JANUARY 28, 2015 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated January 28, 2015. 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.

A.C. Gonzalez
City Manager

1-16-15
Date

Edward Scott
City Controller

1-16-15
Date

RECEIVED
2015 JAN 16 PM 4:11
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

January 28, 2015
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.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 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 en 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.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities 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 retrasara o interrumpirá los procedimientos, o se negara a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben 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 este 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 precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, JANUARY 28, 2015
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 - 42
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 43 - 44
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 45 - 60

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

AGENDA

CITY COUNCIL MEETING

JANUARY 28, 2015

CITY OF DALLAS

1500 MARILLA

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 January 14, 2015 City Council Meeting

CONSENT AGENDA

Aviation

2. Authorize **(1)** the City Manager, the President of the Love Field Airport Modernization Corporation and the Vice-President of Southwest Airlines to execute the First Amendment to the Program Development Agreement Love Field Modernization Program (LFMP) to expand the scope of the LFMP, allowing for construction and financing of a new permanent public parking garage at Dallas Love Field (Love Field); **(2)** the City Manager to execute the First Amendment to the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) with the Signatory Airlines to facilitate the construction and financing of a new permanent public parking garage at Love Field Airport as part of the LFMP; **(3)** the City Manager to execute the First Amendment to the Ground Lease for Cargo and General Use Buildings (Ground Lease) at Love Field to facilitate construction of a new permanent public parking garage at Love Field; and **(4)** interim financing from the Aviation Capital Construction Fund to the Love Field Airport Modernization Corporation (LFAMC) - Not to exceed $8,000,000 - Financing: Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

CONSENT AGENDA (Continued)

Business Development & Procurement Services

3. Authorize a three-year service contract for Microsoft Premier Support Services - Microsoft Corporation through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed $225,547 - Financing: Current Funds (subject to annual appropriations)

4. Authorize **(1)** an acquisition contract for the purchase, implementation and hosting of a people counting system for Park and Recreation in the amount of $153,350; and **(2)** a five-year service contract for maintenance and support for the people counting system in the amount of $112,900 - Eco-Counter, Inc., most advantageous proposer of two - Total not to exceed $266,250 - Financing: Park & Recreation Beautification Funds (subject to appropriations)

5. Authorize a three-year master agreement for the purchase of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field - Texas Air Systems, LLC, lowest responsible bidder of two - Not to exceed $302,448 - Financing: Aviation Current Funds

6. Authorize a three-year master agreement for the purchase of bill stock paper and envelopes - Michael James Raffetto dba Accurate Forms & Supplies in the amount of $353,975 and Western BRW Paper Company in the amount of $117,360, lowest responsible bidders of four - Total not to exceed $471,335 - Financing: Water Utilities Current Funds

7. Authorize a three-year master agreement for air diffusers and parts for sludge basins at wastewater treatment plants - Environmental Dynamics International, Inc. in the amount of $478,000, Simba Industries in the amount of $294,598 and Hartwell Environmental Corporation in the amount of $74,400, lowest responsible bidders of three - Total not to exceed $846,998 - Financing: Water Utilities Current Funds

8. Authorize the purchase of two new loader tractors for Aviation - RDO Equipment in the amount of $229,915 and Clark Equipment Company dba Bobcat Company in the amount of $65,536 through the Texas Association of School Boards (BuyBoard) - Total not to exceed $295,451 - Financing: Aviation Current Funds

9. Authorize the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2015 through January 31, 2016 - Not to exceed $500,000 - Financing: Current Funds

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

10. Authorize an increase to the master agreement with Badger Meter, Inc. in the amount of $943,287, Neptune Technology Group, Inc. in the amount of $890,713, Mueller System, LLC in the amount of $671,467, Itron, Inc. in the amount of $389,225, Metron Favnier, LLC in the amount of $93,622, HD Supply Waterworks, LTD in the amount of $15,000 and Sensus USA, Inc. in the amount of $7,047, for water meters, detector check valves and parts and extend the term from April 24, 2015 through April 23, 2016 - Total not to exceed $3,010,361, from $12,041,452 to $15,051,813 - Financing: Water Utilities Current Funds

11. Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for grounds maintenance services at various Water Utilities' properties and extend the term from July 31, 2015 through February 28, 2016 - Not to exceed $131,408, from $525,635 to 657,043 - Financing: Water Utilities Current Funds (subject to annual appropriations)

12. Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016 - Not to exceed $1,743,793, from $6,975,173 to $8,718,966 - Financing: Current Funds (subject to annual appropriations)

13. Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Landscaping & Management, Ltd. in the amount of $552,091, from $2,434,874 to $2,986,965 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $49,913, from $220,131 to $270,044, for grounds maintenance services at parks, airports and other City owned properties - Total not to exceed $602,004, from $2,655,005 to $3,257,009 - Financing: Current Funds ($499,117), Aviation Current Funds ($102,050) and Municipal Radio Current Funds ($837) (subject to annual appropriations)

14. Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Corporation in the amount of $1,095,536, from $4,565,719 to $5,661,255 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $396,408, from $1,652,057 to $2,048,465, for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties - Total not to exceed $1,491,944, from $6,217,776 to $7,709,720 - Financing: Current Funds ($1,485,293) and Stormwater Drainage Management Current Funds ($6,651) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Housing/Community Services

15. Authorize a contract with CitySquare (formerly Central Dallas Ministries), with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2014 through September 30, 2015 - Not to exceed $107,776 - Financing: 2014-15 Emergency Solutions Grant Funds

16. Authorize a contract with Shared Housing Center, Inc. with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period December 1, 2014 through September 30, 2015 - Not to exceed $113,550 - Financing: 2014-15 Emergency Solutions Grant Funds

17. Authorize an extension of the conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, from December 31, 2014 to December 31, 2015, for the construction of commercial and residential units for the Hatcher Gardens Project located at 4002 Hatcher Street - Financing: No cost consideration to the City

Library

18. Authorize the acceptance of a grant from the Texas State Library and Archives Commission in the amount of $21,903, for partial reimbursement of interlibrary loan services' direct costs for the period September 1, 2013 through August 31, 2014 - Not to exceed $21,903 - Financing: Texas State Library and Archives Commission Grant Funds

Public Works Department

19. Authorize a Memorandum of Understanding with the State Energy Conservation Office for energy projects at the Office of Cultural Affairs facilities (list attached) in the amount of $7,000,000 - Financing: This action has no cost consideration to the City

20. Authorize **(1)** 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 north of Royal Lane; and **(2)** payment to Dallas County for the City's share of additional design, right-of-way acquisition and construction costs - Not to exceed $7,803,890 - Financing: 2006 Bond Funds ($3,023,907), 2012 Bond Funds ($3,166,093), Water Utilities Capital Improvement Funds ($1,596,284) and Water Utilities Capital Construction Funds ($17,606)

CONSENT AGENDA (Continued)

Public Works Department (Continued)

21. Authorize an increase in the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project - Not to exceed $506,935, from $3,713,016 to $4,219,951 - Financing: 2012 Bond Funds

22. Authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the sally-port and fuel/wash roofs at the Southeast Police Station, located at 725 North Jim Miller Road - Not to exceed $92,959, from $4,131,241 to $4,224,200 - Financing: 2006 Bond Funds

Street Services

Sign Panels on Freeway Exits to Inwood Road from Stemmons Freeway (I-35E)

Note: Item Nos. 23 and 24 must be considered collectively.

23. * Authorize **(1)** the receipt and deposit of funds in the amount of $18,370 from the UT Southwestern Medical Center for the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way; and **(2)** an increase in appropriations in the amount of $18,370 in the Capital Projects Reimbursement Fund - Not to exceed $18,370 - Financing: Private Funds

24. * Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) for reimbursement of costs associated with the update of all sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way - Not to exceed $18,370 - Financing: Capital Projects Reimbursement Funds

25. An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** regulate the speed of vehicles on certain streets, expressways, and freeways; and **(2)** designate school traffic zones (list attached) - Financing: No cost consideration to the City

Sustainable Development and Construction

26. Authorize acquisition from John D. Underwood and Deborah D. Underwood, of approximately 65,431 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed $16,037 ($13,037, 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)

27. Authorize acquisition from the State of Texas, of approximately 3,648 square feet of land located near the intersection of Interstate Highway 30 and St. Louis Street for a new entry portal at the homeless assistance center, The Bridge Entry Relocation Project - Not to exceed $69,664 ($65,664, plus closing costs and title expenses not to exceed $4,000) - Financing: Freddie MAC/UCAP Grant Funds

28. Authorize an amendment to Resolution No. 13-1574, previously approved on September 11, 2013, to amend the Slope Easement to the City from TXI Operations, LP, for a total of approximately 56,298 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project - Financing: No cost consideration to the City

29. Authorize an amendment to Resolution No. 13-1575, previously approved on September 11, 2013, to amend the Special Warranty Deed to the City from TXI Operations, LP, for a total of approximately 78,418 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project - Financing: No cost consideration to the City

30. An ordinance abandoning a portion of a utility easement to Bandera Apartments, LLC, the abutting owner, containing approximately 2,085 square feet of land, located near the intersection of Northwest Plaza Drive and Bandera Avenue - Revenue: $5,400, plus the $20 ordinance publication fee

31. An ordinance abandoning a portion of Bennett Avenue and portions of Fitzhugh Avenue to Fitzhugh Associates, Ltd., the abutting owner, containing a total of approximately 7,019 square feet of land, located near the intersection of Fitzhugh and Mission Avenues, and authorizing the quitclaim - Revenue: $182,494, plus the $20 ordinance publication fee

32. An ordinance abandoning a portion of Homer Street to Fitzhugh Associates, Ltd., the abutting owner, containing approximately 8,128 square feet of land, located near its intersection with Fitzhugh Avenue, and authorizing the quitclaim - Revenue: $211,328, plus the $20 ordinance publication fee

33. An ordinance abandoning a portion of Colby Street and two adjacent street easements to TC Uptown Associates, LLC, the abutting owner, containing a total of approximately 6,496 square feet of land, located near the intersection of Pearl Street and Woodall Rodgers Freeway, and authorizing the quitclaim - Revenue: $974,400, plus the $20 ordinance publication fee

34. An ordinance amending Ordinance No. 29552, previously approved on December 10, 2014, which granted a revocable license to 7-Eleven, Inc., to amend the license term for the use of approximately 25 square feet of aerial space to install, use and maintain three signs over portions of Elm and Akard Streets right-of-way, located near the intersection of Elm and Akard Streets - Financing: This action has no cost consideration to the City

CONSENT AGENDA (Continued)

Trinity Watershed Management

35. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Greyhound Lines, Inc., a Delaware Corporation, et al., Cause No. CC-14-02823-B, pending in Dallas County Court at Law No. 2, to acquire two tracts of land containing a total of approximately 4,526 square feet, including any improvements, located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $253,430 ($248,930 being the amount of the award, plus closing costs and title expenses not to exceed $4,500); an increase of $71,648 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

36. Authorize **(1)** the conveyance to TxDOT of approximately 4.796 acres of real property previously acquired by the City in lieu of right-of-way funds for the City's share of the right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project, Phase 1 (list attached); and **(2)** authorize the sale of a tract of land containing approximately .0442 acres of City-owned land located on the east line of IH 45 to TxDOT - Revenue: $1,000

Water Utilities

37. Authorize a contract for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities - D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., lowest responsible bidder of two (list attached) - Not to exceed $2,366,250 - Financing: Water Utilities Capital Improvement Funds

38. Authorize a contract for the installation of water and wastewater mains at 22 locations - Camino Construction, L.P., lowest responsible bidder of five (list attached) - Not to exceed $8,838,889 - Financing: Water Utilities Capital Improvement Funds

39. Authorize an increase in the contract with AUI Contractors, LLC for additional work associated with the 2012 major maintenance and rehabilitation improvements project at the Southside Wastewater Treatment Plant - Not to exceed $241,464, from $7,971,400 to $8,212,864 - Financing: Water Utilities Capital Improvement Funds

40. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Not to exceed $782,937, from $79,259,374 to $80,042,311 - Financing: Water Utilities Capital Improvement Funds

41. Authorize Supplemental Agreement No. 2 to the engineering services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering design services related to improvements to the Walcrest Pump Station and reservoir - Not to exceed $1,234,117, from $2,430,831 to $3,664,948 - Financing: Water Utilities Capital Improvement Funds

CONSENT AGENDA (Continued)

Water Utilities (Continued)

42. An ordinance amending Chapters 27 and 49 of the Dallas City Code, providing for civil adjudication of violations of Chapter 49-2 and for civil penalties, fees, and court costs - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

43. 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)

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

44. Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water - Mosaic Crop Nutrition, LLC, lowest responsible bidder of three - Not to exceed $1,060,800 - Financing: Water Utilities Current Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

45. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge, or tavern on property zoned a CA-1 Central Area District with an H/2 West End Historic District Overlay on the south corner of Munger Avenue and Lamar Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z134-278(AF)

46. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District with deed restrictions, on the northeast line of LBJ Freeway, northwest of Forest Lane
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z145-112(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and to add commercial amusement (inside) limited to a live music venue on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District on the south side of Elm Street, east of North Good Latimer Expressway
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z145-114(CE)

ZONING CASES - INDIVIDUAL

48. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District located on the northwest side of McKinney Avenue, northeast of Bowen Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-280(AF)

49. 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 greater than 3,500 square feet, and an ordinance granting the termination of Specific Use Permit No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the southeast corner of South Buckner Boulevard and Jennie Lee Lane
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions, and approval of the termination of Specific Use Permit No. 1996
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions, and approval of the termination of Specific Use Permit No. 1996
Z134-350(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

50. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest side of Kimsey Drive, northeast of Maple Avenue and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval with deed restriction volunteered by the applicant
Z134-292(OTH)
Note: This item was considered by the City Council at public hearings on November 12, 2014 and December 10, 2014, and was taken under advisement until January 28, 2015, with the public hearing open

51. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay on the north line of Bruton Road, east of North Jim Miller Road
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z134-316(OTH)
Note: This item was considered by the City Council at a public hearing on December 10, 2014, and was taken under advisement until January 28, 2015, with the public hearing open

52. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z134-332(AF)
Note: This item was considered by the City Council at a public hearing on January 14, 2015, and was taken under advisement until January 28, 2015, with the public hearing open

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

53. A public hearing to receive comments regarding consideration of amendments to Section 51A-1.106 of the Dallas Development Code to amend regulations pertaining to the posting of notification signs and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA134-007(MW)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

THOROUGHFARE PLAN AMENDMENTS

Planning and Neighborhood Vitality

54. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Lamar Street between IH-45 and Central Expressway from a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within a variable 80 to 100 feet of right-of-way and 44 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

55. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete **(1)** Elam Road from Lake June Road to Pemberton Hill Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; **(2)** Lake June Road from Riverfront Boulevard to Rylie Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; **(3)** Long Acre Lane from Great Trinity Forest Boulevard to Jim Miller Road, a four lane undivided roadway (S-4-U) within 60 feet of right-of-way; **(4)** Rylie Road from Lake June Road to Murdock Road, a six lane divided roadway (S-6-D) within 107 feet of right-of-way; and **(5)** Jim Miller Road from Great Trinity Forest to Lake June Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

56. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** change the dimensional classification of Cleveland Road from Bonnie View Road to the BNSF Railroad Tracks from a six lane divided roadway (S-6-D) within 107 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within 80 feet of right-of-way; **(2)** delete Unnamed SE5 from Langdon Road and Hutchins City Limits as a special six lane divided roadway (SPCL 6D) within 113 feet of right-of-way; and **(3)** delete Unnamed SE6 from Unnamed SE5 to Cleveland Road as a special four lane undivided roadway (SPCL 4D) within 72 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

57. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** delete Unnamed NW1 from IH-35E to IH-635, a four lane divided roadway (S-4-D) within 80 feet of right-of-way; and **(2)** expand the limits and change the dimensional classification of Unnamed NW2 from Farmers Branch City Limits to IH-635 from a four lane divided roadway (S-4-D) within 80 feet of right-of-way to a special three lane undivided roadway (SPCL 3U) within 56 feet of right-of-way and 36 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Office of Management Services

58. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

59. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Planning and Neighborhood Vitality

60. A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational classification of Elm Street from Houston Street to Cesar Chavez Boulevard from a five lane one-way westbound roadway to a four lane one-way westbound roadway, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

State Energy Conservation Performance Contract for Office of Cultural Affairs
Agenda Item # 19

Building	Address	Council District	Mapsco
Meyerson Symphony Center	2301 Flora St.	14	45F/45G
Music Hall at Fair Park	909 First Ave.	7	46K/46P
WRR Radio Studio	1516 First Ave.	7	46Q
Latino Cultural Center	2600 Live Oak St.	14	45L
Oak Cliff Cultural Center	223 W. Jefferson Blvd.	1	54H
South Dallas Cultural Center	3400 S. Fitzhugh Ave.	7	46U
Bath House	521 E. Lawther Dr.	9	37H
Hall of State	3939 Grand Ave.	7	46K/46L

Section 28-45 Expressways and Freeways - Additions
Agenda Item # 25

Street Name	Extent	Speed Limit	Council District	Cause
Interstate Highway 35E Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order N. 114058, as amended	6, 11, 13	Addition
Interstate Highway 635E Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order N. 114058, as amended	6	Addition

Section 28- 50 School Zones - Additions
Agenda Item # 25 (Continued)

Location	School	Council District	Cause
200 N. -200 S. Beckley Avenue	La Academia De Estrellas	1	Extent
2700-2800 Canada Drive	Uplift Heights Preparatory	6	New Zone
17800-18000 Dickerson Street	Frankford Middle School	12	Extent
1400-1500 S. Ervay Street	First Baptist Academy	2	New Zone
11900-12000 Forestgate Drive	Harmony Science	10	New Zone
1200-1300 Fullerton Drive	Quintanilla Middle School	1	Extent
5700-6200 East Grand Avenue	Reconciliation Academy	2	Extent
3800 E. Kiest Boulevard	Albert S. Johnston Elem.	4	Extent
7500-7600 Maribeth Drive	Frankford Middle School	12	Extent
8500-8700 Willoughby Blvd.	Martin Weiss Elementary	8	Extent

Section 28- 50 School Zones - Deletions

Location	School	Council District	Cause
100-200 S. Beckley Avenue	La Academia De Estrellas	1	Extent
1000-1100 Buckingham Road	Richland Elementary	11,12,13	City of Richardson
17800-17900 Dickerson Street	Frankford Middle School	12	Extent
1100 Fullerton Drive	Quintanilla Middle School	1	Extent
5700-6100 East Grand Avenue	Reconciliation Academy	2	Extent
3900 E. Kiest Boulevard	Albert S. Johnston Elem.	4	Extent
7600 Maribeth Drive	Frankford Middle School	12	Extent
1300-1400 Peak Street	Reconciliation Academy	2	Relocation of School
8500-9300 Willoughby Blvd.	Martin Weiss Elementary	8	Extent

City of Dallas to Texas Department of Transportation
Agenda Item # 36

Parcel Number	Size (approximate)	Legal Description
2	933 square feet (0.0214 acre)	Part of City of Dallas Block No. 1246
5	8,354 square feet (0.1917 acre)	Part of City of Dallas Block No. 1683
18	57,092 square feet (1.3106 acre)	Part of City of Dallas Block No. 5832
21	26,825 square feet (0.6158 acre)	Part of City of Dallas Block No. 2247
26	13,533 square feet (0.3106 acre)	Part of City of Dallas Block No. 2247
29	7,000 square feet (0.1606 acre)	Part of City of Dallas Block No. 2247
30	1,039 square feet (0.0238 acre)	Part of City of Dallas Block No. 2248
31	27,136 square feet (0.6229 acre)	Part of City of Dallas Block No. 2249
32	8,886 square feet (0.2039 acre)	Part of City of Dallas Block No. 2250
36	2,873 square feet (0.0659 acre)	Part of City of Dallas Block No. 2249
42	235 square feet (0.0054 acre)	Part of City of Dallas Block No. 3/2526
46	286 square feet (0.0065 acre)	Part of City of Dallas Block No. 3/2540
48	902 square feet (0.0207 acre)	Part of City of Dallas Block No. 3/2540
50	53,851 square feet (1.2362 acre)	Part of City of Dallas Block Nos. 1432 and 1684

All properties located in City of Dallas, Dallas County, Texas

Roof Replacements and Major Repairs
Agenda Item # 37

Council District	Facility Name	Address
2	Cadiz Pump Station	411 Cadiz Street
3	Redbird Booster Pump Station	3537 Bronze Way
	Southwest Service Center	2524 Valleria Drive
4	Central Wastewater Treatment Plant	1020 Sargent Road
5	Lake June Pump Station	1031 Algonquin Drive
6	Bachman Water Treatment Plant	2525 Shorecrest Drive
7	Jim Miller Pump Station	5200 N. Jim Miller Road
8	Southside Wastewater Treatment Plant	10011 Log Cabin Road
9	Lake Ray Hubbard	685 Ray Hubbard Drive
10	Northeast Service Center	8915 Adlora Lane
Outside City Limits	Beltwood Pump Station	4799 Belt Line Road
	Eastside Water Treatment Plant	405 Long Creek Road
	Elm Fork Water Treatment Plant	1440 Whitlock Lane
	Iron Bridge Pump Station	4777 County Road 3706

Installation of Water and Wastewater Mains
Agenda Item # 38

District 2

Alley between Langdon Avenue and Roanoke Avenue from Huron Drive southwest
Bank Street from Congo Street to Lindsley Avenue
Carroll Avenue from Parry Avenue to Congo Street
Gurley Avenue from Carroll Avenue to Bank Street

District 7

Copeland Street from Pine Street to State Highway 352 (Scyene Road)

District 9

Alley south of Dunloe Drive from Dalehurst Drive to Ferguson Road
Cambria Boulevard from Kenwood Avenue to Bob O Link Drive
Creekmere Circle from Creekmere Drive southeast
Creekmere Drive from Sylvania Drive to Peavy Road
Frontier Lane from Kenwood Avenue to Irongate Lane
Overglen Drive from Creekmere Drive to Vinemont Street
Vinemont Street from Creekmere Drive to Sylvania Drive

District 10

Broken Bow Road from Audelia Road to Fieldcrest Drive
Stillwater Circle from Stillwater Drive northeast

District 11

Kenny Lane from Janmar Drive northeast
Town Bluff Drive from Meadowcreek Drive to Hillcrest Road
Valleybrook Drive from Dartbrook Drive southwest

District 13

Ellensburg Drive from Welch Road east
Goodfellow Drive from Crestline Avenue to Forest Lane
Hollow Way Road from Park Lane to Walnut Hill Lane
Northview Lane from Marsh Lane east

District 14

Ellsworth Avenue from Matilda Street to Concho Street

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.

