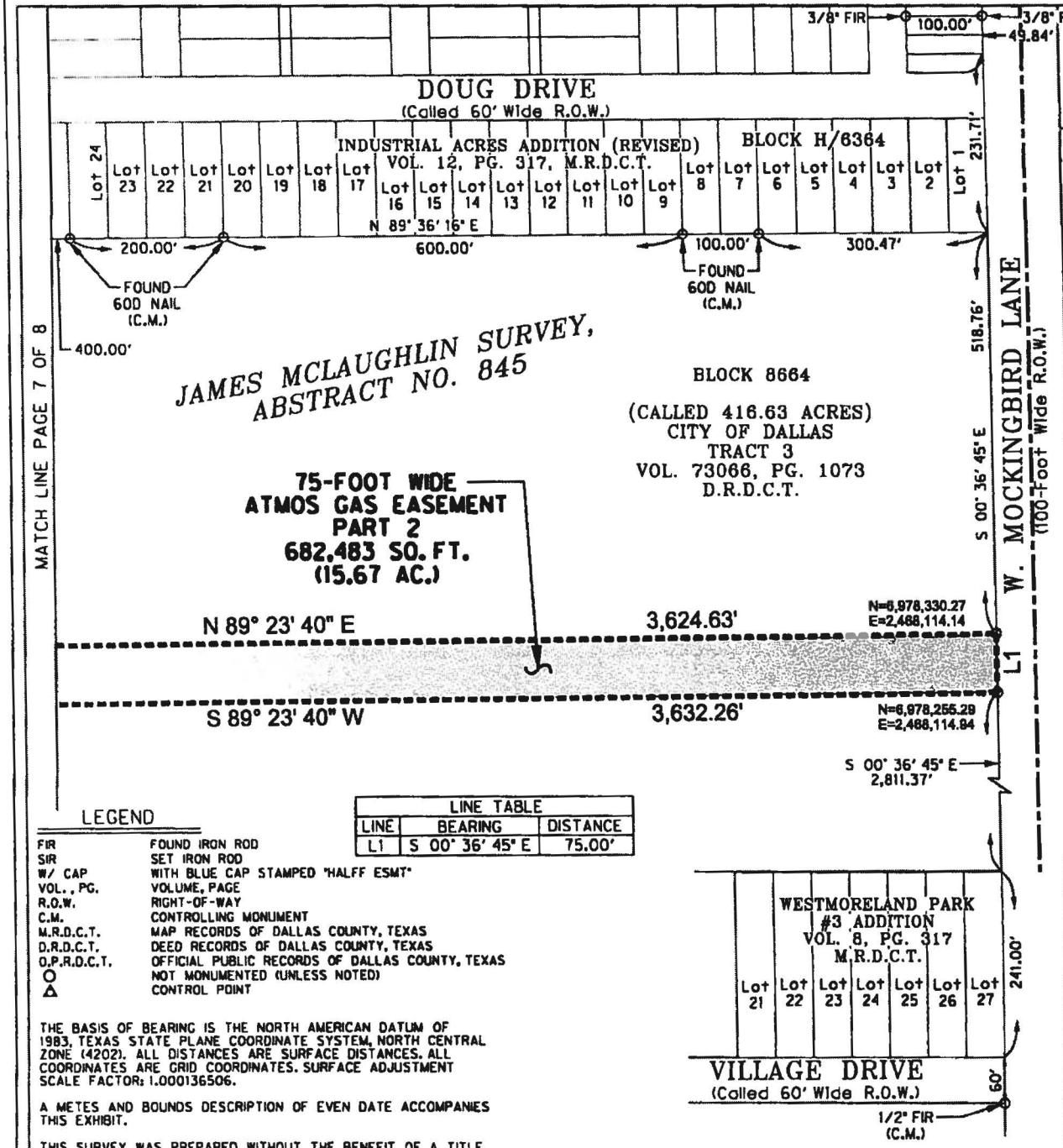
SITUATED IN THE

JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727, THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845, THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436 CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



LEGEND

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SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00° 36' 45" E	75.00'

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PARCEL 2 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

SITUATED IN THE

JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727,
THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845,
THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND
THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS – SURVEYORS
1201 NORTH BOWSER ROAD – RICHARDSON, TEXAS – 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017

FIELD NOTES DESCRIBING A
76,268 SQUARE FOOT (1.75 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8671
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 3

BEING a 76,268 square foot (1.75 acres) tract of land situated in the U. Matthusen Survey, Abstract Number 1041, City of Dallas Block Number 8671, City of Dallas, Dallas County, Texas, and being part of a called 22.55 acre tract of land described as Tract 5 in Warranty Deed to City of Dallas as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod with cap stamped "BDS TECH" for the southeast corner of said 22.55 acre tract, said corner being on the northwest right-of-way line of Irving Boulevard (a variable width right-of-way);

THENCE with the southeast line of said 22.55 acre tract and the northwest right-of-way line of said Irving Boulevard, the following bearings and distances:

South 41 degrees 45 minutes 40 seconds West, a distance of 228.78 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;

North 42 degrees 54 minutes 18 seconds West, a distance of 15.06 feet to a 5/8-inch found iron rod for corner;

South 41 degrees 45 minutes 40 seconds West, a distance of 236.14 feet to the POINT OF BEGINNING;

South 41 degrees 45 minutes 40 seconds West, a distance of 78.55 feet to a corner;

THENCE North 65 degrees 31 minutes 53 seconds West, departing the southeast line of said 22.55 acre tract and the northwest right-of-way line of said Irving Boulevard, and over and across said 22.55 acre tract, a distance of 964.97 feet to a corner, said corner being on the west line of said 22.55 acre tract and the east line of a called 36.29 acre tract of land described as Tract II in deed to City of Irving as recorded in Volume 73035, Page 2440, D.R.D.C.T.;

THENCE North 22 degrees 34 minutes 00 seconds West, with the west line of said 22.55 acre tract and the east line of a called 36.29 acre tract, a distance of 110.04 feet to a corner;

FIELD NOTES APPROVED:
JVC 4-3-2017

FIELD NOTES DESCRIBING A
76,268 SQUARE FOOT (1.75 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8671
TO BE ACQUIRED FOR A
75-FOOT WIDE ATMOS GAS EASEMENT
FROM THE CITY OF DALLAS

PARCEL 3 continued

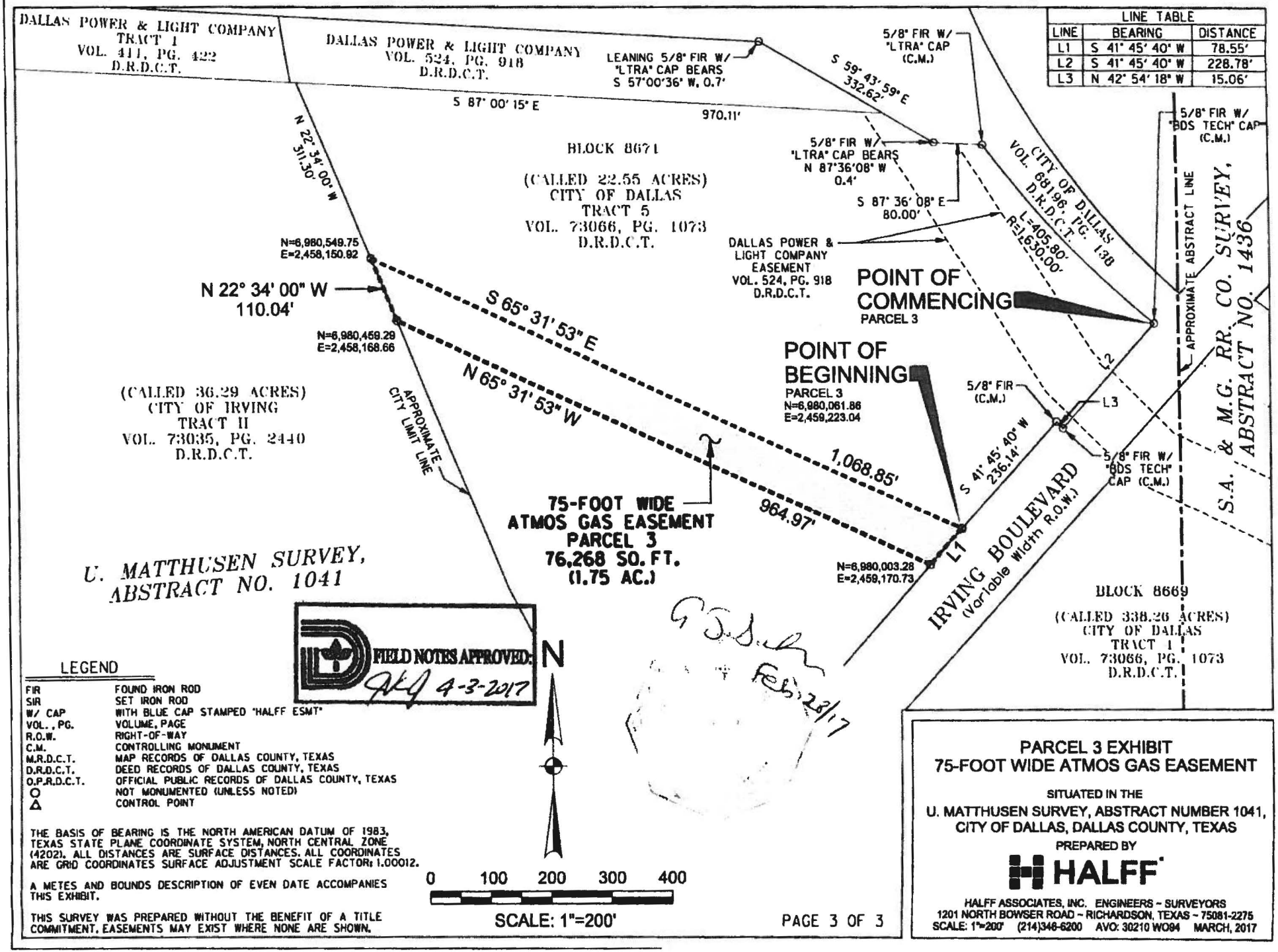
THENCE South 65 degrees 31 minutes 53 seconds East, departing the west line of said 22.55 acre tract and the east line of said 36.29 acre tract, and over and across said 22.55 acre tract, a distance of 1,068.85 feet to the POINT OF BEGINNING AND CONTAINING 76,268 square feet or 1.75 acres of land, more or less.

Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

G S Suthan Feb 23/17

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600

FIELD NOTES APPROVED:
JVC 4-3-2017



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 41° 45' 40" W	78.55'
L2	S 41° 45' 40" W	228.78'
L3	N 42° 54' 18" W	15.06'

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE GRID COORDINATES SURFACE ADJUSTMENT SCALE FACTOR: 1.00012.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

Feb 28/17

PARCEL 3 EXHIBIT
75-FOOT WIDE ATMOS GAS EASEMENT

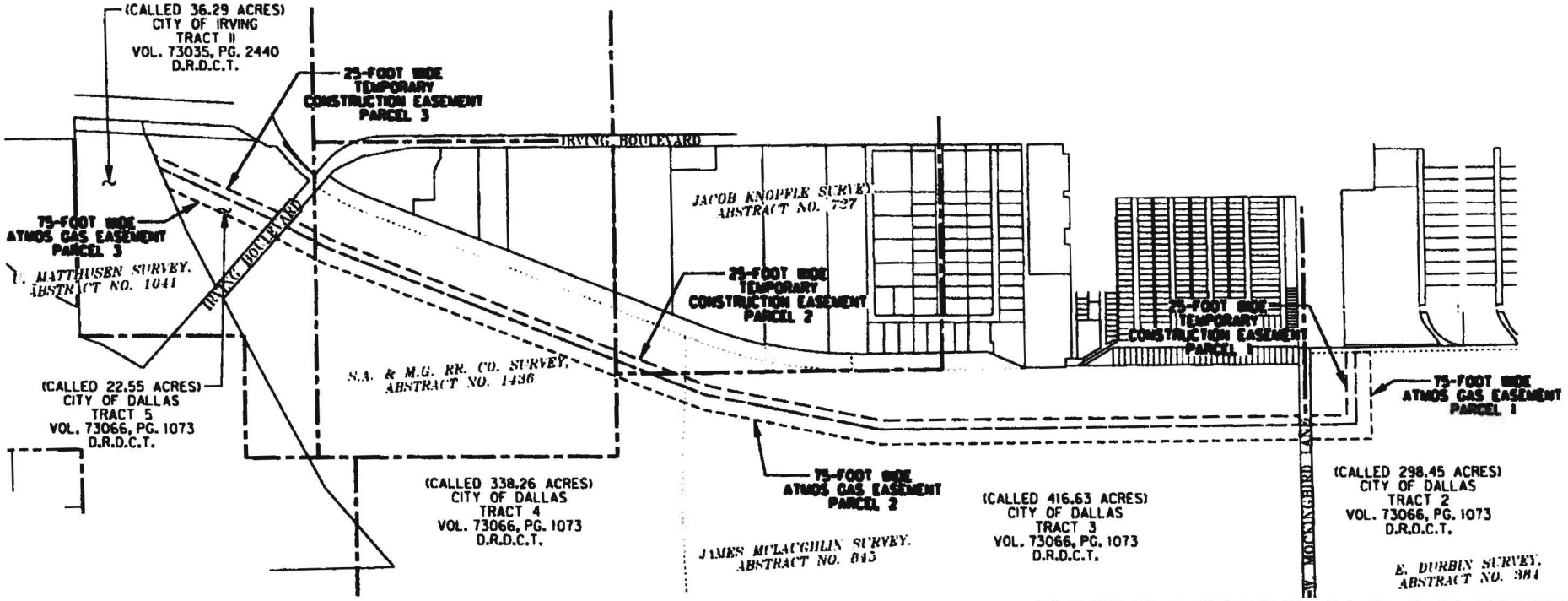
SITUATED IN THE
U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 MARCH, 2017

4/4/2017 3:47:38 PM sh2472 HALFF I:\30000s\30210\WO94\CADD\Sheets\VEXH-GE-LAYOUT-30210-WO94.dgn



N

LOCATOR MAP

NOT TO SCALE

FIELD NOTES APPROVED:
4-11-2017

PARCEL 1, 2, AND 3
75-FOOT WIDE ATMOS GAS EASEMENT
AND
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

SITUATED IN THE

E. DURBIN SURVEY, ABSTRACT NUMBER 384,
THE JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727,
THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845,
THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND
THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)348-6200 AVO: 30210 WO94 APRIL, 2017

Exhibit B

FIELD NOTES DESCRIBING A
24,450 SQUARE FOOT (0.5613 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8663
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 1

BEING a 24,450 square foot (0.5613 acres) tract of land situated in the E. Durbin Survey, Abstract Number 384, City of Dallas Block Number 8663, City of Dallas, Dallas County, Texas, and being part of a called 298.45 acre tract of land described as Tract 2 in Warranty Deed to City of Dallas, as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a found "X" cut for the northwest corner of said 298.45 acre tract and the southwest corner of a called 3.6181 acre tract of land described in deed to City of Dallas as recorded in Instrument Number 200900184476 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said corner being on the east right-of-way line of W. Mockingbird Lane (a 100-foot wide right-of-way);

THENCE South 00 degrees 38 minutes 56 seconds East, with the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane, a distance of 584.13 feet to a corner for the POINT OF BEGINNING;

THENCE over and across said 298.45 acre tract, the following bearings and distances:

North 89 degrees 23 minutes 40 seconds East, a distance of 367.43 feet to a corner;

North 00 degrees 49 minutes 41 seconds West, a distance of 585.49 feet to a corner, said corner being on the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract;

THENCE North 89 degrees 10 minutes 52 seconds East, with the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract, a distance of 25.00 feet to a corner;

THENCE over and across said 298.45 acre tract, the following bearings and distances:

South 00 degrees 49 minutes 41 seconds East, departing the south line of said 3.6181 acre tract and the north line of said 298.45 acre tract, a distance of 610.59 feet to a corner;

South 89 degrees 23 minutes 40 seconds West, a distance of 392.51 feet to a corner, said corner being on the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane;

FIELD NOTES APPROVED: JCJ 4-11-2017

FIELD NOTES DESCRIBING A
24,450 SQUARE FOOT (0.5613 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8663
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 1 continued

THENCE North 00 degrees 38 minutes 56 seconds West, with the west line of said 298.45 acre tract and the east right-of-way line of said W. Mockingbird Lane, a distance of 25.00 feet to the POINT OF BEGINNING AND CONTAINING 24,450 square feet or 0.5613 acres of land, more or less.

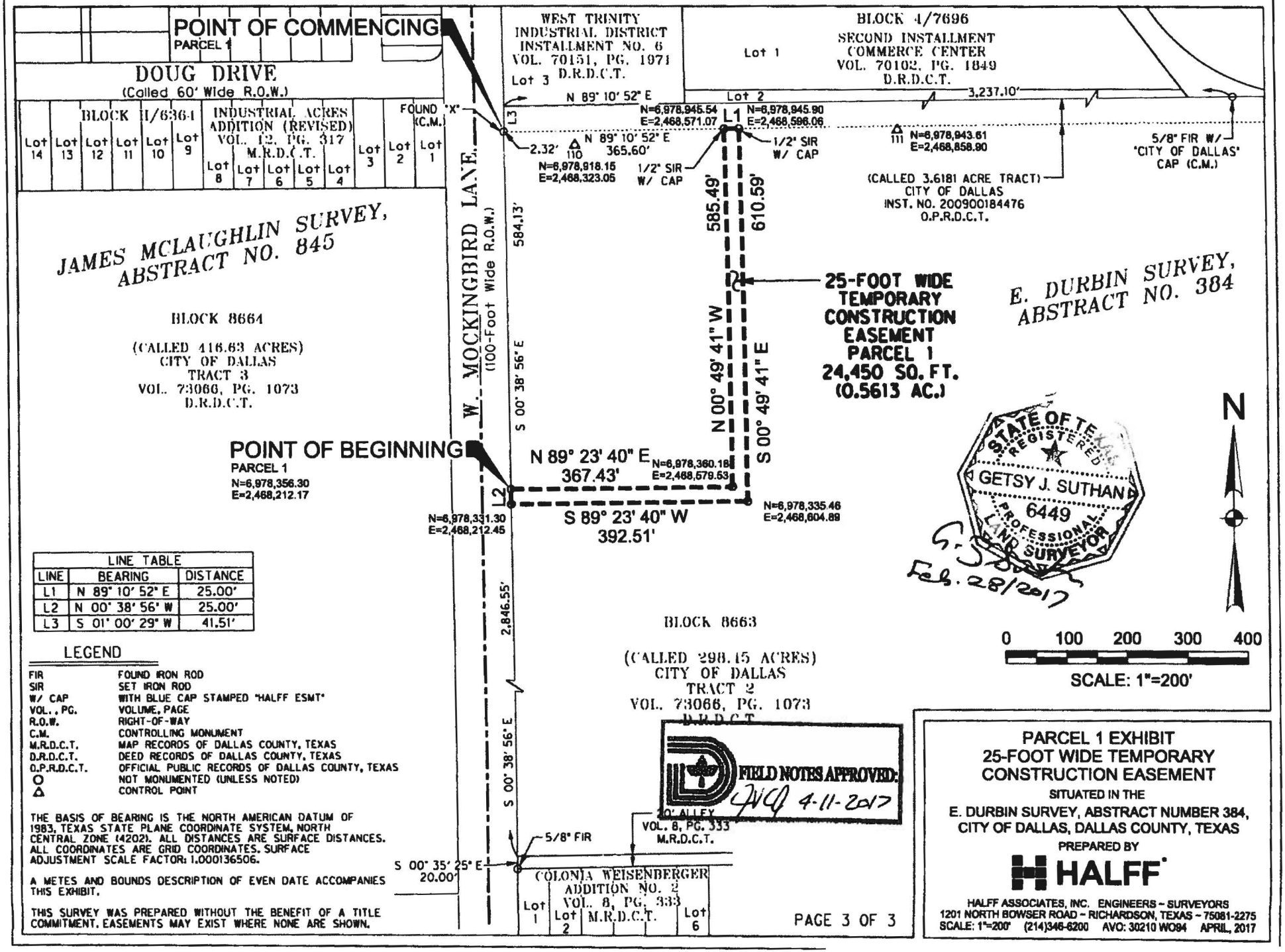
Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

G. S. Suthan Feb. 28/2017

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600



FIELD NOTES APPROVED:
QVC 4-11-2017



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89° 10' 52" E	25.00'
L2	N 00° 38' 56" W	25.00'
L3	S 01° 00' 29" W	41.51'

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE GRID COORDINATES. SURFACE ADJUSTMENT SCALE FACTOR: 1.000136506.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

FIELD NOTES APPROVED: JWC 4-11-2017

PAGE 3 OF 3

PARCEL 1 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

SITUATED IN THE

E. DURBIN SURVEY, ABSTRACT NUMBER 384, CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017

FIELD NOTES DESCRIBING A
226,547 SQUARE FOOT (5.20 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
8664, 8665, 8669, AND 8670
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2

BEING a 226.547 square foot (5.20 acres) tract of land situated in the James McLaughlin Survey, Abstract Number 845, the Jacob Knopfle Survey, Abstract Number 727, S. A. & M.G. RR. Co. Survey, Abstract Number 1436, and the U. Matthusen Survey, Abstract Number 1041, City of Dallas Block Numbers 8664, 8665, 8668, 8669, and 8670, City of Dallas, Dallas County, Texas, and being part of a called 416.63 acre and called 338.26 tract of land described as Tract 3 and Tract 4 in Warranty Deed to City of Dallas, as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" for the west corner of a tract of land described in deed to Trans Freight, Inc., as recorded in Instrument Number 201100233567 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and the westerly north corner of a tract of land described in deed to Dallas County Flood Control District, as recorded in Volume 4235, Page 19, D.R.D.C.T., said corner being on the southeast right-of-way line of Irving Boulevard (a variable width right-of-way);

THENCE with the southeast right-of-way line of said Irving Boulevard, the following bearings and distances:

South 41 degrees 48 minutes 53 seconds West, with the northwest line of said Dallas County Flood Control District tract, a distance of 132.83 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;



South 42 degrees 23 minutes 19 seconds West, with the northwest line of said Dallas County Flood Control District tract and the northwest line of a called 338.26 acre tract of land described as Tract 4 in deed to City of Dallas, as recorded in Volume 73066, Page 1073, D.R.D.C.T., a distance of 240.97 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;

South 55 degrees 58 minutes 40 seconds East, with the northwest line of said 338.26 acre tract, a distance of 17.25 feet to a corner, from which a bent 5/8-inch found iron rod bears North 00 degrees 54 minutes 34 seconds West, a distance of 1.15 feet;

South 42 degrees 23 minutes 19 seconds West, with the northwest line of said 338.26 acre tract, a distance of 171.94 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap) for the POINT OF BEGINNING of herein described tract;

FIELD NOTES DESCRIBING A
226,547 SQUARE FOOT (5.20 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
8664, 8665, 8669, AND 8670
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2 continued

THENCE over and across said 338.26 acre tract and said 416.63 acre tract, the following bearings and distances:

South 62 degrees 36 minutes 29 seconds East, departing said northwest line of 338.26 acre tract and the southeast right-of-way line of said Irving Boulevard, a distance of 381.94 feet to a corner;

South 69 degrees 20 minutes 12 seconds East, a distance of 3,496.21 feet to a corner;

South 78 degrees 59 minutes 44 seconds East, a distance of 1,552.17 feet to a corner;

North 89 degrees 23 minutes 40 seconds East, a distance of 3,622.08 feet to a corner (not monumented), said corner being on the east line of said 416.63 acre tract, and the west right-of-way line of W. Mockingbird Lane (a 100-foot wide right-of-way);

THENCE South 00 degrees 36 minutes 45 seconds East, with the east line of said 416.63 acre tract and the west right-of-way line of said W. Mockingbird Lane, a distance of 25.00 feet to a corner;

THENCE over and across said 416.63 acre tract, and said 338.26 acre tract, the following bearings and distances:

South 89 degrees 23 minutes 40 seconds West, a distance of 3,624.63 feet to a corner;



North 78 degrees 59 minutes 44 seconds West, a distance of 1,556.82 feet to a corner;

North 69 degrees 20 minutes 12 seconds West, a distance of 3,499.79 feet to a corner;

North 62 degrees 36 minutes 29 seconds West, a distance of 390.11 feet to a 1/2-inch set iron rod with blue cap stamped "HALFF WSMT" for corner, said corner being on the northwest line of said 338.26 acre tract and the southeast right-of-way line of Irving Boulevard (a variable width right-of-way);

FIELD NOTES DESCRIBING A
226,547 SQUARE FOOT (5.20 ACRES)
TRACT OF LAND IN CITY BLOCK NO.
8664, 8665, 8669, AND 8670
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 2 continued

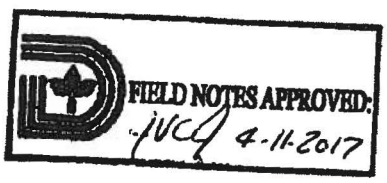
THENCE North 42 degrees 23 minutes 19 seconds East, with the northwest line of said 338.26 acre tract and the southeast right-of-way line of said Irving Boulevard, a distance of 25.88 feet to the POINT OF BEGINNING AND CONTAINING 226,547 square feet or 5.20 acres of land, more or less.

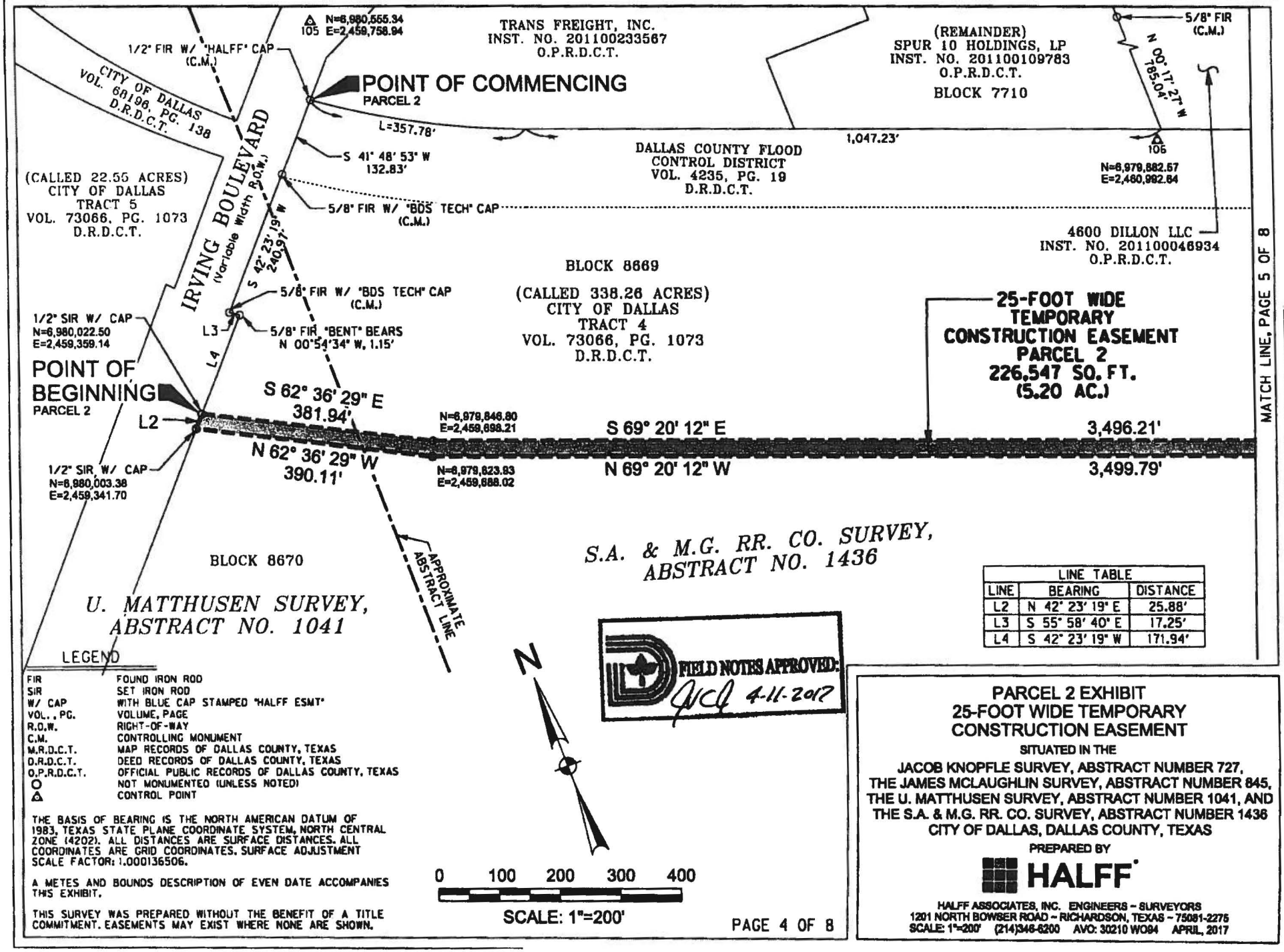
Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

G. S. Suthan Feb. 28/2017

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600







LINE TABLE		
LINE	BEARING	DISTANCE
L2	N 42° 23' 19" E	25.88'
L3	S 55° 58' 40" E	17.25'
L4	S 42° 23' 19" W	171.94'

FIELD NOTES APPROVED:
4-11-2017

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE GRID COORDINATES. SURFACE ADJUSTMENT SCALE FACTOR: 1.000136506.

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PARCEL 2 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

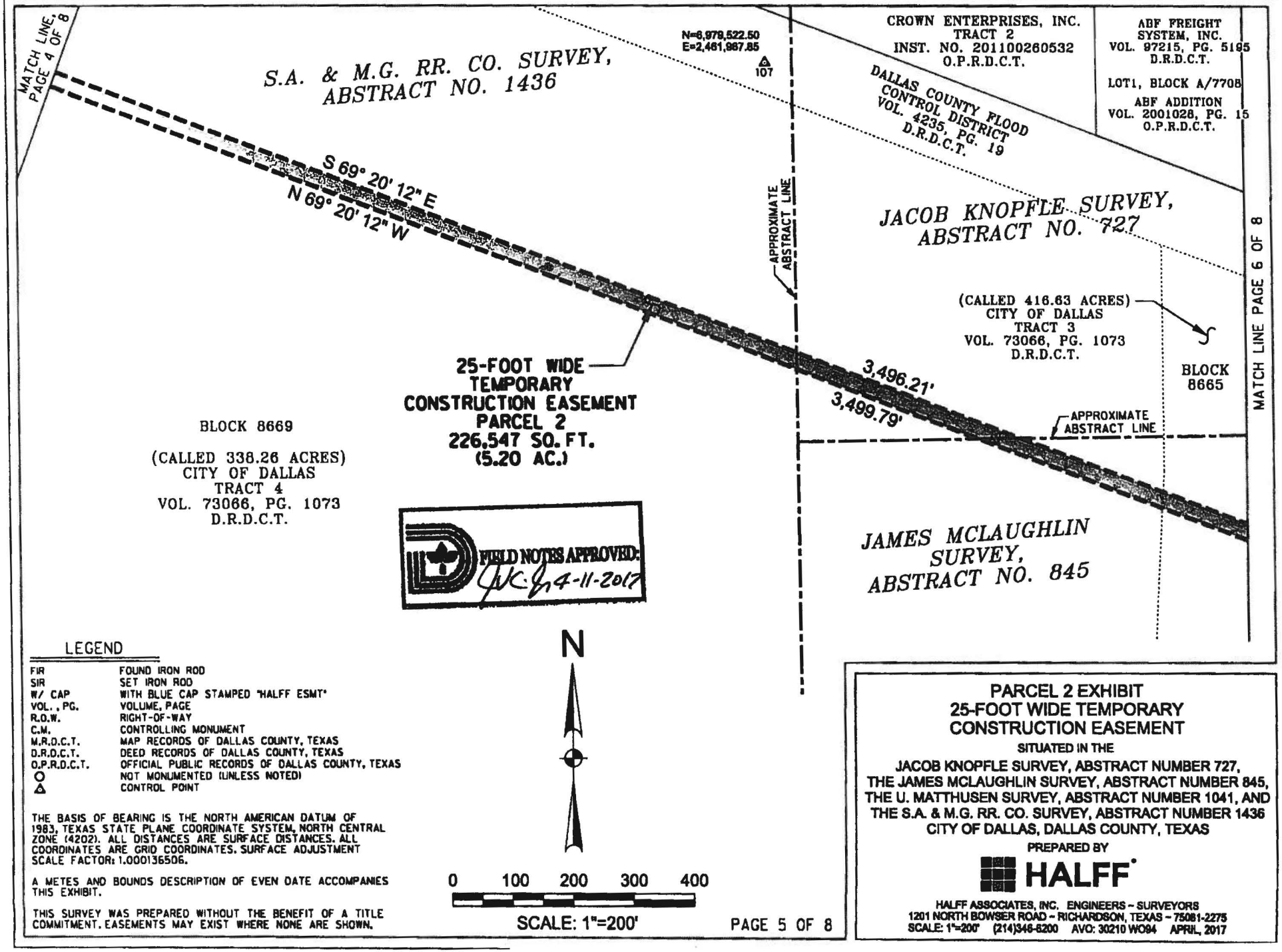
SITUATED IN THE

JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727, THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845, THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436 CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS - SURVEYORS
1201 NORTH BOWSER ROAD - RICHARDSON, TEXAS - 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



FIELD NOTES APPROVED: 4-11-2017

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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N

0 100 200 300 400

SCALE: 1"=200'

PARCEL 2 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

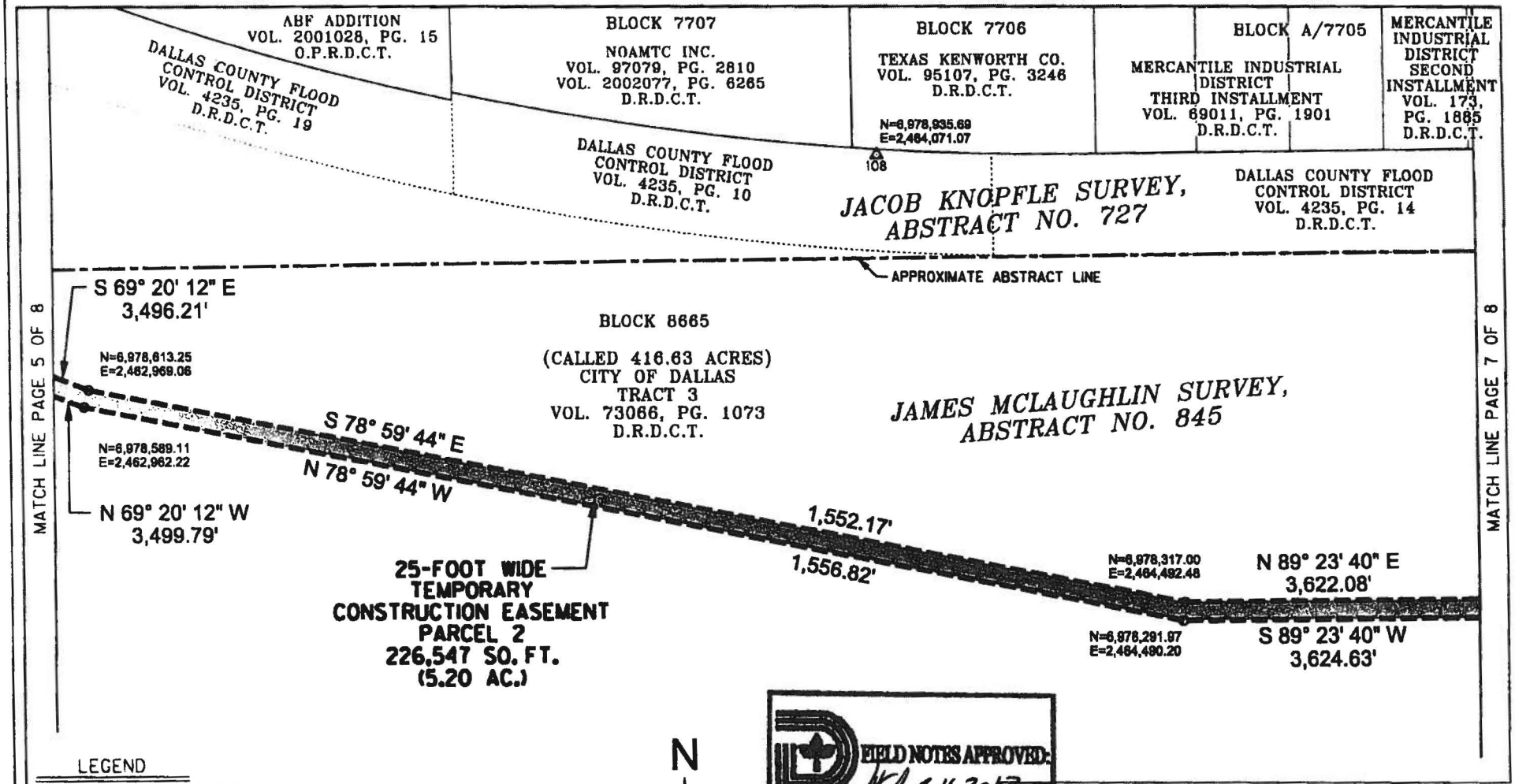
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CITY OF DALLAS, DALLAS COUNTY, TEXAS

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HALFF ASSOCIATES, INC. ENGINEERS - SURVEYORS
1201 NORTH BOWSER ROAD - RICHARDSON, TEXAS - 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



FIELD NOTES APPROVED: JKJ 4-11-2017

LEGEND

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SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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N

0 100 200 300 400

SCALE: 1"=200'

PAGE 6 OF 8

PARCEL 2 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

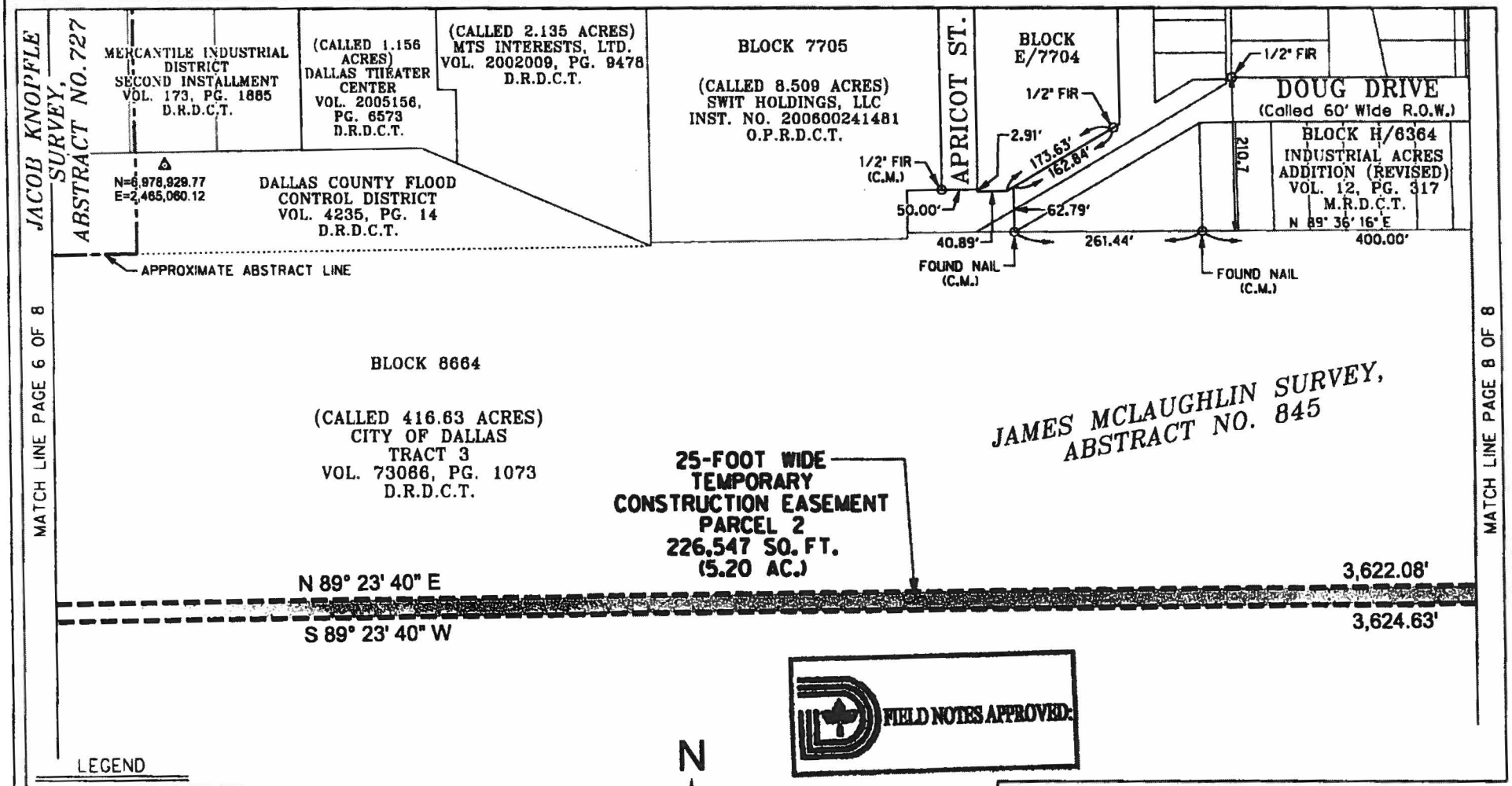
SITUATED IN THE

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CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS – SURVEYORS
1201 NORTH BOWSER ROAD – RICHARDSON, TEXAS – 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



FIELD NOTES APPROVED:

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED 'HALFF ESMT'
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
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○	NOT MONUMENTED (UNLESS NOTED)
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N

0 100 200 300 400

SCALE: 1"=200'

PARCEL 2 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

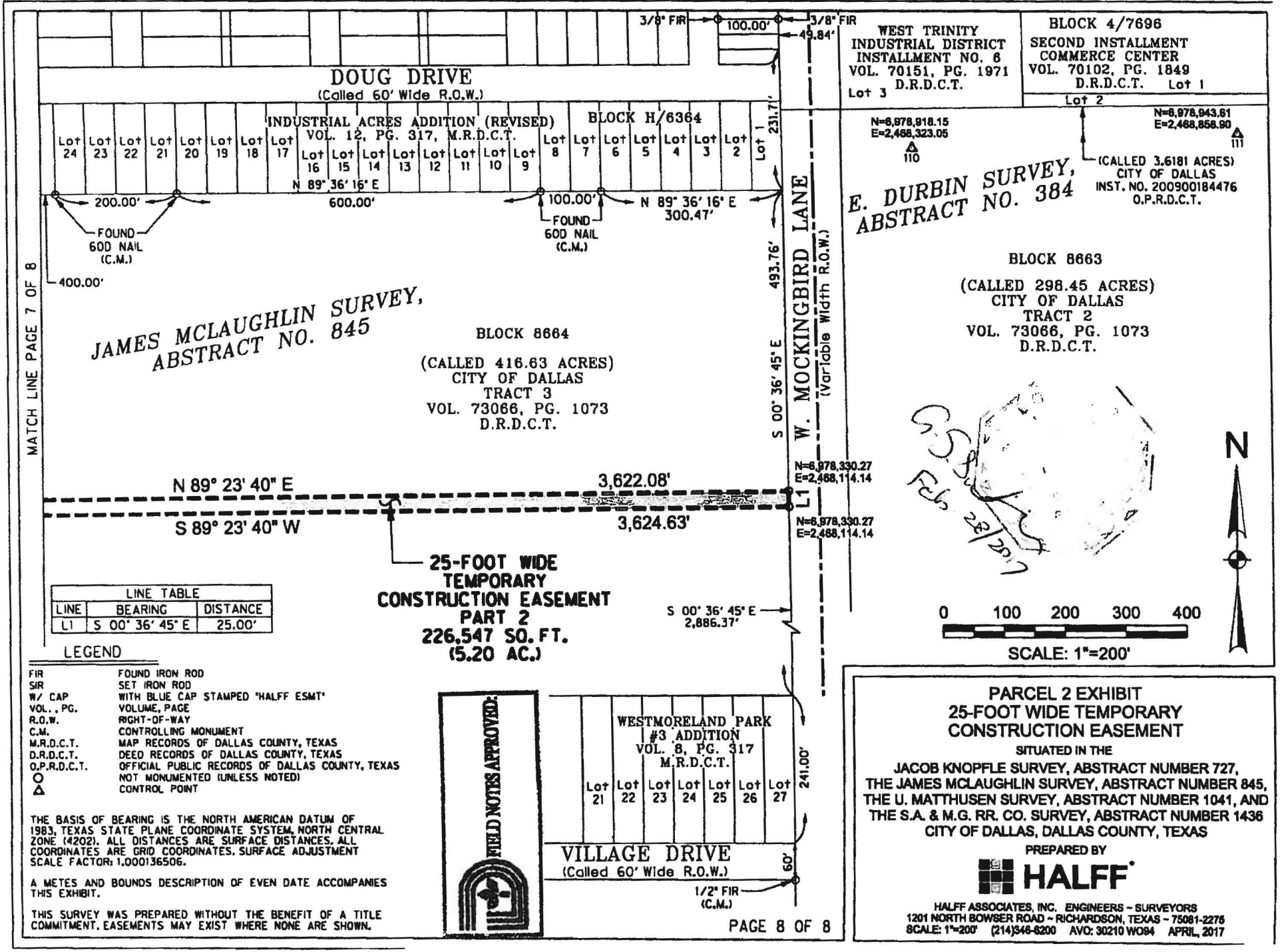
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PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00° 36' 45" E	25.00'

LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
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FIELD NOTES APPROVED:

PARCEL 2 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

SITUATED IN THE

JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727,
THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845,
THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND
THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017

FIELD NOTES DESCRIBING A
27,154 SQUARE FOOT (0.6234 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8671
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 3

BEING a 27,154 square foot (0.6234 acres) tract of land situated in the U. Matthusen Survey, Abstract Number 1041, City of Block Number 8671, City of Dallas, Dallas County, Texas, and being part of a called 22.55 acre tract of land described as Tract 5 in Warranty Deed to City of Dallas as recorded in Volume 73066, Page 1073 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod with cap stamped "BDS TECH" for the southeast corner of said 22.55 acre tract, said corner being on the northwest right-of-way line of Irving Boulevard (a variable width right-of-way);

THENCE with the southeast line of said 22.55 acre tract and the northwest right-of-way line of said Irving Boulevard, the following bearings and distances:

South 41 degrees 45 minutes 40 seconds West, a distance of 228.78 feet to a 5/8-inch found iron rod with cap stamped "BDS TECH" for corner;

North 42 degrees 54 minutes 18 seconds West, a distance of 15.06 feet to a 5/8-inch found iron rod for corner;

South 41 degrees 45 minutes 40 seconds West, a distance of 209.95 feet to the POINT OF BEGINNING;

South 41 degrees 45 minutes 40 seconds West, a distance of 26.18 feet to a corner;

THENCE North 65 degrees 31 minutes 53 seconds West, departing the southeast line of said 22.55 acre tract and the northwest right-of-way line of said Irving Boulevard, and over and across said 22.55 acre tract, a distance of 1,068.85 feet to a corner, said corner being on the west line of said 22.55 acre tract and the east line of a called 36.29 acre tract of land described as Tract II in deed to City of Irving as recorded in Volume 73035, Page 2440, D.R.D.C.T.;

THENCE North 22 degrees 34 minutes 00 seconds West, with the west line of said 22.55 acre tract and the east line of a called 36.29 acre tract, a distance of 36.68 feet to a corner;

THENCE South 65 degrees 31 minutes 53 seconds East, departing the west line of said 22.55 acre tract and the east line of said 36.29 acre tract, and over and across said 22.55 acre tract, a distance of 1,103.47 feet to the POINT OF BEGINNING AND CONTAINING 27,154 square feet or 0.6234 acres of land, more or less.



FIELD NOTES DESCRIBING A
27,154 SQUARE FOOT (0.6234 ACRES)
TRACT OF LAND IN CITY BLOCK NO. 8671
TO BE ACQUIRED FOR A
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FROM THE CITY OF DALLAS

PARCEL 3 continued

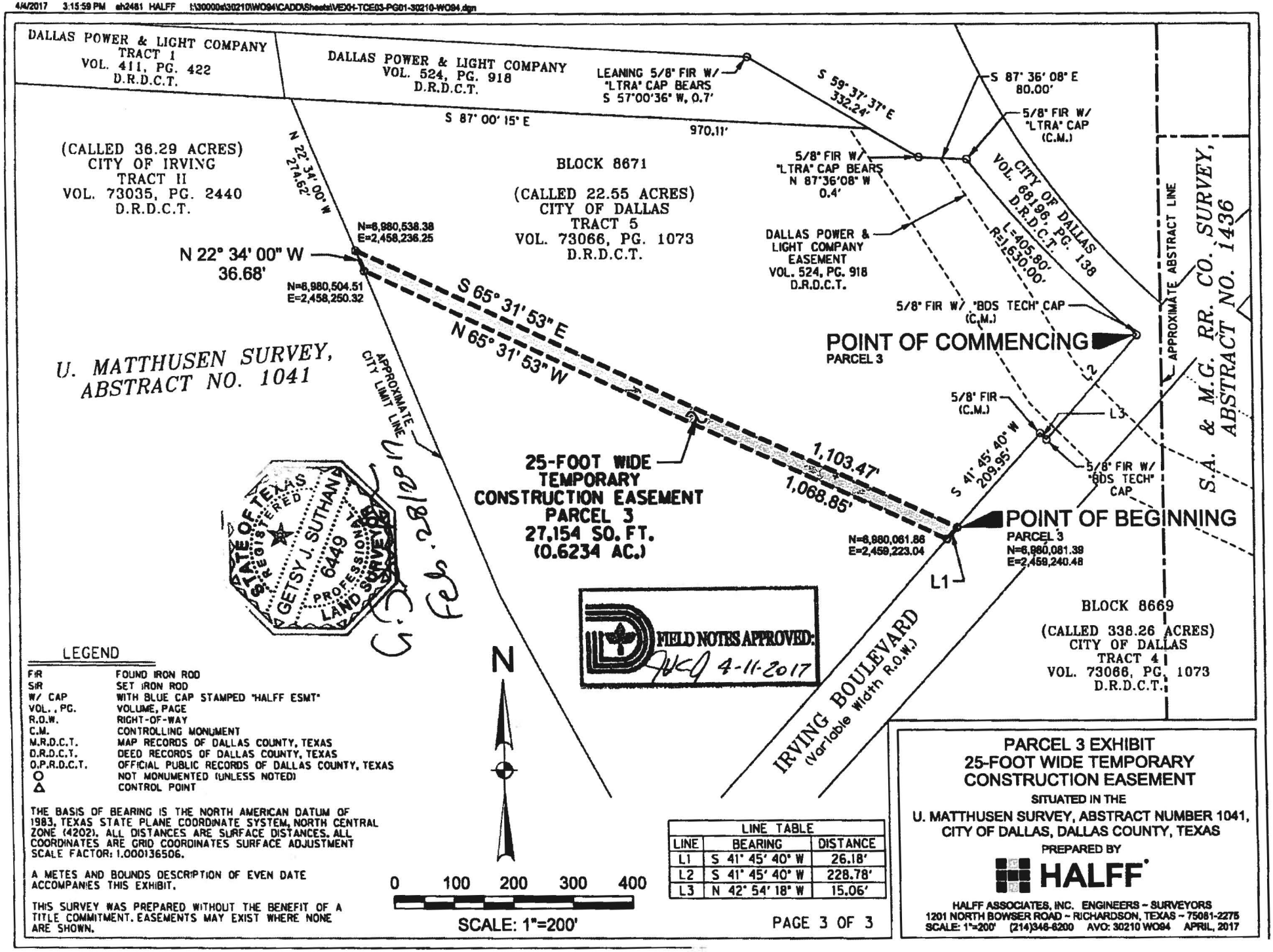
Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506.

G.S. Suthan Feb. 28/2017

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6449
TBPLS FIRM NO. 10029600



FIELD NOTES APPROVED:
JVC 4-11-2017



LEGEND

FIR	FOUND IRON ROD
SIR	SET IRON ROD
W/ CAP	WITH BLUE CAP STAMPED "HALFF ESMT"
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
○	NOT MONUMENTED (UNLESS NOTED)
△	CONTROL POINT

THE BASIS OF BEARING IS THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202). ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE GRID COORDINATES SURFACE ADJUSTMENT SCALE FACTOR: 1.000136506.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 41° 45' 40" W	26.18'
L2	S 41° 45' 40" W	228.78'
L3	N 42° 54' 18" W	15.06'

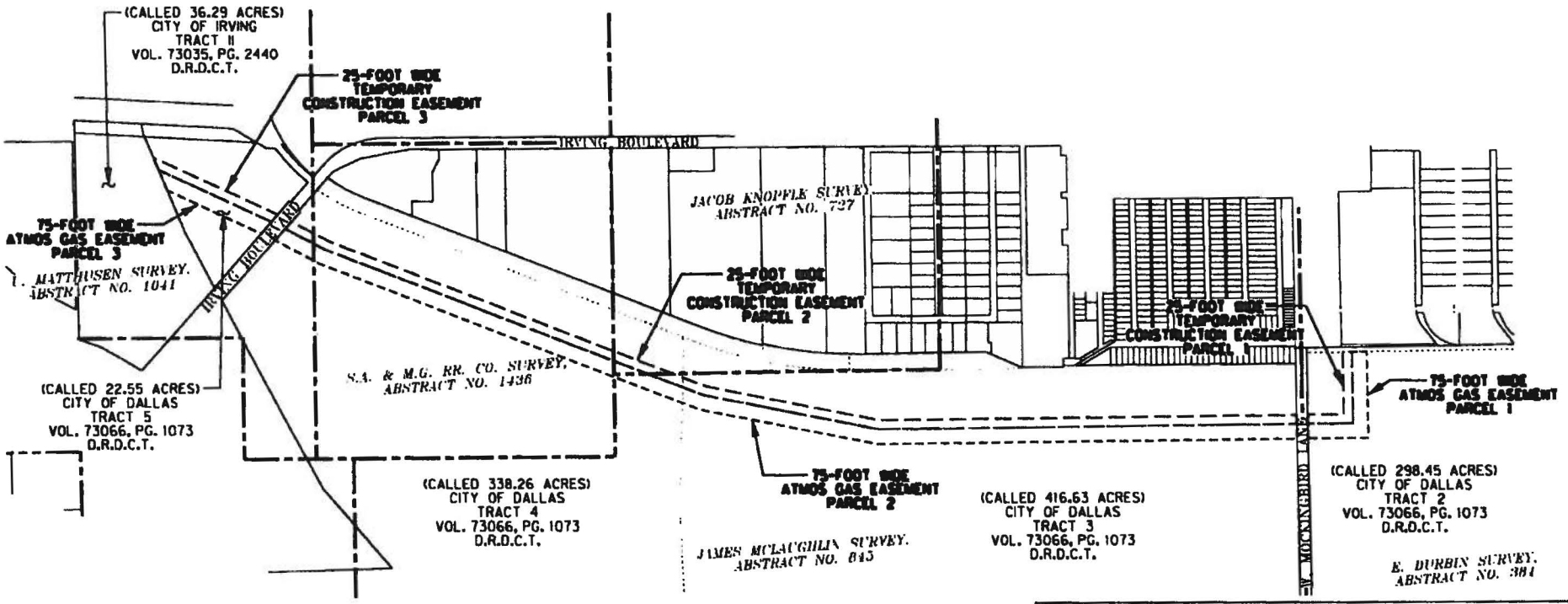
PARCEL 3 EXHIBIT
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

SITUATED IN THE
U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017



N

LOCATOR MAP

NOT TO SCALE

FIELD NOTES APPROVED: 4-11-2017

PARCEL 1, 2, AND 3
75-FOOT WIDE ATMOS GAS EASEMENT
AND
25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

SITUATED IN THE

E. DURBIN SURVEY, ABSTRACT NUMBER 384,
THE JACOB KNOPFLE SURVEY, ABSTRACT NUMBER 727,
THE JAMES MCLAUGHLIN SURVEY, ABSTRACT NUMBER 845,
THE U. MATTHUSEN SURVEY, ABSTRACT NUMBER 1041, AND
THE S.A. & M.G. RR. CO. SURVEY, ABSTRACT NUMBER 1436
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PREPARED BY

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=200' (214)346-6200 AVO: 30210 WO94 APRIL, 2017

AGENDA ITEM # 48

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 11, 13

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: 24Z, 25G, N

SUBJECT

Authorize a contract for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects (list attached) - Quick Set Concrete, Inc., lowest responsible bidder of two - Not to exceed $778,095 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

On September 15, 2017, two bids were received for three storm drainage improvement projects. The scope of work includes installation of reinforced concrete pipe, reinforced concrete box culvert, concrete headwalls, storm sewer manholes, curb inlets, curb wall, and wastewater improvements. The project also includes channel excavation, pavement replacement, water main adjustments and miscellaneous work necessary to complete the project.

This item authorizes a contract for construction of three storm drainage improvement projects with Quick Set Concrete, Inc., for the Base Bid and Alternate No. 1 for a total bid amount of $778,095.00.

The following chart illustrates Quick Set Concrete, Inc.'s contractual activities with the City of Dallas for the past three years.

	PBW	DWU	PKR	TWM
Projects Completed	0	0	0	3
Change Orders	0	0	0	2
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2016
Completed Design	September 2017
Begin Construction	December 2017
Complete Construction	January 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized a professional services contract with Pacheo Koch Consulting Engineers, Inc. for the design of erosion control and storm drainage improvements by Resolution No. 16-1083.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - $778,095.00

Design	$ 72,408.00
Construction (this action)	$778,095.00
Total Project Cost	$850,503.00

Council District	Amount
11	$ 473,390.00
13	$ 304,705.00
Total	$ 778,095.00

M/WBE INFORMATION

See attached.

BID INFORMATION

The following two bids with quotes were received and opened on September 15, 2017:

*Denotes successful bidder

Bidders	Base Bid	Alternate No. 1**	Total Bid
*Quick Set Concrete, Inc. Summit Ridge Dr. Corinth, Texas 76210	$304,705.00	$473,390.00	$ 778,095.00

BID INFORMATION (continued)

Bidders	Base Bid	Alternate No. 1**	Total Bid
Texas Standard Construction, Ltd.	$461,943.10	$796,572.30	$1,258,515.40

**Alternate No. 1 – provides for the construction of Erosion Control Group 14 (6624 and 6625 Azalea Lane).

OWNER

Quick Set Concrete, Inc.

Micheal Ingle, President

MAPS

Attached

Storm Drainage Improvements Group 1

Storm Drainage Project	Council District	Construction Cost
6624 & 6625 Azalea Lane Drainage Relief	11	$ 473,390.00
Briarwood Lane Drainage Ditch Restoration	13	$ 211,355.00
Dexter Drive Cul-De-Sac	13	$ 93,350.00

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects (list attached) - Quick Set Concrete, Inc., lowest responsible bidder of two - Not to exceed $778,095 - Financing: Stormwater Drainage Management Capital Construction Funds

Quick Set Concrete, Inc. is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$109,230.81	14.04%
Total non-local contracts	$668,864.19	85.96%
TOTAL CONTRACT	$778,095.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Industry Junction	HMDB35219Y0318	$109,230.81	100.00%
Total Minority - Local		$109,230.81	100.00%

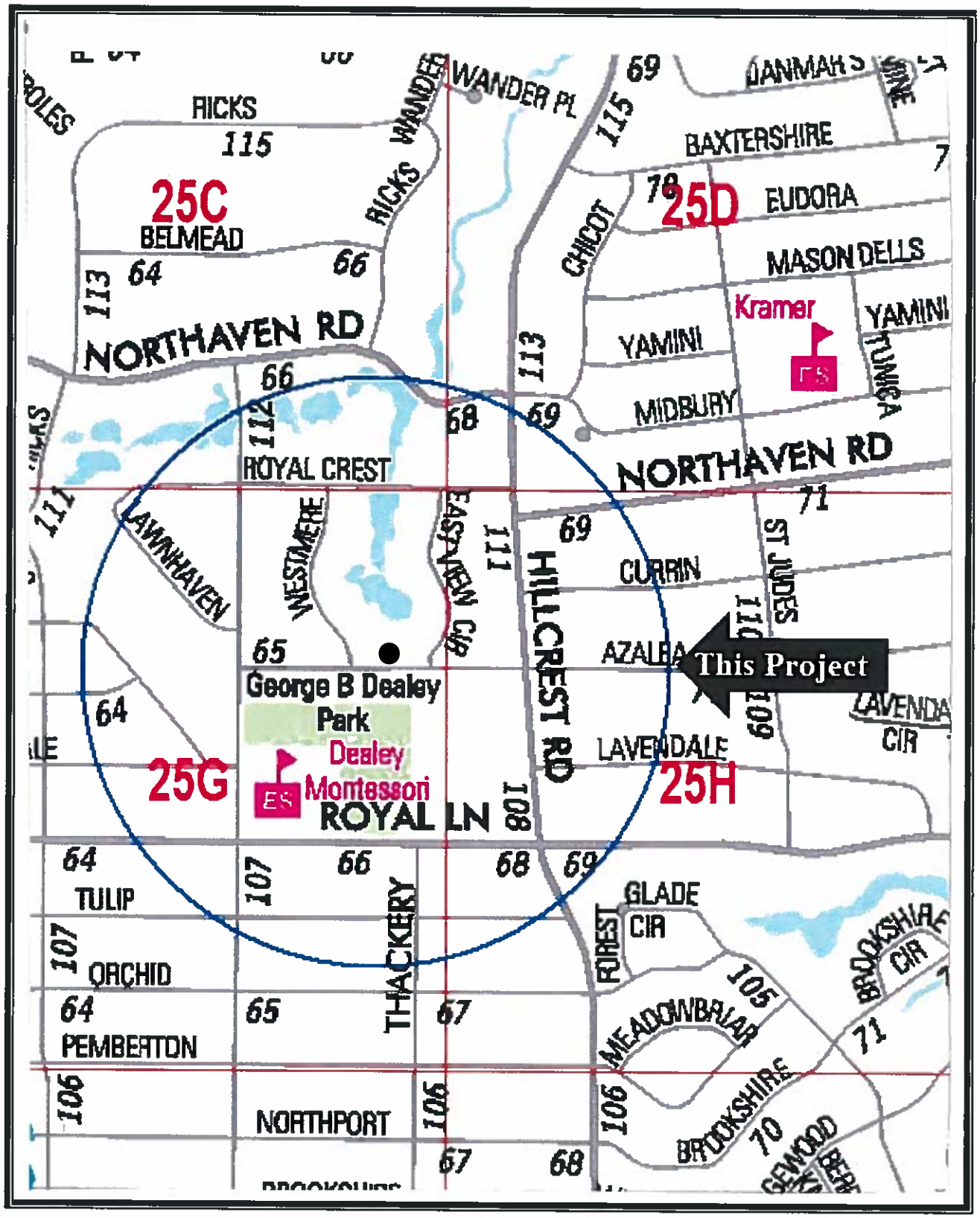
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Quick Set Concrete, Inc.,	HMDB26963Y0918	$378,027.19	56.52%
Green Hills Landscaping & Construction Co.	HMMB10212N0319	$38,887.50	5.81%
CowTown Ready Mix	WFWB91377Y0917	$56,400.00	8.43%
Total Minority - Non-local		$473,314.69	70.76%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$109,230.81	100.00%	$526,145.50	67.62%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$56,400.00	7.25%
Total	$109,230.81	100.00%	$582,545.50	74.87%

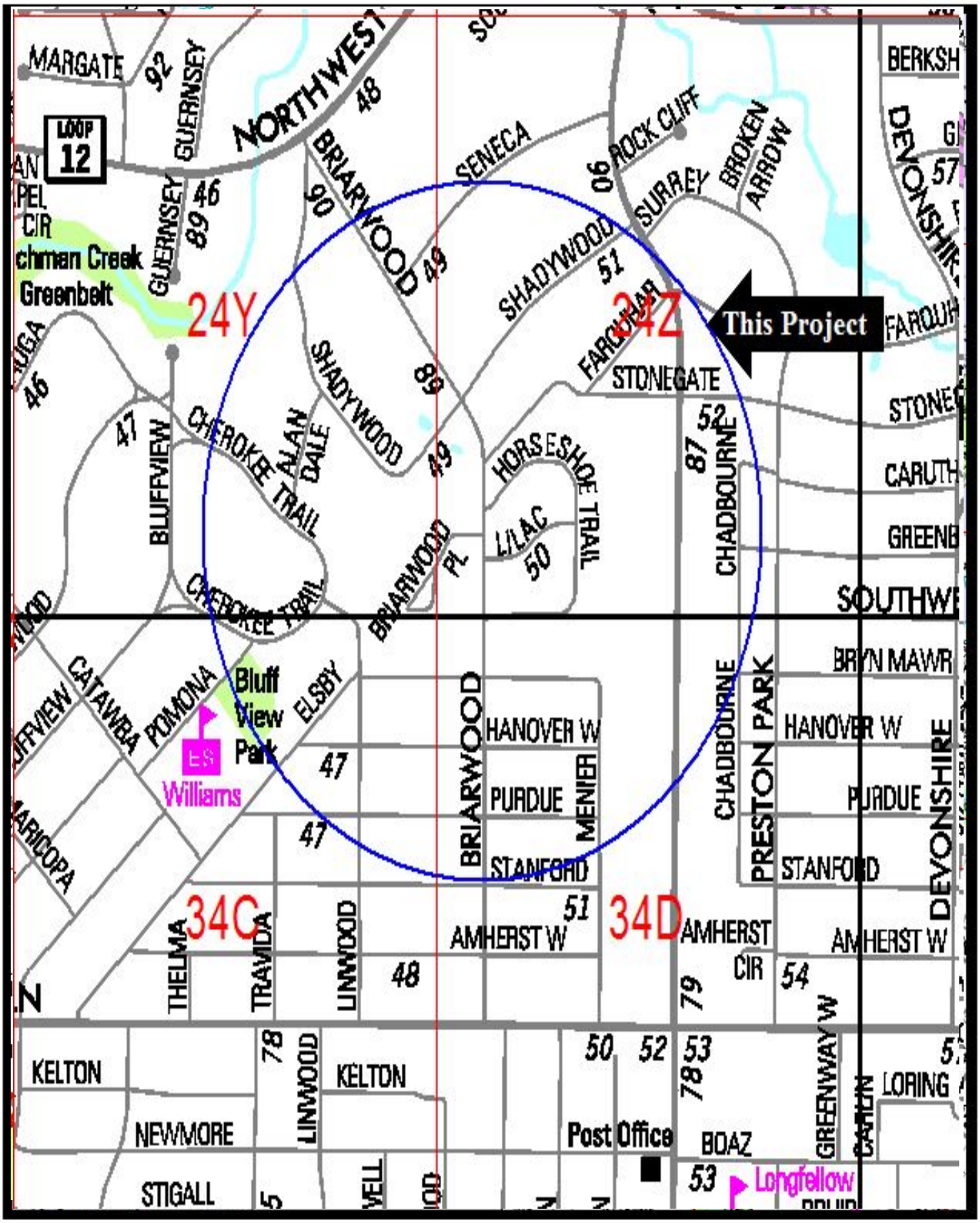
STORM DRAINAGE IMPROVEMENTS GROUP 1
6624 & 6625 AZALEA LANE



MAPSCO 25G

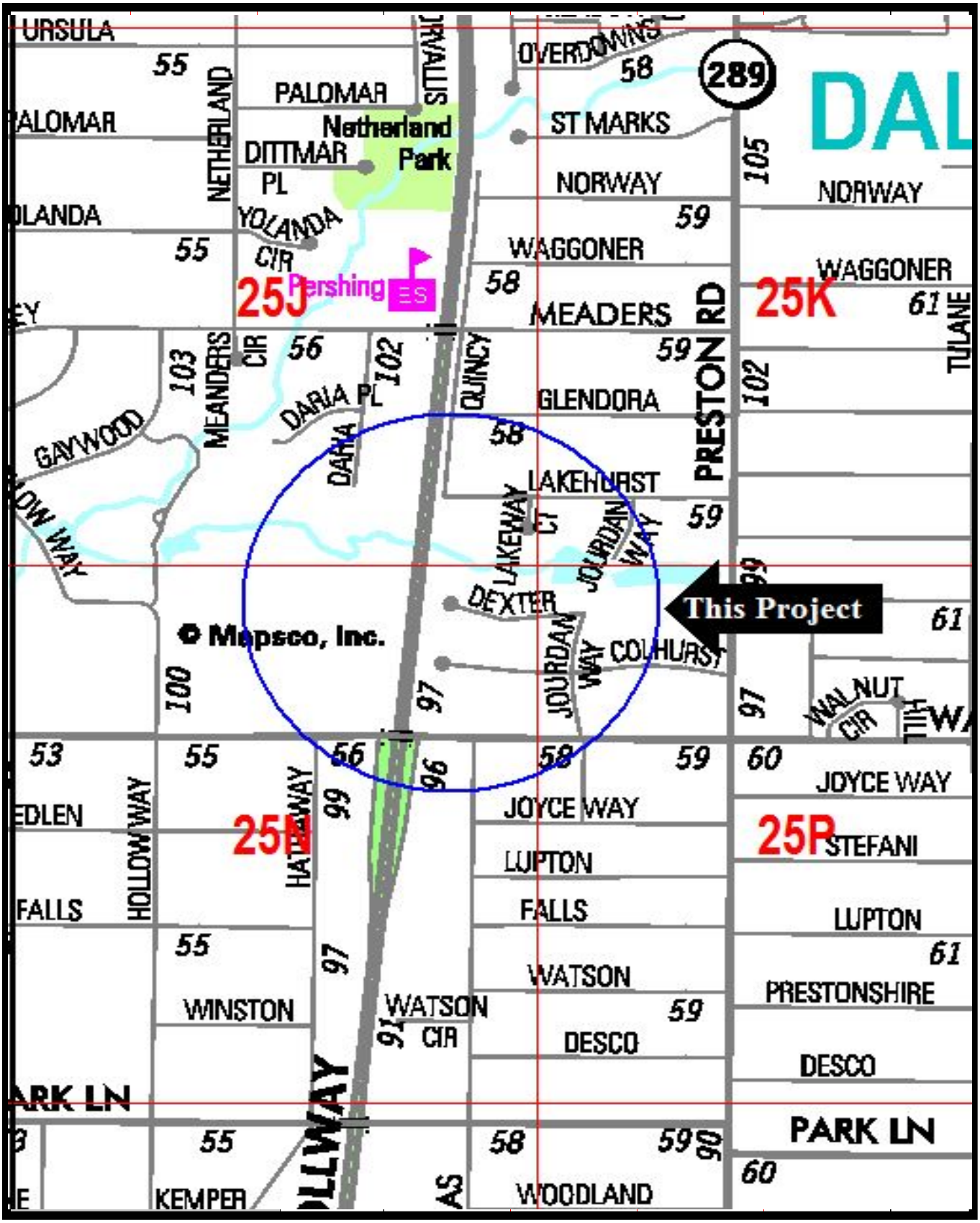
STORM DRAINAGE IMPROVEMENTS GROUP 1

BRIARWOOD LANE



MAPSCO 24-Z

STORM DRAINAGE IMPROVEMENTS GROUP 1
CUL-DE-SAC OF DEXTER DRIVE



Mapsco 25-N

November 8, 2017

WHEREAS, on June 22, 2016, City Council authorized a professional services contract with Pacheo Koch Consulting Engineers, Inc., for the design of erosion control and storm drainage improvements in an amount not to exceed $72,408.00, by Resolution No. 16-1083; and

WHEREAS, on September 15, 2017, two bids were received for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects.

Bidders	**Base Bid**	**Alternate No. 1****	**Total Bid**
Quick Set Concrete, Inc.	$304,705.00	$473,390.00	$ 778,095.00
Texas Standard Construction, Ltd.	$461,943.10	$796,572.30	$1,258,515.40

**Alternate No. 1 – provides for the construction of Erosion Control Group 14 (6624 and 6625 Azalea Lane).

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with Quick Set Concrete, Inc., approved as to form by the City Attorney, for the construction of Storm Drainage Improvements Group 1 for three storm drainage improvement projects, in an amount not to exceed $778.095.00, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $778.095.00 to Quick Set Concrete, Inc., as follows:

Stormwater Drainage Management Capital Construction Fund
Fund 0063, Department SDM, Unit W210, Object 4599
Activity SD01, Program TW17SW210
Encumbrance/Contract No. CX-TWM-2017-00004083
Vendor VS0000063718 $ 93,350.00

Stormwater Drainage Management Capital Construction Fund
Fund 0063, Department SDM, Unit W211, Object 4599
Activity SD01, Program TW17SW211
Encumbrance/Contract No. CX-TWM-2017-00004083
Vendor VS0000063718 $ 211,355.00

SECTION 2. (continued)

Stormwater Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W094, Object 4599 Activity SD01, Program SDMFPW094 Encumbrance/Contract No. CX-TWM-2017-00004083 Vendor VS0000063718	$ 473,390.00
Total amount not to exceed	$ 778,095.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 49

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: 57X, Y, Z

SUBJECT

Authorize a contract for the construction of the Loop 12 Paving Improvements Project - Gibson & Associates, Inc., lowest responsible bidder of seven - Not to exceed $572,882 - Financing: 1998 Bond Funds

BACKGROUND

The City of Dallas currently owns approximately 400 acres of real property in the vicinity of Loop 12 and Elam Road, and that is adjacent to the Trinity River Audubon Center and the Texas Horse Park. This property was formally used as gravel pits and a waste disposal site, formally called the Elam and South Loop 12 Landfills. The City closed the landfill in accordance with Texas Commission on Environmental Quality (TCEQ) regulations. On May 15, 2013, the City Council authorized a lease agreement with the nonprofit corporation, The Company of Trinity Forest Golfers, Inc. (CTFG). CTFC is responsible for the development of the site into a championship golf course. As part of the lease agreement with CTFG, the City agreed to construct certain local infrastructure improvements for a total amount not to exceed $12 million.

On April 9, 2014, City Council authorized a professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide engineering designs for the City's infrastructure improvements including Elam Road paving and drainage, water and wastewater improvements, traffic and paving improvements along Great Trinity Forest Boulevard (Loop 12), Audubon Center Irrigation System improvements, and vegetative support layer improvements for the former Elam and South Loop 12 Landfills.

The Loop 12 Paving Improvements Project includes the construction of a left turn-lane to the golf course main entrance off of Loop 12 in addition to adding bus drop-off lanes just east of the Loop 12 and Pemberton Hill Road intersection. Design of the Loop 12 Paving Improvements Project was completed in September 2017. Construction bids were received on September 29, 2017.

BACKGROUND (continued)

This item authorizes award of the construction contract with Gibson & Associates, Inc. for the construction of the Loop 12 Paving Improvements Project, for a total bid amount of $572,881.50. The following chart illustrates Gibson & Associates, Inc. contractual activities with the City of Dallas for the past three years.