2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.

3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.

4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.

5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE January 28, 2015

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of January 14, 2015 City Council Meeting
2			2	C	AVI	$8,000,000.00	NA	NA	Authorize the City Manager, the President of the Love Field Airport Modernization Corporation and the Vice-President of Southwest Airlines to execute the First Amendment to the Program Development Agreement Love Field Modernization Program (LFMP) to expand the scope of the LFMP, allowing for construction and financing of a new permanent public parking garage at Dallas Love Field (Love Field); the City Manager to execute the First Amendment to the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) with the Signatory Airlines to facilitate the construction and financing of a new permanent public parking garage at Love Field Airport as part of the LFMP; the City Manager to execute the First Amendment to the Ground Lease for Cargo and General Use Buildings (Ground Lease) at Love Field to facilitate construction of a new permanent public parking garage at Love Field; and interim financing from the Aviation Capital Construction Fund to the Love Field Airport Modernization Corporation (LFAMC)
3			All	C	PBD, CIS	$225,547.00	NA	NA	Authorize a three-year service contract for Microsoft Premier Support Services - Microsoft Corporation through the Department of Information Resources, State of Texas Cooperative contract
4			4, 9, 11, 14	C	PBD, PKR	$266,250.00	0.00%	0.00%	Authorize an acquisition contract for the purchase, implementation and hosting of a people counting system for Park and Recreation; and a five-year service contract for maintenance and support for the people counting system - Eco-Counter, Inc., most advantageous proposer of two
5			2	C	PBD, AVI	$302,447.52	100.00%	0.00%	Authorize a three-year master agreement for the purchase of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field - Texas Air Systems, LLC, lowest responsible bidder of two
6			All	C	PBD, WTR	$471,335.00	24.90%	0.00%	Authorize a three-year master agreement for the purchase of bill stock paper and envelopes - Michael James Raffetto dba Accurate Forms & Supplies and Western BRW Paper Company, lowest responsible bidders of four
7			All	C	PBD, WTR	$846,997.50	34.78%	34.78%	Authorize a three-year master agreement for air diffusers and parts for sludge basins at wastewater treatment plants - Environmental Dynamics International, Inc., Simba Industries and Hartwell Environmental Corporation, lowest responsible bidders of three
8			2	C	PBD, AVI	$295,450.56	NA	NA	Authorize the purchase of two new loader tractors for Aviation - RDO Equipment and Clark Equipment Company dba Bobcat Company through the Texas Association of School Boards (BuyBoard)
9			All	C	PBD, ORM	$500,000.00	NA	NA	Authorize the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2015 through January 31, 2016
10			All	C	PBD, WTR	$3,010,361.00	0.50%	0.00%	Authorize an increase to the master agreement with Badger Meter, Inc., Neptune Technology Group, Inc., Mueller System, LLC, Itron, Inc., Metron Favnier, LLC, HD Supply Waterworks, LTD and Sensus USA, Inc., for water meters, detector check valves and parts and extend the term from April 24, 2015 through April 23, 2016
11			All	C	PBD, WTR	$131,408.00	76.20%	23.80%	Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for grounds maintenance services at various Water Utilities' properties and extend the term from July 31, 2015 through February 28, 2016
12			All	C	PBD, PKR	$1,743,793.00	76.20%	23.80%	Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016
13			All	C	PBD, AVI, CIS, EBS, OCA, PKR	$602,004.00	78.17%	29.79%	Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Landscaping & Management, Ltd., and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC, for grounds maintenance services at parks, airports and other City owned properties
14			All	C	PBD, CCS, STS, TWM	$1,491,944.00	81.94%	37.72%	Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Corporation, and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC, for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties
15			All	C	HOU	GT	NA	NA	Authorize a contract with CitySquare (formerly Central Dallas Ministries), with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2014 through September 30, 2015
16			All	C	HOU	GT	NA	NA	Authorize a contract with Shared Housing Center, Inc. with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period December 1, 2014 through September 30, 2015

AGENDA DATE January 28, 2015

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
17			7	C	HOU	NC	NA	NA	Authorize an extension of the conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, from December 31, 2014 to December 31, 2015, for the construction of commercial and residential units for the Hatcher Gardens Project located at 4002 Hatcher Street
18			All	C	LIB	GT	NA	NA	Authorize the acceptance of a grant from the Texas State Library and Archives Commission, for partial reimbursement of interlibrary loan services' direct costs for the period September 1, 2013 through August 31, 2014
19			1, 7, 9, 14	C	PBW, OCA	NC	NA	NA	Authorize a Memorandum of Understanding with the State Energy Conservation Office for energy projects at the Office of Cultural Affairs facilities
20			6	C	PBW, WTR	$7,803,889.57	NA	NA	Authorize 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 north of Royal Lane; and payment to Dallas County for the City's share of additional design, right-of-way acquisition and construction costs
21			3	C	PBW, ECO	$506,934.50	22.82%	25.35%	Authorize an increase in the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project
22			5	C	PBW, POL	$92,959.00	74.29%	68.95%	Authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the sally-port and fuel/wash roofs at the Southeast Police Station, located at 725 North Jim Miller Road
23			6	C	STS	GT	NA	NA	Sign Panels on Freeway Exits to Inwood Road from Stemmons Freeway (I-35E): Authorize the receipt and deposit of funds from the UT Southwestern Medical Center for the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way; and an increase in appropriations in the Capital Projects Reimbursement Fund
24			6	C	STS	GT	NA	NA	Sign Panels on Freeway Exits to Inwood Road from Stemmons Freeway (I-35E): Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) for reimbursement of costs associated with the update of all sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way
25			1, 2, 4, 6, 7, 8, 10, 11, 12, 13, 14, Outside	C	STS	NC	NA	NA	An ordinance amending Chapter 28 of the Dallas City Code to: regulate the speed of vehicles on certain streets, expressways, and freeways; and designate school traffic zones
26			Outside	C	DEV, WTR	$16,037.00	NA	NA	Authorize acquisition from John D. Underwood and Deborah D. Underwood, of approximately 65,431 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project
27			2	C	DEV, HOU, PBW	GT	NA	NA	Authorize acquisition from the State of Texas, of approximately 3,648 square feet of land located near the intersection of Interstate Highway 30 and St. Louis Street for a new entry portal at the homeless assistance center, The Bridge Entry Relocation Project
28			6	C	DEV, PBW	NC	NA	NA	Authorize an amendment to Resolution No. 13-1574, previously approved on September 11, 2013, to amend the Slope Easement to the City from TXI Operations, LP, for a total of approximately 56,298 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project
29			6	C	DEV, PBW	NC	NA	NA	Authorize an amendment to Resolution No. 13-1575, previously approved on September 11, 2013, to amend the Special Warranty Deed to the City from TXI Operations, LP, for a total of approximately 78,418 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project
30			13	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a portion of a utility easement to Bandera Apartments, LLC, the abutting owner, containing approximately 2,085 square feet of land, located near the intersection of Northwest Plaza Drive and Bandera Avenue
31			2	C	DEV	REV $182,494	NA	NA	An ordinance abandoning a portion of Bennett Avenue and portions of Fitzhugh Avenue to Fitzhugh Associates, Ltd., the abutting owner, containing a total of approximately 7,019 square feet of land, located near the intersection of Fitzhugh and Mission Avenues, and authorizing the quitclaim

AGENDA DATE January 28, 2015

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
32			2	C	DEV	REV $211,328	NA	NA	An ordinance abandoning a portion of Homer Street to Fitzhugh Associates, Ltd., the abutting owner, containing approximately 8,128 square feet of land, located near its intersection with Fitzhugh Avenue, and authorizing the quitclaim
33			14	C	DEV	REV $974,400	NA	NA	An ordinance abandoning a portion of Colby Street and two adjacent street easements to TC Uptown Associates, LLC, the abutting owner, containing a total of approximately 6,496 square feet of land, located near the intersection of Pearl Street and Woodall Rodgers Freeway, and authorizing the quitclaim
34			14	C	DEV	NC	NA	NA	An ordinance amending Ordinance No. 29552, previously approved on December 10, 2014, which granted a revocable license to 7-Eleven, Inc., to amend the license term for the use of approximately 25 square feet of aerial space to install, use and maintain three signs over portions of Elm and Akard Streets right-of-way, located near the intersection of Elm and Akard Streets
35			6	C	TWM, PBW, ATT	$253,430.00	NA	NA	Authorize the deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Greyhound Lines, Inc., a Delaware corporation, et al., Cause No. CC-14-02823-B, pending in Dallas County Court at Law No. 2, to acquire two tracts of land containing a total of approximately 4,526 square feet, including any improvements, located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue; and settlement of the condemnation proceeding for an amount not to exceed the award
36			7	C	TWM, PBW	REV $1,000	NA	NA	Authorize the conveyance to TxDOT of approximately 4.796 acres of real property previously acquired by the City in lieu of right-of-way funds for the City's share of the right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project, Phase 1; and authorize the sale of a tract of land containing approximately .0442 acres of City-owned land located on the east line of IH 45 to TxDOT
37			2, 3, 4, 5, 6, 7, 8, 9, 10, Outside	C	WTR	$2,366,250.00	56.12%	29.95%	Authorize a contract for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities - D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., lowest responsible bidder of two
38			2, 7, 9, 10, 11, 13, 14	C	WTR	$8,838,888.60	45.87%	44.10%	Authorize a contract for the installation of water and wastewater mains at 22 locations - Camino Construction, L.P., lowest responsible bidder of five
39			8	C	WTR	$241,464.00	68.81%	19.32%	Authorize an increase in the contract with AUI Contractors, LLC for additional work associated with the 2012 major maintenance and rehabilitation improvements project at the Southside Wastewater Treatment Plant
40			Outside	C	WTR	$782,937.00	0.00%	26.35%	Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant
41			11	C	WTR	$1,234,116.08	100.00%	90.31%	Authorize Supplemental Agreement No. 2 to the engineering services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering design services related to improvements to the Walcrest Pump Station and reservoir
42			All	C	WTR	NC	NA	NA	An ordinance amending Chapters 27 and 49 of the Dallas City Code, providing for civil adjudication of violations of Chapter 49-2 and for civil penalties, fees, and court costs
43			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)
44			All	I	PBD, WTR	$1,060,800.00	0.00%	0.00%	Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water - Mosaic Crop Nutrition, LLC, lowest responsible bidder of three
45			14	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 bar, lounge, or tavern on property zoned a CA-1 Central Area District with an H/2 West End Historic District Overlay on the south corner of Munger Avenue and Lamar Street
46			10	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 mini-warehouse use on property zoned a CR Community Retail District with deed restrictions, on the northeast line of LBJ Freeway, northwest of Forest Lane

AGENDA DATE January 28, 2015

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
47			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and to add commercial amusement (inside) limited to a live music venue on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District on the south side of Elm Street, east of North Good Latimer Expressway
48			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District located on the northwest side of McKinney Avenue, northeast of Bowen Street
49			5	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 greater than 3,500 square feet, and an ordinance granting the termination of Specific Use Permit No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the southeast corner of South Buckner Boulevard and Jennie Lee Lane
50			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest side of Kimsey Drive, northeast of Maple Avenue and a resolution accepting deed restrictions volunteered by the applicant
51			5	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. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay on the north line of Bruton Road, east of North Jim Miller Road
52			12	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road
53			All	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding consideration of amendments to Section 51A-1.106 of the Dallas Development Code to amend regulations pertaining to the posting of notification signs and an ordinance granting the amendments
54			7	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Lamar Street between IH-45 and Central Expressway from a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within a variable 80 to 100 feet of right-of-way and 44 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the change
55			7, 8	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Elam Road from Lake June Road to Pemberton Hill Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; Lake June Road from Riverfront Boulevard to Rylie Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; Long Acre Lane from Great Trinity Forest Boulevard to Jim Miller Road, a four lane undivided roadway (S-4-U) within 60 feet of right-of-way; Rylie Road from Lake June Road to Murdock Road, a six lane divided roadway (S-6-D) within 107 feet of right-of-way; and Jim Miller Road from Great Trinity Forest to Lake June Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes

AGENDA DATE January 28, 2015

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
56			8	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Cleveland Road from Bonnie View Road to the BNSF Railroad Tracks from a six lane divided roadway (S-6-D) within 107 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within 80 feet of right-of-way; delete Unnamed SE5 from Langdon Road and Hutchins City Limits as a special six lane divided roadway (SPCL 6D) within 113 feet of right-of-way; and delete Unnamed SE6 from Unnamed SE5 to Cleveland Road as a special four lane undivided roadway (SPCL 4D) within 72 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes
57			6	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Unnamed NW1 from IH-35E to IH-635, a four lane divided roadway (S-4-D) within 80 feet of right-of-way; and expand the limits and change the dimensional classification of Unnamed NW2 from Farmers Branch City Limits to IH-635 from a four lane divided roadway (S-4-D) within 80 feet of right-of-way to a special three lane undivided roadway (SPCL 3U) within 56 feet of right-of-way and 36 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the changes
58			1, 2, 4, 6	PH	MGT, OEQ, TWM	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water
59			14	PH	MGT, OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water
60			14	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational classification of Elm Street from Houston Street to Cesar Chavez Boulevard from a five lane one-way westbound roadway to a four lane one-way westbound roadway, and at the close of the hearing, authorize an ordinance implementing the change

TOTAL $41,085,243.33

AGENDA ITEM # 2

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Aviation

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** the City Manager, the President of the Love Field Airport Modernization Corporation and the Vice-President of Southwest Airlines to execute the First Amendment to the Program Development Agreement Love Field Modernization Program (LFMP) to expand the scope of the LFMP, allowing for construction and financing of a new permanent public parking garage at Dallas Love Field (Love Field); **(2)** the City Manager to execute the First Amendment to the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) with the Signatory Airlines to facilitate the construction and financing of a new permanent public parking garage at Love Field Airport as part of the LFMP; **(3)** the City Manager to execute the First Amendment to the Ground Lease for Cargo and General Use Buildings (Ground Lease) at Love Field to facilitate construction of a new permanent public parking garage at Love Field; and **(4)** interim financing from the Aviation Capital Construction Fund to the Love Field Airport Modernization Corporation (LFAMC) - Not to exceed $8,000,000 - Financing: Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

BACKGROUND

In June 2006, the City executed the Five Party Agreement to repeal the Wright Amendment, obligating the City to undertake the Love Field Modernization Program (LFMP). On June 25, 2008, the City Council approved a Term Sheet with Southwest Airlines Co., authorizing the creation of a local government corporation, the Love Field Airport Modernization Corporation (LFAMC), and negotiation of a Program Development Agreement (PDA) with Southwest Airlines Co. (SWA).

The original PDA specifically excluded the Design and Construction of additional parking at Love Field. Passenger forecasts developed in 2008 projected 6 million enplanements / 12 million total passengers would occur in 2017 / 2018 and the existing 7,000 public parking spaces was projected to be adequate until that time. The original PDA also contemplated expansion of the LFMP upon agreement of the parties to the PDA.

BACKGROUND (Continued)

On October 13, 2014, the Wright Amendment was officially lifted, allowing unrestricted flight activity to and from Love Field. Daily commercial flights at Love Field immediately increased from 112 to 148, with total daily flights planned to increase to 190 by mid-2015. Associated passenger activity levels are also increasing quickly. Pre-Wright Amendment activity included monthly passenger enplanement levels of approximately 345,000 enplanements, equivalent to annual levels of over 4 million enplanements / 8 million total passengers in 2013. Post-Wright Amendment activity has seen an immediate increase to approximately 500,000 monthly enplanements, equivalent to approximately 6 million annual enplanements / 12 million annual passengers. Peak travel times have resulted in a parking shortage at Love Field. All parking garages, valet lot and adjacent parking lots were at capacity during the 2014 holiday period. Based on current projections, Love Field will have additional parking requirements of approximately 1,000 spaces in 2015, 2,400 spaces in 2017 and 3,500 - 4,000 spaces in 2020.

The Love Field Master Plan identified the area for a future Parking Garage to be located adjacent to the Love Field ticket hall. This location can accommodate a structured parking facility of approximately 4,000 spaces and includes an area for future development, such as a hotel, to serve Love Field. A portion of this area is currently under lease by SWA for future development and is identified in the Ground Lease.

There are two project delivery methods available to construct a new parking garage: the traditional “hard bid” alternative, which would require over four years for procurement, design and construction of the garage; and to utilize the existing LFMP design team and general contractors that are in place, which would reduce the procurement, design and construction of the garage to three years.

The City Council has previously approved the LFMP contracting method and the most efficient delivery method is to utilize the LFMP contracts for the design and general contractor to allow the design and pre-construction to begin immediately. The efficient use of existing teams with knowledge and expertise to “hit the ground running” is economical and reduces the schedule duration. Consolidating the procurement will advance the schedule approximately 12-16 months. The construction of the garage, which is approximately 80% of the project cost, will be bid upon completion of design and will allow opportunities for MWDBE firms. This delivery method ensures parking will be available to meet the future demand.

BACKGROUND (Continued)

The Future Parking Development Project will include the design and construction of a new multi-story parking garage and other associated improvements to the entire parking system located at Love Field. The project will have a series of enabling elements, estimated at approximately $8 million, which includes:

- Preliminary planning and implementation plan ($500,000)
- Program definition document (PDD) and project charter ($500,000)
- Underground utility and communication lines relocation requirements ($2,000,000)
- Survey and geo-technical studies ($200,000)
- Valet parking relocation ($200,000)
- Access roadway modifications ($1,500,000)
- Site demolition ($3,100,000)

Utilizing the existing LFMP structure for the parking garage requires amendments to three existing documents: the PDA, Use and Lease Agreement and the Ground Lease. In addition, City intends to finance the parking garage at Love Field by transferring funds to the LFAMC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, by Resolution No. 08-1877, the City Council approved a Term Sheet with “SWA”which, among other things, established the scope and preliminary budget of the LFMP, and authorized the City to create the “LFAMC”and negotiate a “PDA” with SWA.

On August 27, 2008, by Resolution No. 08-2227, City Council approved the Use and Lease Agreement with signatory airlines operating at Love Field Airport.

On November 10, 2008, by Resolution No. 08-3117, City Council approved the execution of the “PDA” with SWA.

On December 10, 2008, by Resolution No. 08-3403, City Council approved execution of the General Use Building Lease with “SWA”.

Briefed to the Transportation Committee on December 8, 2014 and the committee recommended approval.