	PBW	DWU	PKR	TWM
Projects Completed	8	0	0	1
Change Orders	35	0	0	5
Projects Requiring Liquidated Damages	0	0	0	0
Projects completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Engineering Design	April 2014
Completed Engineering Design	September 2017
Begin Construction	November 2017
Complete Construction	February 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 15, 2013, City Council authorized a 40-year lease agreement between the City and The Company of Trinity Forest Golfers, Inc. (CTFG) for development, management and operation of a championship golf course by Resolution No. 13-0776.

On April 9, 2014, City Council authorized a professional services contract for engineering design services with Pacheco Koch Consulting Engineers, Inc. for improvements associated with Elam Road and Simpkins Remediation by Resolution No. 14-0627.

On October 28, 2015, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering services for improvements associated with the Elam Road and Simpkins Remediation by Resolution No. 15-1979.

On October 11, 2016, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for Elam and Simpkins Remediation by Resolution No. 16-1680.

The Mobility Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on October 27, 2017.

FISCAL INFORMATION

1998 Bond Funds - $572,881.50

Engineering Design Cost	$105,146.31
Estimated Construction Cost (this action)	$572,881.50
Total Project Cost	$678,027.81

Council District	Amount
7	$286,440.75
8	$286,440.75
Total	$572,881.50

M/WBE INFORMATION

See attached.

BID INFORMATION

The following seven bids with quotes were received and opened on September 27, 2017:

*Denotes successful bidder

Bidder	Bid Amount
*Gibson & Associates, Inc. 11210 Rylie Crest Balch Springs, TX 75180	$ 572,881.50
Jeske Construction Co.	$ 573,030.00
Vescorp Construction, LLC.	$ 610,250.25
Rebcon, Inc.	$ 871,230.90
MACVAL Associates, LLC.	$ 876,538.00
Camino Construction, LP.	$1,115,856.00
**Cam-Crete Contracting, Inc.	**Non-responsive

**Cam-Crete Contracting, Inc. was deemed non-responsive due to not meeting specifications for required bid submittals.

OWNER

Gibson & Associates, Inc

Alan C. Meador, III, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of the Loop 12 Paving Improvements Project - Gibson & Associates, Inc., lowest responsible bidder of seven - Not to exceed $572,882 - Financing: 1998 Bond Funds

Gibson & Associates, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$524,268.35	91.51%
Total non-local contracts	$48,613.15	8.49%
TOTAL CONTRACT	$572,881.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

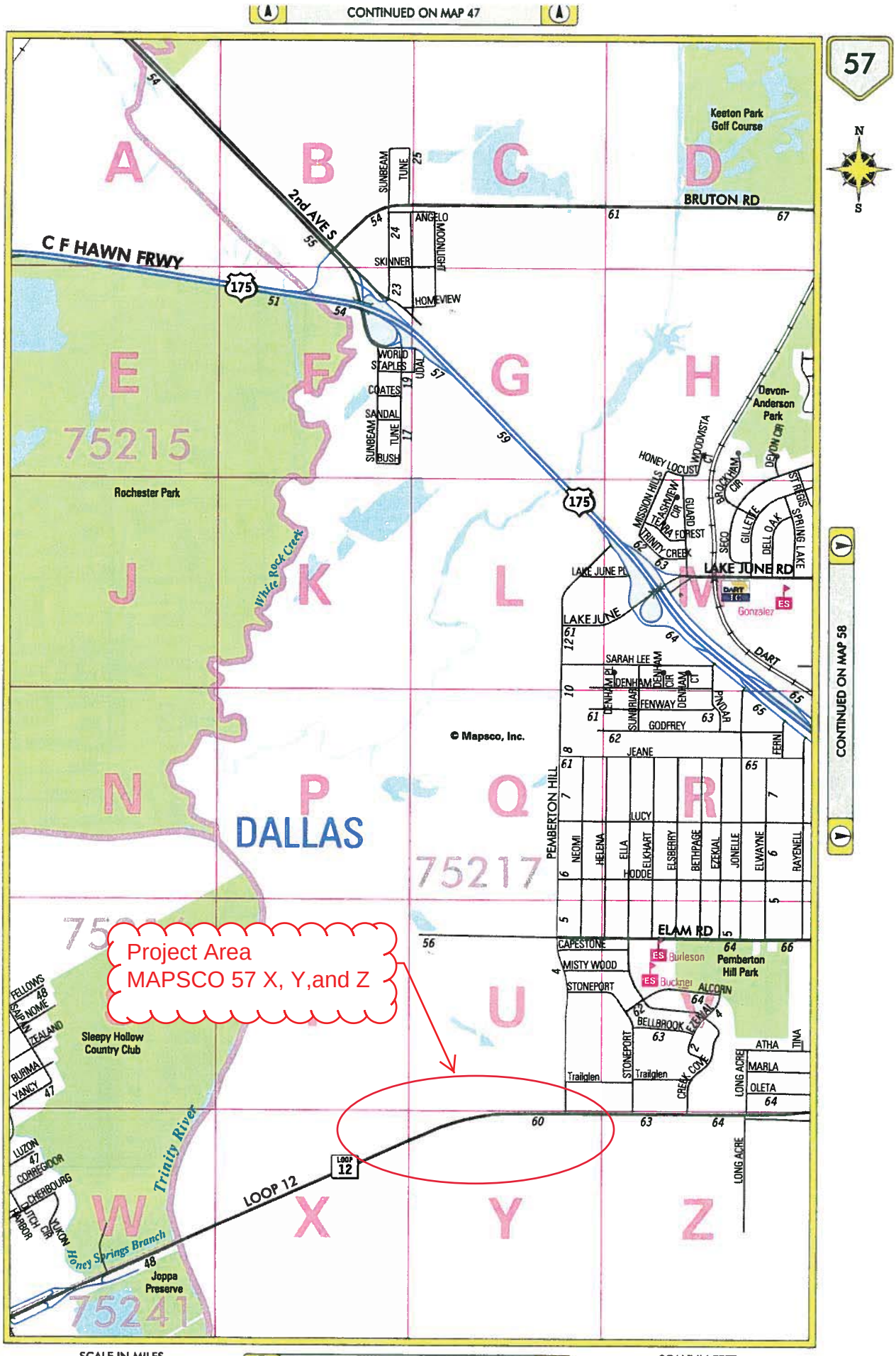
Local	Certification	Amount	Percent
T & R Excavation	HMDB98060Y0218	$135,556.25	25.86%
American Striping	WFDB6352Y0718	$7,130.00	1.36%
Total Minority - Local		$142,686.25	27.22%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
C. Green Scaping LP	HFDB01952Y0918	$29,928.15	61.56%
Comen Enterprise	HMDB98060Y0518	$13,410.00	27.59%
Buyers Barricades	WFDB46927Y0618	$5,275.00	10.85%
Total Minority - Non-local		$48,613.15	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$135,556.25	25.86%	$178,894.40	31.23%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$7,130.00	1.36%	$12,405.00	2.17%
Total	$142,686.25	27.22%	$191,299.40	33.39%


57
CONTINUED ON MAP 47
CONTINUED ON MAP 58
CONTINUED ON MAP 67
Project Area
MAPSCO 57 X, Y,and Z
C F HAWN FRWY
2nd AVE S
BRUTON RD
LAKE JUNE RD
LAKE JUNE
ELAM RD
LOOP 12
DART
DALLAS
75215
75217
75241
Rochester Park
Keeton Park Golf Course
Devon-Anderson Park
Pemberton Hill Park
Sleepy Hollow Country Club
Joppa Preserve
White Rock Creek
Trinity River
Honey Springs Branch
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SCALE IN FEET
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BOOK PAGE 1091

WHEREAS, on May 15, 2013, City Council authorized a 40-year lease agreement between the City of Dallas and The Company of Trinity Forest Golfers, Inc. (CTFG) for development, management and operation of a championship golf course by Resolution No. 13-0776; and

WHEREAS, on April 9, 2014, City Council authorized a professional services contract for engineering design services with Pacheco Koch Consulting Engineering, Inc. for improvements associated with Elam Road and Simpkins Remediation, in an amount not to exceed $842,290.00 by Resolution No. 14-0627; and

WHEREAS, on October 28, 2015, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation, in an amount not to exceed $288,900.00, from $842,290.00 to $1,131,190.00 by Resolution No. 15-1979; and

WHEREAS, on May 25, 2016, Administrative Action No. 16-6371 authorized Supplemental Agreement No. 2 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation, in an amount not to exceed $24,000.00, from $1,131,190.00 to $1,155,190.00; and

WHEREAS, on October 11, 2016, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for infrastructure improvements associated with Elam Road and Simpkins Remediation, in an amount not to exceed $37,800.00, increasing the contract amount from $1,155,190.00 to $1,192,990.00, by Resolution No. 16-1680; and

WHEREAS, on September 29, 2017, seven bids were received, for the construction of the Loop 12 Paving Improvements Project, as follows:

Bidder	**Bid Amount**
Gibson & Associates, Inc.	$ 572,881.50
Jeske Construction Co.	$ 573,030.00
Vescorp Construction, LLC.	$ 610,250.25
Rebcon, Inc.	$ 871,230.90
MACVAL Associates, LLC.	$ 876,538.00
Camino Construction, LP.	$1,115,856.00
**Cam-Crete Contracting, Inc.	**Non-responsive

**Cam-Crete Contracting, Inc. was deemed non-responsive due to not meeting specifications for required bid submittals.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a contract with Gibson & Associates, Inc., approved as to form by the City Attorney, for the construction of Loop 12 Paving Improvements Project, in an amount not to exceed $572,881.50, this being the lowest responsive bid received as indicated in the tabulation of bids.

SECTION 2. That the City Manager is hereby authorized to execute the contract with Gibson & Associates, Inc., approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $572,881.50 to Gibson & Associates, Inc., in accordance with the terms and conditions of the contract from Trinity Corridor Project Fund, Fund 5P14, Department TWM, Unit N966, Activity TRPP, Object 4599, Program PBSWM007, Contract No./Encumbrance CX-TWM-2018-00004158, Vendor VS0000022657.

SECTION 4. That this contract is designated as Contract No. TWM-2018-00004158.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DEPARTMENT City Secretary

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): N/A

SUBJECT

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

AGENDA ITEM # 51

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Civil Service

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

Authorize **(1)** the reappointment of two Administrative Law Judges (ALJ), LaKisha Thigpen and James E. Urmin Sr.; **(2)** the appointment of Karen R. Washington and Hobert T. Douglas, as Administrative Law Judges for the period January 1, 2018 through December 31, 2019, to hear employee appeals of terminations and demotions; and **(3)** contracts with each ALJ in the amount of $4,000 each - Total not to exceed $16,000 ($8,000 to be reimbursed by the appealing employees) - Financing: Current Funds (subject to appropriations)

BACKGROUND

The City Charter was amended August 12, 1989, to establish the Administrative Law Judge alternative to the Trial Board. The employee has the option of an Administrative Law Judge (ALJ) or Trial Board. ALJs have either five years' experience adjudicating personnel issues or three years as a licensed attorney in the State of Texas and are compensated $400 per day, with the appealing employee paying half of this amount. ALJ hearings are conducted to provide a due process hearing for discharged or demoted City employees. The ALJ hears sworn testimony, reviews documentary evidence and renders a decision following the same hearing procedures as used by the Trial Board.

On December 6, 1995, City Council authorized an ordinance to empower the Judicial Nominating Commission to recruit, interview, and nominate candidates to serve as Administrative Law Judges for Council approval by resolution No. 95-4007; Ordinance No. 22612.

Contracts for two ALJs will expire December 31, 2017.

The Ad Hoc Judicial Nominations Committee conducted interviews in connection with its required evaluation of Administrative Law Judges on Monday, July 24, 2017, including two current ALJs and new applicants.

BACKGROUND (continued)

The Ad Hoc Judicial Nominations Committee has forwarded four nominees for terms as Administrative Law Judge. Two nominees for ALJ are reappointments. The other two nominees for ALJ are new appointments.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 13, 1989, City Council authorized Personnel Rules revision to implement the Administrative Law Judge option for employee appeal hearings by Ordinance No. 20526.

On October 23, 1991, City Council authorized an increase in the term of appointment from one year to two years by Ordinance No. 21091.

On December 6, 1995, City Council authorized placing the selection responsibilities with the Judicial Nominating Commission by Ordinance No. 22612.

On January 11, 2012, City Council authorized the reappointment of one Administrative Law Judge, Willie Crowder and the appointment of Jean B. Crutchfield and Douglas J. Lapidus as Administrative Law Judges for the period January 1, 2012 through December 31, 2013 to hear employee appeals of terminations and demotions by Resolution No. 12-0164.

On December 11, 2013, City Council authorized the reappointment of two Administrative Law Judges (ALJ), Willie Crowder and Douglas J. Lapidus and the appointment of Kelsie McQuietor, Lakisha M. Thigpen and James E. Urmin Sr. as Administrative Law Judges for the period January 1, 2014 through December 31, 2015, to hear employee appeals of terminations and demotions; and contracts with each ALJ by Resolution No. 13-2148.

On April 13, 2016, City Council authorized the reappointment of three Administrative Law Judges (ALJ), Douglas J. Lapidus, Lakisha M. Thigpen and James E. Urmin Sr.; and the appointment of Doreen McGookey and Ifeyinwa J. Seales, as Administrative Law Judges for the period January 1, 2016 through December 31, 2017, to hear employee appeals of terminations and demotions; and contracts with each ALJ by Resolution No. 16-0529.

FISCAL INFORMATION

Current Funds - $16,000 ($8,000 to be reimbursed by the appealing employees) (subject to appropriations)

November 8, 2017

WHEREAS, the contracts for two Administrative Law Judges (ALJ) will expire on December 31, 2017; and

WHEREAS, the Ad Hoc Judicial Nominating Committee has recommended that Lakisha M. Thigpen, James E. Urmin Sr., Karen R. Washington and Hobert T. Douglas be appointed as Administrative Law Judges.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council appoints Lakisha M. Thigpen, James E. Urmin Sr., Karen R. Washington and Hobert T. Douglas, as Administrative Law Judges (ALJ) for a two-year term beginning January 1, 2018 and expiring December 31, 2019.

SECTION 2. That the City Manager is hereby authorized to sign a contract of appointment with each of the Administrative Law Judge appointees setting out the terms of appointment and providing compensation at a rate of $400 per day worked, total contract amount not to exceed $4,000 per judge, approved as to form by the City Attorney. Appealing employees will pay 50 percent of all ALJ contracts.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds into Fund 0001, Department CVS, Unit 1412, Revenue Code 7456, and all fees collected as a result of appeal hearings before an Administrative Law Judge.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $16,000 (subject to appropriations) from Fund 0001, Department CVS, Unit 1412, Object Code 3070 from the following appropriations:

Amount	Encumbrance/Contract No.	Vendor	Vendor No.
$4,000	MASC CVS-2018-00004159	Lakisha M. Thigpen	VC0000012535
$4,000	MASC CVS-2018-00004161	James E. Urmin, Sr	VC0000012533
$4,000	MASC CVS-2018-00004162	Karen R. Washington	VS95949
$4,000	MASC CVS-2018-00004165	Hobert T. Douglas	VC17737

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 52

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	8, 12
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 671-5257
MAPSCO:	6 F G K-L P-Q 64 Z 65 W X-Z 75 A-G

SUBJECT

Authorize **(1)** a public hearing to be held on December 13, 2017, to receive comments to consider the designation of a Tax Increment Financing Reinvestment Zone comprising the University Center area and the University Hills area (University TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing **(2)** consideration of an ordinance designating the University TIF District - Financing: No cost consideration to the City

BACKGROUND

The proposed University TIF District has been initiated by petition, (i.e. driven by property owners). There is some common ownership in both sub-districts.

This action authorizes a public hearing to hear comments and consider the proposed designation of the University TIF District ("District") on December 13, 2017, and it authorizes the Chief Financial Officer to establish a Fund and a Unit for the District, subject to the successful designation of the District.

The proposed District represents an effort to establish a funding mechanism to stimulate private investment and orderly development in Dallas' southern sector and provide public amenities including trail connections in northern Dallas while taking advantage of each area's strategic regional location adjacent to major universities and transportation corridors.

As allowed by Chapter 311 of the Texas Tax Code ("TIF Act"), the proposed District shall comprise two non-contiguous sub-districts—the University Center in northern Dallas adjacent to the University of Texas at Dallas and Texas A&M AgriLife Research and Extension Center and the University Hills Sub-District in southern Dallas adjacent to the University of North Texas at Dallas.

BACKGROUND (continued)

The proposed TIF district would provide for public open space improvements including connections to universities and potential future rail transit in the northern sub-district while providing for a significant share of its increment to be transferred to the southern sub-district to catalyze new residential and commercial development in an area lacking basic infrastructure and facing an unproven real estate market.

The proposed University Center Sub-District is generally located east of Coit Road, west of Waterview Parkway, and south of the Dallas Area Rapid Transit (DART) rail line (future potential Cotton Belt Line of the DART Rail System). The proposed University Hills Sub-District is generally located north of Interstate Highway 20 (Lyndon B. Johnson Freeway), west of Lancaster Road, and south of the DART rail line.

Pursuant to the TIF Act, before adopting an ordinance designating a tax increment reinvestment zone, the City must hold a public hearing and provide a reasonable opportunity for the owner of property to protest the inclusion of the property in the proposed reinvestment zone.

Today's action authorizes the setting of the public hearing on December 13, 2017 and directs City staff to give notice of the public hearing in a newspaper having general circulation in the City. Today's action to set the public hearing date does not commit the City to designate the proposed tax increment reinvestment zone.

After the close of the public hearing on December 13, 2017, the City shall consider an ordinance creating a TIF reinvestment zone to be known as "Tax Increment Financing Reinvestment Zone Twenty-One, City of Dallas, Texas" (also referred to as the University TIF District). State law requires TIF reinvestment zones for the City to be numbered consecutively based on the date the zone is created; accordingly, the zone number for the University TIF District will be assigned at the time the ordinance is approved. It is anticipated that the ordinance will provide for the University TIF District to terminate on the earlier of 30 years or the date on which all project costs have been paid in full, whichever occurs first.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development and Housing Committee on November 6, 2017.

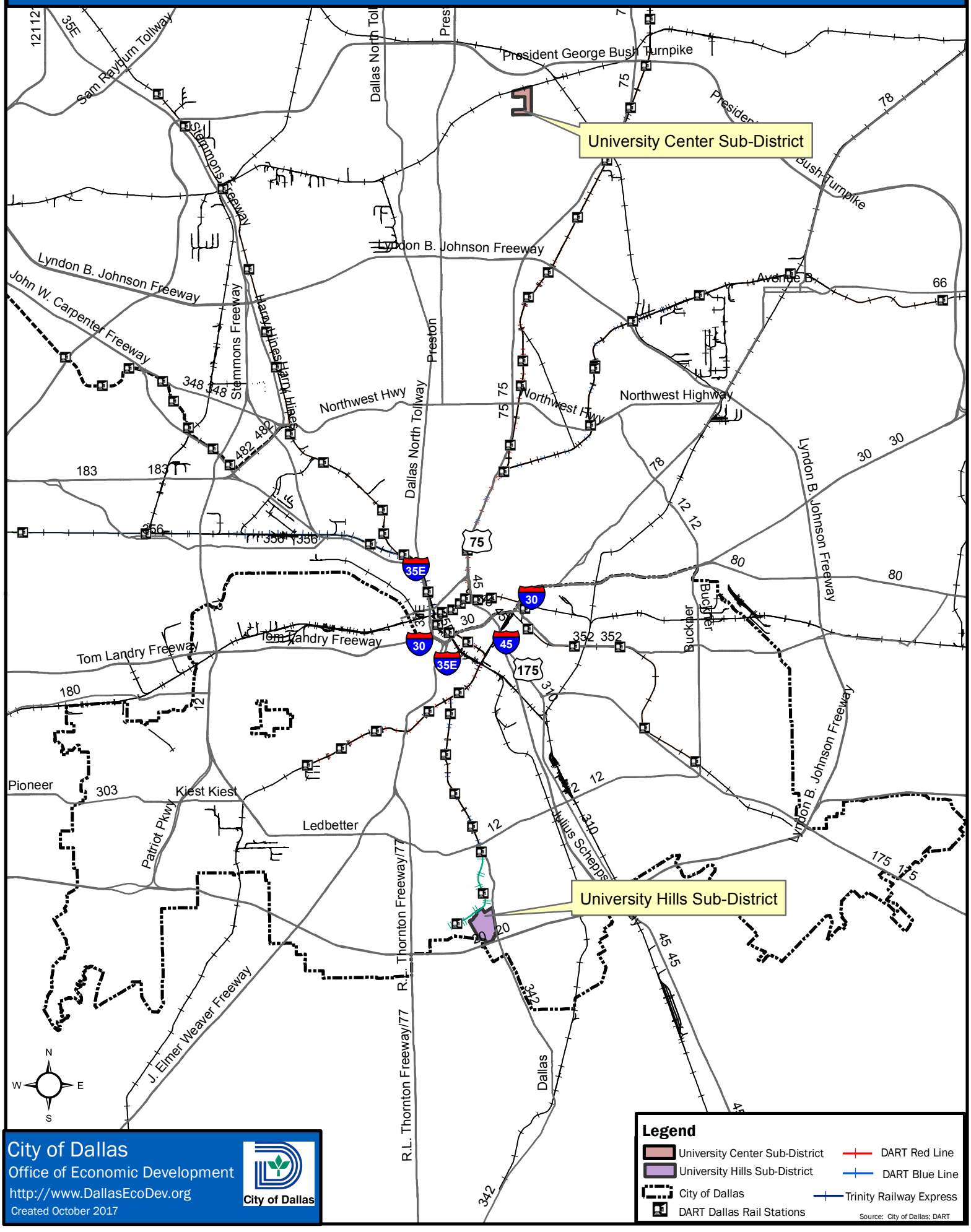
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Proposed University TIF District - Overview Map



City of Dallas
Office of Economic Development
http://www.DallasEcoDev.org
Created October 2017

November 8, 2017

WHEREAS, the City of Dallas desires to promote the orderly development of the area east of Coit Road, west of Waterview Parkway, and south of the DART rail line (future potential Cotton Belt Line of the DART Rail System) as well as the area generally located north of Interstate Highway 20, west of Lancaster Road, and south of the DART rail line by creating a tax increment financing ("TIF") reinvestment zone, (the "University TIF District"), pursuant to the Tax Increment Financing Act, Chapter 311 of the Tax Code as amended, (the "Act"); and

WHEREAS, on June 17, 2015, City Council authorized amended Criteria for Evaluating Proposed TIF Districts as a policy tool for the Area Redevelopment Program by Resolution No. 15-1144; and

WHEREAS, City Council finds that the University TIF District (as shown in **Exhibit A1-A3**) substantially impairs the sound growth of the municipality and that orderly development of the University TIF District would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, in accordance with the Act, the City must hold a public hearing on the designation of the proposed University TIF District and its benefits to the City and to property in the proposed district; and

WHEREAS, the Act further requires the City to publish notice of the hearing in a newspaper having general circulation in the City.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a public hearing is authorized to be held before the City Council on December 13, 2017, for the purpose of receiving public comment on the designation of a TIF reinvestment zone for the proposed University TIF District and its benefits to the City and to the property in the proposed reinvestment zone.

SECTION 2. That the City Council finds the recitals above to be true and correct.

SECTION 3. That prior to holding the hearing, a preliminary project plan and reinvestment zone financing plan will be evaluated in accordance with the statutory criteria prescribed by the Act and the approved criteria in Resolution No. 15-1144.

SECTION 4. That after the close of the public hearing, the City shall consider an ordinance designating a Tax Increment Financing Reinvestment Zone, City of Dallas, Texas, to be known as the University TIF District.

SECTION 5. That the boundaries for the University TIF District are shown on the map attached hereto as **Exhibit A1-A3**.

SECTION 6. That not later than the seventh (7) day before the date of the public hearing, the City Manager shall cause notice of the public hearing to be published in a newspaper having general circulation in the City.

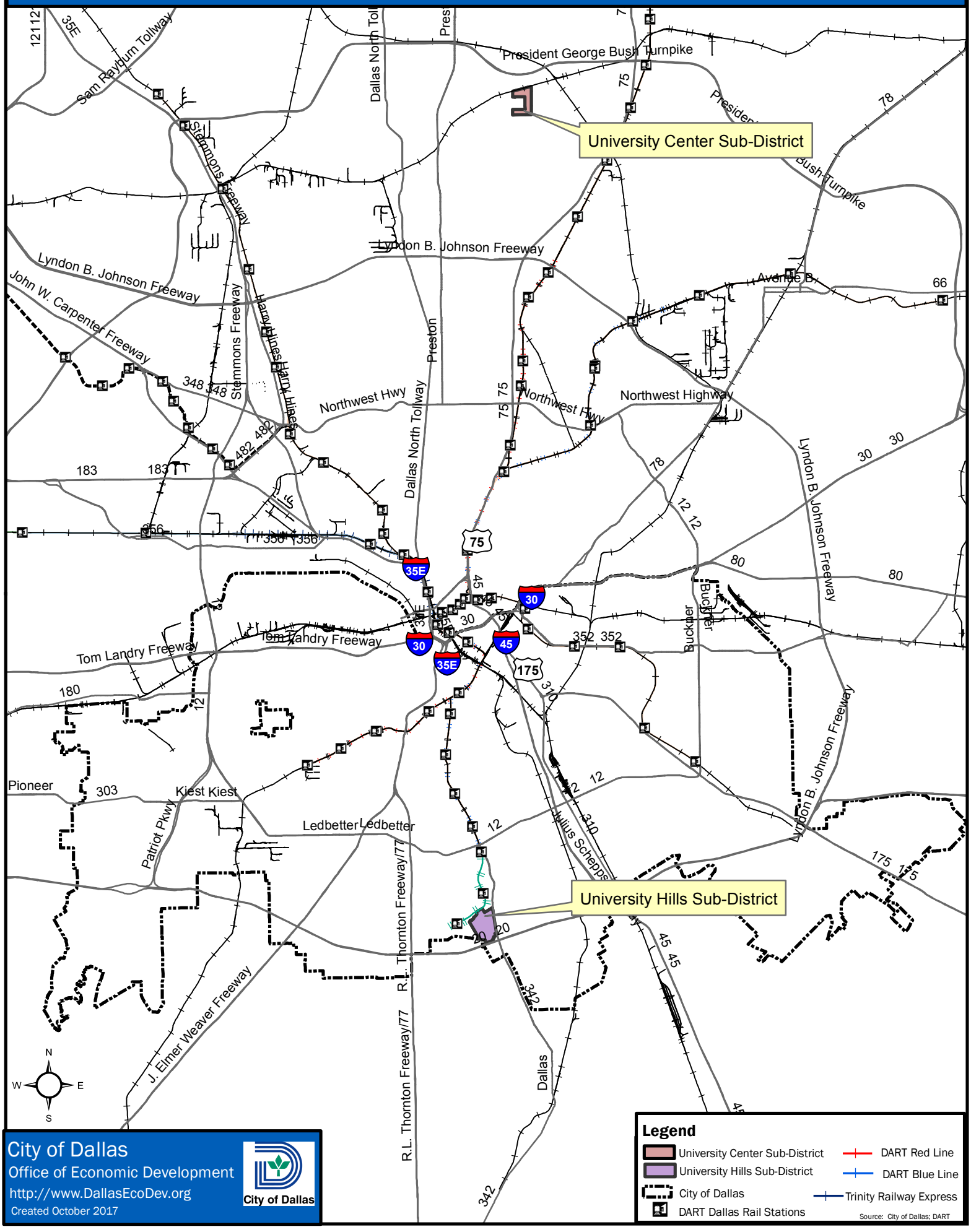
SECTION 7. That the Chief Financial Officer is hereby authorized to establish a Fund and Unit for the University TIF District, subject to successful designation of the District on December 13, 2017, which may be divided into such sub accounts as may be authorized by subsequent resolution or ordinance, into which all tax increments, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited.

The City's final participation level for the Tax Increment Fund will be determined by the final project plan. The Tax Increment Fund and any sub accounts are to be maintained in an account at the City Treasurer's affiliated depository bank of the City and shall be secured in the manner prescribed by law of Texas cities. In addition, all revenues from the sale of any tax increment bonds and notes hereafter issued by the City, revenues from the sale of any property acquired as part of the tax increment financing plan and other revenues to be dedicated to and used in the University TIF District shall be deposited into such fund or sub account from which money will be disbursed to pay project costs for the University TIF District.

SECTION 8. That the City Manager is authorized to undertake other preliminary preparations and actions in accordance with the Act.

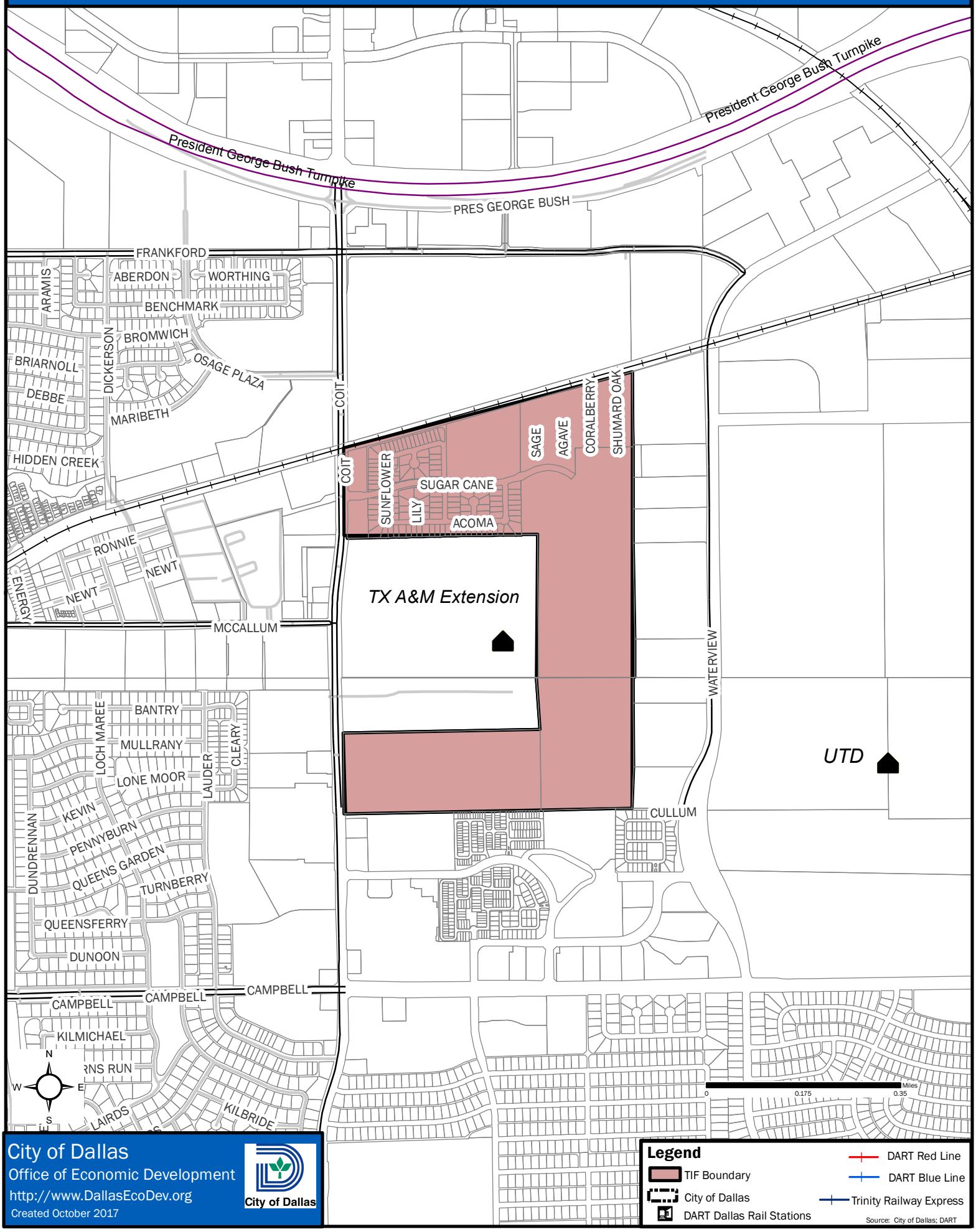
SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A1- Proposed University TIF District - Overview Map



City of Dallas
Office of Economic Development
http://www.DallasEcoDev.org
Created October 2017

Exhibit A2 - Proposed University TIF - University Center Sub-District



City of Dallas
Office of Economic Development
http://www.DallasEcoDev.org
Created October 2017

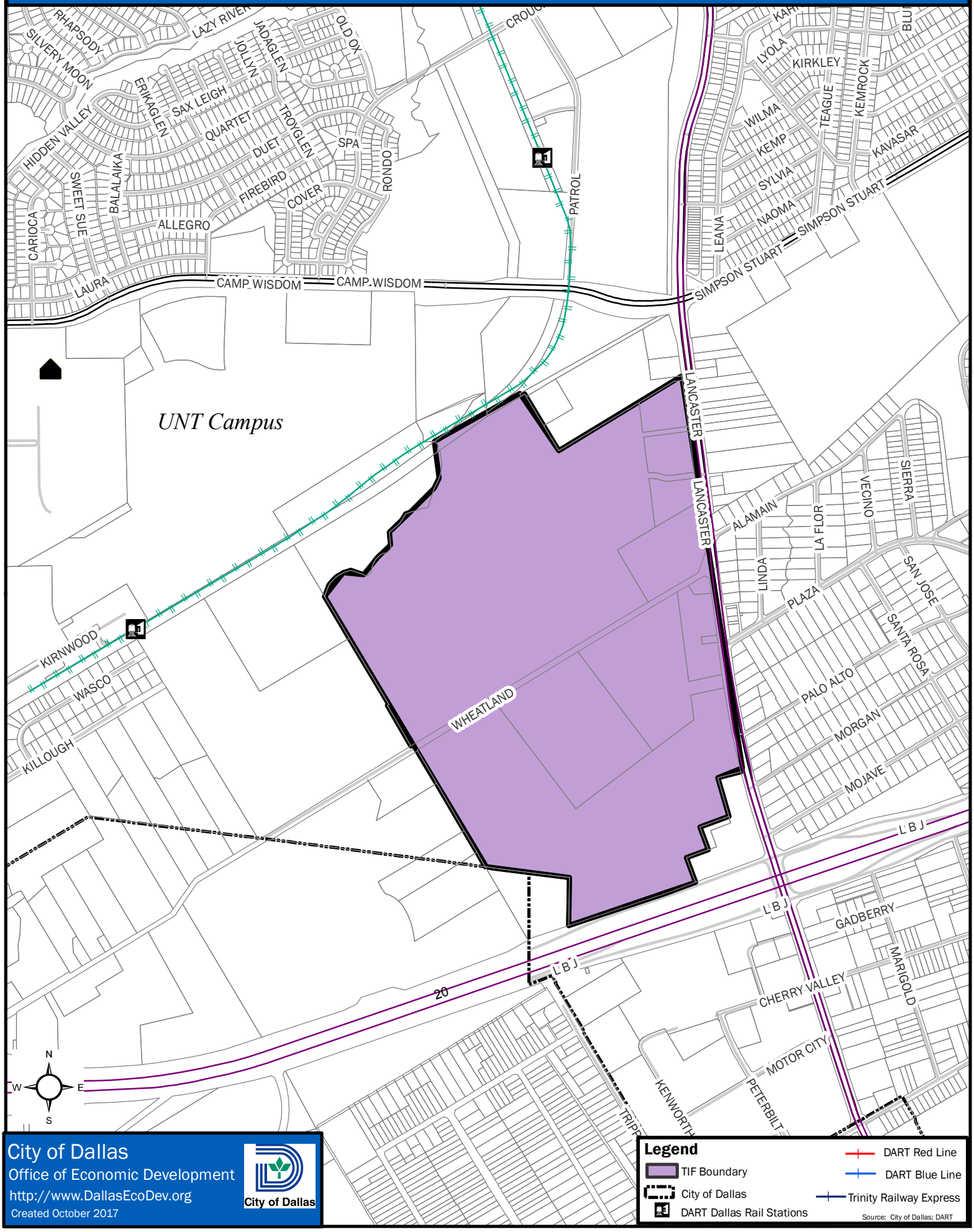
City of Dallas

Legend

- TIF Boundary
- City of Dallas
- DART Dallas Rail Stations
- DART Red Line
- DART Blue Line
- Trinity Railway Express

Source: City of Dallas; DART

Exhibit A3 - Proposed University TIF - University Hills Sub-District



City of Dallas
Office of Economic Development
http://www.DallasEcoDev.org
Created October 2017

City of Dallas

Legend

- TIF Boundary
- City of Dallas
- DART Dallas Rail Stations
- DART Red Line
- DART Blue Line
- Trinity Railway Express

Source: City of Dallas; DART

AGENDA ITEM # 53

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 J; K

SUBJECT

Authorize an historic preservation tax exemption for Factory Six03 located at 603 Munger Avenue for a ten-year period on 100 percent of the land and structure value - Revenue Foregone: First year tax revenue foregone estimated at $36,662 (Estimated revenue foregone over ten years is $366,620)

BACKGROUND

Article XI of the Dallas Development Code established a program for Historic Preservation Tax Exemptions and Economic Development Incentives for Historic Properties ("Program"), which allows property owners to receive tax exemptions for restorations of historic properties. The Program was established in October of 1993 and was most recently amended and renewed on December 9, 2015. Dallas Development Code Section 51A-11.201(e) requires City Council to review any exemption over $50,000. The City Council may approve or deny any portion of the exemption over $50,000.

The Brown Cracker and Candy Company building in the West End Historic District was built in stages between 1903 and 1923. The building, which will be called Factory Six03, was most recently known as the West End Marketplace. Over the years, until its closing more than ten years ago, it held a variety of tourist and destination activities.

An affiliate of Granite Properties, GPIWE Limited Partnership (“Granite Properties”), intends to reposition the unused historic building as creative office space as well as restaurant/retail uses. The renovation work includes repairing and replacing key internal structural components that were removed in 1985 as well as reconditioning historic windows, masonry walls, and the historic exterior. The basement will be converted into 55 parking spaces. Both the four-story and the seven-story portions of the building will have additions to the top for an executive office, tenant lounge, and conference center. A new entrance will be added to the building as well.

BACKGROUND (continued)

All additions will be reviewed and approved by the National Park Service, in compliance with the National Historic Renovation Guidelines.

The interior of the building will be completely refurbished, including new electrical, mechanical, elevator, and fire control systems.

Granite Properties received City Council approval for tax increment financing (TIF) funding on January 25, 2017 for funding from the City Center TIF District, but subsequently withdrew its acceptance of the TIF offer.

In lieu of the TIF funding, Granite Properties has applied for an historic tax exemption in support of approximately $30 million in investment. The building qualifies under the "Urban Historic District" exemption which allows for up to a 100 percent exemption of the city portion of the property taxes for up to a ten-year period. To qualify for this exemption, the cost of rehabilitation must exceed 75 percent of the pre-rehabilitation value of the structure.

The 2016 Dallas Central Appraisal District (DCAD) appraised value for the 603 Munger Avenue account is $4,600,000, with an improvement value of $790,640 and land value of $3,809,360. The applicant is therefore required to invest approximately $592,980 in the property to qualify for the exemption. As of August 31, 2017, the applicant has spent $27,290,475 on eligible items.

The new value after completion is estimated to be $34,761,334, with an estimated annual tax assessment of $236,012. It will take the City less than two years to recoup the revenue foregone.

The revenue forgone is calculated based on the DCAD value as of the date of the Landmark Commission's approval of the Certificate of Eligibility (in this case 2016). The assumption is that without the tax exemption, nothing would happen to this building and the value would not change. Therefore, revenue forgone for 10 years on a 100 percent abatement is the current (or in this case 2016) city taxes multiplied by 10.

The new value of the project after rehabilitation is calculated based on the current (as of the Landmark Commission's approval of the Certificate of Eligibility) DCAD value plus the amount the applicant is proposing to spend on the project.

The estimated years to recoup the revenue forgone is calculated by dividing the total revenue foregone by the annual new estimated taxes after completion, without adjustment for inflation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 14, 1976, City Council authorized an ordinance amending the Basic Zoning Ordinance No. 10962 of the City of Dallas as enacted by the City Council on March 29, 1962, and known as Volume III of the Dallas City Code, as amended, by permitting the following described property, which is presently zoned Central Area District 1, to be designated as permanent Central Area Disctrict 1 - Historic/2 by Ordinance No. 15203.

On October 27, 1993, City Council authorized an ordinance amending Section 44-17 to correct the reference in Chapter 44 of the historic landmark tax relief provisions in the Dallas Development Code; amending Chapter 51A, "Part II of the Dallas Development Code" of the Dallas City Code by Ordinance No. 21874, as amended.

On January 25, 2017, City Council authorized a development agreement with GPIWE Limited Partnership to assist the redevelopment of the Factory Six03 Project located at 603 Munger Avenue and to secure public access to the new plaza in the West End District in the City Center TIF District by Resolution No. 17-0217.

On June 19, 2017, Granite Properties withdrew its application for tax increment financing from the City Center TIF District.

On August 7, 2017, the Landmark Commission approved the Certificate of Eligibility for the Factory Six03 project at 603 Munger Avenue.

Information about this item will be provided to the Economic Development and Housing Committee on November 6, 2017.

FISCAL INFORMATION

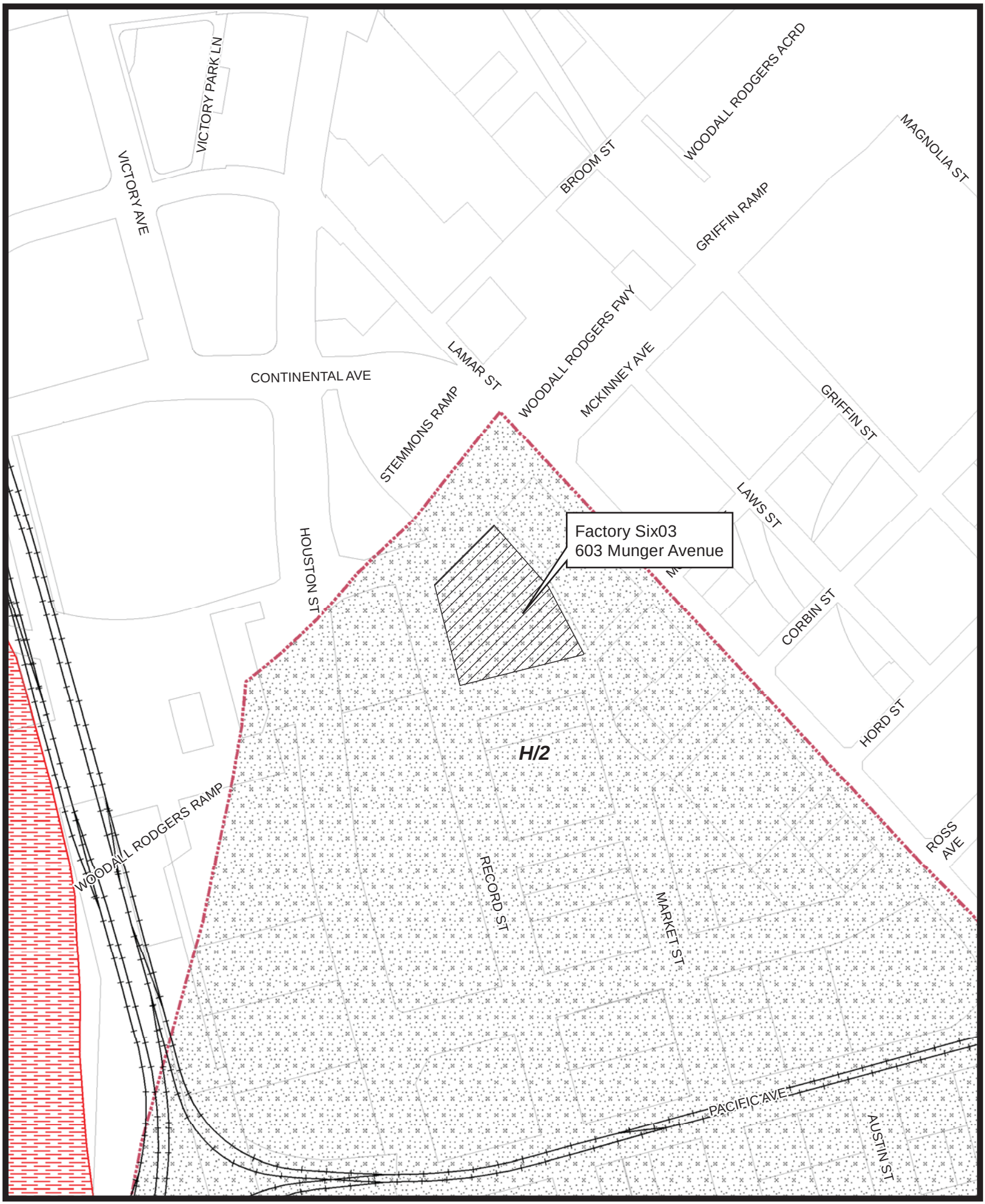
Revenue Foregone: First year tax revenue foregone estimated at $36,620 (Estimated revenue foregone over ten years is $366,620)

OWNER

GPIWE Limited Partnership
c/o Granite Properties

MAP

Attached



1:2,622

603 Munger Avenue
Location

Printed Date: 9/18/2017

WHEREAS, Article XI of the Dallas Development Code establishes historic preservation tax exemptions and economic development incentives for historic properties to encourage the revitalization and restoration of the City's historic structures; and

WHEREAS, Dallas Development Code Section 51A-11.201(e) requires that the City Council review and approve by resolution any portion of the application for an historic preservation tax exemption over $50,000; and

WHEREAS, on January 25, 2017, City Council authorized a development agreement with GPIWE Limited Partnership to assist the redevelopment of the Factory Six03 Project located at 603 Munger Avenue and to secure public access to the new plaza in the West End District in the City Center TIF District by Resolution No. 17-0217; and

WHEREAS, on June 19, 2017, the Office of Economic Development received a letter from GPIWE Limited Partnership (Granite Properties) stating that Granite Properties had decided not to execute the Development Agreement associated with Resolution No. 17-0217, approved on January 25, 2017, and thereby decided to forego TIF funding for the project and therefore no TIF funds will be granted for the Factory Six03 Project located at 603 Munger Avenue; and

WHEREAS, the property located at 603 Munger Avenue, Dallas Central Appraisal District Account Number 00000104323000000, is a contributing structure that retains its essential architectural integrity of design and whose architectural style is typical of or integral to Historic District Overlay No. 2 (the West End Historic District); and

WHEREAS, the property is eligible for a City tax exemption based upon rehabilitation of an historic property for a ten-year period on 100 percent of the structure and land value, which will total an estimated $366,620; and

WHEREAS, on August 7, 2017, the Landmark Commission determined that the property is eligible for a City tax exemption; and

WHEREAS, the rehabilitation project must be completed within three years after the Landmark Commission has made its determination of eligibility; and

WHEREAS, the property owner has complied with all of the requirements for the City tax exemption, including submitting proof that property taxes and any City fees, fines, or penalties are not delinquent on the properties; and

WHEREAS, the City Council finds that it is in the public interest to preserve this historic building.

November 8, 2017

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the application for an historic preservation tax exemption over $50,000 is approved on 100 percent of the land and structure value of the historic property for a ten-year period for the city portion of the taxes.

SECTION 2. That the rehabilitation project must be completed by August 7, 2020.

SECTION 3. That to receive the tax exemption, the owner must submit a final application to the Director of the Department of Sustainable Development and Construction that complies with Dallas Development Code Section 51A-11.201 proving that the rehabilitation requirements have been met and must thereafter make annual application to the appraisal district for the duration of the tax exemption.

SECTION 4. That if any portion of the historic structure is totally or partially demolished or significantly altered by the willful act or negligence of the owner or his representative in violation of the historic district preservation criteria, this tax exemption will terminate and the owner shall immediately repay to the City of Dallas all city property taxes foregone.

SECTION 5. That this contract is designated as Contract No. DEV-2018-00004415.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Passed _____

AGENDA ITEMS # 54,55

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 24 N

SUBJECT

Walnut Hill Pump Station Facility

* Ratify the use of the design-build delivery method pursuant to Texas Local Government Code Chapter 252.022(d) for improvements to the Walnut Hill Pump Station facility – Financing: No cost consideration to the City
* Authorize a design-build contract with Eagle Contracting Limited Partnership for improvements to the Walnut Hill Pump Station facility - Not to exceed $575,192 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Walnut Hill Pump Station facility is located at 3820 Walnut Hill Lane, just east of Marsh Lane. The facility, which boosts water pressures and flows to north Dallas, is comprised of two separate pump stations with a combined capacity of 50 million gallons per day. The original facility was constructed in 1949 with a temporary facility being constructed in 1999 to support additional water demands. The facility is a critical component of the distribution system because of its vital role of boosting pressures and increasing flow to the north Dallas service area. Both pump stations have exceeded their service life and were identified for improvements in the 2007 Water Capital Infrastructure Assessment Report.

BACKGROUND (continued)

This action seeks Council ratification for the use of the design-build delivery method for design and construction improvements to the Walnut Hill Pump Station pursuant to Texas Local Government Code Chapter 252.022(d). Given the complexity of the project, the multiple engineering disciplines and construction trades involved, and the significant neighborhood involvement required, Dallas Water Utilities (DWU) recommends the use of the design-build procurement method in lieu of the traditional design-bid-build. DWU believes the design-build method will provide better value by allowing for a more condensed project schedule and will provide more efficient and effective delivery of the project.

This action also includes approval of the design-build contract for improvements to the Walnut Hill Pump Station facility. This item is the first of two planned awards and consists of engineering services for the design of the improvements. A subsequent award will be presented to Council for construction services based on the Guaranteed Maximum Price as provided by the Design-Builder at the 60% design stage. The overall project includes the construction of a new structure, pumps, yard piping, as well as the required electrical and instrumentation facilities to support the new pump station.

The total estimated cost for this project is $11,000,000.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	November 2017
Complete Design	April 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on October 27, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $575,192

M/WBE INFORMATION

See attached.

OWNER

Eagle Contracting Limited Partnership

Roy Ewen, President
Billy Haynes, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a design-build contract with Eagle Contracting Limited Partnership for improvements to the Walnut Hill Pump Station facility - Not to exceed $575,192 - Financing: Water Utilities Capital Improvement Funds

Eagle Contracting Limited Partnership is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$407,469.00	70.84%
Total non-local contracts	$167,723.00	29.16%
TOTAL CONTRACT	$575,192.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

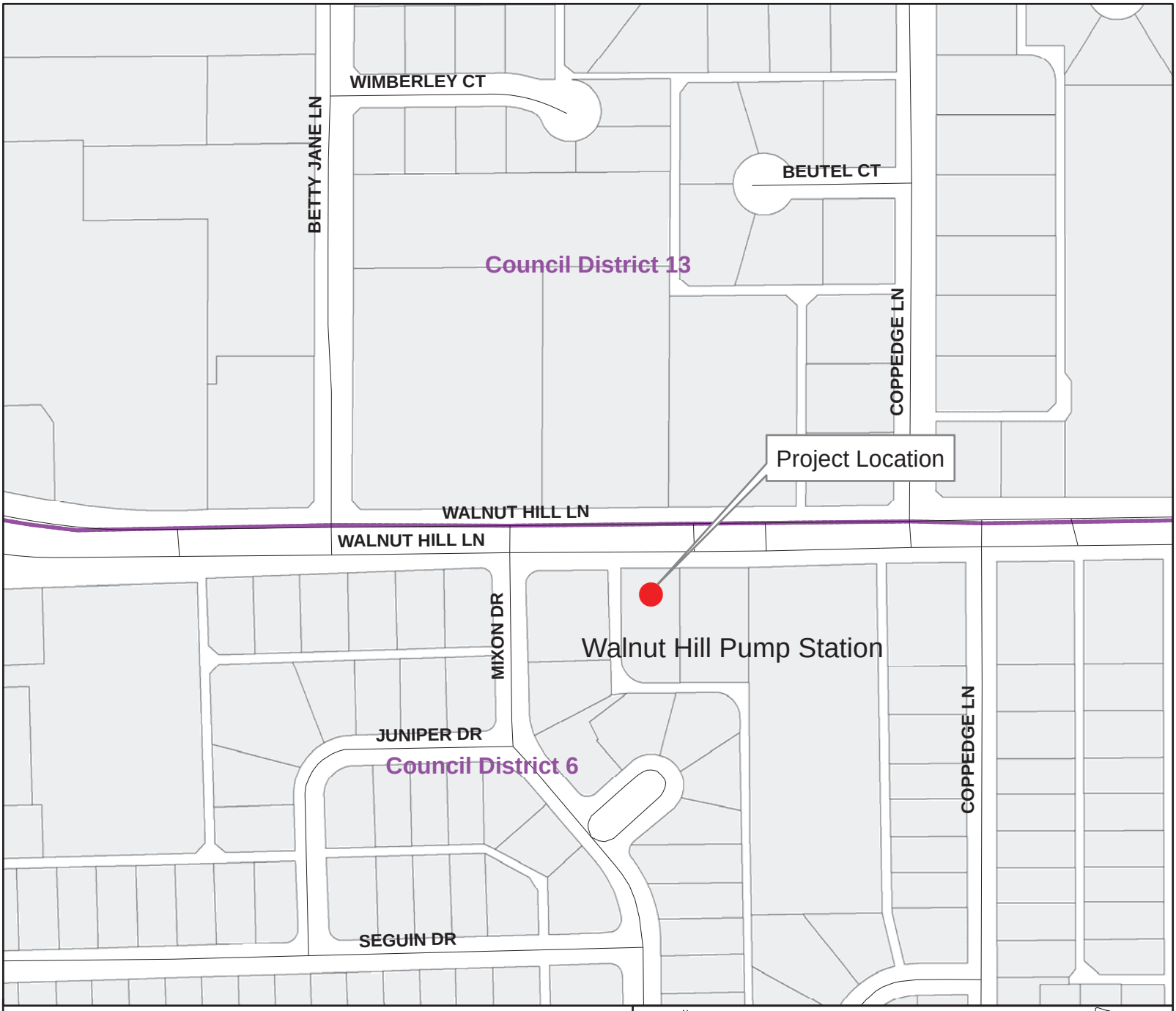
Local	Certification	Amount	Percent
K Strategies	BFDB90124Y0418	$10,002.00	2.45%
Azcarate & Associates Consulting Eng.	HMDB14628Y0718	$39,670.00	9.74%
CP & Y, Inc.	PMMB54707Y0219	$357,797.00	87.81%
Total Minority - Local		$407,469.00	100.00%

Non-Local Contractors / Sub-Contractors

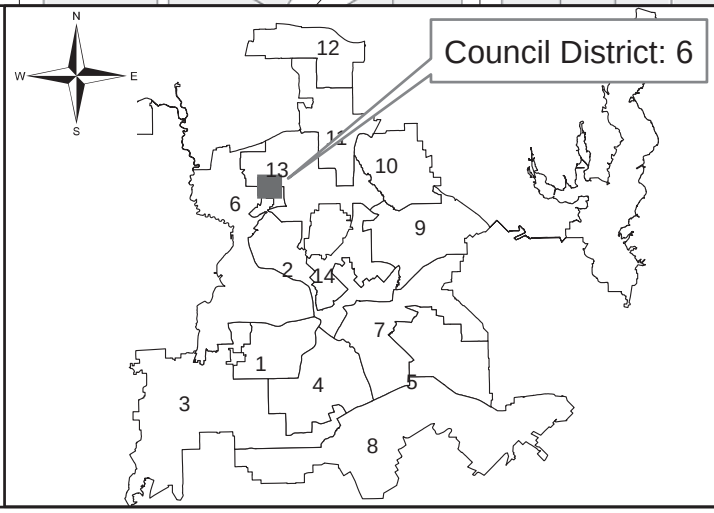
None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$10,002.00	2.45%	$10,002.00	1.74%
Hispanic American	$39,670.00	9.74%	$39,670.00	6.90%
Asian American	$357,797.00	87.81%	$357,797.00	62.20%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$407,469.00	100.00%	$407,469.00	70.84%



Mapsco: 24 N



Dallas Water Utilities
Contract No. 18-017E
Rehabilitation of the Walnut Hill Pump Station Facility

WHEREAS, the City of Dallas has identified that the Walnut Hill Pump Station facility has exceeded its service life and is in need of improvements; and

WHEREAS, the design-build delivery method will provide better value to the City by allowing for a more condensed project schedule and will provide more efficient and effective delivery of the project.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to ratify the use of the design-build delivery method pursuant to Texas Local Government Code Chapter 252.022(d) for improvements to the Walnut Hill Pump Station facility.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

November 8, 2017

WHEREAS, the City of Dallas has identified that the Walnut Hill Pump Station facility has exceeded its service life and is in need of improvements; and

WHEREAS, the design-build delivery method provides the best value to the City by allowing for a more condensed project schedule and will provide more efficient and effective delivery of the project; and

WHEREAS, Eagle Contracting Limited Partnership, 5700 Park Vista Circle, Fort Worth, Texas 76244, has submitted an acceptable proposal to provide these design-build services.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposal submitted by Eagle Contracting Limited Partnership in the amount of $575,192 be approved and the consultant be authorized to perform the required design-build services.

SECTION 2. That the City Manager is hereby authorized to sign a design-build contract with Eagle Contracting Limited Partnership, approved as to form by the City Attorney, for improvements to the Walnut Hill Pump Station facility, in an amount not to exceed $575,192.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $575,192 to Eagle Contracting Limited Partnership (Contract No. 18-017E) from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW40, Object 4111, Program 718017, Encumbrance/Contract No. CX-DWU-2017-00003956, Vendor 356959.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 56

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	City Secretary
CMO:	Bilierae Johnson, 670-3738
MAPSCO:	N/A

SUBJECT

A resolution considering the Ethics Advisory Commission's (EAC) recommended sanction against Councilmember Philip Kingston, in connection with the EAC's finding of a violation of Chapter 12A of the Dallas City Code (Code of Ethics) – Financing: No cost consideration to the City (This item was deferred on October 25, 2017)

BACKGROUND

This item was on the October 25, 2017 addendum to allow the Commission and staff time to compile the information related to this matter.

On August 30, 2017, Mr. Barry Jacobs, filed a sworn complaint with the City Secretary's Office against Councilmember Philip Kingston alleging that Mr. Kingston violated Section 12A-9(b) of the Code of Ethics.

The Ethics Advisory Commission held an evidentiary hearing on Friday, October 13, 2017. After all testimony was heard, the Commission unanimously found that Mr. Kingston violated Section 12A-9(b) of the Code of Ethics by using his office at Dallas City Hall to film a political advertisement and/or campaign communication.

The Commission, by a 4 to 1 vote, recommended a reprimand as the appropriate sanction. Pursuant to the Dallas City Code Chapter 12A-37.1(e)(4), the city council may issue a reprimand if the city council finds that a violation of this chapter was not minor and was committed intentionally or through reckless disregard of this chapter.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 15, 2017, the preliminary panel of the Ethics Advisory Commission met and determined the complaint filed by Mr. Barry Jacobs against Councilmember Philip Kingston, was supported by just cause and should be referred to the full Ethics Advisory Commission.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On September 29, 2017, the Ethics Advisory Commission met and granted Councilmember Philip Kingston's motion for continuance. The hearing was rescheduled for October 13, 2017.

On October 13, 2017, the Ethics Advisory Commission met and determined there was a violation of the Code of Ethics and recommended a sanction of a reprimand to the city council.

On October 25, 2017, this item was deferred by Mayor Pro Tem Dwaine R. Caraway and Councilmember Tennell Atkins.

FISCAL INFORMATION

No cost consideration to the City.

November 8, 2017

WHEREAS, on August 30, 2017, Mr. Barry Jacobs, filed a sworn complaint with the City Secretary's Office against Councilmember Philip Kingston alleging that Mr. Kingston violated certain provisions of Chapter 12A of the Dallas City Code (Code of Ethics); and

WHEREAS, on September 15, 2017, the Ethics Advisory Commission preliminary panel determined that, based on the evidence submitted, the complaint was supported by just cause, and recommended that the complaint be referred to the Ethics Advisory Commission for a hearing; and

WHEREAS, on September 29, 2017, the Ethics Advisory Commission met and granted Councilmember Philip Kingston's motion for continuance. The hearing was rescheduled for October 13, 2017; and

WHEREAS, on October 13, 2017, the Ethics Advisory Commission found that Councilmember Philip Kingston violated Section 12A-9(b) of the Code of Ethics by using city facilities for political advertising and/or campaign communications; and the Commission recommended that Councilmember Philip Kingston receive the sanction of a reprimand; and

WHEREAS, Section 12A-30(a)(4) of the Code of Ethics requires this matter be referred to the City Council for appropriate action.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Commission, by a 4 to 1 vote, recommended a reprimand as the appropriate sanction. Pursuant to the Dallas City Code Chapter 12A-37.1(e)(4), the City Council may issue a reprimand if the City Council finds that a violation of this chapter was not minor and was committed intentionally or through reckless disregard of this chapter.

SECTION 2. That the Ethics Advisory Commission's written decision concerning the complaint against Councilmember Philip Kingston, which is attached hereto and made a part of this resolution, is hereby accepted.

SECTION 3. That Councilmember Philip Kingston is hereby reprimanded for violating Section 12A-9(b) of Chapter 12A of the Dallas City Code (Code of Ethics). Councilmember Philip Kingston is hereby publicly notified of the decision of the City Council, and advised to comply with the City's Code of Ethics.

SECTION 4. That this resolution will take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

WRITTEN DECISION
CONCERNING THE COMPLAINT AGAINST
COUNCILMEMBER PHILIP KINGSTON

On August 30, 2017, Mr. Barry Jacobs, filed a sworn ethics complaint with the City Secretary's Office against Mr. Philip Kingston, Council Member, alleging that Mr. Kingston:

- On or about August 18, 2017 used city facilities for political advertising and/or campaign communications. To wit: Mr. Kingston filmed the Political Advertisement in his office at Dallas City Hall.

The complaint alleged that Mr. Kingston violated the following provision of Chapter 12A (Code of Ethics) of the Dallas City Code:

- Section 12A-9 (b) Public Property and Resources. A city council member shall not use, request, or permit the use of city facilities, personnel, equipment, or supplies for any campaign expenditure, campaign contribution, political advertising, or campaign communication as defined in Title 15, "Regulating Political Funds and Campaigns," of the Texas Election Code, as amended, and Texas Election Commission rules, regulations, and opinions.

The Ethics Advisory Commission preliminary panel met on Friday, September 15, 2017 at 9:30 a.m. in City Hall, Room 6ES. The panel members consisted of Commissioners John Rogers (Chair), Pam Gerber and Donna Wigley. In a unanimous decision, the panel determined that, based upon the evidence submitted, the complaint was supported by just cause and recommended that it be referred to the Ethics Advisory Commission for evidentiary hearing and review.

The Ethics Advisory Commission met on Friday, September 29, 2017 at 9:30 a.m. in City Hall, Room 6ES. In attendance were Commissioners John Rogers (Chair), Deborah Watkins (Vice-Chair), Pam Gerber, Eileen Rosenblum, Royce West, Jr, and Donna Wigley. Not in attendance due to a scheduling conflict was Commissioner Brent McDougal. Also in attendance was Barry Jacobs, complainant and Sean Kelly, respondent representative.

The Ethics Advisory Commission discussed and granted Mr. Kingston's procedural motion for continuance to Friday, October 13, 2017.

The Ethics Advisory Commission met on Friday, October 13, 2017 at 9:30 a.m. in City Hall, Room 6ES. In attendance were Commissioners John Rogers (Chair), Pam Gerber, Eileen Rosenblum, Royce West, Jr, and B. Celestino Carreon. Not in attendance due to a scheduling conflicts was Deborah Watkins (Vice-Chair) and Commissioner Donna Wigley.

Pursuant to Section 12A-28 of the Dallas City Code a determination that a violation of this chapter has occurred can be made only upon an affirmative vote of at least three-fifths of the commission members present and voting, otherwise the complaint must be dismissed. A finding that a violation occurred must be supported by clear and convincing evidence. "Clear and convincing evidence" means that measure or degree of proof that produces in a person's mind a firm belief or conviction as to the truth of the allegations sought to be established.

At the conclusion of the evidentiary hearing, Commissioner West moved to find that Mr. Kingston did violate Section 12A-9(b) of the Code of Ethics. The motion was seconded by Commissioner Rosenblum and passed by a unanimous vote of the Commission.

Commissioner Carreon moved, in accordance with Section 12A-30(a)(4) and 12A-37.1 of the Code of Ethics, that the matter should be referred to the city council with the recommended sanction of issuance of a Reprimand. The motion was seconded by Commissioner West and passed by a 4 to 1 vote of the Commission.

John Rogers, Chair

Deborah Watkins, Vice-Chair

Pam Gerber, Commissioner

Eileen Rosenblum, Commissioner

Royce West, Jr, Commissioner

B. Celestino Carreon, Commissioner

Donna Wigley, Commissioner

AGENDA ITEM # 57

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	November 8, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Department of Transportation
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	45L

SUBJECT

Authorize the City Manager to request that the Texas Department of Transportation pursue the removal of the Live Oak off-ramp (Exit 284B) from southbound Interstate Highway 345/U.S. Highway 75 - Financing: No cost consideration to the City (This item was deferred on October 25, 2017)

BACKGROUND

In August 2015, MSW Crozier Tech, LP purchased the Crozier Tech/Old Dallas High School site for redevelopment. Matthews Holdings Southwest Inc. and MSW Crozier Tech, LP, collectively referred to as MSW, is redeveloping the site for office and retail use. The site is bounded by Pearl Street, Bryan Street/DART rail station, Interstate Highway (IH)-345 and Live Oak Street. The renovation of the Old Dallas High School, the last remaining original school building on the site, is considered Phase 1 of a multi-phased redevelopment of the site into a mixed-use development with office and retail uses.

The Urban Design Peer Review Panel (UDPRP) is a City Manager-appointed advisory panel responsible for reviewing development projects that receive City Tax Increment Financing incentives. On November 20, 2015, the UDPRP reviewed the development plans and supported efforts to eliminate or reroute the existing IH-345/U.S. Highway 75 Live Oak off-ramp to improve the site access opportunities, improve the pedestrian environment, free up developable land and allow for better connectivity with Carpenter Park.

A traffic study conducted by Pacheco Koch on behalf of MSW analyzed the proposal to remove Live Oak off-ramp (Exit 284B) from southbound IH-345/U.S. Highway 75 to westbound Live Oak Street (Exit 284B). The traffic study analyzed the existing use of the ramp, the impact of removal, and the alternative routes and concluded that there was relatively little impact to overall traffic if the Live Oak off-ramp is removed. Staff supports eliminating the off-ramp to improve bicycle and pedestrian connections between the Central Business District, Deep Ellum and Carpenter Park.

BACKGROUND (continued)

If approved, this action will authorize the City Manager to request that the Texas Department of Transportation pursue removal of the Live Oak off-ramp (Exit 284B) from southbound IH-345/U.S. Highway 75.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee was briefed on September 11, 2017.

On October 25, 2017, this item was deferred by Councilmember Rick Callahan.

FISCAL INFORMATION

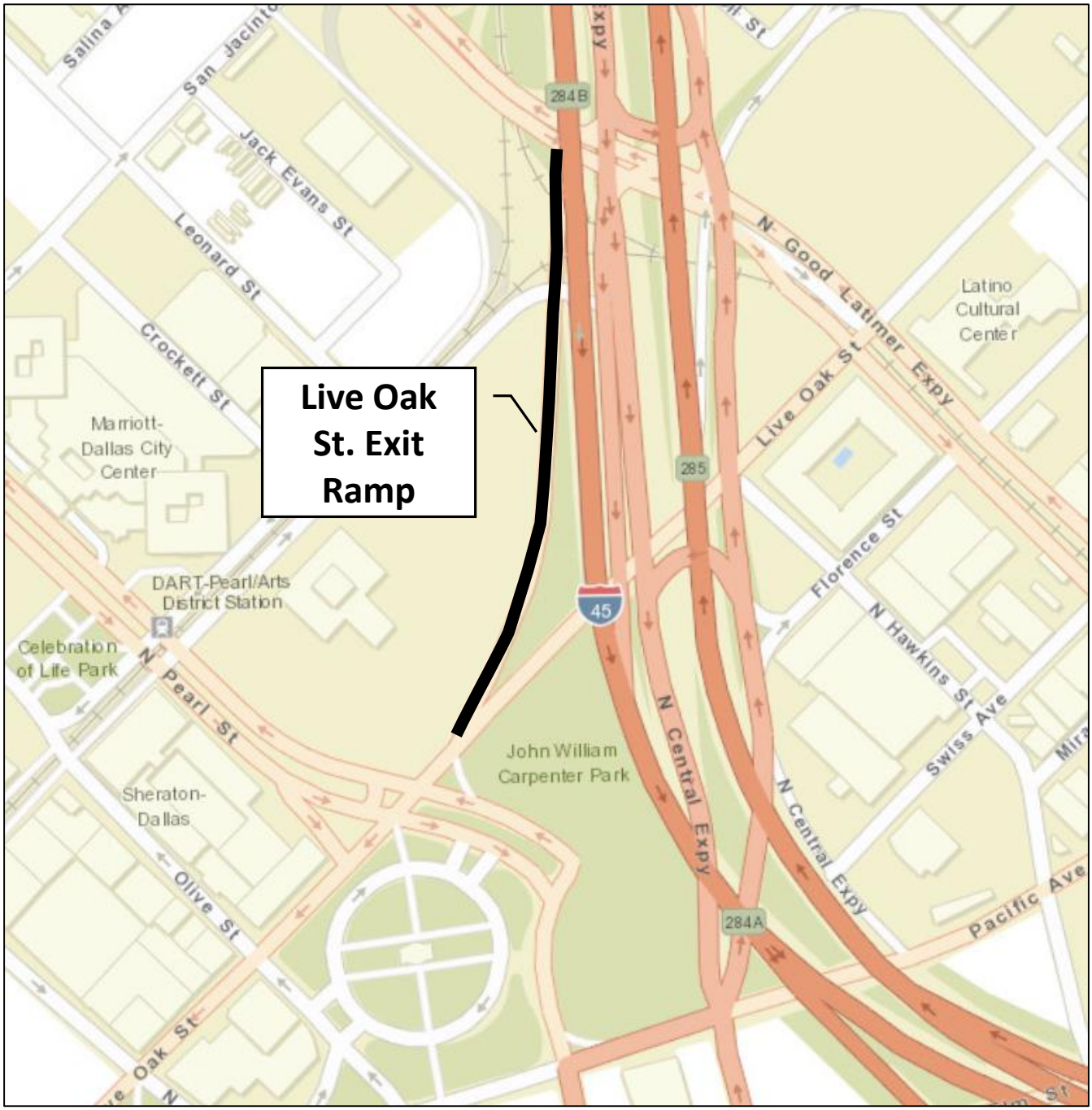
No cost consideration to the City.

MAP

Attached

Live Oak Ramp Removal

Council District: 14



MAPSCO: 45L

WHEREAS, the City of Dallas, hereafter referred to as the City, seeks to become a more livable city that can continue to promote a healthy population and a robust economy, and recognizes that streets play a vital part in achieving this goal; and

WHEREAS, the City recognizes the need for its transportation infrastructure to evolve and the importance of providing an integrated transportation system that balances the needs of all users regardless of age or ability, and that meets multi-modal needs including walking, bicycling, and mass transit, as well as automobiles, trucks, and emergency vehicles; and

WHEREAS, the City does not control all roads or modes of transportation within its corporate limits and therefore depends on partner agencies to enhance the transportation options offered within the city; and

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on November 20, 2015, the design for the project was reviewed by the Urban Design Peer Review Panel (UDPRP), an independent group of design, engineering, and planning professionals selected by the Dallas City Manager; and

WHEREAS, the UDPRP supports eliminating or rerouting the existing Interstate Highway (IH)-345/U.S. Highway 75 Live Oak off-ramp to free up developable land and allow for better connectivity with Carpenter Park; and

WHEREAS, Matthews Holdings Southwest, Inc. (MSW) approached the City to create a development agreement for the redevelopment of the Crozier Technical/Old Dallas High School site; and

WHEREAS, on April 27, 2016, City Council authorized a Development Agreement with MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc., to dedicate future TIF revenues for reimbursement of eligible project costs related to paving, streetscape and lighting, façade restoration, environmental remediation, and interior/exterior demolition for redevelopment of 2218 Bryan Street, for the Old Dallas High School redevelopment project, located in Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District); and the Deep Ellum TIF District Board of Directors to dedicate an amount not to exceed $6,040,036 plus an Economic Development TIF Grant in an amount not to exceed $200,898 for a total amount not to exceed $6,240,934 from future Deep Ellum TIF District revenues, in accordance with the development agreement by Resolution No. 16-0668; and

WHEREAS, the Live Oak off-ramp provides redundant access to parts of the Central Business District and discourages pedestrian connectivity to Carpenter Park; and

November 8, 2017

WHEREAS, each of the Dallas City Center Master Assessment Process IH-345 improvement scenarios includes eliminating the Live Oak off-ramp.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council supports the Live Oak off-ramp removal.

SECTION 2. That the City Manager is hereby authorized to request that the Texas Department of Transportation pursue removing the Live Oak off-ramp (Exit 284B) from south bound IH-345/U.S. Highway 75.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 58

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46C

SUBJECT

An ordinance abandoning an access easement to GCG-RICCA JV, LLC, the abutting owner, containing approximately 1,050 square feet of land located near the intersection of Henderson Avenue and Victor Street; and authorizing the quitclaim - Revenue: $10,500, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)

BACKGROUND

This item authorizes the abandonment of an access easement to GCG-RICCA JV, LLC, the abutting owner. The area will be included with the property of the abutting owner for the construction of a multi-family development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

Notices were sent to 31 property owners located within 300 feet of the proposed abandonment area. There were 4 responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 23, 2017.

On October 25, 2017, this item was deferred by Deputy Mayor Pro Tem Adam Medrano.