FISCAL INFORMATION

$8,000,000 - Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

WHEREAS, in June 2006, the City executed the Five Party Agreement which, among other things, obligated the City to undertake the Love Field Modernization Program (LFMP); and

WHEREAS, on June 25, 2008, by Resolution No. 08-1877, the City Council approved and authorized the City to create the Love Field Airport Modernization Corporation (LFAMC) and negotiate a Program Development Agreement (PDA) with Southwest Airlines Co. (SWA) for implementation of the LFMP; and

WHEREAS, the City, LFAMC and SWA desire to amend the PDA for development of a future passenger parking garage at Love Field as part of the LFMP; and

WHEREAS, the City, LFAMC and SWA desire to modify the General Use Building ground lease to accommodate for development of a future passenger parking garage at Love Field; and

WHEREAS, the City, LFAMC and SWA desire to supplement the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) to include development of future passenger parking garage at Love Field; and

WHEREAS, the City has expressed intent to finance expenditures to be incurred for airport improvements for a passenger parking garage at Love Field; and hereby authorizes interim financing in the amount of $8,000,000 from the Love Field Modernization Corporation to the Aviation Capital Construction Fund to provide initial project funds to be used for the permanent public parking garage at Love Field; and, upon receipt of the LFAMC bond proceeds, the LFAMC will repay the interim financing to the Aviation Capital Construction Fund.

NOW, THEREFORE,

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

Section 1. That the proposed First Amendment to the Program Development Agreement is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas and the LFAMC President, on behalf of the LFAMC, the PDA amendment after approval as to form by the City Attorney.

Section 2. That the proposed modification to the General Use Building Lease between the City and SWA is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas after approval as to form by the City Attorney.

Section 3. That the proposed supplementation to the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas, after approval as to form by the City Attorney.

Section 4. That the City Controller is hereby authorized to disburse funds from Aviation Capital Construction Fund to Love Field Airport Modernization Corporation, Aviation Capital Construction Fund: 0131, Dept: AVI, BSA 0169, in an amount not to exceed $8,000,000.00.

Section 5. That the City Controller is hereby authorized to deposit the repayment of the interim financing from the LFAMC, to the Aviation Capital Construction Fund 0131, Dept. AVI, BSA 0169.

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 # 3

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for Microsoft Premier Support Services - Microsoft Corporation through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed $225,547 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This service contract will provide Microsoft Premier Support Services. This service provides enhanced technical support and assistance for complex or critical problems that arise during the use of Microsoft products, installation and configuration support for Information Technology projects and training workshops. Microsoft products are currently being used on City servers, workstations and mobile devices. This contract is a vital component for the City that includes the following services:

- 220 hours of support account management
- 66 hours of workshops, support assistance
- 100 hours of problem resolution support

The City utilizes various Microsoft products such as Windows Server operating systems, Office 365 cloud computing, Visio and Project to conduct daily business operations. This contract will also grant the City a one-year extension of technical support for Windows XP operating system, which is pertinent to conduct City business.

BACKGROUND (Continued)

Microsoft Corporation does not provide Premier Support Services through any third party vendor. Furthermore, pricing for this service is only provided through the Department of Information Resources. The State of 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 which 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)

On October 26, 2011, City Council authorized a three-year service contract for Microsoft Premier Support Services by Resolution No. 11-2817.

January 20, 2015, the Budget, Finance & Audit Committee will be briefed via memorandum.

FISCAL INFORMATION

$225,547.00 – Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Microsoft Corporation

White Male	28,375	White Female	8,643
Black Male	939	Black Female	687
Hispanic Male	2,247	Hispanic Female	788
Other Male	14,109	Other Female	4,701

OWNER

Microsoft Corporation

Satya Nadella, President
Brain Kevin Turner, Vice President

January 28, 2015

WHEREAS, on October 26, 2011, City Council authorized a three-year service contract for Microsoft Premier Support Services by Resolution No. 11-2817;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with Microsoft Corporation (266605) through the Department of Information Resources, State of Texas Cooperative contract for Microsoft Premier Support Services for a term of three years in an amount not to exceed $225,547.00, upon approval 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 Microsoft Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Microsoft Corporation under the contract.

Section 2. That the City Controller is hereby authorized to disburse funds from the following appropriations in an amount not to exceed $225,547.00 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	AMOUNT	FY	ENCUMBRANCE
0198	DSV	1622	3438	$86,510.00	2015	CTDSV15MSPM2
0198	DSV	1622	3438	$67,215.00	2016	CTDSV16MSPMR
0198	DSV	1622	3438	$71,822.00	2017	CTDSV17MSPMR

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 # 4

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 4, 9, 11, 14

DEPARTMENT: Business Development & Procurement Services
Park & Recreation

CMO: Jeanne Chipperfield, 670-7804
Willis Winters, 670-4071

MAPSCO: 53 Z 54 W 37 B, C, F, G, K, M, P, Q, T, U 15 G, H 35 U, X

SUBJECT

Authorize **(1)** an acquisition contract for the purchase, implementation and hosting of a people counting system for Park and Recreation in the amount of $153,350; and **(2)** a five-year service contract for maintenance and support for the people counting system in the amount of $112,900 - Eco-Counter, Inc., most advantageous proposer of two - Total not to exceed $266,250 - Financing: Park & Recreation Beautification Funds (subject to appropriations)

BACKGROUND

These contracts will allow for the purchase, implementation, hosting, maintenance and support of a people counting system for Park and Recreation. The system will gather accurate, detailed data on visitors entering and exiting White Rock Lake Park, White Rock Lake Park Loop Trail, Kiest Park Loop Trail, Katy Trail and Northaven Trail. The data will be used to analyze traffic flows and trends at each location. The insight afforded by these analyses will enable Park and Recreation staff to better serve the future outdoor leisure needs of visitors of these locations.

The bi-directional counting devices will be strategically placed throughout the identified parks and trails and can distinguish between foot and bicycle traffic. The data is logged and uploaded to a secure web-based data analysis platform. The software allows customized graphs, charts and reports based on the data collected at one, or any number of sites.

Maintenance and support services will include technical telephone support, patches and releases to the most current software versions.

BACKGROUND (Continued)

A seven member committee from the following departments reviewed and evaluated the proposals:

- Business Development & Procurement Services (2)*
- Park and Recreation (2)
- Communication and Information Services (1)
- Public Works (1)
- Sustainable Development and Construction (1)

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and cost.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30%
- Experience and Qualifications 25%
- Characteristics of Solution and Accessories 30%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,228 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

Approved by Park Board on December 11, 2014.

FISCAL INFORMATION

$266,250.00 - Park & Recreation Beautification Funds (subject to appropriations)

FISCAL INFORMATION (Continued)

Council District	Amount
4	$ 40,961.54
9	$122,884.62
11	$ 61,442.30
14	$ 40,961.54
Total	$266,250.00

M/WBE INFORMATION

183 - Vendors contacted
183 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

1,228 - M/WBE and Non-M/WBE vendors were contacted

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.

ETHNIC COMPOSITION

Eco-Counter, Inc.

White Male	3	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1330 and opened on December 5, 2013. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

PROPOSAL INFORMATION (Continued)

Proposers	Address	Score	Amount
*Eco-Counter, Inc.	600-3981 St. Laurent Blvd. Montreal, QC, H2W 1Y5 Canada	81%	$266,250.00
Williamson Electronics, LLC dba Trail Counters	200 Continental Blvd. Suite 301 El Segundo, CA 90245	65%	$251,470.60

OWNER

Eco-Counter, Inc.

Christophe Milon, President
Christophe Gouriou, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** an acquisition contract for the purchase, implementation and hosting of a people counting system for Park and Recreation in the amount of $153,350; and **(2)** a five-year service contract for maintenance and support for the people counting system in the amount of $112,900 - Eco-Counter, Inc., most advantageous proposer of two - Total not to exceed $266,250 - Financing: Park & Recreation Beautification Funds (subject to appropriations)

Eco-Counter, 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	$266,250.00	100.00%
TOTAL CONTRACT	$266,250.00	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%

January 28, 2015

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

Section 1. That the City Manager is authorized to execute (1) an acquisition contract for the purchase, implementation and hosting of a people counting system in the amount of $153,350.00; and (2) a five-year service contract for maintenance and support for the people counting system in the amount of $112,900, with Eco-Counter, Inc. (VS0000077354) in a total amount not to exceed $266,250.00, upon approval 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 Eco-Counter, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Eco-Counter, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed $266,250.00 (subject to appropriations):

FUND	DEPT	UNIT	OBJ	AMOUNT	FY	ENCUMBRANCE
0641	PKR	6421	4735	$153,350.00	2015	CTPKR15A057
0641	PKR	6421	3110	$ 21,020.00	2015	CTPKR15A057
0641	PKR	6421	3110	$ 24,920.00	2016	CTPKR16A057
0641	PKR	6421	3110	$ 21,020.00	2017	CTPKR17A057
0641	PKR	6421	3110	$ 24,920.00	2018	CTPKR18A057
0641	PKR	6421	3110	$ 21,020.00	2019	CTPKR19A057

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

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Business Development & Procurement Services Aviation
CMO:	Jeanne Chipperfield, 670-7804 Ryan S. Evans, 671-9837
MAPSCO:	34 E

SUBJECT

Authorize a three-year master agreement for the purchase of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field – Texas Air Systems, LLC, lowest responsible bidder of two – Not to exceed $302,448 – Financing: Aviation Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will be used to provide heating, ventilation, and air conditioning (HVAC) filters and canisters for Love Field Airport to ensure the airport is up to equipment design standards. Utilizing these filters and canisters will also maintain compliance with Leadership in Energy and Environmental Design (LEED) certification.

Dallas Love Field was designed utilizing LEED certifications standards for measuring buildings sustainability. Maintaining LEED certification contributes to a clean safe and healthy environment by providing the best air flow and filtration possible to City employees and passengers of Love Field.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 718 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$302,447.52 - Aviation Current Funds

M/WBE INFORMATION

81 - Vendors contacted
80 - No response
1 - Response (Bid)
0 - Response (No bid)
0 - Successful

718 - M/WBE and Non-M/WBE vendors were contacted

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.

ETHNIC COMPOSITION

Texas Air Systems, LLC

White Male	137	White Female	38
Black Male	2	Black Female	3
Hispanic Male	15	Hispanic Female	5
Other Male	9	Other Female	3

BID INFORMATION

The following bids were received from solicitation number BF1412 and were opened on October 9, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount of Bid
*Texas Air Systems, LLC	6029 Campus Circle Drive Irving, TX 75063	$302,447.52
Simba Industries	753 Port America Place Suite 210 Grapevine, TX 76051	$399,626.28

OWNER

Texas Air Systems, LLC

Jerry Braun, President
Rick Blackstock, Vice President
Bill Engebretsen, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field – Texas Air Systems, LLC, lowest responsible bidder of two – Not to exceed $302,448 – Financing: Aviation Current Funds

Texas Air Systems, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$302,447.52	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$302,447.52	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%

January 28, 2015

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

Section 1. That a master agreement for the purchase of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field is authorized with Texas Air Systems, LLC (341563) for a term of three years in an amount not to exceed $302,447.52.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field. If a written contract is required or requested for any or all purchases of filters and canisters for use in outside air intake heating, ventilation and air conditioning units located at Dallas Love Field under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in an amount not to exceed $302,447.52.

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 # 6

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for the purchase of bill stock paper and envelopes – Michael James Raffetto dba Accurate Forms & Supplies in the amount of $353,975 and Western BRW Paper Company in the amount of $117,360, lowest responsible bidders of four – Total not to exceed $471,335 – Financing: Water Utilities Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will allow for the purchase of bill stock paper and envelopes for service invoices. The envelope design is in compliance with the United States Postal Service regulations for the Intelligent Mail Barcode which allows the City to achieve significant postage savings. The envelope and bill stock are used for all of the billing documents related to the monthly billing for water, wastewater, sanitation and stormwater fees. The Dallas Water Utilities department currently mails out approximately 15,000 to 20,000 documents daily.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in an increase of 4.46% over comparable unit prices for the bid awarded in 2011.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 612 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 26, 2011, City Council authorized a three-year master agreement for the purchase of bill stock paper and envelopes by Resolution No. 11-2820.

FISCAL INFORMATION

$471,335.00 – Water Utilities Current Funds

M/WBE INFORMATION

106 - Vendors contacted
106 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

612 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Michael James Raffetto dba Accurate Forms & Supplies

White Male	1	White Female	4
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Western BRW Paper Company

White Male	29	White Female	10
Black Male	2	Black Female	0
Hispanic Male	15	Hispanic Female	0
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BX1422 and were opened on October 16, 2014. This master agreement is being awarded to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Michael James Raffetto dba Accurate Forms & Supplies	1550 Norwood Dr. Hurst, TX 76054	Group 1 - $150,963.60 Group 2 - $353,975.00
*Western BRW Paper Company	1800 Kelly Blvd. Carrollton, TX 75006	Group 1 - $117,360.00 Group 2 - $391,545.00
Forms World, Inc.	10000 Watson Rd. St. Louis, MO 63126	Group 1 - $132,804.00 Group 2 - No bid
4Gen Business Forms, LLC	1807A West Park Row Arlington, TX 76013	Non-Responsive**

**4Gen Business Forms, LLC was deemed non-responsive due to not meeting specifications.

OWNERS

Michael James Raffetto dba Accurate Forms & Supplies

Michael James Raffetto, Owner

Western BRW Paper Company

Kevin Jerger, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of bill stock paper and envelopes – Michael James Raffetto dba Accurate Forms & Supplies in the amount of $353,975 and Western BRW Paper Company in the amount of $117,360, lowest responsible bidders of four – Total not to exceed $471,335 – Financing: Water Utilities Current Funds

Michael James Raffetto dba Accurate Forms & Supplies is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Western BRW Paper Company is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$117,360.00	24.90%
Total non-local contracts	$353,975.00	75.10%
TOTAL CONTRACT	$471,335.00	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%

January 28, 2015

WHEREAS, on October 26, 2011, City Council authorized a three-year master agreement for the purchase of bill stock paper and envelopes by Resolution No. 11-2820;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of bill stock paper and envelopes is authorized with Michael James Raffetto dba Accurate Forms & Supplies (261711) in the amount of $353,975.00 and Western BRW Paper Company (VS86448) in the amount of $117,360.00, for a term of three years in a total amount not to exceed $471,335.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for bill stock paper and envelopes. If a written contract is required or requested for any or all purchases of bill stock paper and envelopes under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $471,335.00.

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 # 7

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for air diffusers and parts for sludge basins at wastewater treatment plants - Environmental Dynamics International, Inc. in the amount of $478,000, Simba Industries in the amount of $294,598 and Hartwell Environmental Corporation in the amount of $74,400, lowest responsible bidders of three - Total not to exceed $846,998 - Financing: Water Utilities Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will enable Water Utilities to purchase air diffusers and parts for the replacement and maintenance of existing diffusers, as needed, for activated sludge basins at the wastewater treatment plants. The plants have two activated sludge treatment complexes with different size basins. Four large basins contain 3,500 diffusers and approximately treat 22.5 million gallons of water daily. Twelve smaller basins contain 1,100 diffusers and approximately treat 5 million gallons of water daily.

Air diffusers are flexible membranes with small holes that allow air to be distributed in a controlled manner in order to maintain consistent oxygen levels throughout the basins. This air distribution is essential for the proper development of micro-organisms and the processing of sludge. Over time, the membranes wear out and begin to tear, at which time the diffusers are replaced.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 236 email bid notifications to vendors registered under respective commodities.

BACKGROUND (Continued)

To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 13, 2009, City Council authorized a forty-eight-month master agreement for air diffusers for sludge basins at Water Utilities Central Wastewater Treatment Plant by Resolution No. 09-1158.

FISCAL INFORMATION

$846,997.50 - Water Utilities Current Funds

M/WBE INFORMATION

31 - Vendors contacted
30 - No response
1 - Response (Bid)
0 - Response (No Bid)
1 - Successful

236 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Environmental Dynamics International, Inc.

White Male	78	White Female	15
Black Male	4	Black Female	1
Hispanic Male	3	Hispanic Female	0
Other Male	2	Other Female	0

ETHNIC COMPOSITION (Continued)

Simba Industries

White Male	4	White Female	5
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Hartwell Environmental Corporation

White Male	17	White Female	5
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1416 and were opened on November 13, 2014. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Environmental Dynamics International, Inc.	5601 Paris Rd. Columbia, Missouri 65202	Multiple Lines
*Simba Industries	753 Port America Pl. Suite 210 Grapevine, Texas 76051	Multiple Lines
*Hartwell Environmental Corporation	5211 West Arkansas Ln. Arlington, Texas 76016	Multiple Lines

OWNERS

Environmental Dynamics International, Inc.

Randall Chann, President
Glen Wylie, Vice President
Fred McCabe, Secretary
Margaret Tharp, Treasurer

OWNERS (Continued)

Simba Industries

Vickie L. Kasten, President

Hartwell Environmental Corporation

Ron Culp, President
Kent Guilbeau, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for air diffusers and parts for sludge basins at wastewater treatment plants - Environmental Dynamics International, Inc. in the amount of $478,000, Simba Industries in the amount of $294,598 and Hartwell Environmental Corporation in the amount of $74,400, lowest responsible bidders of three - Total not to exceed $846,998 - Financing: Water Utilities Current Funds

Environmental Dynamics International, Inc. and Hartwell Environmental Corporation are a non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own work force. Simba Industries is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own work force.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$294,597.50	34.78%
Total non-local contracts	$552,400.00	65.22%
TOTAL CONTRACT	$846,997.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Simba Industries	WFWB62220N0616	$294,597.50	100.00%
Total Minority - Local		$294,597.50	100.00%

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	$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	$294,597.50	100.00%	$294,597.50	34.78%
Total	$294,597.50	100.00%	$294,597.50	34.78%

January 28, 2015

WHEREAS, on May 13, 2009, City Council authorized a forty-eight-month master agreement for air diffusers for sludge basins at Water Utilities Central Wastewater Treatment Plant by Resolution No. 09-1158;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of air diffusers and parts for sludge basins at wastewater treatment plants is authorized with Environmental Dynamics International, Inc. (500845) in the amount of $478,000.00, Simba Industries (519720) in the amount of $294,597.50 and Hartwell Environmental Corporation (359127) in the amount of $74,400.00 for a term of three years in a total amount not to exceed $846,997.50.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for air diffusers and parts for sludge basins at wastewater treatment plants. If a written contract is required or requested for any or all purchases of air diffusers and parts for sludge basins at wastewater treatment plants under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $846,997.50.

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 # 8

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Aviation

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: 34E

SUBJECT

Authorize the purchase of two new loader tractors for Aviation – RDO Equipment in the amount of $229,915 and Clark Equipment Company dba Bobcat Company in the amount of $65,536 through the Texas Association of School Boards (BuyBoard) - Total not to exceed $295,451 - Financing: Aviation Current Funds

BACKGROUND

This purchase will provide for two new loader tractors for Aviation. The purchase of these loader tractors will increase the airports efficiency in responding to snow, ice and slush accumulation throughout the Love Field facility.

During summer months, these loaders will be utilized in the assistance of landscaping, irrigation and fence maintenance in and around the airport grounds and can be fitted for numerous attachments and tools.

Texas Association of School Boards (BuyBoard) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, BuyBoard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$295,450.56 – Aviation Current Funds

ETHNIC COMPOSITION

RDO Equipment

White Male	42	White Female	4
Black Male	3	Black Female	0
Hispanic Male	5	Hispanic Female	0
Other Male	0	Other Female	0

Clark Equipment Company dba Bobcat Company

White Male	146	White Female	41
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	1
Other Male	2	Other Female	0

OWNERS

RDO Equipment

Ron Offutt, President

Clark Equipment Company dba Bobcat Company

Richard Goldsbury, President

January 28, 2015

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

Section 1. That the purchase of two new loader tractors for Aviation is authorized with RDO Equipment (500465) in the amount of $229,915.00 and Clark Equipment Company dba Bobcat Company (VC0000009348) in the amount of $65,535.56, through the Texas Association of School Boards (BuyBoard) in a total amount not to exceed $295,450.56.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for two new loader tractors for Aviation. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed $295,450.56:

FUND	DEPT	UNIT	OBJECT	ENCUMBRANCE	AMOUNT
0130	AVI	7722	4890	POAVI00000117725	$229,915.00
0130	AVI	7722	4890	POAVI00000117724	$ 65,535.56

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 # 9

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Risk Management

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2015 through January 31, 2016 - Not to exceed $500,000 - Financing: Current Funds

BACKGROUND

The second one-year renewal option to the agreement will provide one-year of excess workers' compensation insurance. Excess workers' compensation insurance limits the City's financial exposure on employee injury claims. The City purchases excess workers' compensation insurance for compensable claims that exceed an established threshold. The policy will provide benefits such as disability, death, medical, etc. to employees that have suffered an injury or illness during the course and scope of their job.