FISCAL INFORMATION

Revenue - $10,500, plus the $20 ordinance publication fee

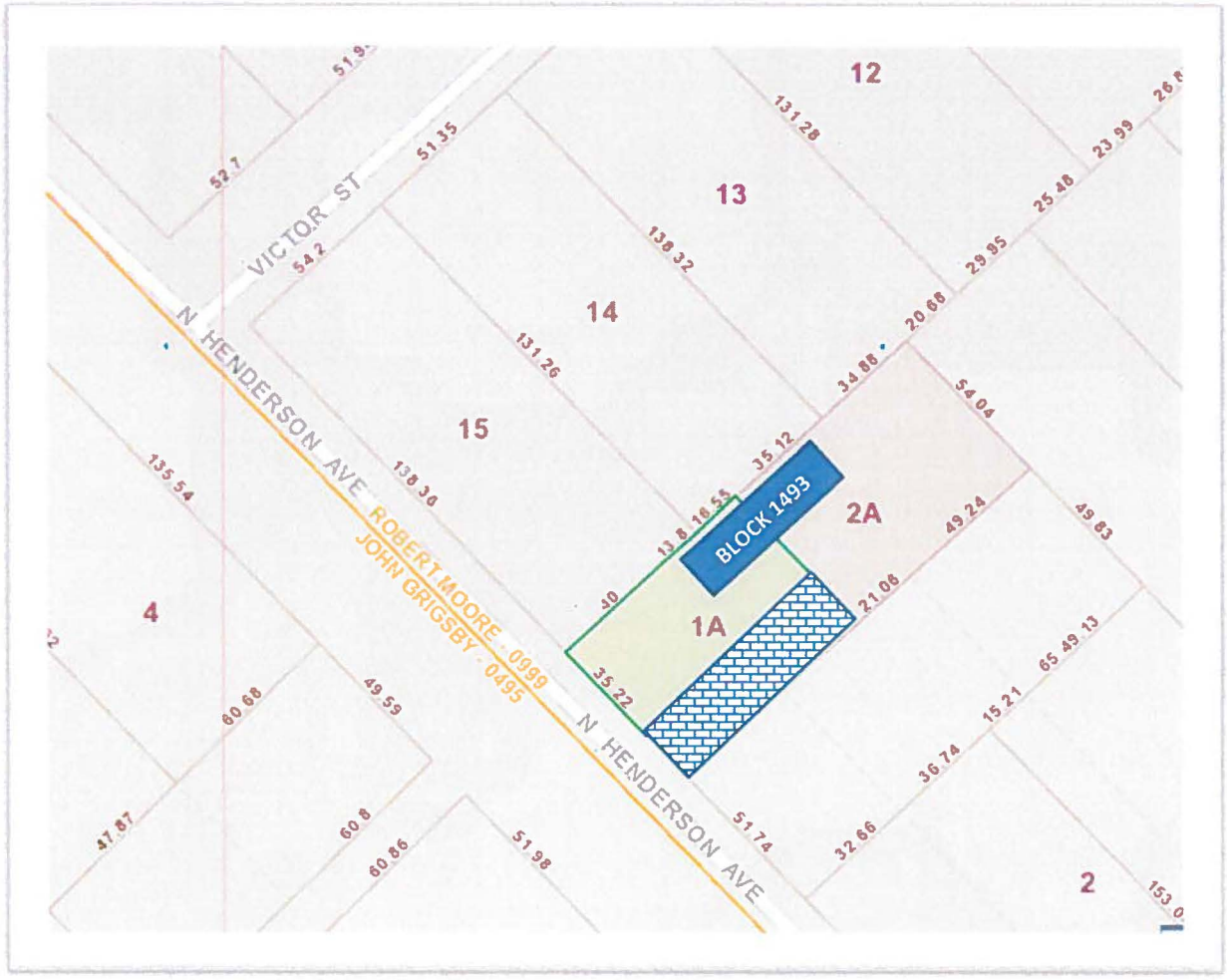
OWNER

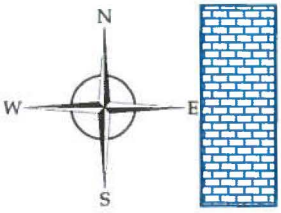
GCG-RICCA JV, LLC

John Ricca, Manager

MAP

Attached





ABANDONMENT AREA

ACCESS EASEMENT

Log #44912

ORDINANCE NO. _____

An ordinance providing for the abandonment of an access easement located in City Block 1493 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to GCG-RICCA JV, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of GCG-RICCA JV, LLC, a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said access easement is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($10,500.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to

SECTION 7. (continued)

that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.

SECTION 8. (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall contact the Texas Excavation Safety System (Texas811) to have facilities marked and located within affected easements before any excavations are started.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver

SECTION 12. (continued)

to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this contract is designated as Contract No. DEV-2017-00002726.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

15' ACCESS EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK 1493
SWALWELL ADDITION
ROBERT MOORE SURVEY, ABSTRACT NO. 999
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,050 square feet or 0.024 acre tract of land situated in the Robert Moore Survey, Abstract No. 999 in the City of Dallas, Dallas County, Texas, being a part of Lot 1A, Block 1493 of Swalwell Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 2001137, Page 920, Deed Records, Dallas County, Texas and same being conveyed to GCG-Ricca JV, LLC by Warranty Deed with Vendor's Lien recorded in Instrument No. 201600189973, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found (Controlling Monument) at the westerly corner of said GCG-Ricca tract and being the southerly corner of Lot 15, Block B/1488, of Bethurum Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 1, Page 129, Map Records, Dallas County, Texas said iron rod found lying on the northeasterly right-of-way line of Henderson Avenue (Variable width right-of-way) Volume 1, Page 524 and Volume 562, Page 69, Map Records, Dallas County, Texas;

THENCE South 45 degrees 00 minutes 00 seconds East, along the northeasterly right-of-way line of said Henderson Avenue, a distance of 35.00 feet to the POINT OF BEGINNING and being the West corner of the herein described tract;

THENCE North 46 degrees 22 minutes 29 seconds East, departing said right-of-way, a distance of 70.00 feet to a point for the North corner of the herein described tract;

THENCE South 45 degrees 00 minutes 00 seconds East, departing a distance of 15.00 feet to a point for the East corner of the herein described tract;

THENCE South 46 degrees 22 minutes 29 seconds West, a distance of 70.00 feet to a point for the South corner of the herein described tract and lying on the northeasterly right-of-way line of said Henderson Avenue from which a 1/2 inch iron rod found (Controlling Monument) bears South 45 degrees 00 minutes 00 seconds East, a distance of 195.20';

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 15.00 feet to the POINT OF BEGINNING and containing 1,050 square feet or 0.024 of an acre of land.



Gary E. Johnson, R.P.L.S.# 5299

(For SPRG use only)
Reviewed By: G.S.
Date: 8-25-17
SPRG NO: 4183

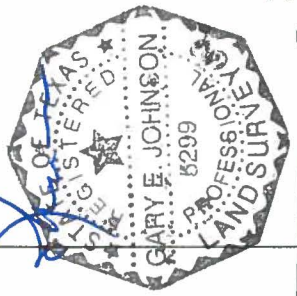
TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

Bearing are based upon the deed recorded in Instrument No. 201600189973, Official Public Records, Dallas County, Texas, Basis of bearings is the northeast line of Henderson Avenue, (N 45°00'00" W).

Job# 1302725-6
Date: 1/16/2017
Revised 8/22/2017
Drawn by: JWR

Exhibit A

15' ACCESS EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK 1493
SWALWELL ADDITION
ROBERT MOORE SURVEY, ABSTRACT NO. 999
CITY OF DALLAS, DALLAS COUNTY, TEXAS





SCALE 1"=30'



BLOCK 1493
APPEL & HARPER SUBDIVISION
OF BLOCK 1493
VOL. 1, PG. 272
M.R.D.C.T.

LOT 4

1/2" IRF "TXHS"
FOR WITNESS ON
EASEMENT LINE

POINT IN
12" ELM
TREE

5.0'

S 45°00'00" E 100.00'

1/2" IRF

LOT 13

ROBERT MOORE SURVEY,
ABSTRACT NO. 999

LOT 3

ANTHONY JON CONTE INST.
NO. 20140288452
O.P.R.D.C.T.

LOT 2A

BLOCK B/1488
BETHURUM ADDITION
VOL. 1, PG. 129
M.R.D.C.T.

BLOCK 1493
SWALWELL ADDITION
VOL. 2001137, PG. 920
D.R.D.C.T.

N 46°22'29" E 140.00'

S 46°22'29" W 140.00'

LOT 14

GCG-RICCA JV, LLC
INST. NO. 201600189973
O.P.R.D.C.T.

LOT 2

5' SANITARY SEWER
EASEMENT
VOL. 2001137, PG. 920
D.R.D.C.T.

LOT 1A

L3

L2

L4

DANIEL MANNING
INST. NO. 20070360334
O.P.R.D.C.T.

LOT 15

5/8" IRF
(CM)

POINT OF
COMMENCING

15' ACCESS ESM'T.
VOL. 2001137, PG. 920
D.R.D.C.T.
(ABANDONMENT)
1,050 SQ FT
0.024 AC

LOT 1

135.00'

L1

L5

50.00'

1/2" IRF
"TXHS"

145.20'

1/2" IRF
CM

1/2" IRF
CM

S 45°00'00" E 195.20'

POINT OF
BEGINNING

HENDERSON AVENUE
(VARIABLE WIDTH R.O.W.)
VOL. 1, PG. 524
M.R.D.C.T.
VOL. 562, PG. 69
M.R.D.C.T.

42.9'

LEGEND:

CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
SQ.FT	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
O.P.R.D.C.T	OFFCIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
IRF "TXHS"	IRON ROD FOUND WITH YELLOW CAP STAMPED "TXHS"

(For SPRG use only)
Reviewed By: G.S.
Date: 8-25-17
SPRG NO: 4183

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

Bearing are based upon the deed recorded in Instrument No. 201600189973, Official Public Records, Dallas County, Texas, Basis of bearings is the northeast line of Henderson Avenue, (N 45°00'00" W).

Job# 1302725-6
Date: 1/16/2017
Revised: 8/22/2017
Drawn by: JWR

Scale: 1" =30'

Exhibit A

15' ACCESS EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK 1493
SWALWELL ADDITION
ROBERT MOORE SURVEY, ABSTRACT NO. 999
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	35.00'	S45°00'00"E
L2	70.00'	N46°22'29"E
L3	15.00'	S45°00'00"E
L4	70.00'	S46°22'29"W
L5	15.00'	N45°00'00"W

(For SPRG use only)
Reviewed By: G.S.
Date: 8-25-17
SPRG NO: 4183

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

Job# 1302725-6
Date: 1/16/2017
Revised: 8/22/2017
Drawn by: JWR

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 59

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 26Z

SUBJECT

An ordinance abandoning a floodway easement and a floodway maintenance access easement to FWLB SKILLMAN, LP, the abutting owner, containing a total of approximately 51,408 square feet of land located near the intersection of Skillman and Larmanda Streets - Revenue: $5,400, plus the $20 ordinance publication fee (This item was deferred on October 25, 2017)

BACKGROUND

This item authorizes the abandonment of a floodway easement and a floodway maintenance access easement to FWLB SKILLMAN, LP, the abutting owner. The area will be included with the property of the abutting owner for the construction of a car wash. The cost for these abandonments is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 23, 2017.

On October 25, 2017, this item was deferred by Councilmember Jennifer S. Gates.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

OWNER

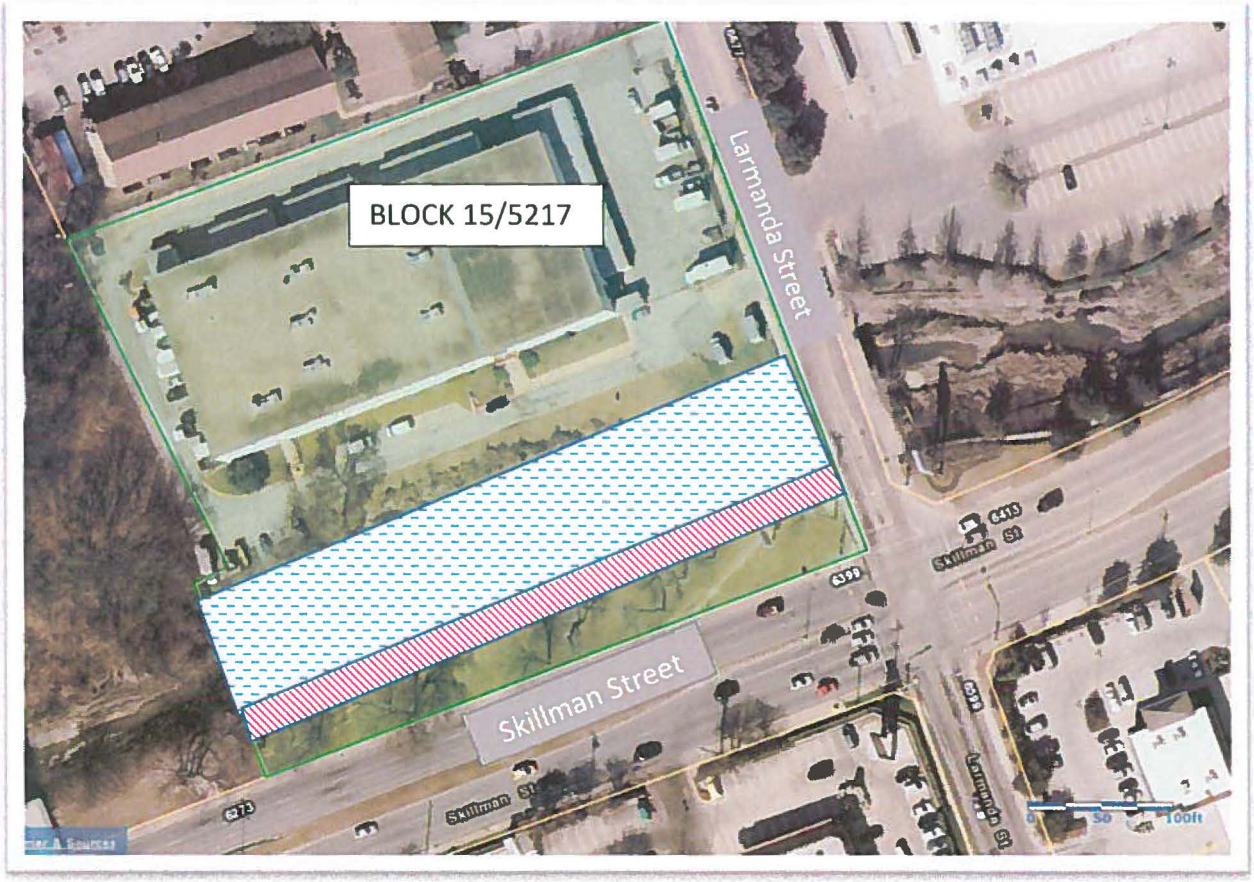
FWLB SKILLMAN, LP

FWLB, LLC

Frank Nuchereno, Manager

MAP

Attached



N
W
E
S

FLOODWAY EASEMENT ABANDONMENT AREA

FLOODWAY MAINTENANCE ACCESS EASEMENT ABANDONMENT AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a floodway easement and a floodway maintenance access easement, located in City Block 15/5217 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to FWLB SKILLMAN, LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of FWLB SKILLMAN, LP, a Texas limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8, and 9 the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE,** its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq.,as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance"

SECTION 8. (continued)

under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE** shall obtain approval of fill permit from City of Dallas Trinity Watershed Management (TWM) and approval of engineering plans from City Engineering.

SECTION 10. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said portions of a floodway easement and a floodway maintenance access easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement, to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. **GRANTEE** will grant the new easement at no cost consideration to the City and all work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction. Failure to relocate to the new easement in accordance with the terms of the section shall render this ordinance null and void and of no further effect.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance,

SECTION 11. (continued)

which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this contract is designated as Contract No. DEV-2017-00002297.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

FLOODWAY EASEMENT
ABANDONMENT
LOT 1A, BLOCK 15/5217
RE-SUBDIVISION OF R.L. GUYER SUBDIVISION
IN THE
W.P. WYCHE SURVEY, ABSTRACT NUMBER 1522
CITY OF DALLAS,
DALLAS COUNTY, TEXAS

BEING a 1.026 (44,705 square feet) acre tract of land situated in the W. P. Wyche Survey, Abstract Number 1522, Dallas County, Texas, and being part of Lot 1A, Block 15/5217 of Re-Subdivision of R.L. Guyer Subdivision, Lots 1-9, City Block 15/5217, same being owned by FWLB Skillman, L.P. per that Special Warranty Deed recorded in Volume 2002244, Page 8216 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being all of that 100-foot wide "Floodway Easement" per said plat of Lot 1A, Block 15/5217, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found for the northeast corner of said Lot 1A, Block 15/5217, same being the southeast corner of that tract of land described in deed to Trail Meadows Partners I, L.P., as recorded in Instrument Number 200503640786 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said iron rod being on the westerly right-of-way line of Larmanda Street (a called 60-foot wide public right-of-way through use, no deed of record found);

THENCE South 20 degrees 51 minutes 06 seconds East, along the common east line of said Lot 1A and said westerly line of Larmanda Street, a distance of 230.13 feet to a point (not monumented) for the POINT OF BEGINNING of the herein described tract;

THENCE South 20 degrees 51 minutes 06 seconds East, continuing along said common line, a distance of 100.18 feet to a point (not monumented) for corner;

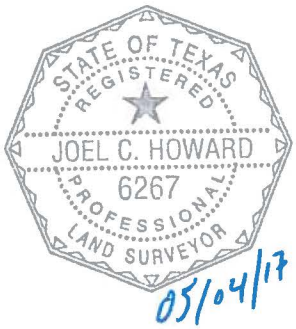
THENCE South 65 degrees 41 minutes 16 seconds West, departing said common line and over and across said Lot 1A along the southerly line of said Floodway Easement, a distance of 446.91 to a point (not monumented) for corner on the common westerly line of said Lot 1A and the easterly line of the DART right-of-way (a variable width right-of-way, no deed of record found);

THENCE North 21 degrees 01 minute 06 seconds West, along said common line, a distance of 100.17 feet to a point (not monumented) for corner;

THENCE North 65 degrees 41 minutes 16 seconds East, departing said common line and over and across said Lot 1A along the northerly line of said Floodway Easement, a distance of 447.20 feet to the POINT OF BEGINNING and CONTAINING 44,705 square feet or 1.026 acres of land, more or less.

The Basis of Bearings is the Texas Coordinate System of 1983, North Central Zone (4202).

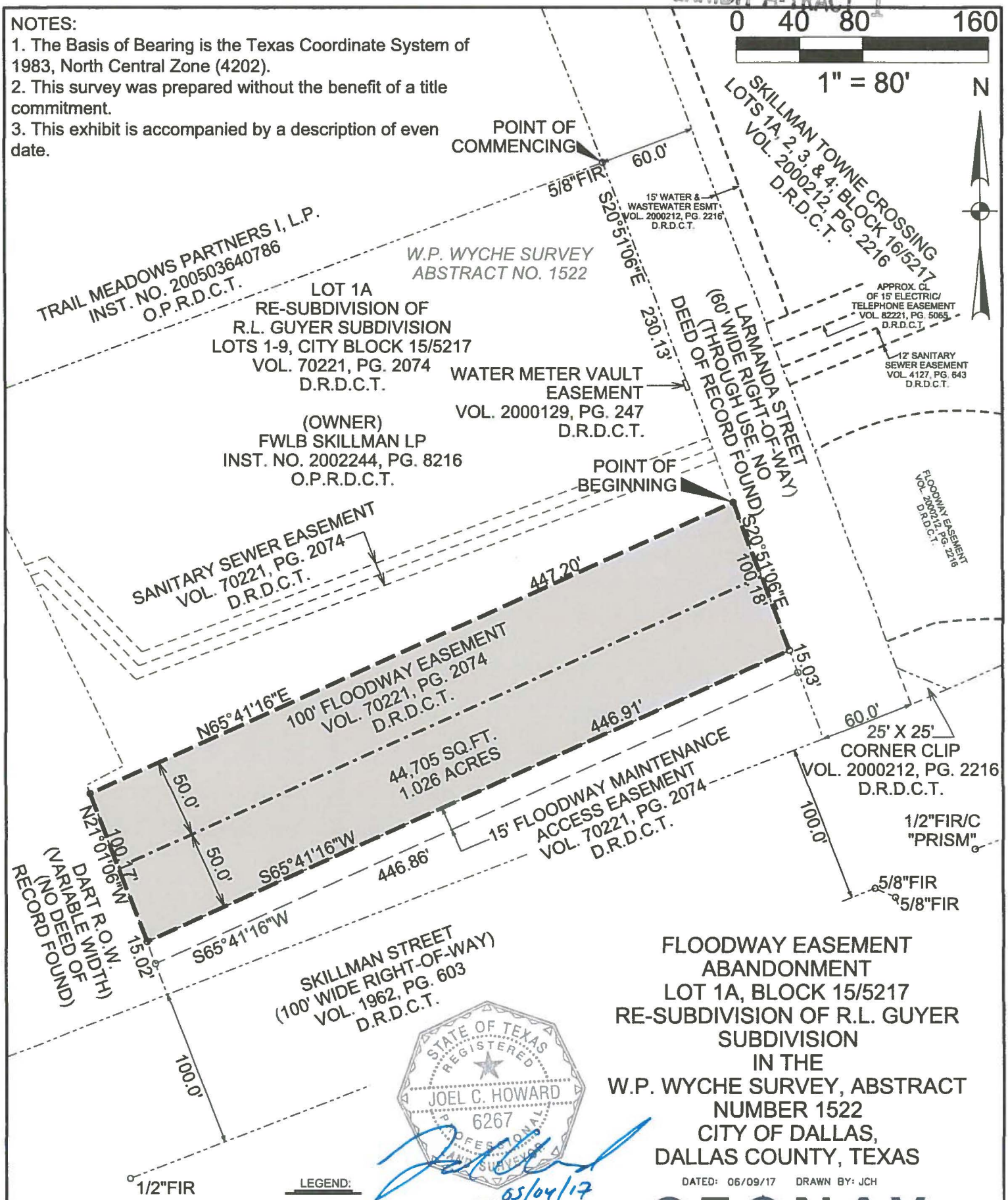
Joel C. Howard
Texas RPLS No. 6267



Reviewed By: A. Rodriguez
Date: 6/14/17
SPRG No.: 4149

EXHIBIT A-TRACT 1

NOTES:
1. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202).
2. This survey was prepared without the benefit of a title commitment.
3. This exhibit is accompanied by a description of even date.



STATE OF TEXAS REGISTERED JOEL C. HOWARD 6267 PROFESSIONAL LAND SURVEYOR

05/04/17

LEGEND:

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
FIR	FOUND IRON ROD
FIR/C	FOUND IRON ROD W/ CAP
INST.	INSTRUMENT
PG.	PAGE
SQ.FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY

Reviewed By: A.Rodriguez
Date: 6/14/17
SPRG No.: 4149

FLOODWAY EASEMENT ABANDONMENT LOT 1A, BLOCK 15/5217 RE-SUBDIVISION OF R.L. GUYER SUBDIVISION IN THE W.P. WYCHE SURVEY, ABSTRACT NUMBER 1522 CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATED: 06/09/17 DRAWN BY: JCH

GEONAV
SURVEYING • MAPPING • SCANNING
2081 HUTTON DRIVE, SUITE 107; CARROLLTON, TEXAS 75006
SCALE: 1"=80" (972)243-2409 PROJECT #1167
TBPLS FIRM NO. 10194205

FLOODWAY MAINTENANCE ACCESS
EASEMENT ABANDONMENT
LOT 1A, BLOCK 15/5217
RE-SUBDIVISION OF R.L. GUYER SUBDIVISION
IN THE
W.P. WYCHE SURVEY, ABSTRACT NUMBER 1522
CITY OF DALLAS,
DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

BEING a 0.1539 (6,703 square feet) acre tract of land situated in the W. P. Wyche Survey, Abstract Number 1522, Dallas County, Texas, and being part of Lot 1A, Block 15/5217 of Re-Subdivision of R.L. Guyer Subdivision, Lots 1-9, City Block 15/5217, same being owned by FWLB Skillman, L.P. per that Special Warranty Deed recorded in Volume 2002244, Page 8216 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being all of that 15-foot wide "Floodway Maintenance Access Easement" per said plat of Lot 1A, Block 15/5217, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found for the northeast corner of said Lot 1A, Block 15/5217, same being the southeast corner of that tract of land described in deed to Trail Meadows Partners I, L.P., as recorded in Instrument Number 200503640786 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said iron rod being on the westerly right-of-way line of Larmanda Street (a called 60-foot wide public right-of-way through use, no deed of record found);

THENCE South 20 degrees 51 minutes 06 seconds East, along the common east line of said Lot 1A and said westerly line of Larmanda Street, a distance of 330.31 feet to a point (not monumented) for the POINT OF BEGINNING of the herein described tract;

THENCE South 20 degrees 51 minutes 06 seconds East, continuing along said common line, a distance of 15.03 feet to a point (not monumented) for corner;

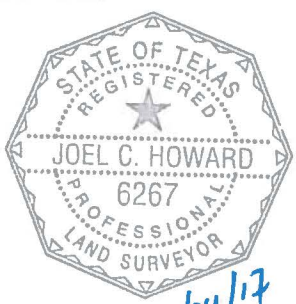
THENCE South 65 degrees 41 minutes 16 seconds West, departing said common line and over and across said Lot 1A along the southerly line of said Floodway Maintenance Access Easement, a distance of 446.86 to a point (not monumented) for corner on the common westerly line of said Lot 1A and the easterly line of the DART right-of-way (a variable width right-of way, no deed of record found);

THENCE North 21 degrees 01 minute 06 seconds West, along said common line, a distance of 15.02 feet to a point (not monumented) for corner;

THENCE North 65 degrees 41 minutes 16 seconds East, departing said common line and over and across said Lot 1A along the northerly line of said Floodway Maintenance Access Easement, a distance of 446.91 feet to the POINT OF BEGINNING and CONTAINING 6,703 square feet or 0.1539 acres of land, more or less.

The Basis of Bearings is the Texas Coordinate System of 1983, North Central Zone (4202).

Joel C. Howard
Texas RPLS No. 6267



05/04/17

Reviewed By: A. Rodriguez
Date: 6/14/17
SPRG No.: 4150

EXHIBIT A-TRACT 2

NOTES:
1. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202).
2. This survey was prepared without the benefit of a title commitment.
3. This exhibit is accompanied by a description of even date.

0 40 80 160
1" = 80'

STATE OF TEXAS REGISTERED JOEL C. HOWARD 6267 PROFESSIONAL LAND SURVEYOR

05/04/17

LEGEND:

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
FIR	FOUND IRON ROD
FIR/C	FOUND IRON ROD W/ CAP
INST.	INSTRUMENT
PG.	PAGE
SQ.FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY

FLOODWAY MAINTENANCE ACCESS EASEMENT ABANDONMENT LOT 1A, BLOCK 15/5217 RE-SUBDIVISION OF R.L. GUYER SUBDIVISION IN THE W.P. WYCHE SURVEY, ABSTRACT NUMBER 1522 CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATED: 06/09/17 DRAWN BY: JCH

Reviewed By: A. Rodigue
Date: 6/14/17
SPRG No.: 4150

GEONAV
SURVEYING • MAPPING • SCANNING
2081 HUTTON DRIVE, SUITE 107; CARROLLTON, TEXAS 75006
SCALE: 1"=80" (972)243-2409 PROJECT #1167
TBPLS FIRM NO. 10194205

AGENDA ITEM # 60

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 54 Y; 64 C; D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions

Z167-151(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, NOVEMBER 8, 2017
ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-151(WE)	**DATE FILED:**	December 7, 2016
LOCATION:	West line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard		
COUNCIL DISTRICT:	4	**MAPSCO:**	54 Y; 64 C, D
SIZE OF REQUEST:	Approx. 13.45 acres	**CENSUS TRACT:**	60.02

APPLICANT/OWNER: Faith Family Academy

REPRESENTATIVE: Rob Baldwin, Baldwin & Associates

REQUEST: An application for a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District.

SUMMARY: The purpose of this request is to allow the school [Faith Family Academy] to continue to operate. On January 26, 2011, the City Council approved a Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional five-year periods. Specific Use Permit No. 1824 was eligible for automatic renewal but the applicant missed the time period to submit for auto renewal. As a result, SUP No. 1824 expired in September 2016, and the request for the SUP now has to go through the public hearing process. On November 17, 2016, the City Plan Commission recommended denial without prejudice of the renewal of SUP No. 1824. The applicant has submitted this application for a Specific Use Permit to continue to operate the existing open enrollment charter school.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions.

BACKGROUND INFORMATION:

- In 1997, the applicant received an initial CO Certificate of Occupancy for a private school for grades 1st through 12th. In 1999, the school received a certificate from the State of Texas to operate a Charter School. The Development Code requires a Specific Use Permit to operate an open enrollment charter school.

- On January 26, 2011, the City Council approved a Specific Use Permit for an open enrollment charter school for a five-year period with eligibility for automatic renewals for additional five year periods.

- On September 14, 2011, the City Council approved an amendment to Specific Use Permit No. 1824 for an open enrollment charter school for a five-year period with eligibility for automatic renewals for additional five year periods.

- The applicant did not submit an application for renewal within the time period specified in the conditions and as a result had to submit an application for renewal of SUP No. 1824.

- On November 17, 2016, the City Plan Commission recommended denial without prejudice the renewal of SUP No. 1824.

- The school's enrollment is approximately 2,140 students and ranges from Pre-kindergarten through twelfth grade.

- The school's administration has designated four existing driveway approaches for ingress/egress onto the site, as depicted on the proposed site plan.

- The land uses surrounding the request site are primarily retail and warehouse uses. The land uses north of the site consist of an utility easement and multifamily uses.

Zoning History: There has been one recent zoning change requested within the area within the past five years.

1. Z156-355 On November 17, 2016, the City Plan Commission recommended denial without prejudice of Specific Use Permit No. 1824 for an open-enrollment charter school.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South R.L. Thornton Freeway (IH 35E)	Freeway	Variable lane width	Variable lane width
W. Kiest Blvd.	Local	60 ft.	60 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	RR w/ SUP No. 1824	Open-enrollment charter school
North	RR	Retail
South	MF-2(A), RR	Undeveloped, Multifamily
East	RR	R. L. Thornton Freeway
West	RR, PD No. 414 (Tract I & II)	Warehouse, Bus terminal

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The school is located within a part of the city where the zoning permits the development of regional-retail serving uses and provides easy access to the roadways and various retail and personal service uses and office uses. The open-enrollment charter school is surrounded by a mixed of retail and personal service uses and institutional uses which is characteristics of an Urban Neighborhood Building Block.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 13.45-acre campus is developed as an open-enrollment charter school. The applicant's request for a renewal of Specific Use Permit No. 1824 will allow for the continued operation of the school.

The open-enrollment charter school has a student enrollment of approximately 2,140 students from grades pre-kindergarten to twelfth and is permitted to have a maximum of 93 classrooms. Currently the school has 85 classrooms. The school's administration has designated four existing driveway approaches for ingress/egress onto the site; three along South R.L. Thornton Freeway and one on West Kiest Boulevard. A fourth site driveway provides direct, full access (i.e. left in/out turns) to

Kiest Boulevard. Each point of access is secured by a controlled access gate that will remain open during school hours.

The land uses surrounding the request site are primarily retail and personal service, with a warehouse / bus terminal that is located west of site. The properties south of the site consist of an utility easement and multifamily uses. The location of the school is compatible with the surrounding land uses and is within an RR Regional Retail District where the area provides for development of regional-serving retail, personal service and office uses. The open-enrollment charter school provides another choice to serve educational needs in the community.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

The use is compatible with the mix of uses in the area. It is located on a major thoroughfare to allow for access to the school without interfering with a residential traffic. The conditions in the PD and the TMP provide regulations that will help mitigate any potential issues that the open-enrollment charter school may pose on adjacent properties. The relatively short time periods and the requirement of the updated TMP will allow staff to evaluate the operation of the use for continued compatibility.

The applicant submitted a TMP report for this application. The Engineering Division has reviewed and supports the Traffic Management Plan. The applicant is required, as with all Traffic Management Plans, to submit a traffic study to the director each odd-numbered year, to determine if the TMP is being implemented effectively.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RR Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office, Charter School

Parking: The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The requirements for off-street parking are as follows:

- one and one-half spaces for each elementary school classroom,
- three and one-half spaces for each middle school classroom; and
- nine and one-half spaces for each senior high school classroom

The school currently provides for 85 classrooms on site, but is permitted a maximum of 93 classrooms. Below is a chart that provides a breakdown of the number of classrooms per grade.

Grades	Number of Classrooms	Required Parking
Pre-K to Kindergarten	14	21 spaces
1st through 5th	31	47 spaces
6th through 8th	22	77 spaces
9th through 12th	18	171 spaces
Total	**85 classrooms**	**316 spaces**

The number of required off-street parking spaces for the campus is 316 spaces and the applicant is proposing to provide 316 off-street parking spaces.

Landscaping: Landscaping will be in accordance with Article X, as amended.

CPC Action (August 3, 2017)

Motion: In considering an application for a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard, it was moved to **hold** this case under advisement until September 28, 2017.

Maker: Davis
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 400 Mailed: 19
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Rob Baldwin, Address not given
Against: None

CPC Action (September 28, 2017)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1824 for an open enrollment charter school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions on property zoned an RR Regional Retail District on the west line of South R.L. Thornton Frontage Road, south of West Kiest Boulevard.

Maker: Murphy
Second: Shidid
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Shidid, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 3 - Houston, Davis, Haney
Vacancy: 1 - District 6

Notices: Area: 400 Mailed: 19
Replies: For: 4 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

LIST OF
PARTNER/PRINCIPALS/OFFICERS
Faith Family Academy

- Gene Lewis School Board President
- Mollie Purcell Superintendent of Schools
- Dean McGuire Assistant Superintendent

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. CLASSROOMS: The maximum number of classrooms is 93.

5. DROP-OFF/PICK-UP: A pick-up and drop-off area for students must be provided in the location shown on the attached site plan.

6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday.

7. INGRESS/ EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

8. PARKING: Parking must be located as shown on the attached site plan.

9. TRAFFIC MANAGEMENT PLAN:

A. In general. The operation of an open enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by **November 1, 2019.** After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

a. ingress and egress points;

b. queue lengths;

c. number and location of personnel assisting with loading and unloading of students;

d. drop-off and pick-up locations;

e. drop-off and pick-up hours for each grade level;

f. hours for each grade level; and

g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

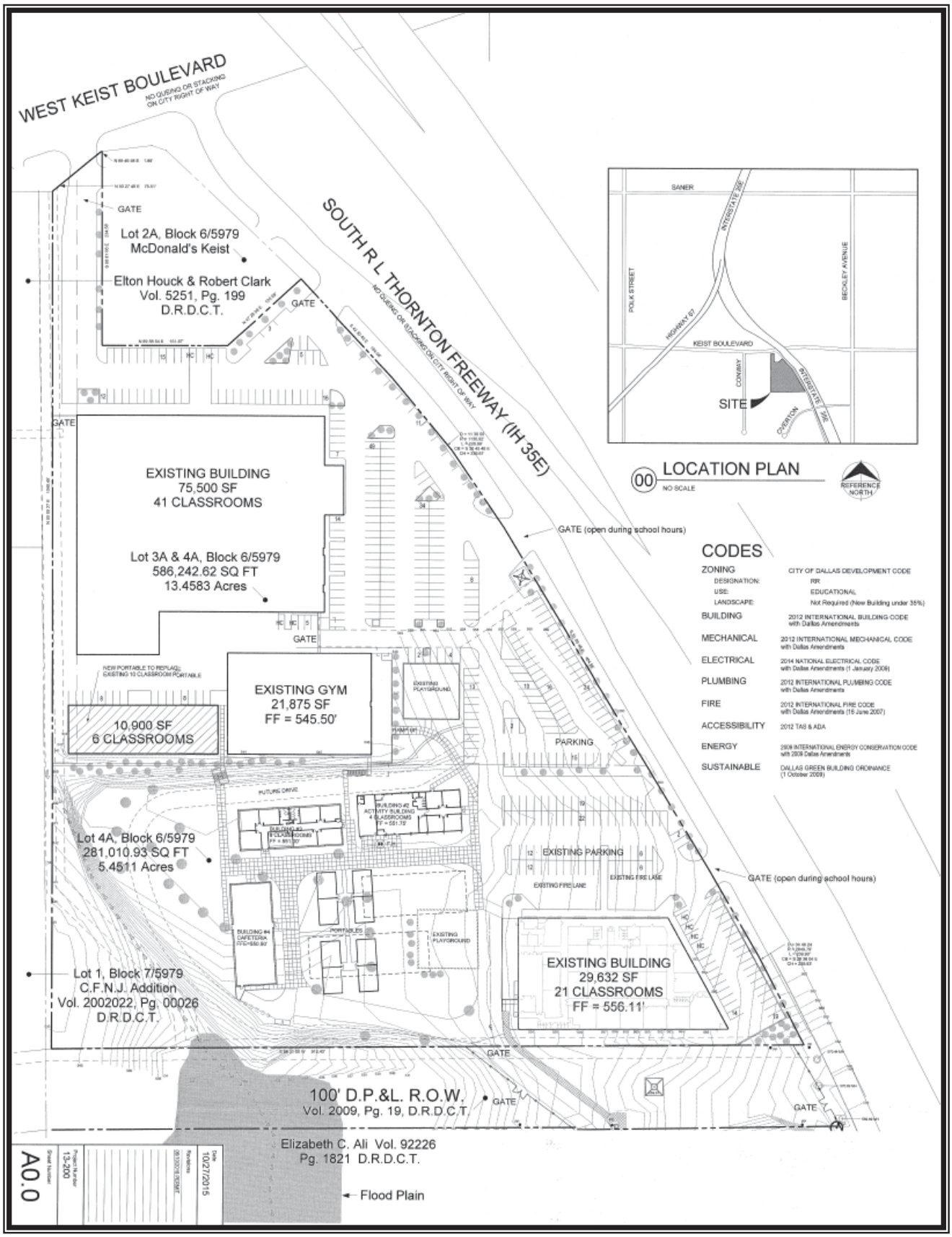
i. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



TRAFFIC MANAGEMENT PLAN FOR

FAITH FAMILY ACADEMY

DALLAS, TEXAS

DESHAZO PROJECT NO. 15228

Prepared for:

Faith Family Academy
300 W Kiest Blvd
Dallas, Texas 752224

Prepared by:

Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

October 24, 2017

Traffic Management Plan

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

School Operational Characteristics

DeShazo conducted field observations of the school on Wednesday, December 9, 2015 during the student dismissal period. **Table *1*** summarizes the operational characteristics for *Faith Family Academy* at the time of these observations.

Table 1. School Operational Characteristics

Enrollment:	Approx. 2,140 students
Daily Start/Dismissal Schedule:	Pre-K ..... 8:00 AM – 2:50 PM Kinder..... 8:00 AM – 3:00 PM 1st Grade..... 7:50 AM – 3:10 PM 2nd Grade..... 7:50 AM – 3:15 PM 3rd Grade ..... 7:50 AM – 3:20 PM 4th Grade ..... 7:50 AM – 3:25 PM 5th Grade ..... 7:50 AM – 3:30 PM 6th – 8th Grade ..... 7:45 AM – 3:32 PM 9th – 12th Grade ... 7:45 AM – 3:32 PM
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By Public Transit: ≅ 15% By Walking: ≅ 5%
Approximate Number of Students with Alternate Schedules (i.e. Depart Outside of Normal Peak):	<10% (extracurricular activities, early dismissals, etc.)

NOTE: To the highest degree practical, the accounts of existing conditions presented in this report were based upon actual on-site observations conducted by DeShazo and from personal interviews of school representatives. Occasional events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Site Access

The School is located at the southwest corner of W. Kiest Boulevard and the southbound service road of S. RL Thornton (I-35E) Freeway. West Kiest Boulevard is a six-lane, divided thoroughfare and provides full access (i.e. left in and out) to the School. A total of three gated driveways connect to the southbound lanes of the service road. A fourth site driveway provides direct, full access (i.e. left in/out turns) to Kiest Boulevard.

During the morning drop-off period, parents enter the campus to unload students within the site; most vehicles proceed to their corresponding student drop-off area. During the afternoon pick-up period, students are dismissed from one of four building exit points corresponding by school grades. Parents then drive into the parking lot and either park in a vacant parking space or queue along the driving aisles in front of their student(s)' respective exit points. After informing the school personnel of their arrival, they either wait inside their vehicle for the student to arrive or walk to the building to greet their student(s).

Passenger Unloading/Loading and Vehicular Queuing

During the on-site observations, motorists were observed accessing all driveways. While access of individual driveways is not restricted to particular grades, the passenger vehicles dropping-off/picking-up students typically access the school site via the driveway closest to their desired loading/unloading area. Some parents also choose to park along the shoulder of the service road and walk into the school property to greet their child(ren).

On-site observations also indicate that a significant number of upper grade students leave the premises and walk away from the property towards a restaurant located immediately adjacent to the north and/or proceed to walk towards the bus STOP stations on W. Kiest Boulevard. Some students are subsequently picked up outside of the school property.

In general, the site provides sufficient capacity to accommodate the queuing needs of the entire school. However, on Wednesday, December 9, security staff employed by the school installed traffic cones to restrict vehicular access to the school property at 3:20 PM as part of the school efforts to organize traffic on-site as well as provide safety measures for upper grade students. This traffic operation resulted in traffic obstruction on the through lanes of the service road and encouraged a disproportionate amount of on-street pick-up and student loading. The following section presents some recommendations to implement during school dismissal periods in lieu of this effort.

Recommendations

DeShazo conducted field observations of the school during the student dismissal periods. On-street loading areas provide sufficient queuing capacity to accommodate the queuing needs of all students at their respective pick-up times.

- The recommended circulation for Pre-Kindergarten and Kindergarten pick-up operations provides approximately 1,250 linear feet of queuing or capacity for up to 53 vehicles at 23.5 feet per vehicle. This capacity accommodates the *observed* peak vehicle demand of 42 cars and provides a surplus.

- The recommended circulation for 1st-4th grade pick-up operations provides approximately 846 linear feet of queuing (in double lanes) or capacity for up to 36 vehicles at 23.5 feet per vehicle. This capacity accommodates the *observed* peak vehicle demand of 26 cars and provides a surplus.

- The recommended circulation for 5th grade pick-up operations provides approximately 658 linear feet of queuing or capacity for up to 28 vehicles at 23.5 feet per vehicle. This capacity accommodates the *observed* peak vehicle demand of 17 cars and provides a surplus.

- The recommended circulation for upper-grade student pick-up operations provides approximately 1,927 linear feet of queuing or capacity for up to 82 vehicles at 23.5 feet per vehicle. This capacity accommodates a *projected* peak vehicle demand of 74 provides a surplus.

DeShazo recommends the following operations to continue the effective enforcement of a traffic management plan at Faith Family Academy:

- Staff installs temporary traffic control devices (such as traffic cones, etc.) when typical traffic conditions are expected. An appropriate number of school staff is also assigned to fulfill the duties of student supervision, traffic control, and other related duties as depicted on the plan.

- Staff should continue guiding traffic along a described egress route but should not restrict access to school property at any time during any peak traffic period of student dismissal.

- As needed, staff directing traffic should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages (and symbols) for STOP and for SLOW (i.e., proceed slowly). Optional additional equipment used by staff may include whistles (for audible warnings) and flashlights (for visual warning).

- The School should continue their practice of allowing no person(s) other than deputized officers of the law to engage or attempt to influence traffic operations in public right-of-way.

- School should encourage parents to load and unload students within the school property to maximize personal safety. No queuing or parking along the service road of the highway should be encouraged. For circumstances where this issue becomes a problem, the School should coordinate with City staff responsible for traffic operations in the area to investigate appropriate mitigation measures.

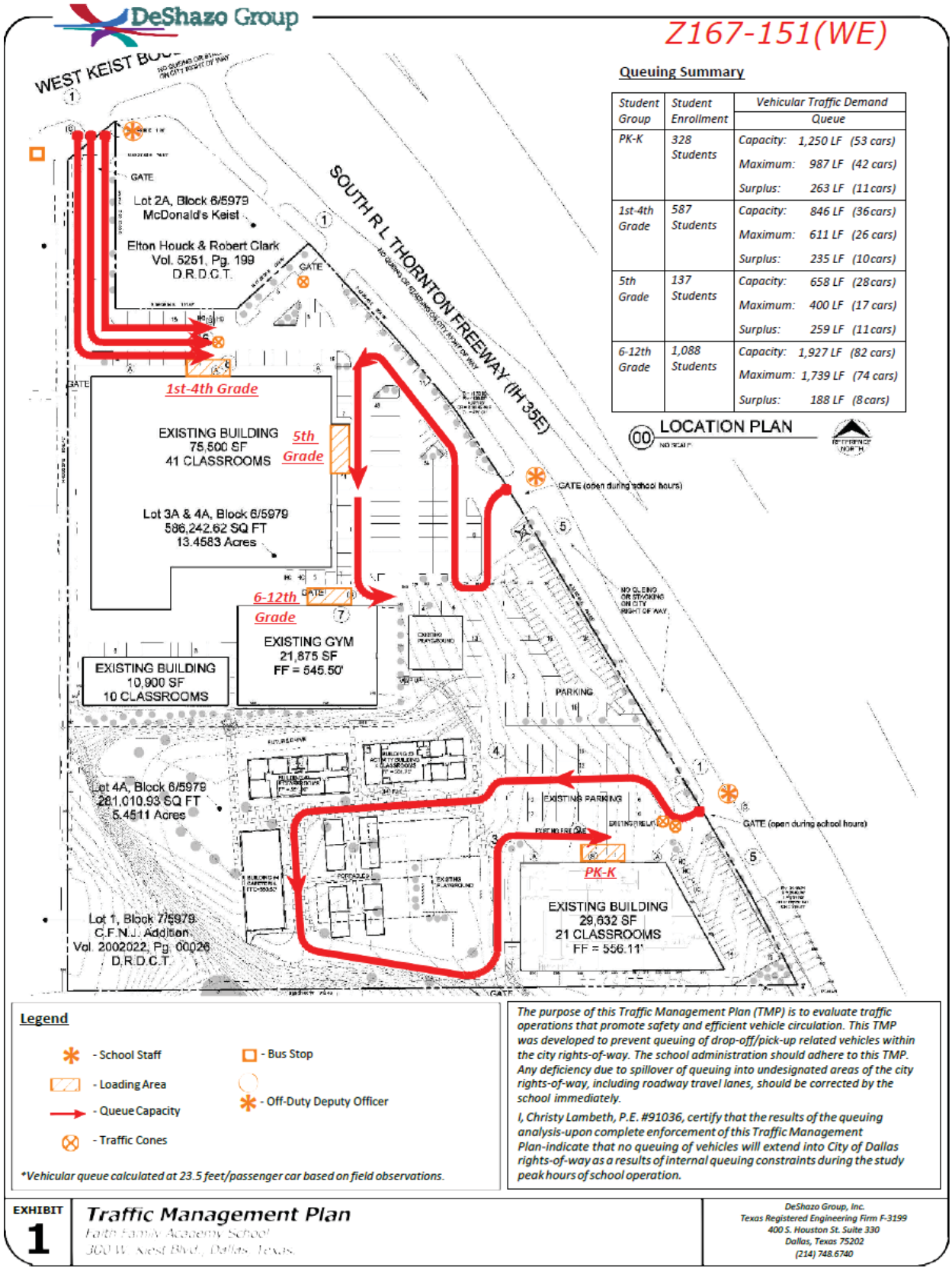
- As needed, school officials should consider further staggering 6 through 12 grade student dismissal.

Summary

Field observations of existing conditions indicate that student loading/unloading activities operate without any severe problems. A number of recommendations are provided in this report for consideration by school officials. Full cooperation of all school staff members, students, AND parents is crucial for the continuing success of any traffic management plan. The referenced TMP should be enforced by Faith Family Academy School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating within the site vehicular traffic generated by the school at peak traffic periods. The school should review details of this plan on a regular basis to confirm its effectiveness.

END OF MEMO

Traffic Management Plan
Circulation Plan



Queuing Summary

Student Group	Student Enrollment	Vehicular Traffic Demand Queue	
PK-K	328 Students	Capacity:	1,250 LF (53 cars)
		Maximum:	987 LF (42 cars)
		Surplus:	263 LF (11 cars)
1st-4th Grade	587 Students	Capacity:	846 LF (36 cars)
		Maximum:	611 LF (26 cars)
		Surplus:	235 LF (10 cars)
5th Grade	137 Students	Capacity:	658 LF (28 cars)
		Maximum:	400 LF (17 cars)
		Surplus:	259 LF (11 cars)
6-12th Grade	1,088 Students	Capacity:	1,927 LF (82 cars)
		Maximum:	1,739 LF (74 cars)
		Surplus:	188 LF (8 cars)

00 LOCATION PLAN NO SCALE

Legend

- School Staff
- Loading Area
- Queue Capacity
- Traffic Cones
- Bus Stop
- Off-Duty Deputy Officer

**Vehicular queue calculated at 23.5 feet/passenger car based on field observations.*

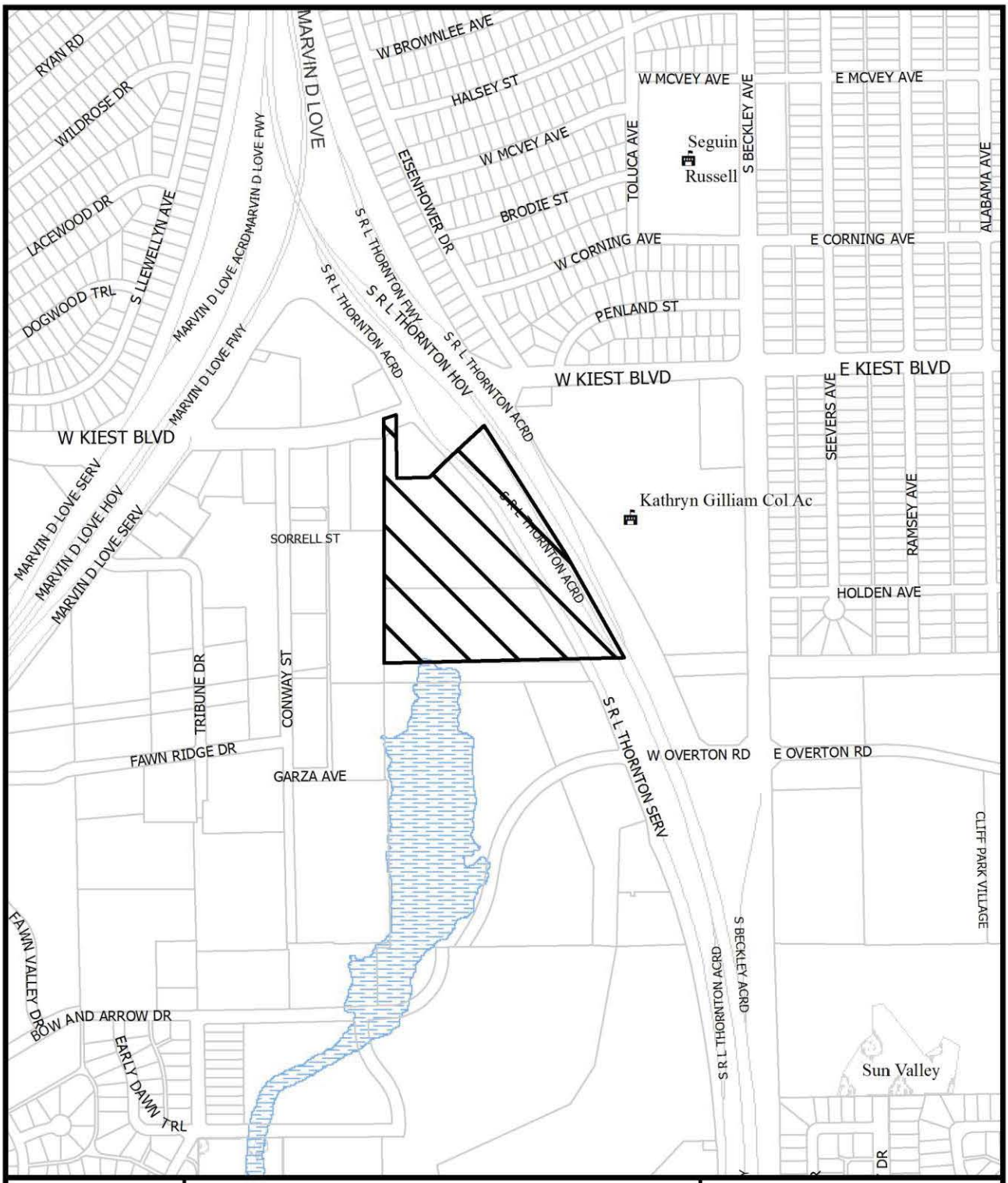
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, Christy Lambeth, P.E. #91036, certify that the results of the queuing analysis-upon complete enforcement of this Traffic Management Plan-indicate that no queuing of vehicles will extend into City of Dallas rights-of-way as a results of internal queuing constraints during the study peak hours of school operation.

EXHIBIT 1

Traffic Management Plan
Faith Family Academy School
300 W. Kiest Blvd., Dallas, Texas

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740



1:7,200

VICINITY MAP

Case no: Z167-151

Date: 12/22/2016

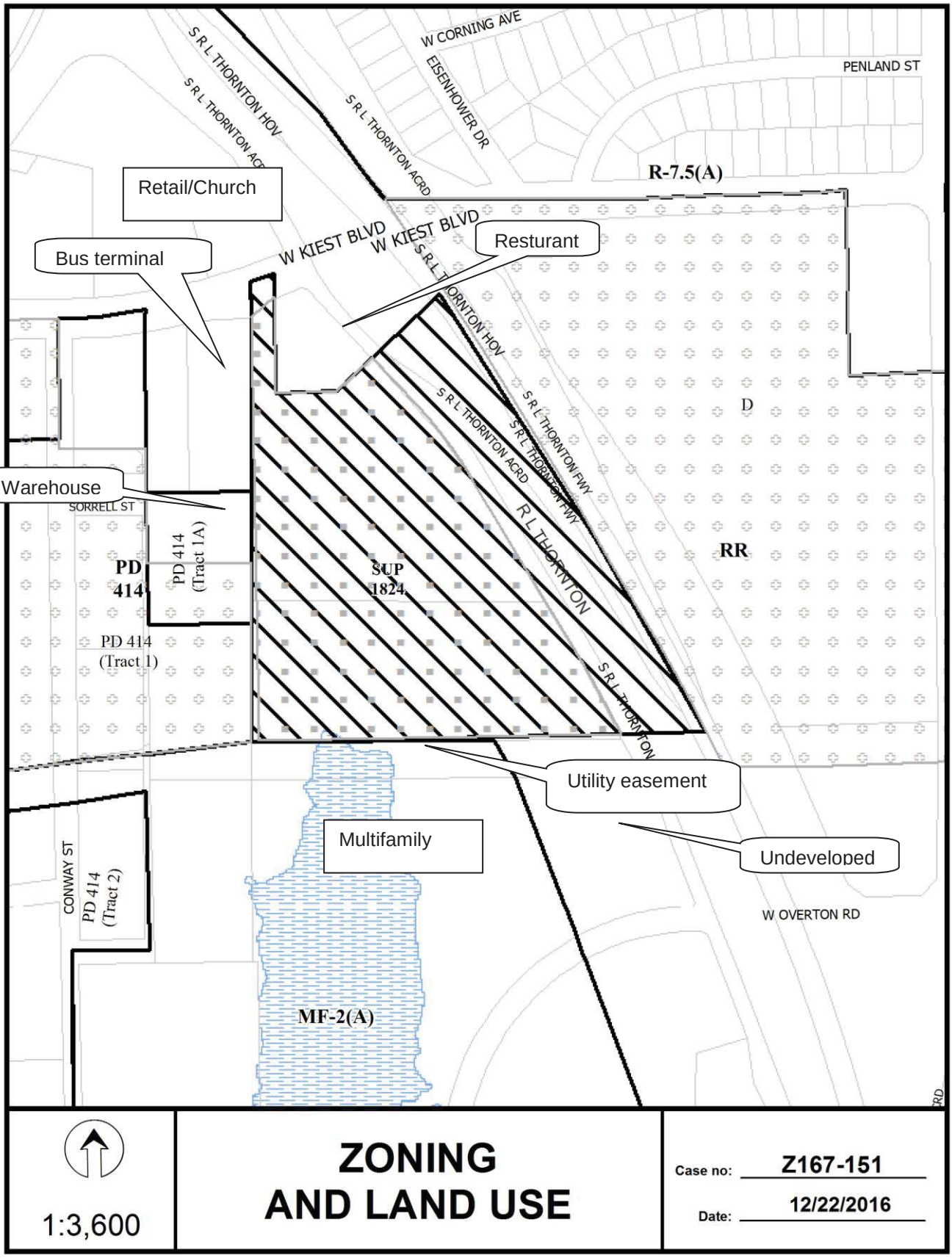


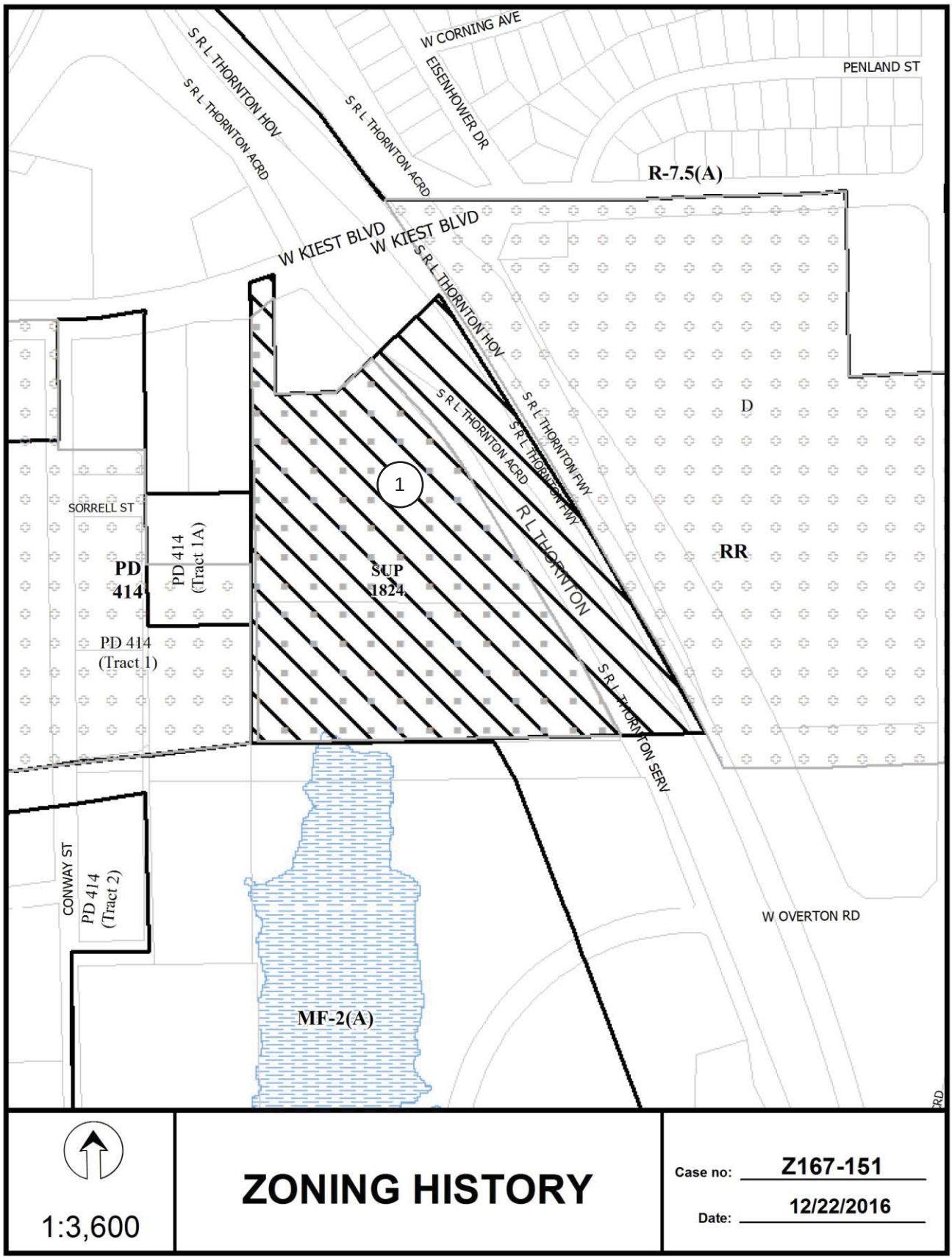
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AERIAL MAP

Case no: Z167-151

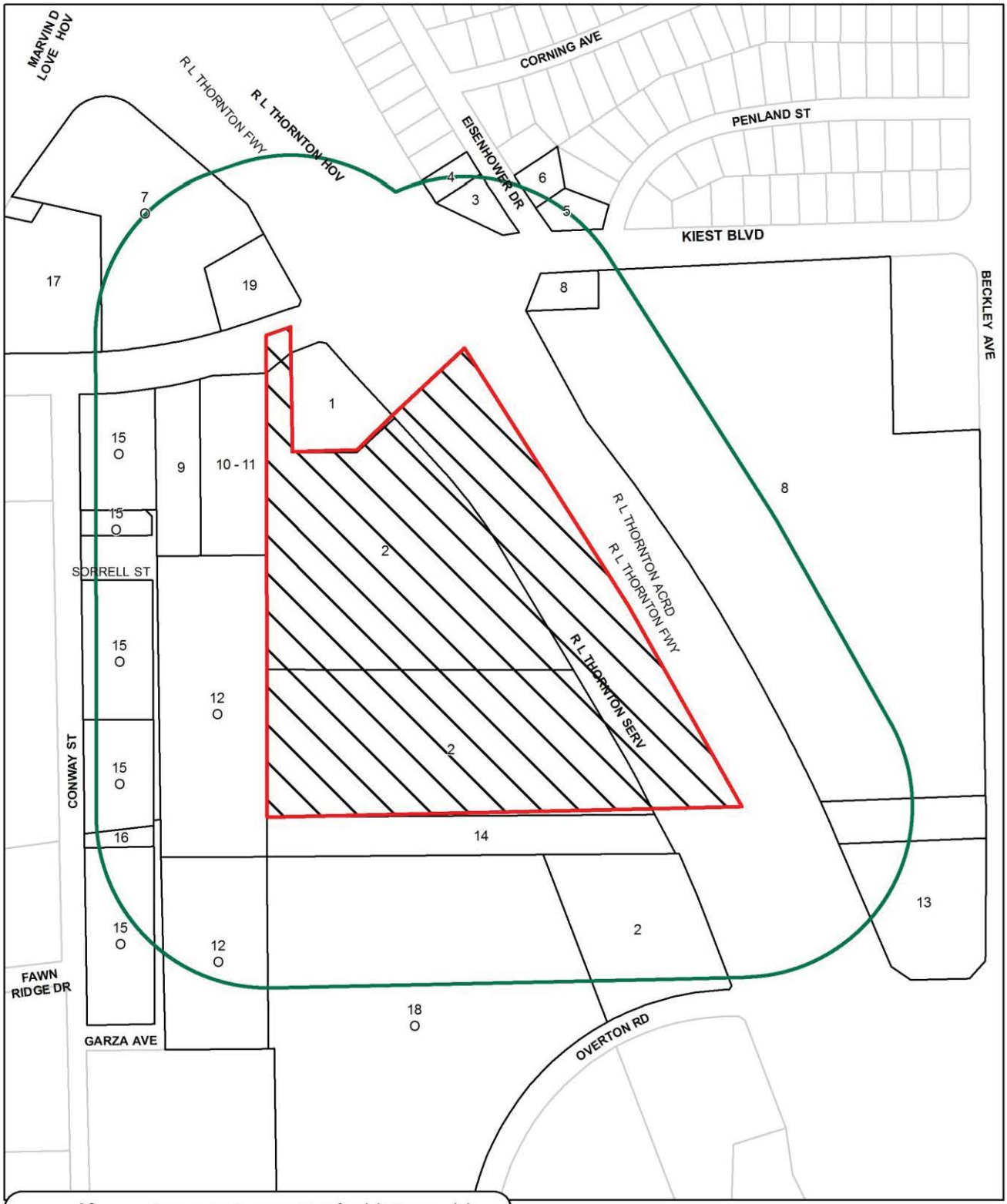
Date: 12/22/2016


W CORNING AVE
PENLAND ST
EISENHOWER DR
S R L THORNTON HOV
S R L THORNTON ACRD
R-7.5(A)
Retail/Church
Bus terminal
W KIEST BLVD
Resturant
S R L THORNTON FWY
D
Warehouse
SORRELL ST
PD 414
PD 414 (Tract 1A)
SUP 1824
RR
R L THORNTON
PD 414 (Tract 1)
Utility easement
Multifamily
Undeveloped
CONWAY ST
PD 414 (Tract 2)
W OVERTON RD
MF-2(A)
1:3,600
ZONING AND LAND USE
Case no: Z167-151
Date: 12/22/2016


W CORNING AVE
PENLAND ST
S R L THORNTON HOV
S R L THORNTON ACRD
EISENHOWER DR
R-7.5(A)
W KIEST BLVD
S R L THORNTON FWY
D
1
SORRELL ST
PD 414 (Tract 1A)
PD 414
SUP 1824
RR
R L THORNTON
PD 414 (Tract 1)
S R L THORNTON SERV
CONWAY ST
PD 414 (Tract 2)
W OVERTON RD
MF-2(A)
1:3,600
ZONING HISTORY
Case no: Z167-151
Date: 12/22/2016

Z167-151(WE)

CPC RESPONSES



19	Property Owners Notified (27 parcels)
4	Replies in Favor (10 parcels)
0	Replies in Opposition (0 parcels)
400'	Area of Notification
9/28/2017	Date

Z167-151
CPC

N
W E
S

1:3,600

Notification List of Property Owners

Z167-151

19 Property Owners Notified 4 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	310	W KIEST BLVD	ARCHLAND PROPERTY II LP
	2	3515	S R L THORNTON FWY	FAITH FAMILY KIDS
	3	3219	EISENHOWER DR	FOSTER EVELTON
	4	3215	EISENHOWER DR	RIOJAS ERASTO GONZALEZ &
	5	241	PENLAND ST	COUCH KEDRIC
	6	3220	EISENHOWER DR	SAUCEDOALEGRE MIGUEL ANGEL &
O	7	321	W KIEST BLVD	CHRIST FOR THE NATIONS
	8	200	W KIEST BLVD	Dallas ISD
	9	330	W KIEST BLVD	JACKSON MELVIN
	10	334	W KIEST BLVD	GUARANTY BANK
	11	334	W KIEST BLVD	RED OAK STATE BANK
O	12	3500	CONWAY ST	CHRIST FOR THE NATIONS
	13	109	W OVERTON RD	PATEL PARIMALBHAI
	14	110	W OVERTON RD	TEXAS UTILITIES ELEC CO
O	15	3522	CONWAY ST	CHRIST FOR THE NATIONS
	16	3444	CONWAY ST	DITTRICK MARJORIE EST
	17	333	W KIEST BLVD	PROSPERITY BANK
O	18	205	OVERTON RD	MADISON POINT LTD PS
	19	309	W KIEST BLVD	AMERICAN HOMESTEAD LTD

AGENDA ITEM # 61

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 25 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-326(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-326(SM)	**DATE FILED:**	June 14, 2017
LOCATION:	Northeast corner of Sherry Lane and Lomo Alto Drive		
COUNCIL DISTRICT:	13	**MAPSCO:**	25 W
SIZE OF REQUEST:	Approx. 0.86 acres	**CENSUS TRACT:**	73.01

OWNER\APPLICANT: SGD BD Park Cities, LP

REPRESENTATIVE: William Dahlstrom; Jackson Walker, LLP

REQUEST: An application for a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District.

SUMMARY: The purpose of this request is to allow railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls to project through the residential proximity slope to a height not to exceed the maximum structure height, or eight feet above the slope, whichever is less. The applicant proposes to erect the proposed projections on the building that is currently under construction.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- The site previously consisted of a vacant lot and an office building that was demolished on December 1, 2015, according to permit records.

- An eight story assisted living and memory care facility was issued a permit for new construction on November 3, 2016.

Zoning History: There have been no recent zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/ Street	Function	Operational Characteristic	ROW
Sherry Lane	Collector	4 lanes undivided	60 feet
Lomo Alto Drive	Local	N/A	50 feet

Traffic:

The Engineering Division of the Department Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

COMPREHENSIVE PLAN:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

AREA PLAN:

The *Northwest Highway and Preston Road Area Plan* was approved by Council on January 25, 2017. The *Plan* was comprised of seven study areas and approximately 1,370 acres. The area of request is located within Zone 1, Preston Center. In Preston Center, the *Plan* envisions the core of Preston Center as a vibrant, mixed-use concept with retail space would be located on the ground floor and office or residential spaces would be located on the upper floors. The *Plan* also recognizes, "that not all developments will be mixed use, the ultimate build out would undoubtedly include additional residential, retail, office and hospitality" (p. 25).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 314, Tract 2 (Subarea A)	Senior care and living
North	PDD No. 314, Tract 2 (Subarea A)	Office
East	PDD No. 314, Tract 2	Office
South	PDD No. 314, Tract 2 (Subarea B)	Office
West	PDD No. 142	Single family

Land Use Compatibility:

The area of request is under construction for a senior living facility that will include a wide range of services and residences for its residents. The surrounding properties primarily consist of office buildings to the north, east, and south. A large divided highway is also located to the west and single family uses are located on the opposite side of the divided highway from the area of request, which therefore originates the residential proximity slope and the necessity of the request.

Since the existing regulations regarding land use are remaining unchanged, the proposed land use is compatible with surrounding properties.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
PDD No. 314, Tract 2 (Subarea A)- Existing	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85%	Multifamily, duplex, single family, Retail and personal service, Warehouses
PDD No. 314, Tract 2 (Subarea A-2) Proposed	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85% 100% with MUP	Multifamily, duplex, single family, Retail and personal service, Warehouses

The request proposes to allow projections in the existing residential proximity slope, which is a slope that emanates at a one foot in height for each three feet in distance of separation from the nearest private property within a single family zoning district, in this case the single family units west of the Dallas North Tollway.

The requested projections into the residential proximity slope are restricted to eight feet above the existing residential proximity slope and are limited to railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls. Projections are requested by the applicant to create safer and more habitable balconies and patios to the residents. For example, four-foot tall parapet walls are currently allowed to project through the residential proximity slope. If parapet walls were allowed to extend an additional four feet to allow an eight-foot parapet wall, the higher parapet would create additional visual separation from the residential districts to the west. Extending a parapet wall four feet higher also provides the benefit of additional safety, as objects or persons are less likely to overcome an eight-foot wall. Finally, the higher walls and requested projections also provide benefits to the residents as high winds often occur when a structure achieves heights above the general tree canopy height of the area.

Staff supports the request because the requested projections are similar to the following projections that are already allowed to project above residential proximity slope: elevator penthouse or bulkhead, mechanical equipment room, cooling tower, tank designed to hold liquids, ornamental cupola or dome, skylights, clerestory, visual screens which surround roof mounted mechanical equipment, chimney and vent stacks, amateur communications tower, and four-foot tall parapet walls[1].

Landscaping:

Landscaping must be in accordance with the landscaping requirements in Planned Development District No. 314, the Preston Center Special Purpose District.

[1] See the district regulations of nonresidential districts in Chapter 51A and Section 51A-4.408(a)(2).

CPC Action – September 28, 2017:

Motion: In considering an application for a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive, it was moved to **hold** this case under advisement until October 5, 2017.

Maker: Murphy
Second: Schultz
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Shidid, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley*, Tarpley

Against: 0
Absent: 3 - Houston, Davis, Haney
Vacancy: 1 - District 6

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 111
Replies: For: 1 Against: 58

Speakers: None

CPC Action – October 5, 2017:

Motion: It was moved to recommend **approval** of a new subarea, subject to conditions on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive.

Maker: Murphy
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 500 Mailed: 111
Replies: For: 59 Against: 0

Speakers: For: Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Partners/Principals/Officers

SGD BV Park Cities LP
List of Partners/Principals/Officers

SGD Park Cities, LLC, Limited Partner
BV Sherry IV, LP, Limited Partner
SGD PC GP, LLC, General Partner
SGD Senior Living, LP, its Sole Member

SGD PC GP, LLC
List of Partners/Principals/Officers

Officers of SGD PC GP, LLC
Dennis H. Alberts, Chairman and Chief Executive Officer
Frederick N. Sheppard, President and Chief Operating Officer
Christopher T. Porter, Managing Director and Chief Financial Officer
Thomas E. Dwyer, President – Development

PROPOSED AMENDMENTS TO

ARTICLE 314.

PD 314.

Preston Center Special Purpose District

SEC. 51P-314.101. LEGISLATIVE HISTORY.

PD 314 was established by Ordinance No. 20397, passed by the Dallas City Council on July 26, 1989. Ordinance No. 20397 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20397 was amended by Ordinance No. 20619, passed by the Dallas City Council on May 9, 1990; Ordinance No. 22689, passed by the Dallas City Council on February 28, 1996; and Ordinance No. 23277, passed by the Dallas City Council on September 24, 1997. (Ord. Nos. 10962; 19455; 20397; 20619; 22689; 23277; 24914)

SEC. 51P-314.102. PROPERTY LOCATION AND SIZE.

PD 314 is established on property generally bounded by Northwest Highway on the north, Preston Road on the east, Colgate Avenue on the south, and the Dallas North Tollway on the west. The size of PD 314 is approximately 68.534 acres. (Ord. Nos. 20397; 24914; 27859)

SEC. 51P-314.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless the context clearly indicates otherwise, in this article:

(1) BAR, LOUNGE, OR TAVERN USE means the "bar, lounge, or tavern" use defined in Section 51A-4.210.

(2) DIR means development impact review pursuant to Division 51A-4.800.

(3) FORMER PLANNED DEVELOPMENT DISTRICT NO. 6 means the planned development district established and governed by Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively. Copies of Ordinance Nos. 7059, 14320, and 19221 are included in this article as Exhibit 314A.

(4) NEARBY INTERSECTIONS means those street intersections within a one-quarter (1/4) mile radius of the building site.

(5) NEW DEVELOPMENT means any work that increases the total floor area on a building site.

(6) OFFICE USES means those uses defined in Section 51A-4.207.

(7) OWNER means the owner or owners, from time to time, of property in this district.

(8) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. "(1)."

(9) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

(C) A railroad right-of-way.

(D) A cemetery or mausoleum.

(10) RAR means residential adjacency review pursuant to Division 51A-4.800.

(10.1) REMOTE COMMUNITY CENTER means a multi-functional facility sponsored or operated by a church as an accessory use to the church use where a combination of social, recreational, or educational activities are provided to church members and their families.

(11) RESIDENTIAL PROXIMITY SLOPE means the "residential proximity slope" defined in Section 51A-4.412.

(12) RETAIL AND PERSONAL SERVICE USES means those uses defined in Section 51A-4.210.

(13) SECTION means a section of this article.

(14) SUBAREA A means Subarea A in Tract I, Subarea A in Tract II, or Subarea A in Tract IV.

(14.1) SUBAREA B means Subarea B in Tract II.

(15) SUBPARAGRAPH means a division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. "(A)." A division of a subparagraph is also referred to as a subparagraph.

(16) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)."

(17) SUP means specific use permit.

(18) THIS DISTRICT means the entire planned development district created by Ordinance No. 20397, as amended.

(19) TRACT means one of the tracts referred to in Section 314.105 of this article.

(20) UNACCEPTABLE LEVEL-OF-SERVICE means a level-of-service "E" or "F" as defined in the Highway Capacity Manual, Transportation Research Board of the National Research Council, Washington, D.C.

(21) USE CATEGORY means the group of uses defined in any one of the following sections: Sections 51A-4.201 through 51A-4.217. The name of the use category corresponds to the section title. For example, "Retail and Personal Service" is a use category consisting of those uses defined in Section 51A-4.210, which is entitled "Retail and Personal Service Uses."

(b) Unless otherwise stated, the definitions contained in CHAPTER 51A apply to this article. In the event of a conflict, this section controls.

(c) Unless otherwise stated, all references to code sections in this article refer to sections in CHAPTER 51A.