On January 22, 2014, City Council authorized the first of two one-year renewal options to purchase Excess Workers' Compensation Insurance with Texas Municipal League Intergovernmental Risk Pool (TMLIRP). On December 4, 2014, TMLIRP notified the City of a rerate for the period of February 1, 2015 to February 1, 2016 as a result of the City's loss experience since joining the Pool's Excess Workers' Compensation program. The Office of Risk Management consulted the City's broker and was advised the proposed rate is a competitive offer. Therefore, it is recommended the City exercise the second renewal option with TMLIRP for excess workers' compensation coverage to be effective February 1, 2015 through January 31, 2016. The City will pay the first $1,500,000 for each injury and an additional $1,000,000 corridor deductible.

BACKGROUND (Continued)

TMLIRP is an interlocal government agency offering excess workers' compensation coverage to political subdivisions in accordance with the Texas Workers' Compensation Act. TMLIRP maintains an "A" Stable rating from Standard and Poor's and provides coverage to other political subdivisions such as cities, municipal utility districts, transit authorities and public utility boards. TMLIRP conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240.

On March 4, 2013, the Budget Finance and Audit Committee briefing agenda included an informational memo.

On January 21, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

On January 22, 2014, City Council authorized the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 14-0246.

On January 5, 2015, the Budget, Finance & Audit Committee was briefed on the excess workers' compensation coverage and recommended approval of this item at the January 28, 2015 Council meeting.

FISCAL INFORMATION

$500,000.00 - Current Funds

OWNER

Texas Municipal League Intergovernmental Risk Pool

Bennett Sandlin, Executive Director

January 28, 2015

WHEREAS, on January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240; and,

WHEREAS, on January 22, 2014, City Council authorized the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance by Resolution No. 14-0246;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute the second of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool (VS0000075750) for Excess Workers' Compensation Insurance effective February 1, 2015 through January 31, 2016 in an amount not to exceed $500,000.00, upon approval as to form by the City Attorney.

Section 2. That the City Controller is authorized to disburse funds from the following appropriation in accordance with the agreement between the City of Dallas and Texas Municipal League Intergovernmental Risk Pool in an amount not to exceed $500,000.00:

FUND	DEPT	UNIT	OBJECT	ENCUMBRANCE	AMOUNT
0189	ORM	3801	3310	CTORM3801WCFY15	$500,000.00

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 # 10

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize an increase to the master agreement with Badger Meter, Inc. in the amount of $943,287, Neptune Technology Group, Inc. in the amount of $890,713, Mueller System, LLC in the amount of $671,467, Itron, Inc. in the amount of $389,225, Metron Favnier, LLC in the amount of $93,622, HD Supply Waterworks, LTD in the amount of $15,000 and Sensus USA, Inc. in the amount of $7,047, for water meters, detector check valves and parts and extend the term from April 24, 2015 through April 23, 2016 - Total not to exceed $3,010,361, from $12,041,452 to $15,051,813 - Financing: Water Utilities Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This supplemental agreement will increase the service contract for water meters, detector check valves and parts for maintenance of existing meters. Currently, automated meter reading technology has been tested and utilized on a limited bases within the City. However Water Utilities (DWU) is in the process of researching the latest automated meter reading (AMR) technology available on the market. This research will be used to develop a new solicitation for expansion of the AMR program citywide. This increase is necessary to ensure continued uninterrupted services for new installations and replacement of damaged units until the new solicitation can be completed.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 25, 2012, City Council authorized a three-year master agreement, for water meters, detector check valves and parts by Resolution No. 12-1174.

FISCAL INFORMATION

$3,010,361.00 - Water Utilities Current Funds

ETHNIC COMPOSITION

Badger Meter, Inc.

White Male	346	White Female	148
Black Male	32	Black Female	25
Hispanic Male	33	Hispanic Female	18
Other Male	14	Other Female	6

Neptune Technology Group, Inc.

White Male	278	White Female	85
Black Male	66	Black Female	77
Hispanic Male	4	Hispanic Female	1
Other Male	4	Other Female	3

Mueller System, LLC

White Male	137	White Female	33
Black Male	34	Black Female	14
Hispanic Male	16	Hispanic Female	7
Other Male	18	Other Female	13

Itron, Inc.

White Male	1247	White Female	675
Black Male	56	Black Female	52
Hispanic Male	42	Hispanic Female	15
Other Male	101	Other Female	49

Metron Favnier, LLC

White Male	25	White Female	5
Black Male	1	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

HD Supply Waterworks, LTD

White Male	15	White Female	3
Black Male	1	Black Female	0
Hispanic Male	5	Hispanic Female	1
Other Male	0	Other Female	0

Sensus USA, Inc.

White Male	955	White Female	312
Black Male	87	Black Female	37
Hispanic Male	17	Hispanic Female	2
Other Male	49	Other Female	17

OWNERS

Badger Meter, Inc.

Richard A. Meeusen, President
Richard E. Johnson, Senior Vice President
Theresa M. Szafranski, Secretary

Neptune Technology Group, Inc.

Charles C. DiLaura, President
Donald F. Deemer Vice President
Lawrence M Russo, Vice President of Finance
Steven S. Beasley, Assistant Secretary

Mueller System, LLC

Gregory Hyland, President
Hassan Ali, Vice President
Keith Belknap, Secretary
Michelle Cunningham, Treasurer

Itron, Inc.

Philip Mezey, President
W. Mark Schmitz, Vice President
Shannon Votava, Treasurer
Byron Jackson, Secretary

OWNERS (Continued)

Metron Favnier, LLC

Matthew E. Laird, President
Mark R. Shamley, Vice President
Rodney O. Ehlers, Treasurer

HD Supply Waterworks, LTD

Jerry L. Webb, President
Donald W. Clayton, Vice President
Judy Barrow, Secretary
Mark R. Witkowski, Treasurer

Sensus USA, Inc.

Randy Bates, President
Dale Harber, Vice President
Colin Flannery, Secretary
Courtney Enghauser, Chief Financial Officer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase to the master agreement with Badger Meter, Inc. in the amount of $943,287, Neptune Technology Group, Inc. in the amount of $890,713, Mueller System, LLC in the amount of $671,467, Itron, Inc. in the amount of $389,225, Metron Favnier, LLC in the amount of $93,622, HD Supply Waterworks, LTD in the amount of $15,000 and Sensus USA, Inc. in the amount of $7,047, for water meters, detector check valves and parts and extend the term from April 24, 2015 through April 23, 2016 - Total not to exceed $3,010,361, from $12,041,452 to $15,051,813 - Financing: Water Utilities Current Funds

Badger Meter, Inc., Neptune Technology Group, Mueller System, LLC, Itron Inc., Metron Favnier, LLC and Sensus USA Inc. are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. HD Supply Waterworks, LTD is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$15,000.00	0.50%
Non-local contracts	$2,995,361.00	99.50%
TOTAL THIS ACTION	$3,010,361.00	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%

January 28, 2015

WHEREAS, on April 25, 2012, City Council authorized a three-year master agreement, for water meters, detector check valves and parts by Resolution No. 12-1174;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to increase the master agreement with Badger Meter, Inc. (018539) in the amount of $943,287.00, Neptune Technology Group, Inc. (VS0000011603) in the amount of $890,713.00, Mueller System, LLC (500184) in the amount of $671,467.00, Itron, Inc. (267549) in the amount of $389,225.00, Metron Favnier, LLC (VS0000062489) in the amount of $93,622.00, HD Supply Waterworks, LTD (VS0000038746) in the amount of $15,000.00 and Sensus USA, Inc. (VS0000034373) in the amount of $7,047.00, for water meters, detector check valves and parts and extend the term from April 24, 2015 through April 23, 2016, in a total amount not to exceed $3,010,361.00 increasing the master agreement amount from $12,041,451.85 to $15,051,812.85.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $3,010,361.00.

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 # 11

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for grounds maintenance services at various Water Utilities' properties and extend the term from July 31, 2015 through February 28, 2016 - Not to exceed $131,408, from $525,635 to 657,043 - 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 supplemental agreement no. 1 is to the service contract for grounds maintenance at various Water Utilities' properties and to extend the contract term through February 28, 2016. The term of this contract is set to expire during the growing season when the contractor is at their busiest. Consequently, any transition to a new service provider, for a new contract, would be difficult and potentially result in an interruption of service. Therefore the additional funds and the extension of the term of this agreement will allow for vendor selection and any transition to a new vendor to take place during the non-growing season.

The contractors perform services on a predetermined maintenance frequency established by the City, which vary by location. The services include, but are not limited to, tree/shrub trimming, mowing, edging and clean-up.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 25, 2012, City Council authorized a three-year service contract for grounds maintenance services at various Water Utilities' properties by Resolution No. 12-1168.

On January 20, 2015, the Budget, Finance and Audit Committee will be briefed via memorandum.

FISCAL INFORMATION

$131,408.00 – Water Utilities Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Good Earth Corporation

White Male	15	White Female	2
Black Male	17	Black Female	0
Hispanic Male	70	Hispanic Female	8
Other Male	0	Other Female	0

OWNER

Good Earth Corporation

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for grounds maintenance services at various Water Utilities' properties and extend the term from July 31, 2015 through February 28, 2016 - Not to exceed $131,408, from $525,635 to 657,043 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Good Earth Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$100,133.00	76.20%
Non-local contracts	$31,275.00	23.80%
TOTAL THIS ACTION	$131,408.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sun Coast Resources Inc.	WFWB59651N0115	$31,275.00	100.00%
Total Minority - Non-local		$31,275.00	100.00%

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%	$156,376.00	23.80%
WBE	$31,275.00	23.80%	$0.00	0.00%
Total	$31,275.00	23.80%	$156,376.00	23.80%

January 28, 2015

WHEREAS, on April 25, 2012, City Council authorized a three-year service contract for grounds maintenance services at various Water Utilities' properties by Resolution No. 12-1168;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute supplemental agreement no. 1 to increase the service contract with Good Earth Corporation, (510006) for grounds maintenance services at various Water Utilities' properties and extend the term from July 31, 2015 through February 28, 2016 in an amount not to exceed $131,408.00, increasing the service contract amount from $525,635. 00 to $657,043.00.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $131,408.00 (subject to annual appropriations).

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 # 12

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Park & Recreation
CMO:	Jeanne Chipperfield, 670-7804 Willis Winters, 670-4071
MAPSCO:	N/A

SUBJECT

Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016 - Not to exceed $1,743,793, from $6,975,173 to $8,718,966 - Financing: 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 supplemental agreement no. 1 to the service contract is for regular litter pick up and refuse collection services at City Parks and to extend the term of the contract through March 31, 2016. The term of this contract is set to expire during the growing season when the contractor is the busiest. Consequently, any transition to a new service provider, for a new contract, would be difficult and potentially result in an interruption of service. Therefore the additional funds and the extension of the term of this agreement will allow for vendor selection and any transition to a new vendor to take place during the non-growing season.

The contractor performs services on a predetermined maintenance frequency established by the City. Maintenance frequencies vary in each park based on the amount of traffic and the time of year. Adjustments to the schedule can be made based on variable needs, such as special events and spray ground activity.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2012, City Council authorized a three-year service contract for litter pick up and refuse collection services at City parks by Resolution No. 12-0527.

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

On January 20, 2015, the Budget, Finance and Audit Committee will be briefed via memorandum.

FISCAL INFORMATION

$1,743,793 – Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Good Earth Corporation

White Male	15	White Female	2
Black Male	17	Black Female	0
Hispanic Male	70	Hispanic Female	8
Other Male	0	Other Female	0

OWNER

Good Earth Corporation

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize supplemental agreement no. 1 to increase the service contract with Good Earth Corporation for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016 - Not to exceed $1,743,793, from $6,975,173 to $8,718,966 - Financing: Current Funds (subject to annual appropriations)

Good Earth Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$1,328,770.00	76.20%
Non-local contracts	$415,023.00	23.80%
	$1,743,793.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sun Coast Resources Inc.	WFWB59651N0115	$415,023.00	100.00%
Total Minority - Non-local		$415,023.00	100.00%

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	$415,023.00	23.80%	$2,075,113.00	23.80%
Total	$415,023.00	23.80%	$2,075,113.00	23.80%

January 28, 2015

WHEREAS, on February 22, 2012, City Council authorized a three-year service contract for litter pick up and refuse collection services at City parks by Resolution No. 12-0527;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute supplemental agreement no. 1 to increase the service contract with Good Earth Corporation (510006) for litter pick up and refuse collection services at City parks and extend the term from March 31, 2015 through March 31, 2016 in an amount not to exceed $1,743,793.00, increasing the service contract amount from $6,975,172.68 to $8,718,965.68.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $1,743,793.00 (subject to annual appropriations).

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 # 13

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Communication and Information Services
Equipment & Building Services
Office of Cultural Affairs
Park & Recreation

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256
Joey Zapata, 670-1204
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Landscaping & Management, Ltd. in the amount of $552,091, from $2,434,874 to $2,986,965 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $49,913, from $220,131 to $270,044, for grounds maintenance services at parks, airports and other City owned properties - Total not to exceed $602,004, from $2,655,005 to $3,257,009 - Financing: Current Funds ($499,117), Aviation Current Funds ($102,050) and Municipal Radio Current Funds ($837) (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.

Each supplemental agreement no. 2 is to increase the service contracts for grounds maintenance service for parks, airports and other City locations. The term of this contract is set to expire during the growing season when the contractor is the busiest. Consequently, any transition to a new service provider, for a new contract, would be difficult and potentially result in an interruption of service. Therefore the additional funds and the extension of the term of this agreement will allow for vendor selection and any transition to a new vendor to take place during the non-growing season.

BACKGROUND (Continued)

The contractors perform services on a predetermined maintenance frequency established by the City, which vary by location. The services include, but are not limited to, tree/shrub trimming, mowing, edging and clean-up.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2012, City Council authorized a three-year service contract for grounds maintenance services at parks, airports and other City owned properties by Resolution No. 12-0525.

On January 20, 2015, the Budget, Finance and Audit Committee will be briefed via memorandum.

FISCAL INFORMATION

$499,117.07 - Current Funds (subject to annual appropriations)
$102,050.00 - Aviation Current Funds (subject to annual appropriations)
$ 836.93 - Municipal Radio Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Good Earth Landscaping & Management, Ltd.

White Male	15	White Female	2
Black Male	17	Black Female	0
Hispanic Male	70	Hispanic Female	8
Other Male	0	Other Female	0

JBa Land Management, LLC

White Male	8	White Female	0
Black Male	9	Black Female	0
Hispanic Male	19	Hispanic Female	1
Other Male	0	Other Female	0

OWNERS

Good Earth Landscaping & Management, Ltd.

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

JBa Land Management, LLC

John Battle, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Landscaping & Management, Ltd. in the amount of $552,091, from $2,434,874 to $2,986,965 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $49,913, from $220,131 to $270,044, for grounds maintenance services at parks, airports and other City owned properties - Total not to exceed $602,004, from $2,655,005 to $3,257,009 - Financing: Current Funds ($499,117), Aviation Current Funds ($102,050) and Municipal Radio Current Funds ($837) (subject to annual appropriations)

Good Earth Landscaping & Management, Ltd, is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. JBa Land Management, LLC is a local, 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	$470,607.00	78.17%
Non-local contracts	$131,397.00	21.83%
TOTAL THIS ACTION	$602,004.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
JBA Land Management, LLC	BMDB61039Y0315	$49,913.00	10.61%
Total Minority - Local		$49,913.00	10.61%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sun Coast Resources Inc.	WFWB59651N0115	$131,397.00	100.00%
Total Minority - Non-local		$131,397.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$49,913.00	8.29%	$270,044.59	8.29%
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	$131,397.00	21.83%	$700,115.00	21.50%
Total	$181,310.00	30.12%	$970,159.59	29.79%

January 28, 2015

WHEREAS, on February 22, 2012, City Council authorized a three-year service contract for grounds maintenance services at parks, airports and other City owned properties by Resolution No. 12-0525; and,

WHEREAS, on October 16, 2014, Administrative Action No. 14-6964 authorized supplemental agreement no. 1 to the service contract with Good Earth Landscaping & Management, Ltd. to extend the contract term from March 31, 2015 to March 31, 2016 and to increase the funds in an amount not to exceed $45,301.32, increasing the service contract amount from $2,389,573.00 to $2,434,874.32; and,

WHEREAS, on October 16, 2014, Administrative Action No. 14-6965 authorized supplemental agreement no.1 to the service contract with JBa Land Management, LLC to extend the contract term from March 31, 2015 to March 31, 2016 and to increase the funds in an amount not to exceed $4,095.59, increasing the service contract amount from $216,036.00 to $220,131.59;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute supplemental agreement no. 2 to increase the service contract with Good Earth Landscaping & Management, Ltd., (VS0000062836) in the amount of $552,091.00, from $2,434,874.32 to $2,986,965.32 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC (355524) in the amount of $49,913.00, from $220,131.59 to $270,044.59, for grounds maintenance services at parks, airports and other City owned properties in a total amount not to exceed $602,004.00, increasing the service contract from $2,655,005.91 to $3,257,009.91.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $602,004.00 (subject to annual appropriations).

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 # 14

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Code Compliance Street Services Trinity Watershed Management
CMO:	Jeanne Chipperfield, 670-7804 Joey Zapata, 670-3009 Mark McDaniel, 670-3256 Jill A. Jordan, P.E., 670-5299
MAPSCO:	N/A

SUBJECT

Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Corporation in the amount of $1,095,536, from $4,565,719 to $5,661,255 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $396,408, from $1,652,057 to $2,048,465, for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties - Total not to exceed $1,491,944, from $6,217,776 to $7,709,720 - Financing: Current Funds ($1,485,293) and Stormwater Drainage Management Current Funds ($6,651) (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.

Each supplemental agreement no. 2 is to increase the service contracts for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties. The term of this contract is set to expire during the growing season when the contractor is the busiest. Consequently, any transition to a new service provider, for a new contract, would be difficult and potentially result in an interruption of service. Therefore the additional funds and the extension of the term of this agreement will allow for vendor selection and any transition to a new vendor to take place during the non-growing season.

The contractors perform services on a predetermined maintenance frequency established by the City, which vary by location. The services include, but are not limited to, tree/shrub trimming, mowing, edging and clean-up.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2012, City Council authorized a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties by Resolution No. 12-0526.

On January 20, 2015, the Budget, Finance and Audit Committee will be briefed via memorandum.

FISCAL INFORMATION

$1,485,292.75 - Current Funds (subject to annual appropriations)
$ 6,651.25 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Good Earth Corporation

White Male	15	White Female	2
Black Male	17	Black Female	0
Hispanic Male	70	Hispanic Female	8
Other Male	0	Other Female	0

JBa Land Management, LLC

White Male	8	White Female	0
Black Male	9	Black Female	0
Hispanic Male	19	Hispanic Female	1
Other Male	0	Other Female	0

OWNERS

Good Earth Corporation

Ron Points, President
George Belk, Vice President
Emily Points, Secretary

JBa Land Management, LLC

John Battle, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize supplemental agreement no. 2 to increase the service contract with Good Earth Corporation in the amount of $1,095,536, from $4,565,719 to $5,661,255 and supplemental agreement no. 2 to increase the service contract with JBa Land Management, LLC in the amount of $396,408, from $1,652,057 to $2,048,465, for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties - Total not to exceed $1,491,944, from $6,217,776 to $7,709,720 - Financing: Current Funds ($1,485,293) and Stormwater Drainage Management Current Funds ($6,651) (subject to annual appropriations)

Good Earth Corporation, is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. JBa Land Management, LLC is a local, 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	$1,222,469.00	81.94%
Non-local contracts	$269,475.00	18.06%
TOTAL THIS ACTION	$1,491,944.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
JBA Land Management, LLC	BMDB61039Y0315	$302,062.93	24.71%
Total Minority - Local		$302,062.93	24.71%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sun Coast Resources Inc.	WFWB59651N0115	$269,475.00	100.00%
Total Minority - Non-local		$269,475.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$302,062.93	20.25%	$1,560,930.40	20.25%
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	$269,475.00	18.06%	$1,347,378.69	17.48%
Total	$571,537.93	38.31%	$2,908,309.09	37.72%

January 28, 2015

WHEREAS, on February 22, 2012, City Council authorized a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties by Resolution No. 12-0526; and,

WHEREAS, on October 16, 2014, Administrative Action No. 14-6966 authorized supplemental agreement no. 1 to the service contract with Good Earth Corporation to extend the contract term from February 28, 2015 to February 28, 2016 and to increase the funds in an amount not to exceed $36,715.05, increasing the service contract amount from $4,529,004.00 to $4,565,719.05; and,

WHEREAS, on October 16, 2014, Administrative Action No. 14-6967 authorized supplemental agreement no.1 to the service contract with JBa Land Management, LLC to extend the contract term from February 28, 2015 to February 28, 2016 and to increase the funds in an amount not to exceed $13,284.95, increasing the service contract amount from $1,638,772.00 to $1,652,056.95;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute supplemental agreement no. 2 to increase the service contract with Good Earth Corporation, (510006) in the amount of $1,095,535.95, from $4,565,719.05 to $5,661,255.00 and JBa Land Management, LLC (355524) in the amount of $396,408.05, from $1,652,056.95 to $2,048,465.00 for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties in a total amount not to exceed $1,491,944.00, increasing the service contract from $6,217,776.00 to $7,709,720.00.

Section 2. That the City Controller is hereby authorized to disburse funds in an amount not to exceed $1,491,944.00 (subject to annual appropriations).

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 # 15

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize a contract with CitySquare (formerly Central Dallas Ministries), with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2014 through September 30, 2015 - Not to exceed $107,776 - Financing: 2014-15 Emergency Solutions Grant Funds

BACKGROUND

On June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 14-1001. On August 13, 2014, City Council reconsidered and amended the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1314. Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001).

On October 30, 2014, Business Development and Procurement Services solicited and received proposals from area service providers for the contractual provision of services in the following categories: Financial Assistance ($11,000) and Housing Relocation and Stabilization Services ($253,308). A Request for Competitive Sealed Proposal (RFCSP) was advertised for Emergency Solutions Grant/Rapid Re-Housing No. BTZ1502. Three non-profits submitted proposals.

One non-profit proposal was determined to be non-responsive in accordance with the RFCSP checklist. Two non-profit proposals were determined to be responsive.

These proposals were reviewed and recommended for funding by an RFCSP Review Committee consisting of staff from Housing/Community Services, Metro Dallas Homeless Alliance, Dallas Housing Authority and a formerly homeless person.

BACKGROUND (Continued)

CitySquare was recommended for $8,500 in Financial Assistance (rental arrears, rental application fees, security and utility deposits) and $99,276 in Housing Relocation and Stabilization Services (2.5 Full-Time Equivalent (FTE)) to provide housing stability case management to 60 single homeless individuals placed in Dallas Housing Authority-Housing Choice Voucher Program through the Approved Referral Agency process. The contract will be for a 10-month term with an option to renew for one additional twelve months based on performance and availability of funding in the upcoming budgets.

In 1988, Dallas businessman Jim Sowell was moved by his concern for the problems associated with homelessness and poverty. He took action in response to the human suffering he observed by working with friends to launch the Central Dallas Food Pantry in a strip shopping center at Henderson and Central Expressway. In 1990, the organization received status as a 501 (c) 3 non-profit corporation and, due to its growth, relocated to larger quarters at 801 North Peak in East Dallas. In August 1994, the current President and CEO, Larry James, joined the organization. Shortly afterwards, Central Dallas Food Pantry began doing business as Central Dallas Ministries and the organization acquired an additional building at 409 North Haskell, the current location of its food pantry.

In 2010, the Central Dallas Community Development Corporation opened the doors to a first of its kind vertical neighborhood known as CityWalk@Akard. The 15-story building at 511 North Akard is home to CitySquare's administrative headquarters. On Monday, October 25, 2010, Central Dallas Ministries officially launched under the new name CitySquare.

In 2014, CitySquare opened their new multi-service 52,000 square foot facility, CitySquare Opportunity Center ("The Center") on Malcolm X Boulevard in Southern Dallas. The Center will provide a food distribution center, a wellness center that will focus on healthy eating, exercise and chronic disease control, a comprehensive employment training center that will house new offices for Work Force Solutions of Greater Dallas, LIFT, Per Scholas, and CitySquare's WorkPaths employment training division. It will also include CitySquare's AmeriCorps headquarters/offices, and staging areas for CitySquare's fast-growing after-school and summer feeding program Food on the Move. The Center will serve low-income residents of East and South Dallas.

BACKGROUND (Continued)

CitySquare offers a wide range of social services through 14 different programs. CitySquare provides hunger relief services; health care services; housing; and other social services (including workforce development; public interest legal services; youth education services; athletic programs; and technology training and support services for youth aging out of the foster care system).

PERFORMANCE MEASURES

	2014-15 Goal
Number of Persons Assisted	
Unduplicated Individuals to be Served	60

OUTCOME MEASURES

The Continuum of Care has established the following outcome measures for grantees and sub-recipients receiving funding under the Emergency Solutions Grant.

Rapid Re-housing

- Who maintained their permanent housing for 3 months (70%)
- Exiting to permanent housing destinations (70%)
- With higher income at program exit (30%)
- With more non-cash benefits at program exit (30%)
- Receiving case management (100%)

MATCH REQUIREMENTS

CitySquare must match Emergency Solutions Grant (ESG) funding dollar-for-dollar. Match total must equal or exceed the amount of ESG funds requested. Matching funds may consist of cash, value or fair rental of donated material or building, lease of a building, time and services of volunteers, salary paid to staff, or professional services at current reasonable and customary rate.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2013, City Council authorized a contract with CitySquare (formerly Central Dallas Ministries) with one twelve-month renewal option to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals, by Resolution No. 13-0247.

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

On June 26, 2013, City Council adopted the FY 2013-14 Consolidated Plan budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds. Included in the FY 2013-14 Consolidated Plan budget is Emergency Solutions Grant (ESG) funding (Grant No. E-13-MC-48-0001) in the amount of $1,050,237, by Resolution No. 13-1142.

On November 12, 2013, City Council authorized a twelve-month renewal contract with CitySquare (formerly Central Dallas Ministries) to provide Housing Relocation and Stabilization and Financial Assistance Services to single homeless individuals, by Resolution No. 13-1932.

On June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 14-1001. On August 13, 2014, City Council reconsidered and amended the FY 2014-15 Consolidated Plan Budget, by Resolution No. 14-1314. Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001).

FISCAL INFORMATION

$107,776 - 2014-15 Emergency Solutions Grant Funds

ETHNIC COMPOSITION

CitySquare (formerly Central Dallas Ministries) (Board)

Black Female	3	Black Male	2
White Female	2	White Male	14
Hispanic Female	0	Hispanic Male	0
Other Female	0	Other Male	0

OWNER(S)

CitySquare (formerly Central Dallas Ministries)

Board of Directors

Bob Baird	Schuyler Marshall
Robin Blakely	Butch McCaslin
Leslie Choice*	Dr. Glenn Owen
Stephen Cockerman	Trevor Palacio
Scott Collier	Heather Roberts
Jon S. Halbert	Tarik Rodgers
Fredrick Halfpap	Dave Shipley (Chair)

OWNER(S) (Continued)

CitySquare (formerly Central Dallas Ministries)

Board of Directors

Wilton Hollins	Stan Shipley
Tonia Howard	Craig Spaulding
Guawn Jones	Kevin Thomason
Valerie Kenner	

*Homeless or formerly homeless representative on board.

January 28, 2015

WHEREAS, on June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant funds by Resolution No. 14-1001. On August 13, 2014, City Council reconsidered and amended the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1314. Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001); and

WHEREAS, a Request for Competitive Sealed Proposal (RFCSP) was issued on October 30, 2014 for area service providers for the contractual provision of services in the following categories: Financial Assistance ($11,000) and Housing Relocation and Stabilization Services ($253,308); and

WHEREAS, rapid re-housing assistance helps people who are homeless move quickly into permanent housing and achieve stability in that housing; and

WHEREAS, the Emergency Solutions Grant funds will be used to provide housing stability case management to homeless families at scattered-site housing throughout Dallas; and

WHEREAS, HUD has determined rapid re-housing as a priority under the Emergency Solutions Grant;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with CitySquare (formerly Central Dallas Ministries) with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals for the period December 1, 2014 through September 30, 2015, and execute any and all documents required by the contract.

Section 2. That the City Controller is hereby authorized to disburse funds for the Emergency Solutions Grant contract from Dept. HOU, to Vendor No. VS0000000497, according to the attached Schedule in an amount not to exceed $107,776.

Section 3. That the matching funds will be provided by the nonprofit agency as specified according to the attached Schedule.

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.

SCHEDULE

CitySquare (formerly Central Dallas Ministries)
2014-15 Emergency Solutions Grant
December 1, 2014 through September 30, 2015

Fund	Unit	Object Code	Encumbrance Number	Description	Award Amount	Matching Funds	Source of Match
ES14	476G	3099	CTGH184684	Rapid Re-Housing Financial Assistance	$ 8,500	$ 8,500	Donations, Salaries, Volunteers
ES14	477G	3099	CTGH184685	Rapid Re-Housing Housing Relocation & Stabilization	$99,276	$99,276	Donations, Salaries, Volunteers
				Total	**$107,776**	**$107,776**	

AGENDA ITEM # 16

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize a contract with Shared Housing Center, Inc. with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period December 1, 2014 through September 30, 2015 - Not to exceed $113,550 - Financing: 2014-15 Emergency Solutions Grant Funds

BACKGROUND

On June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant funds by Resolution No. 14-1001. On August 13, 2014, City Council reconsidered and amended the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1314. Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001).

On October 30, 2014, Business Development and Procurement Services solicited and received proposals from area service providers for the contractual provision of services in the following categories: Financial Assistance ($11,000) and Housing Relocation and Stabilization Services ($253,308). A Request for Competitive Sealed Proposal (RFCSP) was advertised for Emergency Solutions Grant/Rapid Re-Housing No. BTZ1502. Three non-profits submitted proposals.

One non-profit proposal was determined to be non-responsive in accordance with the RFCSP checklist. Two non-profit proposals were determined to be responsive.

These proposals were reviewed and recommended for funding by an RFCSP Review Committee consisting of staff from Housing/Community Services, Metro Dallas Homeless Alliance, Dallas Housing Authority and a formerly homeless person.

BACKGROUND (Continued)

Shared Housing Center, Inc. was recommended for $2,500 in Financial Assistance (rental arrears, rental application fees, security and utility deposits) and $111,050 in Housing Relocation and Stabilization Services (2.0 Full-Time Equivalent (FTE)) to provide housing stability case management to 35 homeless families and 5 homeless senior citizens or disabled adults placed in Dallas Housing Authority-Housing Choice Voucher Program through the Approved Referral Agency process. The contract will be for a 10-month term with an option to renew for one additional twelve months based on performance and availability of funding in the upcoming budgets.

Shared Housing Center, Inc. celebrates thirty-years of service in 2014. It was established in 1984 through a collaborative effort of Dallas social service agencies - Texas Department on Aging, National Shared Housing Resource Center and the Catholic Foundation - to promote and provide alternative housing options to underserved individuals, especially the elderly and the homeless. Shared Housing Center, Inc. received its 501(c)(3) statuses in 1987.

The agency provides services to the homeless/near-homeless through its Homeshare and Intergenerational Group Residence. Homeshare pairs “home seekers” in need of affordable housing arrangements with “home providers” who own their own housing. Home providers are typically widowed older adults struggling financially to maintain their home and single parents with high mortgage payments and utilities. Home seekers are typically homeless, displaced homemakers, low-income families, fleeing domestic violence, etc. The agency also has grown from the original service of facilitating homeshare arrangements to one of purchasing, rehabilitating and managing group residence facilities (shelters).

The Intergenerational Group Residence program provides longer term residency to the homeless, but also a safety network of supportive services that provides opportunities to improve educational, social and economic status so that clients may regain independence, self-sufficiency and return to more traditional housing. Housing is provided up to 12 months to homeless single parents with children and older adults. During their stay, residents are offered direct services which includes: case management, mental health counseling, children’s programs, crisis intervention, budgeting and financial management classes, assistance in securing permanent housing placement, and day care services.

PERFORMANCE MEASURES

Number of Persons Assisted	2014-15 Goal
Unduplicated Families to be Served	35
Unduplicated Seniors to be Served	5

BACKGROUND (Continued)

OUTCOME MEASURES

The Continuum of Care has established the following outcome measures for grantees and sub-recipients receiving funding under the Emergency Solutions Grant.

Rapid Re-housing

- Who maintained their permanent housing for 3 months (70%)
- Exiting to permanent housing destinations (70%)
- With higher income at program exit (30%)
- With more non-cash benefits at program exit (30%)
- Receiving case management (100%)

MATCH REQUIREMENTS

Shared Housing Center, Inc. must match Emergency Solutions Grant (ESG) funding dollar-for-dollar. Match total must equal or exceed the amount of ESG funds requested. Matching funds may consist of cash, value or fair rental of donated material or building, lease of a building, time and services of volunteers, salary paid to staff, or professional services at current reasonable and customary rate.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2013, City Council authorized a contract with Shared Housing Center, Inc. with one twelve-month renewal option to provide Housing Relocation and Stabilization Services and Financial Assistance to single homeless individuals, by Resolution No. 13-0246.

On June 26, 2013, City Council adopted the FY 2013-14 Consolidated Plan budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds. Included in the FY 2013-14 Consolidated Plan budget is Emergency Solutions Grant funding, by Resolution No. 13-1142.

On November 12, 2013, City Council authorized a twelve-month renewal contract with Shared Housing Center, Inc. to provide Housing Relocation and Stabilization and Financial Assistance Services to single homeless individuals, by Resolution No. 13-1934.

On June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds (reconsidered and amended on August 13, 2014 by Resolution No. 14-1314). Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001).

FISCAL INFORMATION

$113,550 - 2014-15 Emergency Solutions Grant Funds

ETHNIC COMPOSITION

Shared Housing Center, Inc. (Board)

Black Female	2	Black Male	0
White Female	4	White Male	6
Hispanic Female	0	Hispanic Male	1
Other Female	0	Other Male	0

OWNER(S)

Shared Housing Center, Inc.

Board of Directors

Gloria Jelks, President
Suzanne Felber, Vice President
Daniel Buechler, Secretary
Davin Mayerhoff, Treasurer
Mary Barton
John Davis
Kevin Dym
Phil Kohut
Antoinette McGarrahan
Tony Saucedo
Dawn Siemiet
Mildred Snell*
Richard Wincorn

*Homeless or formerly homeless representative on board.

January 28, 2015

WHEREAS, on June 25, 2014, City Council adopted the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant funds by Resolution No. 14-1001. On August 13, 2014, City Council reconsidered and amended the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1314. Included in the budget is $1,130,946 in Emergency Solutions Grant funding (Grant No. E-14-MC-48-0001), and

WHEREAS, a Request for Competitive Sealed Proposal (RFCSP) was issued on October 30, 2014 for area service providers for the contractual provision of services in the following categories: Financial Assistance ($11,000) and Housing Relocation and Stabilization Services ($253,308); and

WHEREAS, the Rapid Re-Housing Assistance helps people who are homeless move quickly into permanent housing and achieve stability in that housing; and

WHEREAS, the Emergency Solutions Grant funds will be used to provide housing stability case management to homeless families at scattered-site housing throughout Dallas; and

WHEREAS, HUD has determined rapid re-housing as a priority under the Emergency Solutions Grant;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with Shared Housing Center, Inc. with one twelve-month renewal option, to provide Housing Relocation and Stabilization Services and Financial Assistance to homeless families and individuals for the period December 1, 2014 through September 30, 2015, and execute any and all documents required by the contract.

Section 2. That the City Controller is hereby authorized to disburse funds for the Emergency Solutions Grant contract from Dept. HOU, to Vendor No. 190813A, according to the attached Schedule in an amount not to exceed $113,550.

Section 3. That the matching funds will be provided by the nonprofit agency as specified according to the attached Schedule.

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.

SCHEDULE

Shared Housing Center, Inc.
2014-15 Emergency Solutions Grant
December 1, 2014 through September 30, 2015

Fund	Unit	Object Code	Encumbrance Number	Description	Award Amount	Matching Funds	Source of Match
ES14	476G	3099	CTGH184686	Rapid Re-Housing Financial Assistance	$ 2,500	$ 2,500	Donations, Salaries, Volunteers
ES14	477G	3099	CTGH184687	Rapid Re-Housing Housing Relocation & Stabilization	$111,050	$111,050	Donations, Salaries, Volunteers
				Total	**$113,550**	**$113,550**	

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 47S

SUBJECT

Authorize an extension of the conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, from December 31, 2014 to December 31, 2015, for the construction of commercial and residential units for the Hatcher Gardens Project located at 4002 Hatcher Street – Financing: No cost consideration to the City

BACKGROUND

In June 2013, KKBK Properties, LLC, or its wholly owned subsidiary, and the City of Dallas entered into a conditional grant agreement for funding for Hatcher Gardens Project for $300,000 for the construction of a mixed use building to include two commercial units of approximately 800 square feet per unit and ten apartment units at 4002 Hatcher Street. The site is located immediately south of the DART Green Line Hatcher Station.

The Hatcher Gardens Project will serve a mixed income and mixed use purpose and further economic development in the area. The development owner/partners include Craig Gant, Esq., Jerry Hicks, Esq., and Kurt Thomas.

To date, the developer has completed demolition of the existing improvements, re-platted the property into a single parcel, conducted the feasibility study, issued the building permits, installed the rough plumbing and poured the foundation on the property. The developer is still collaborating with the City regarding re-zoning, design/civil engineering plans, and utility infrastructure.

This action would allow KKBK Properties, LLC, or its wholly owned subsidiary, to continue their efforts to complete the construction of this mixed use building that is deed restricted for ten years and to occupy the apartment units with tenants at or below 140% Area Median Family Income.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On June 26, 2013, the City Council approved the conditional grant agreement in the amount of $300,000 to KKBK Properties, LLC, or its wholly owned subsidiary, to provide funding for the construction of commercial and residential units for low-to-moderate income families, by Resolution No. 13-1105.

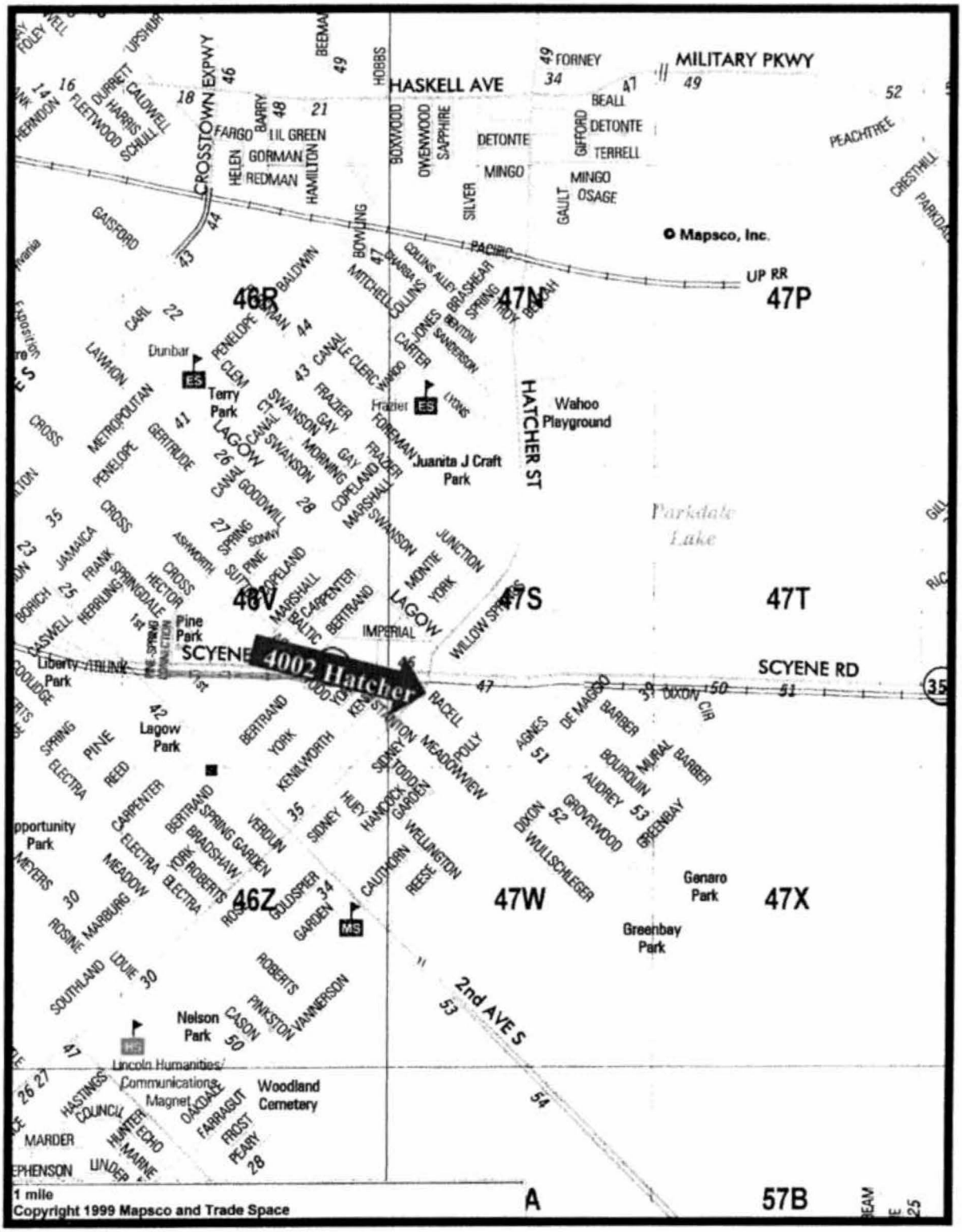
FISCAL INFORMATION

No cost consideration to the City

OWNER(S)	DEVELOPER(S)
KKBK Properties, LLC	**KKBK Properties, LLC**
Craig Gant, Esq. Jerry Hicks, Esq. Kurt Thomas	Craig Gant, Esq. Jerry Hicks, Esq Kurt Thomas

MAP

Attached.