(d) The interpretations in CHAPTER 51A, including Section 51A-2.101, "Interpretations," apply to this article.

(e) The phrase "the only uses permitted are those permitted in the ... district" means that the uses indicated are permitted in this district under precisely the same conditions (e.g. SUP, DIR, RAR, etc.) as permitted in the referenced district.

(f) In the event of a conflict between this article and Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively (see Exhibit 314A), this article controls.

(g) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district and each tract within this district is considered to be a "nonresidential zoning district." (Ord. Nos. 20397; 23277; 24914; 26807; 27859; 28089; 28788)

SEC. 51P-314.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 314A: copies of Ordinance Nos. 7059, 14320, and 19221.

(2) Exhibit 314B: Preston Center Special Purpose District tract boundary descriptions.

(3) Exhibit 314C: tract map.

(4) Exhibit 314D: Tract V development plan.

(5) Exhibit 314E: Tract I, Subarea B development plan.

(6) Exhibit 314F: Tract I, Subarea B landscape plan. (Ord. Nos. 28068; 28788)

SEC. 51P-314.103.2. DEVELOPMENT PLANS.

(a) In general. Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply.

(b) Tract I, Subarea B. Development and use of the Property must comply with the Tract I, Subarea B development plan (Exhibit 314E). If there is a conflict between the text of this article and the Tract I, Subarea B development plan, the text of this article controls.

(c) Tract V. Development and use of the Property must comply with the Tract V development plan (Exhibit 314D). If there is a conflict between the text of this article and the Tract V development plan, the text of the article controls. (Ord. 28788)

SEC. 51P-314.104. ZONING CLASSIFICATION CHANGE AND DISTRICT NAME.

PD 314 is to be known as the Preston Center Special Purpose District. The boundaries of this district are described in Exhibit A of Ordinance No. 20397. (Ord. Nos. 20397; 24914)

SEC. 51P-314.105. CREATION OF SEPARATE TRACTS.

This district is divided into seven tracts: Tracts I, II, III, IV, V, VI, and VII. In addition, Tract I contains a designated "Subarea A" and a designated "Subarea B," Tract II contains a designated "Subarea A", [~~and~~] a designated "Subarea B," and a designated "Subarea C," and Tract IV contains a designated "Subarea A." The boundaries of all tracts, including Subareas A in Tracts I, II, and IV, [~~and~~] Subareas B in Tracts I and II, and Subarea C in Tract II are verbally described in Exhibit 314B. A map showing the boundaries of the various tracts, including Subareas A in Tracts I, II, and IV, [~~and~~] Subareas B in Tracts I and II and Subarea C in Tract II, is labeled Exhibit 314C. If there is [~~In the event of~~] a conflict, the verbal descriptions in Exhibit A of Ordinance No. 20397 and Exhibit 314B control over the graphic description in Exhibit 314C. (Ord. Nos. 23277; 24914; 27859; 28089; 28788)

SEC. 51P-314.106. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS I AND V.

(a) Use regulations. The following use regulations apply in Tracts I and V (including Subareas A and B):

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are:

(A) those permitted in the NO(A) district;

(B) in Subarea A of Tract I and Tract V only, financial institution with drive in windows *[SUP]*;

(C) in Subarea B of Tract I only, fire station (permitted by right); and

(D) in Tract V only, multifamily.

(2) The "bar, lounge, or tavern" use is prohibited.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts I and V (including Subareas A and B):

(1) Front, side, and rear yards.

(A) Except as provided in this paragraph, minimum front, side, and rear yards are the same as those for the NO(A) district.

(B) In Subarea B of Tract I, no minimum front yard is required on Douglas Avenue or Berkshire Lane and no minimum side yard or rear yard are required.

(C) In Tract V, no side yard is required.

(2) Density. In Tract V, maximum number of dwelling units is 115.

(3) Floor area. In Tract V, maximum floor area is 200,000 square feet.

(4) Floor area ratio.

(A) Tract I.

(i) Except as provided in this subparagraph, maximum floor area ratio is 0.5.

(ii) In Subarea B, maximum floor area ratio is 1.19.

(B) Tract V. Maximum floor area ratio is 1.94.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is as follows:

(i) 30 feet in Tract I.

(ii) 119 feet in Tract V.

(6) Lot coverage.

(A) Tract I.

(i) Except as provided in this subparagraph, maximum lot coverage is 50 percent.

(ii) For Subarea B, maximum lot coverage is 85 percent.

(B) Tract V. Maximum lot coverage is 60 percent.

(C) Parking. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Stories.

(A) Tract I. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(B) Tract V. Maximum number of stories above grade is nine. The top story may only be used for mechanical equipment. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(c) Required off-street parking.

(1) Except as provided in this subsection, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(2) For office uses in Tract V, one space per 410 square feet of floor area is required.

(d) Tract V environmental performance standards.

(1) In general. Except as provided in this section, see Article VI.

(2) LEED certification.

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004 (or more current), must be submitted with an application for a building permit for development, indicating how the development will comply with a LEED compliance designation. A LEED accredited professional designated by the department must affirm that development plans submitted for a building permit are LEED compliant. The building official must determine that the project is consistent with the standards and criteria for a LEED certified designation before a building permit may be issued.

(B) If during development, the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(C) All supporting documentation and templates related to the points previously approved by the city for the LEED level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department affirms that the building complies with the LEED certified designation.

(e) Landscape regulations.

(1) Tract I.

(A) Except as provided in this paragraph, landscaping must be provided in accordance with Article X.

(B) In Subarea B, landscaping must be provided as shown on the Tract I, Subarea B landscape plan (Exhibit 314F). If there is a conflict between the text of this article and the Tract I, Subarea B landscape plan, the text of this article controls.

(2) Tract V.

(A) Landscaping must be provided in accordance with Section 51P-314.112.

(B) Except as provided in this paragraph, tree preservation, removal, and replacement must comply with Article X.

(C) Replacement trees must be planted in the right-of-way adjacent to the lot where the protected trees were removed or injured.

(f) Development impact review in Tracts I and V (including Subareas A and B). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 22689; 24914; 26807; 28068; 28788)

SEC. 51P-314.107. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT II.

(a) Use regulations. The following use regulations apply in Tract II (including Subareas A, [~~and~~] B, and C):

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are:

(A) those permitted in the GO(A) and MF-4(A) districts; and

(B) retirement housing (permitted by right).

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the “outside sales” main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract II (including Subareas A, [~~and~~] B, and C):

(1) Front yard.

(A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:

(i) 15 feet where adjacent to Lomo Alto Drive; and

(ii) no minimum in all other cases.

(B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Lomo Alto Drive. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the GO(A) district.

(3) Floor area ratio. Maximum floor area ratio is 4.0.

(4) Dwelling unit density. No maximum dwelling unit density.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exceptions:

(i) Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. In Subarea C, railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls may project through the slope to a height not to exceed the maximum structure height, or eight feet above the slope, whichever is less.

(ii) For purposes of calculating the maximum permitted height of a structure located in Subareas A and B of Tract II only, if the structure has no openings above 36 feet in height facing the residential neighborhood directly across the Dallas North Tollway, those sites of origination located west of the Dallas North Tollway are considered to project residential proximity slopes as follows:

ZONING CATEGORY	ANGLE OF PROJECTION	EXTENT
R, R(A), D, D(A), TH, and TH(A)	**21.3°**	**Infinite; (1 to 2.56 slope)**

otherwise, the standard residential proximity slope (1 to 3 slope), as defined in Section 51A-4.412, applies. For purposes of this subparagraph, the term "opening" means an open and unobstructed space or

a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 180 feet.

(6) Lot coverage. Maximum lot coverage is 100 percent.

(7) Stories. Maximum number of stories above grade is 14. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(c) Required off-street parking. Required off-street parking in Tract II (including Subareas A, [~~and~~] B, and C) must be provided for each use in accordance with Chapter 51A.

(d) Landscaping regulations. Landscaping in Tract II (including Subareas A, [~~and~~] B, and C) must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract II (including Subareas A, [~~and~~] B, and C). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(f) Attached signage in Subarea B. In addition to the attached signage allowed in non-business zoning districts in Article VII of Chapter 51A, one attached sign may be placed on both the northern and southern facades of any building, in accordance with the following standards:

(1) Additional attached signs must be located within the area of the 5th and 6th stories above ground level.

(2) The additional attached signs may contain a maximum of five words each, with letters and symbols no taller than six feet in height.

(3) The maximum effective area of each additional attached sign permitted under this subsection is 125 square feet. (Ord. Nos. 20397; 20619; 24914; 28089)

SEC. 51P-314.108. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT III.

(a) Use regulations. The following use regulations apply in Tract III:

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the MU-2 district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) That portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west is limited to parking uses only.

(4) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract III:

(1) Front yard.

(A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:

(i) 15 feet where adjacent to Northwest Highway or Preston Road; and

(ii) no minimum in all other cases.

(B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Northwest Highway or Preston Road. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the MU-2 district.

(3) Floor area ratio. Maximum floor area ratio is 2.0.

(4) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is:

(i) 40 feet on Lots 7, 8, and 9 in City Block 5623 and on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west; and

(ii) 85 feet on all other property.

(5) Lot coverage. Maximum lot coverage is 100 percent.

(6) Stories.

(A) Maximum number of stories above grade is:

(i) three on Lots 7, 8, and 9 in City Block 5623; and

(ii) six on all other property.

(B) Parking garages are exempt from the requirements of Subparagraph (A), but must comply with the height regulations in Paragraph (4).

(c) Required off-street parking. The following off-street parking regulations apply in Tract III:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) If at least 800 off-street parking spaces are available for use by the general public as part of an improved parking facility located on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west, the number of off-street parking spaces required for each use shall be a percentage of the number of parking spaces required for that use in Division 51A-4.200, "Use Regulations," of the Dallas Development Code, as amended, as follows:

USE CATEGORY	**PERCENT OF DIVISION 51A-4.200 REQUIREMENT**
Retail and personal service	**60 percent**
All other use categories	**75 percent**

Delta credits, if any, shall not be taken into account when making the above calculation. Such credits, if any, shall be applied after the above calculation is made. (Consult Section 51A-4.704 for more information regarding the delta theory generally.)

(3) Remote parking for a use in Tract III may be located anywhere within Tract III regardless of the walking distance between the parking and the use served.

(4) In February, 1993, and every five years thereafter, the department of public works and transportation shall:

(A) evaluate the off-street parking needs of all uses in Tract III; and

(B) if necessary, recommend that appropriate changes be made to the off-street parking requirements of this subsection.

(5) All parking studies required under Paragraph (4) must be made available for public inspection upon their completion. The director of planning and development shall maintain a list of all persons requesting early notification of zoning matters affecting this district and notify those persons whenever a parking study required under Paragraph (4) has been completed.

(d) Landscaping regulations. Landscaping in Tract III must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract III. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.109. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS IV AND VII.

(a) Use regulations. The following use regulations apply in Tracts IV and VII:

(1) Except as provided in this subsection, the only uses permitted are those permitted in the MU-2 district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the “outside sales” main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(4) A remote community center is allowed in Tract VII. A remote community center is not required to be located on the same lot as the church, but the lot containing a remote community center must be within 100 feet of the lot containing the church.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts IV and VII:

(1) Front yard. Minimum front yard is:

(A) 15 feet where adjacent to Preston Road, Douglas Avenue, or Weldon Howell Parkway; and

(B) no minimum in all other cases.

(2) Side and rear yards.

(A) In Tract IV, minimum side and rear yards are the same as those for the MU-2 district.

(B) In Tract VII, minimum side and rear yards are five feet.

(3) Floor area ratio.

(A) In Tract IV, maximum floor area ratio is 2.0.

(B) In Tract VII, maximum floor area ratio is 1.0.

(4) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(B) Preston Road slope. If any portion of a structure is over 45 feet in height, that portion may not be located above the plane projecting upward and outward from Preston Road at an angle of 26.5° (1 to 2 slope) through the line formed by the intersection of:

(i) the vertical plane extending through the Preston Road front yard setback line; and

(ii) the horizontal plane 45 feet above grade.

(C) Exception to slope restrictions. Structures listed in Section 51A-4.408(a)(2) may project through the slopes described in Subparagraphs (A) and (B) to a height not to exceed the maximum structure height, or 12 feet above the slopes, whichever is less.

(D) Maximum structure height.

(i) Unless further restricted under Subparagraphs (A) and (B), in Subdistrict IV, maximum structure height is 120 feet.

(ii) In Tract VII, maximum structure height is 45 feet.

(5) Lot coverage.

(A) In Tract IV, maximum lot coverage is 100 percent.

(B) In Tract VII, maximum lot coverage is 80 percent.

(6) Stories. Maximum number of stories above grade is nine. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (4).

(7) Floor area.

(A) In Tract IV, subarea A may not have more than 30,000 square feet of retail and personal service uses.

(B) In Tract VII, maximum floor area is 42,000 square feet.

(c) Required off-street parking. The following off-street parking regulations apply in Tracts IV and VII:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) In Subarea A, the off-street parking requirement is 1,306 spaces. Subsection (e), "Off-Street Parking Reduction Option," of Section 51P-314.111 of this article does not apply to property located in Subarea A.

(3) No parking spaces are required for a remote community center.

(4) Tract VII is considered one lot for parking purposes.

(5) Required off-street parking for a church may be provided on an adjacent lot within Subdistricts IV or VII.

(d) Landscaping regulations. Landscaping in Tracts IV and VII must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tracts IV and VII. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 23277; 24914; 26708; 27859)

SEC. 51P-314.110. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT VI.

(a) Use regulations. The following use regulations apply in Tract VI:

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the CR district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract VI:

(1) Front, side, and rear yards. Minimum front, side, and rear yards are the same as those for the CR district.

(2) Floor area ratio. Maximum floor area ratio is 0.75.

(3) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

(4) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(5) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (3).

(c) Required off-street parking. Required off-street parking in Tract VI must be provided for new development in accordance with Chapter 51A. Off-street parking for existing development must be provided as was required under former Planned Development District No. 6. (See Exhibit 314A)

(d) Traffic impact study required.

(1) Except as otherwise provided in this subsection, no building permit in Tract VI may be issued to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 unless and until the director of public works and transportation determines that such development will not result in an unacceptable level-of-service at nearby intersections.

(2) An applicant for a permit to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 shall submit a traffic impact study to the building official for review and approval by the director of public works and transportation. The director may reject a traffic impact study submitted if, in the opinion of the director, it does not contain sufficient information.

(3) Within 30 calendar days of the date the traffic impact study is accepted, the director of public works and transportation shall determine whether the development will result in an unacceptable level-of-service at nearby intersections. The applicant may appeal the decision of the director to the board of adjustment.

(4) The property owner assumes the risk that the provisions of this subsection have been complied with. Any permit issued in violation of this subsection is void.

(e) Landscaping regulations. Landscaping in Tract VI must be provided on all property in accordance with Article X of Chapter 51A.

(f) Development impact review in Tract VI. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.111. PROVISIONS OF GENERAL APPLICABILITY.

(a) In general. The following subsections apply to all property in this district and are cumulative of the use regulations and development standards for individual tracts in the previous sections.

(b) Existing buildings conforming. All buildings lawfully existing at the time of passage of Ordinance No. 20397 shall be considered conforming.

(c) Illumination of buildings and structures.

(1) In this subsection:

(A) EXTERIOR ILLUMINATION means illumination provided for the primary purpose of attracting the attention of persons outside the premise on which it is located, regardless of whether the light source itself is physically located inside or outside of a building or structure. This definition includes illuminated holiday decorations.

(B) LIGHT SOURCE means a device such as a lamp, mantle, or bulb, or any portion thereof, which produces visible light.

(C) LUMINAIRE means a device or fixture containing a light source and means for directing and controlling the distribution of light from the source.

(2) The exterior illumination of buildings, structures, signs, and art is prohibited:

(A) above 30 feet in height when the item illuminated is located within 600 feet of private property in a residential district and the illumination is visible from that property; and

(B) above 45 feet in height in all other cases.

All exterior illumination in this district must be brought into full compliance with this paragraph on or before July 28, 1989. No person shall have nonconforming rights to exterior illumination as defined in this subsection.

(d) Noise.

(1) Except as otherwise provided in this subsection, the noise regulations in Article VI of Chapter 51A apply in this district. In the event of a conflict between this subsection and Article VI, this subsection controls.

(2) The use of an outside public address or paging speaker is prohibited in this district.

(3) The use of an outside speaker as part of an intercom system must be approved by the director of planning and development if the speaker is located within 250 feet of private property in a residential district. Review and approval of the speaker are governed by the procedures and standards for residential adjacency review in Division 51A-4.800.

(4) Paragraphs (2) and (3) do not apply to special events for which a special events permit is issued under Chapter 42A of the Dallas City Code.

(e) Off-street parking reduction option.

(1) A property owner may reduce the standard off-street parking requirement for office uses up to 20 percent in Tracts II and IV and up to 10 percent in Tract III if the owner:

(A) submits a traffic impact study establishing that the reduction will not result in an unacceptable level-of-service at nearby intersections; and

(B) makes a "cash in lieu of parking" payment into a special city account, to be known as the Preston Center Parking and Transit Improvement Fund.

(2) The traffic impact study required under Paragraph (1) must be approved by the director of public works and transportation. The applicant may appeal the decision of the director to the board of adjustment.

(3) The amount of the "cash in lieu of parking" payment referred to in Paragraph (1) is calculated by taking 50 percent of the "cost of constructing a parking garage space" and multiplying that cost by the number of parking spaces that will not be required by reason of the payment. Until January 2, 1991, the cost of constructing a parking garage space is $5,975.52. On January 2, 1991, and on January 2 of each odd-numbered year thereafter, the director of planning and development shall determine a new cost of constructing a parking garage space by using the following formula:

$$\frac{\text{National Median Cost} \times 320 \text{ sq. ft.} \times \text{Dallas Cost Index}}{\text{Sq. Ft.}}$$

where National Median Cost/Sq. Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issues of Building Construction Cost Data, published by the Robert Snow Means

Company, Inc., of Kingston, Massachusetts, unless another publication is designated by the director of planning and development. In order for the off-street parking reduction to be considered in cases involving work for which a permit is required, the entire payment must be made to the building official before issuance of the permit.

(5) All money paid into the Preston Center Parking and Transit Improvement fund must be used for programs to promote new common area and shared use parking, ride sharing, van pooling, transit usage (including system improvements), and bike and walkway facilities. All programs on which the money is spent must directly benefit properties in this district.

(f) Parking structures. Parking structures located adjacent to or directly across a street or alley from private property in a residential district must have a facade treatment to ensure that vehicles parked are not visible from that property.

(g) Sanitation. Garbage storage areas, including dumpster, must:

(1) be located behind the front building line;

(2) be screened from all yards having frontage on Lomo Alto Drive, Preston Road, or Northwest Highway; and

(3) comply in all other respects with Chapter 51A and all other applicable ordinances of the city.

(h) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. For purposes of this section, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(i) Sign regulations.

(1) Non-premise signs, as defined in Article VII of the Dallas Development Code, as amended, are prohibited in this district.

(2) Section 51A-7.209, “Signs Displaying Noncommercial Messages,” of the Dallas Development Code, as amended, applies in this district. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.112. SPECIAL LANDSCAPING REGULATIONS.

(a) Definitions. Except as otherwise provided in this subsection, the definitions in Article X of Chapter 51A apply to this section. In this section:

(1) COURT OR PLAZA means a pedestrian area covered with a permeable or nonpermeable surface paving material.

(2) FRONT YARD means the area extending across the lot between the roadway and any facade of the main building facing the roadway and lines parallel to and extending outward from that facade.

(3) FRONT YARD LANDSCAPE AREA means an area in the front yard, as defined in this section, at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials.

(4) FYLA means front yard landscape area.

(5) INTERNAL STREET means a street that is internal to, i.e. not on the perimeter of, this district.

(6) PARKWAY means the portion of a street right-of-way between the street curb and the front lot line.

(7) SPECIAL AMENITIES ZONE means that area parallel to and between three and six feet from the back of the street curb in Tracts II, III, and IV, and that area parallel to and between three and 25 feet from the back of the street curb in Tract V.

(b) In general. Properties in Tracts II, III, and IV with front yard setbacks of less than 15 feet may comply with these special landscaping regulations as an alternative to strict compliance with Article X of Chapter 51A. Properties in Tract V must comply with the mandatory special landscaping provisions in Subsection (e). This section partially modifies the requirements of Article X for qualifying properties. Those portions of Article X not expressly modified in this section continue to apply to all property in Tracts II, III, IV, and V. In the event of a conflict between this section and Article X, this section controls.

(c) Minimum point totals required. The minimum number of points needed for landscape plan approval varies depending on the tract the lot is in and the zoning district classification of adjacent properties as follows:

LOT WITH RESIDENTIAL ADJACENCY*	LOT WITHOUT RESIDENTIAL
25 points	15 points

***As defined in Section 51A-10.101 (Definitions). The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this section as "design standards" and contained in Subsection (d).**

(d) Design standards.

(1) Front yard landscape area.

(A) Five points are awarded when one square foot of front yard landscape area (FYLA) is provided for each linear foot of lot frontage. One additional point may be earned for each additional increment of one square foot of FYLA per linear foot of lot frontage, up to a maximum of three additional points (eight points total). [Example: Seven points would be awarded if three square feet of FYLA was provided for each linear foot of lot frontage.]

(B) FYLA credits may be substituted for actual front yard landscape area. FYLA credits are earned when trees or shrubs are placed in the front yard as follows:

SIZE OF TREE OR SHRUB		FYLA CREDIT
1 tree:	minimum 5 in. caliper	100 sq. ft.
	minimum 2.5 in. caliper	50 sq. ft.

	minimum 1 in. caliper	**30 sq. ft.**
1 shrub:	**minimum 4-foot height**	**30 sq. ft.**
	minimum 2-foot height	**15 sq. ft.**

(2) Pavement enhancement. Five points are awarded when at least 50 percent of all outdoor pedestrian and vehicular pavement area in the front yard consists of enhanced pavement. An additional one-half point may be earned for each additional increment of enhanced pavement constituting 10 percent of the total pedestrian and vehicular pavement area in the front yard.

(3) Pedestrian facilities.

(A) Courts or plazas. Three points are awarded when at least three square feet of courts or plazas are provided for each linear foot of lot frontage. One additional point is earned for each additional increment of one-half square foot of courts or plazas per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(B) Covered walkways. Three points are awarded when walkways in the front yard are covered by awnings or canopies in accordance with this subparagraph. Coverage must be at least five feet in depth, and the total length of walkways covered must be equal to or greater than 25 percent of the length of the lot frontage. One additional point is awarded for each additional increment of walkway length covered that is equal to 25 percent of the lot frontage, up to a maximum of three additional points (six points total).

(C) Fountains, ponds, and sculpture. Three points are awarded when at least one-half square foot of front yard area for each linear foot of lot frontage is devoted to fountains, ponds, or sculpture. One additional point is earned for each additional increment of one-half square foot per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(D) Seating area. Three points are awarded when at least 0.25 linear feet of seating is provided for each linear foot of lot frontage. One additional point is earned for each additional increment of 0.25 linear feet of seating per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(e) Mandatory provisions.

(1) The following mandatory provisions must be complied with in addition to achieving the minimum number of points required by Subsection (c).

(2) Sidewalks must be provided and located in the special amenities zone.

(3) Any lot having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of seven feet; and

(B) a minimum unobstructed sidewalk width of five feet.

(4) Any lot in Tract III having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of ten feet; and

(B) a minimum unobstructed sidewalk width of seven feet.

(5) Street trees must be provided and located in the special amenities zone. The street trees must have a caliper of at least two and one-half inches and, except in Tract V, must be spaced no less than 25 feet apart, measured from trunk to trunk. The street trees in Tract V must be spaced no less than 15 feet apart and no more than 35 feet apart, measured from trunk to trunk, excluding driveways and required visibility triangles. In Tract V, street trees planted in the right-of-way may be counted towards the site tree requirements.

(6) Off-street loading and service areas must be screened from adjacent properties by a minimum six-foot-high screening wall or fence.

(7) Surface off-street parking must be screened from all adjacent public streets and residential properties by a wall or evergreen hedge. In Tract V, drive lanes and structured parking adjacent to Douglas Avenue must also be screened by a wall or evergreen hedge. Screening from adjacent public streets must be at least three feet in height, while screening from adjacent residential properties must be at least six feet in height.

(8) Pedestrian scale lighting must be provided and located in the special amenities zone. The light standards must be no greater than 14 feet in height and be spaced no more than 50 feet apart. The intensity of light on the pedestrian surface must be at least 1.5 footcandles.

(9) Any lot in Tract V having frontage on Douglas Avenue must provide a minimum of 18 linear feet of seating area and a minimum of 200 square feet of courts or plazas in the front yard facing Douglas Avenue.

(f) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with Subsection (g) of this section. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(g) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and be accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(3) A property owner is not required to comply with any mandatory landscaping requirement of this section if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permits is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 20397; 24914; 28068)

SEC. 51P-314.113. COMPLIANCE DATES AND NONCONFORMING RIGHTS.

(a) The compliance date of October 26, 1989, in Paragraph (5) of Subsection (c) of Section 11 of Ordinance No. 20397 applies only to light sources for the lighting of parking lots and garages [See Paragraphs (3) and (4) of that subsection].

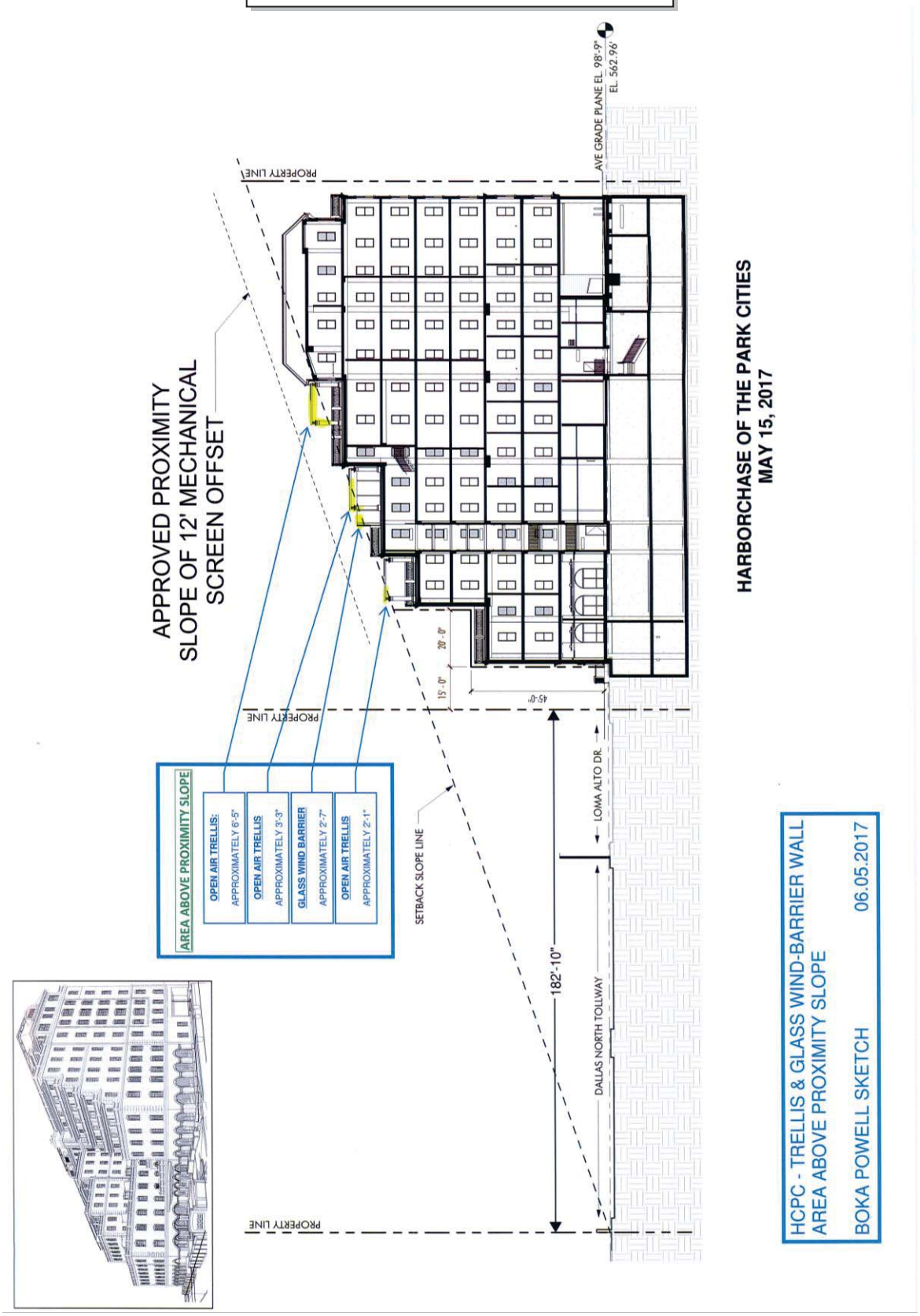
(b) The compliance date of July 28, 1989, in Section 3 of Ordinance No. 20619 is not ex post facto, but reflects, for informational purposes, the original effective date of Paragraph (2) of Subsection (c) of Section 11 of Ordinance No. 20397.

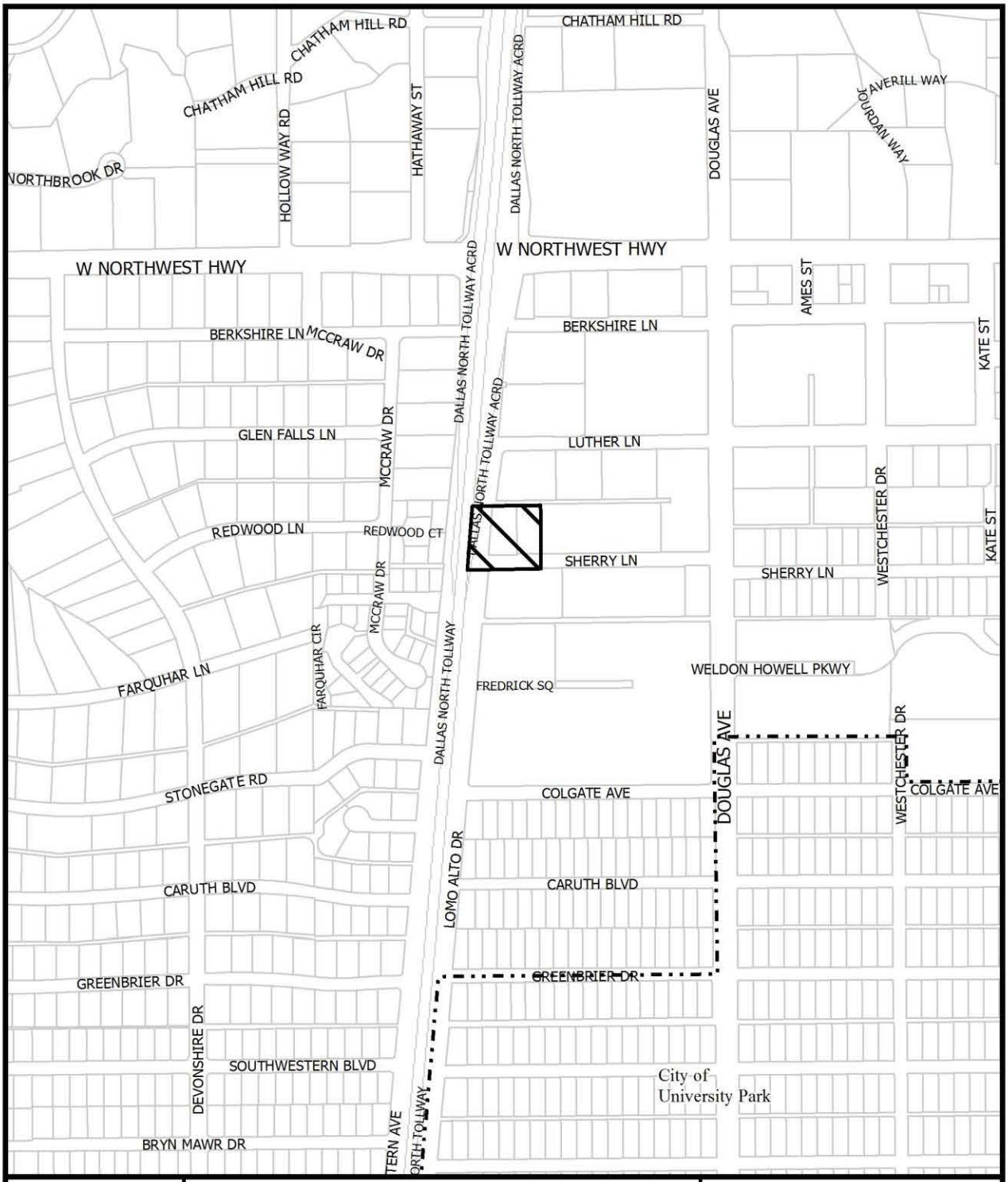
(c) The Dallas City Council did not grant, establish, or provide for nonconforming rights to illumination when it passed Ordinance No. 20397. (Ord. Nos. 20619; 24914)

SEC. 51P-314.114. CERTIFICATE OF OCCUPANCY CONDITIONED ON COMPLIANCE.

The building official shall not issue a certificate of occupancy for a use on the Property until there has been full compliance with this article and with the construction codes and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20397; 24914; 26102)

Illustrative Example of Request





1:6,000

VICINITY MAP

Case no: Z167-326

Date: 9/12/2017

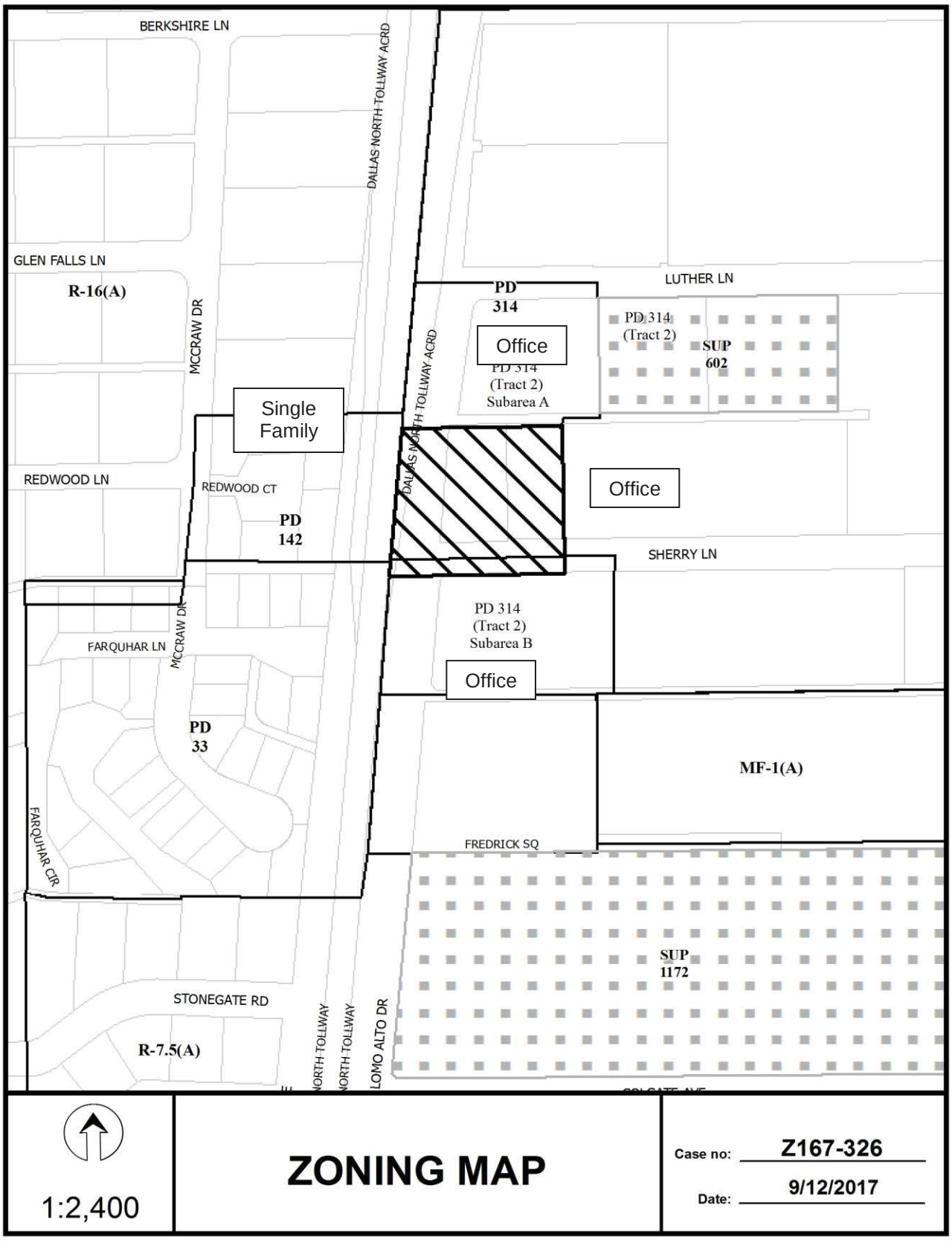


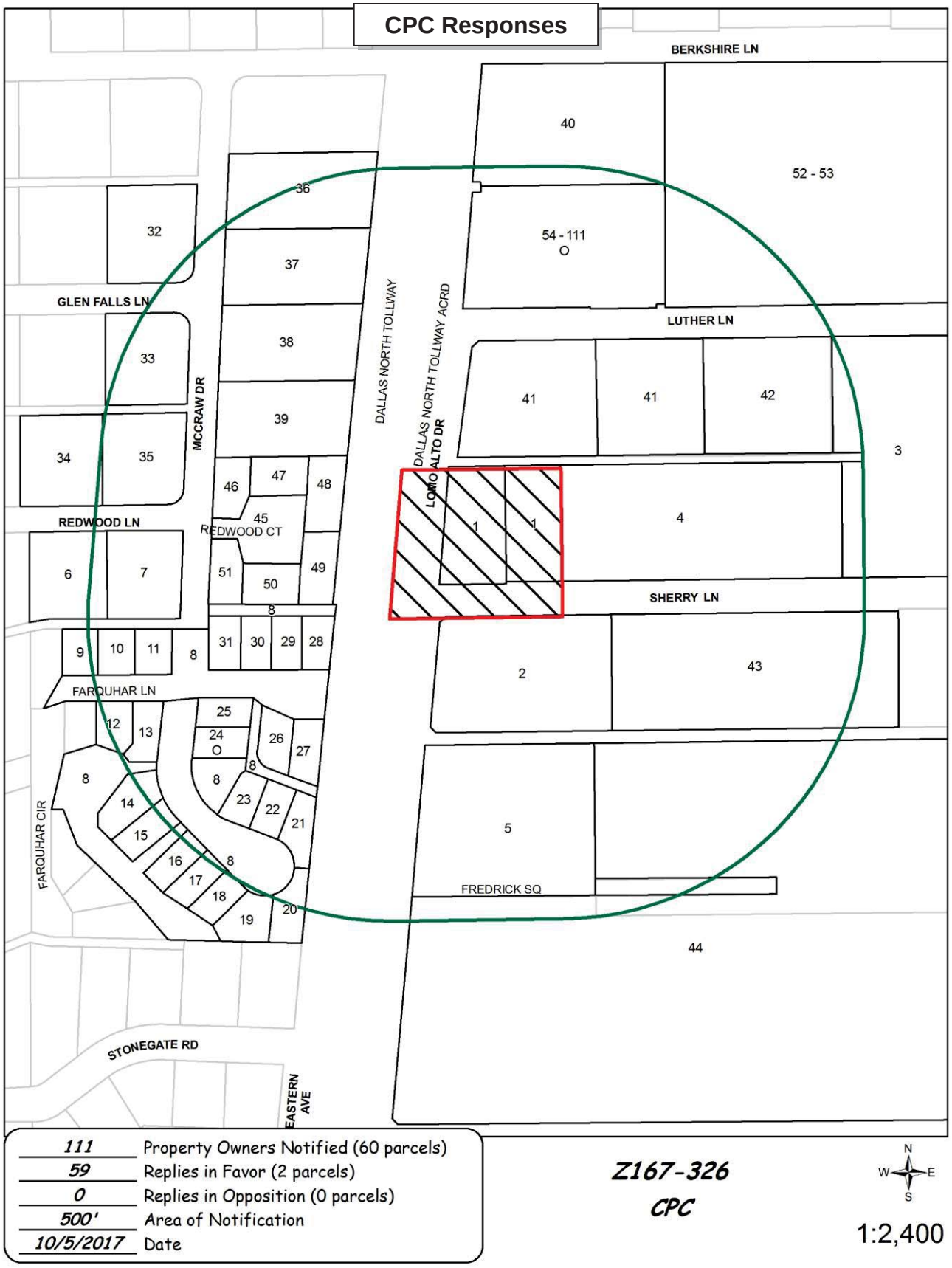
1:2,400

AERIAL MAP

Case no: Z167-326

Date: 9/12/2017


BERKSHIRE LN
DALLAS NORTH TOLLWAY ACRD
GLEN FALLS LN
R-16(A)
MCCRAW DR
PD 314
LUTHER LN
PD 314 (Tract 2)
SUP 602
Office
PD 314 (Tract 2) Subarea A
Single Family
DALLAS NORTH TOLLWAY ACRD
Office
REDWOOD LN
REDWOOD CT
PD 142
SHERRY LN
PD 314 (Tract 2) Subarea B
FARQUHAR LN
MCCRAW DR
Office
PD 33
MF-1(A)
FARQUHAR CIR
FREDRICK SQ
SUP 1172
STONEGATE RD
R-7.5(A)
NORTH TOLLWAY
NORTH TOLLWAY
LOMO ALTO DR
1:2,400
ZONING MAP
Case no: Z167-326
Date: 9/12/2017


CPC Responses
BERKSHIRE LN
40
52 - 53
54 - 111
O
LUTHER LN
41
41
42
3
4
SHERRY LN
2
43
5
44
FREDRICK SQ
36
37
38
39
32
33
34
35
GLEN FALLS LN
MCCRAW DR
DALLAS NORTH TOLLWAY
DALLAS NORTH TOLLWAY ACRD
LOMO ALTO DR
46
47
48
45
REDWOOD CT
REDWOOD LN
6
7
51
50
49
8
9
10
11
31
30
29
28
FARQUHAR LN
12
13
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24
O
26
27
14
15
16
17
18
19
20
23
22
21
FARQUHAR CIR
STONEGATE RD
EASTERN AVE
111 Property Owners Notified (60 parcels)
59 Replies in Favor (2 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
10/5/2017 Date
Z167-326
CPC
N
W
E
S
1:2,400

10/04/2017

Reply List of Property Owners

Z167-326

111 Property Owners Notified ***59 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5905	SHERRY LN	SGD BV PARK CITIES LP
	2	5950	SHERRY LN	5950 SHERRY PROPERTY LLC
	3	8235	DOUGLAS AVE	DIP SPV COMPANY 4 LLC
	4	5949	SHERRY LN	KBSIII STERLING PLAZA LLC
	5	8100	LOMO ALTO DR	FREDERICKS SQUARE TITLE
	6	5808	REDWOOD LN	RIEKE ROBERT D & MELISSA E
	7	5818	REDWOOD LN	COZORT DONNA
	8	8848	MCCRAW DR	TEALWOOD SQ HOME OWNERS
	9	5815	FARQUHAR LN	BERRY SALLY B & BUFORD P
	10	5825	FARQUHAR LN	FARQUHAR MANAGEMENT LLC
	11	5835	FARQUHAR LN	BEE J C
	12	5826	FARQUHAR LN	MITCHELL HARVEY R &
	13	8863	MCCRAW DR	WELLS CHERRIE STEERE
	14	8859	MCCRAW DR	STAMMBERGER ERIC &
	15	8849	MCCRAW DR	LIPSCOMB STEPHEN M & SHELLEY G
	16	8839	MCCRAW DR	HAYNER WILLIAM M ETAL
	17	8829	MCCRAW DR	MCFARLAND JOHN SAMUEL &
	18	8819	MCCRAW DR	ROOSEVELT ELLIOTT JR &
	19	8809	MCCRAW DR	CAMPBELL BOBBY PIPKIN
	20	8808	MCCRAW DR	CRUTCHER HARRY III &
	21	8818	MCCRAW DR	BRUTON CAROLE LOU
	22	8828	MCCRAW DR	BLACK BEAU K
	23	8838	MCCRAW DR	BIRNBAUM MARC A
O	24	8858	MCCRAW DR	MYTINGER FRANK K &
	25	5858	FARQUHAR LN	DEISON PETER V
	26	5866	FARQUHAR LN	BARNES WILLIAM R & MARY G

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	27	5876	FARQUHAR LN	GRANT ELISABETH W
	28	5875	FARQUHAR LN	DOREMUS JO CLEAVER TRUST
	29	5865	FARQUHAR LN	LEDYARD G C JR & DOLORES
	30	5855	FARQUHAR LN	STOREY HELEN S
	31	5845	FARQUHAR LN	NEWSOME THOMAS W & JANVRIN M
	32	5819	GLEN FALLS LN	EIDSON ALLISON S
	33	5818	GLEN FALLS LN	SULLIVAN MARK & PATTY A
	34	5807	REDWOOD LN	TALKINGTON GRACE D &
	35	5819	REDWOOD LN	FLYNN W BRAMWELL & SUSAN N
	36	9114	MCCRAW DR	BROWN EDGAR MILLER & CYNTHIA CASEY
	37	9104	MCCRAW DR	SINACOLA JAMES MARIO
	38	9026	MCCRAW DR	MOD HOME
	39	9018	MCCRAW DR	HARDAWAY OSCAR O &
	40	5950	BERKSHIRE LN	BPC CORP
	41	5944	LUTHER LN	PRESTON CENTER LLC
	42	5954	LUTHER LN	APPLE NINE SPE DALLAS INC
	43	5956	SHERRY LN	SHERRY REALTY HOLDINGS
	44	8011	DOUGLAS AVE	CORPORATION OF EPISCOPAL
	45	5801	REDWOOD CT	REDWOOD COURT HOMEOWNERS
	46	5803	REDWOOD CT	PRITCHETT PHILIP H & MARTHA C
	47	5805	REDWOOD CT	LOEB MICHAEL E & RAYNA D
	48	5811	REDWOOD CT	LARDNER ANN MARIE
	49	5810	REDWOOD CT	HUBACH FRANCIS P JR
	50	5804	REDWOOD CT	PITZER STARR LAMBERT & CHRISTINE H
	51	5802	REDWOOD CT	COUSINS RALPH & HARRIET
	52	8343	DOUGLAS AVE	CFO DT III LLC
	53	5960	BERKSHIRE LN	CFO DT IV LLC
O	54	5909	LUTHER LN	FERNANDEZ ALINA MARIE CLAIRE OCARANZA

10/04/2017

Reply	*Label #*	*Address*		*Owner*
O	55	5909	LUTHER LN	M & J WHILHITE FAMILY PARTNERSHIP LTD
O	56	5909	LUTHER LN	YELLOW TRAVEL & ENTERTAINMENT INC
O	57	5909	LUTHER LN	ROBBINS JAY & MINDY
O	58	5909	LUTHER LN	704 DSP SHELTON LLC
O	59	5909	LUTHER LN	REAL ESTATE ARBITRAGE PARTNERS LLC
O	60	5909	LUTHER LN	TAYLOR RICHARD C & TRACY
O	61	5909	LUTHER LN	708 DSP SHELTON LLC
O	62	5909	LUTHER LN	HWANG CHIUFANG & WILLIAM
O	63	5909	LUTHER LN	DALLAS SHELTON PTNR LLC
O	64	5909	LUTHER LN	TUDOR III TRUST
O	65	5909	LUTHER LN	RATCLIFF T PATRICK &
O	66	5909	LUTHER LN	HAMMOND PPTIES INC
O	67	5909	LUTHER LN	RATCLIFF TERRENCE P
O	68	5909	LUTHER LN	HAMMOND PPTIES INC
O	69	5909	LUTHER LN	HARE WILLIAM C III
O	70	5909	LUTHER LN	INGOLD HANS H & MARY ANN
O	71	5909	LUTHER LN	BIGHAM BRYAN & DEBORAH
O	72	5909	LUTHER LN	LEWIS LINDA B
O	73	5909	LUTHER LN	DEARMOND KATHRYN MARIE
O	74	5909	LUTHER LN	MARTIN C JOANNE C REVOCABLE TRUST
O	75	5909	LUTHER LN	FLEET TIMOTHY
O	76	5909	LUTHER LN	SNIDER ROSEMARY
O	77	5909	LUTHER LN	PALMER JAMES F & BETTY L
O	78	5909	LUTHER LN	ARAVAMUTHAN VIBHAS &
O	79	5909	LUTHER LN	DALE JOHN ROBERT
O	80	5909	LUTHER LN	LANE CAROLYN HOOPER
O	81	5909	LUTHER LN	WILSON JOHN E & BETTY P
O	82	5909	LUTHER LN	FRANKE REVOCABLE TRUST
O	83	5909	LUTHER LN	HARVIN SUSAN
O	84	5909	LUTHER LN	CHEN CHYNSHYR & WU LINGCHI

10/04/2017

Reply	*Label #*	*Address*		*Owner*
O	85	5909	LUTHER LN	DAKIL DIANE
O	86	5909	LUTHER LN	SORRA LP
O	87	5909	LUTHER LN	KOSEL CHRIS & MARTHA
O	88	5909	LUTHER LN	HUTCHINSON WILLIAM L
O	89	5909	LUTHER LN	BLAIR RONALD M &
O	90	5909	LUTHER LN	PURVIN DEBORAH T &
O	91	5909	LUTHER LN	PIVNICK LIVING TRUST
O	92	5909	LUTHER LN	DUNNING DAVID W
O	93	5909	LUTHER LN	RUBLE KARIN G
O	94	5909	LUTHER LN	CAMALIER GEORGE ROBERT & CATHY KYLE
O	95	5909	LUTHER LN	MENTER GILLIAN SACHAR
O	96	5909	LUTHER LN	SAULTER GILBERT J & MAE F
O	97	5909	LUTHER LN	KING SHAUNA RYAN BENEFICIARY TR &
O	98	5909	LUTHER LN	FIKE REBECCA & RICHARD
O	99	5909	LUTHER LN	LUBICK FINANCIAL GROUP LLC
O	100	5909	LUTHER LN	DDK HOLDINGS LLC
O	101	5909	LUTHER LN	ANDERSON KIMBALL R & ROBIN C
O	102	5909	LUTHER LN	MILLER BENJAMIN G & KELLI
O	103	5909	LUTHER LN	BACON TERI L
O	104	5909	LUTHER LN	LELAND DANIEL & SUSAN
O	105	5909	LUTHER LN	FULLER REVOCABLE TRUST
O	106	5909	LUTHER LN	CADG 5909 LUTHER LANE LLC
O	107	5909	LUTHER LN	DUPONT DENISE REVOCABLE TRUST
O	108	5909	LUTHER LN	KELLY RICHARD
O	109	5909	LUTHER LN	GLAZER LORI LUSKEY
O	110	5909	LUTHER LN	KELLY RICHARD D
O	111	5909	LUTHER LN	ZIELKE PETER B

AGENDA ITEM # 62

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 54 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue
Recommendation of Staff and CPC: Approval
Z167-332(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-332(JM) **DATE FILED:** June 26, 2017

LOCATION: On the south line of West Louisiana Avenue, west of South Beckley Avenue.

COUNCIL DISTRICT: 4 **MAPSCO:** 54 R

SIZE OF REQUEST: 14,000 square feet **CENSUS TRACT:** 54.00

APPLICANT/OWNER: Juan and Felipa Salas

REQUEST: An application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to rezone to make the existing multifamily use conforming.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The site is currently developed with a multifamily unit (fourplex). The site was initially nonconforming when it contained a duplex. A past owner renovated the unit in 2007 to make it a group home or multifamily unit. Upon requesting a Certificate of Occupancy, the work done was found to be unpermitted, releasing the established legal nonconformity AND making the use illegal in the current zoning of Community Retail District.

- In October 2007, the site was denied a CO. The property owner presented to the Board of Adjustment on January 16, 2008, where the Building Official's determination was overturned, reinstating nonconforming rights for the duplex use. The site remained vacant for six months and lost nonconforming rights again. Additionally, the site continues to operate as a multifamily unit, never being returned to the nonconforming state as a duplex.

- The applicant proposes to rezone to make the existing use conforming.

Zoning History:

There have been no recent zoning requests in the area in the past five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Louisiana Avenue	Local	50 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT:

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR Community Retail & R-7.5(A) Single Family	Multifamily
North	CS Commercial Service	Home Improvement Store w/outside storage
East	CR Community Retail	Auto-related; Retail & Personal Service
South	R-7.5(A) Single Family	Single Family
West	R-7.5(A) Single Family	Single Family

Land Use Compatibility:

The site is developed with a multifamily structure. According to DCAD records, the original structure was built in 1956. Initially, there was a nonconforming duplex use. A past owner renovated the unit in 2007 to make it a group home or multifamily unit. Upon requesting a Certificate of Occupancy, the work done was found to be unpermitted, releasing the established legal nonconformity AND making the use illegal in the current zoning of Community Retail District.

In October 2007, the site was denied a CO. The property owner presented to the Board of Adjustment on January 16, 2008, where the Building Official's determination was overturned, reinstating nonconforming rights for the duplex use. The site remained vacant for six months and lost nonconforming rights again. Additionally, the site continues to operate as a multifamily unit, never being returned to the nonconforming state as a duplex. The applicant proposes to rezone to make the existing multifamily use conform.

Surrounding land uses include a home improvement store with outside storage to the north; auto-related and retail and personal service uses to the east; and, single family uses to the south and west. The site is partially zoned R-7.5(A) Single Family District to the west and CR Community Retail District to the east. Rezoning the site to MF-1(A) Multifamily District would allow the multifamily use to remain, acting as a buffer between the existing single family uses further west and the retail and personal service uses to the east.

Development Standards:

DISTRICT	SETBACKS Front	Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing:							
R-7.5(A) Single Family	25’	5’	1	30’	45% Res. 25% NonRes.	RPS	Single family
Existing:							
CR Community Retail	15’	20’ adj.res. 0’ Others	None	54’	60%	RPS	Retail & personal service, office
Proposed:							
MF-1(A) Multifamily	15’	0’ SF 5’/10’ Duplex 10’/15’ Others	None	36’	60% Res. 25% NonRes.	RPS	Multifamily, duplex, single family

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and has no objections.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended.

CPC Action
October 5, 2017

Motion: It was moved to recommend **approval** of an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue.

Maker: Davis
Second: Murphy
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpely

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 27
Replies: For: 0 Against: 3

Speakers: For: Diana Salas, Address not given
Against: None

CPC Action
September 28, 2017

Motion: In considering an application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue, it was moved to **hold** this case under advisement until October 5, 2017.

Maker: Mack
Second: Peadon
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Shidid, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpely

Against: 0
Absent: 3 - Houston, Davis, Haney
Vacancy: 1 - District 6

Notices: Area: 200 Mailed: 27
Replies: For: 0 Against: 3

Speakers: None


ARGENTIA DR
CIRCLE DR
BECKLEYWOOD BLVD
PELMAN ST
GOYENS DR
CONRAD ST
S R L THORNTON HOV
S R L THORNTON FWY
S R L THORNTON ACRD
R L THORNTON
TOLUCA AVE
CIRCLE DR
BECKLEYWOOD BLVD
PELMAN ST
CONRAD ST
W LOUISIANA AVE
W WOODIN BLVD
W MONTANA AVE
W ILLINOIS AVE
W ILLINOIS AVE
W OHIO AVE
ORIAL AVE
GUTHRIE ST
BROOKHAVEN DR
IOWA AVE
E LAKEVIEW DR
W LAKEVIEW DR
GEORGIA AVE
E LOUISIANA AVE
RAMSEY AVE
ALABAMA AVE
Herndon
E WOODIN BLVD
W LAKEVIEW DR
E MONTANA AVE
E ILLINOIS AVE
E ILLINOIS AVE
E OHIO AVE
S BECKLEY AVE
ALABAMA AVE
E GROVER C WASHINGTON AVE
1:4,800
VICINITY MAP
Case no: Z167-332
Date: 7/17/2017

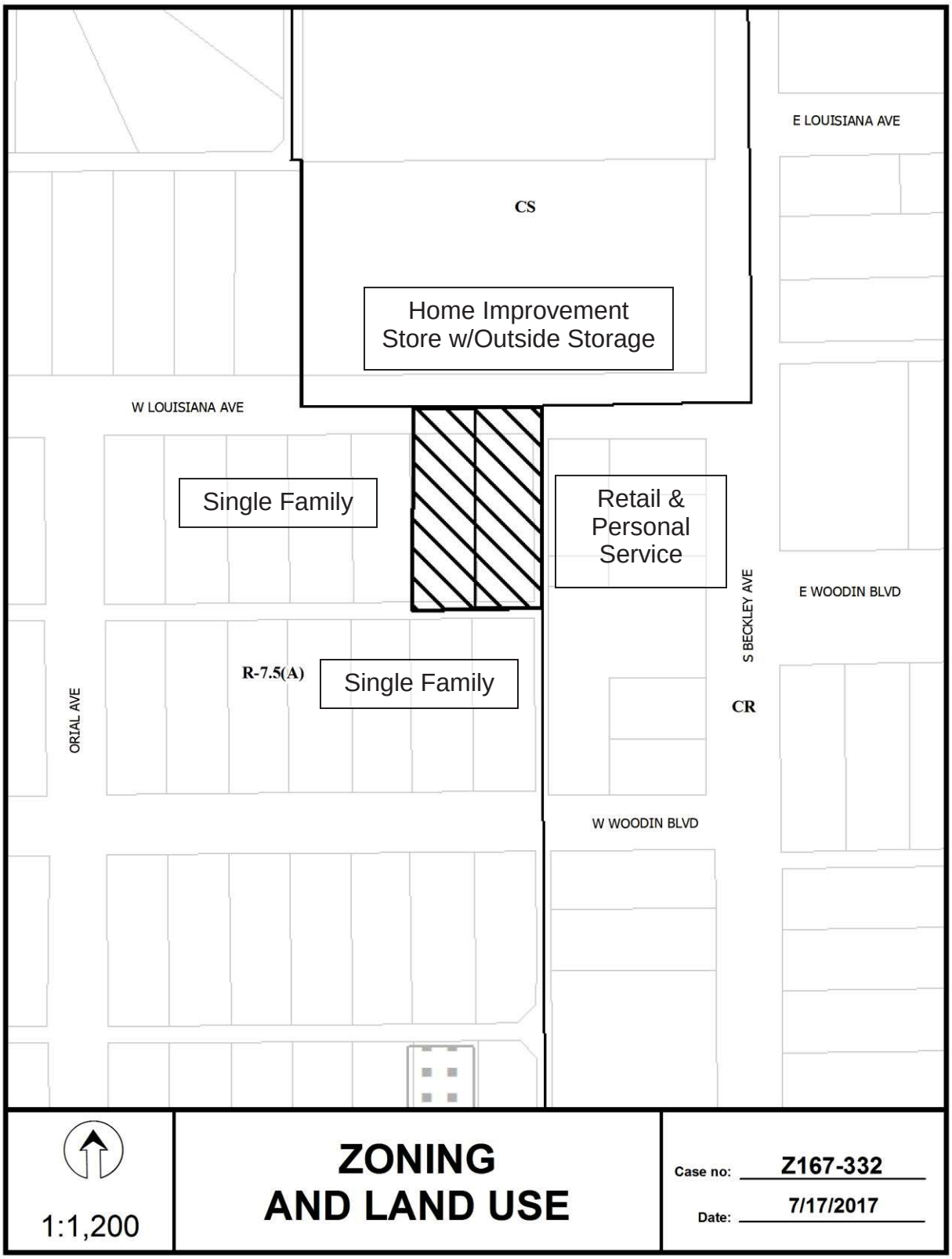


1:1,200

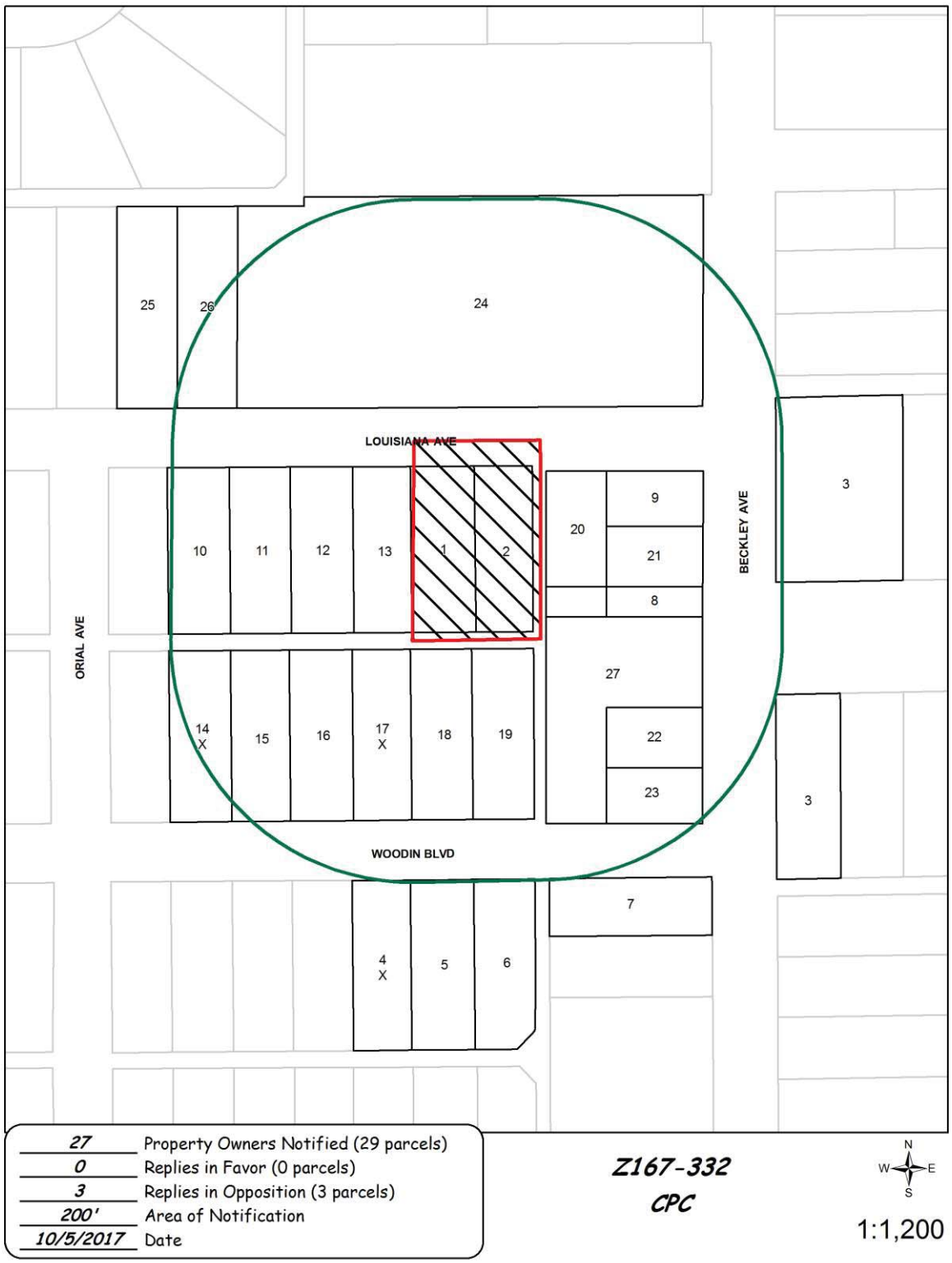
AERIAL MAP

Case no: Z167-332

Date: 7/17/2017


E LOUISIANA AVE
CS
Home Improvement Store w/Outside Storage
W LOUISIANA AVE
Single Family
Retail & Personal Service
E WOODIN BLVD
S BECKLEY AVE
R-7.5(A)
Single Family
CR
ORIAL AVE
W WOODIN BLVD
1:1,200
ZONING AND LAND USE
Case no: Z167-332
Date: 7/17/2017

CPC RESPONSES



10/04/2017

Reply List of Property Owners

Z167-332

27 Property Owners Notified ***0 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	118	W LOUISIANA AVE	SALAS JUAN & FELIPA
	2	114	W LOUISIANA AVE	SALAS JUAN &
	3	2016	S BECKLEY AVE	ELISALDE SANTOS J
X	4	120	W WOODIN BLVD	ALVAREZ JESUS &
	5	118	W WOODIN BLVD	THOMPSON TOMMIE FAYE
	6	114	W WOODIN BLVD	PERKINSHORNAGE MAGGIE
	7	2103	S BECKLEY AVE	SHEKINAH TABERNACLE
	8	2009	S BECKLEY AVE	ZUBIRI GLORIA
	9	2001	S BECKLEY AVE	CUADROS FERMAN
	10	134	W LOUISIANA AVE	ORTIZ MARTINA I & JUAN EDWARDO
	11	130	W LOUISIANA AVE	MORIEL JOSE BENITO &
	12	126	W LOUISIANA AVE	VASQUEZ MIGUEL & GRISELDA
	13	122	W LOUISIANA AVE	LEALAM REALTY LLC
X	14	135	W WOODIN BLVD	ALVAREZ JESUS M & NORMA
	15	129	W WOODIN BLVD	ADAMS RACHEL
	16	127	W WOODIN BLVD	NEVEL LEROY & BARBARA
X	17	123	W WOODIN BLVD	ABNEY IVISON SR
	18	117	W WOODIN BLVD	SOLANO JOSE L
	19	115	W WOODIN BLVD	RIVERA JOSE G
	20	108	W LOUISIANA AVE	TORRE MIGUEL DEL &
	21	2005	S BECKLEY AVE	TORRE MIGUEL DELA &
	22	2019	S BECKLEY AVE	KING J H
	23	2023	S BECKLEY AVE	COMPANIA DEMETRIO LLC
	24	1941	S BECKLEY AVE	CHEVY CHASE OAKS LLC
	25	131	W LOUISIANA AVE	ESPINOZA JOSE GUADALUPE
	26	127	W LOUISIANA AVE	MALDONADO JAMIE & YOLANDA
	27	2011	S BECKLEY AVE	DE LEON CRISTOBAL &

AGENDA ITEM # 63

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 24 T; X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 70 for CR Community Retail District uses, on the northeast corner of Midway Road and West Northwest Highway (Loop 12)
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-363(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-363(JM) **DATE FILED:** July 28, 2017

LOCATION: On the northeast corner of Midway Road and West Northwest Highway (Loop 12).

COUNCIL DISTRICT: 13 **MAPSCO:** 24 T, X

SIZE OF REQUEST: Approx. 7.8 acres **CENSUS TRACT:** 206.00

APPLICANT/OWNER: HEB Company, LP

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application to amend Planned Development District No. 70 for CR Community Retail District uses.

SUMMARY: The purpose of this request is to: 1) change the sign regulations from non-business to business; 2) to allow five banners attached to the façade for a general merchandise or food store greater than 40,000 square feet; and, 3) to allow the setback along the north end of the site to be reduced from 72 feet to 50 feet ONLY FOR mechanical equipment and conformance with ADA standards to include ramps, stairs, and handrails.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- On August 19, 1974, the City Council approved the creation of PDD No. 70 for Church Uses. Subsequent amendments (August 15, 1984, February 9, 2005, and January 23, 2013) provided for removal of the D Liquor Control Overlay on a portion of the site and replacing the D Liquor Control Overlay with a D-1 Liquor Control Overlay and granting SUP No. 1574 for a restaurant with alcoholic beverage service on a portion of the site; and, the removal of the D-1 Liquor Control Overlay and termination of SUP No. 1574, respectively.
- The current land use consists of a shopping center with retail and personal service uses. The development has three structures all erected in 1983 and containing approximately 90,603 square-feet of floor area.
- The requested amendment to PDD No. 70 will consider the following:

    1. Amend the sign regulations to allow business signage rather than nonbusiness signage. This would allow the existing monument signs to remain and be modified.

    2. Additionally, for a general merchandise or food store greater than 40,000 square feet, five interchangeable banners with a maximum effective area of 64 square feet each would be allowed.

    3. The north building setback line of 72 feet would allow encroachments for mechanical equipment, accessibility ramps, handrails, and stairs.

Zoning History:

There have been three zoning change requests in the area within the last five years.

1. **Z012-276:** On December 11, 2002, the City Council granted Specific Use Permit No. 1262 for a private school limited to grades pre-kindergarten through twelfth on property zoned an R-10(A) Single Family District, located on the west corner of Rosa Rd. and Midway Road. (Renewals & amendments: Z078-246, Z090-179, & Z145-215)

2. **Z145-221:** On August 20, 2017, the City Plan Commission denied an application for a Planned Development District for R-10(A) Single Family District and assisted living facility uses on property zoned an R-10(A) Single Family District, located on the south line of West Northwest Highway, west of Midway Road. *(No further action on this case.)*

3. **Z156-276:** An application for a CH Clustered Housing District with deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District, located on the south line of West Northwest Highway, west of Midway Road. *(Case has not progressed.)*

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Midway Road	Principal Arterial	Variable
West Northwest Highway	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed amendment will not have a negative impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 70	Retail and personal service
North	R-10(A) Residential	Single Family
East	R-10(A) Residential	Single Family
South	TH-3(A) Townhouse & R-10(A) Residential	Single Family & Institutional (church)
West	R-10(A) Residential & CR Community Retail w/ SUP No. 1718	Single Family & Retail and personal service; SUP for cell tower

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within a Residential Neighborhood Building Block and is located along a Multi-Modal Corridor.

This request is characteristic of a Residential Building Block because it provides access to shops and restaurants at a key intersection of the neighborhood. Additionally, the site is close to residential neighborhoods, while largely transit (three bus stops at the corner intersection) centered and auto-centric—a main quality of multi-modal development.

Finally, the commercial development site has served surrounding area since 1983, a well-established servicer in the fabric of the neighborhoods.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Implementation Measure 2.5.1.2 Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods.

NEIGHBORHOOD PLUS

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

Land Use Compatibility:

The site has contained a commercial development for over 30 years. A variety of shops, restaurants, and personal service uses are provided within the three structures and 90,603 square-feet of floor area. The surrounding residential neighborhoods to the northwest, north, east, and south predate the commercial developments within the area and include the subject site. A Historic Aerials search found low-density residential neighborhoods in

these areas, as well as to the immediate west, as far back as 1952. Westerly properties continue to redevelop into commercial developments along West Northwest Highway. The subject site was rezoned when PDD No. 70 was created in 1974 for church uses. Subsequent amendments to the PDD transformed the 7.8-acre site into a commercial development with fewer limitations. Finally, in 2013, all remaining Liquor Control Overlay mechanisms were removed.

The applicant proposes two amendments with this request:

(1) To update the sign section to: a.) refer to business zoning district regulations; b.) allow up to five-64-square-foot banner signs for a general merchandise or food store greater than 40,000 square feet; and, c.) allow a reduced setback for a monument sign at the southwest corner of the property, which currently exists and would be allowed to remain over time with the same three-foot setback from property line.

(2) To allow encroachments into the north setback of 72 feet for mechanical equipment, accessibility ramps, handrails, and stairs.

The largest and most northerly structure within the site is the trigger for the current zoning request. The intention is to house a general merchandise or food store greater than 40,000 square feet. Due to the proximity to the north boundary line and requirements for accessibility, the request is made to allow mechanical equipment, accessibility ramps, handrails, and stairs into the setback area.

Signs:

The change to business zoning district sign regulations for PDD No. 70 is consistent with the signage allotments provided to similar commercial developments in the area and along West Northwest Highway. Banner signs are counted toward the total sign allotment per the Dallas Development Code, and count toward the eight-word maximum per façade. The banner signs would be a special provision in consideration of the reclassification of this sign type as a permanent attached sign for code purposes.

The third element of the sign section amendment for this request would allow the placement of existing monument signs to remain with a reduced setback from the property line. Typically, multitenant monument signs are subject to a scaled setback depending on the overall height. With a height of 14 feet, the monument sign would have to be setback 10 feet from the property line. Due to prior right-of-way expansions, the existing monument sign at the southwest corner of the property is located three-feet from the property line. This would be allowed to remain or be upgraded in the future, should the proposed amendment be approved.

Parking:

Parking must be provided in accordance with Sec.51P-70.108, as amended. No changes are proposed with this request.

Landscaping:

Landscaping must be provided in accordance Sec.51P-70.112, as amended. No changes are proposed with this request.

CPC Action:
October 5, 2017

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 70 for CR Community Retail District uses, subject to conditions with the following changes: 1) Under Sec. 51P-70.107. YARD, LOT, AND SPACE REGULATIONS., (b) Setbacks, (2), add language "Mechanical equipment and accessibility ramps, handrails, and stairs are allowed to encroach up to 22 feet in the setback from the north Property line for the limited purpose of compliance with the ADA." and 2) Under SEC. 51P-70.113. SIGNS, (b)(1) Banners., (A), add language "A maximum of three south-facing and two east-facing banners are allowed and must be attached to the building façade for the general merchandise or food store greater than 3,500 square feet, but more than 40,000 square feet." on the northeast corner of Midway Road and West Northwest Highway (Loop 12).

Maker: Murphy
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpely

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 500 Mailed: 118
Replies: For: 7 Against: 5

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Bernadine Daniel, 4214 Rosa Ct., Dallas, TX, 75220
Bonnie Anderson, 4222 Rosa Ct. Dallas, TX, 75520
Against: None

LIST OF OFFICERS

Property Owner:

PRESTON HOLLOW INDIAN SCHOOL, LP, a Texas limited partnership

Westwood Financial Corporation, general partner
Lawrence Stern, VP
Joe Dykstra, VP
Randy Banchik, VP

Applicant:

HEB Board of Directors

Charles E Butt, Chairman and CEO
Craig Boyan, President and COO
Martin Otto, CFO

CPC Recommended Amending Conditions

ARTICLE 70.

PD. 70.

SEC. 51P-70.101. LEGISLATIVE HISTORY.

PD 70 was established by Ordinance No. 14645, passed by the Dallas City Council on August 19, 1974. Ordinance No. 14645 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14645 was amended by Ordinance No. 18360, passed by the Dallas City Council on August 15, 1984, and Ordinance No. 21348, passed by the Dallas City Council on June 24, 1992. (Ord. Nos. 10962; 14645; 18360; 21348; 25423; 25884; 28905)

SEC. 51P-70.102. PROPERTY LOCATION AND SIZE.

PD 70 is established on property generally located at the northeast corner of W. Northwest Highway (Loop 12) and Midway Road. The size of PD 70 is approximately 7.9806 acres. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(2) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

(3) BANNER means a sign applied on a strip of cloth, vinyl, or similar material and attached to a building or structure. Awning, canopy signs, and flags are not banners.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 25423; 25884; 28905)

SEC. 51P-70.104. CONCEPTUAL AND DEVELOPMENT PLANS.

No conceptual plan or development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Article 51A of the Dallas Development Code, as amended. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following main use is permitted with additional restrictions:

-- Personal service uses. *[Massage establishments and tattoo or body piercing studios are prohibited.]*

(c) The following uses are prohibited:

-- Commercial amusement (inside).
-- Hotel or motel.
-- Liquor store.
-- Pawn shop.
-- Restaurant with drive-in or drive-through service.

(Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 28905)

SEC. 51P-70.107. YARD, LOT, AND SPACE REGULATIONS.

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Setbacks. Minimum setbacks are:

(1) 100 feet along W. Northwest Highway; and

(2) 72 feet along Midway Road and the north and east Property lines. **Mechanical equipment and ADA accessibility ramps, handrails, and stairs may provide a setback of 50 feet from the north Property line.**

(c) Height.

(1) Except as provided in this subsection, maximum structure height is 36 feet.

(1) Mechanical equipment, screening, cooling towers, tanks, skylights, and ornamental cupolas and domes may project an additional 12 feet above the maximum 36 foot structure height and may not exceed 33 1/3 percent of the roof area.

(2) A portion of a building may be a maximum of 50 feet in height if the horizontal section of that portion of the building above 36 feet in height is 500 square feet or less. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Mixed use development parking reduction.

(1) For purposes of this section, a mixed use development means retail, office, and bar and restaurant uses in combination on a single or adjacent building site.

(2) An adjusted standard off-street parking requirement for a mixed use development is calculated as follows:

(A) The standard parking requirements for each use in the mixed use development must be ascertained.

(B) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the shared parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) The time of day columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted standard off-street parking requirement for the development.

Table 1: Mixed Use Development Parking Chart
For calculating the parking requirements for mixed use development parking

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Office related uses	100%	80%	100%	85%	35%
Retail and personal service related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(3) A special exception to the number of required parking spaces may not be combined with a mixed use development parking reduction. (Ord. Nos. 14645; 25423l 25884; 28905)

SEC. 51P-70.109. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. (Ord. 28905)

SEC. 51P-70.110. STREET DEDICATIONS.

At the time of platting, the property necessary to provide for 50 feet of right-of-way from the centerline of Midway Road must be dedicated to the city. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.111. LIGHTING.

Light poles or standards for parking areas must be covered to deflect light downward and not shine directly onto any adjacent residential properties. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.112. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) A minimum 12-foot-wide landscaped area must be provided along the W. Northwest Highway frontage.

(c) A minimum seven-foot-wide landscaped area must be provided along the Midway Road frontage.

(d) A sprinkler system must be provided for the landscaped areas.

(e) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.113. SIGNS.

(a) Signs must comply with the provisions for **~~non-~~**business zoning districts in Article VII. (Ord. Nos. 14645; 25423; 25884; 28905**).**

(b) General merchandise or food store greater than 3,500 square feet but more than 40,000 square feet.

(1) Banners.

(A) A maximum of three south-facing and two east-facing banners are allowed.

(B) Maximum effective area of an banner is 64 square feet.

(C) Banners may not be illuminated.

(D) Banners are not subject to a word limit.

(E) Banners must be attached to the façade of the general merchandise or food store greater than 3,500 square feet but more than 40,000 square feet use.

(2) Multi-tenant monument signs.

(1) Two multi-tenant monument signs are allowed.

(2) Maximum height of a multi-tenant monument sign is 14 feet.

(3) Maximum width of a multi-tenant monument sign is 13 feet.

(4) A multi-tenant monument sign must be set back a minimum of three feet from the Property line.

SEC. 51P-70.114. SCREENING WALL.

The nine-foot and six-foot solid masonry walls provided along the north and east sides of the Property must be properly maintained. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

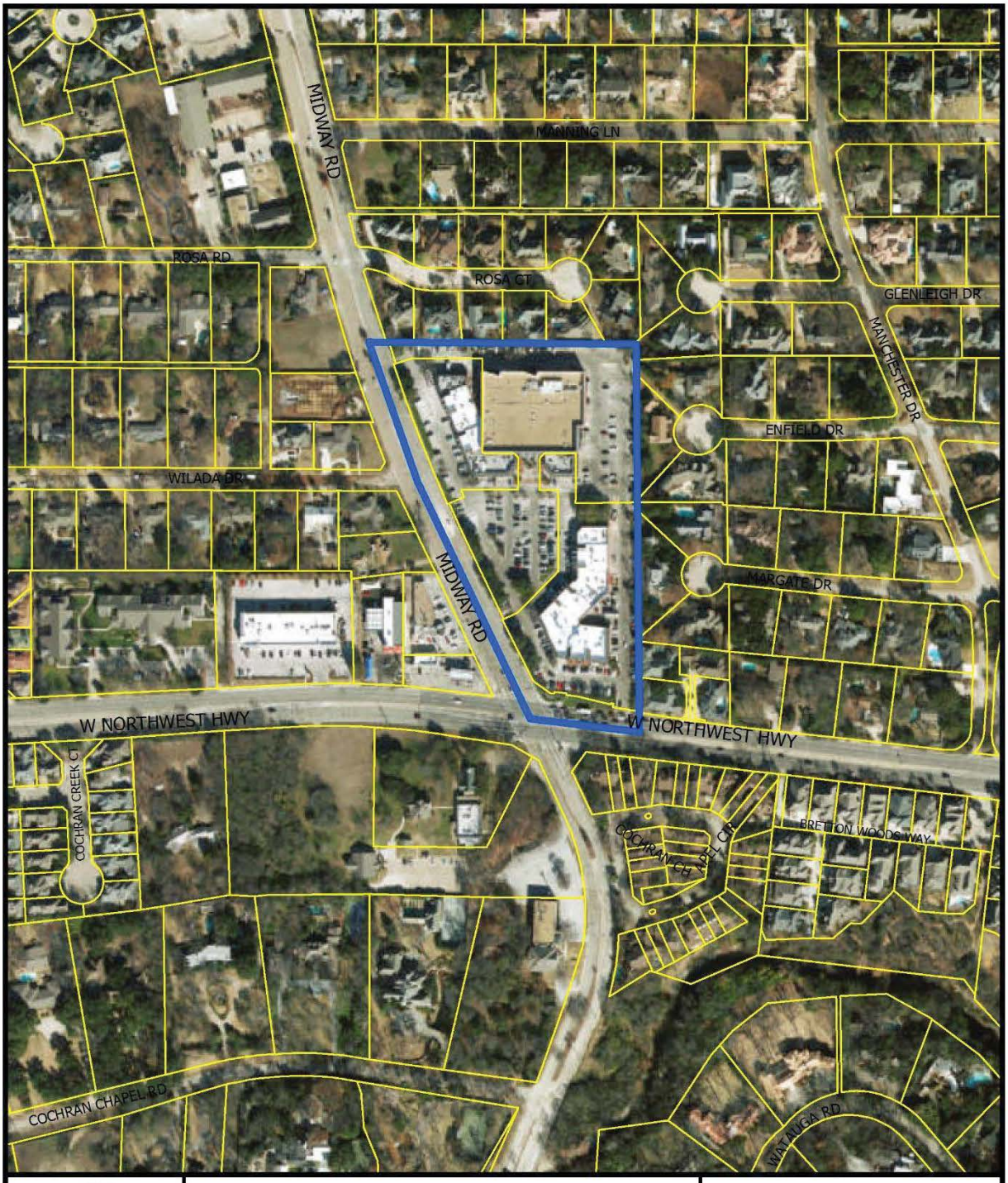
(b) Development and use of the Property must comply with all federal and state law and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P- 70.116. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 14645; 25423; 25884; 28905)


WOODFIN DR
MIRON DR
CLOVER LN
LOMITA LN
BROOKVIEW DR
HIGHGROVE DR
FOLKSTONE RD
EDITH LN
LORINSER LN
MIDWAY RD
MANCHESTER DR
GLOSTER RD
DAVILA DR
MANNING LN
GUERNSEY LN
ROSA RD
ROSA CT
GLENLEIGH DR
TOMBERRA WAY
ENFIELD DR
ROCKBROOK DR
WILADA DR
ESPLANADE DR
MARGATE DR
WOODCREEK DR
W NORTHWEST HWY
VALLEY CHAPEL LN
CHAPEL VALLEY RD
COCHRAN CHAPEL CIR
BLUFF PARK
COCHRAN CHAPEL RD
WATAUGA RD
WILDWOOD RD
Bachman Creek Greenbelt
CANYON DR
CHEROKEE TRL
LAKEMONT DR
SHORECREST DR
LABRON
CATAWBA
1:7,200
VICINITY MAP
Case no: Z167-363
Date: 9/19/2017

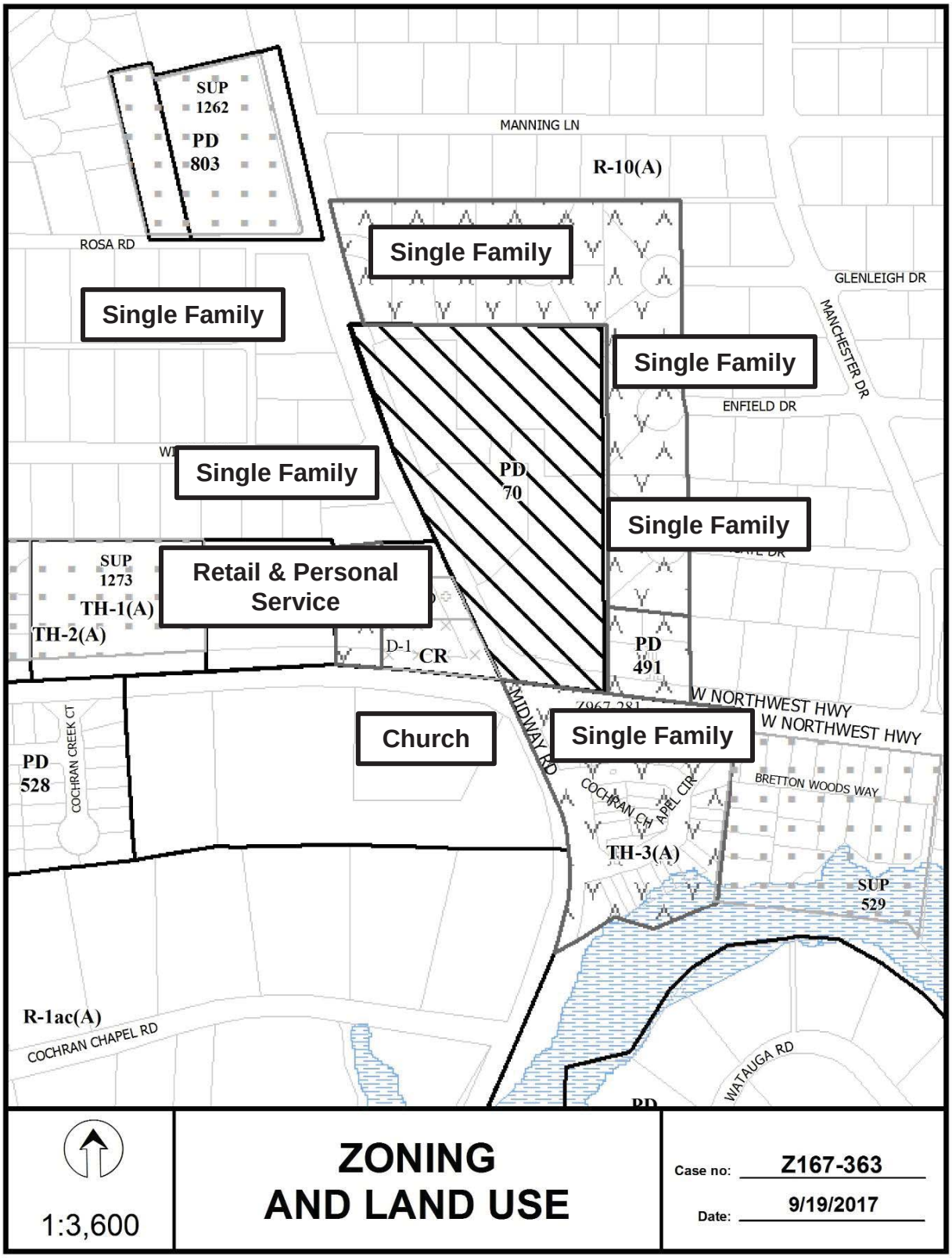


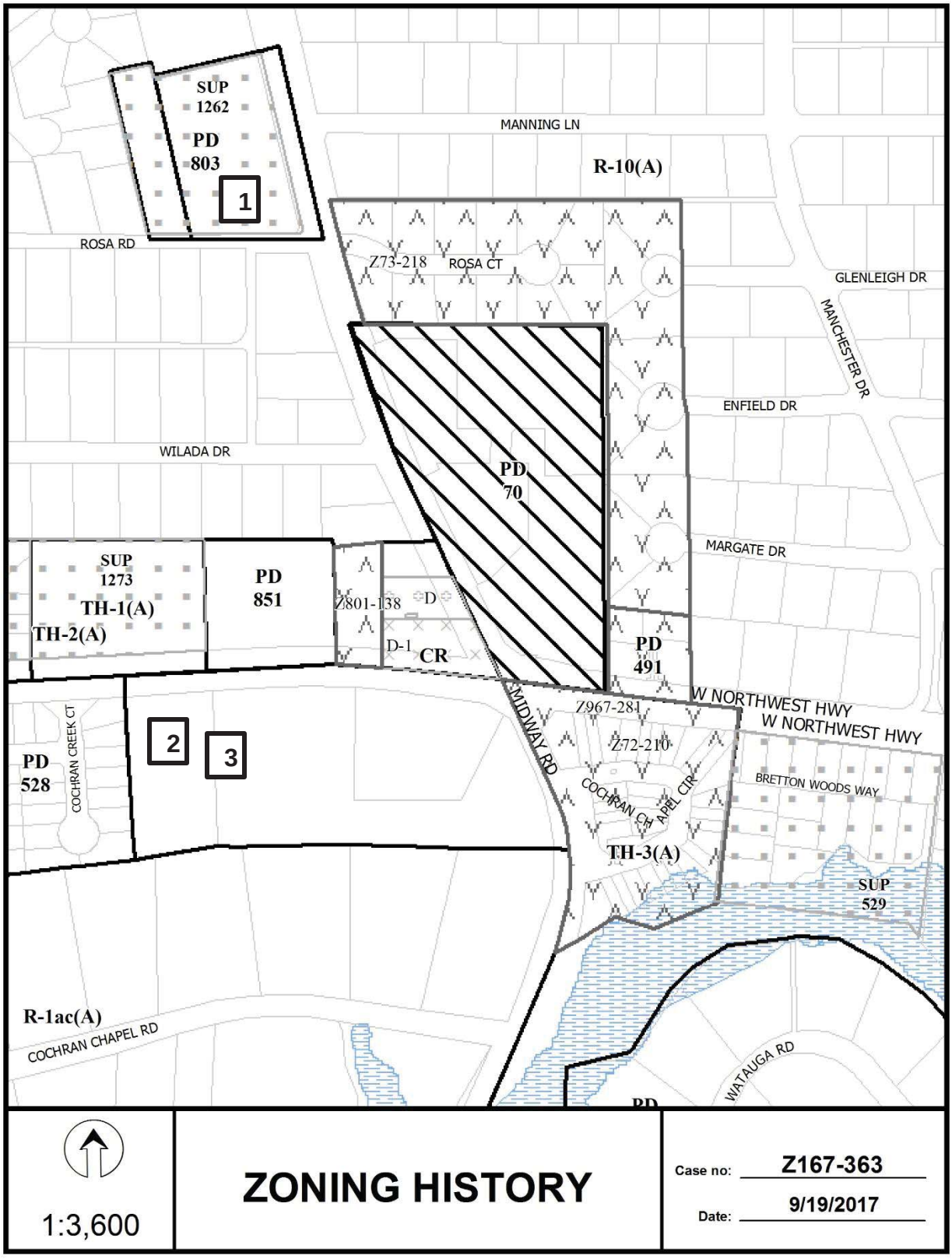
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AERIAL MAP

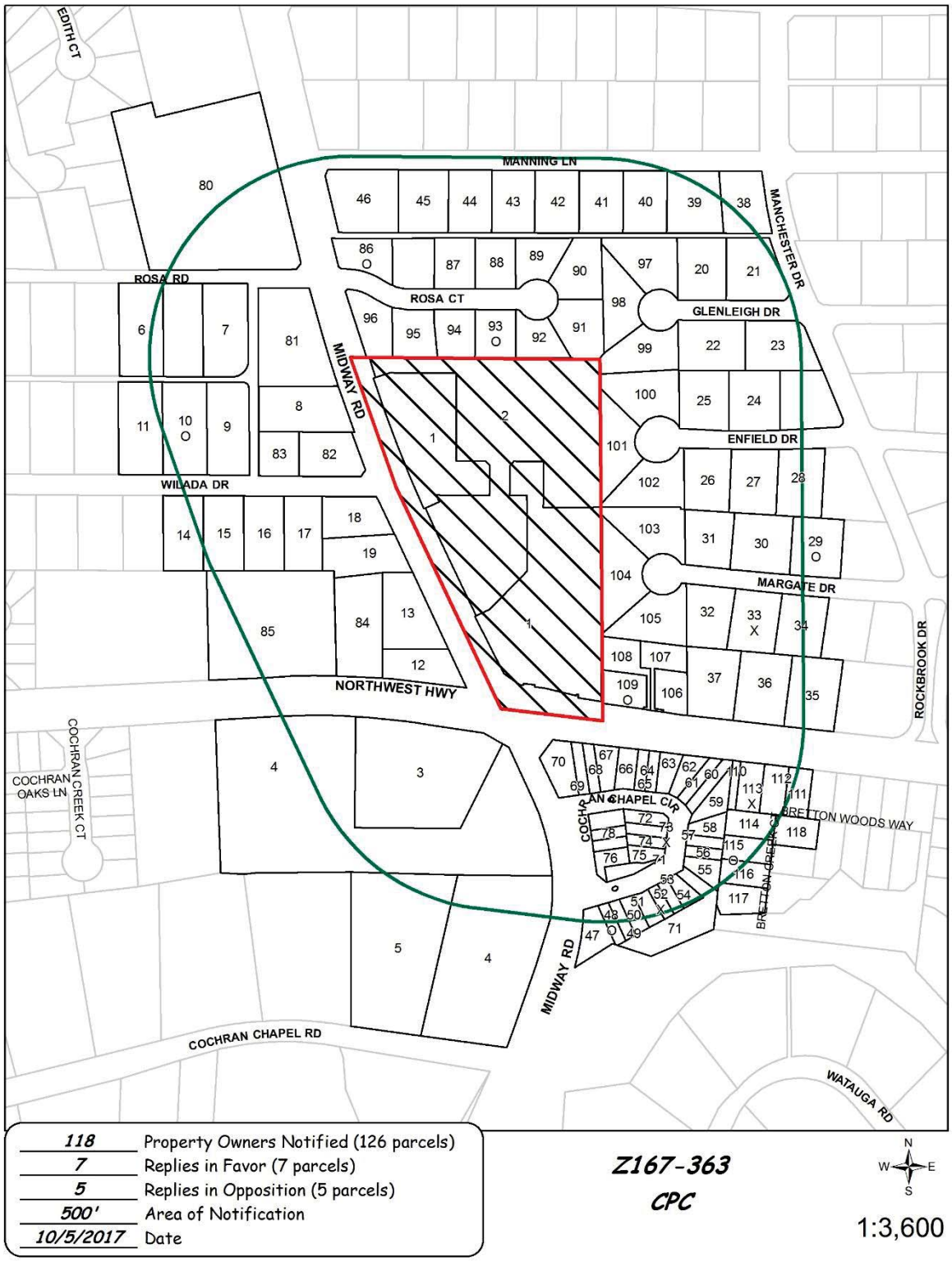
Case no: Z167-363

Date: 9/19/2017


SUP 1262
PD 803
MANNING LN
R-10(A)
ROSA RD
Single Family
GLENLEIGH DR
Single Family
MANCHESTER DR
Single Family
ENFIELD DR
Single Family
PD 70
Single Family
SUP 1273
Retail & Personal Service
TH-1(A)
TH-2(A)
D-1
CR
PD 491
W NORTHWEST HWY
Z967-281
W NORTHWEST HWY
Church
Single Family
MIDWAY RD
PD 528
COCHRAN CREEK CT
COCHRAN CHAPEL CIR
BRETTON WOODS WAY
TH-3(A)
SUP 529
R-1ac(A)
COCHRAN CHAPEL RD
WATAUGA RD
PD
1:3,600
ZONING AND LAND USE
Case no: Z167-363
Date: 9/19/2017


SUP 1262
PD 803
1
MANNING LN
R-10(A)
ROSA RD
Z73-218
ROSA CT
GLENLEIGH DR
MANCHESTER DR
ENFIELD DR
WILADA DR
PD 70
MARGATE DR
SUP 1273
TH-1(A)
TH-2(A)
PD 851
Z801-138
D
D-1
CR
PD 491
W NORTHWEST HWY
Z967-281
Z72-210
MIDWAY RD
COCHRAN CH APEL CIR
BRETTON WOODS WAY
PD 528
COCHRAN CREEK CT
2
3
TH-3(A)
SUP 529
R-1ac(A)
COCHRAN CHAPEL RD
WATAUGA RD
1:3,600
ZONING HISTORY
Case no: Z167-363
Date: 9/19/2017

CPC RESPONSES



10/04/2017

Reply List of Property Owners

Z167-363

118 Property Owners Notified ***7 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4343	W NORTHWEST HWY	PRESTON HOLLOW INDIAN SCH
	2	4343	W NORTHWEST HWY	HEB GROCERY COMPANY LP
	3	9101	MIDWAY RD	COCHRAN CHAPEL
	4	9027	MIDWAY RD	COCHRAN CHAPEL METHODIST
	5	4255	COCHRAN CHAPEL RD	KUHN MOLLIE
	6	4168	ROSA RD	GRACHECK JOHN S &
	7	4184	ROSA RD	CALDWELL JAMES M
	8	9317	MIDWAY RD	WILK BRIAN DAVID
	9	4181	WILADA DR	WAGNER DOROTHY P TR
O	10	4175	WILADA DR	BROWN RYAN W &
	11	4167	WILADA DR	MACQUILKEN DAVID E
	12	4275	W NORTHWEST HWY	AIRPORT FREEWAY FUEL CENTER LP
	13	9221	MIDWAY RD	CONSTANCE MIDWAY LTD
	14	4174	WILADA DR	NELSON HEATHER G &
	15	4180	WILADA DR	KNIGHT ALLAN M
	16	4188	WILADA DR	MOORE NICKY N
	17	4194	WILADA DR	MORADI MASOUD &
	18	9241	MIDWAY RD	ARNOLD H DAVID
	19	9227	MIDWAY RD	MCGILL MANDY
	20	4307	GLENLEIGH DR	MCBRIDE THOMAS J & LAURA H
	21	4319	GLENLEIGH DR	JACOBS ANDREW F & KAREN C
	22	4310	GLENLEIGH DR	GANUCHEAU DAVID W
	23	4322	GLENLEIGH DR	MCFARLAND JOHN S JR &
	24	4319	ENFIELD DR	BOREN JULIE P & MICHAEL T
	25	4307	ENFIELD DR	MARTIN HARRY J JR
	26	4306	ENFIELD DR	WEDDING MARC B

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	27	4318	ENFIELD DR	TIPPEN FORREST W JR &
	28	4326	ENFIELD DR	HOFFMANN PETER R & CLAUDETTE L
O	29	4327	MARGATE DR	MCNEIL JON
	30	4319	MARGATE DR	STRONG MILTON STANTON
	31	4307	MARGATE DR	VAUGHAN ANNIE K &
	32	4310	MARGATE DR	RATNER LYLE J & BEVERLY T
X	33	4318	MARGATE DR	MCFARLANE BRIAN & BETH
	34	4326	MARGATE DR	FOSTER GLENNA CHRISTINE
	35	4427	W NORTHWEST HWY	HENLEY JAMES H
	36	4419	W NORTHWEST HWY	WAITE RICHARD &
	37	4407	W NORTHWEST HWY	KELLY MICHAEL DOUGLAS &
	38	4346	MANNING LN	LOWERY JACQUELINE
	39	4342	MANNING LN	MUTRIE JAMES EDWARD III &
	40	4334	MANNING LN	MORROW CORY L & CHRISTI S
	41	4326	MANNING LN	SUNG WINGATE &
	42	4316	MANNING LN	VASQUEZ MANUEL D & LAURA
	43	4304	MANNING LN	PONDEGROSSA TRUST
	44	4214	MANNING LN	GROSS WILLIAM D & VAUGHN D
	45	4210	MANNING LN	HOWARD DANIELLE M
	46	4206	MANNING LN	BARROW JAMES P
	47	4304	COCHRAN CHAPEL CIR	NELSON KAREN S
O	48	4306	COCHRAN CHAPEL CIR	MAZUR MICHELLE HO
	49	4310	COCHRAN CHAPEL CIR	BARRINGER WILLAM VAN FOSSEN LIFE ESTATE
	50	4314	COCHRAN CHAPEL CIR	MANN DON & HELEN C
	51	4318	COCHRAN CHAPEL CIR	JEFFERS TOBY
X	52	4322	COCHRAN CHAPEL CIR	VESSELS BARBARA J
	53	4326	COCHRAN CHAPEL CIR	13624 FLOYD CIRCLE LTD
	54	4330	COCHRAN CHAPEL CIR	TURNER DAVID C & VANNIE
	55	4334	COCHRAN CHAPEL CIR	RYAN PETER M & SUZANNE A
	56	4338	COCHRAN CHAPEL CIR	YONACK CAROL MINNETTE

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	57	4342	COCHRAN CHAPEL CIR	WILLIAMS EDDIE W
	58	4346	COCHRAN CHAPEL CIR	WATT MELISSA G
	59	4350	COCHRAN CHAPEL CIR	STAFFORD JOHN MATTHEW
	60	4354	COCHRAN CHAPEL CIR	BLODGETT HENRY DAVID
	61	4358	COCHRAN CHAPEL CIR	LIPSCOMP LINDA
	62	4362	COCHRAN CHAPEL CIR	LINDLEY ANN
	63	4366	COCHRAN CHAPEL CIR	RAWLINGS JASON
	64	4370	COCHRAN CHAPEL CIR	HENLEY BARBARA
	65	4374	COCHRAN CHAPEL CIR	GONZALES RAUL
	66	4378	COCHRAN CHAPEL CIR	SHIRATORI HIROAKI
	67	4382	COCHRAN CHAPEL CIR	RODGERS PATRICK CHARLES & JANET B
	68	4386	COCHRAN CHAPEL CIR	MAGUIRE CLARENCE B &
	69	4390	COCHRAN CHAPEL CIR	STUENKEL ROBERT L
	70	4394	COCHRAN CHAPEL CIR	GOODLOE ROBERT W JR
	71	9001	COMMON AREA	COCHRAN CHAPEL CIR HMOWNR
	72	4347	COCHRAN CHAPEL CIR	HIGGINS LINDA
X	73	4343	COCHRAN CHAPEL CIR	JOHNSTON JANET S
	74	4339	COCHRAN CHAPEL CIR	PRICE LINDA R
	75	4335	COCHRAN CHAPEL CIR	DEGRASSI ANN M
	76	9102	COCHRAN CHAPEL CIR	FIELD PETER W & ANN C
	77	9106	COCHRAN CHAPEL CIR	ASTON SUSAN U
	78	9110	COCHRAN CHAPEL CIR	MIHAL BOBBI K
X	79	9114	COCHRAN CHAPEL CIR	HART M PHILLIP &
	80	9407	MIDWAY RD	OAK HILL ACADEMY THE
	81	9337	MIDWAY RD	MCGILL MANDY S
	82	4193	WILADA DR	HARDAGE PATRICK C & KRISTIE N
	83	4187	WILADA DR	CRAVEN ROBERT P &
	84	4255	W NORTHWEST HWY	CVS PHARMACY INC
	85	4235	W NORTHWEST HWY	MIDWAY NORTHWEST HIGHWAY SHOPPING CENTER LLC

10/04/2017

Reply	*Label #*	*Address*		*Owner*
O	86	4205	ROSA CT	GATLIN GLEN & VIRGINA BRISON
	87	4215	ROSA CT	SHIRLEY RICHARD H &
	88	4219	ROSA CT	HAMMETT ERLENE LIVING TRUST
	89	4223	ROSA CT	MCCABE JAMES J & CHRISTINE
	90	4227	ROSA CT	SHULTS GERALD A
	91	4226	ROSA CT	THOMAS BARRY D & JILL L
	92	4222	ROSA CT	KALINCHAKANDERSON BONNIE &
O	93	4218	ROSA CT	PINGREE BRUCE & LORRAINE
	94	4214	ROSA CT	DANIELL ROBERT W &
	95	4208	ROSA CT	WATSON ASHLEY HOLLWEG
	96	4204	ROSA CT	CANTRELL CYNTHIA LYNN
	97	4305	GLENLEIGH DR	HIEBER J PATRICK
	98	4303	GLENLEIGH DR	BROWN PATRICIA J
	99	4302	GLENLEIGH DR	HENKEL KATHRYN G
	100	4305	ENFIELD DR	HOLLWEG CHARLES L ETAL
	101	4303	ENFIELD DR	MCNAMARA JAMES E
	102	4302	ENFIELD DR	MCDOWELL REX W & ELLEN
	103	4305	MARGATE DR	WEILERT THOMAS H &
	104	4303	MARGATE DR	MEYRAT RICHARD B & HELINDA MCCLENDON
	105	4302	MARGATE DR	YOUNG JAMES F & CAROLE S
	106	4393	W NORTHWEST HWY	THOMPSON LARRY J &
	107	4383	W NORTHWEST HWY	PRATT HERBERT
	108	4373	W NORTHWEST HWY	SCHNECK ALAN WESLEY & BOBBIE JO
O	109	4363	W NORTHWEST HWY	WARD JOHN & HEDDY B
	110	4300	W NORTHWEST HWY	BRITTON WOODS HOMEOWNERS ASSN INC
	111	9	BRETTON WOODS WAY	JONES J & P
	112	11	BRETTON WOODS WAY	PICHANICK KIM

10/04/2017

Reply	*Label #*	*Address*		*Owner*
X	113	13	BRETTON WOODS WAY	BODDEN VERNIE & NELLIE JOINT ASSET TRUST
	114	1	BRETTON CREEK CT	DAVIS DAVD C &
O	115	3	BRETTON CREEK CT	STRONG JAMES M & LESLIE KAY
	116	5	BRETTON CREEK CT	LOWE REX M
	117	7	BRETTON CREEK CT	ALTEMORE J M III ASSET TRUST &
	118	2	BRETTON CREEK CT	MD TEXAS HOLDINGS NOMINEE TR

AGENDA ITEM # 64

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 23 D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Z167-364(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, NOVEMBER 8, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-364(WE) **DATE FILED:** August 1, 2017

LOCATION: West line of Marsh Lane, north of Flair Drive

COUNCIL DISTRICT: 13 **MAPSCO:** 23 D

SIZE OF REQUEST: Approx. 4.467 acres **CENSUS TRACT:** 96.07

APPLICANT: Dallas Daycare Academy, LLC

OWNER: Holy Cross Lutheran Church of Dallas

REPRESENTATIVE: Robert Reeves
Robert Reeves & Associates, Inc.

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District.

SUMMARY: The purpose of the request is to allow for a child-care facility [Dallas Daycare Academy, LLC] to operate within an existing church facility. The applicant will provide care to children from newborn to six years of age, and will operate the child-care facility Monday through Friday, between the hours of 6:00 a.m. to 7:00 p.m.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with an existing 8,327-square foot church.
- The applicant proposes to use approximately 11 classrooms within the church to provide care to children from newborn to six years of age. The applicant will operate the child-care facility between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday.
- The surrounding land uses consist of single family uses.

Zoning History: There has not been any zoning changes requested in the area during the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Marsh Lane	Principal Arterial	100 ft.	100 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	R-10(A), R-16(A)	Single family
North	R-10(A), R-16(A)	Single family
South	R-10(A), R-16(A)	Single family
East	R-16(A)	Single family
West	R-16(A)	Single family

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 4.467-acre site is developed with a church and surrounded by single family uses. The applicant proposes to use 11 classrooms in an existing church for a child-care facility. The applicant is proposing to operate the child-care facility between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday. The request site has two driveway approaches from Marsh Lane to access the site. The applicant will use the existing playground equipment that is located within a secured area on the church property. The rear of the property is secured with a six-foot perimeter fence.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-10(A) - existing Single Family	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single family
R-16(A) - proposed Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%		Single family

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. However, due to the site not increasing any impervious surface or floor area, landscaping the site is not required.

Parking: The Dallas Development Code requires that the off-street parking for a child-care facility may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area.

In addition, there is a provision in the Development Code under Special Parking that states "institutional and community service uses may share parking in residential districts on the same lot where both uses are located." The applicant has submitted a parking analysis that demonstrates that the church and child-care facility have a sufficient amount of off-street parking to serve both uses.

Below is the parking analysis for the proposed use:

Church:

576 feet of linear feet of pews
576 ft./1.5 ft. per seat = 384 seats in the sanctuary
384 seats/4 seats per parking space = 96 spaces required or the church

Child-care facility:

Classrooms, Kitchen, etc. - 8,638 square ft.
8,638 sq. ft. /500 sq. ft. = 17 spaces

Total required off-street parking for both uses: 113 spaces
Total number of spaces provided: 154 spaces

CPC Action: October 5, 2017

Motion: It was moved to recommend **approval** of a Specific Use Permit for a child-care facility for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive.

Maker: Murphy
Second: Schultz
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 300 Mailed: 60
Replies: For: 3 Against: 1

Speakers: For: None
For (Did not speak): Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: John Phillips, 3630 Flair Dr., Dallas, TX, 75229

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

4. FLOOR AREA: The maximum floor area is 8,638 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 7:00 p.m., Monday through Friday.

6. OFF-STREET PARKING: One off-street parking space per 500 square feet of floor area is required. A minimum of 17 off-street parking spaces are required in the location shown on the attached site plan.

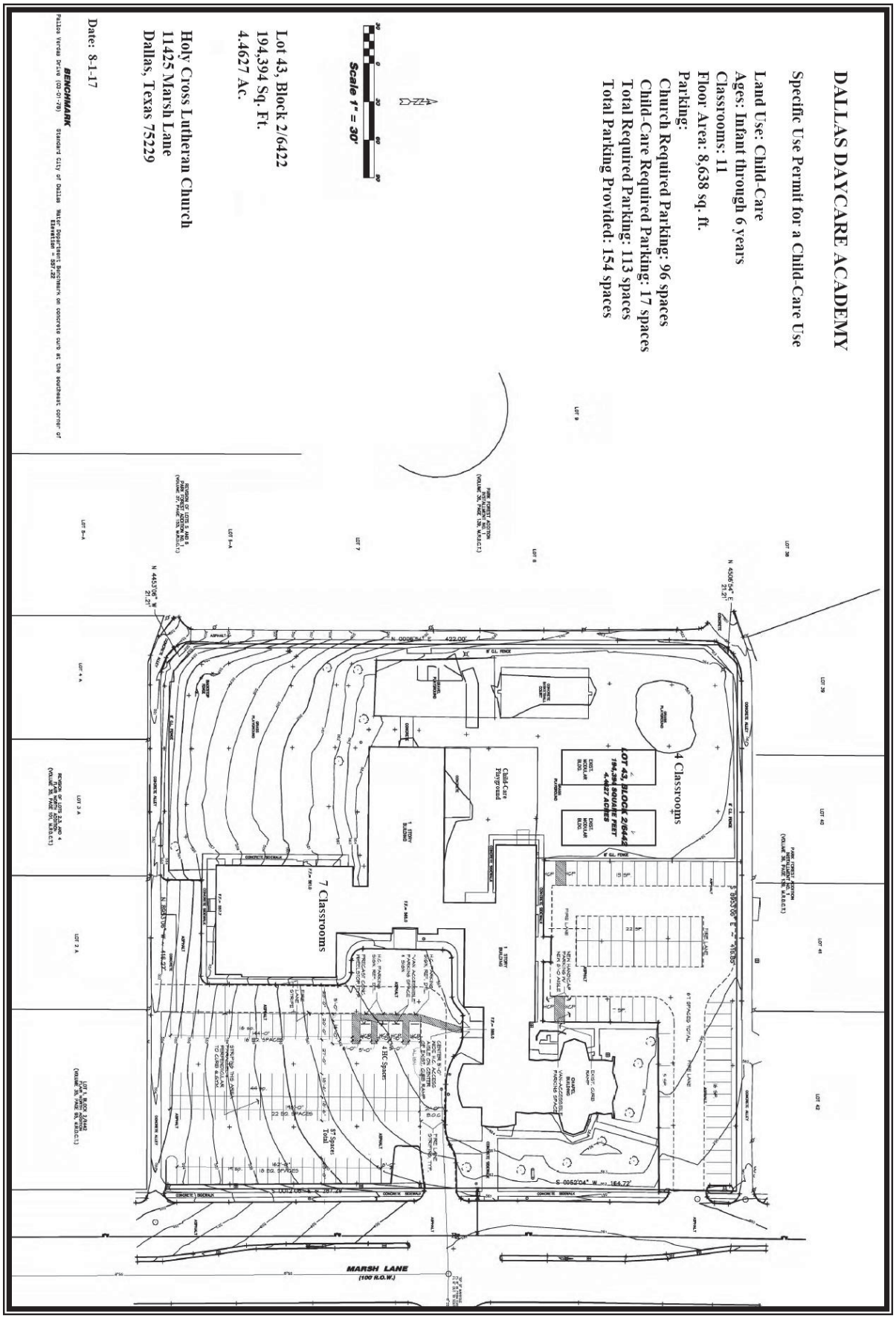
7. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

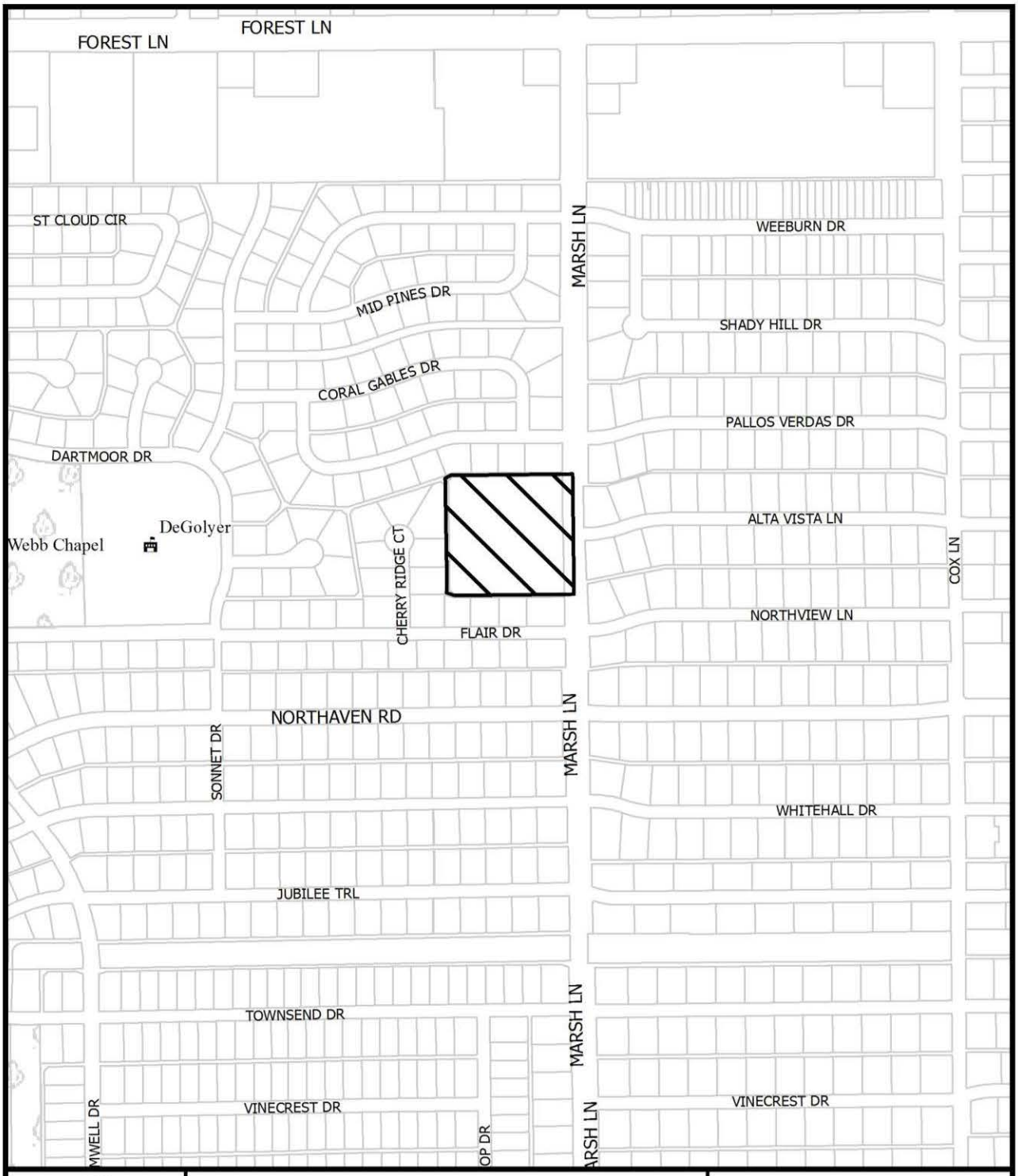
8. OUTDOOR PLAY AREA: The outdoor play area must be located as shown on the attached site plan and enclosed by a minimum six-foot high fence as shown on the attached site plan.

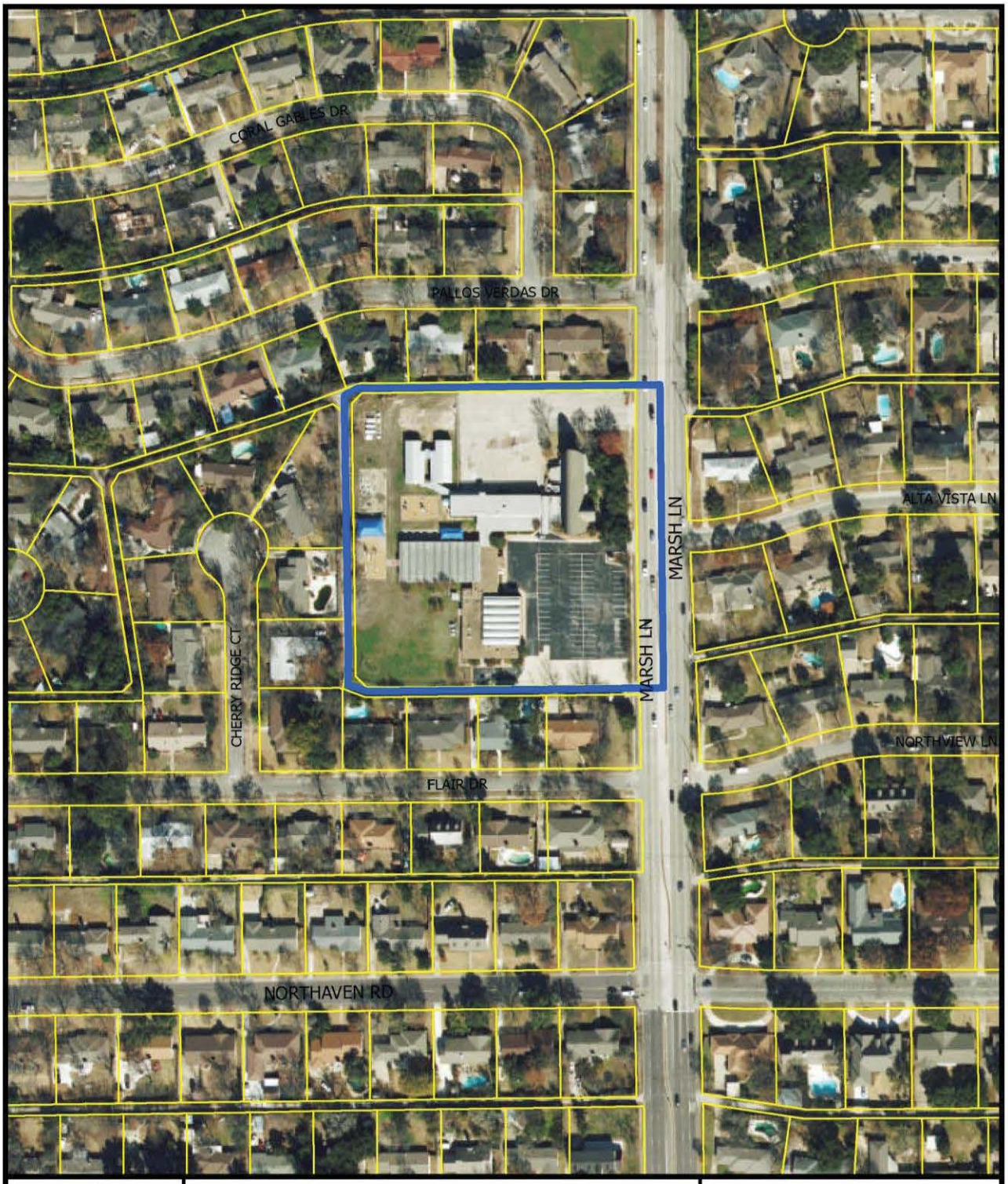
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulation, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN




FOREST LN
FOREST LN
ST CLOUD CIR
MID PINES DR
CORAL GABLES DR
DARTMOOR DR
DeGolyer
Webb Chapel
CHERRY RIDGE CT
FLAIR DR
NORTHAVEN RD
SONNET DR
JUBILEE TRL
TOWNSEND DR
VINECREST DR
MARSH LN
WEEBURN DR
SHADY HILL DR
PALLOS VERDAS DR
ALTA VISTA LN
COX LN
NORTHVIEW LN
WHITEHALL DR
VINECREST DR
1:6,000
VICINITY MAP
Case no: Z167-364
Date: 9/19/2017

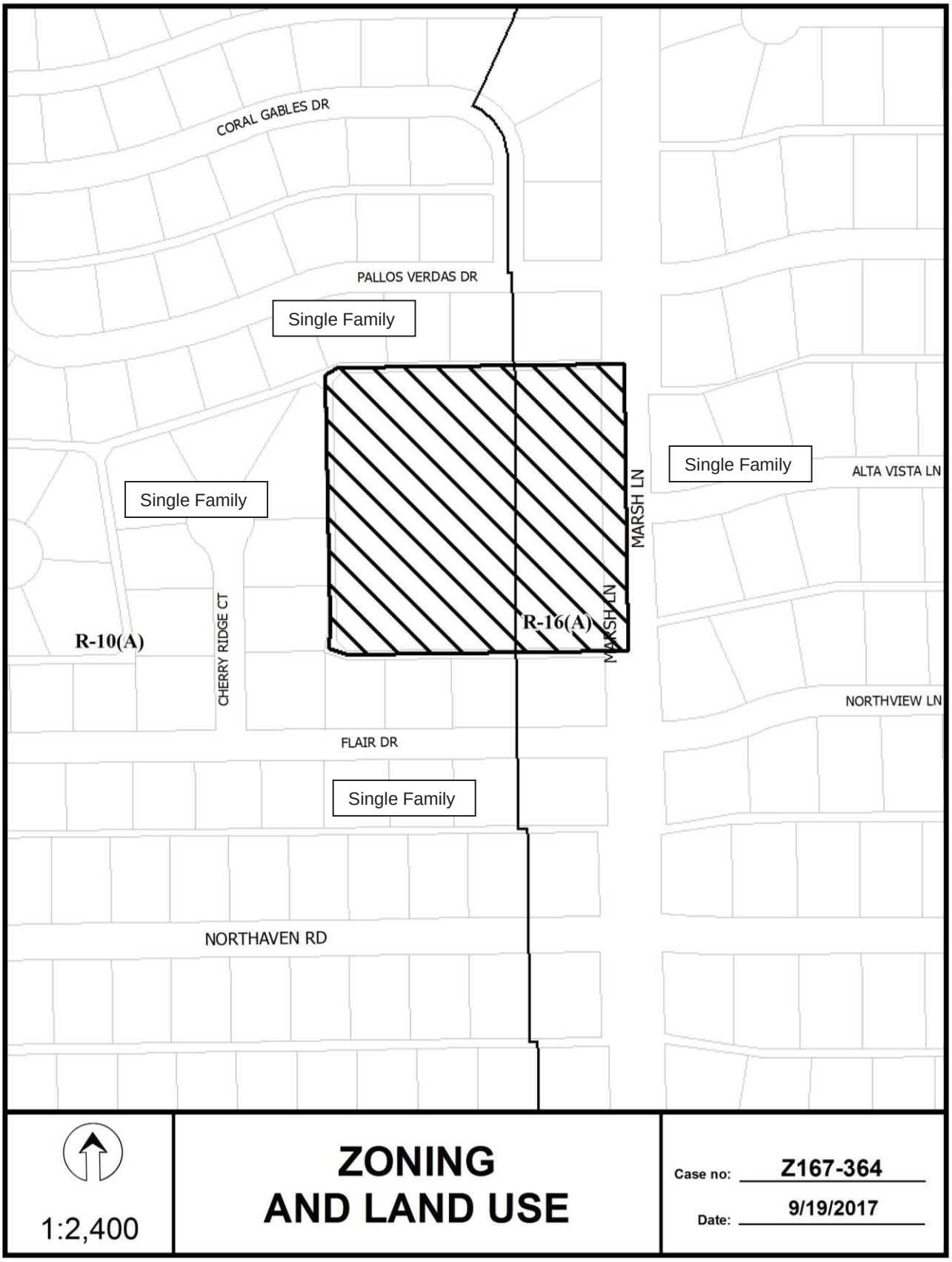


1:2,400

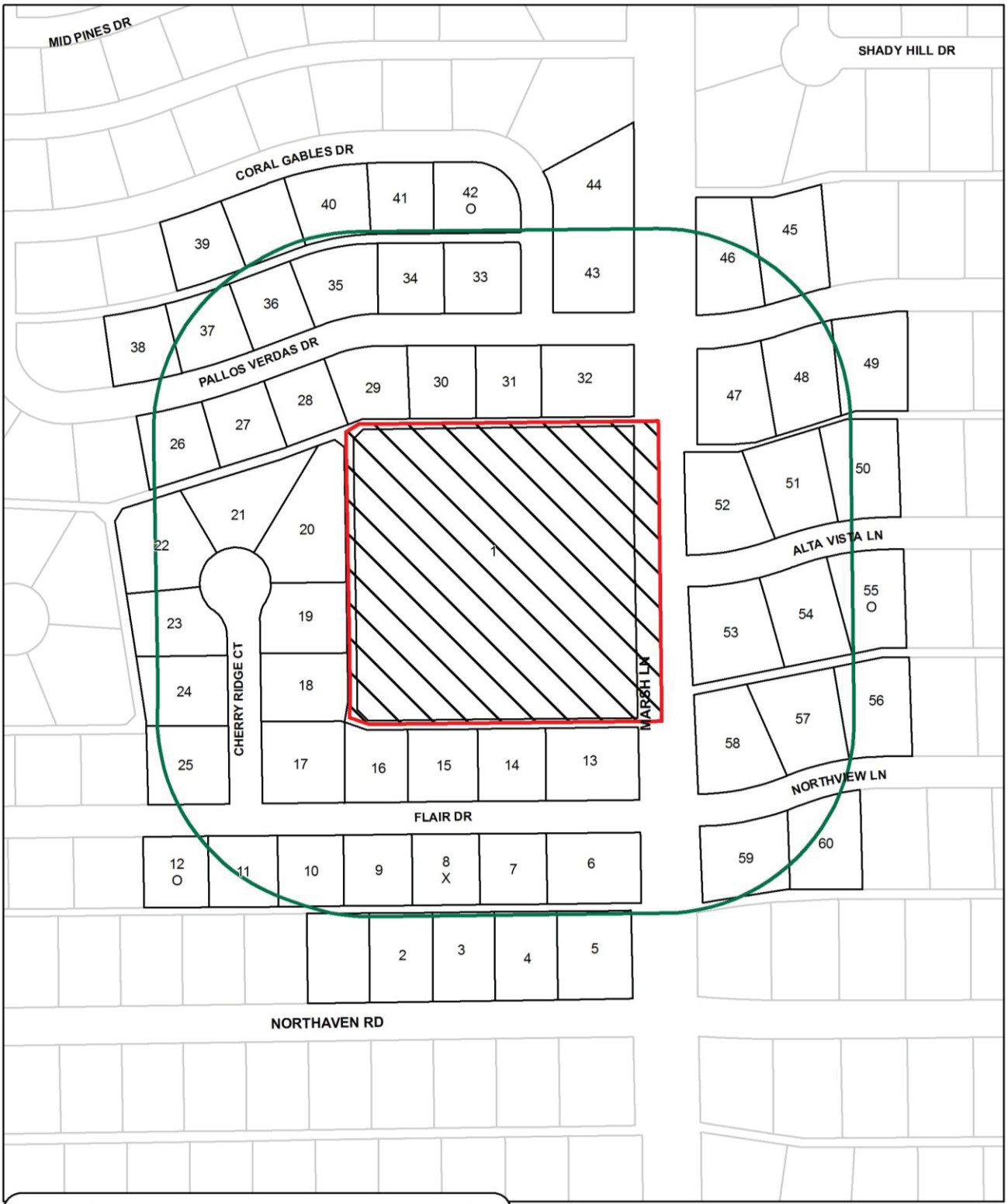
AERIAL MAP

Case no: Z167-364

Date: 9/19/2017


CORAL GABLES DR
PALLOS VERDAS DR
Single Family
Single Family
Single Family
ALTA VISTA LN
MARSH LN
MARSH LN
R-16(A)
R-10(A)
CHERRY RIDGE CT
NORTHVIEW LN
FLAIR DR
Single Family
NORTHAVEN RD
1:2,400
ZONING
AND LAND USE
Case no: Z167-364
Date: 9/19/2017

CPC RESPONSES



60	Property Owners Notified (62 parcels)
3	Replies in Favor (3 parcels)
1	Replies in Opposition (1 parcels)
300'	Area of Notification
10/5/2017	Date

Z167-364
CPC

N
W E
S

1:2,400

Notification List of Property Owners

Z167-364

60 Property Owners Notified *3 Property Owners in Favor* *1 Property Owners Opposed*

Reply	Label #	Address		Owner
	1	11425	MARSH LN	HOLY CROSS LUTHERAN CH
	2	3637	NORTHAVEN RD	DELEON JOHN MICHAEL
	3	3647	NORTHAVEN RD	WHITE BETTY
	4	3657	NORTHAVEN RD	DION ROSEMARY
	5	3667	NORTHAVEN RD	LEEDS LYLE S ESTATE OF
	6	3648	FLAIR DR	EMERY JAMES CHRISTOPHER &
	7	3638	FLAIR DR	MORGAN PAMELA JANE
X	8	3630	FLAIR DR	PHILLIPS JOHN
	9	3622	FLAIR DR	OVERSTREET F THOMAS &
	10	3616	FLAIR DR	HARGROVE ADAM TILLER &
	11	3608	FLAIR DR	WRIGHT TRAVIS & JENNIFER
O	12	3550	FLAIR DR	HOPKINS BECKY
	13	3647	FLAIR DR	KIME KELLEY ANN
	14	3637	FLAIR DR	BRIGHT DAN &
	15	3629	FLAIR DR	DETOROK ZSOLT S
	16	3621	FLAIR DR	TRUE ASHLEY A & TOBY J SMITH
	17	11404	CHERRY RIDGE CT	CHRIST TERENCE W &
	18	11414	CHERRY RIDGE CT	BROWN NETTIE TERRY
	19	11420	CHERRY RIDGE CT	HENDERSON COREY M &
	20	11424	CHERRY RIDGE CT	KRAHN KRIS L & SHARON
	21	11430	CHERRY RIDGE CT	DOWNUM JANA &
	22	11425	CHERRY RIDGE CT	GUERRERO JAIME RODRIGUEZ
	23	11421	CHERRY RIDGE CT	MAHONEY SONIA & HOWARD
	24	11415	CHERRY RIDGE CT	REAVES JUAN & PAULINA M
	25	3551	FLAIR DR	LEVY ALFREDO E &
	26	3640	PALLOS VERDAS DR	ALLEN MARK R & JENNIFER A

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	27	3648	PALLOS VERDAS DR	DILORETO JAMES
	28	3656	PALLOS VERDAS DR	COHEN ANN
	29	3664	PALLOS VERDAS DR	STROUSE ALAN
	30	3672	PALLOS VERDAS DR	BLOCH KAYLA
	31	3680	PALLOS VERDAS DR	NOCE FRANK &
	32	3688	PALLOS VERDAS DR	MCDONALD RICHARD R &
	33	3675	PALLOS VERDAS DR	NOCE MICHAEL & RHONDA
	34	3667	PALLOS VERDAS DR	NOCE FRANK
	35	3663	PALLOS VERDAS DR	NOCE FRANK & LOUISE
	36	3655	PALLOS VERDAS DR	SHAAF HESAM
	37	3647	PALLOS VERDAS DR	DUBATO KEVIN M
	38	3637	PALLOS VERDAS DR	RENFROW RANDELL L &
	39	3624	CORAL GABLES DR	14C HOMES INC
	40	3640	CORAL GABLES DR	CAGLE AARON &
	41	3650	CORAL GABLES DR	WHITMIRE SANDRA R
O	42	3660	CORAL GABLES DR	SPARKS JAMES L JR
	43	3683	CORAL GABLES DR	MARCH JOHN
	44	3675	CORAL GABLES DR	BUTLER BOBBY
	45	3715	PALLOS VERDAS DR	STANLEY JOE G &
	46	3707	PALLOS VERDAS DR	ALAMAN GREGORY &
	47	3706	PALLOS VERDAS DR	LIM ELIZA B &
	48	3714	PALLOS VERDAS DR	MOORE JAMES F & REBECCA L
	49	3720	PALLOS VERDAS DR	SAFIR SHAWN J & ERIKA
	50	3721	ALTA VISTA LN	SHAW LOY R & CATHIE M
	51	3715	ALTA VISTA LN	KEITH ANDREW M &
	52	3707	ALTA VISTA LN	STEVENS CHADWICK R & STEPHANIE RIGG
	53	3706	ALTA VISTA LN	HARRIS CARLA
	54	3714	ALTA VISTA LN	HEMSTREET JOAN W
O	55	3720	ALTA VISTA LN	FRENCH DAN B & STACEY C
	56	3723	NORTHVIEW LN	BABB DANIEL G &
	57	3715	NORTHVIEW LN	SADLER CHARLES EDWARD

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	58	3707	NORTHVIEW LN	OLIVARES MARISELA JOSEFINA
	59	3708	NORTHVIEW LN	MOFFITT JEFFREY C
	60	3714	NORTHVIEW LN	COLLEN SCOTT A &

AGENDA ITEM # 65

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 54 D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street

Recommendation of Staff: Approval, subject to a development plan, elevation plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan, elevation plan and conditions

Z167-300(KK)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-300(KK) **DATE FILED:** May 15, 2017

LOCATION: Southwest corner of North Zang Boulevard and West Neely Street

COUNCIL DISTRICT: 1 **MAPSCO:** 54 D

SIZE OF REQUEST: Approx. 0.36 acres **CENSUS TRACT:** 42.01

APPLICANT/OWNER: Jim Lake Jr./Bishop 1910 Partners, Ltd.

REPRESENTATIVE: Mark Owen, Lake-Slagel Partners, LLC

REQUEST: An application for a new subdistrict on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict within the planned development district to obtain a parking reduction and allow for the remodel of and addition to the existing structure [Mayor's House] to allow for the conversion to a restaurant land use.

CPC RECOMMENATION: **Approval**, subject to a development plan, elevation plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, elevation plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- On March 12, 1997, PDD No. 468 was approved by City Council.

- The existing single family structure was constructed in 1910 by Mayor George Sergeant, a former Chief Justice of Dallas' 5th Court of Appeals, and former Mayor of the City of Dallas from 1932 to 1935.

- The purpose of this request is to create a new subdistrict within the planned development district to obtain a parking reduction and allow for the remodel of and addition to the existing building [Mayor's House] to be converted to a restaurant land use.

Zoning History: There have been two recent zoning change requests in the area.

1. **Z145-341** On October 28, 2015, the City Council approved an Oak Cliff Demolition Overlay District.

2. **Z156-222** On September 9, 2016, the City Council approved Subdistrict K, the reduction of Shopfront Overlay No. 7 on properties zoned Subdistrict E, WMU-8 within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Zang Boulevard	Minor Arterial	4 lanes divided, 100' ROW, 72' pavement
West Neely Street	Local	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and stated that they can support the request in regards to the requested parking reduction and proposal of one on-street parking space. The existing congestion of West Neely Street and the concern that by allowing a parking reduction would only increase the congestion and worsen the problem was taken into account as part of this review. While staff is understanding and sensitive to this, we do feel that in order to revitalize the building and allow for the creation of a high density business, a parking reduction can be the tradeoff for preserving and updating a structure that is important to the history of the City of Dallas. Parking reductions are detailed in the parking section of this report.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 468 Sub. C, WMU-3	Single family
North	PDD No. 468 Sub. B, WR-3	Multifamily, Single family
East	PDD No. 468 Sub. K, WMU-8	Multifamily
South	PDD No. 830	Multifamily, Retail
West	PDD No. 468 Sub. A, RTN	Shared Access Development (Single family)

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The request site lies within an area considered Urban Mixed Use. The request is characteristic of an Urban Mixed-Use Building Block because it compromises a vibrant mix of office and retail uses to support adjacent and surround residential uses. The request site will provide an additional dining option within a closely defined area. People on foot or bike can enjoy interesting storefronts and building facades at ground level with wide sidewalks. This aids in creating an appealing streetscape. By encouraging better design quality and convenience in retail centers, business parks and industrial parks, the city takes on a more notable look.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTRE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Implementation Measure 4.2.2.3 Use "Context Sensitive Design" standards for public street improvements to ensure safe and convenient bike and pedestrian movement.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to walk.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use Compatibility:

PDD No. 468 was approved by the City Council on March 12, 1997, and encompasses approximately 842 acres, generally bounded by Interstate 30, the Levee on the east side of the Trinity River, Interstate 35E (South R. L. Thornton Freeway), Marsalis Avenue, Eighth Street, Elsbeth Avenue, Neches Street, Bishop Avenue, Colorado Boulevard, and Beckley Avenue. Recent developments in the immediate area, both north and south of the North Zang Boulevard alignment through this part of the planned development district, have begun to transition the area by providing residential options, both multifamily and single family dwellings. As the demand for services increases, so does the need to accommodate for anticipated residential activity, and various retail and entertainment options both established or proposed to be developed along this thoroughfare.

In creating the vision and purpose of PDD No. 468, various subdistricts were created to establish a basis for the balance of development and the co-existence with the built environment along the gateway. The intent of this article is to provide standards specifically tailored to meet the needs of the Oak Cliff Gateway area of the city. This area is an area of historical, cultural, and architectural importance and significance to the city. The Mayor William Sergeant Home, area of request, is currently listed in the planned development district as one of the significance areas to preserve and enhance in aspects of historical, architectural, and cultural significance concerning historical designation.

The home, located at 635 North Zang Boulevard, was constructed in 1910 by George Sergeant. George Sergeant was a Fifth Circuit Court Justice and former Dallas Mayor (1935-1937) who was instrumental in helping bring the 1936 Texas Centennial Exposition to Fair Park. The two-and-a-half story Craftsman structure includes a large front porch with a second story balcony along with a prominent centered dormer featuring leaded glass windows. The house perches on a slight rise and is surrounded by a large front and side yard that slopes down to North Zang Boulevard and West Neely Street.

Given the importance of this structure, staff feels that it is important to protect and revitalize the structure to continue the history that this parcel of land gives to the city of Dallas. The applicant is proposing to convert the single family dwelling into a restaurant by remodeling the structure's exterior and interior. A proposed component of this remodel is an addition that is proposed to the rear of the existing structure, as well as a raised porch adjacent to West Neely Street to mimic the existing porch adjacent to North Zang Boulevard. The total floor area detailed on the development plan, including the addition, is 3,725 square feet; this does not include the exterior covered porch area surrounding the structure.

The proposed revised conditions will require the approval of a development plan and elevation plan by City Council. The creation of a new subdistrict is proposed to allow for suggested parking reductions. These parking reductions are discussed in more detail in the parking section of this report.

The development plan has gone through multiple revisions as a result of staff's comments and concerns regarding the proposed development. Originally both drive approaches were proposed to enter and exit off of West Neely Street. In an effort to try to prevent an influx of traffic into the neighborhood, staff recommended moving the ingress drive approach to North Zang Boulevard and making the egress onto West Neely Street a mandatory right hand turn only exit. By relocating the drive approach to North Zang Boulevard this also allowed the applicant to maintain the rolling lawn that is common to preserve in historic districts. It also prohibits the stacking of vehicles in front of the structure fronting on North Zang Boulevard. The stacking of vehicles will now stack along the southern property line keeping the main façade open to the street. The valet stand was originally proposed to be located in front of the structure; however, after discussions with staff, the applicant has agreed to relocate the valet stand to the rear of the property at the southwest corner of the building, as depicted on the proposed development plan.

Staff is also recommending the following conditions be applied to a restaurant and bar land use that is proposing outdoor dining. This is in an effort to be sensitive to the residential homes in close proximity to this use and try to mitigate late hours noise issues. Staff is recommending the following:

(1) Additional provisions for restaurant and bar land use.
(A) All outdoor speakers are prohibited.
(B) The hours of use for the outdoor patio and porch area are as follows:

- *The use of the outdoor patio and porch area must cease at 10pm on weeknights and 11pm on weekend nights.*

This proposed subdistrict will still be required to comply with the WMU-3 Walkable Urban Mixed Use development regulations detailed in Article XIII.

The site is currently surrounded by development projects under construction. A mix of uses, heavily influenced by retail, and residential development is being constructed along the North Zang Boulevard alignment through this area. Multifamily uses are developed to the north, east, across North Zang Boulevard, and south. A shared access development is under construction to the west of the area of request. Traveling west along West Neely Street is an established single family neighborhood.

Parking:

The applicant is proposing a parking ratio reduction from 1 parking space per 125 square feet of restaurant floor area to 1 parking space per 175 square feet with the following additional parking reductions:

- Allow the site to use the 5% trolley reduction detailed in Article XIII, Sec.51A-13.403(c)(2), but amend the condition within PDD No. 468 concerning residential adjacency. The parking reduction in Article XIII states that this reduction cannot be used by a restaurant use if the property is located within a 600-foot radius of a property in a single-family district. Tract 1c within Planned Development District No. 160, which is to be treated as an R-7.5(A) Single Family district, is located directly to the west of the area of request that is considered a single-family district. Staff is supportive of this condition due to the close proximity of the site to the trolley station even though it does have direct residential adjacency. In an effort to create an urban living community, staff is supportive of giving a reduction to encourage the use of public transportation.

- Staff is also supportive of the legacy building reduction because this is a way to preserve this historical structure. In PDD No. 468 legacy buildings are able to obtain a parking reduction. The existing structure does not meet the requirements of a legacy building because not all original street-facing facades remain. The proposed condition will allow this structure to be considered a legacy building for purposes of a parking reduction only. For this building to be considered a legacy building they must comply with the proposed elevation plan. This plan was reviewed by historic preservation staff and they were supportive of the exterior remodel and preservation of the structure.

Reference the chart below for the different parking options discussed.

	Parking Ratio	Parking Req.	Proposed Trolley Reduction	Proposed Legacy Bldg. Reduction	Total Required
Staff's Recommendation	1/175	21	5% = (-1)	25% = (-5)	15
CPC Recommendation	1/125	30			30
Existing Ord.	1/125	30	---	---	30
					Parking Provided = 22

The total number of parking spaces provided on site is 14 with an additional 8 on-street parking spaces proposed. Staff is aware of the existing congestion and parking issues in the Oak Cliff Gateway. Given the proposed reductions the applicant would be able to occupy the space as a restaurant, allowing the site to have an active use.

The parking reductions shown on the development plan referring to outdoor covered patio area and the total of outdoor covered and uncovered patio area is a reduction currently established in the ordinance. Sec.51P-468.106(c)(7)(A) and (B) states the following:

(7) Outdoor covered patios.

(A) For restaurant or bar uses, the outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area.

(B) For a restaurant use, the combined area of covered and uncovered outdoor dining area that is not included in parking requirement calculations may not exceed 50 percent of the indoor dining area. Any portion of the outdoor dining patio area in excess of the 50 percent of the indoor dining area must be parked in accordance with the Subdistricts B-G required parking chart (Exhibit 468C).

Twenty-five percent of the total floor area of 3,725 square feet is 931 square feet. The outdoor covered patio area cannot exceed 931 square feet. The applicant is proposing 930 square feet of covered patio area. The total covered and uncovered patio area cannot exceed 50 percent of the total floor area without triggering a parking requirement. This equates to 1,863 square feet, while the applicant is proposing 1,860 square feet of covered and uncovered patio square footage.

While this is a low parking requirement for a restaurant use, staff believes that given the uniqueness of the site and the desire to promote preservation of a historical building this parking reduction is justifiable.

Landscaping:

Landscaping must be installed per Article XIII regulations. The same triggers apply to the Article XIII landscaping requirements as do Article X. The minor streets and streetscapes do not apply to this development because staff does not consider this proposal to be new construction. The applicant is proposing an addition to the existing structure. The intent of the streets and streetscapes section is to be applied to ground-up new construction projects.

CPC Action

September 28, 2017

Motion: It was moved to recommend **approval** of a new subdistrict, subject to a development plan, elevation plan and revised conditions on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street.

Maker: Anglin
Second: Schultz
Result: Failed: 5 to 6

For: 5 – Anglin, Shidid, Schultz, Murphy, Tarpley
Against: 6 – Rieves, Mack, Jung, Housewright, Peadon, Ridley
Absent: 3 – Houston, Davis, Haney
Vacancy: 1 – District 6

Motion II: It was moved to recommend **approval** of a new subdistrict, subject to a development plan, elevation plan and revised conditions with the removal of legacy designation and legacy parking credit on property zoned Subdistrict C, WMU-3 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street.

Maker: Anglin
Second: Schultz
Result: Carried: 7 to 4

For: 7 – Anglin, Shidid, Mack, Housewright, Schultz, Murphy, Tarpley
Against: 4 – Rieves, Jung, Peadon, Ridley
Absent: 3 – Houston, Davis, Haney
Vacancy: 1 – District 6

Notices: Area: 500 Mailed: 70
Replies: For: 1 Against: 6

Speakers: For: Jim Lake, 1350 Manufacturing St., Dallas, TX, 75207
David Farrell, 9444 Sherwood Glen, Dallas, TX, 75228
Michael Amonett, 2210 W. Tenth St., Dallas, TX, 75208
David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204

Against: Sam Staggs, 1230 Woodlawn Ave., Dallas, TX, 75208
Pam Conley, P.O. Box 5212, Dallas, TX, 75208
Staff: David Nevarez, Sr. Engineer, Dallas Engineering Division

List of Partners/Principals/Officers

Lake – Slagel Partners, LLC

Jim Lake Jr. – Managing Member

PROPOSED CONDITIONS

ARTICLE 468.

PD 468.

Oak Cliff Gateway Special Purpose District

SEC.51P-468.101. LEGISLATIVE HISTORY.

PD 468 was PD 468 was established by Ordinance No. 23057, passed by the Dallas City Council on March 12, 1997. Ordinance No. 23057 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23057 was amended by Ordinance No. 23868, passed by the Dallas City Council on April 28, 1999, and Ordinance No. 25866, passed by the Dallas City Council on January 26, 2005. (Ord. Nos. 19455; 23057; 23868; 25866; 26042; 29743)

SEC.51P-468.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Oak Cliff Gateway area of the city, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the city. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

(1) Accommodate the existing mix of uses in the area.
(2) Protect the interal and adjacent stable residential neighborhoods.
(3) Preserve and enhance the historical, cultural, and architectural significance of the area while specifically encouraging the future historic designation of the following structures:
    (A) Polar Bear Ice Cream Stand
    (B) Mayor William Sergeant Home.
    (C) Grace Presbyterian Church.
    (D) Lee Harvey Oswald Boarding House.
(4) Strengthen the neighborhood identity.
(5) Create a more desirable pedestrian environment.
(6) Periodically review proper zoning of the Property. (Ord. Nos. 23057; 26042; 29743)

SEC.51P-468.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.

(b) Unless the context clearly indicates otherwise, in this article:

Omitted for brevity.

(13) LEGACY BUILDING means:

(A) a building constructed before 1957 that has:

(i) all original street-facing facades remaining;

(ii) a primary street-facing façade located within 15 feet of a right-of-way line;

(iii) a main entrance that faces Colorado Boulevard, North Zang Boulevard, Beckley Avenue, Marsalis Avenue, Jefferson Boulevard, Eight Street, Tenth Street, Lancaster Avenue, Ewing Avenue, or the southbound Interstate 35E service road;

(iv) window and door openings that total at least 20 percent of the street-facing facades; and

(v) off-street parking located 100 percent outside of the required front yard; or

(B) the Grace Presbyterian Church sanctuary building located on North Zang Boulevard between Fifth Street and Sixth Street

Staff's Recommendation and Applicant's Request

.; or

(C) the Mayor William Sergeant Home located on the southwest corner of North Zang Boulevard and West Neely Street for purposes of obtaining the legacy building parking reduction only.

CPC Recommendation

~~.; or~~

~~(C) the Mayor William Sergeant Home located on the southwest corner of North Zang Boulevard and West Neely Street for purposes of obtaining the legacy building parking reduction only.~~

Omitted for brevity.

(c) Unless otherwise stated, all references to articles, divisions, or section in this article are to articles, divisions, or sections in Chapter 51A.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(e) Unless the context indicates otherwise, for purposes of interpreting Chapter 51A, the subdistricts are considered to be residential or nonresidential as indicated:

(1) Subdistrict A: residential.

(2) Subistrict B: residential.

(3) Subdistrict C: nonresidential.

(4) Subdistrict D: nonresidential.

(5) Subdistrict E: nonresidential.

(6) Subdistrict F: nonresidential.

(7) Subdistrict G: nonresidential

(8) Subdistrict H: nonresidential.

(9) Subdistrict I: nonresidential.

(10) Subdistrict J: nonresidential.

(11) Subdistrict K: nonresidential. (Ord. Nos. 23057; 25866; 26042; 26149; 26190; 28880; 29200; 29280; 29743; 30190)

(12) Subdistrict L: nonresidential.

SEC.51P-468.104.1. EXHIBITS

The following exhibits are incorporated into this article:

(1) Exhibit 468A: Subdistrict map.

(2) Exhibit 468B: Medical use overlay street hierarchy plan.

(3) Exhibit 468C: Subdistrict B-G required parking chart.

(4) Exhibit 468D: Subdistrict H master parking and floor area plan supplement.

(5) Exhibit 468E: Subdistrict H mixed use development parking chart.

(6) Exhibit 468F: Subdistrict H site plan development table.

(7) Exhibit 468G: Subdistrict K development plan. (Ord. Nos. 28880; 29200; 29743; 30190)

(8) Exhibit 468H: Subdistrict L development plan and elevation plan.

SEC.51P-468.105. CREATION OF SUBDISTRICTS.

(a) This district is known as the Oak Cliff Gateway Special Purpose District, and is divided into the following 11 subdistricts, as described in Exhibit B of Ordinance No. 29743, as amended, and as shown on the map labelled Exhibit 468A:

(1) Subdistrict A – Residential Transition (RTN).