HASKELL AVE
MILITARY PKWY
CROSSTOWN EXPWY
Mapsco, Inc.
UP RR
46R
47N
47P
HATCHER ST
Wahoo Playground
Juanita J Craft Park
Terry Park
Dunbar
Parkdale Lake
46V
47S
47T
SCYENE
4002 Hatcher
SCYENE RD
Pine Park
Liberty Park
Lagow Park
46Z
47W
47X
Genaro Park
Greenbay Park
2nd AVE S
Nelson Park
Lincoln Humanities/ Communications Magnet
Woodland Cemetery
1 mile
Copyright 1999 Mapsco and Trade Space
A
57B

MAPSCO 47S

January 28, 2015

WHEREAS, on June 26, 2013, the City Council approved the conditional grant agreement in the amount of $300,000 with KKBK Properties, LLC, or its wholly owned subsidiary, to provide funding for the construction of commercial and residential units at 4002 Hatcher Street to be completed by December 31, 2014, by Resolution No. 13-1105; and

WHEREAS, KKBK Properties, LLC, or its wholly owned subsidiary, has requested an extension of time to the conditional grant agreement to allow them to continue their efforts to complete the mixed use building and occupy the apartment units with tenants at or below 140% Area Median Family Income;

NOW, THEREFORE,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to amend the conditional grant agreement with KKBK Properties, LLC, or its wholly owned subsidiary, for the Hatcher Gardens Project to extend the conditional grant agreement from December 31, 2014 to December 31, 2015, for construction of the commercial and residential units at 4002 Hatcher Street.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

SECTION 3. That the City is authorized to execute subordination of liens on the property upon approval for the interim construction lender and permanent lender.

SECTION 4. 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 that loan documents are duly approved, by all parties and executed.

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 # 18

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Library

CMO: Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize the acceptance of a grant from the Texas State Library and Archives Commission in the amount of $21,903, for partial reimbursement of interlibrary loan services' direct costs for the period September 1, 2013 through August 31, 2014 - Not to exceed $21,903 - Financing: Texas State Library and Archives Commission Grant Funds

BACKGROUND

Interlibrary Loan (ILL) is a service that allows customers to request materials owned by another library system. Prior to August 31, 2012, when the Texas State Legislature eliminated funding for interlibrary loan services, the Dallas Public Library served as a TexNet Center and received funding for the interlibrary loan service. Since then the Dallas Public Library has absorbed the cost and continued to provide the service.

The Texas State Library Commission is providing reimbursement payments to Texas public libraries who made interlibrary loan lends in State Fiscal Year 2014. The Dallas Public Library completed 2,974 lends and 1,997 net lends using the Navigator ILL system in State Fiscal Year 2014, and will receive a total payment of $21,902.50.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$21,902.50 – Texas State Library and Archives Commission Grant Funds

January 28, 2015

WHEREAS, the Dallas Public Library provides Interlibrary Loan (ILL) service to its customers, allowing them to request materials owned by another library system; and

WHEREAS, the Dallas Public Library completed 2,974 lends and 1,997 net lends using the Navigator ILL system in State Fiscal Year 2014; and

WHEREAS, the Texas State Library Commission is providing reimbursement payments to Texas public libraries who made interlibrary loan lends in State Fiscal Year 2014; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant award in an amount not to exceed $21,902.50 for the period September 1, 2013 through August 31, 2014.

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 the grant funds from the Texas State Library and Archives Commission for partial reimbursement of Interlibrary Loan Service's direct costs (FAIN No. LS-00-13-0044-13, CFDA No. 45.310) in the amount of $21,902.50 that occurred during the period September 1, 2013 to August 31, 2014.

Section 2. That the City Controller is hereby authorized to deposit grant funds into Fund F443, Department LIB, Unit 1690, Revenue Source 6506 in an amount not to exceed $21,902.50.

Section 3. That the City Manager is hereby authorized to establish appropriations in Interlibrary Loan FY14 Fund F443, Department LIB, Unit 1690, object code various in an amount not to exceed $21,902.50.

Section 4. That the City Controller is hereby authorized to disburse funds from Fund F443, Department LIB, Unit 1690, object code various.

Section 5. That the City Manager is hereby authorized to reimburse to the granting agency 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 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

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 1, 7, 9, 14

DEPARTMENT: Public Works Department
Office of Cultural Affairs

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-1204

MAPSCO: 37H; 45F/G; 45L; 46K/L; 46K/P; 46Q; 46U; 54H

SUBJECT

Authorize a Memorandum of Understanding with the State Energy Conservation Office for energy projects at the Office of Cultural Affairs facilities (list attached) in the amount of $7,000,000 - Financing: This action has no cost consideration to the City

BACKGROUND

This action will authorize the Memorandum of Understanding with the State Energy Conservation Office for the Office of Cultural Affairs (OCA) Performance Contract Project at OCA facilities.

The Texas LoanSTAR (Saving Taxes and Resources) revolving loan program finances energy-related cost-reduction retrofits for state, public school districts, public colleges, public universities, and tax-district supported public hospital facilities (10 Tex. Gov. Code §2305.032). Low interest rate (2.5%) loans are provided to assist borrowers in financing their energy-related cost-reduction efforts. Applicants repay the loans through the stream of energy cost savings realized from the projects.

On December 10, 2013, the City applied for a LoanSTAR loan. On March 5, 2014, the City was selected and provided with the Notice of Loan Fund Availability (NOLFA). The NOLFA funds are reserved by a Memorandum of Understanding (MOU) that the borrower's City Manager must sign and date certifying that the borrower will retain a Professional Engineer to prepare a Utility Assessment Report (UAR). The UAR was prepared in accordance with the guidelines and formats provided in the Texas LoanSTAR Program guidebook and with the State Energy Conservation Office (SECO) Performance Contracting guidelines.

The sole purpose of SECO's MOU is to reserve the LoanSTAR funds for the City during the period the UAR is being prepared. The MOU document is not a loan agreement and does not authorize the expenditure of the funds for the LoanSTAR project.

BACKGROUND (Continued)

A selection committee evaluated the two submittals by Pepco Energy Services, Inc. and Baker Renewable Energy, and ranked Pepco Energy Services, Inc. as the most advantageous firm for the LoanSTAR Performance Contract Project. The City of Dallas approved an Administrative Action (AA) for the building surveys and the production of the UAR. Pepco Energy Services, Inc. submitted the UAR to SECO on October 22, 2014.

ESTIMATED SCHEDULE OF PROJECT

Audit Schedule will be as follows:

Detailed Energy Audit completed	October 22, 2014
Construction Contract Award	March 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Arts, Culture & Libraries Committee will be briefed by memorandum regarding this item.

FISCAL INFORMATION

This action has no cost consideration to the City.

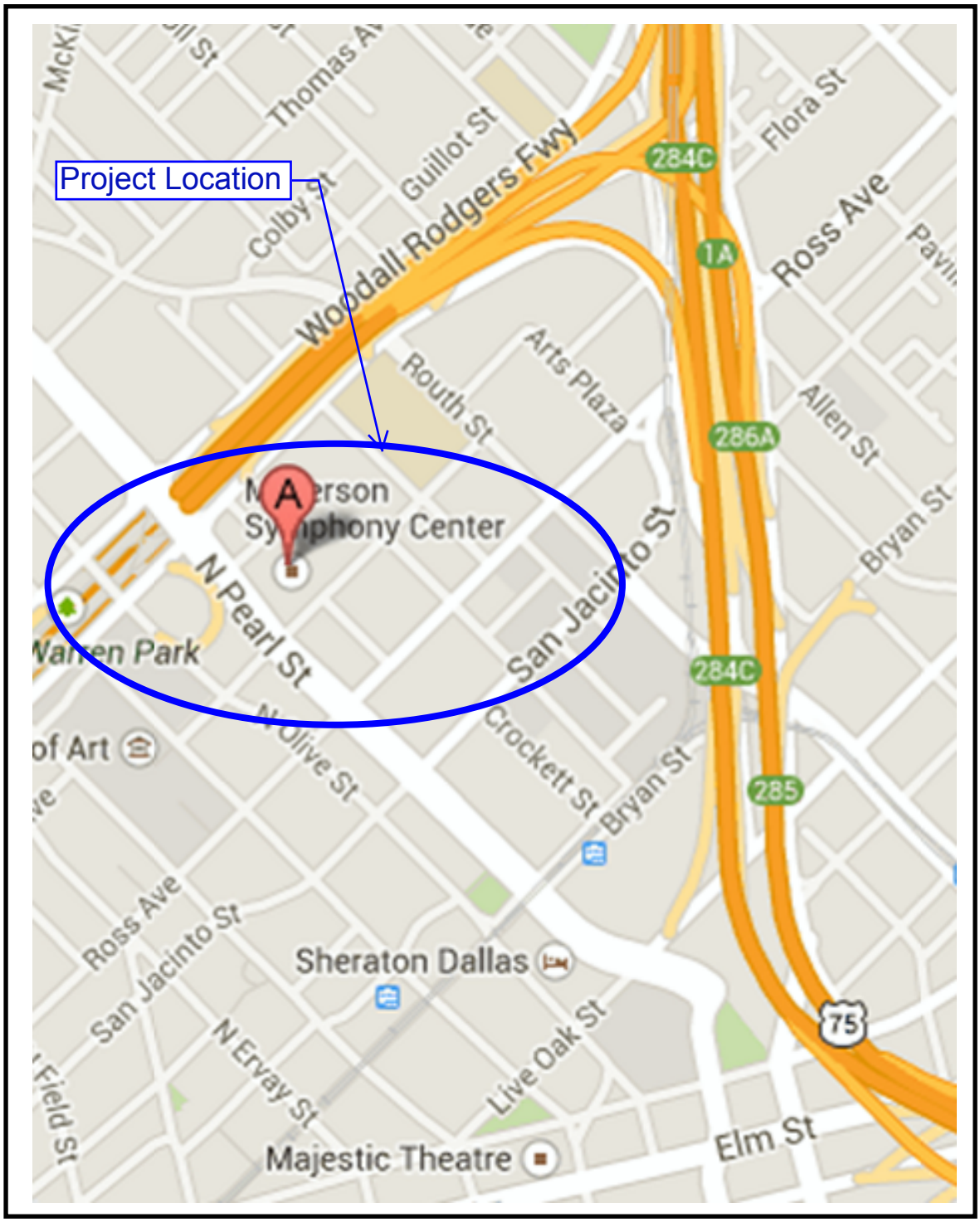
MAPS

Attached.

State Energy Conservation Performance Contract for Office of Cultural Affairs

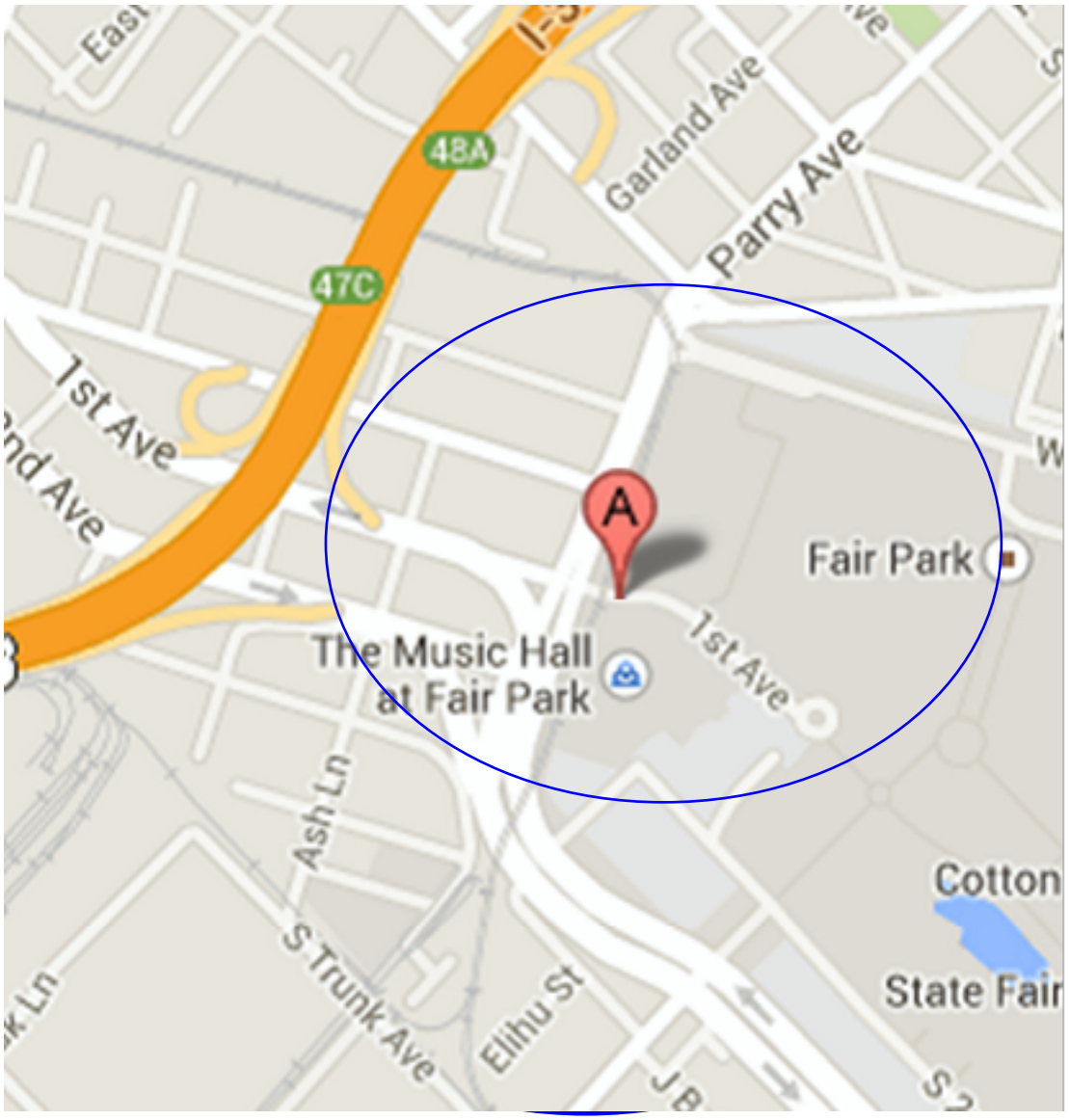
Building	Address	Council District	Mapsco
Meyerson Symphony Center	2301 Flora St.	14	45F/45G
Music Hall at Fair Park	909 First Ave.	7	46K/46P
WRR Radio Studio	1516 First Ave.	7	46Q
Latino Cultural Center	2600 Live Oak St.	14	45L
Oak Cliff Cultural Center	223 W. Jefferson Blvd.	1	54H
South Dallas Cultural Center	3400 S. Fitzhugh Ave.	7	46U
Bath House	521 E. Lawther Dr.	9	37H
Hall of State	3939 Grand Ave.	7	46K/46L

Meyerson Symphony Center



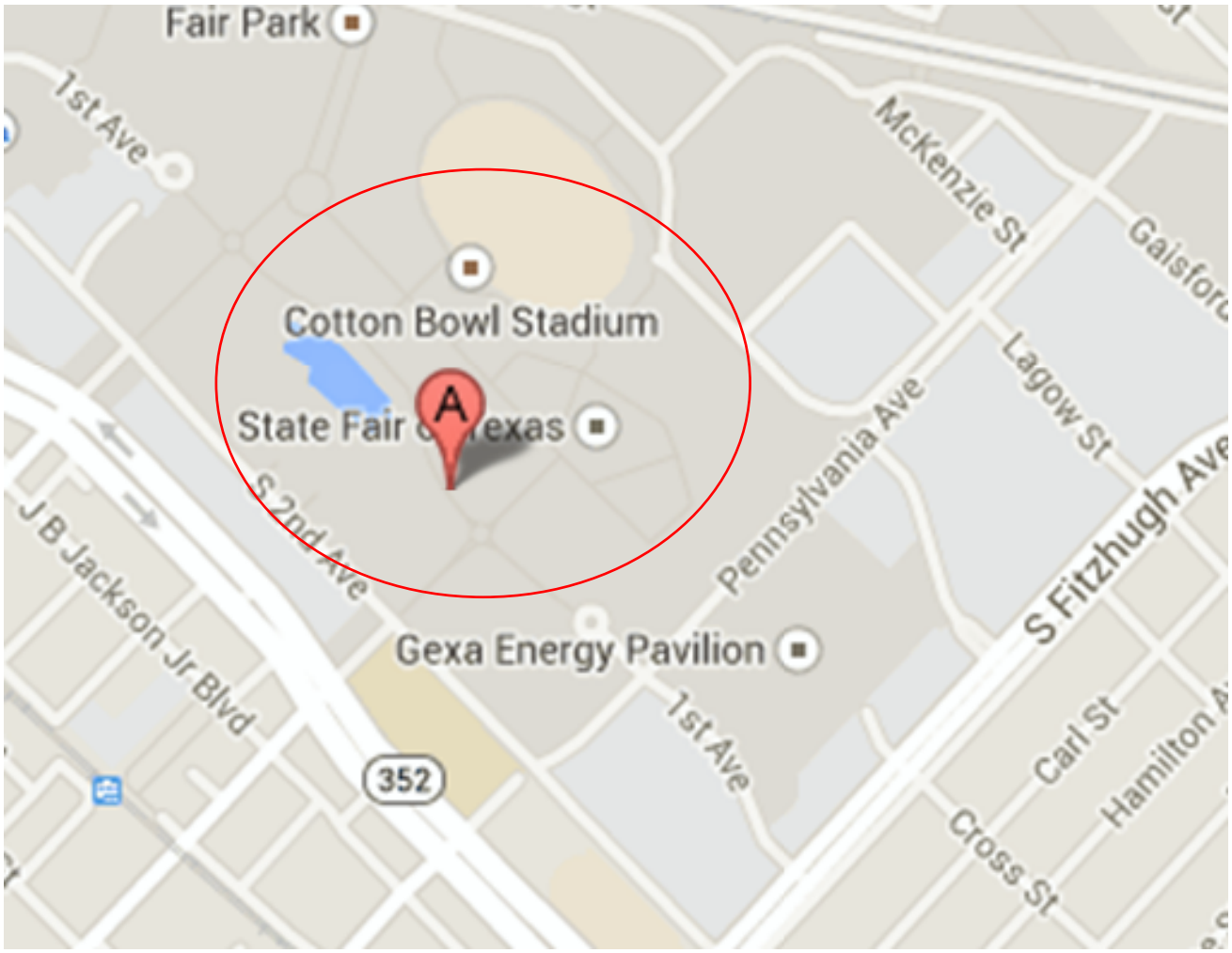
Mapsco 45F, G

Music Hall at Fair Park



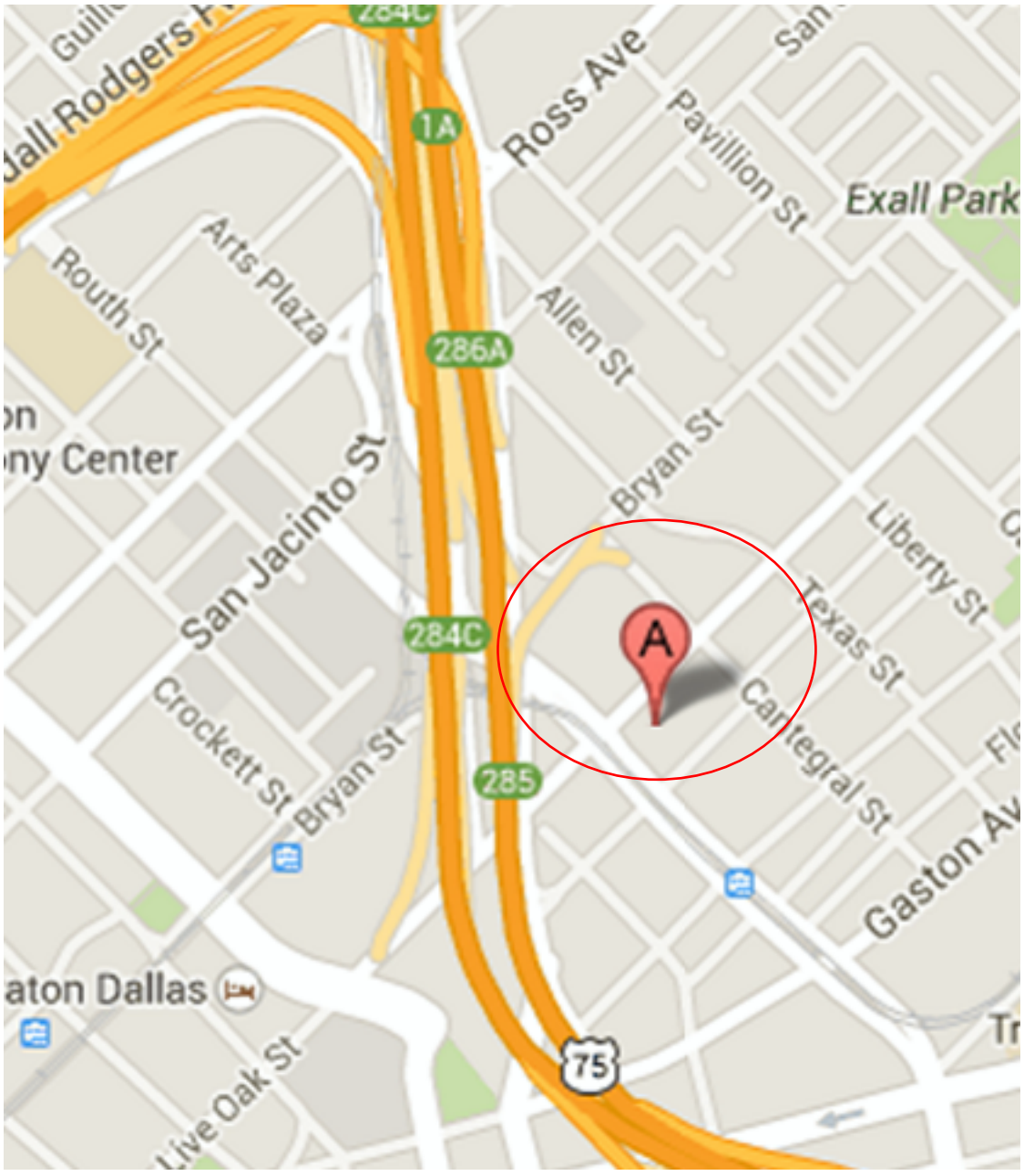
46K/P

WRR Radio Studio



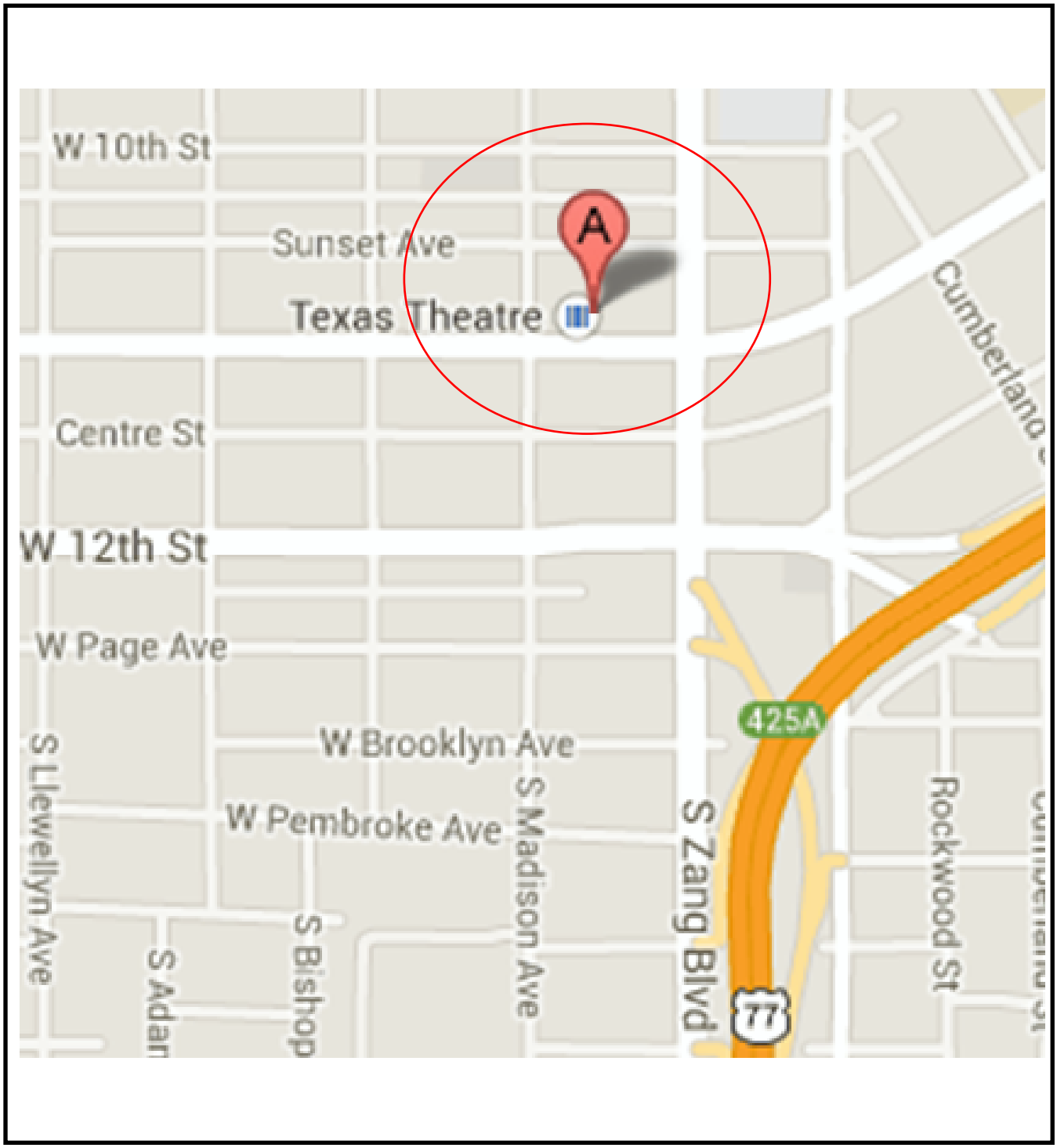
Mapsco 46Q

Latino Cultural Center



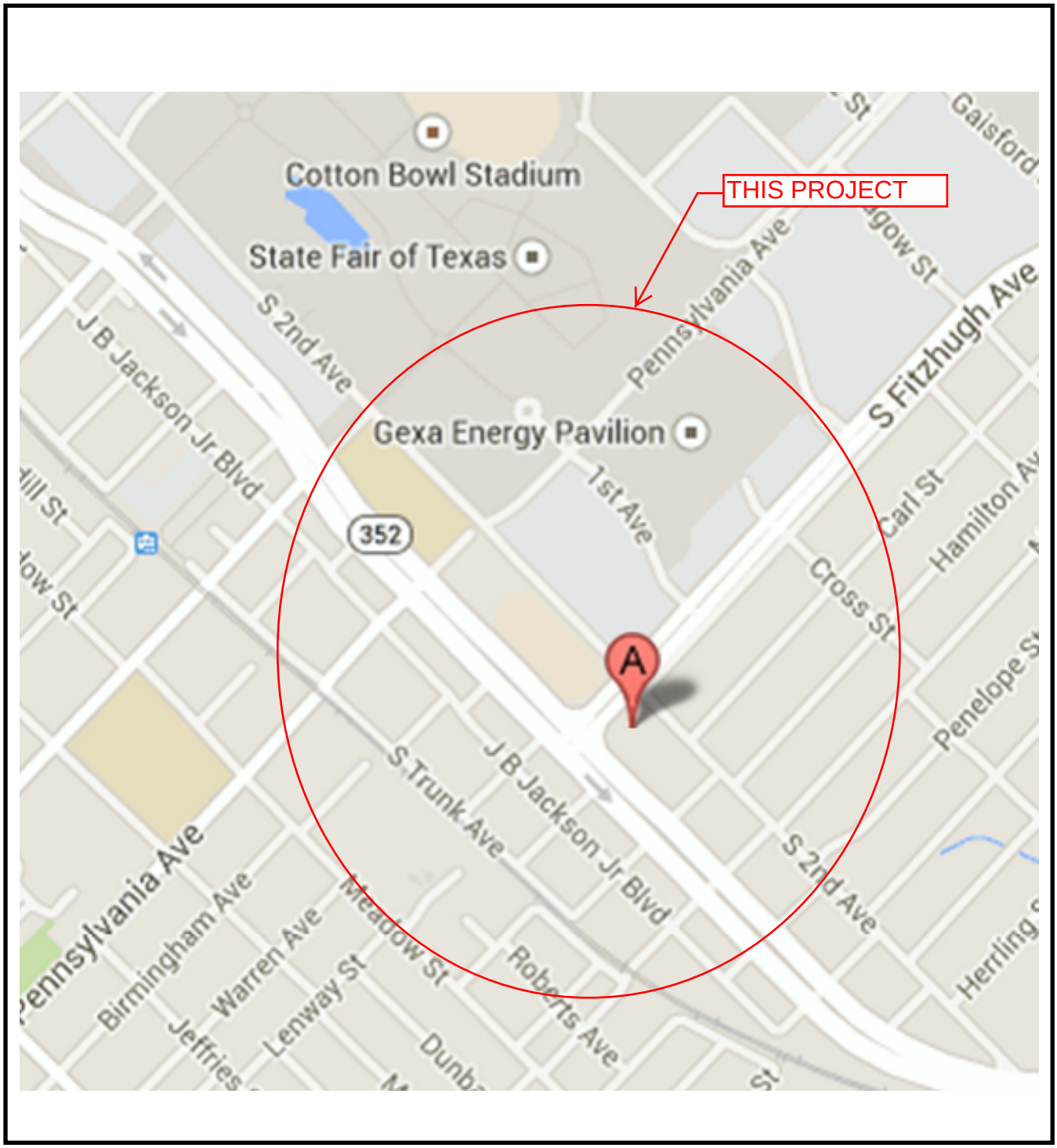
Mapsco 45L

Oak Cliff Cultural Center



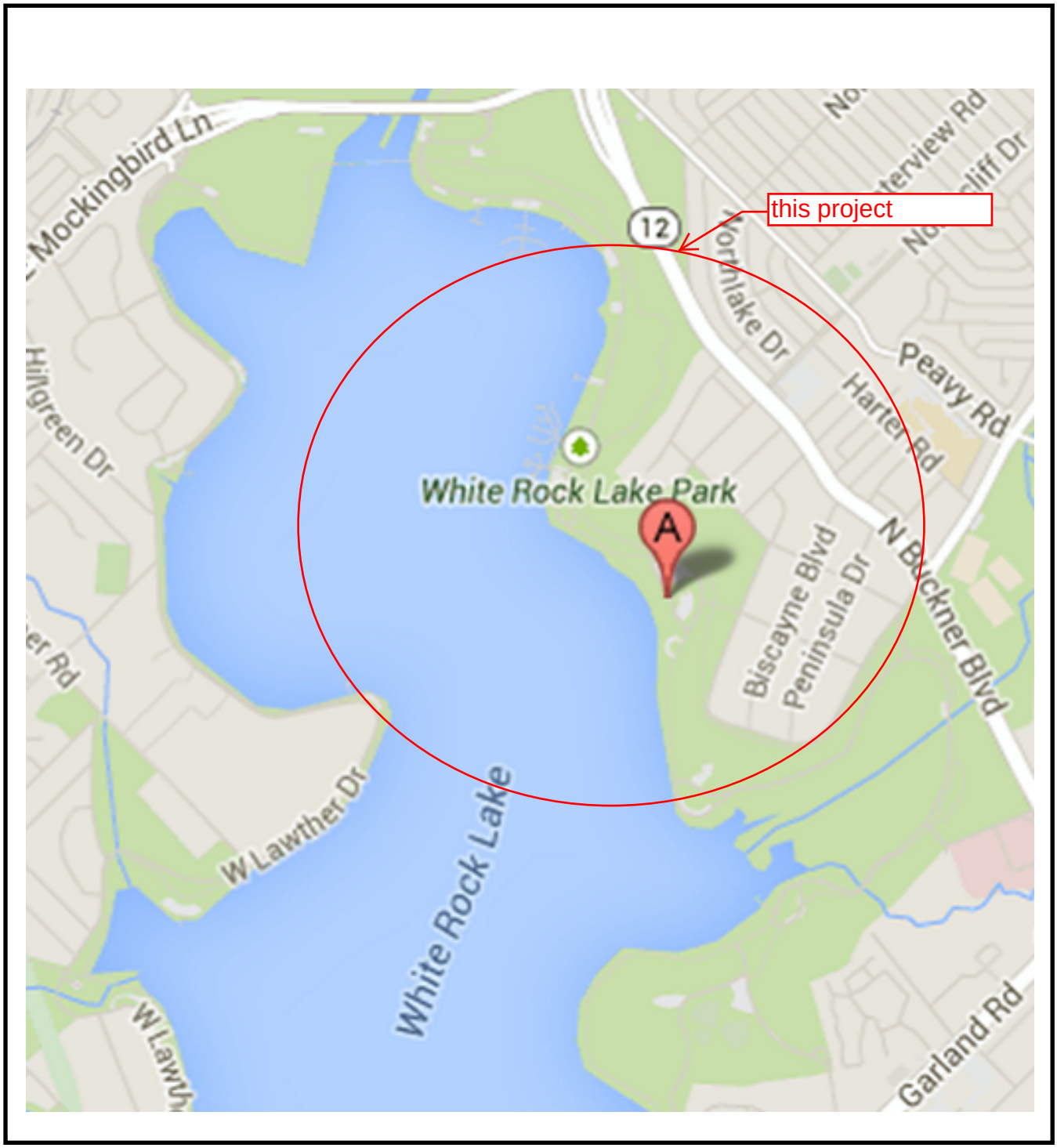
Mapsco 54H

S Dallas Cultural Center



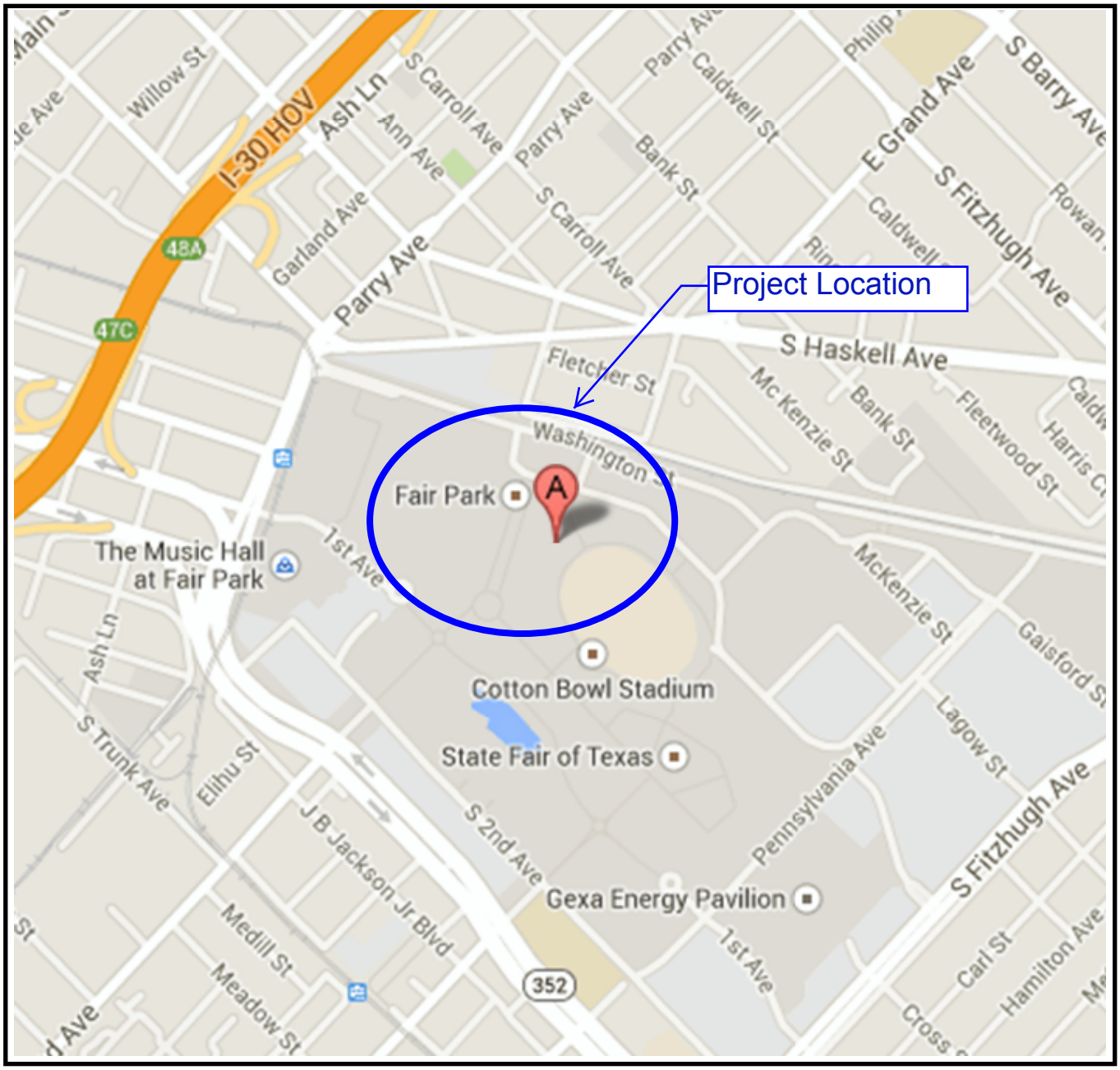
Mapsco 46U

Bath House



Mapsco 37H

Hall of State



Mapsco 46K/L

January 28, 2015

WHEREAS, on December 10, 2013, an application was submitted to the State Energy Conservation Office (SECO) for a LoanSTAR (Saving Taxes and Resources) revolving loan for the Parks and Recreation facilities project; and,

WHEREAS, on March 5, 2014, a Notification of Loan Funding Availability was issued to the City of Dallas by SECO for the Office of Cultural Affairs project; and,

WHEREAS, on April 14, 2014, the City of Dallas issued a Request for Proposal to short-listed firms for the Office of Cultural Affairs Photovoltaic Generation and Performance Contract; and,

WHEREAS, on May 1, 2014, firms submitted proposals for the Office of Cultural Affairs Photovoltaic Generation and Performance Contract; and,

WHEREAS, on September 2, 2014, Administrative Action No. 14-6619 authorized Pepco Energy Services, Inc. to perform site surveys of Office of Cultural Affairs properties and prepare a Utility Assessment Report; and,

WHEREAS, the City of Dallas is required to provide a Memorandum of Understanding to SECO to reserve the LoanSTAR funds in the amount of $7,000,000; and,

WHEREAS, it is now necessary to authorize a Memorandum of Understanding with the State Energy Conservation Office for energy projects at the Office of Cultural Affairs facilities project in the amount of $7,000,000.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute a Memorandum of Understanding with the State Energy Conservation Office to reserve the LoanSTAR funds for energy projects at the Office of Cultural Affairs and other City of Dallas facilities in the amount of $7,000,000, after it has been approved as to form by the City Attorney's Office.

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.