(2) Subdistrict B – Walkable Urban Residential 3 (WR-3).

(3) Subdistrict C – Walkable Urban Mixed Use 3 (WMU-3).

(4) Subdistrict D – Walkable Urban Mixed Use 5 (WMU-5).

(5) Subdistrict E – Walkable Urban Mixed Use 8 (WMU-8)

(6) Subdistrict F – Walkable Urban Mixed Use 12.

(7) Subdistrict G – Walkable Urban Mixed Use 20.

(8) Subdistrict H.

(9) Subdistrict I.

(10) Subdistrict J.

(11) Subdistrict K – Walkable Urban Mixed Use 8 (WMU-8).

(12) Subdistrict L – Walkable Urban Mixed Use (WMU-3).

(b) If there is a conflict between Exhibit A of Ordinance No. 23057, as amended, and Exhibit 468A, Exhibit A, as amended, controls.

(c) Use regulations and development standards for each subdistrict are set out below. (Ord. Nos. 23057; 23868; 25866; 26042; 26149; 26190; 27391; 28880; 29200; 29280; 29743; 30190)

SEC.51P-468.106. SUBDISTRICTS A, B, C, D, E, F, G, ~~AND~~ K, AND L.

(a) General provisions. Except as provided in this subsection, Division 51A-13.100, "General Provisions," applies.

(1) Nonconforming structures. See Sections 51A-4.704 and 51A-13.102(4)(S) for details on nonconforming structures. In this district, the only work that causes a structure to become more nonconforming is a major renovation. For purposes of this provision, MAJOR RENOVATION means a building permit or series of building permits for the reconstruction, alteration, or modification of a building that increases the floor area that existed on May 13, 2015 by 50 percent or more.

(A) Additions of up to 50 percent of permitted square footage. Additional floor area, building height, and any new construction must comply with the regulations defined by each development type. The additional floor area, building height, and new construction are not required to fill the buildable envelope, but must be contained wholly within the buildable envelope. BUILDING ENVELOPE means the tree dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and with the height and elements requirements in Section 51A-13.304 for each development type.

(B) Additions of more than 50 percent of permitted square footage. The site must come into compliance with Article XIII regulations.

(2) Amortization of nonconforming uses. Uses that become nonconforming on May 13, 2015 may not be brought before the board of adjustment for amortization.

(3) Development plan for Subdistrict K. Development and use of the Property in Subdistrict K must comply with the Subdistrict K development plan (Exhibit 468G). If there is a conflict between the text of this article and the Subdistrict K development plan, the text of this article controls.

(4) Development plan for Subdistrict L. Development and use of the Property in Subdistrict L must comply with the Subdistrict L development plan and elevation plan (Exhibit 468H). If there is a conflict between the text of this article and the Subdistrict L development plan, the text of this article controls. The provisions of Section 51A-4.702 regarding submission of or amendments to a development plan apply to Subdistrict L. An elevation plan amendment is not allowed for this subdistrict through the minor amendment process.

(b) District regulations. Except as provided in this section, Division 51A-13.300, "District Regulations," applies.

(1) Subdistrict A. Except as provided in this section, Subdistrict A must comply with the RTN regulations and development standards in Article XIII.

(2) Subdistrict B. Except as provided in this section, Subdistrict B must comply with the WR-3 regulations and development standards in Article XIII.

(3) Subdistrict C and L. Except as provided in this section, Subdistricts C and L must comply with the WMU-3 regulations and development standards in Article XIII.

(4) Subdistrict D. Except as provided in this section, Subdistrict D must comply with the WMU-5 regulations and development standards in Article XIII.

(5) Subdistricts E and K. Except as provided in this section and Section 51P-468.901.1, Subdistricts E and K must comply with the WMU-8 regulations and development standards in Article XIII.

(6) Subdistrict F. Except as provided in this section, Subdistrict F must comply with the WMU-12 regulations and development standards in Article XIII.

(7) Subdistrict G. Except as provided in this section, Subdistrict G must comply with the WMU-20 regulations and development standards in Article XIII.

(8) Accessory dwelling units. In Subdistrict A south of Colorado Boulevard, east of Beckley Avenue, and west of Marsalis Avenue, accessory dwelling units are allowed on a lot containing a single-family use. Single-family garages are not required to have vehicular access from an alley.

(9) Detention center, jail, or prison. Detention center, jail, or prison is prohibited as a main use.

(10) Fences and walls. In a door yard, a fence may not exceed four feet in height. In all other required yards, no fence or wall may exceed six feet in height.

(11) Height. The following structures may project a maximum of 12 feet above the maximum structure height specified in a subdistrict:

(A) Amateur communications tower.

(B) Cooling tower.

(C) Clerestory.

(D) Chimney and vent stack.

(E) Elevator penthouse or bulkhead.

(F) Flagpoles.

(G) Mechanical equipment room.

(H) Ornamental cupola or dome.

(I) Parapet wall, limited to a height of four feet.

(J) Stairway access to roof.

(K) Roof top deck

(L) Skylights

(M) Spires and belfries.

(N) Solar panels.

(O) Tank designed to hold liquids.

(P) Visual screens surround roof-mounted mechanical equipment.

(Q) Wind turbines and other integrated renewable energy systems.

(12) Medical and office uses. Medical and office uses are allowed as additional permitted uses in the following areas:

(A) Subdistrict A, Tract 3.

(B) Subdistrict A, Tract 4.

(13) Residential proximity slope. The residential proximity slope defined in Section 51A-4.412 governs development in Subdistricts A-G.

(14) Retail uses over 50,000 square feet. A specific use permit is required for retail uses over 50,000 square feet in floor area.

(c) Parking regulations. Except as otherwise provided in this subsection, Division 51A-13.400, "Parking Regulations," applies.

(1) In general. The "Required Parking in WMU and WR Districts Chart" in Section 51A-13.402(a)(2) is replaced by the Subdistricts B-G required parking chart (Exhibit 468C).

(2) Bicycle parking. Consult Division 51A-4.330, "Bicycle Parking Regulations," for bicycle parking requirements.

(3) Delta credits. The maximum parking reduction authorized by this section and Article XIII is the total reduction minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(B). If delta credits exceed the total reduction, delta credits will be used, and no reduction will apply.

(4) Legacy building parking reduction. If the director finds that a building meets the definition of a legacy building, the director may grant the following off-street parking reductions:

(A) For residential uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(B) For office uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(C) For retail uses other than restaurant uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(D) For restaurant uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(5) Mechanized parking. Consult Division 51A-4.340, "Mechanized Parking," for mechanized parking regulations.

(6) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.

(ii) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8÷24 = one-third). The total of the limited-

availability parking spaces will be counted to the nearest whole number, with one half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works. On-street parking must be striped in accordance with standard city specifications.

(7) Outdoor covered patios.

(A) For restaurant or bar uses, the outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area.

(B) For a restaurant use, the combined area of covered and uncovered outdoor dining area that is not included in parking requirement calculations may not exceed 50 percent of the indoor dining area. Any portion of the outdoor dining patio area in excess of the 50 percent of the indoor dining area must be parked in accordance with the Subdistricts B-G required parking chart (Exhibit 468C).

(8) Remote parking.

(A) Remote parking for uses in these subdistricts may not be located outside the boundaries of the district.

(B) Remote parking must be located within a walking distance of 500 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.

(C) The building official shall extend the walking distance for remote parking to no more than 1,000 feet for up to 50 percent of the required off-street parking unless the extension would:

(i) significantly discourage patrons of the use form using the remote parking;

(ii) unreasonable endanger the safety of persons or property; or

(iii) not otherwise be in the public interest.

(D) A license is required to authorize the extension of walking distance for remote parking beyond 1,000 feet. The building official must require that either a shuttle or an attendant be provided by the applicant as a condition of approval of an extension of the walking distance for remote parking beyond 1,000 feet.

(E) Remote parking may be based on a lease for the remote parking space in lieu of the remote parking agreement required in Section 51A-4.328. The lease must:

(i) be in writing on a form obtained from the building official;

(ii) contain legal descriptions of the properties affected;

(iii) specify the special parking being provided and the hours of operation of any use involved;

(iv) be governed by the laws of the state of Texas;

(v) be signed by all lien holders, other than taxing entities, that have an interest in or an improvement on the properties;

(vi) be for a minimum of three years; and

(vii) provide that both the owner of the lot occupied by the use and the owner of the remote parking lot shall notify the building official in writing if any provision of the lease is breached or if the lease is modified or terminated.

Staff's Recommendation and Applicant's Request

(9) Parking reductions for Subdistrict L. Bus or trolley transit. The building official may approved a five percent reduction in the number of required parking spaces for uses with a main entrance within a 600-foot walking distance of an improved bus or trolley transit stop providing both shade and seating.

CPC Recommendation

~~(9) Parking reductions for Subdistrict L. Bus or trolley transit. The building official may approved a five percent reduction in the number of required parking spaces for uses with a main entrance within a 600-foot walking distance of an improved bus or trolley transit stop providing both shade and seating.~~

(d) Minor streets and streetscapes.

(1) Except as provided in this subsection, Division 51A-13.500, "Minor Streets and Streetscapes," applies. This subsection applies only to new construction.

(2) The block lengths and perimeters requirements in Section 51A-13.502(a) may be broken by ungated private streets.

(3) In lieu of compliance with Section 51A-13.503, "Existing Streets," the following street sections must be completed as follows:

(A) West side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a four-foot planting zone adjacent to the vehicular lanes and a 10-foot sidewalk.

(B) East side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a two-foot planting zone adjacent to the vehicular lanes, an eight-foot, two-way cycle track, and a four-foot sidewalk. An additional six-foot sidewalk is required adjacent to the right-of-way.

(C) West side of Beckley Avenue between Colorado Boulevard and North Zang Boulevard. The eight-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(D) East side of Beckley Avenue between Colorado Boulevard to North Zang Boulevard. The 16-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes, an eight-foot two-way cycle track, and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(E) North Zang Boulevard between the Jefferson/Houston Viaduct and Colorado Boulevard. The 10-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and a four-foot sidewalk. An additional two-foot sidewalk is required adjacent to the right-of-way.

(F) West side of North Zang Boulevard between Beckley Avenue and Davis Street. The 14-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(G) East side of North Zang Boulevard between Beckley Avenue and Davis Street. The 12-foot indented parking lane and the 14-foot parkway must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(e) Site development regulations. Division 51A-13.600, "Site Development Regulations," applies.

(f) Administration. Division 51A-13.700, "Administration," applies. (Ord. Nos. 25866; 26042; 26149; 26328; 26395; 26750; 27391; 28880; 29200; 29743; 30190)

Staff's Recommendation and Applicant's Request

(g) Additional provisions for Subdistrict L.

(1) Additional provisions for restaurant or bar land use.

(A) All outdoor speakers are prohibited.

(B) The hours of use for the outdoor patio and porch area are as follows:

- The use of the outdoor patio and porch area must cease at 10pm on weeknights and 11pm on weekend nights.

(C) Restaurant and bar land use parking ratio is 1 parking space per 175 square feet of floor area.

(2) The parking setback detailed in 51A-13.304(3) does not apply to the primary street requirements along West Neely Street.

CPC Recommendation

(g) Additional provisions for Subdistrict L.

(1) Additional provisions for restaurant or bar land use.

(A) All outdoor speakers are prohibited.

(B) The hours of use for the outdoor patio and porch area are as follows:
- The use of the outdoor patio and porch area must cease at 10pm on weeknights and 11pm on weekend nights.

~~(C) Restaurant and bar land use parking ratio is 1 parking space per 175 square feet of floor area.~~

(2) The parking setback detailed in 51A-13.304(3) does not apply to the primary street requirements along West Neely Street.

SEC.51P-468.107. SUBDISTRICT H.
Omitted for brevity.

SEC.51P-468.108. SUBDISTRICT I.
Omitted for brevity.

SEC.51P-468.109. SUBDISTRICT J.
Omitted for brevity.

SEC.51P-468.109.1. SUBDISTRICT K.
Omitted for brevity.

SEC.51P-468.110. MEDICAL USE OVERLAY.
Omitted for brevity.

SEC.51P-468.111. TRANSITIONAL USES.
Omitted for brevity.

SEC.51P-468.112. HIGH-RISE TOWER CONFIGURATION AND ORIENTATION REQUIREMENTS.
Omitted for brevity.

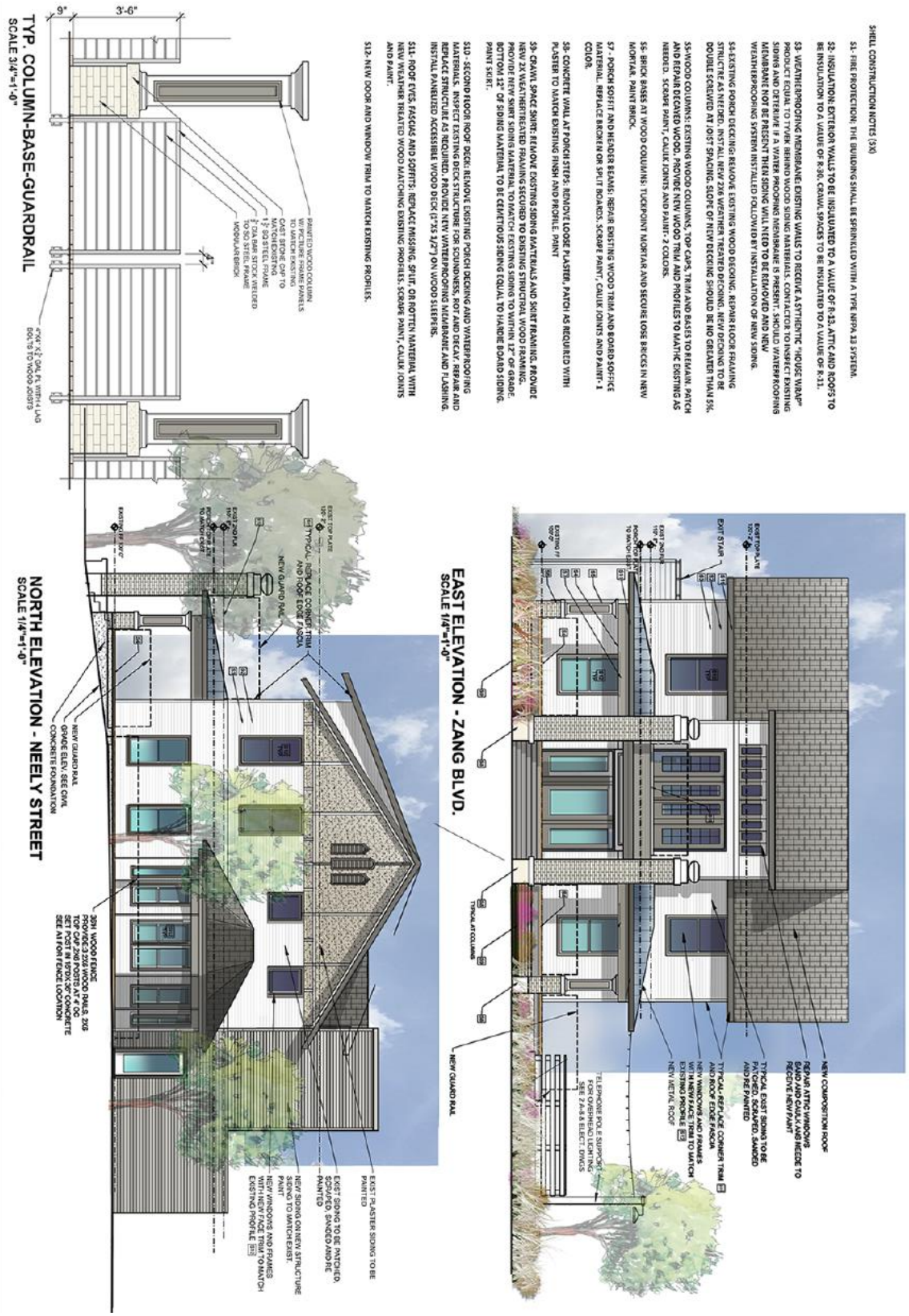
SEC.51P-468.113. ENVIRONMENTAL PERFORMANCE STANDARDS.
Omitted for brevity.

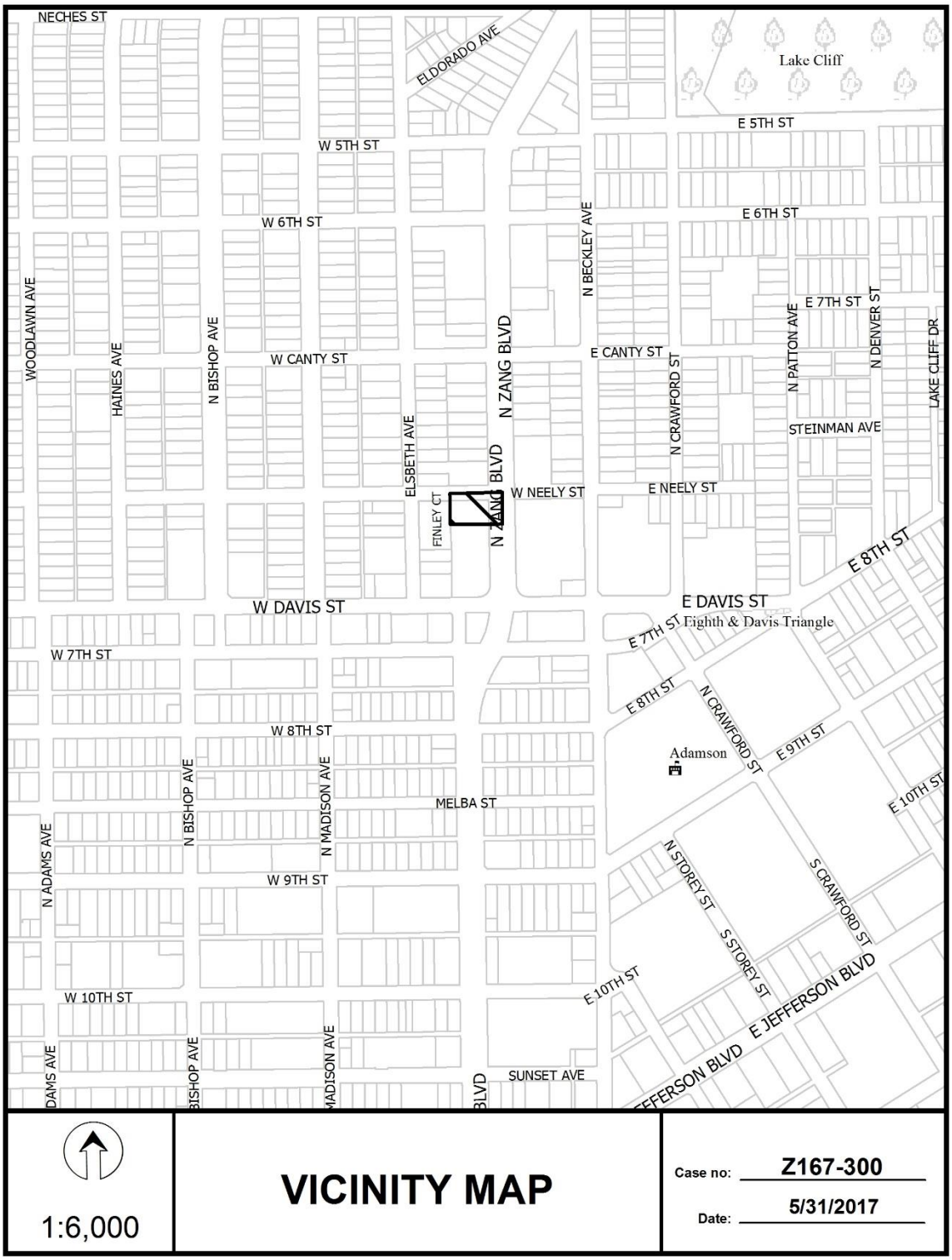
SEC.51P-468.114. ADDITIONAL PROVISIONS.
Omitted for brevity.

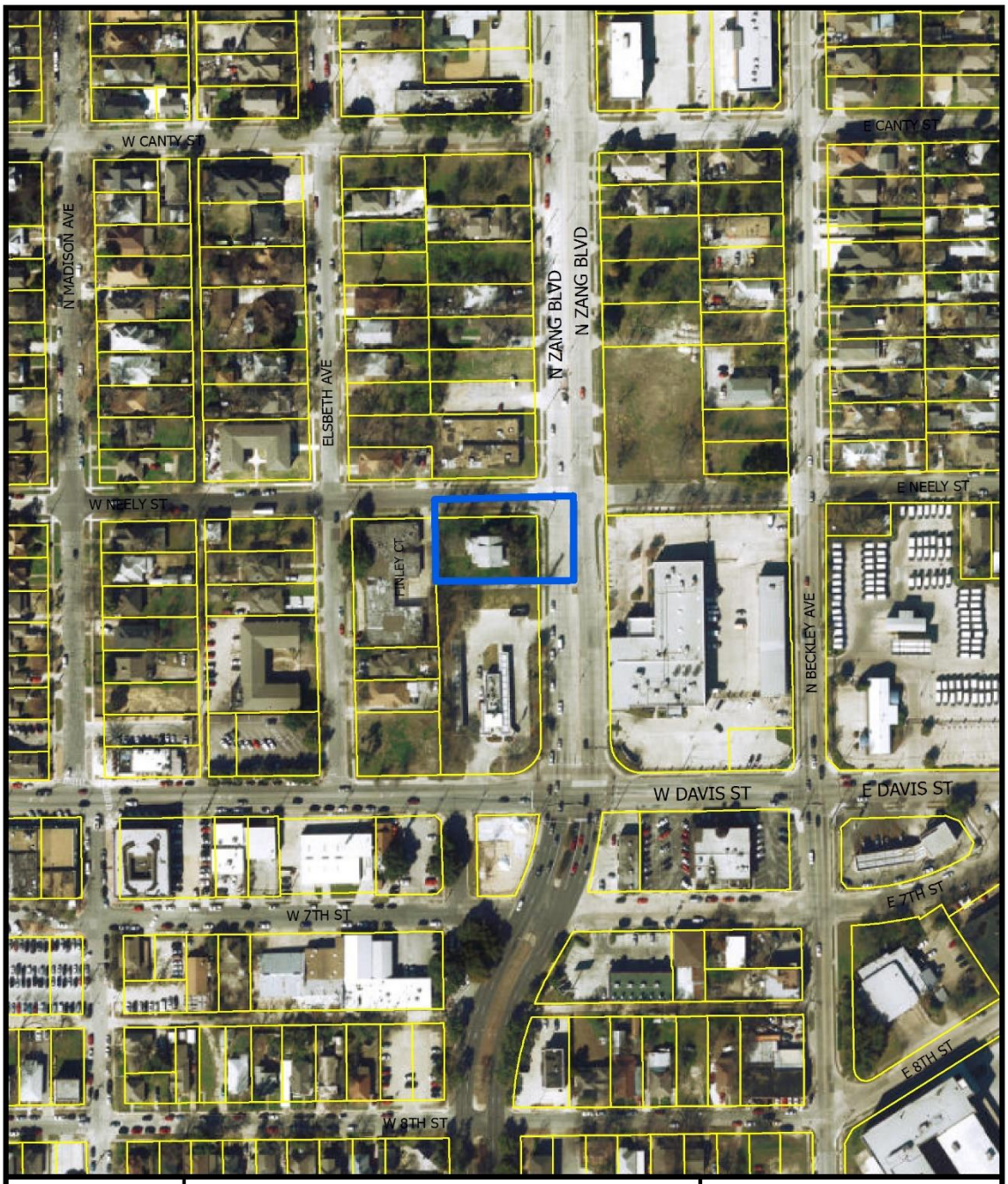
SEC.51P-468.115. COMPLIANCE WITH CONDITIONS.
Omitted for brevity.

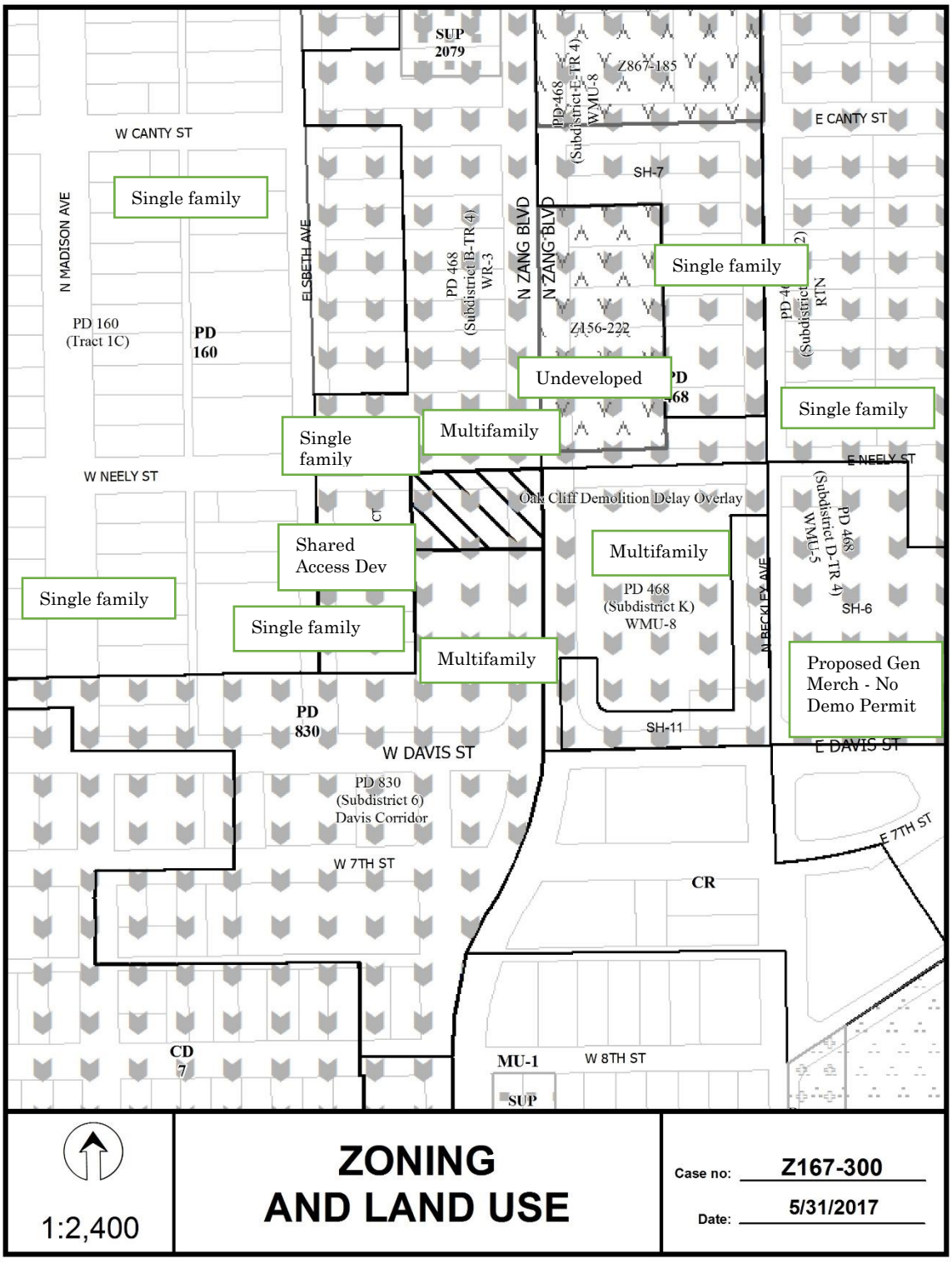
Proposed Development Plan

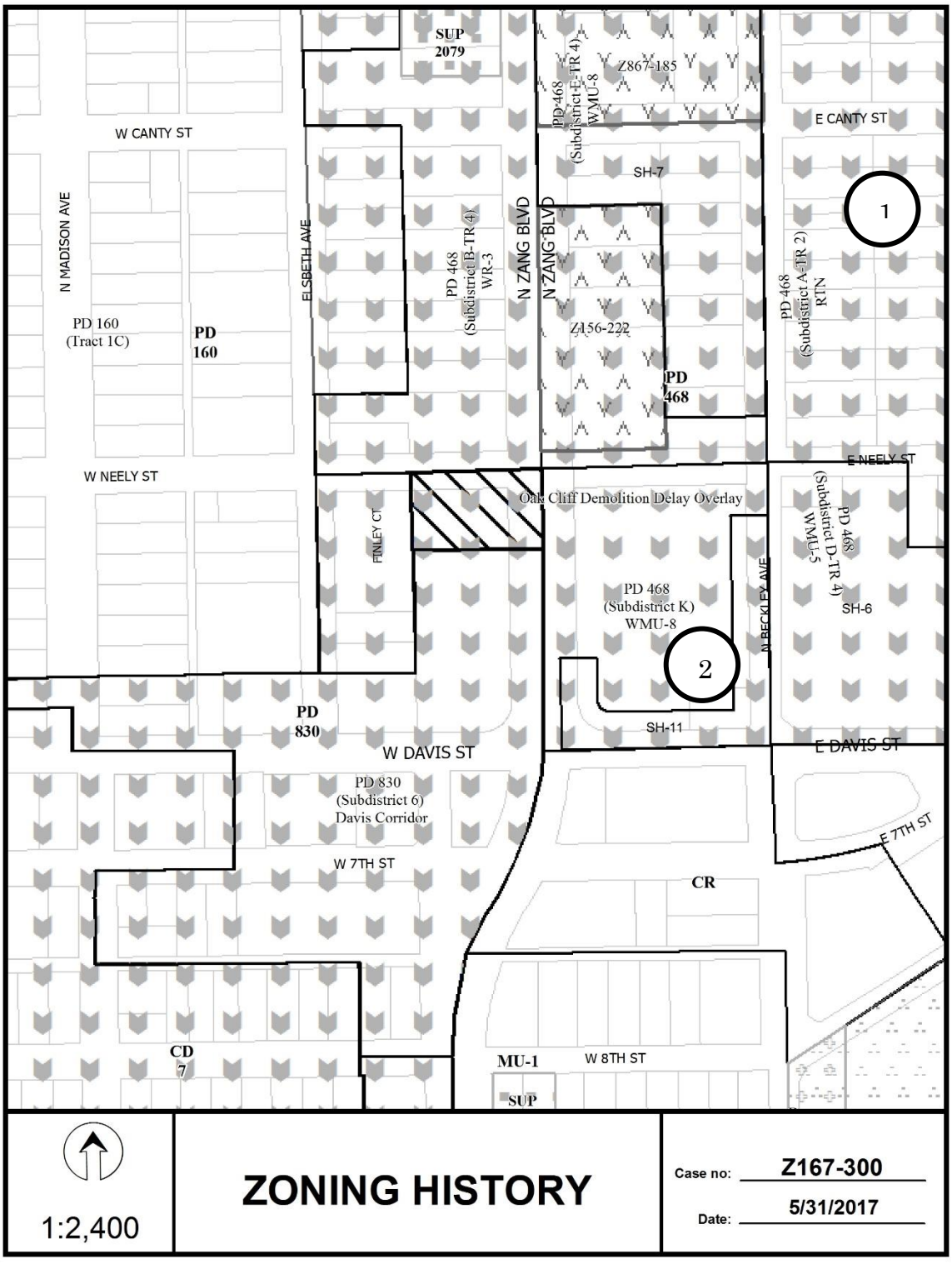
Proposed Elevation Plan

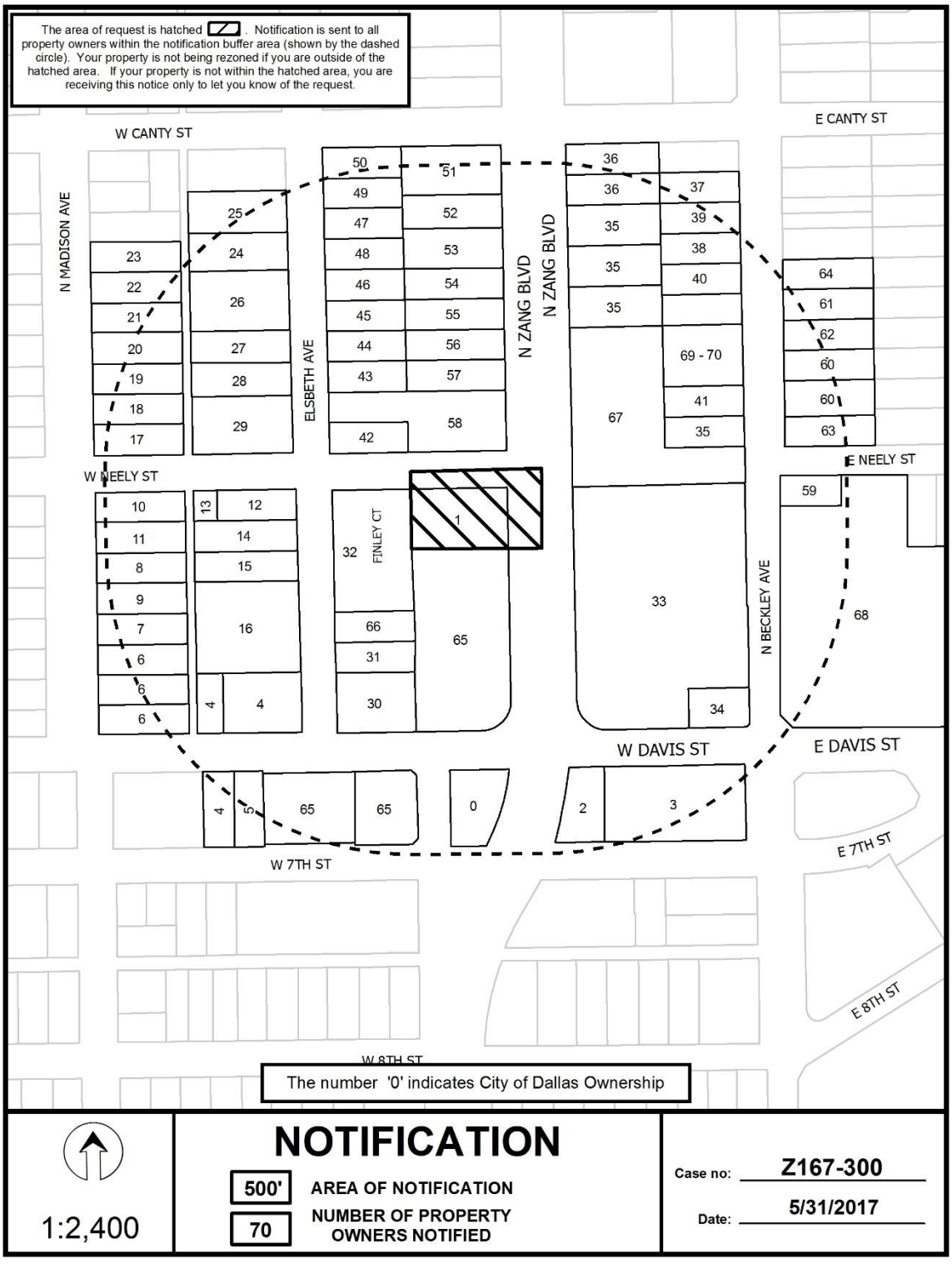

SHELL CONSTRUCTION NOTES (SX)
S1- FIRE PROTECTION: THE BUILDING SHALL BE SPRINKLED WITH A TYPE NFPA 13 SYSTEM.
S2- INSULATION: EXTERIOR WALLS TO BE INSULATED TO A VALUE OF R-13. ATTIC AND ROOFS TO BE INSULATION TO A VALUE OF R-30. CRAWL SPACES TO BE INSULATED TO A VALUE OF R-11.
S3- WEATHERPROOFING MEMBRANE: EXISTING WALLS TO RECEIVE A SYTHENTIC "HOUSE WRAP" PRODUCT EQUAL TO TYVEK BEHIND WOOD SIDING MATERIALS. CONTACTOR TO INSPECT EXISTING SIDING AND DETERMINE IF A WATER PROOFING MEMBRANE IS PRESENT. SHOULD WATERPROOFING MEMBRANE NOT BE PRESENT THEN SIDING WILL NEED TO BE REMOVED AND NEW WEATHERPROOFING SYSTEM INSTALLED FOLLOWED BY INSTALLATION OF NEW SIDING.
S4- EXISTING PORCH DECKING: REMOVE EXISTING WOOD DECKING. REPAIR FLOOR FRAMING STRUCTRE AS NEEDED. INSTALL NEW 2X6 WEATHER TREATED DECKING. NEW DECKING TO BE DOUBLE SCREWED AT JOIST SPACING. SLOPE OF NEW DECKING SHOULD BE NO GREATER THAN 5%.
S5- WOOD COLUMNS: EXISTING WOOD COLUMNS, TOP CAPS, TRIM AND BASES TO REMAIN. PATCH AND REPAIR DECAYED WOOD. PROVIDE NEW WOOD TRIM AND PROFILES TO MATHC EXISTING AS NEEDED. SCRAPE PAINT, CAULK JOINTS AND PAINT- 2 COLORS.
S6- BRICK BASES AT WOOD COLUMNS: TUCKPOINT MORTAR AND SECURE LOSE BRICKS IN NEW MORTAR. PAINT BRICK.
S7 - PORCH SOFFIT AND HEADER BEAMS: REPAIR EXISTING WOOD TRIM AND BOARD SOFFICE MATERIAL. REPLACE BROKEN OR SPLIT BOARDS. SCRAPE PAINT, CAULK JOINTS AND PAINT- 1 COLOR.
S8- CONCRETE WALL AT PORCH STEPS: REMOVE LOOSE PLASTER, PATCH AS REQUIRED WITH PLASTER TO MATCH EXISTING FINISH AND PROFILE. PAINT
S9- CRAWL SPACE SKIRT: REMOVE EXISTING SIDING MATERIALS AND SKIRT FRAMING. PROVIDE NEW 2X WEATHERTREATED FRAMING SECURED TO EXISTING STRUCTRAL WOOD FRAMING. PROVIDE NEW SKIRT SIDING MATERIAL TO MATCH EXISTING SIDING TO WITHIN 12" OF GRADE. BOTTOM 12" OF SIDING MATERIAL TO BE DEMOLITIOUS SIDING EQUAL TO HARDIE BOARD SIDING. PAINT SKIRT.
S10 - SECOND FLOOR ROOF DECK: REMOVE EXISTING PORCH DECKING AND WATERPROOFING MATERIALS. INSPECT EXISTING DECK STRUCTURE FOR SOUNDNESS, ROT AND DECAY. REPAIR AND REPLACE STRUCTURE AS REQUIRED. PROVIDE NEW WATERPROOFING MEMBRANE AND FLASHING. INSTALL PANELIZED ACCESSIBLE WOOD DECK (1"X5 1/2"ON WOOD SLEEPERS.
S11- ROOF EVES, FASCIAS AND SOFFITS: REPLACE MISSING, SPLIT, OR ROTTEN MATERIAL WITH NEW WEATHER TREATED WOOD MATCHING EXISTING PROFILES. SCRAPE PAINT, CAULK JOINTS AND PAINT.
S12- NEW DOOR AND WINDOW TRIM TO MATCH EXISTING PROFILES.
EAST ELEVATION - ZANG BLVD.
SCALE 1/4"=1'-0"
NEW COMPOSITION ROOF
REPAIR ATTIC WINDOWS BAND AND CAULK AND RECOAT TO RECEIVE NEW PAINT
TYPICAL EAST SIDING TO BE PATCHED, SANDED AND RE PAINTED
TYPICAL REPLACE CORNER TRIM AND ROOF EDGE FASCIA
NEW WINDOWS AND FRAMES WITH NEW FACE TRIM TO MATCH EXISTING PROFILE
NEW METAL ROOF
TELEPHONE POLE SUPPORT FOR OVERHEAD LIGHTING SEE ZA-8.6 ELECT. DWGS
NEW GUARD RAIL
TYPICAL AT COLUMNS
EXIST PLASTER SIDING TO BE PAINTED
EXIST SIDING TO BE PATCHED, SANDED AND RE PAINTED
NEW SIDING ON NEW STRUCTURE SIDING TO MATCH EXIST.
NEW WINDOWS AND FRAMES WITH NEW FACE TRIM TO MATCH EXISTING PROFILE
TYP. COLUMN-BASE-GUARDRAIL
SCALE 3/4"=1'-0"
9"
3'-6"
PAINTED WOOD COLUMN W/ PICTURE FRAME PANELS TO MATCH EXISTING
CAST STONE CAP TO MATCH EXISTING
1½" SQ STEEL FRAME
¾" DIA BAR STOCK WELDED TO SQ STEEL FRAME
MODULAR BRICK
4"
PWR X ½" DIA PL WITH (4) LAG BOLTS TO WOOD JOISTS
NORTH ELEVATION - NEELY STREET
SCALE 1/4"=1'-0"
EXIST TOP PLATE
TYPICAL- REPLACE CORNER TRIM AND ROOF EDGE FASCIA
NEW GUARD RAIL
EXIST 2X6 FLR JOIST TO MATCH EXIST
EXISTING 8" SVC
NEW GUARD RAIL
GRADE BLDV. SEE CIVIL
CONCRETE FOUNDATION
36H WOOD FENCE PROVIDE 2.5"X6 WOOD RAILS, 2X8 TOP CAP, 2X8 POSTS AT 4' OC SET POST IN 10"DIA.-30" CONCRETE SEE A1 FOR FENCE LOCATION


NECHES ST
ELDORADO AVE
Lake Cliff
E 5TH ST
W 5TH ST
W 6TH ST
E 6TH ST
N BECKLEY AVE
WOODLAWN AVE
HAINES AVE
N BISHOP AVE
W CANTY ST
N ZANG BLVD
E CANTY ST
E 7TH ST
N PATTON AVE
N DENVER ST
LAKE CLIFF DR
N CRAWFORD ST
STEINMAN AVE
ELSBETH AVE
FINLEY CT
W NEELY ST
E NEELY ST
E 8TH ST
W DAVIS ST
E DAVIS ST
E 7TH ST
Eighth & Davis Triangle
W 7TH ST
E 8TH ST
N CRAWFORD ST
W 8TH ST
Adamson
E 9TH ST
E 10TH ST
N BISHOP AVE
N MADISON AVE
MELBA ST
N ADAMS AVE
N STOREY ST
S CRAWFORD ST
W 9TH ST
S STOREY ST
W 10TH ST
E 10TH ST
E JEFFERSON BLVD
SUNSET AVE
1:6,000
VICINITY MAP
Case no: Z167-300
Date: 5/31/2017


W CANTY ST
E CANTY ST
N MADISON AVE
ELSBETH AVE
N ZANG BLVD
N ZANG BLVD
W NEELY ST
E NEELY ST
TINLEY CT
N BECKLEY AVE
W DAVIS ST
E DAVIS ST
W 7TH ST
E 7TH ST
E 8TH ST
W 8TH ST
1:2,400
AERIAL MAP
Case no: Z167-300
Date: 5/31/2017


SUP 2079
Z867-185
PD 468 (Subdistrict E-TR 4) WMU-8
W CANTY ST
E CANTY ST
Single family
SH-7
N MADISON AVE
ELSBETH AVE
PD 468 (Subdistrict B-TR 4) WR-3
N ZANG BLVD
N ZANG BLVD
Single family
PD 160 (Tract 1C)
PD 160
Z156-222
Undeveloped
Single family
Single family
Multifamily
W NEELY ST
E NEELY ST
Oak Cliff Demolition Delay Overlay
Shared Access Dev
Multifamily
PD 468 (Subdistrict D-TR 4) WMU-5
Single family
PD 468 (Subdistrict K) WMU-8
SH-6
Single family
Multifamily
N BECKLEY AVE
Proposed Gen Merch - No Demo Permit
PD 830
SH-11
W DAVIS ST
E DAVIS ST
PD 830 (Subdistrict 6) Davis Corridor
E 7TH ST
W 7TH ST
CR
CD 7
MU-1
W 8TH ST
SUP
1:2,400
ZONING AND LAND USE
Case no: Z167-300
Date: 5/31/2017


SUP
2079
Z867-185
PD 468
(Subdistrict E-TR 4)
WMU-8
E CANTY ST
W CANTY ST
SH-7
1
N MADISON AVE
ELSBETH AVE
PD 468
(Subdistrict B-TR 4)
WR-3
N ZANG BLVD
N ZANG BLVD
PD 468
(Subdistrict A-TR 2)
RTN
PD 160
(Tract 1C)
PD
160
Z156-222
PD
468
E NEELY ST
W NEELY ST
Oak Cliff Demolition Delay Overlay
FINLEY CT
PD 468
(Subdistrict D-TR 4)
WMU-5
PD 468
(Subdistrict K)
WMU-8
N BECKLEY AVE
SH-6
2
PD
830
SH-11
W DAVIS ST
E DAVIS ST
PD 830
(Subdistrict 6)
Davis Corridor
E 7TH ST
W 7TH ST
CR
CD
7
MU-1
W 8TH ST
SUP
1:2,400
ZONING HISTORY
Case no: Z167-300
Date: 5/31/2017


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
W CANTY ST
E CANTY ST
N MADISON AVE
ELSBETH AVE
N ZANG BLVD
N ZANG BLVD
W NEELY ST
E NEELY ST
FINLEY CT
N BECKLEY AVE
W DAVIS ST
E DAVIS ST
W 7TH ST
E 7TH ST
E 8TH ST
W 8TH ST
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
500'
AREA OF NOTIFICATION
70
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: Z167-300
Date: 5/31/2017

05/31/2017

Notification List of Property Owners

Z167-300

70 Property Owners Notified

Label #	*Address*		*Owner*
1	635	ZANG PL	BISHOP 1910 PARTNERS LTD
2	510	N ZANG BLVD	BANJO VENTURES LTD
3	108	W DAVIS ST	LA ESTRELLA DE CUELLAR INC
4	228	W DAVIS ST	WEST DAVIS INVESTMENTS LLC
5	218	W DAVIS ST	ENGLISH FAMILY LTD PS
6	606	N MADISON AVE	TONY3CARS LLC
7	612	N MADISON AVE	JASSO JACQUELINE NAVA
8	620	N MADISON AVE	PONCE FILEMON I
9	616	N MADISON AVE	MARTINEZ MARTIN
10	628	N MADISON AVE	MARTINEZ JUAN
11	624	N MADISON AVE	RODRIQUEZ TORIBIA C
12	629	ELSBETH ST	629 ELSBETH ST LLC
13	212	W NEELY ST	1122 HOLDINGS LLC
14	627	ELSBETH ST	ACQUISTO MICHAEL F
15	621	ELSBETH ST	MENAECHEGARY JACQUELINE
16	615	ELSBETH ST	MATRIX PARTNERS LP
17	702	N MADISON AVE	DAVIDSON VINSON N &
18	704	N MADISON AVE	WONG DIXON
19	710	N MADISON AVE	SIERRA LEOPOLDO
20	714	N MADISON AVE	VILLARREAL JOAQUIN G JR
21	716	N MADISON AVE	MANJREKAR ASHISH T
22	720	N MADISON AVE	ALVAREZ BENJAMIN &
23	726	N MADISON AVE	PEREZ SALVADOR
24	727	ELSBETH ST	MARTINEZ JOSE SANTOS &
25	733	ELSBETH ST	MACIAS EDGAR A
26	719	ELSBETH ST	ACQUISTO AMY F

05/31/2017

Label #	*Address*		*Owner*
27	713	ELSBETH ST	FLORES DORA
28	709	ELSBETH ST	CANALES ROBERTO M &
29	701	ELSBETH ST	701 ELSBETH LLC &
30	600	ELSBETH ST	ALIGN LP
31	610	ELSBETH ST	FLORES JUAN &
32	630	ELSBETH ST	LARKSPUR ELSBETH LLC
33	612	N ZANG BLVD	DALLAS COUNTY SCHOOL
34	601	N BECKLEY AVE	DALLAS COUNTY SCHOOL TRUS
35	718	N ZANG BLVD	DALLAS COUNTY SCHOOLS
36	732	N ZANG BLVD	FAZ ISMAEL
37	735	N BECKLEY AVE	ADVANCED INVESTMENT INC
38	727	N BECKLEY AVE	LOPEZ ISRAEL
39	733	N BECKLEY AVE	LOPEZ ISRAEL
40	723	N BECKLEY AVE	TORRESRICO ROGELIO &
41	707	N BECKLEY AVE	GOMEZ RAY
42	700	ELSBETH ST	BROOKS NICHOLES
43	708	ELSBETH ST	3M 707 ZANG LLC
44	712	ELSBETH ST	3M 707 ZANG LLC
45	716	ELSBETH ST	LEE MARIE E
46	720	ELSBETH ST	AFA DEVELOPMENT LLC
47	732	ELSBETH ST	PENA JESUS H &
48	726	ELSBETH ST	GAUCIN ROGER
49	734	ELSBETH ST	CASTILLO GERARDO
50	736	ELSBETH ST	BISHOP AVE PROPERTIES LLC
51	737	N ZANG BLVD	FIELDS OF FAITH MINISTRIES INTL
52	733	N ZANG BLVD	PENA IRMA
53	727	N ZANG BLVD	CARRION CROW HOLDINGS LLC SERIES D
54	723	N ZANG BLVD	EQUITY TRUST CO &
55	719	N ZANG BLVD	BANCO POPULAR NORTH AMERICA
56	715	N ZANG BLVD	3M 707 ZANG LLC
57	707	N ZANG BLVD	HERSH KAPLAN RAY

05/31/2017

Label #	*Address*		*Owner*
58	707	N ZANG BLVD	HERSH BERNARD J ETAL
59	632	N BECKLEY AVE	PEREZ MAXIMO JR & PETRA
60	710	N BECKLEY AVE	MARTINEZ SILVERIO SR
61	716	N BECKLEY AVE	CALDERON JORGE A
62	714	N BECKLEY AVE	YBARRA MAGDALENA
63	702	N BECKLEY AVE	MARTINEZ BENJAMIN
64	720	N BECKLEY AVE	ORTIZ JESUS & MARIA
65	204	W DAVIS ST	ALAMO MANHATTAN BAD LLC
66	612	ELSBETH ST	BRIONES MARIA & ADOLFO
67	710	N ZANG BLVD	DALLAS COUNTY SCHOOLS
68	111	E DAVIS ST	DALLAS COUNTY SCHOOL
69	711	N BECKLEY AVE	BECKLEY LLC
70	711	N BECKLEY AVE	ROBINSON DARIN A

AGENDA ITEM # 66

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 35 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned an MF-2(A) Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Reagan Street, west of Congress Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions
Z167-357(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-357(PD) **DATE FILED:** July 25, 2017

LOCATION: Southwest line of Reagan Street, west of Congress Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 35 W

SIZE OF REQUEST: ± 7,360 sq. ft. **CENSUS TRACT:** 5.00

OWNER/APPLICANT: Trent Rexing & Miles Terry

REPRESENTATIVE: Karl Crawley, Masterplan Consultants

REQUEST: An application for a new subdistrict on property zoned an MF-2(A) Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to redevelop the property with four multiple family dwelling units. A Planned Development Subdistrict is proposed to allow openings within a five-foot side yard setback along the southwestern property line.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- On February 8, 1985, Planned Development District No. 193 was approved by the City Council. According to the corresponding Land Use Map, the subject site was developed with a single family use at the time of adoption of the Ordinance.

- The PDD is now comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following objectives outlined in the Oak Lawn Area Plan.

- The 7,360-square-foot site is developed with a 2,368-square foot, one-and-one-half story single family structure built in 1915.

- The applicant is proposing to redevelop the site with four, three-story dwelling units, each consisting of 1,800 to 2,200 square feet with two-car garages located on the ground floor of each dwelling unit.

- The PDD currently allows side yard setbacks of either zero or five feet provided the building does not exceed 36 feet in height; the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a nonresidential Subdistrict; the wall has no openings and all applicable requirements of the building and fire codes are met.

- To facilitate the proposed redevelopment of four dwelling units, the applicant proposes to allow openings (i.e. windows) on the second and third floors of each dwelling unit located within the reduced five-foot side yard setback along the southwestern property line. All other yard, lot and space regulations will comply with the district.

Zoning History: There have been four zoning change requests in the area within the last five years.

1. Z112-144	On March 28, 2012, the City Council approved an amendment to Planned Development Subdistrict No. 78 within Planned Development District No 193 in an area generally bounded by Knight Street, Brown Street, Throckmorton Street, and Fairmount Street.
2. Z123-199	On June 12, 2013, the City Council approved Ordinance No. 29033, which created Planned Development Subdistrict No. 78 within Planned Development District No. 193, a residential zoning district.

3. Z134-202 **SUP No. 2085**. On June 25, 2014, the City Council approved a Specific Use Permit for a bank or savings and loan office with drive-in window services for a ten-year period with the eligibility for automatic renewal for additional ten-year periods; subject to a site plan and conditions.

4. Z145-325 On September 9, 2015, the City Council approved Ordinance No. 29845, an amendment to Specific Use Permit No. 1376 for a community service center within Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Reagan Street	Local Collector	50 ft.
Congress Avenue	Local Collector	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the proposed request and has determined that the request will have no impact on the adjacent roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

In general, the applicant's request is inconsistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

Oak Lawn Area Plan:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

(8) To aid the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.

(9) To provide visual buffering and enhance the beautification of the city.

(10) To safeguard and enhance property values and to protect public and private investment.

(11) To conserve energy.

Although the proposed development is compatible with surrounding uses with respect to scale and character, the proposed development will not have design elements consistent with the objectives of the area plan. The proposed design elements are not urban in form, as the building will not be constructed closer to the street; primary entrances will not be prominent nor street-facing. While on-site surface parking is proposed behind the front yard setback and to the rear of the lot, required off-street parking is proposed on the ground floor of each structure. Additionally, the development does not propose enhanced sidewalks nor landscaping.

While the applicant’s request for a PDS for multiple-family uses only meets objective 4, the proposed development fails to comply with the remaining ten objectives of the Oak Lawn Area Plan and the regulations of the Oak Lawn Special Purpose District. Approval of the applicant’s request would further encourage the use of a zoning change solely to thwart adherence to the standards for multiple-family areas, which objective 6 discourages.

Land Use:

	Zoning	Land Use
Site	PDD No. 193 (MF-2)	Single Family
North	PDD No. 193 (MF-2)	Multiple-Family
West	PDD No. 193 (MF-2), SUP No, 1376	Community Service Center
East	PDD No. 193 (MF-2)	Multiple-Family
South	PDD No. 193 (MF-2)	Multifamily

Land Use Compatibility:

The site is currently developed with an occupied 2,368-square foot one and one-half-story building along the Reagan Street frontage. The applicant is planning to redevelop the site with four multiple family dwellings with two-car garages located on the ground floor of each unit.

The property is surrounded by multiple-family uses along the Reagan Street corridor to the north, east, and south of the request site, with a community service use to the west.

While the adjacent and surrounding uses are compatible with the proposed multiple-family use of the subject site, the development of the surrounding and adjacent uses comply with the objectives of the Oak Lawn Area Plan and the regulations of the Oak Lawn Special Purpose District. Staff's recommendation for denial is based mainly on the inconsistency of the zoning change with the surrounding development standards and requirements of Planned Development District No. 193. Currently, Section 51P-193.119(b)(8) allows a reduced side yard of zero or five feet for a side building wall if:

- the building is 36-feet or less in height;

The applicant proposes a redevelopment that will not exceed 36 feet in height.

- the wall faces a lot line of the same building site that is perpendicularly contiguous to or perpendicularly across an adjoining alley from a nonresidential Subdistrict;

Development of the subject wall proposed along the southwestern property line will be perpendicularly contiguous (parallel to) or perpendicularly across (across from) a residential Subdistrict, not a nonresidential Subdistrict.

- the wall has no openings; and

The applicant proposes openings (i.e. windows) on the second and third floors for each of the four dwelling units.

- the requirements of the building and fire codes and all other applicable ordinances and laws are met.

The proposed development will comply with the building and fire codes as both allow

openings (i.e. doors and windows) within five feet of the property line.

Based on surrounding development, the applicant's proposed development plan, and the characteristics of the site, staff believes the request site can comply with the objectives of the area plan as well as the requirements set forth in PDD No. 193. Therefore, staff cannot justify a land use rationale to support a zoning change for a Planned Development Subdistrict solely for the intent to allow openings within a reduced side yard setback rather than a redesign of the development plan to ensure compliance with current development codes, PDD regulations and the objectives of the Oak Lawn Area Plan.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	FAR	Primary Uses
	Front	Side/Rear					
Existing							
PDD No. 193, MF-2	20'	10'/10'	N/A	36'	60%	0	Multiple-Family
Proposed							
PDS (MF-2)	20'	5'/10	N/A	36'	60%	0	Multiple-Family

Parking:

The off-street parking requirement for a multiple family use is a minimum of one space and a maximum of two spaces for each dwelling unit in a multiple family structure 36 feet or less in height. Additionally, .25 spaces are required per each dwelling unit for guest parking. The applicant is not requesting any parking reductions or changes and proposes two parking spaces per dwelling unit and one unassigned guest parking space.

Landscaping:

Landscaping will comply with Part 1 of PDD No. 193.

List of Partners

Trent Rexing

Miles Terry

City Plan Commission Action
September 28, 2017

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-2(A) Multiple-Family Subdistrict uses, subject to a development plan and conditions on property zoned an MF-2(A) Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Reagan Street, west of Congress Avenue.

Maker: Rieves
Second: Anglin
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Shidid, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpely

Against: 0
Absent: 3 - Houston, Davis, Haney
Vacancy: 1 - District 6

Notices: Area: 500 Mailed: 208
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

APPLICANT'S PROPOSED CONDITIONS

"ARTICLE

PD

"Division S-__. PD Subdistrict __.

SEC. S-__. LEGISLATIVE HISTORY.

PD Subdistrict ___ was established by Ordinance No. _____, passed by the Dallas City Council on _____.

SEC. S-__.102 PROPERTY LOCATION AND SIZE.

PD Subdistrict __ is established on property generally located on southwest line of Reagan Street, west of Congress Avenue. The size of the PD Subdistrict __ is approximately 0.17 acres.

SEC. S-__.103 DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 ad Part I of this article apply to this division. In the event of a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

Subdistrict means a Subdistrict of PD No. 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.

SEC. S-__. 104 EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-___A: development plan.

SEC. S-___.105. DEVELOPMENT PLAN.

(a) For multiple family uses, development and use of the Property must comply with the development plan (Exhibit S- A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

SEC. S-__.105

MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-2 Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Subdistrict is a subject to DIR in this subdistrict; etc.

SEC. S-__.106 ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in au subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature are subject to additional regulations contained in Section 51P-193.108. For more information regarding accessory uses, consult 51P-193.108.

SEC. S-__.107 YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2 Multiple Family Subdistrict apply.

(b) Side yard.

Minimum side yard setback along the southwestern Property line is five feet.

SEC. S-__108. OFF-STREET PARKING AND LOADING.

Consult Part I of this article for the specific off-street parking and loading requirements for each use.

SEC. S-__109. ENVIRONEMNTAL PERFORMANCE STANDARDS.

See Article VI

SEC. S-__110. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part 1 of this article.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-__111. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-__112. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

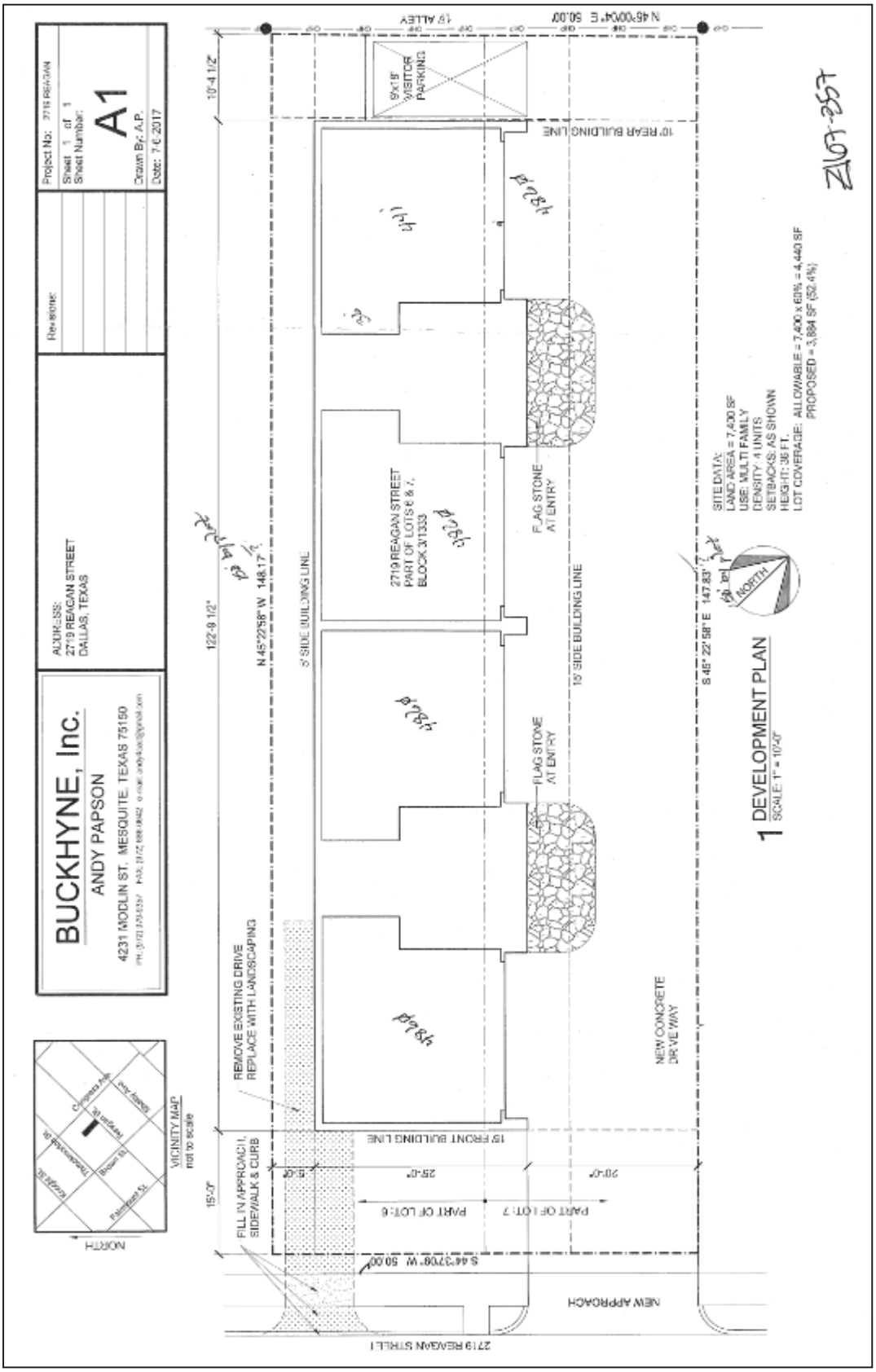
(c) Development and use of the Property must comply with Part I of this article.

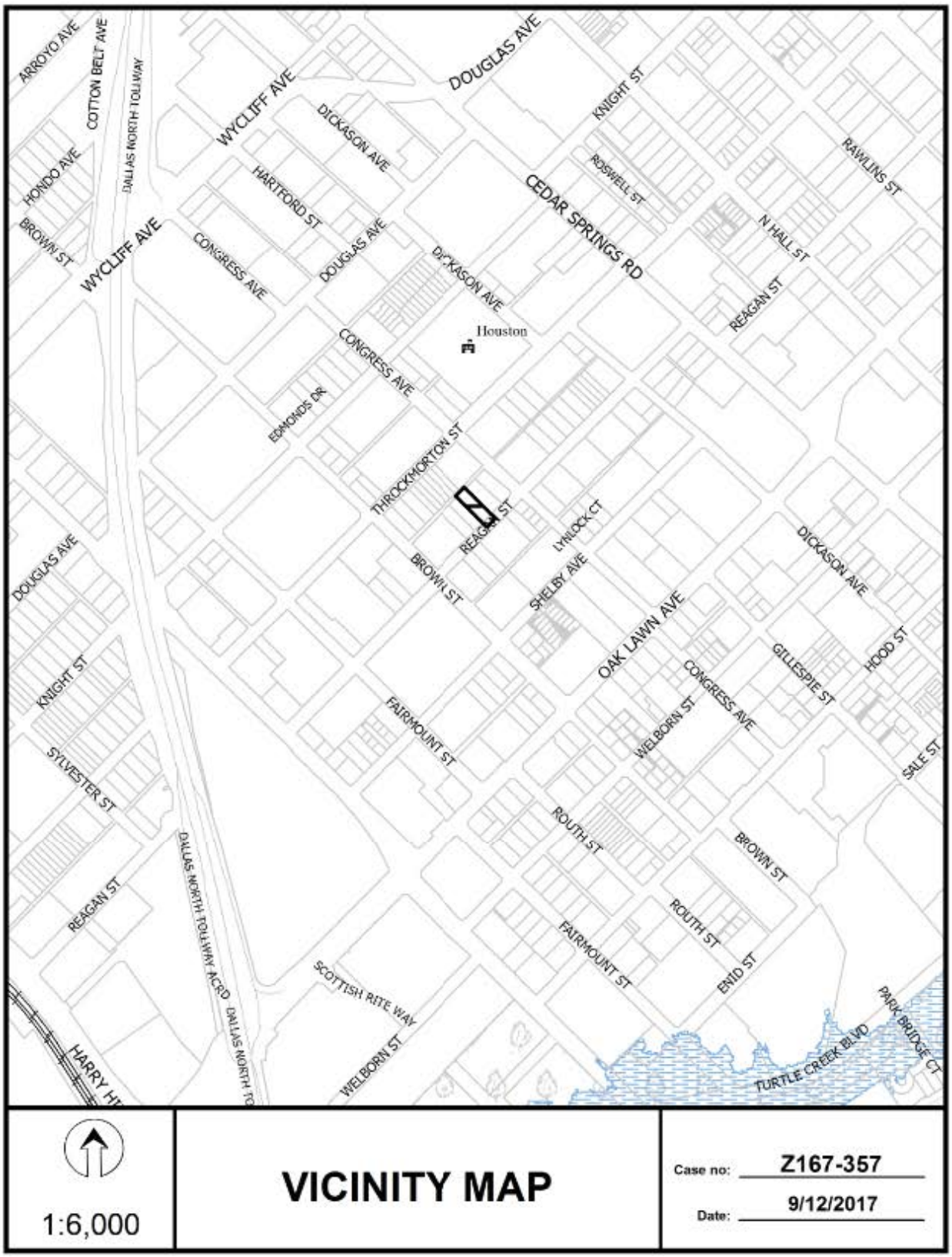
SEC. S-__114. COMPLIANCE WITH CONDTIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

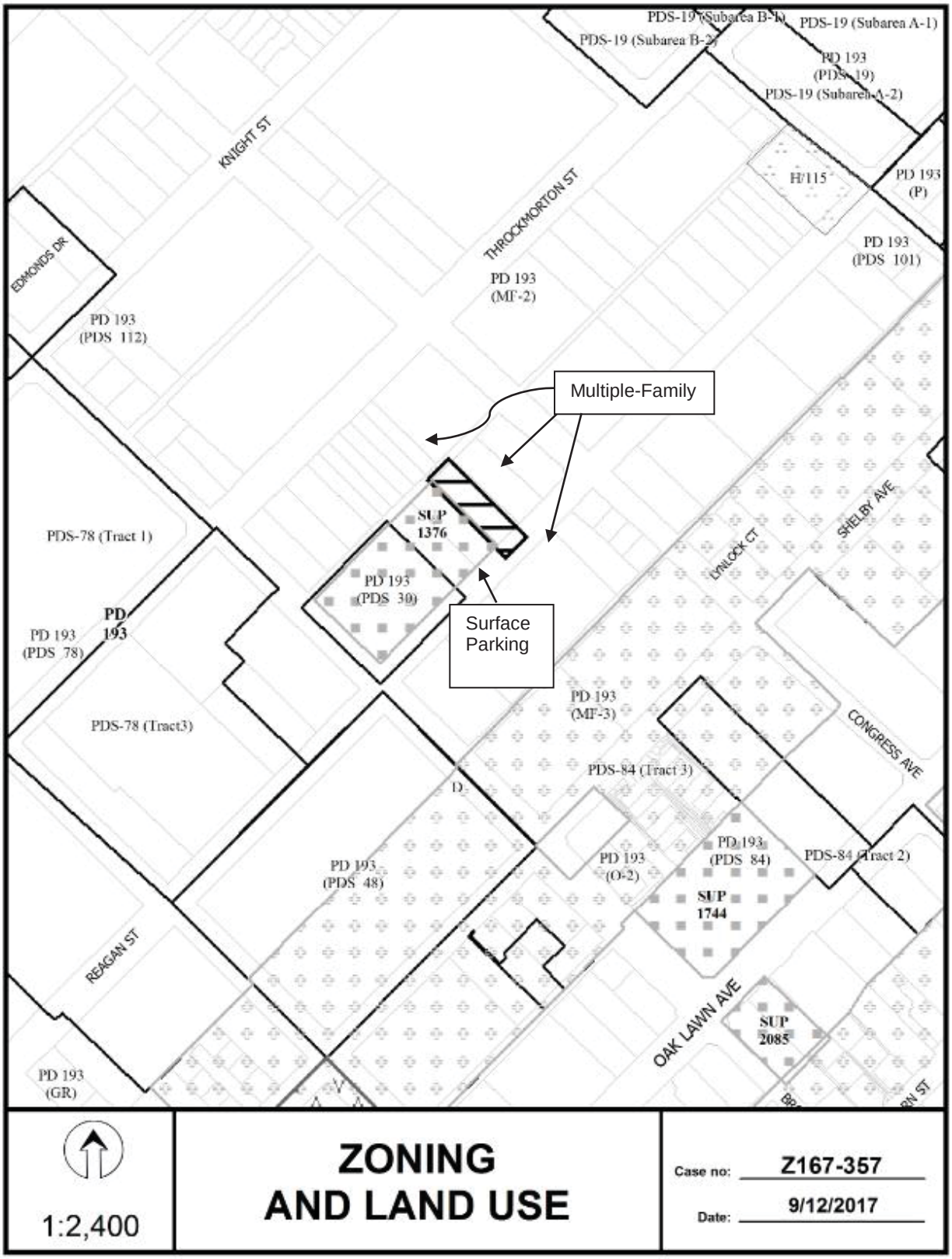
(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this Subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

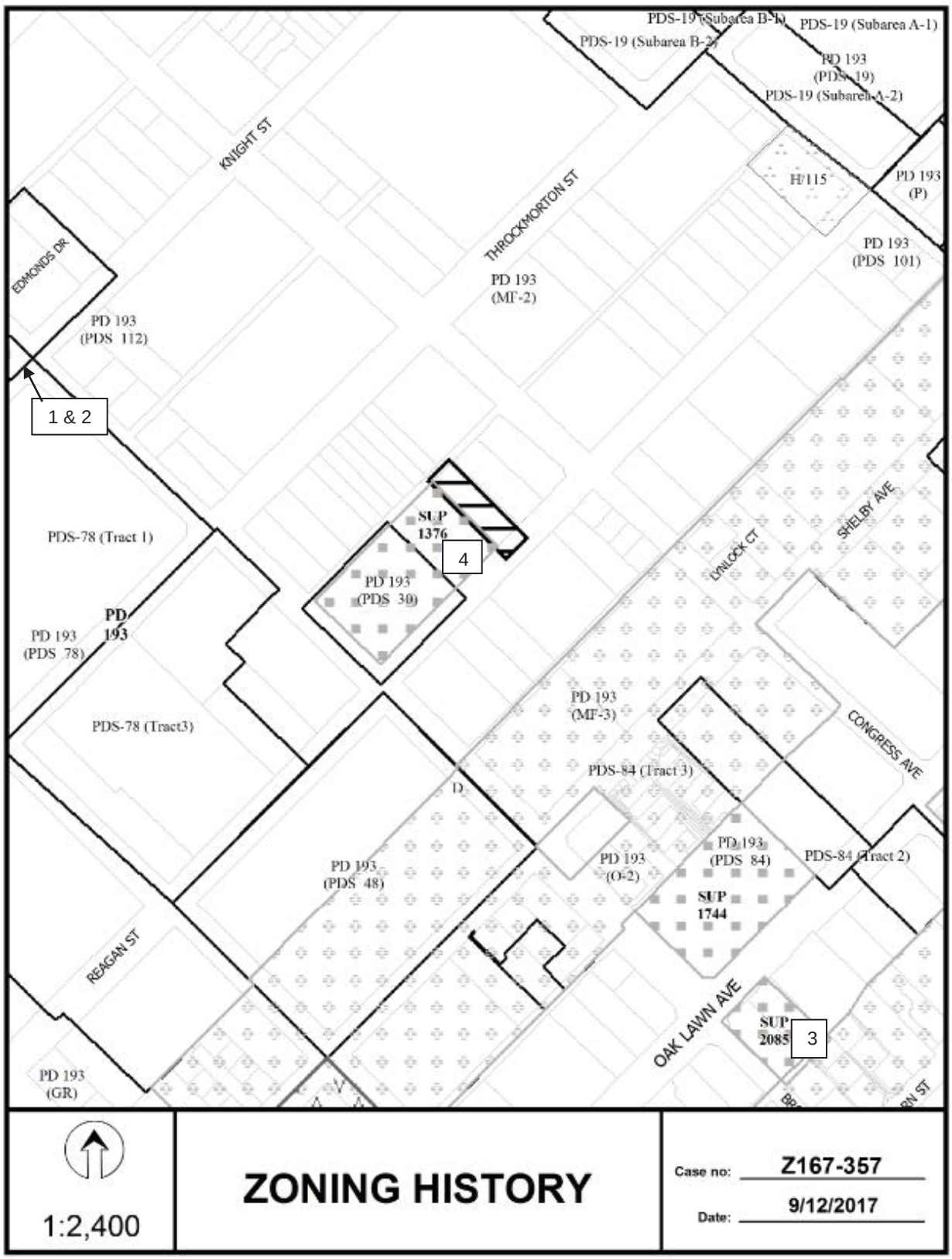
PROPOSED DEVELOPMENT PLAN




ARROYO AVE
COTTON BELT AVE
DALLAS NORTH TOLLWAY
WYCLIFF AVE
DOUGLAS AVE
KNIGHT ST
DICKASON AVE
HONDO AVE
HARTFORD ST
ROSWELL ST
CEDAR SPRINGS RD
RAWLINS ST
BROWN ST
WYCLIFF AVE
CONGRESS AVE
DOUGLAS AVE
DICKASON AVE
N HALL ST
REAGAN ST
Houston
CONGRESS AVE
EDMONDS DR
THROCKMORTON ST
REAGAN ST
LYNLOCK CT
DOUGLAS AVE
BROWN ST
SHELBY AVE
DICKASON AVE
OAK LAWN AVE
GILLESPIE ST
HOOD ST
KNIGHT ST
CONGRESS AVE
FAIRMOUNT ST
WELBORN ST
SALE ST
SYLVESTER ST
ROUTH ST
BROWN ST
REAGAN ST
DALLAS NORTH TOLLWAY ACRD
ROUTH ST
FAIRMOUNT ST
ENID ST
SCOTTISH RITE WAY
WELBORN ST
PARK BRIDGE CT
TURTLE CREEK BLVD
1:6,000
VICINITY MAP
Case no: Z167-357
Date: 9/12/2017


DICKASON AVE
THROCKMORTON ST
KNIGHT ST
ORCHARD DR
BLOCK CT
SHELBY AVE
OAK LAWN AVE
REAGAN ST
FAIRMOUNT ST
1:2,400
AERIAL MAP
Case no: Z167-357
Date: 9/12/2017


PDS-19 (Subarea B-1)
PDS-19 (Subarea A-1)
PDS-19 (Subarea B-2)
PD 193 (PDS 19)
PDS-19 (Subarea A-2)
KNIGHT ST
THROCKMORTON ST
H/115
PD 193 (P)
PD 193 (PDS 101)
EDMONDS DR
PD 193 (MF-2)
PD 193 (PDS 112)
Multiple-Family
SUP 1376
SHELBY AVE
LYNLOCK CT
PDS-78 (Tract 1)
PD 193 (PDS 30)
Surface Parking
PD 193 (PDS 78)
PD 193
PDS-78 (Tract3)
PD 193 (MF-3)
CONGRESS AVE
PDS-84 (Tract 3)
PD 193 (PDS 48)
PD 193 (O-2)
PD 193 (PDS 84)
PDS-84 (Tract 2)
SUP 1744
REAGAN ST
OAK LAWN AVE
SUP 2085
PD 193 (GR)
1:2,400
ZONING AND LAND USE
Case no: Z167-357
Date: 9/12/2017


PDS-19 (Subarea B-1)
PDS-19 (Subarea A-1)
PDS-19 (Subarea B-2)
PD 193 (PDS 19)
PDS-19 (Subarea A-2)
KNIGHT ST
THROCKMORTON ST
H/115
PD 193 (P)
PD 193 (PDS 101)
EDMONDS DR
PD 193 (MF-2)
PD 193 (PDS 112)
1 & 2
SUP 1376
4
PDS-78 (Tract 1)
PD 193 (PDS 30)
LYNLOCK CT
SHELBY AVE
PD 193 (PDS 78)
PD 193
PDS-78 (Tract3)
PD 193 (MF-3)
CONGRESS AVE
PDS-84 (Tract 3)
PD 193 (PDS 48)
PD 193 (O-2)
PD 193 (PDS 84)
PDS-84 (Tract 2)
SUP 1744
REAGAN ST
OAK LAWN AVE
SUP 2085
3
PD 193 (GR)
1:2,400
ZONING HISTORY
Case no: Z167-357
Date: 9/12/2017

CPC Responses



208	Property Owners Notified (84 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
9/28/2017	Date

Z167-357
CPC

N
W E
S

1:2,400

09/27/2017

Reply List of Property Owners

Z167-357

208 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	2715	REAGAN ST	RESOURCE CENTER
	2	2719	REAGAN ST	REXING TRENT & MILES
	3	2900	REAGAN ST	SPG APARTMENTS ESPERANZA LLC
	4	2910	THROCKMORTON ST	BRIDGE TOWER DALLAS THREE LLC
	5	2827	THROCKMORTON ST	Dallas ISD
	6	2800	KNIGHT ST	VU LONG
	7	4116	CONGRESS AVE	NGUYEN JIMY
	8	2801	THROCKMORTON ST	NGUYEN JIMY T
	9	2706	KNIGHT ST	WHITE KNIGHT LP
	10	4114	BROWN ST	TEXAS INTOWN HOMES LLC
	11	2701	THROCKMORTON ST	CALVIN COLLEEN Y
	12	2705	THROCKMORTON ST	WEST OLIN N
	13	2701	REAGAN ST	RESOURCE CENTER OF DALLAS INC
	14	2734	THROCKMORTON ST	D A COMMERCIAL LLC
	15	2716	THROCKMORTON ST	MARTIN ROBERT GLEN &
	16	2716	THROCKMORTON ST	ATCHESON FRANK
	17	2714	THROCKMORTON ST	LEE JEFREY M
	18	2714	THROCKMORTON ST	TUCKER JOHN G IV
	19	2712	THROCKMORTON ST	CHILDS TYLER J
	20	2712	THROCKMORTON ST	JANG DANIEL G
	21	2710	THROCKMORTON ST	MAGELLAN FUNDING
	22	4040	BROWN ST	4040 BROWN STREET LLC
	23	2805	REAGAN ST	LH 2805 REAGAN LLC
	24	2815	REAGAN ST	CINCO ACES PROPERTIES LLC
	25	2821	REAGAN ST	REAGAN TERRACE LLC
	26	2825	REAGAN ST	S WALSH DESIGN LLC

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	27	2829	REAGAN ST	ELLERBACH LYLE
	28	2824	THROCKMORTON ST	SANTILLAN VIRGINIA B ETAL
	29	2820	THROCKMORTON ST	TO KIM LOAN THI
	30	2707	SHELBY AVE	DSIHGA LLC
	31	3915	CONGRESS AVE	ROSE JAMES E
	32	3915	CONGRESS AVE	MARTIN STEVEN R
	33	3915	CONGRESS AVE	MARTIN STEVEN R & GEORGANN
	34	3915	CONGRESS AVE	GLORIA JAIME JR
	35	2714	REAGAN ST	REINFELD CAROLYN M
	36	2708	REAGAN ST	DILDINE ROBERT D
	37	3910	CONGRESS AVE	TEXAS INTOWNHOMES LLC
	38	2820	REAGAN ST	SPG APARTMENTS ESPERANZA LLC
	39	2806	REAGAN ST	LH 2806 REAGAN LLC
	40	2817	SHELBY AVE	GUEFENLIGHT SHELBY LLC
	41	2727	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	42	3810	CONGRESS AVE	OAK LAWN PLAZA LP
	43	2814	SHELBY AVE	U S POSTAL SERVICE
	44	2631	REAGAN ST	PINAR INC
	45	2627	REAGAN ST	MAYORGA HAYDEE
	46	2621	REAGAN ST	2621 REAGAN LLC
	47	2733	OAK LAWN AVE	OAK LAWN OUTDOOR LLC
	48	2714	SHELBY ST	BROWN ROBERT J &
	49	2716	SHELBY ST	PALETTI JUDITH R
	50	2718	SHELBY ST	PALETTI ALFRED
	51	2720	SHELBY ST	PATRIARCA MICHAEL
	52	2722	SHELBY ST	WHITTALL SCOTT D
	53	2724	SHELBY ST	BATTAGLIA SCOTT
	54	2702	SHELBY ST	PALETTI ERIC N
	55	2704	SHELBY ST	PATEL RUPESH R &
	56	2706	SHELBY ST	TOMANEK CRAIG A
	57	2708	SHELBY ST	IDZI ROBERT D

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	58	2710	SHELBY ST	HCP CAPITAL LLC
	59	2712	SHELBY ST	NUSSRALLAH NICHOLAS &
	60	3820	BROWN ST	SMITH MICHAEL J
	61	3822	BROWN ST	PETERS KIM L
	62	2626	REAGAN ST	IMT CAPITAL SEVILLE LP
	63	4110	FAIRMOUNT ST	BEHRINGER HARVARD FAIRMOUNT
	64	2706	REAGAN ST	MANSOUR INTERESTS INC
	65	2706	REAGAN ST	MANSOUR INTERESTS INC
	66	2728	REAGAN ST	MARTINEZ SANTOS & MARIA
	67	2728	REAGAN ST	LUCAS KARIN
	68	2728	REAGAN ST	MACDONALD ARIANNE LINSLEY & EWAN GRAEME
	69	2728	REAGAN ST	CARMONA NICHOLAS
	70	2728	REAGAN ST	REAGAN STREET UNIT 203
	71	2728	REAGAN ST	WILLIAMS TERRY WAYNE
	72	4039	CONGRESS AVE	GIKAS BRENDA C
	73	4039	CONGRESS AVE	SANTOSUOSSO JEFFREY M & TARA L
	74	4039	CONGRESS AVE	BURNETT BROOKE
	75	4039	CONGRESS AVE	COLBERT LINDSAY
	76	2720	REAGAN ST	BELL JAMES HALL
	77	2720	REAGAN ST	BELL JAMES H
	78	2720	REAGAN ST	FORT WORTH LIVING LTD
	79	2720	REAGAN ST	FORT WORTH LIVING LTD
	80	2720	REAGAN ST	REYARANDA LLC
	81	2720	REAGAN ST	SMITH THOMAS S JR TR &
	82	2720	REAGAN ST	LESZINSKI SLAWOMIR TRUST
	83	2720	REAGAN ST	THOMAS WOODROW W
	84	2720	REAGAN ST	CAMPBELL MARIE
	85	2720	REAGAN ST	HERBERT ROBERT A
	86	2720	REAGAN ST	NGUYEN LAM
	87	2720	REAGAN ST	MATHISON ROBERT
	88	2720	REAGAN ST	SRO HOLDING GROUP LLC

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	89	2720	REAGAN ST	HERBERT ROBERT A
	90	2720	REAGAN ST	REAGAN 2720 102 LAND TRUST
	91	2720	REAGAN ST	STRUNK APRIL &
	92	2720	REAGAN ST	MILSTEAD JAN
	93	2720	REAGAN ST	MALDONADO BENITO JR
	94	2720	REAGAN ST	BARAJAS NICOLAS
	95	2660	THROCKMORTON ST	HORAN LORRAINE A TR
	96	2662	THROCKMORTON ST	DARLEY ROBERT C ESTATE OF
	97	2664	THROCKMORTON ST	SHEPHERD JANET
	98	2674	THROCKMORTON ST	MORRISS JAMES A ETUX
	99	2678	THROCKMORTON ST	SHEPHERD JANET SUE
	100	2680	THROCKMORTON ST	CHRISTIANSEN DEREK
	101	2682	THROCKMORTON ST	PFLANZER JOSEPH & JIA
	102	2686	THROCKMORTON ST	HEYLAND EDWARD &
	103	2688	THROCKMORTON ST	TRUMAH LLC
	104	2690	THROCKMORTON ST	MARTIN JUSTIN A
	105	2694	THROCKMORTON ST	LEE KELLY S L
	106	2696	THROCKMORTON ST	ULRICH CLIFF
	107	2722	KNIGHT ST	BARRI MOSTAFA
	108	2722	KNIGHT ST	ROBERTSON LORRAINE
	109	2722	KNIGHT ST	LIN KERRI
	110	2722	KNIGHT ST	SINHO VIPLAV
	111	2722	KNIGHT ST	SHAVE DAVID T &
	112	2722	KNIGHT ST	ILIFF COLE W
	113	2722	KNIGHT ST	ROBERTSON CHARLES ARNOLD
	114	2722	KNIGHT ST	MALIK ANJALI
	115	2722	KNIGHT ST	BROWN SARA
	116	2722	KNIGHT ST	HEJNY ROSEMARY KAY
	117	2722	KNIGHT ST	LACEY CATHRYN &
	118	2722	KNIGHT ST	CHANTHARAJ JUDITH
	119	2722	KNIGHT ST	BUI HUNG

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	120	2722	KNIGHT ST	BALFOUR MARGARET
	121	2722	KNIGHT ST	MADDOX RONALD L
	122	2722	KNIGHT ST	ARRIETA DORA E
	123	2722	KNIGHT ST	PASCUZZI MICHAEL
	124	2722	KNIGHT ST	EMPIRE RENTALS LLC
	125	2722	KNIGHT ST	MCALOON STEVEN P &
	126	2722	KNIGHT ST	BALFOUR ELLEN P
	127	2722	KNIGHT ST	SCURLOCK DELOIS C
	128	2722	KNIGHT ST	RODRIGUEZ CHRISTOPHER &
	129	2722	KNIGHT ST	THOMAS KIMBERLY L
	130	2722	KNIGHT ST	LEUNG RONALD
	131	2722	KNIGHT ST	JONES JASON R
	132	2722	KNIGHT ST	GILLIAM BRADLEY N
	133	2722	KNIGHT ST	SERIES 2722 KNIGHT
	134	2722	KNIGHT ST	VILLARREAL D SCOTT
	135	2722	KNIGHT ST	CRUZ JOSE MICHAEL
	136	2722	KNIGHT ST	STICKLER RUSTIN E
	137	2722	KNIGHT ST	MOHIUDDIN IMRAN
	138	2722	KNIGHT ST	27 ONE INC
	139	2722	KNIGHT ST	BUI HIEN THE & THUY DANG
	140	2722	KNIGHT ST	LUETHE TROY
	141	2722	KNIGHT ST	CAS TEX NEDA LLC
	142	2722	KNIGHT ST	SOLIS CARLOS QUINONES
	143	2722	KNIGHT ST	AMIHERE DANA ELIZABETH
	144	2722	KNIGHT ST	27 ONE INC
	145	2712	KNIGHT ST	WOODRUFF L MARK
	146	2722	KNIGHT ST	LACY BRADFORD
	147	2722	KNIGHT ST	LEE TIFFANY C
	148	2712	KNIGHT ST	ROBERTSON CHARLES ARNOLD
	149	2722	KNIGHT ST	FLIGHT 2010 LLC
	150	2722	KNIGHT ST	LOWENSTEIN MARK D

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	151	2722	KNIGHT ST	MAC LUU
	152	2722	KNIGHT ST	MOORE HAYDEN
	153	2722	KNIGHT ST	DARLING ROBERT E JR
	154	2722	KNIGHT ST	MILLER SANDRA JEAN
	155	2722	KNIGHT ST	KOSTERS JAN PAUL &
	156	2722	KNIGHT ST	VAUGHN JEREMY HARLAN
	157	2722	KNIGHT ST	DEARDURFF CHRISTOPHER D
	158	2722	KNIGHT ST	MALLOY MICHAEL G
	159	2722	KNIGHT ST	QUARLES STEPHANIE
	160	2722	KNIGHT ST	HOPKINS ALAN E
	161	2722	KNIGHT ST	RANGINWALA MOIN A
	162	2722	KNIGHT ST	MEZZACAPPA DAVID J
	163	2722	KNIGHT ST	TAPIA VICTOR
	164	2722	KNIGHT ST	GAITHER MONTY L JR
	165	2722	KNIGHT ST	RYNER JAMES M
	166	2722	KNIGHT ST	PASH PENELOPE
	167	2722	KNIGHT ST	LOZA LEONSO
	168	2722	KNIGHT ST	RADDEMANN ROBERT J
	169	2722	KNIGHT ST	KAN WEN K
	170	2727	REAGAN ST	DARLING KATHERINE S
	171	2727	REAGAN ST	FREEMAN SCOTT GEORGE
	172	2727	REAGAN ST	MOORSE CODY J &
	173	2727	REAGAN ST	APODACA DONNIE M II
	174	2727	REAGAN ST	RALSTON ASHLEY
	175	2727	REAGAN ST	BRADANESE JAMES R
	176	2727	SHELBY AVE	WESTBROOK LAFAY
	177	2727	SHELBY AVE	NARVARTE ANTONIO
	178	2727	SHELBY AVE	NARVARTE ANTONIO &
	179	2727	SHELBY AVE	REGISTER COLBY B &
	180	2727	SHELBY AVE	PAUNER ROGER LEE
	181	2727	SHELBY AVE	ALTOM JEANA

09/27/2017

Reply	*Label #*	*Address*		*Owner*
	182	2727	SHELBY AVE	ELEY GARY TALBERT
	183	2727	SHELBY AVE	NARVARTE ANTONIO &
	184	2727	SHELBY AVE	JOHNSON TYLER J
	185	2727	SHELBY AVE	GUY STANLEY E &
	186	2727	SHELBY AVE	KELLY BRIAN K
	187	2727	SHELBY AVE	ALINI DALILA
	188	2727	SHELBY AVE	LESZINSKI SLAWOMIR
	189	2727	SHELBY AVE	KROL FLORENCE D
	190	2727	SHELBY AVE	OLSON DREE A
	191	2727	SHELBY AVE	SHAFFER ALAN
	192	2727	SHELBY AVE	YIN LONGDA
	193	2727	SHELBY AVE	BAKER SUZANNE
	194	2727	SHELBY AVE	CORTEZ SANTOS
	195	2727	SHELBY AVE	GIACCONE JAYCI R
	196	2727	SHELBY AVE	HARROD J MICHAEL TR
	197	2727	SHELBY AVE	WEISS PHYLLIS
	198	2727	SHELBY AVE	GOODREAU DARRIN LEE
	199	3824	BROWN ST	SHELBY/BROWN TOWNHOMES LP
	200	3824	BROWN ST	PECK THOMAS ROBBINS III &
	201	3824	BROWN ST	VAUTROT DENNIS
	202	2807	THROCKMORTON ST	J B DOWNEY & SONS INC
	203	2807	THROCKMORTON ST	DOWNEY RODNEY E
	204	2807	THROCKMORTON ST	DOWNEY J B & SONS INC
	205	2806	KNIGHT ST J	ENNINGS LESLIE D
	206	2806	KNIGHT ST	J B DOWNEY & SONS INC
	207	2806	KNIGHT ST	DOWNEY JB & SONS, INC
	208	2806	KNIGHT ST	ORSAK RODNEY E

AGENDA ITEM # 67

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 43 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive
Recommendation of Staff: Approval of the renewal of Specific Use Permit No. 2161 for a two-year period, subject to a site plan and conditions
Recommendation of CPC: Approval of the renewal of Specific Use Permit No. 2161 for a five-year period, subject to a site plan and conditions
Z167-358(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-358(JM) **DATE FILED:** July 26, 2017

LOCATION: North line of Fort Worth Avenue, west of Walter Drive

COUNCIL DISTRICT: 1 **MAPSCO:** 43 Z

SIZE OF REQUEST: Approximately 3.6 acres **CENSUS TRACT:** 69.00

APPLICANT: Ashley Watkins % T-Mobile West, LLC

OWNER: Housing Authority of Dallas

REQUEST: An application for the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: In 2015, PDD No. 714 was amended and SUP No. 2161 was approved for a tower/antenna for cellular communication limited to a mounted cellular antenna for a two-year period subject to a site plan and conditions. The applicant's request is to renew the SUP and extend the time frame to 10 years.

CPC RECOMMENDATION: **Approval** of the renewal of Specific Use Permit No. 2161 for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of the renewal of Specific Use Permit No. 2161 for a two-year period, subject a site plan and conditions.

BACKGROUND INFORMATION:

- According to Dallas Central Appraisal District records, the existing 12-story structure was built in 1970 and is approximately 32,304 square feet.

- In 2015, an amendment to PDD No. 714 and SUP No. 2161 were approved to allow a tower/antenna for cellular communication limited to a mounted cellular antenna use for a two-year period.

- The current request is to renew the SUP and extend the term to 10 years. Staff supports the renewal, but for a two-year period.

Zoning History: There have been two recent zoning changes requested in the area within the last five years.

1. **Z123-334:** On Wednesday, November 12, 2014 the City Council approved an ordinance granting Specific Use Permit No. 2067 for a convalescent and nursing homes, hospice care, and related institutions use and a resolution to terminate deed restrictions on property within Subdistrict 4A of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, located on the northeast line of Bahama Drive, south of Fort Worth Avenue.

2. **Z167-172:** On Wednesday, June 14, 2017, the City Council approved an ordinance granting an amendment to Subdistrict 4B of Planned Development District No. 714, subject to a development plan and conditions, located at the northwest line of Fort Worth Avenue, between Walter Drive and Colorado Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Fort Worth Avenue	Principal Arterial	120 feet
West Colorado Boulevard	Local Street	60 feet
Walter Drive	Local Street	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed request will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being located within a Main Street Building Block.

Main streets are modeled after the American tradition of "main street" as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the "main street," density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the "main street" to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

Modern living entails the use of technology and access to cellular communications. The tower/antenna for cellular communication limited to a mounted cellular antenna use continues to provide a vital service to the area, thereby facilitating the "main street" expectation of living, working and shopping within the vicinity.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714, Subdistrict 4	Multifamily
North	R-7.5(A)	Single Family and Church
East	PDD No. 714, Subdistrict 4B	Undeveloped
South	PDD No. 714, Subdistrict 4A	Multifamily, Retail & Personal Service
West	PDD No. 714, Subdistrict 5	General Merchandise or Food Store

Land Use Compatibility:

The site is surrounded by single family and a church to the north; undeveloped land to the east and southeast; new multifamily to the south; retail (restaurant w/drive-in) and personal service (bank w/drive-through) uses to the southwest; and, a general merchandise or food store (grocery store) to the west.

Mounted cellular antennas and temporary cellular units provide the much-needed utility of cellular coverage, but in a much more appealing manner than monopole cellular antennas, which remain prohibited in this zoning district. In medium-density residential, office, retail, and mixed use base zoning districts, mounted cellular antennas are allowed by right when attached to any existing structure.

The 2015 request to amend PDD No. 714, The West Commerce Street/Fort Worth Avenue Special Purpose District, to create a subdistrict for this use to be allowed by SUP was recognized as a temporary use for the area when they applied for an initial two-year time period. Only one other subdistrict within PDD No. 714 allows this use (1C). Subdistrict 4 has low-density residential uses to the north of the subject site, as well as new multifamily to the south. The applicant has requested a 10-year time period for this renewal. Typically, staff supports longer time periods for specific uses that require less monitoring and seem to fit with the character of the neighborhood for the foreseeable future. Considering the transitional nature of the area, staff does not support the longer time frame.

The applicant's request, subject to staff's recommended conditions, is compatible with the surrounding mix of uses. The mounted cellular antenna is barely visible from the street at any angle. The short time frame allows for staff and CPC to evaluate whether the use is a detriment to the area as the neighborhood continues to transition over time.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Landscaping:

Landscaping must be provided in accordance with the approved landscape plan. No modifications to the existing landscape plan are requested with the current renewal application. The city arborist conducted a compliance visit and found the property to be operating under the parameters of the approved landscape plan.

CPC Action
October 5, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna for a five-year period, subject to a site plan and conditions on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive.

Maker: West
Second: Schultz
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpely

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 300 Mailed: 37
Replies: For: 1 Against: 1

Speakers: For: None
For (Did not speak): Alan Scivally, 577 Ascot Way, Azle, TX, 76020
Against: None

APPLICANT LIST OF OFFICERS

T-Mobile West LLC
Officers & Managers
(As of April 27,2017)

Officers	Title
John J. Legere	President and Chief Executive Officer
J. Braxton Carter	Executive Vice President and Chief Financial Officer
G. Michael Sievert	Chief Operating Officer
Neville R. Ray	Executive Vice President and Chief Technology Officer
Thomas C. Keys	President, T-Mobile Indirect Channels
David A. Miller	Executive Vice President, General Counsel and Secretary
Neville R. Ray	Executive Vice President and Chief Technology Officer
G. Michael (Mike) Sievert	Chief Operating Officer
Elizabeth A. Sullivan	Executive Vice President, Human Resources
Managers	**Title**
Michael Arden	Engineering Development Manager

Z167-358

OWNER LIST OF OFFICERS

Dallas Housing Authority

Officers & Managers

(As of April 27,2017)

Officers	Title
Albert C. Black Jr	Board of Commissioners: Chair
Victor Vital	Board of Commissioners: Vice Chair
Deborah Culberson	Board of Commissioners: member
Theresa Flores	Board of Commissioners: member
James Garne	Board of Commissioners: member

Z168-358

CPC Recommended SUP No. 2161

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to mounted cellular antennas.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC's Recommendation

3. TIME LIMIT: This specific use permit expires on October 28, ~~2017~~ 2022. The structures and equipment for the mounted cellular antenna must be removed within 60 days of the expiration of this specific use permit.

Staff's Recommendation

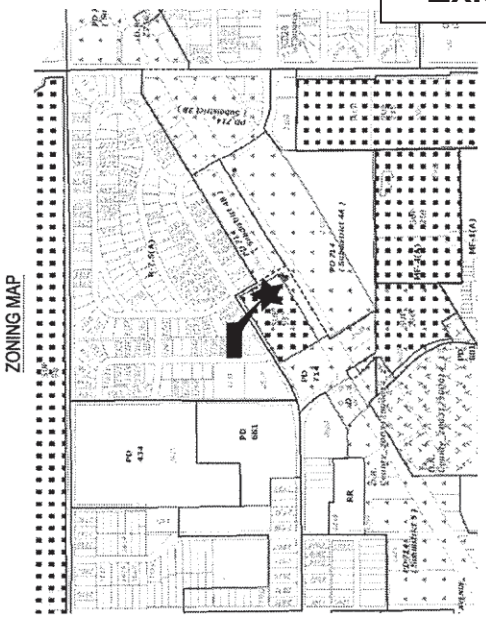
3. TIME LIMIT: This specific use permit expires on October 28, ~~2017~~ 2019. The structures and equipment for the mounted cellular antenna must be removed within 60 days of the expiration of this specific use permit.

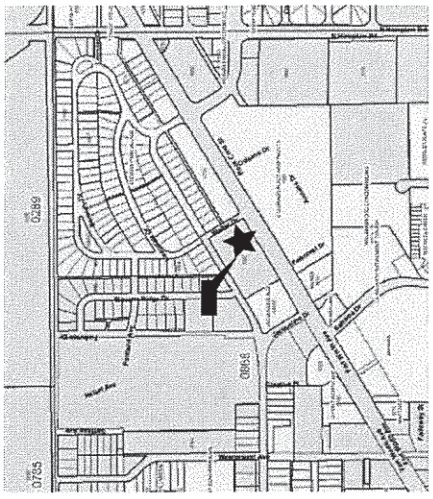
4. COLOR: Mounted cellular antennas and equipment must be consistent with the facade of the structure to which they are attached.

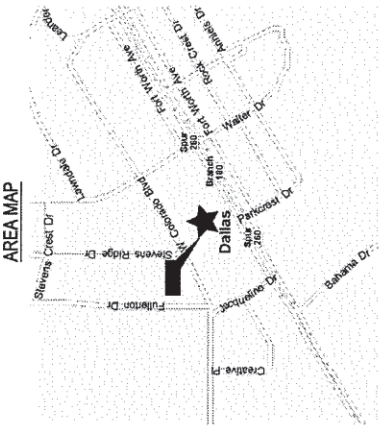
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

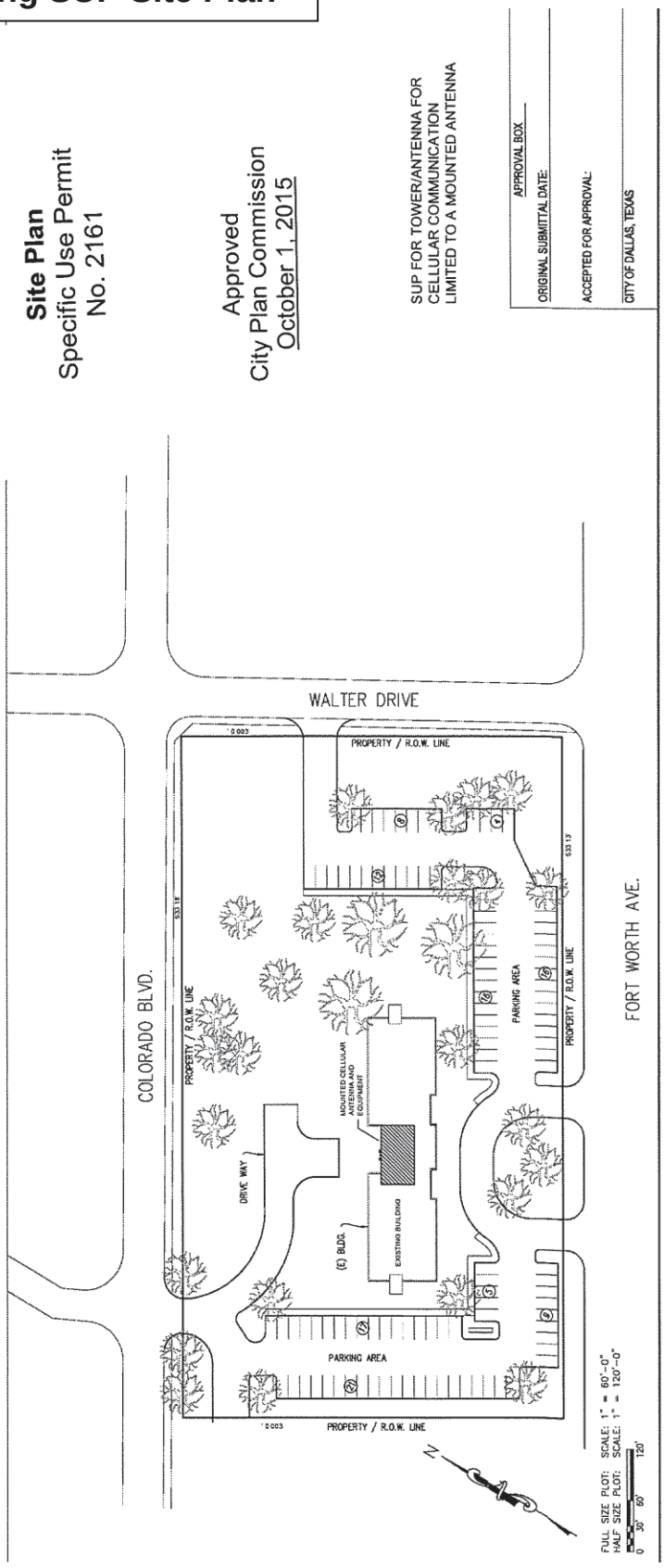
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Existing SUP Site Plan









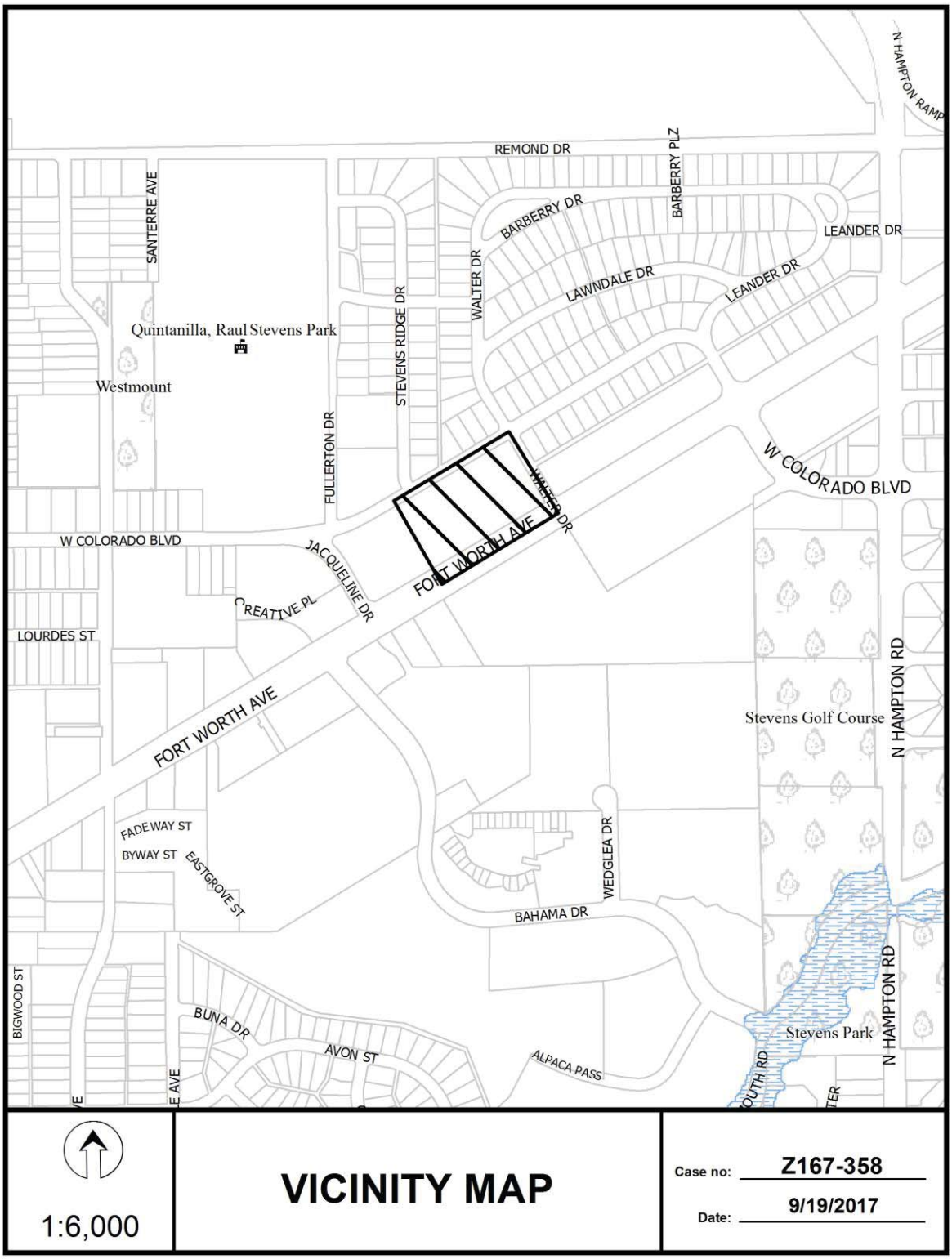


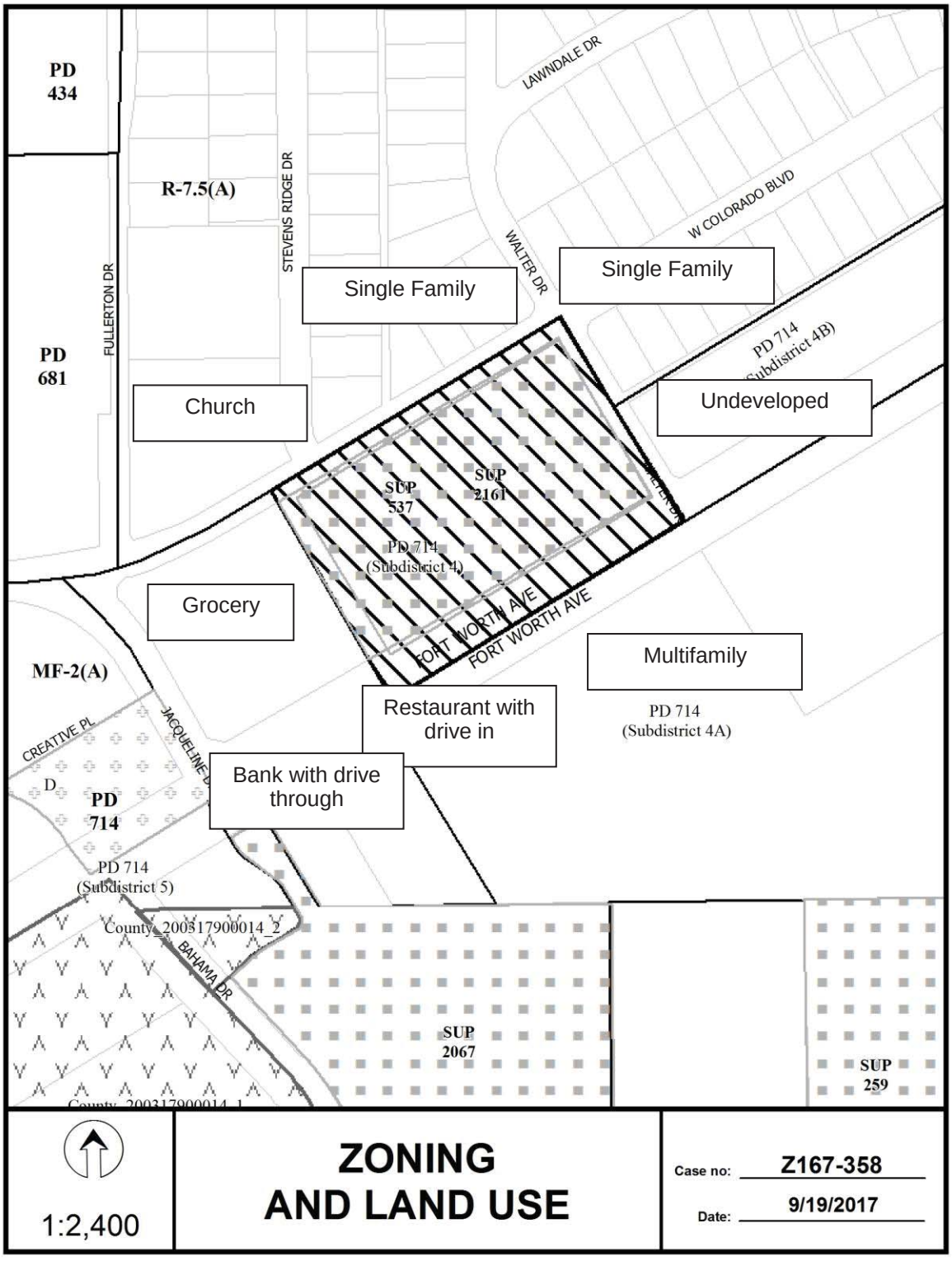
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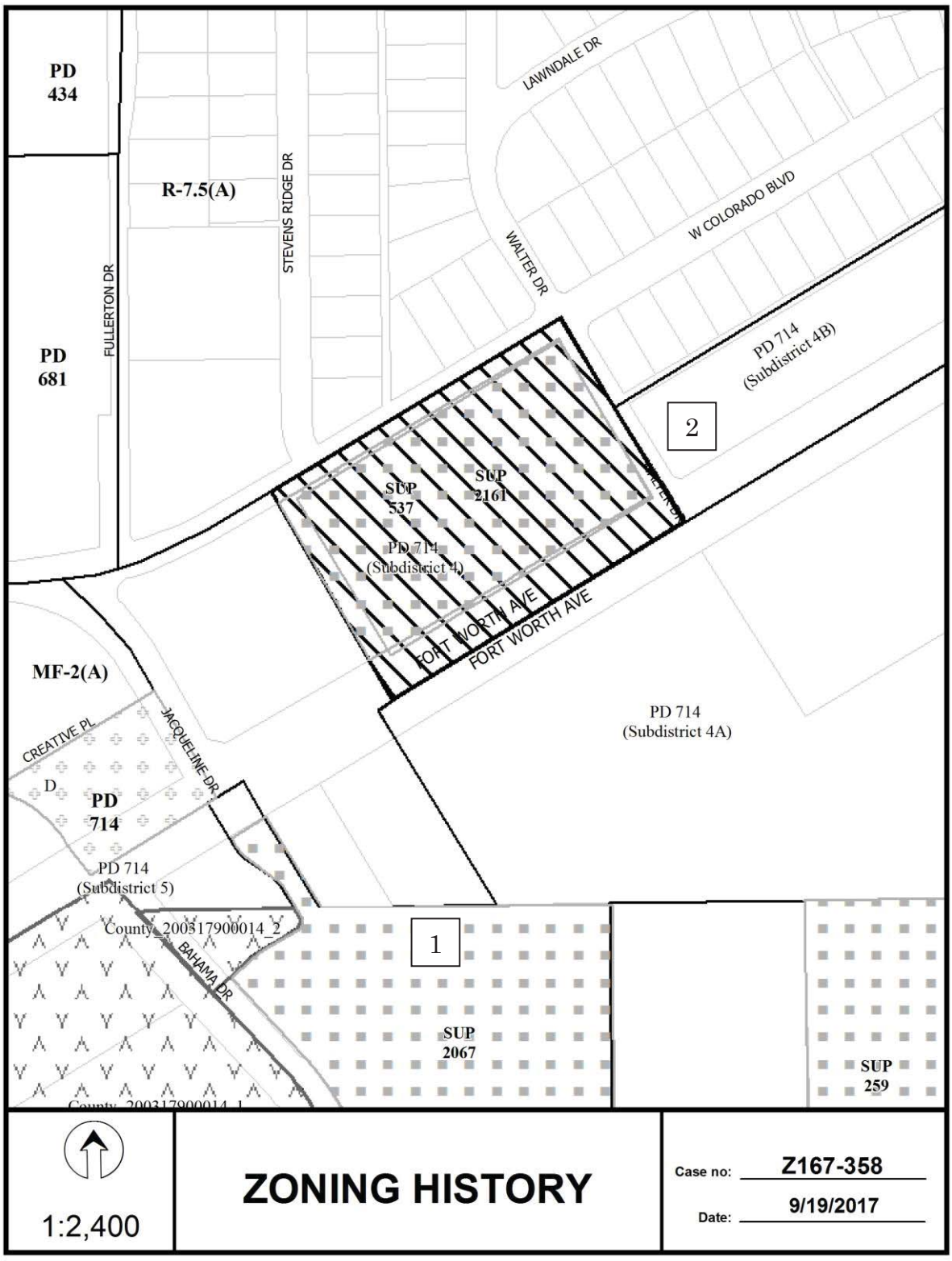
AERIAL MAP

Case no: Z167-358

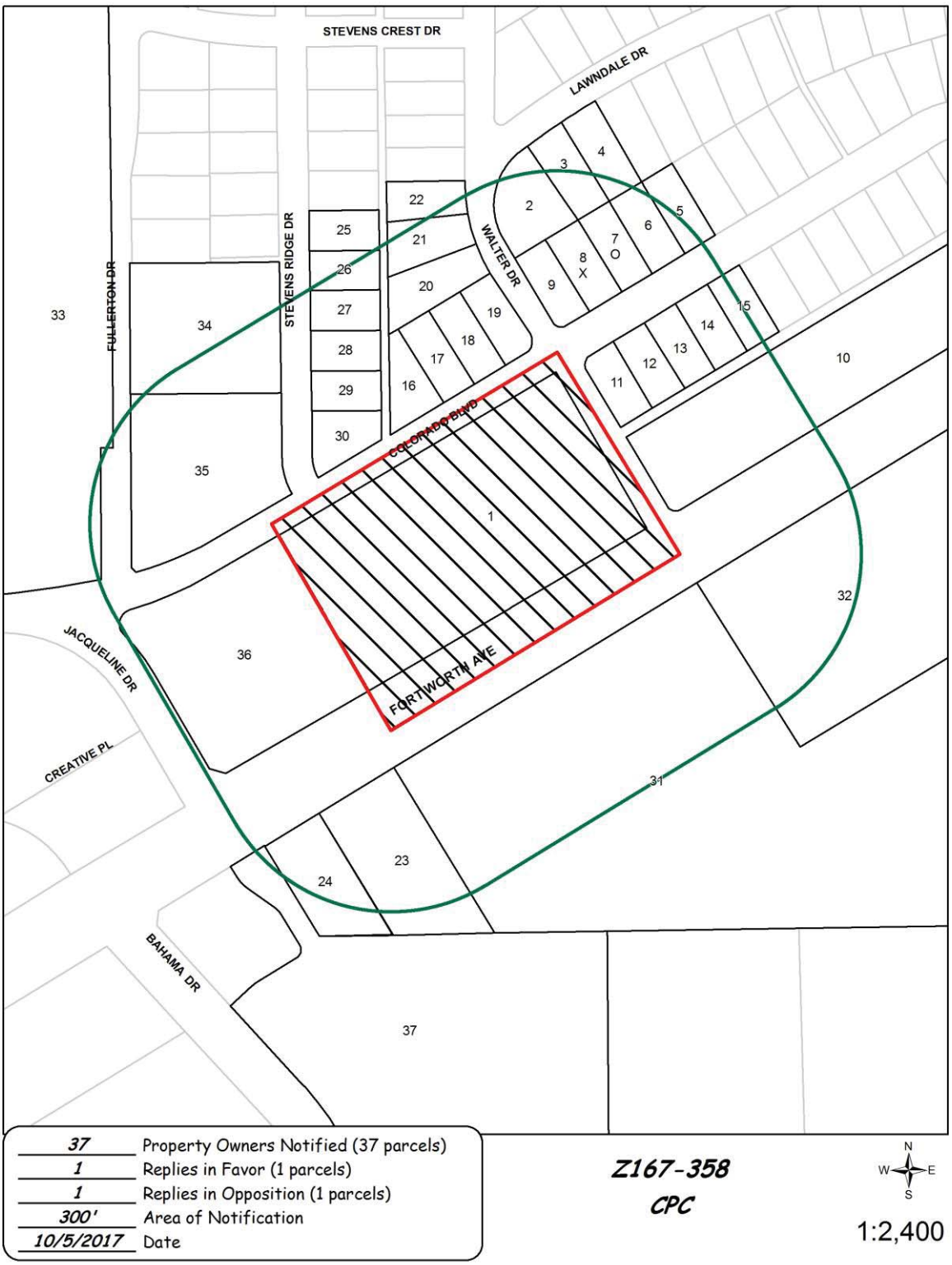
Date: 9/19/2017


N HAMPTON RAMP
REMOND DR
BARBERRY PLZ
BARBERRY DR
LEANDER DR
LAWNDALE DR
LEANDER DR
SANTERRE AVE
WALTER DR
STEVENS RIDGE DR
Quintanilla, Raul Stevens Park
Westmount
FULLERTON DR
W COLORADO BLVD
WALTER DR
FORT WORTH AVE
W COLORADO BLVD
JACQUELINE DR
CREATIVE PL
LOURDES ST
FORT WORTH AVE
Stevens Golf Course
N HAMPTON RD
FADEWAY ST
BYWAY ST
EASTGROVE ST
WEDGLEA DR
BAHAMA DR
BIGWOOD ST
BUNA DR
AVON ST
ALPACA PASS
Stevens Park
N HAMPTON RD
1:6,000
VICINITY MAP
Case no: Z167-358
Date: 9/19/2017


PD 434
R-7.5(A)
PD 681
MF-2(A)
PD 714
D
PD 714 (Subdistrict 5)
PD 714 (Subdistrict 4A)
PD 714 (Subdistrict 4B)
PD 714 (Subdistrict 4)
SUP 537
SUP 2161
SUP 2067
SUP 259
LAWNDALE DR
STEVENS RIDGE DR
FULLERTON DR
WALTER DR
W COLORADO BLVD
FORT WORTH AVE
CREATIVE PL
JACQUELINE D
BAHAMA DR
County_200317900014_2
Single Family
Single Family
Church
Undeveloped
Grocery
Multifamily
Restaurant with drive in
Bank with drive through
1:2,400
ZONING AND LAND USE
Case no: Z167-358
Date: 9/19/2017


PD 434
R-7.5(A)
PD 681
FULLERTON DR
STEVENS RIDGE DR
LAWNDALE DR
W COLORADO BLVD
WALTER DR
PD 714 (Subdistrict 4B)
2
SUP 537
SUP 2161
PD 714 (Subdistrict 4)
FORT WORTH AVE
FORT WORTH AVE
MF-2(A)
CREATIVE PL
JACQUELINE DR
D
PD 714
PD 714 (Subdistrict 5)
PD 714 (Subdistrict 4A)
County_200317900014_2
BAHAMA DR
1
SUP 2067
SUP 259
County_200317900014_1
1:2,400
ZONING HISTORY
Case no: Z167-358
Date: 9/19/2017

CPC RESPONSES



10/04/2017

Reply List of Property Owners

Z167-358

37 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2423	FORT WORTH AVE	DALLAS HOUSING AUTHORITY
	2	2336	LAWNDALE DR	TREJO F R
	3	2332	LAWNDALE DR	MCQUEEN MOLLY KATHERINE
	4	2328	LAWNDALE DR	MCKOWN REBECCA R &
	5	2307	W COLORADO BLVD	RUTLEDGE LOREN E &
	6	2309	W COLORADO BLVD	SMITH LARRY
O	7	2315	W COLORADO BLVD	LELAND ROBYN
X	8	2323	W COLORADO BLVD	DUNCAN BATSON TRUST
	9	2329	W COLORADO BLVD	KP COMMERCIAL HOLDINGS LLC
	10	2201	FORT WORTH AVE	GRBK FRISCO LLC
	11	2328	W COLORADO BLVD	JOHNSO DON L &
	12	2322	W COLORADO BLVD	SCHROEDER ALICIA T
	13	2318	W COLORADO BLVD	CCBESTHOME LLC
	14	2314	W COLORADO BLVD	SAENZ RENE R & ELIDA T
	15	2308	W COLORADO BLVD	MINKLER AMANDA D &
	16	2419	W COLORADO BLVD	RODRIGUEZ ROSEMARIE LIFE ESTATE
	17	2411	W COLORADO BLVD	MORALES ROSALBA L & CESAR H
	18	2407	W COLORADO BLVD	DOMINGUEZ VALENTINE G &
	19	2403	W COLORADO BLVD	MALONE KEVIN & MELISSA
	20	1215	WALTER DR	CZITROM ALEC LADISLAU
	21	1219	WALTER DR	CAMPBELL JERRY D &
	22	1223	WALTER DR	IMTHURN MELINDA &
	23	2500	FORT WORTH AVE	CPIF INVESTORS 1
	24	2516	FORT WORTH AVE	FOLDBERG JOHN D &
	25	1236	STEVENS RIDGE DR	RIVERA ESMERALDA
	26	1230	STEVENS RIDGE DR	GOODRIDGE ERIN

10/04/2017

Reply	*Label #*	*Address*		*Owner*
	27	1224	STEVENS RIDGE DR	MUNOZ JORGE & ANGELICA R
	28	1218	STEVENS RIDGE DR	MUNOZ JESUS M & LUCINA
	29	1212	STEVENS RIDGE DR	MENDOZA JOVITO
	30	1206	STEVENS RIDGE DR	GAYTAN RAUL O
	31	2400	FORT WORTH AVE	LINCOLN COLORADO PLACE LLC
	32	2300	FORT WORTH AVE	DALLAS KESSLER PARK LTD
	33	2615	W COLORADO BLVD	Dallas ISD
	34	1231	STEVENS RIDGE DR	BACAK ALBERT ET AL TR OF
	35	2527	W COLORADO BLVD	PROMISE METROPOLITAN
	36	2505	FORT WORTH AVE	ALDI LLC
	37	2522	FORT WORTH AVE	PACIFICA HARBORVIEW KESSLER LLC

AGENDA ITEM # 68

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 58 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Z167-366(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, NOVEMBER 8, 2017
ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-366(WE)	**DATE FILED:**	August 4, 2017
LOCATION:	South side of Great Trinity Forest Way, east of Longbranch Lane		
COUNCIL DISTRICT:	8	**MAPSCO:**	58 X
SIZE OF REQUEST:	Approx. 0.703 acres	**CENSUS TRACT:**	116.01

APPLICANT: Ram Chhantyal, LLC

OWNER: George Reeves
Reeves Group, Ltd.

REPRESENTATIVE: Stephen Linosey

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow for the sale of alcoholic beverages for off-premise consumption in conjunction with the existing a general merchandise or food store [Loop 12 Mart].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed within a multi-tenant, one-story, retail development and is located within a D-1 Liquor Control Overlay. In April 2016, the applicant received a certificate of occupancy from the Building Official for a general merchandise or food store 3,500 square feet or less.

- The general merchandise of food store 3,500 square feet or less is permitted by right in an RR Regional Retail District. The D-1 Liquor Control Overlay requires a Specific Use Permit to sell alcoholic beverages for off-premise consumption.

- The surrounding land uses consist of a variety of retail and personal service uses, and single family uses.

Zoning History: There have been three zoning changes requested in the area during the past five years. However, the zoning requests are not shown on the map.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Great Trinity Forest Way (Loop 12)		Variable width lane	Variable width lane

Land Use:

	Zoning	Land Use
Site	RR-D-1	General merchandise or food store, personal service, Retail
North	RR-D-1	Auto related use, General merchandise or food store
South	R-7.5(A)	Single Family
East	RR-D-1	Car wash
West	RR-D-1	Auto Related use, Personal service

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

STAFF ANALYSIS:

Land Use Compatibility: The 0.703-acre site is developed within a one story, 6,750 square foot multi-tenant retail development. The surrounding land uses consist of a variety of retail and personal service uses, and a single family uses. The applicant's request for a Specific Use Permit will allow for the sale of alcoholic beverages in conjunction with a general merchandise of food store 3,500 or less. The maximum square footage of the general merchandise or food store is approximately 1,700 square feet.

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RR-D-1 Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. However, due to the site not increasing any impervious surface or floor area, landscaping a portion of the site is not required.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. Based on the 1,700 square feet of floor area, the number of required off-street parking spaces is 9 spaces and the applicant is providing 9 spaces.

Dallas Police Department: **Dallas Police Department:** Below is a police report indicating the offenses of the request site during the past three years.

Incident Num	Date1	Time1	UCR_Offense	Address	Zip Code
009905-2017	10/22/2016	9:00	EMBEZZLEMENT	7728 GREAT TRINITY FOREST WAY	75217
095182-2015	4/28/2015	18:35	ROBBERY-BUSINESS	7728 GREAT TRINITY FOREST WAY	75217
092393-2015	4/25/2015	12:45	THEFT/SHOPLIFT	7728 GREAT TRINITY FOREST WAY	75217

CPC Action: (October 5, 2017)

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane.

Maker: Lavallaisaa
Second: Houston
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lavallaisaa, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 1 Against: 1

Speakers: For: None
For (Did not speak): Tabitha Tijerina, 7728 S. Great Trinity Forest Way, Dallas, TX, 75217
Against: None

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPCs Recommendation

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance).

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

LIST OF OFFICERS

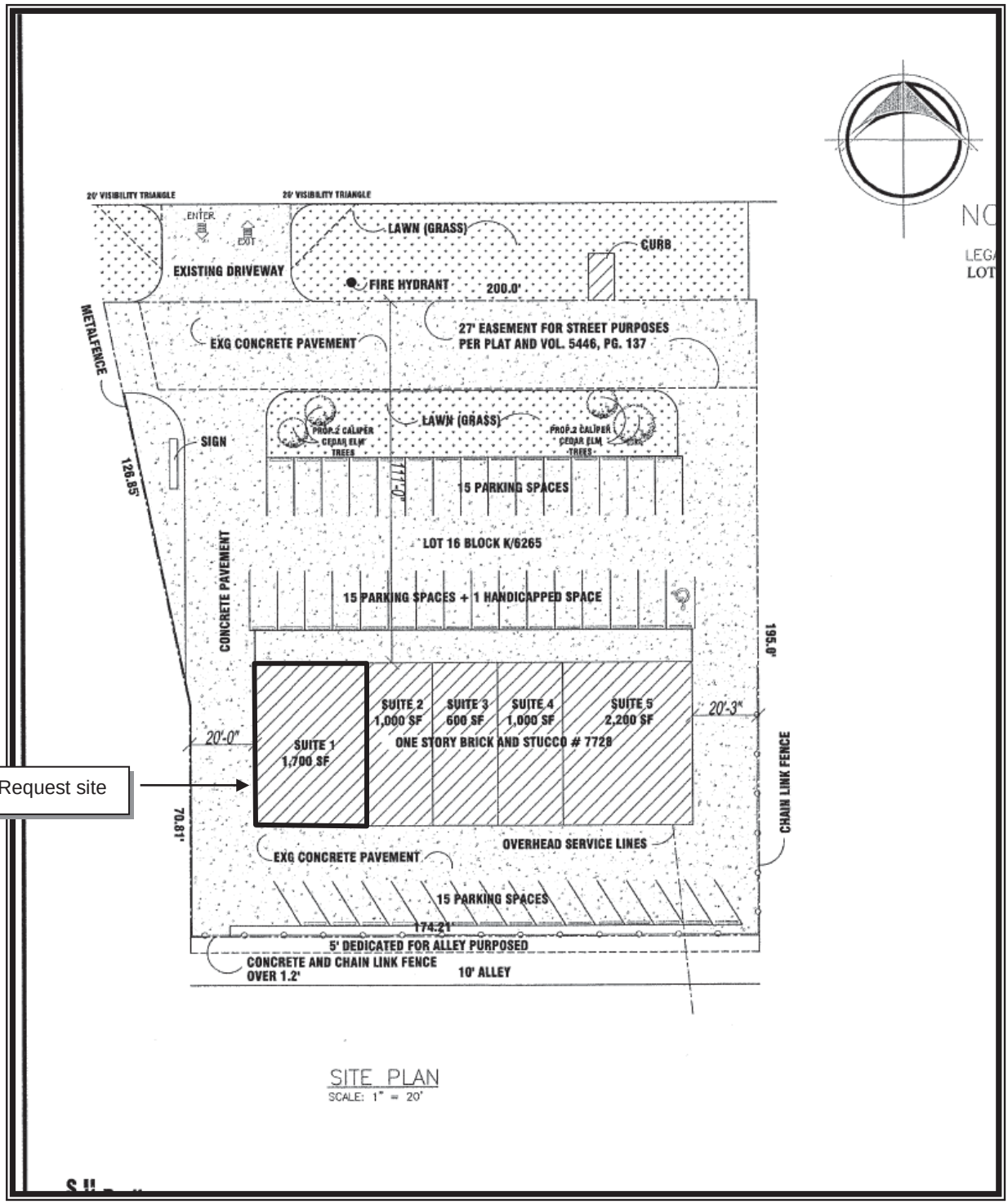
Rai Chhantyal, LLC

- Suman Rai, Manager
- Ram Chhantyal, Manager

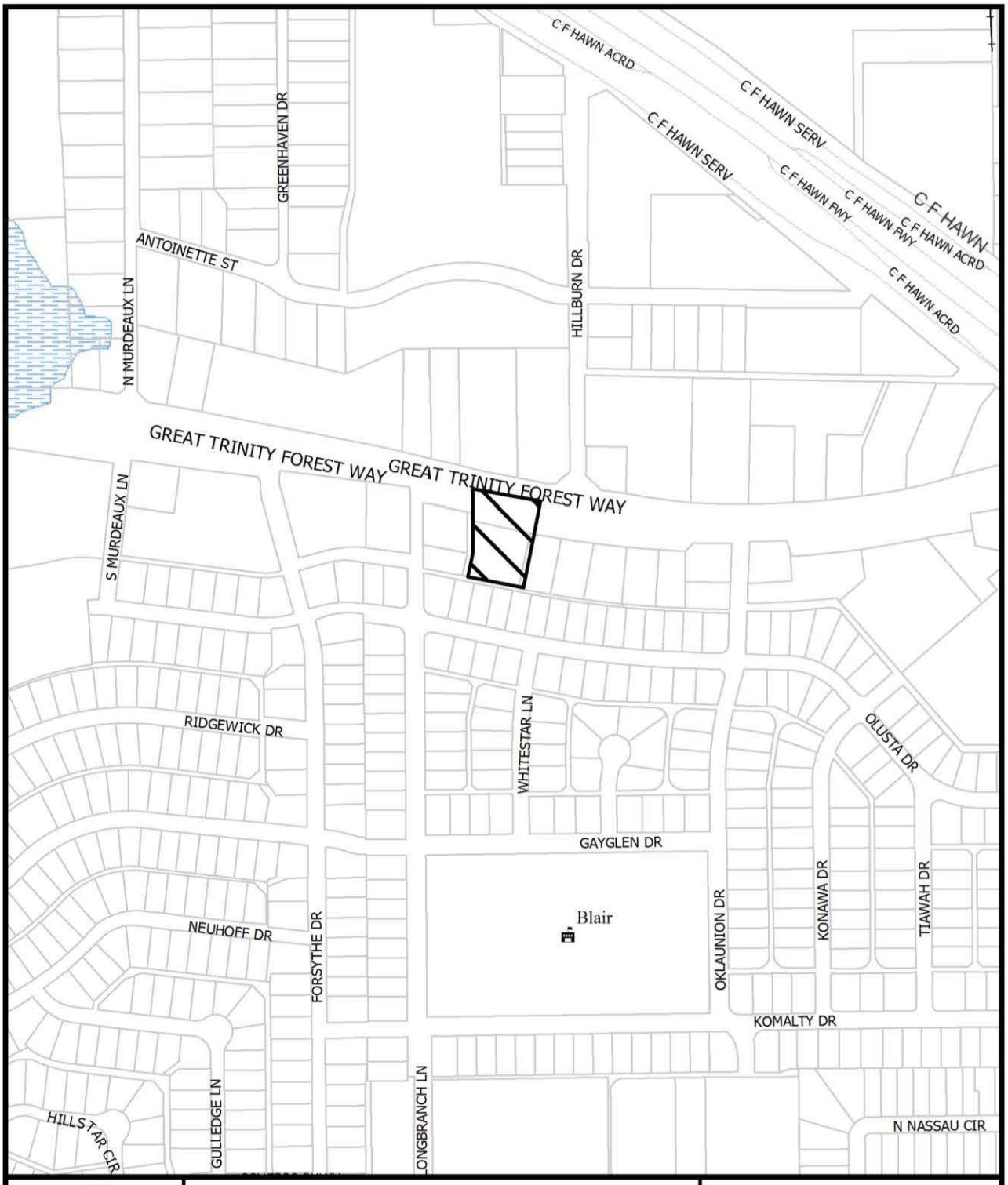
Reeves Group, Ltd.
GMR, Inc. General Partner

- George M. Reeves, President / Treasurer
- George M. Reeves III, Vice-President / Secretary

PROPOSED SITE PLAN



Request site



1:4,800

VICINITY MAP

Case no: Z167-366

Date: 9/19/2017

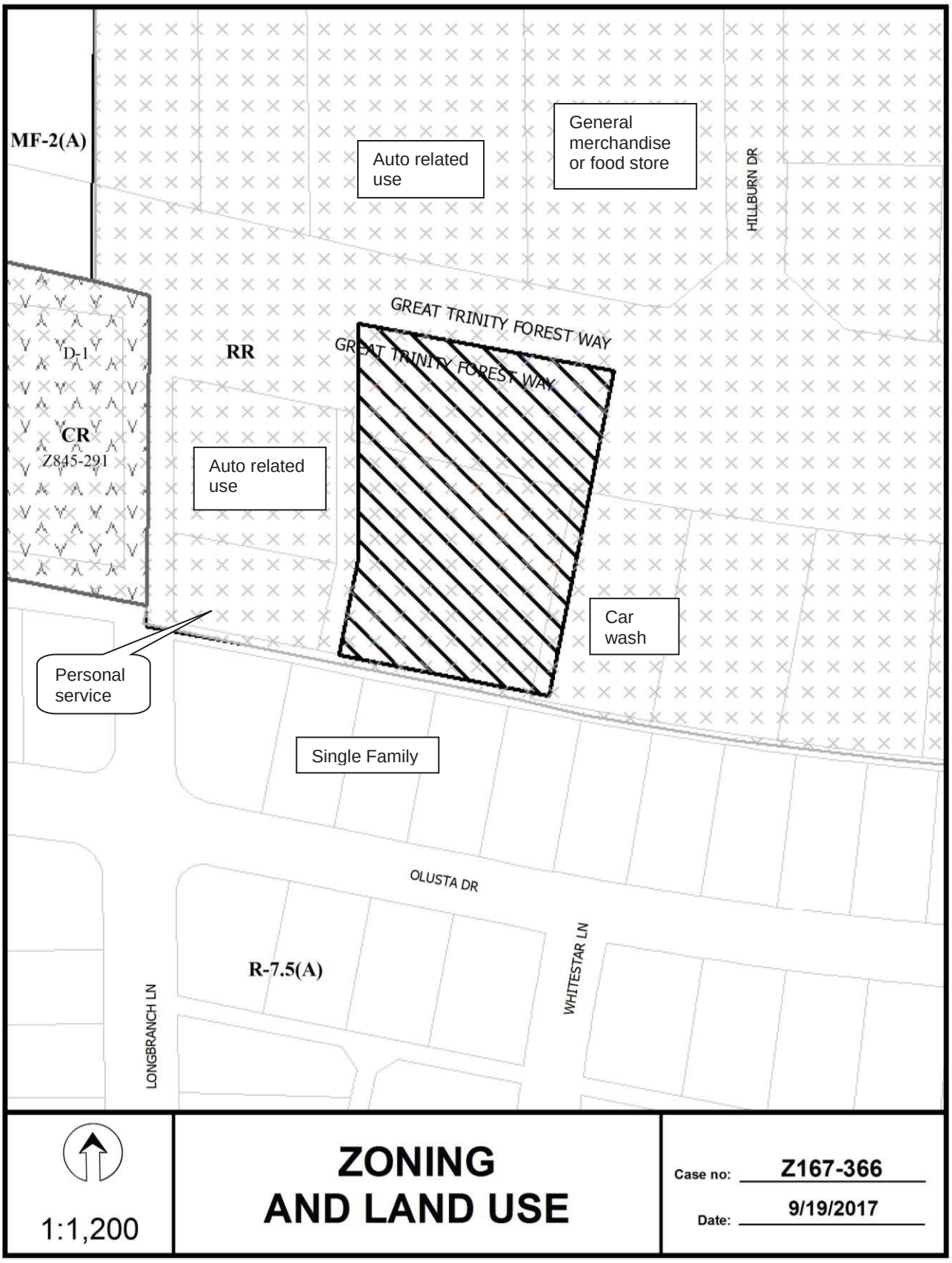


1:1,200

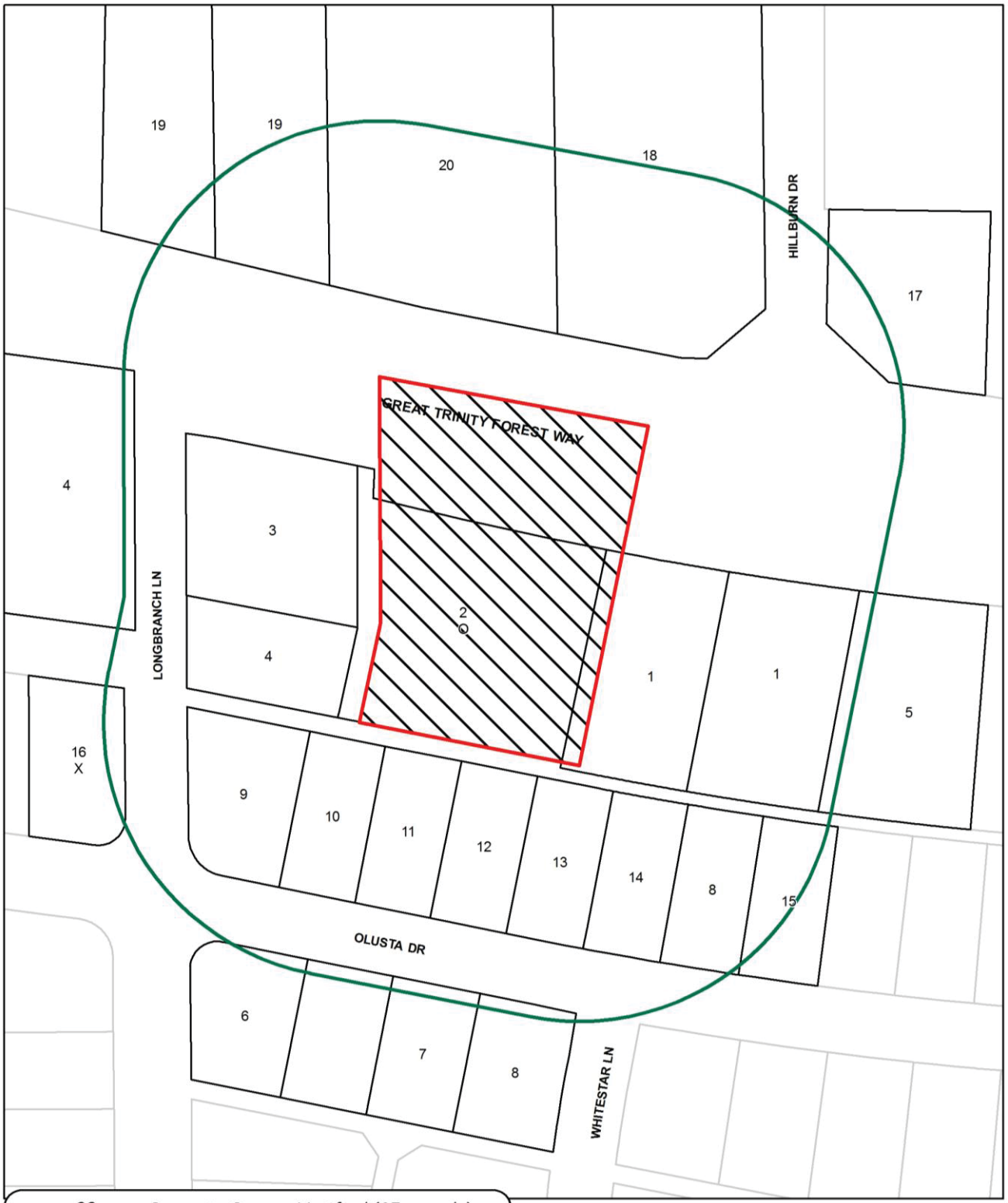
AERIAL MAP

Case no: Z167-366

Date: 9/19/2017


MF-2(A)
Auto related use
General merchandise or food store
HILLBURN DR
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
D-1
RR
CR
Z845-291
Auto related use
Car wash
Personal service
Single Family
OLUSTA DR
R-7.5(A)
WHITESTAR LN
LONGBRANCH LN
1:1,200
ZONING
AND LAND USE
Case no: Z167-366
Date: 9/19/2017

CPC RESPONSES



20	Property Owners Notified (25 parcels)
1	Replies in Favor (1 parcels)
1	Replies in Opposition (1 parcels)
200'	Area of Notification
10/5/2017	Date

Z167-366
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z167-366

20 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	7740	GREAT TRINITY FOREST WAY	PHILLIPS LEO &
O	2	7728	GREAT TRINITY FOREST WAY	REEVES GROUP LTD
	3	7710	GREAT TRINITY FOREST WAY	R&H REALTY INC
	4	7636	GREAT TRINITY FOREST WAY	REEVES GROUP LTD
	5	7810	GREAT TRINITY FOREST WAY	SCM COMMERCIAL PROPERTIES LLC
	6	7706	OLUSTA DR	SHIELDS O B &
	7	7718	OLUSTA DR	SIERRA ROBERT F
	8	7724	OLUSTA DR	LENOVITZ J MARSHALL
	9	7705	OLUSTA DR	CORTEZ ALEJANDRO &
	10	7709	OLUSTA DR	GARCIA MARCELINO
	11	7715	OLUSTA DR	HERNANDEZ LUIS MANUEL
	12	7719	OLUSTA DR	MEDINA JOHN E &
	13	7725	OLUSTA DR	FAGAN LEONARD SR
	14	7729	OLUSTA DR	MEDINA JESSE
	15	7809	OLUSTA DR	BARRIOS J CARMEN
X	16	7631	OLUSTA DR	DAVILA MARY ANN
	17	7811	GREAT TRINITY FOREST WAY	SHORT DAN & GERALDINE
	18	7771	GREAT TRINITY FOREST WAY	4GILL INVESTMENTS LLC
	19	7741	GREAT TRINITY FOREST WAY	US PHYSICIAN RESOURCES
	20	7767	GREAT TRINITY FOREST WAY	LPP & A WESTERN LAND RESOURCES

AGENDA ITEM # 69

Economic Vibrancy

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-266(KK)
Note: This item was considered by the City Council at public hearings on August 23, 2017 and October 25, 2017, and was deferred until November 8, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, NOVEMBER 8, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-266(KK) **DATE FILED:** April 7, 2017

LOCATION: South side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street

COUNCIL DISTRICT: 6 **MAPSCO:** 44 T

SIZE OF REQUEST: Approx. 1.796 acres **CENSUS TRACT:** 0043.00

APPLICANT/ OWNER: Marksmen Exploration, LLC

REPRESENTATIVE: Marksmen Exploration, LLC

REQUEST: An application to amend Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses.

SUMMARY: The purpose of this request is to amend Subarea 2D within Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, to allow for the new construction of three buildings on the area of request.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- On February 23, 2005, PDD No. 714 was approved by City Council.

- The existing multistory office building on the area of request was constructed in May of 1985, according to permit records.

- The purpose of this request is to amend Subarea 2D of the planned development district to allow for encroachments into the front yard setback, reduce the parking requirement for office uses, omit the requirement to locate off-street parking to the rear of the main structure, remove the requirement that parking must be concealed in a structure, allow small tree species to be used for street trees, allow screening of parking lots to be located in the parkway, omit the street standards from applying to 2D, revise the sidewalk width to 5 feet, and revise the architectural design standards.

- Some conditions are proposed to deal with nonconformity of the existing structure in order to prepare for possible future development.

- Over the years there have been multiple remodel permits issued for the office located on the area of request. The applicant is proposing to augment the existing office structure with new structures, primarily fronting on Sylvan Avenue, to accommodate office and retail land uses.

Zoning History: There has been three recent zoning change requests in the area.

1. **Z134-134** On March 19, 2014, the City Council approved an MU-3 Mixed Use District subject to deed restrictions, 1) prohibiting certain uses; 2) establishing certain yard, lot, and space regulations; and 3) providing for certain operational regulations.

2. **Z134-145** On September 10, 2014, the City Council approved a PDD for certain residential uses.

3. **Z145-120** On February 24, 2015, the City Council approved Subdistrict 2D within Planned Development District No. 714 on property zoned Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Sylvan Avenue	Principal Arterial	90 ft.
Fort Worth Avenue	Principal Arterial	100 ft.
Chappell Street	Local	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed amendment will not have a negative impact on the surrounding street system. A traffic impact study (TIS) was given to the Engineering Division when the original development was proposed. The TIS has not changed from when it was submitted and approved in 2015, therefore, the Engineering Divisions original approval still applies. Trip generations, while proposed to increase with the anticipation of supporting retail uses, will be consistent with existing development demands that will be served by existing roadways.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714 (2D)	Office
North	PDD No. 714 (2A)	Lodging (Belmont Hotel)
East	PDD No. 714 (1C)	Retail, Restaurant, Multifamily
South	PDD No. 714 (2B)	Gen Merch w/ Motor Vehicle Fueling
West	PDD No. 714 (2B)	Retail

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTRE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Implementation Measure 4.2.2.3 Use "Context Sensitive Design" standards for public street improvements to ensure safe and convenient bike and pedestrian movement.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to walk.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

The request site lies within an area considered Urban Mixed Use. The request is characteristic of an Urban Mixed-Use Building Block because it compromises a vibrant mix of office and retail uses to support adjacent and surround residential uses. The request site will provide additional uses for residents to work, shop, and play within a closely defined area. People on foot or bike can enjoy interesting storefronts and building facades at ground level with wide sidewalks. This aids in creating an appealing streetscape. By encouraging better design quality and convenience in retail centers, business parks and industrial parks, the city takes on a more notable look.

Land Use Compatibility:

PDD No. 714 was approved by the City Council on February 23, 2005 and encompasses approximately 245 acres (north and south lines of West Commerce Street and Fort Worth Avenue, between North Beckley Avenue and Westmoreland Road). Recent developments in the immediate area, both north and south of the Fort Worth Avenue alignment through this part of the PDD, have begun to transition the area by providing residential options, both multifamily and single family dwellings. As demand for services to accommodate the demand for anticipated residential activity, various retail and entertainment options have developed along this thoroughfare.

In creating the vision for PDD No. 714, various subdistricts were created to establish a basis for the balance of development and the co-existence with the built environment along the corridor. Subdistrict 2, which contains Subdistrict 2D, is a mixed-use subdistrict that consists predominately of residential uses, but with some small retail and office uses. Because residential neighborhoods are adjacent to the subdistrict, it should be more serene than other subdistricts. New development should strengthen the existing residential neighborhoods and help to create a pedestrian-friendly environment. Buildings should have minimum or no setbacks.

Preliminary plans will provide for three new structures, totaling 10,620 square feet, fronting along the Sylvan Avenue frontage. For information purposes only, the attached site plan has been provided by the applicant to show the relationship of the existing and proposed development across the property.

The applicant proposes the following amendments with this request, the revisions being proposed to the landscape ordinance will be detailed under the landscape section:

1) To allow for encroachments into the front yard setback. The proposed buildings meet the setback requirement, but there are certain projections into the front yard setback that are proposed to encroach. If these structures are going to encroach into the setback the text must be amended to allow this. The structures encroaching are steps, landing, awnings, trellis, retaining walls, and a dumpster. The proposed site plan, which is attached for reference only, shows steps encroaching into the right-of-way. The development team must obtain a license from the Real Estate Division of Sustainable Development and Construction to allow the steps to be located in the right-of-way. The text is also proposed to be amended to allow a dumpster to encroach into the front yard

setback of Chappell Street only. The existing dumpster would only be allowed to encroach into the setback along Chappell Street. If any other dumpsters are added to the site, they must conform to the established setbacks.

2) To reduce the required parking for office uses located in Subdistrict 2D. Please see the parking section below to obtain more detail concerning this proposal.

3) To omit the requirement to locate off-street parking to the rear of the main structure. The proposed development is compliant with this code section, but the existing office building is not. This is because when the office building was constructed in 1985, this was not a zoning requirement. There is planned future development, which is not part of this request, to add additional floor area on top of the existing office structure. If this were to come to fruition, the office would lose their legal non-conforming rights. Giving the existing development, proposed structures with this zoning request, the possible future development, and the layout of this site this site would not be able to meet compliance. Also in order to construct the development being proposed with this zoning case, the drive through teller area will be demolished, and new canopies at the entrances of the office building are being proposed. These new canopies will be considered new floor area, therefore triggering full compliance of the site. The bank will be unable to relocate their parking to the rear of the structure. This text amendment will address the current non-conformity of this structure by stating, "This provision does not apply to Subdistrict 2D".

4) To remove the requirement that parking must be concealed in a structure. This text was added in approved when Subdistrict 2D was created with case Z145-120 that was passed by City Council in February 2015. At that time a one-story parking garage was proposed on site. Sec.51P-714.113(l)(3) states, In Subdistrict 2D, parking must be concealed in a structure with a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total façade. This is no longer being proposed by the development team. Because this code section is specific to Subdistrict 2D, and was only added because of the proposed additions to the site, the applicant is proposing the text to read as follows, "In Subdistrict 2D, parking ~~must be concealed in a~~ structures must have ~~with~~ a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total façade." This would allow for the site to be developed with surface parking, but if a parking garage was installed in Subdistrict 2D it would have to comply with the façade requirements stated above.

5) Omit the street standards from applying to Subdistrict 2D. In an effort for this development to mimic the development across Sylvan Avenue located in PDD No. 714 Subarea 1C, the applicant would like the text to be amended the same as it was for 1C.

This revision is shown under the "In General section" of the PDD and under the Streets Standards section. The text would read as follows, Sec.51P-714.115(a)(2), "Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistrict 1C and 2D." The other text section would read as follows, Sec.51P-714.115(b)(1), "Except as provided in this section, streets must be constructed as shown in Exhibit 714F. If future right-of-way dedications are made in Subdistricts 4A and 4B, the pavement width for new streets must be in accordance with Exhibit 714F. Parallel parking must be provided as shown in Exhibit 714F. This provision does not apply in Subdistrict 1C and 2D."

6) To revise the sidewalk width. In all of Subdistrict 2, which includes 2A, 2B, 2C, and 2D, the required sidewalk width is six feet. More specifically concerning Subdistrict 2D, given the current right-of-way improvements that have been made along Fort Worth Avenue and Sylvan Avenue, the applicant would like the text to be revised to a five foot sidewalk. The sidewalk along Chappell Street would match the existing sidewalk at Fort Worth Avenue and Sylvan Avenue. Due to the grade change of the side moving from south to north across the site there is a low retaining wall surround the site until the grade meets the street driving south on Sylvan Avenue. The site has 17 feet of fall from the high point along Chappell Street frontage towards Forth Worth Avenue. In order to install a six foot wide sidewalk, this retaining wall and existing landscape will have to be removed to create this additional foot of sidewalk. Sec.51P-714.115(c)(3) would read, In Subdistrict 2D the sidewalk must be five feet in width.

7) Revise dumpster screening requirements. This is another proposed amendment to more closely mirror the development located across Sylvan Avenue in Subdistrict 1C. The existing dumpster adjacent to Chappell Street will be screened with a solid wood fence, but this material will not match the main building. The existing building is mainly brick and the proposed structures are a combination of masonry, metal and glass. Sec.51P-714.116(d)(2) would read, Screening materials must match the main building. This provision does not apply to Subdistrict 1C and the existing dumpster located adjacent to Chappell Street. Any new dumpsters proposed on the site will have to be screened with a material to march the main building.

8) Revise the architectural design standards. The architectural design standards created for PDD No. 714 are designated because this area is an area of historical, cultural, and architectural importance and significance. The architectural design standards are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

Because the existing office building is staying, the applicant has stated that some credit should be given towards the existing structure. The following condition is proposed to be added, In Subdistrict 2D, facades facing Fort Worth Avenue and Sylvan Avenue for all buildings within the subdistrict shall be counted cumulatively as one façade for the purposes of determining compliance with this section. This condition will allow all facades facing Sylvan Avenue and Fort Worth Avenue to be counted cumulatively versus only counting the facades per lot. This also allows for the entire façade facing these right-of-ways to be counted toward compliance whether they are visible from the street or not. This will allow the facades of the existing office building that face these specified right-of-ways to add their façade calculations with the new proposed structures. The existing office building's façade would be used to meet compliance with primary entrances that face the public right-of-way by counting the primary entrance into the existing office building as a street-facing primary entrance. This condition will also allow the metal that can be used on street-facing facades become compliant with the existing condition of no more than 20% of a street facing façade may be flat or corrugated metal panels along the Sylvan Avenue facade. By increasing the total square footage of street facing façade that is calculated this takes the percent of metal proposed on the new structures along Sylvan Avenue and Fort Worth Avenue lower than the percentages that were originally proposed during the May 18th City Plan Commission hearing. The original percent requested was 90% along Fort Worth Avenue, by counting the existing office façade this number can be reduced to 40%. Staff's concern with this condition is the applicability of this section when permits are reviewed at the Building Inspection office. Without an approved development plan or approved elevations to aid in the description of cumulative street-facing façade, this could lead to interpretation issues. Street-facing façade is not a defined term in the planned development. The applicant is wanting to count façade that technically cannot be seen from the street because of the proposed structures along Sylvan. Staff is concerned there is too much to be lost in translation with this proposed text amendment.

Within the architectural design standards sections of PDD No. 714, building orientation discusses that the primary façade and primary entrance of new construction must be oriented to face the public right-of-way. The applicant has indicated that one of the three proposed structures will not be able to meet this requirement. A prospective office tenant is planned to occupy building A on the proposed site plan. Due to safety concerns, they cannot have a door facing Sylvan Avenue. Due to not being able to meet this requirement, the following amendment is proposed. Staff's recommendation is for Sec.51P-714.118(d)(1)(A) to read, In Subdistrict 2D, this provision does not apply to the financial institution without drive-in window land use.

This development also wants to follow 1C and obtain the same exception. Sec51P-714.118(f)(4) would read, Except in Subdistricts 1C and 2D, street-facing facades of all buildings other than accessory buildings must be visually divided into a base, a middle, and a top. The base must be at least two feet above grade and distinguished from the middle by a change of materials, horizontal banding, change of color, or change of plane. The top must be distinguished from the middle by cornice treatments, roof

overhangs with brackets, stepped parapets, corbeling, textured materials, or differently colored materials. Color bands are not acceptable as the only treatment for the top.

This development would also like to mimic Subdistrict 1C and limit the amount of metal that is allowed. Staff's recommendation is that Subdistrict 2D be added to this text section and follow the same guidelines as Subdistrict 1C. This would mean that Subdistrict 2D could not exceed more than 50 percent of metal panels to be used on street-facing facades. The applicant would like Sec.51P-714.118(h)(3)(A) to read, No more than 20 percent of a street-facing façade may be flat or corrugated metal panels. In Subdistrict 1C, no more than 50 percent of the total area of street-facing façade per street frontage may be metal panels. In Subdistrict 2D, no more than 40 percent of the total area of street-facing façade along the Fort Worth Avenue frontage may be metal panels. This condition will only work if the applicant's request to count the façade along Fort Worth Avenue and Sylvan Avenue cumulatively is also approved.

The site is surrounded by a mix of uses, heavily influenced by office, retail, and lodging (Belmont Hotel) along the Fort Worth Avenue alignment through this area. Multifamily uses are developed to the east and southwest. As noted above, established residential areas consisting of existing single family dwellings, along with existing and under construction multifamily developments are anticipated north of Fort Worth Avenue, on property abutting the eastern line of Sylvan and IH-30, east of this site.

Parking:

The applicant is proposing a parking ratio reduction from 1 parking space per 333 square feet for an office use, detailed in the Dallas Development Code, to 1 parking space per 450 square feet of the following office uses: financial institution without drive-in window, financial institution with drive-in window, and office.

If the site is parked per the current PDD conditions the parking analysis would be as follows:

Use	Square Footage	Ratio	Required Parking
Existing Office	32,434	333	97
Bldg. A – Office	3,383	333	10
Bldg. B – Retail	3,216	200	16
Bldg. C - Restaurant	4,101	125	33
		Total Required	156
		Total Provided	91
		Deficient On Site	65

If the parking ratio remains the same both lots, the existing office (1881 Sylvan) and the new construction lot (1861 Sylvan) will have to complete remote parking agreements ideally with a property that has available parking within 600 feet of the area of request. Two remote parking agreements would have to be completed, one per lot, to acquire this deficient parking in order to meet the parking demands of the development at 1881

and 1861 Sylvan Avenue. No information was provided by the applicant as how to resolve the parking deficit.

If the parking ratio for office uses are reduced, the parking analysis would be as follows:

Use	Square Footage	Ratio	Required Parking
Existing Office	32,434	450	72
Bldg. A – Office	3,383	450	8
Bldg. B – Retail	3,216	200	16
Bldg. C - Restaurant	4,101	125	33
		Total Required	129
		Total Provided	91
		Deficient On Site	38

Parking agreements would still need to be executed, but it would be for an amount of 38 off-street parking spaces, not 65 as detailed above. All of this documentation would be processed and reviewed at our Building Inspection office. All documents must be executed, filed and recorded prior to issuance of permits for construction. Staff cannot support the parking reduction request because information was not provided by the applicant to show that a remote lot has available parking for the area of request to use.

Landscaping:

Landscaping must be installed per Sec.51P-714.114, with the following proposed modifications below.

1) To allow small tree species to be used for the street tree requirement. This development wants to mimic the development located across Sylvan Avenue which is zoned PDD No. 714 Subdistrict 1C. Due to overheard utilities in Subdistrict 1C, along Forth Worth Avenue, development is allowed to use small tree types to meet the street tree requirement. Subdistrict 2D has the same overhead utility issues along Fort Worth Avenue and proposed to amend the text to allow 2D to also install small tree types, as listed in Section 51P-714.114(c)(5) in lieu of street trees.

2) Revise text to allow screening material to be located in the right-of-way. The proposed development is meeting the requirements of this section, but this screening is located in the right-of-way, where currently the text will not give credit for compliance. Sec.51P-714.116(b)(1)(A) would state, In Subdistrict 2D, parking lot screening may be located in the parkway.

CPC Action

June 22, 2017

Motion: It was moved to recommend **approval** of an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, subject to staff's recommended revised conditions (as briefed) with the following modifications: 1) Exclusion of the Chase Bank building, 2) Maximum 50 percent metal material on Sylvan Avenue street-facing façade, 3) Maximum 90 percent metal material on Fort Worth Avenue street-facing façade, and 4) Minimum 15 percent transparency collectively within Subdistrict 2D on the south side of Forth Worth Avenue, between Sylvan Avenue and Chappell Street.

Maker:	Anantasomboon
Second:	Anglin
Result:	Carried: 14 to 0
	For: 14 – Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley
Against:	0
Absent:	1 – Ridley
Vacancy:	0

Noties:	Area:	500	Mailed:	41
Replies:	For:	2	Against:	6

Speakers:

For:	David Whitley, 400 N. St. Paul St., Dallas, TX 75201
	Rayford Butler, 3425 Chihuahua Ave., Dallas, TX 75202
Against:	Deborah Carpenter, 2009 Neal St., Dallas, TX 75212
Neutral:	Pam Conley, 901 N Madison Ave., Dallas, TX 75208

List of Partners/Principals/Officers

Augustus Investments GP, LLC

Sole Member: Oaxaca Interests, LLC

President: Brent Jackson

PROPOSED PDD CONDITIONS

ARTICLE 714.

PD 714.

West Commerce Street/Fort Worth Avenue Special Purpose District

SEC. 51P-714.101. LEGISLATIVE HISTORY.

PD 714 was established by Ordinance No. 25898, passed by the Dallas City Council on February 23, 2005. (Ord. 25898)

SEC. 51P-714.102. PROPERTY LOCATION AND SIZE.
~~71~~

PD 714 is established on property located north and south of West Commerce Street and Fort Worth Avenue from North Beckley Avenue to Westmoreland Road. The size of PD 714 is approximately 248.9 acres. (Ord. Nos. 25898; 26876; 27056; 28505)

SEC.51P-174.103. CREATION OF SUBDISTRICTS.
Omitted for brevity.

SEC.51P-714.104. DEFINITIONS.
Omitted for brevity.

SEC.51P-714.105. INTERPRETATIONS.
Omitted for brevity.

SEC.51P-714.105.1. EXHIBITS.
Omitted for brevity.

SEC.51P-714.106. CONCEPTUAL PLAN.
Omitted for brevity.

SEC.51P-714.107. DEVELOPLEMT PLAN.
Omitted for brevity.

SEC.51P-714.108. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.510-714.108.1. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC. 51P-714.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 2.

(a) Uses.
Omitted for brevity.

(c) Yard, lot, and space regulations.

(Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 15 feet.

(B) Maximum front yard from Fort Worth Avenue is 60 feet, this provision does not apply to structures built prior to February of 2005 and additions made to such structure located in Subdistrict 2D.

(C) In Subdistrict 2D, minimum front yard setback is five feet. Steps, awnings, canopies, landings, trellis, and retaining walls are allowed to encroach into the front yard setback. A dumpster may only encroach into the front yard setback along Chappell Street.

(D) In Subdistricts 2B ~~and 2D~~, an additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Side and rear yard.
Omitted for brevity.

(3) Density.
Omitted for brevity.

(4) Floor area ratio.
Omitted for brevity.

(5) Height.

(A) Residential proximity slope.

(i) In Subdistricts 2A and 2B, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(ii) In Subdistrict 2C, if any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope. In Subdistrict 2C, the angle for projection for the residential proximity slope is a 1 to 1 slope.

(iii) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height.

(i) Maximum structure height in Subdistricts 2A and 2C is 60 feet.

(ii) Maximum structure height in Subdistrict 2B and 2D is 80 feet.

(6) Lot coverage.
Omitted for brevity.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade in Subdistricts 2A and 2C is four.

(B) Maximum number of stories above grade in Subdistrict 2B and 2D is six.

(C) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading.

(1) Except as provided in this subsection, see Section 51P-714.113, "Off-Street Parking and Loading.
Omitted for brevity.

SEC.51P-714.110. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.51P-714.111. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.51P-714.112. USE REGULATIONS AND DEVELOMENT STANDARDS IN SUBDISTRICT NO. 5.
Omitted for brevity.

SEC. 51P-714.113. OFF-STREET PARKING AND LOADING.

(a) In general.

Omitted for brevity.

(b) Remote parking.
Omitted for brevity.

(c) Residential.
Omitted for brevity.

(d) Restaurant.

(1) One space per 125 square feet of floor area.

(2) Except as provided in this subsection, any outdoor dining area, whether or not covered, counts as floor area for calculation of the parking requirement. For purposes of this provision, "outdoor dining area" means a rectangular area that includes all outdoor tables, chairs, and wait-stations.

(3) In Subdistricts 4A and 4B, 50 percent of an outdoor dining area, whether or not covered, is excluded for calculation of the parking requirement as long as the outdoor dining area is within 20 feet of, and has direct access to, a street, sidewalk, or publically accessible open space. This exclusion only applies to an area up to 20 percent of the size of the indoor floor area. Any portion of an outdoor dining area in excess of 20 percent of the size of the indoor floor area must be parked in accordance with Paragraph (2).

(e) Retail and personal service in Subdistricts 4A and 4B.
Omitted for brevity.

(f) Retirement housing in Subdistricts 4A and 4B.
Omitted for brevity.

(g) Above-grade off-street parking.
Omitted for brevity.

(h) Bicycle parking.
Omitted for brevity.

(i) Mixed-use shared parking reduction.
Omitted for brevity.

(j) On-street parallel, straight, or angled head-in parking.
Omitted for brevity.

(k) Parking to the rear of the main structure.

(1) In Subdistrict 1A and 1B, 100 percent of any parking for new construction located on the same building site as the main use must be to the rear of the main structure.

(2) Except as provided in this subsection, in Subdistricts 2, 3, 4, and 5, only 25 percent of any parking for new construction located on the same building site as the main use, or one row of parking, whichever is fewer spaces, may be located in front of the main structure. In addition, only one drive aisle may be located in front of the main structure. This provision does not apply to Subdistrict 2D.

(3) In Subdistrict 4B, one row of parking is allowed in front of the main structure with no limit on the percentage of total parking.

(l) Parking structures.

(1) In Subdistrict 4A, if an aboveground parking structure is located within 200 feet of an adjacent residential district not dedicated to a public park, playground, or golf course use, the parking must be concealed in a structure with a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(2) Except as provided in this subparagraph, aboveground parking structures are prohibited in Subdistrict 4A within 100 feet of a residential district not dedicated to a public park, playground, or golf course use. If an aboveground parking structure is located in that portion of Subdistrict 4A shown on Exhibit 714H, which is located within 100 feet of the boundary of the adjacent residential district, the aboveground parking structure must be aligned with the existing aboveground parking structure. If the existing aboveground parking structure in the adjacent residential district is demolished or is not used for parking prior to construction of the aboveground parking structure in Subdistrict 4A, the aboveground parking structure in Subdistrict 4A must be located more than 100 feet from the boundary line of the adjacent residential district.

(3) In Subdistrict 2D, parking ~~must be concealed in a~~ structures must have ~~with~~ a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total façade.

(m) Loading.
Omitted for brevity.

(n) Parking lanes and private drives.
Omitted for brevity.

SEC. 51P-714.114. LANDSCAPING.

(a) In general.

(1) Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(2) Landscaping of streets as shown in Exhibit 714F is required.

(b) Street trees.

(1) One street tree must be provided per 30 feet of street frontage, with a minimum of two street trees per building site. Along Fort Worth Avenue in Subdistricts 1C and 2D, small tree types, as listed in Section 51P-714.114 (c)(5) may be provided in lieu of street trees.

(A) In Subdistrict 2D, the director may waive the requirement for a street tree in locations that conflict with an underground or overhead utility.

(2) It is recommended that, to the extent possible, street trees be spaced 30 feet apart, but, where necessary, street trees may be spaced a minimum of 20 feet apart.

SEC. 51P-714.115. STREET AND SIDEWALK STANDARDS.

(a) In general.

(1) The street and sidewalk standards of this section apply only to new construction or a major modification.

(2) Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistrict 1C and 2D.

(3) Except as provided in this section, sidewalks along streets as shown in Exhibit 714F are required.

(b) Street standards.

(1) Except as provided in this section, streets must be constructed as shown in Exhibit 714F. If future right-of-way dedications are made in Subdistricts 4A and 4B, the pavement width for new streets must be in accordance with Exhibit 714F. Parallel parking must be provided as shown in Exhibit 714F. This provision does not apply in Subdistrict 1C and 2D.

(c) Sidewalk standards.

(1) In Subdistricts 1A and 1B, there must be a 15-foot-wide sidewalk along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch-wide sidewalk along any other street. In Subdistrict 1C, there must be a minimum 15-foot-wide pedestrian zone along Fort Worth Avenue, and a minimum 11-foot, six-inch-wide pedestrian zone along Sylvan Avenue.

(2) In Subdistrict 2, there must be a six-foot sidewalk.

(3) In Subdistrict 2D, there must be a five-foot sidewalk.

(4)~~(3)~~ In Subdistrict 3, there must be a 12-foot sidewalk along Fort Worth Avenue, and an 11-foot, six-inch sidewalk along any other street.

(5)~~(4)~~ Except as provided in this subsection, in Subdistrict 4, there must be a six-foot sidewalk.

(6)~~(5)~~ In Subdistricts 4A and 4B, the minimum width of sidewalks along Fort Worth Avenue is 10 feet. At least five feet of the sidewalks along Fort Worth Avenue must be made of concrete; the remainder may be an aggregate or permeable surface. All other sidewalks along a right-of-way must be at least six-feet-wide with at least three feet of the sidewalk unobstructed and clear. ADA-approved tree grates are not a sidewalk obstruction. If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement or access agreement to the city to assure its availability to the public as a permanent pedestrian way.

(7)~~(6)~~ In Subdistrict 5, there must be a 10-foot sidewalk.

(8)~~(7)~~ Except as provided in this paragraph, see Exhibit 714F for the required widths of sidewalks. See Paragraph (1) for the required width of sidewalks in Subdistrict 1C.

(9)~~(8)~~ The street curb may not be counted as part of the sidewalk width.

(10)~~(9)~~ The following frontages must provide the sidewalks shown on page 6 of Exhibit 714F.
Omitted for brevity.

(11)~~(10)~~ Sidewalk widths must taper or expand to match the width of existing sidewalks in front of adjacent properties at the point of convergence.

(12)~~(11)~~ Sidewalks must be located along the entire length of the street frontage.

(13)~~(12)~~ Each owner or tenant is responsible for maintaining sidewalks, and for keeping sidewalks safe and in good condition and repair, at no expense to the city, and the

city is absolutely exempt from any requirements to maintain sidewalks or make repairs. (Ord. Nos. 25898; 26876; 27820; 28505)

SEC. 51P-714.116. SCREENING REGULATIONS.

(a) In general. Except as modified in this section, the provisions of Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," apply.

(b) Parking lots.

(1) Except as provided in this subsection, surface parking lots must be screened with a low screen. The screening requirement for surface parking lots applies only to new construction.

(A) In Subdistrict 2D, parking lot screening may be located in the parkway.

(2) If a structure is built in Permissible Building Area E in Subdistrict 1C before structures are built in Permissible Building Areas A, B, C, and D and surface parking exists between Permissible Building Area E and the public right-of-way, then the surface parking must be screened from the public right-of-way with a low screen until structures are built in Permissible Building Areas A, B, C, and D. In Subdistrict 1C, screening of surface parking is not required for any surface parking between Permissible Building Areas C and D.

(c) Loading spaces. Except as provided in this subsection, off-street loading spaces must be screened with a fully sight-obscuring fence or a high screen. In Subdistricts 4A and 4B, only off-street loading spaces visible from Fort Worth Avenue must be screened.

(d) Dumpsters and garbage storage areas.

(1) All dumpsters and garbage storage areas must be screened on all four sides with a solid fence. One side may be a gate.

(2) Screening materials must match the main building. This provision does not apply to Subdistrict 1C and the existing dumpster located adjacent to Chappell Street located in Subdistrict 2D.

(3) Screening must be at least as tall as the objects being screened, but in no case less than six feet in height.

(4) Each panel of the gate must have a pin that can be inserted in a sleeved hole in the ground to allow the gate to be held open during garbage collection.

SEC.51P-714.117. SIGNS.

Omitted for brevity.

SEC. 51P-714.118. ARCHITECTURAL DESIGN STANDARDS.

(a) Purpose.

(1) The district is hereby designated as an area of historical, cultural, and architectural importance and significance. The architectural design standards of this section are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The corridor has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) The purpose of these architectural design standards is to:

(A) ensure that new development enhances the character of the corridor and complement adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(b) Applicability. The architectural design standards of this section apply to:

(1) New construction and major modifications of buildings containing a nonresidential use.

(2) Buildings containing only residential uses.

(3) In Subdistrict 2D, facades constructed prior to February of 2005 do not count towards the façade calculations for purposes of determining compliance with this section.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation.

(1) Except as provided in 51A-714.118(e)(3), the primary facade and primary entrance of new construction must be oriented to face the public right-of-way.

(A) In Subdistrict 2D, this provision does not apply to the financial institution without drive-in window land use.

(2) Garage doors serving eight or fewer dwelling units may not face West Commerce Street or Fort Worth Avenue. In Subdistrict 1C, this provision applies only to individual vehicular garages for residential dwelling units.

(e) Entrances.

(1) In general. All street-facing entrances must be architecturally prominent and clearly visible from the street. This provision applies only to new construction. In Subdistrict 1C, except as provided in 51A-714.118(e)(3), all customer entrances for retail and personal service uses must have the same level of design and articulation whether street-facing or not.

(2) Primary customer entrances for retail and personal service uses in all subdistricts.

Omitted for brevity.

(3) Additional regulations for customer entrances for retail and personal service uses in Subdistrict 1C.
Omitted for brevity.

(f) Facades.

(1) Street-facing facades on a single development tract must have similar architectural design. This provision does not apply to buildings built prior to February 2005 in Subdistrict 2D.

(2) Street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facades exceeding 100 feet in length must have four of the following elements.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.
Omitted for brevity.

(3) The ground floor of the primary facade of nonresidential uses or mixed-use projects with retail uses on the ground floor must have at least two of the following elements for at least 60 percent of the width of the facade:
Omitted for brevity.

(4) Except in Subdistricts 1C and 2D, street-facing facades of all buildings other than accessory buildings must be visually divided into a base, a middle, and a top. The base must be at least two feet above grade and distinguished from the middle by a change of materials, horizontal banding, change of color, or change of plane. The top must be distinguished from the middle by cornice treatments, roof overhangs with brackets, stepped parapets, corbeling, textured materials, or differently colored materials. Color bands are not acceptable as the only treatment for the top.

(5) Accessory structures must have the same architectural detail, design elements, materials, and roof design as the primary structure.

(6) Except as provided in this paragraph, any parking structure for a residential use must be constructed of comparable materials and be of the same architectural treatment as the dwelling units. In Subdistrict 4A, this provision only applies to a facade facing a public street.

(7) Additions and alterations must have the same architectural detail, design elements, materials, and roof design as the portion of the structure that is not being altered.

(8) That portion of the ground-level floor facing the street of any multi-floor parking facility must have a use other than parking. For Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground-level western facade must be a use other than parking.

(9) Except in Subdistrict 1C, at least 20 percent, but no more than 80 percent, of street-facing facades of nonresidential uses must be windows and doors. In Subdistrict 1C, at least 20 percent, but no more than 80 percent, of non-street level facades of nonresidential uses must be windows and doors, except for residential portions of mixed-use structures. Windows and doors on street-level facades in Subdistrict 1C must be provided as follows:

(A) In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage.

	Permissible Building Area A	Permissible Building Area B	Permissible Building Area C	Permissible Building Area D
Mimimum transparency required**	50% facing Sylvan*	50% facing Sylvan	50% facing Sylvan	60% facing Fort Worth Ave

* See SEC. 51P-714.118(e)(3) for additional requirements.

** For purposes of calculating the minimum transparency required, glazing must be located a minimum of 3 feet and a maximum of 10 feet above grade.

(B) In Subdistrict 2D, at least 15 percent, but no more than 80 percent, of the street-facing façade of nonresidential uses must be windows and doors.

(10) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry.

(11) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(12) Within Permissible Building Area E in Subdistrict 1C, vehicular access must be provided from west to east.

(13) Within Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground floor of any parking structure oriented to and visible from the east boundary line of Subdistrict 1C must be screened by plant material.

(14) In Subdistrict 1C, facades oriented to Sylvan Avenue and Ft. Worth Avenue may have overhead garage-type doors if the doors do not open to an automotive use.

(g) Fences and walls. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may spread out over the length of the fence or wall.

(h) Materials. Exterior building materials should be high quality and durable.

(1) Glass.

(A) Allowed. Glass is allowed. In Subdistrict 1C, no more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.

(B) Prohibited. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, "reflectance" is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Brick.

(ii) Cement-based siding or panels.

(iii) Finished concrete masonry units such as split-faced concrete masonry units.

(iv) Tilt architectural pre-cast concrete with an applied masonry finish.

(B) Prohibited.

(i) Painted brick.

(ii) Simulated brick.

(iii) Unfinished concrete masonry units.

(3) Metal.

(A) Allowed. No more than 20 percent of a street-facing façade may be flat or corrugated metal panels. In Subdistrict 1C, no more than 50 percent of the total area of street-facing façade per street frontage may be metal panels. In Subdistrict 2D, no more than 50% of the total area of the street-facing façade along Sylvan Avenue may be metal panels, and no more than 90% of the total area of street-facing façade along Fort Worth Avenue may be metal panels.

(B) Prohibited.

(i) Aluminum siding.

(ii) Reflective metal panels.

(4) Plastic.
Omitted for brevity.

(5) Stone.
Omitted for brevity.

(6) Stucco.
Omitted for brevity.

(7) Tile.
Omitted for brevity.

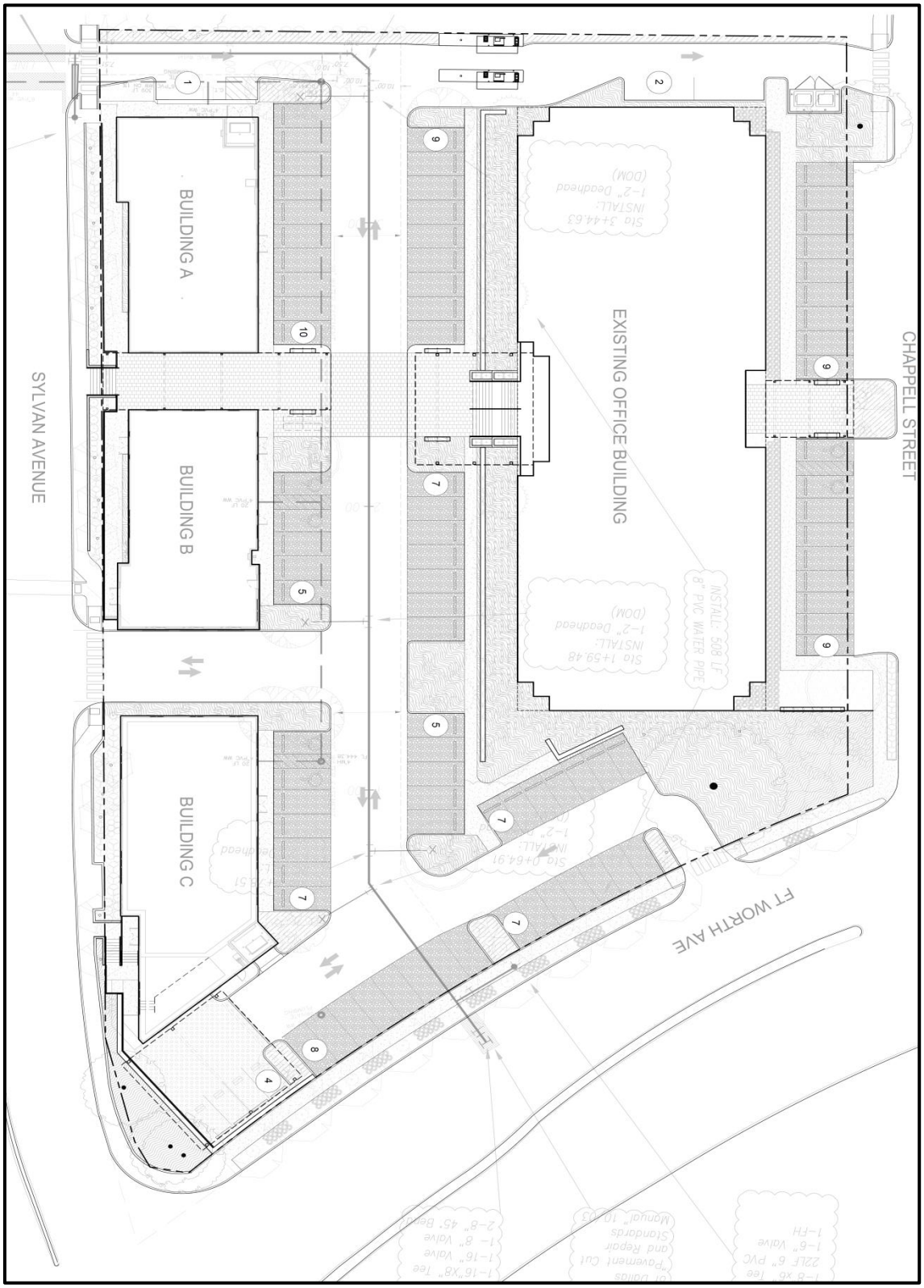
(8) Wood.
Omitted for brevity.

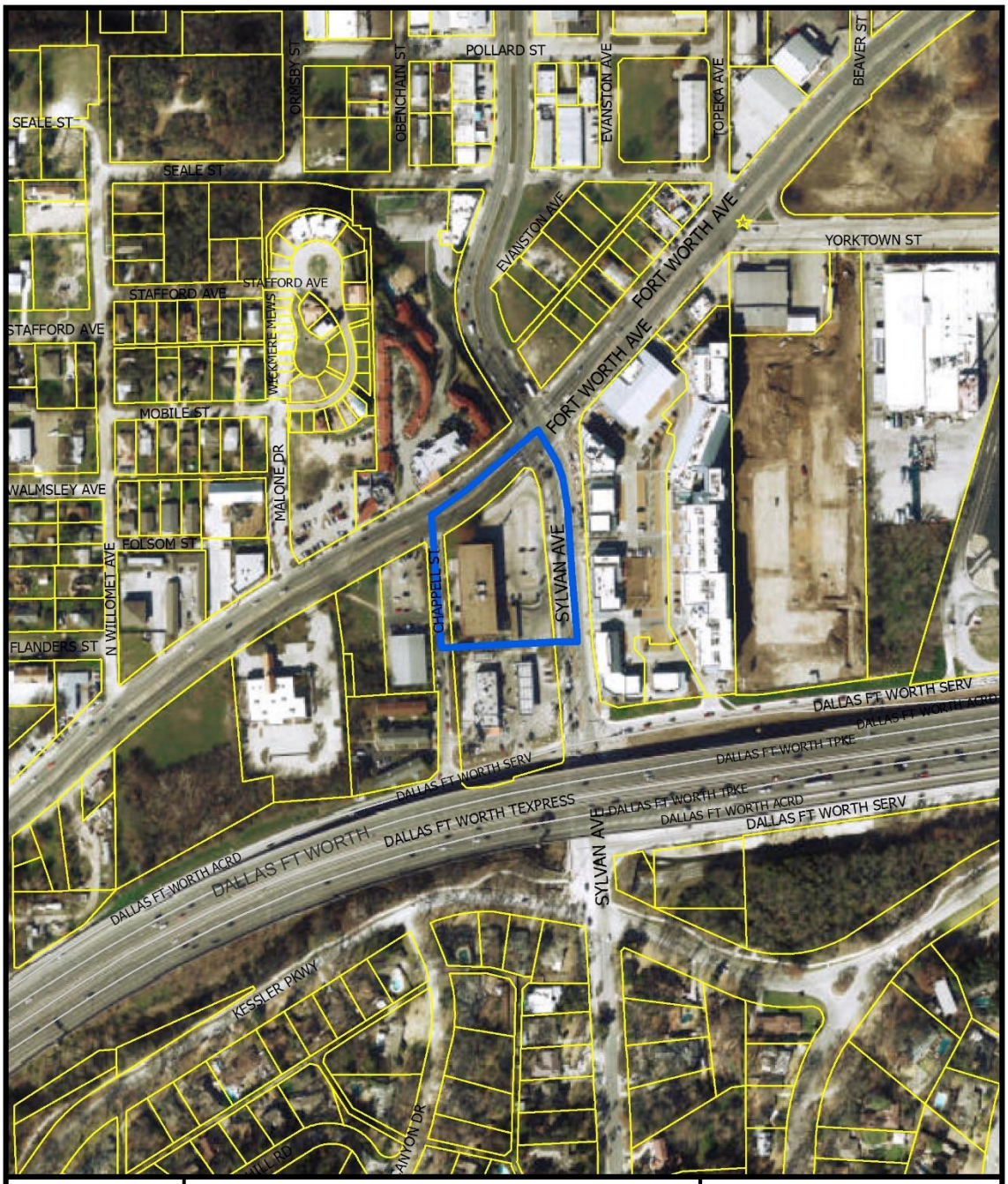
(i) Roofs.
Omitted for brevity.

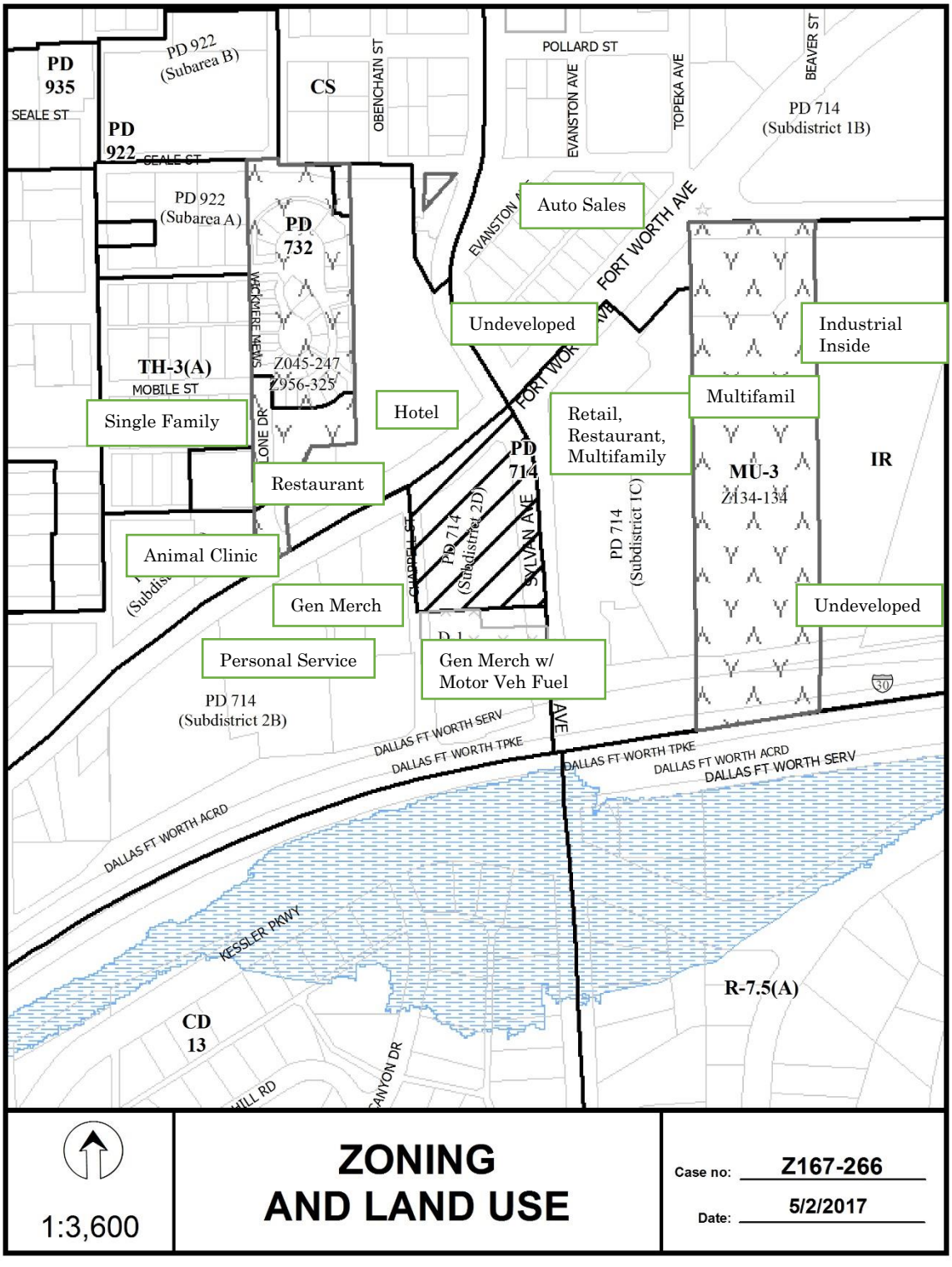
SEC.51P-714.119. ADDITIONAL PROVISIONS.
Omitted for brevity.

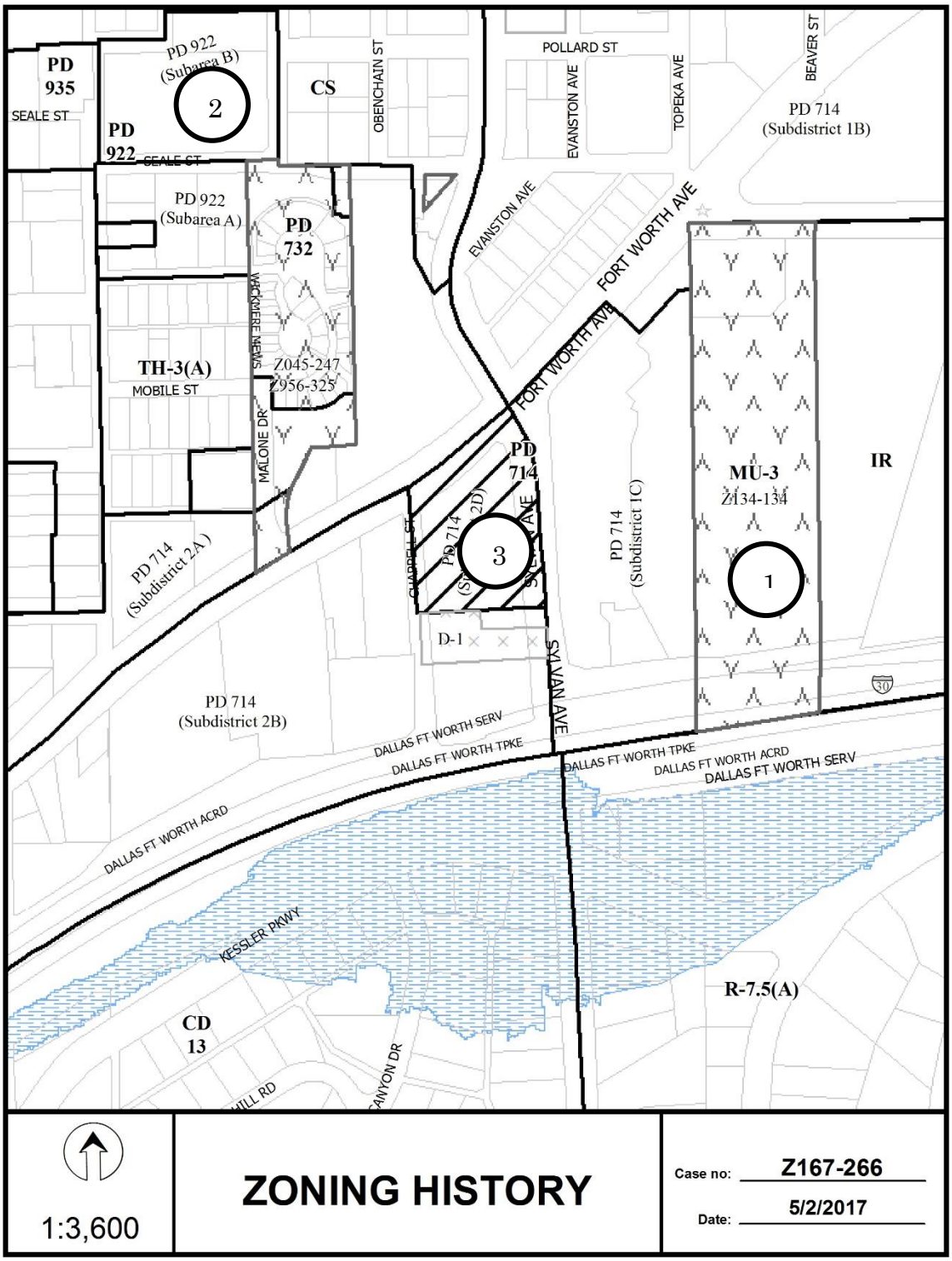
SEC.51P-714.120. COMPLIANCE WITH CONDITIONS.
Omitted for brevity.

SITE PLAN FOR REFERENCE ONLY

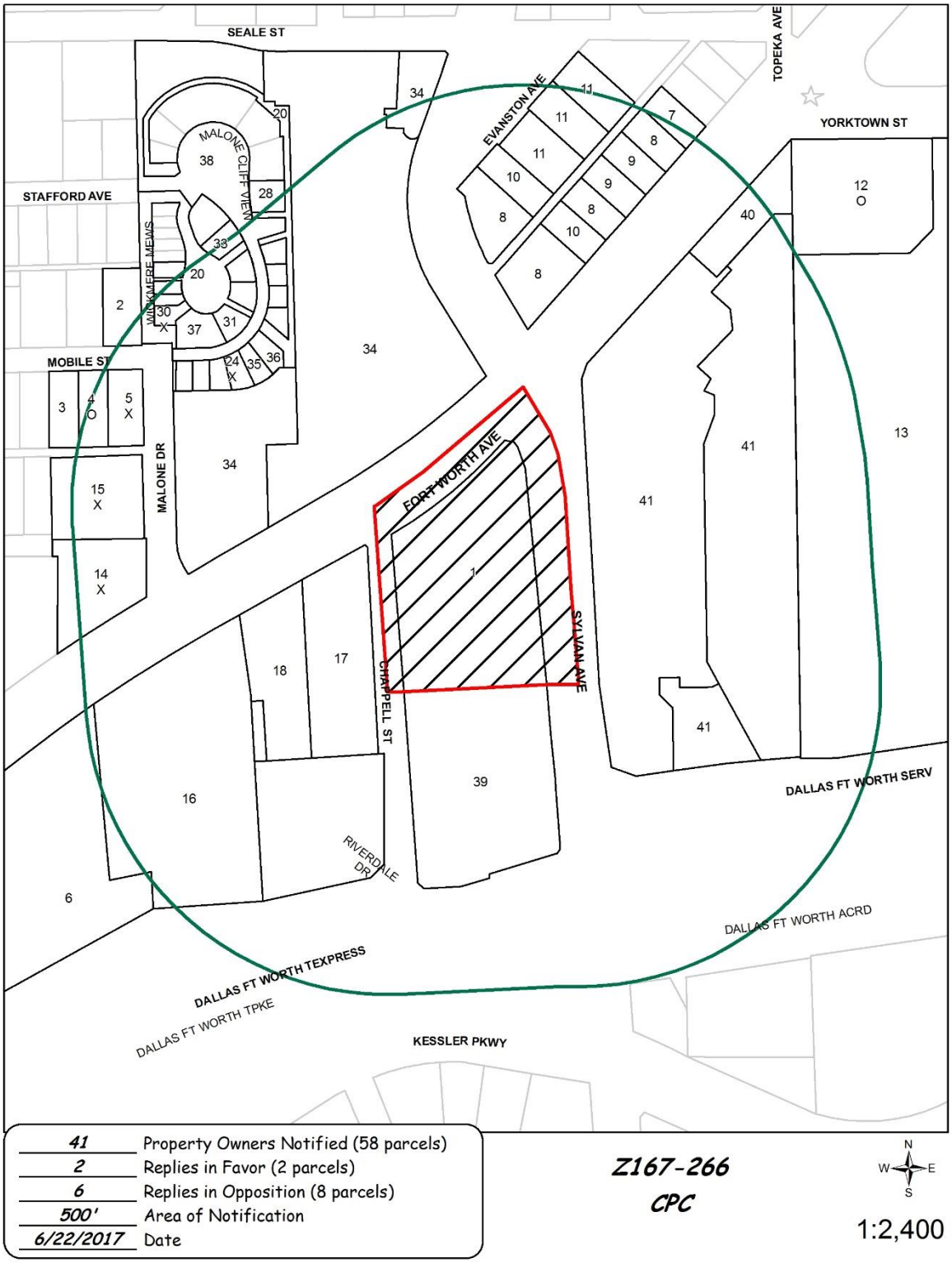



SEALE ST
SEALE ST
ORMSBY ST
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
YORKTOWN ST
FORT WORTH AVE
FORT WORTH AVE
EVANSTON AVE
STAFFORD AVE
STAFFORD AVE
STAFFORD AVE
WICKNIRE MEWS
MOBILE ST
MALONE DR
WALMSLEY AVE
FOLSOM ST
N WILLOMET AVE
FLANDERS ST
CHAPPELL ST
SYLVAN AVE
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH SERV
DALLAS FT WORTH TEXPRESS
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
DALLAS FT WORTH SERV
DALLAS FT WORTH
DALLAS FT WORTH ACRD
SYLVAN AVE
KESSLER PKWY
AYON DR
1:3,600
AERIAL MAP
Case no: Z167-266
Date: 5/2/2017


PD 935
SEALE ST
PD 922 (Subarea B)
PD 922
SEALE ST
PD 922 (Subarea A)
CS
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
PD 714 (Subdistrict 1B)
Auto Sales
FORT WORTH AVE
PD 732
WICKMERE MEWS
Z045-247
Z956-325
Undeveloped
Industrial Inside
TH-3(A)
MOBILE ST
Single Family
LONE DR
Hotel
Retail, Restaurant, Multifamily
Multifamil
PD 714
MU-3
Z134-134
IR
Restaurant
Animal Clinic
PD 714 (Subdistrict 2D)
SYLVAN AVE
PD 714 (Subdistrict 1C)
Gen Merch
Undeveloped
Personal Service
Gen Merch w/ Motor Veh Fuel
PD 714 (Subdistrict 2B)
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
KESSLER PKWY
R-7.5(A)
CD 13
1:3,600
ZONING AND LAND USE
Case no: Z167-266
Date: 5/2/2017


PD 935
SEALE ST
PD 922
PD 922 (Subarea B)
2
CS
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
PD 714 (Subdistrict 1B)
SEALE ST
PD 922 (Subarea A)
PD 732
EVANSTON AVE
FORT WORTH AVE
WINDSOR DR
MALONE DR
TH-3(A)
MOBILE ST
Z045-247
Z956-325
PD 714
MU-3
Z134-134
IR
PD 714 (Subdistrict 2A)
CHAPEL ST
PD 714 (Subdistrict 2D)
3
SYLVAN AVE
PD 714 (Subdistrict 1C)
1
D-1
PD 714 (Subdistrict 2B)
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
KESSLER PKWY
R-7.5(A)
CD 13
CANYON DR
1:3,600
ZONING HISTORY
Case no: Z167-266
Date: 5/2/2017

CPC RESPONSES



06/21/2017

Reply List of Property Owners

Z167-266

41 Property Owners Notified ***2 Property Owners in Favor*** ***6 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	1881 SYLVAN AVE	MARKSMEN EXPLORATION LLC
	2	1003 MOBILE ST	MORIN JOSE L &
	3	1010 MOBILE ST	URBINA CLAUDIO
O	4	1006 MOBILE ST	WILLIAMS TONY R
X	5	1002 MOBILE ST	OPTIONS HOLDING LTD
	6	1030 FORT WORTH AVE	FULLER LAND COMPANY LP
	7	715 FORT WORTH AVE	CUIN JOHNNY
	8	719 FORT WORTH AVE	739 FORT WORTH AVENUE LLC
	9	723 FORT WORTH AVE	739 FORT WORTH AVENUE LLC
	10	735 FORT WORTH AVE	739 FORT WORTH AVE LLC
	11	2016 EVANSTON AVE	JARAMILLO R & S INVES LLC
O	12	660 FORT WORTH AVE	PB & J LAND PARTNERS LP
	13	660 YORKTOWN ST	ALTA YORKTOWN OWNER LP
X	14	1021 FORT WORTH AVE	J & K INVESTMENTS LLC
X	15	1007 FOLSOM ST	BATMANNY LLC
	16	1004 FORT WORTH AVE	MARIA EUGENIA ENTERPRISES
	17	904 FORT WORTH AVE	REALTY INCOME PROPERTIES 19 LLC
	18	1707 CHAPPEL ST	FULLER LAND COMPANY LP
	19	1926 MALONE CLIFF VIEW	DILBECK COURT LIMITED
	20	1926 MALONE CLIFF VIEW	DILBECK COURT LIMITED
	21	1902 MALONE CLIFF VIEW	LITTLE ROBERT CHARLES
	22	1904 MALONE CLIFF VIEW	NEWPORT HOLDINGS INC
	23	1906 MALONE CLIFF VIEW	YARBROUGH DAVID
X	24	1908 MALONE CLIFF VIEW	OPTIONS HOLDING LTD
	25	1914 MALONE CLIFF VIEW	CARPENTERSMITH CINDY
X	26	1916 MALONE CLIFF VIEW	OPTIONS HOLDINGS LTD

06/21/2017

Reply	*Label #*	*Address*	*Owner*
	27	1918 MALONE CLIFF VIEW	LUDWIG MARK T
	28	1930 MALONE CLIFF VIEW	LOVE GARY & CANDACE
	29	1908 WICKMERE MEWS	WILLIAMSON MICHAEL RAY
X	30	1906 WICKMERE MEWS	BELMONT VILLAS DALLAS LTD
	31	1911 MALONE CLIFF VIEW	RYAN EDWARD J III &
	32	1915 MALONE CLIFF VIEW	WALLACE AUBREY J &
	33	1923 MALONE CLIFF VIEW	FORBUS GARY L & MYRA N
	34	845 FORT WORTH AVE	BELMONT HOTEL HOLDINGS LLC
	35	1910 MALONE CLIFF VIEW	ODELL WILLIAM DEVIN
	36	1912 MALONE CLIFF VIEW	PROCHNOW STEPHEN
	37	1905 MALONE CLIFF VIEW	NEDLER DONALD H
	38	1926 MALONE CLIFF VIEW	VILLAS AT DILBECK COURT HOMEOWNERS ASSN
	39	1805 SYLVAN AVE	IM & AY LLC
	40	710 FORT WORTH AVE	SLI/FWA LTD
	41	750 FORT WORTH AVE	LYNXETTE EXPLORATION LLC

AGENDA ITEM # 70

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: November 8, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 18 W; 28 A E J N S W

SUBJECT

A public hearing to receive comments regarding a proposal to change the name of Plano Road, between East Northwest Highway and Forest Lane to "N. Lake Highlands Drive" - NC167-006 - Financing: No cost consideration to the City

BACKGROUND

On June 14, 2017, the City of Dallas accepted an application to change the name of Plano Road, between E. Northwest Highway and Forest Lane to "N. Lake Highlands Drive".

Notices of the proposed street name change were sent on June 26, 2017 to the appropriate city departments and other affected entities in accordance with Section 51A-9.305(a) of the Dallas Development Code.

Notices were sent on July 17, 2017 to 143 Property owners notifying them of the hearing before the Subdivision Review Committee on August 3, 2017 for the proposed street name change. Notification signs were put up on July 14, 2017 notifying the community of the proposed street name change in accordance with section 51A-9.305(C).

On August 3, 2017, the Subdivision Review Committee voted unanimously to recommend denial of the proposed street name change of Plano Road, between E. Northwest Highway and Forest Lane to "N. Lake Highlands Drive".

Notices were sent on August 8, 2017 for the City Plan Commission Hearing on September 7, 2017 to 143 property owners which abut the street notifying them of the proposed street name change in accordance with Section 51A-9.306(b).

BACKGROUND (continued)

On September 7, 2017, the City Plan Commission voted unanimously to recommend denial of the proposed street name change of Plano Road, between E. Northwest Highway and Forest Lane to “N. Lake Highlands Drive”.

Notices were sent on October 20, 2017 for the City Council Hearing on November 8, 2017 to 143 property owners which abut the street notifying them of the proposed street name change in accordance with Section 51A-9.306(c).

A waiver of Section 9.304(a)(5) is needed to approve the name change as this section states that “a street name may not contain more than 14 characters".

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 3, 2017, the Subdivision Review Committee voted unanimously to recommend denial of the proposed street name change of Plano Road, between E. Northwest Highway and Forest Lane to “N. Lake Highlands Drive”.

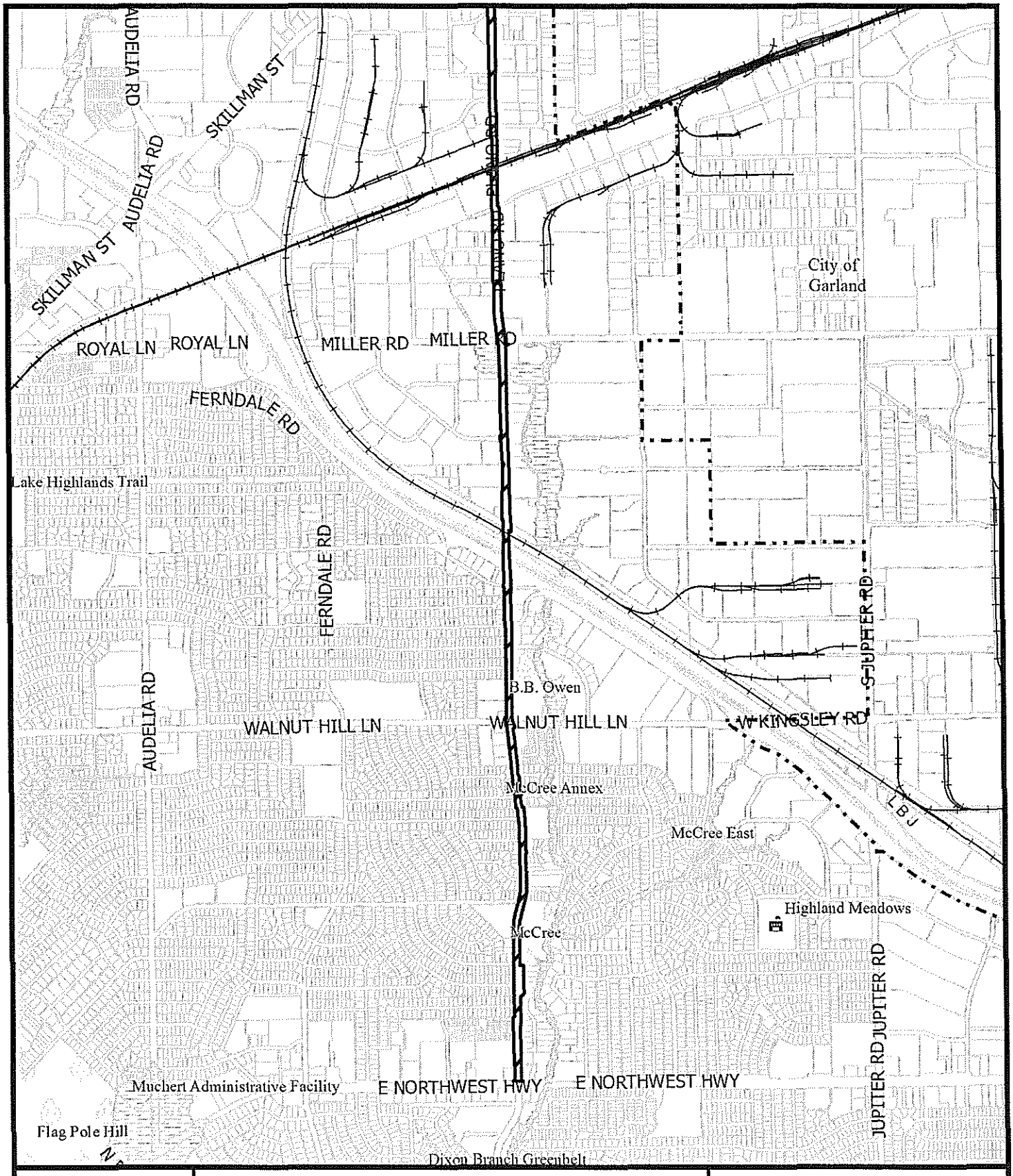
On September 7, 2017, the City Plan Commission voted unanimously to recommend denial of the proposed street name change of Plano Road, between E. Northwest Highway and Forest Lane to “N. Lake Highlands Drive”.

FISCAL INFORMATION

Should City Council recommend approval of the street name change, staff will work with the Texas Department of Transportation to establish a cost of highway signage replacement and schedule the ordinance adopting the street name change once final costs are determined.

MAP

Attached

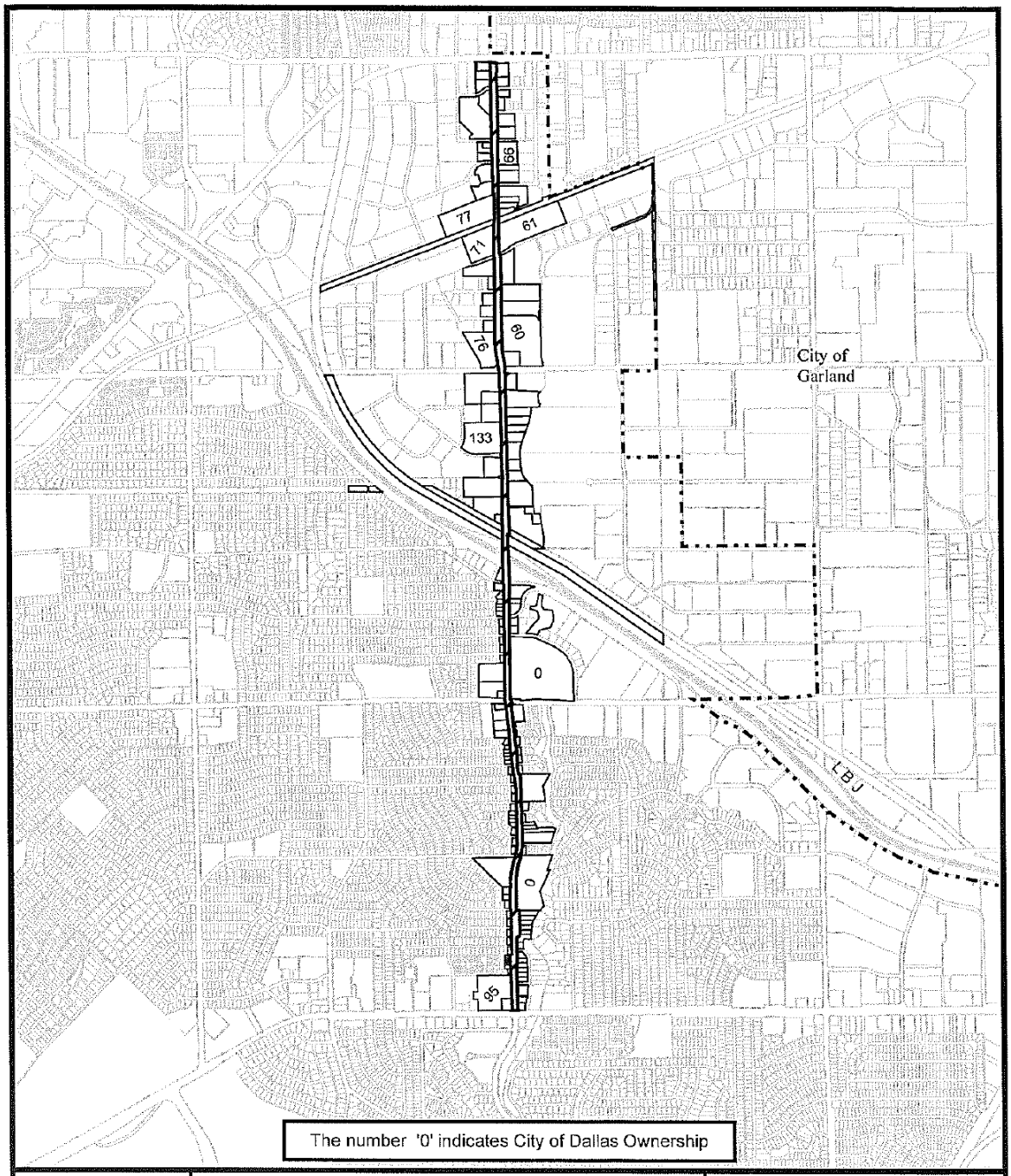


1:22,800

VICINITY MAP

Case no: NC167-006

Date: 9/18/2017



NOTIFICATION

1:26,400

1' AREA OF NOTIFICATION

143 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: NC167-006

Date: 6/20/2017

06/20/2017

Notification List of Property Owners

NC167-006

143 Property Owners Notified

Label #	*Address*		*Owner*
1	10550	MILLER RD	LYNCH HARVEY D & C DENNIS
2	10689	LE MANS DR	FAIRBOURN ADAM DEITRICH JR & JACQUELYNNE
3	10690	LE MANS DR	EWERT SARA D
4	8518	PLANO RD	GARBER DANIEL B REVOCABLE LIVING TRUST
5	8675	LANGDALE CIR	BRACKEN MATTHEW LEE &
6	8655	LANGDALE CIR	MEADOR N SCOTT
7	8647	LANGDALE CIR	JOHNSON PATRICIA E
8	8641	LANGDALE CIR	VASEK JULIAN PRESTON
9	8635	LANGDALE CIR	BEWERNICK ROBERT L
10	8629	LANGDALE CIR	KUN DAVID
11	8838	PLANO PKWY	HARTL DOMINIK
12	8830	PLANO PKWY	DODGE DAVID W & TISHA L
13	8822	PLANO PKWY	VOLKMER CHRISTOPHER J &
14	8816	PLANO PKWY	KELLY BROOKS A & LINDSAY
15	8810	PLANO PKWY	YOUNG BRADLEY T & SUE F
16	8800	PLANO PKWY	PEDIGO PAUL & PATTI
17	8676	LANGDALE CIR	LABARBA MICHAEL J
18	8550	PLANO RD	J M LEE INVESTMENTS LLC
19	8804	LARCHWOOD DR	CHRISTY MARK A JR
20	8805	LIPTONSHIRE DR	HATLER JOHN TERRELL
21	8805	LARCHWOOD DR	KRAMB JAMES M
22	8806	LIPTONSHIRE DR	CARAWAN RUSSELL E
23	8917	PLANO RD	FREEMAN SYDNEE J
24	8927	PLANO RD	SHIHAB MIRIAM
25	10664	LAKE HAVEN DR	ARTIES MICHAEL
26	10627	MCCREE RD	TOURIS GEORGE

10/21/2016

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Label #	*Address*		*Owner*
27	10660	LORWOOD DR	MIKESELL BENJAMIN & DAMARIS D
28	9231	PLANO RD	VAN SYCKLE JIMMIE DALLAS
29	9225	PLANO RD	POMARA VIRGINIA LEE
30	9221	PLANO RD	BEVIS DORIS K
31	9215	PLANO RD	BANE DEBORAH N & JOHN D
32	10665	LAKE HAVEN DR	NUSSBAUM CATHERINE ANN
33	10674	LAKEMERE DR	PARTIN CATHY
34	10661	LORWOOD DR	STEWART CHARLES W
35	10673	LAKEMERE DR	LOPEZ ANTONIO & AGUEDA A
36	9601	PLANO RD	MATTOX JERRY &
37	10670	LONGMEADOW DR	CONGROVE MICHAEL A &
38	10669	LARCHFIELD LN	COREY DANIEL
39	10673	LARCHFIELD LN	CARLISLE CLIFTON & VICKI
40	10677	LARCHFIELD LN	BILES PHILIP & FELICIA
41	10681	LARCHFIELD LN	TAYLOR STEVEN D
42	10687	LARCHFIELD LN	CAO JOSEPH & NEETA GOLI
43	10691	LARCHFIELD LN	ASHFORD CHARLENE R & JORDAN C
44	9120	PLANO RD	HIGHLANDER SCHOOL INC
45	9400	PLANO RD	SPIRITUAL ASSEMBLY OF THE
46	9644	PLANO RD	KINGSLEY CROSSING JV
47	10701	SHADY DOWNS CT	KIM ANDREW TAEHYUNG
48	10702	SHADY DOWNS CT	IDEN ROBERT M &
49	10701	LONGMEADOW CT	YEAROUT JANIE
50	10704	LONGMEADOW CT	LUNG ZA THIO &
51	10100	PLANO RD	TEXAS UTILITIES ELEC CO
52	10214	PLANO RD	CALATAN ROCKWALL ROAD
53	10460	PLANO RD	WEBB JAMES D III
54	10420	PLANO RD	AH PLANO JOINT VENTURE
55	10500	PLANO RD	INTERNATIONAL STONE
56	10230	PLANO RD	LUMBER SALES INC
57	10310	PLANO RD	TOVEY FAMILY LTD PS THE

WEST DALLAS INVESTMENTS L

06/20/2017

Label #	*Address*		*Owner*
58	10440	PLANO RD	STUART PAINT & BODY
59	11050	PLANO RD	BALFOUR ENTERPRISES INC
60	10726	PLANO RD	BBRANDS(MULTI) QRS16-137
61	11100	PLANO RD	CAMERON WM & CO
62	11310	PLANO RD	LOTT LIVING TRUST THE
63	11344	PLANO RD	DELTA SOLVENTS
64	11234	PLANO RD	County of Dallas
65	11740	PLANO RD	WHATABURGER INC
66	11540	PLANO RD	CHESTER MARIE
67	10705	TURBEVILLE RD	WILEY PROPERTY CO
68	11420	PLANO RD	VERRUSCHKA REALTY LLC
69	11550	PLANO RD	LOTT LIVING TRUST THE
70	11620	PLANO RD	SASTRA ENTERPRISES INC
71	11111	PLANO RD	PLANO SS LTD
72	11055	PLANO RD	DALLAS PLUMBING CO
73	10995	PLANO RD	CONE JACK
74	10650	CONTROL PL	SMITHAM FRED A
75	10875	PLANO RD	BOSTICK MARY CAMERON
76	10701	PLANO RD	SECOND COVE PLANO LLC
77	11223	PLANO RD	KIRKLAND LAND COMPANY
78	11401	PLANO RD	PAPPAS HARRIS PROPERTIES LLC
79	11401	PLANO RD	9886 CHARTWELL LLC
80	10215	PLANO RD	ENSERCH CORP
81	10155	PLANO RD	SHORT PARTNERS I LTD THE
82	10650	NEW CHURCH RD	EASON KENNETH D &
83	10025	PLANO RD	NEELY LIVING TRUST THE
84	10642	ESTATE LN	FABER LUCIEN T
85	10647	MAPLERIDGE DR	CAMPBELL MERI ALLISON & WILLIAM BLAKE
86	9906	SPRINGFORD DR	MCCAIN DENNIS &
87	9912	SPRINGFORD DR	DRAKE ERICA V
88	9918	SPRINGFORD DR	CO AUGUSTO C & SUSAN M

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Label #	*Address*		*Owner*
89	9922	SPRINGFORD DR	HAGER LINDA KAYE
90	9926	SPRINGFORD DR	KENYON JON MICHAEL
91	10646	CHESTERTON DR	RIVERS JAMES D JR LF EST
92	10647	CHESTERTON DR	CALDWELL DAVID
93	10648	MAPLERIDGE DR	RAUSCH LEON L & NITA L
94	10695	E NORTHWEST HWY	ACP NORTHVIEW PLAZA LP
95	10677	E NORTHWEST HWY	ACP NORTHVIEW PLAZA LP
96	8616	THORBRUSH PL	WILBOWONE DEVELOPMENT CORP
97	8518	PLANO RD	MILLER HENRY S JR &
98	10705	E NORTHWEST HWY	VRE DALLAS NORTHWEST LLC
99	9015	PLANO RD	LAKE HIGHLANDS METHODIST
100	9625	PLANO RD	HIGHLAND CENTER LTD
101	10690	KINGSLEY RD	SOUTHLAND CORP 25764
102	9609	PLANO RD	SRI REAL ESTATE PROPERTIES
103	10708	ROSE CREEK CT	BLAIR WELDON J & MILDRED
104	10715	ROSE CREEK CT	LEE AZUCENA CO
105	10704	HAVENCREEK CT	PYATT KENNETH N & CONNIE
106	9504	PARK HIGHLANDS DR	ANDERSON LINDA
107	9505	PARK HIGHLANDS DR	BRADY CALVIN H &
108	9938	PLANO RD	FPS RE DALLAS LLC
109	9918	PLANO RD	HUANG LI FENG &
110	10020	PLANO RD	KHALIL NAGY NASSIF
111	9858	PLANO RD	HVEE FOUR LLC
112	9854	PLANO RD	WHITMARSH B A
113	10200	PLANO RD	CALATAN PARTNERS LP
114	10360	PLANO RD	NGUYEN HOLLY &
115	10660	PLANO RD	ABERFELDY PROPERTIES INC
116	10550	PLANO RD	RYMILL INVESTMENT LLC
117	10707	MILLER RD	PEPPERWOOD INC
118	10950	PLANO RD	HOLT TEXAS PROPERTIES INC
119	10870	PLANO RD	QUALITY 1 INVESTMENT CORP

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Label #	*Address*		*Owner*
120	11702	PLANO RD	NORTH TEXAS BELLS INVESTMENTS LLC
121	11660	PLANO RD	DAM 11660 PLANO LLC
122	10825	PLANO RD	GOOLSBY WILLARD J ET AL
123	11529	PLANO RD	NORTH DALLAS HOST LP
124	11535	PLANO RD	MANICKATH MARTIN & ANNIE
125	11779	PLANO RD	SARNA NAOMI
126	11749	PLANO RD	MCDONALDS CORPORATION
127	11701	PLANO RD	FROST NATIONAL BANK THE
128	11651	PLANO RD	2045 FOREST LANE LTD
129	11601	PLANO RD	SVN PARK FOREST DALLAS LLC
130	11501	PLANO RD	MODERN PYRAMIDS INC
131	10601	PLANO RD	ADVENTURE PLUS ENT INC
132	10555	PLANO RD	MORGAN & COLLINS
133	10425	PLANO RD	CATELLUS OPERATING LTD PS
134	10155	PLANO RD	SHORT PARTNERS NO 1
135	10231	PLANO RD	HOOVER JW WHI LP
136	10379	PLANO RD	FLEMING JEFF
137	9707	PLANO RD	DALLAS LUBE VENTURE LLC
138	9711	PLANO RD	CENTURY 9711 LLC
139	9715	PLANO RD	FRETUS INVESTORS DALLAS
140	401	S BUCKNER BLVD	DART
141	401	S BUCKNER BLVD	DART
142	99999	NO NAME ST	KANSAS CITY SOUTHERN RR
143	99999	NO NAME ST	KANSAS CITY SOUTHERN RR

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CITY SECRETARY
DALLAS, TEXAS

Memorandum

CITY OF DALLAS

DATE June 12, 2017

TO T.C. Broadnax, City Manager

SUBJECT **Street Name Change Request—Plano Road between Northwest Highway and Forest Lane**

In accordance with the provisions of Section 51A-9.302 of the City of Dallas Development Code, please proceed with the process for the consideration of a street name change of Plano Road between E. Northwest Highway and Forest Lane, to N. Lake Highlands Drive as an extension of this street name currently in existence between Biscayne Blvd. and Northwest Highway. Please note that this is an amended request to the memo dated March 27, 2017 for a street name change request for Plano Road. This request includes consideration of alternative directional prefixes, street type designation, or range of blocks impacted.

B. Adam McGough - D10

Mark Clayton - D9

Lee Kleinman - D11

c: Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Theresa O'Donnell, Interim Chief of Economic Development & Neighborhood Services
Mark McDaniel, Assistant City Manager
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Alan E. Sims, Interim Chief of Community Services
Directors and Assistant Directors

NC167-006