AGENDA ITEM # 20

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	6
DEPARTMENT:	Public Works Department Water Utilities
CMO:	Jill A. Jordan, P.E., 670-5299 Mark McDaniel, 670-3256
MAPSCO:	23A E J N

SUBJECT

Authorize **(1)** 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 north of Royal Lane; and **(2)** payment to Dallas County for the City's share of additional design, right-of-way acquisition and construction costs - Not to exceed $7,803,890 - Financing: 2006 Bond Funds ($3,023,907), 2012 Bond Funds ($3,166,093), Water Utilities Capital Improvement Funds ($1,596,284) and Water Utilities Capital Construction Funds ($17,606)

BACKGROUND

Denton Drive from Webb Chapel Extension to the north City limits and Harry Hines Boulevard from Manana Drive to north of Royal Lane is a partnership project between the City of Dallas, Dallas County and the Texas Department of Transportation (TxDOT). The scope of this project entails reconstructing and widening Denton Drive from the existing 2-lane asphalt roadway to a 3-lane concrete roadway with bike lanes along with drainage, streetscape, water and wastewater main improvements. The project also entails constructing sidewalks along Harry Hines Boulevard and a new pedestrian bridge crossing Harry Hines Boulevard at Walnut Hill Lane. A Project Supplemental Agreement with Dallas County and partial payment for the City's share of design and construction costs for the project was authorized on September 28, 2011. This action will authorize the first amendment to the Project Supplemental Agreement and payment with Dallas County for the City's share of additional design, right-of-way acquisition and construction costs.

BACKGROUND (Continued)

The project's initial scope only included the Denton Drive improvements. However, the project scope was expanded to include sidewalk improvements along Harry Hines Boulevard and a pedestrian bridge crossing Harry Hines Boulevard north of Walnut Hill Lane in response to the community's desires to encourage pedestrian traffic, business development and high density use in the vicinity of two Dallas Area Rapid Transit light rail stations and the Asian Trade Center. Dallas County is the lead agency for the project and is responsible for administering the design, right-of-way and utility relocations needed for the project. Dallas County will also administer the construction for the Denton Drive improvements. However, since Harry Hines Boulevard is on the State Highway system, TxDOT will administer the construction for the Harry Hines Boulevard improvements.

Due to limited funding, Denton Drive from Webb Chapel Extension to the north City limits will 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 Connection; and Phase III is from north of Royal Lane to north of the City limit. Phase I design is 60% complete and construction is estimated to begin in November 2015. Phase II and Phase III are still in the planning stages. The design of Harry Hines Boulevard from Manana Drive to north of Royal Lane, including the pedestrian bridge, is complete and TxDOT received bids for construction on July 7, 2014. Construction of the Harry Hines Boulevard project began in October 2014 and is estimated to be completed in June 2015.

The estimated project cost for Denton Drive Phase I is $16,133,863.49, of which $550,000 is to be funded by TxDOT, $6,990,000 is funded by Dallas County and $8,593,863.49 is funded by the City ($6,990,000 by the Public Works Department and $1,603,863.49 by the Dallas Water Utilities Department). The estimated project cost for Harry Hines Boulevard including the pedestrian bridge is $6,410,026.08, of which $4,000,000 is to be federally funded, $1,000,000 is to be funded by TxDOT, $700,000 is funded by the Dallas County and $710,026.08 is funded by the City ($700,000 by the Public Works Department and $10,026.08 by the Dallas Water Utilities Department). Therefore, the City's share of the project costs for Denton Drive Phase I and Harry Hines Boulevard is estimated at $9,303,889.57 ($7,690,000 by the Public Works Department and $1,613,889.57 by the Dallas Water Utilities Department). Since a partial payment of $1,500,000 was authorized by the Dallas City Council on September 28, 2011, the City will provide $7,803,889.57 to Dallas County at this time for the City's share of the remaining project cost for Denton Drive Phase I ($7,593,863.49) and Harry Hines Boulevard ($210,026.08). Staff anticipates the City's share of the remaining project costs for Denton Drive Phase II and Phase III will come from a future bond program.

ESTIMATED SCHEDULE OF PROJECTS

Denton Drive Phase I

Began Design	January 2012
Complete Design	July 2015
Begin Construction	November 2015
Complete Construction	April 2017

Harry Hines Boulevard

Began Design	April 2011
Completed Design	April 2014
Began Construction	October 2014
Complete Construction	June 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Master Agreement with Dallas County on January 10, 2001, by Resolution No. 01-0104.

Authorized Dallas County's Fourth Call for projects on August 24, 2005, by Resolution No. 05-2432.

Authorized a new Master Agreement governing transportation major capital improvement projects with Dallas County on April 13, 2011, by Resolution No. 11-0927.

Authorized Project Supplemental Agreement with Dallas County for the City's share of Denton Drive and Harry Hines Boulevard on September 28, 2011, by Resolution No. 11-2544.

FISCAL INFORMATION

2006 Bond Funds (Harry Hines and Denton Drive - Phase I) - $3,023,907.00
2012 Bond Funds (Denton Drive - Phase I) - $3,166,093.00
Water Utilities Capital Improvement Funds - $1,596,284.07
Water Utilities Capital Construction Funds - $17,605.50

FISCAL INFORMATION (Continued)

Denton Drive Phase I

Design and Right-of-Way	$ 1,500,000.00
Construction	$11,330,000.00
Design & Construction - DWU	$ 1,603,863.49
Administrative Cost (County)	$ 1,150,000.00
Contingencies	$ 550,000.00
Total	$16,133,863.49

TxDOT's share	$ 550,000.00
Dallas County's share	$ 6,990,000.00
City's share - PBW	$ 6,990,000.00
City's share - DWU	$ 1,603,863.49
Total	$16,133,863.49

Harry Hines Boulevard

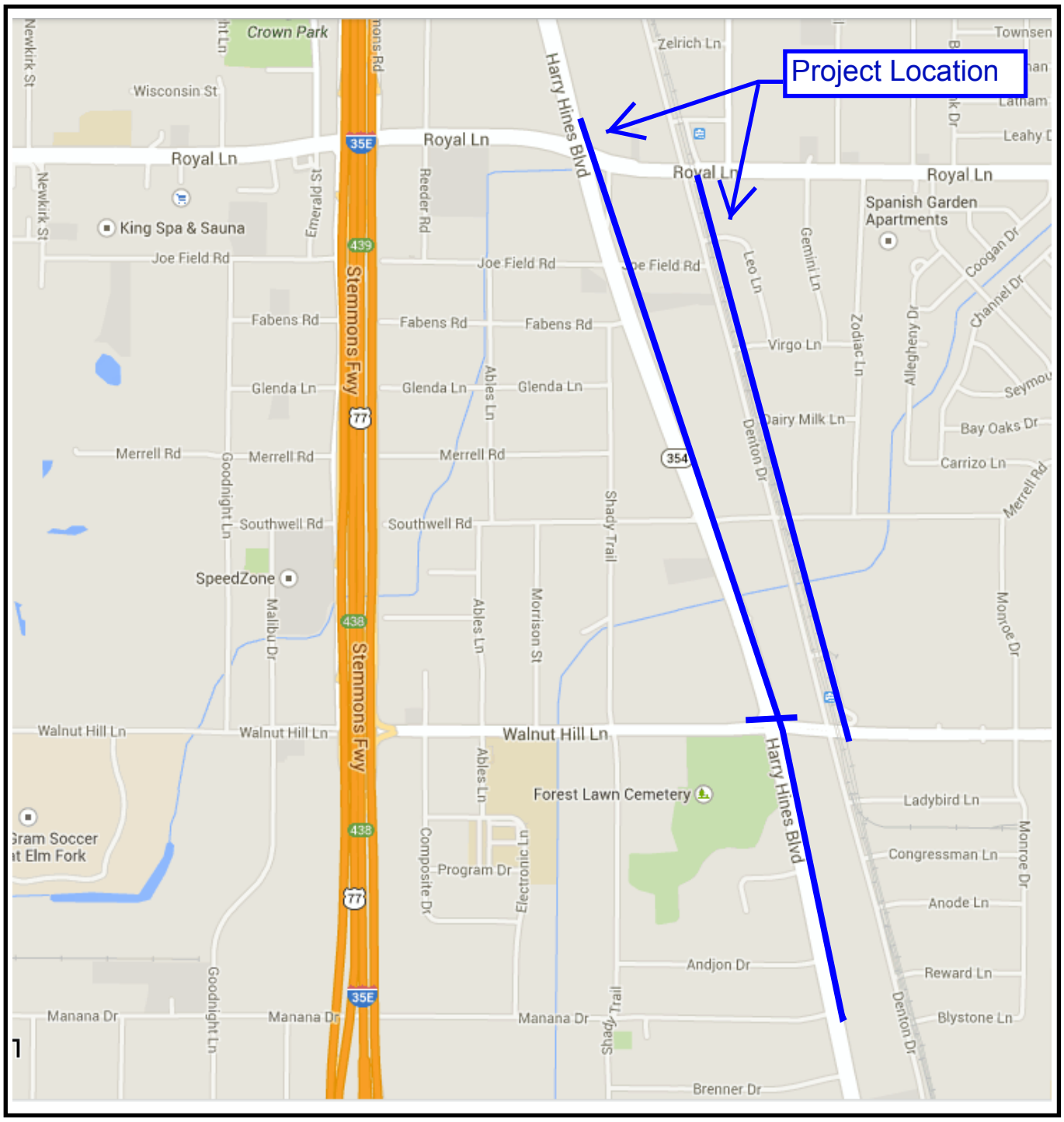
Design and Right-of-Way	$ 1,000,000.00
Construction	$ 4,850,444.85
Design - DWU	$ 10,026.08
Administrative Cost & Contingencies County & TxDOT	$ 1,036,679.15
Total	$ 6,897,150.08

TxDOT's share	$ 1,355,724.00
Dallas County's share	$ 700,000.00
Federal's share	$ 4,131,400.00
City's share - PBW	$ 700,000.00
City's share - DWU	$ 10,026.08
Total	$ 6,897,150.08

MAP

Attached.

Denton Dr Phase I - Royal Ln to Walnut Hill Ln
Harry Hines Bvld - Manana Dr to Royal Ln



Mapsco 23 A E J N

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized the Master Interlocal Agreement with Dallas County for the projects to be implemented through their Major Capital Improvement Program; and,

WHEREAS, the Master Agreement with Dallas County had a ten-year expiration date clause and expired on April 24, 2011; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized a new Master Agreement with Dallas County governing major transportation capital improvement projects; and,

WHEREAS, the City of Dallas and Dallas County desire to improve Denton Drive from Webb Chapel to the north City limits and Harry Hines Boulevard from Manana Drive to Royal Lane; and,

WHEREAS, Dallas County is the lead agency administering the design, right-of-way acquisition and utility relocation of Denton Drive and Harry Hines Boulevard and the construction of Denton Drive; and,

WHEREAS, the Texas Department of Transportation (TxDOT) is responsible for administering the construction of Harry Hines Boulevard from Manana Drive to north of Royal Lane; and,

WHEREAS, on September 28, 2011, Resolution No. 11-2544 authorized the Project Supplemental Agreement with Dallas County for the improvements on Denton Drive from Webb Chapel 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 cost on Denton Drive ($1,000,000) and the City's share of design and construction costs on Harry Hines Boulevard ($500,000); and,

WHEREAS, Denton Drive from Webb Chapel Extension to the north City limits will 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 Connection; and Phase III is from north of Royal Lane to north City limit; and,

WHEREAS, it is now necessary to authorize 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 north of Royal Lane and payment to Dallas County for the City’s share of additional design, right-of-way acquisition construction costs in the amount of $7,803,889.57.

Now, Therefore,

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

Section 1. That the City Manager is authorized to execute 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 north of Royal Lane and payment to Dallas County for the City's share of additional design, right-of-way acquisition and construction costs in the amount of $7,803,889.57, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit S400, Act. INGV Obj. 4510, Program #PB12S400, CT PBW06U750L1 Vendor #014003, in an amount not to exceed	$2,823,907.00
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S400, Act. INGV Obj. 4510, Program #PB12S400, CT PBW06U750L1 Vendor #014003, in an amount not to exceed	$3,166,093.00
Street and Transportation Improvements Fund Fund 1T22, Department PBW, Unit U756, Act. SSUD Obj. 4510, Program #PB06U756, CT PBW06U750L1 Vendor #014003, in an amount not to exceed	$ 200,000.00
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Obj. 4550, Program #715015, CT PBW715015CP Vendor #014003, in an amount not to exceed	$1,074,749.23
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj. 3221, Program #715015X, CT PBW715015EN Vendor #014003, in an amount not to exceed	$ 3,025.00

Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Obj. 4111, Program #715017, CT PBW715017CP Vendor #014003, in an amount not to exceed	$ 73,489.35
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4560, Program #715016, CT PBW715016CP Vendor #014003, in an amount not to exceed	$ 408,048.30
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4111, Program #715018, CT PBW715018CP Vendor #014003, in an amount not to exceed	$ 39,997.19
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 3222, Program #715016X, CT PBW715016EN Vendor #014003, in an amount not to exceed	$ 14,580.50
Total amount not to exceed	$7,803,889.57

Section 3. That the City Controller is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project into Fund 2U22, Department PBW, Unit S400, Act. INGV, Object 4510.

Section 4. That the City Controller is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project into Fund 1T22, Department PBW, Unit U756, Act. INGV, Object 4510.

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 # 21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 3

DEPARTMENT: Public Works Department
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 43T X

SUBJECT

Authorize an increase in the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project - Not to exceed $506,935, from $3,713,016 to $4,219,951 - Financing: 2012 Bond Funds

BACKGROUND

The Colorado Boulevard Extension project is located in The Canyon in Oak Cliff southwest of Interstate Highway 30 (IH30) and Westmoreland Road in the Davis Garden TIF District.

On June 25, 2014, Resolution No. 14-1018 authorized a contract with North Texas Contracting, Inc. for the construction of Phase I utilities, roadway and streetscape improvements on the Colorado Boulevard Extension from IH30 eastbound service road to approximately 1900 feet south, as well as construction of the continued water line from 1900 feet south of IH30 to Westmoreland Road. As part of a future project, Phase II will construct the remaining roadway and streetscape improvements from 1900 feet south of IH30 to Westmoreland Road. This new road will serve as the spine road for future infrastructure improvements and private development in The Canyon.

The additional improvements included in this action consist of increased fill quantities that will provide increased stability and reduced maintenance of the sloped parkways adjacent to the roadway and storm drainage improvements. These improvements were initially planned to be constructed in Phase II but are now being expedited and constructed as part of Phase I to better accommodate adjacent development.

BACKGROUND (Continued)

This action will authorize Change Order No. 1 to the contract with North Texas Contracting, Inc. to add new pay items and increase the quantity of some of the existing pay items related to grading, earth work, drainage and utility infrastructure.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Completed Design	April 2014
Began Construction	July 2014
Complete Construction	May 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Chapter 380 economic development grant agreement with SLF III - THE CANYON TIF, LP to support the proposed Canyon Development on March 27, 2013, by Resolution No. 13-0551.

Authorized a construction contract with North Texas Contracting, Inc. on June 25, 2014, by Resolution No. 14-1018.

FISCAL INFORMATION

2012 Bond Funds - $506,934.50

Design (SLF III)	$ 327,140.00
Construction	
Paving & Drainage - PBW	$3,713,015.70
Change Order No. 1 (this action)	$ 506,934.50
Total Project Cost	$4,547,090.20

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

North Texas Contracting, Inc.

Hispanic Female	2	Hispanic Male	310
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	3	White Male	24

OWNER

North Texas Contracting, Inc.

Zach Fusilier, Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project - Not to exceed $506,935, from $3,713,016 to $4,219,951 - Financing: 2012 Bond Funds

North Texas Contracting, Inc. is a non-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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$115,702.00	22.82%
Non-local contracts	$391,232.50	77.18%
TOTAL THIS ACTION	$506,934.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Duran Industries	HMDB63413Y1015	$115,702.00	100.00%
Total Minority - Local		$115,702.00	100.00%

Non-Local Contractors / Sub-Contractors

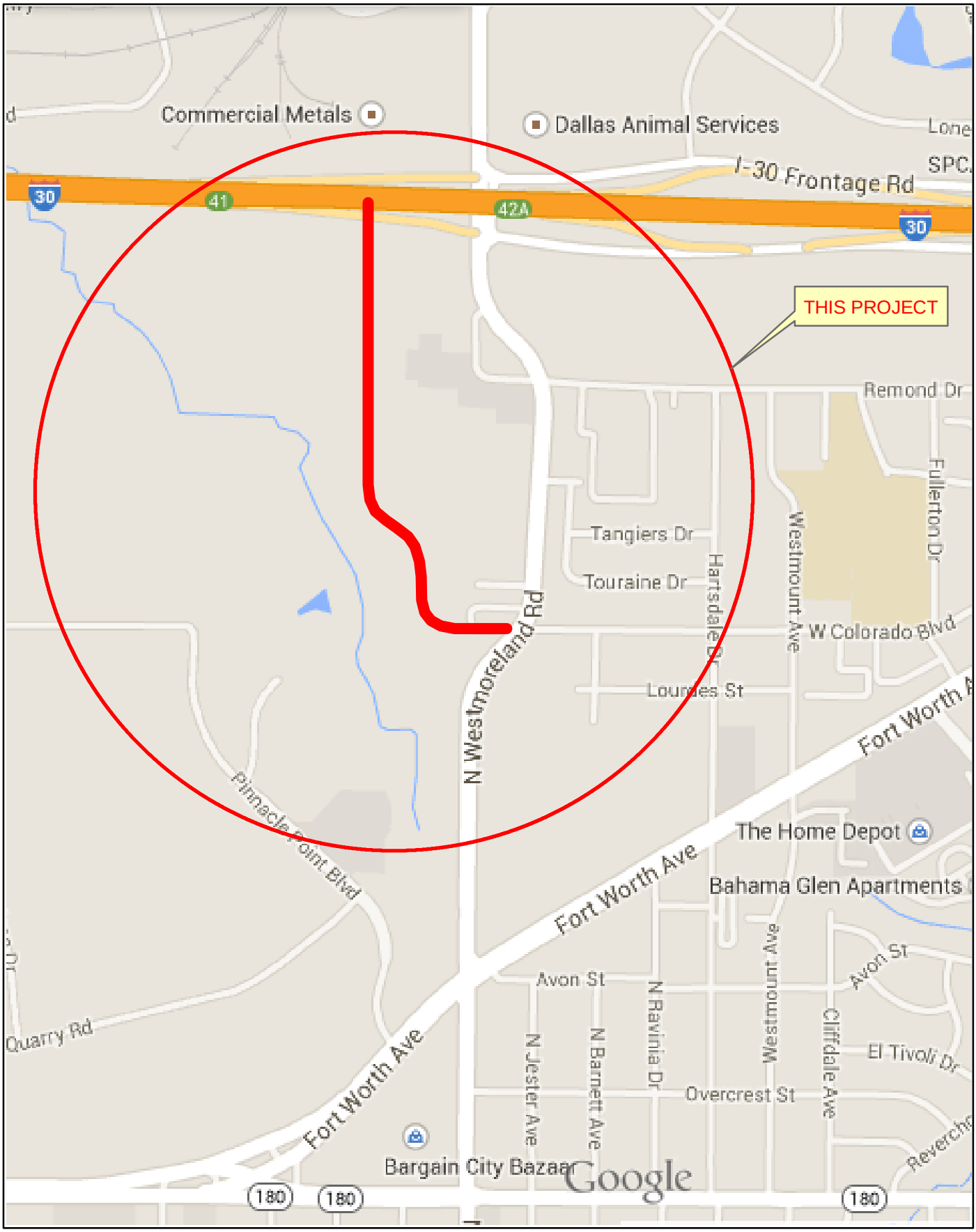
Non-local	Certification	Amount	Percent
LB Transportation	WFWB63580N1116	$21,295.00	5.44%
Brenda Price Trucking	WFDB62055Y0615	$3,690.00	0.94%
Total Minority - Non-local		$24,985.00	6.39%

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	$115,702.00	22.82%	$397,302.00	9.41%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$24,985.00	4.93%	$672,584.50	15.94%
Total	$140,687.00	27.75%	$1,069,886.50	25.35%

COLORADO BOULEVARD EXTENSION

FROM IH 30 EASTBOUND SERVICE ROAD TO WESTMORELAND ROAD



MAPSCO 43T, X

January 28, 2015

WHEREAS, on March 27, 2013, Resolution No. 13-0551 authorized the City to enter into Chapter 380 economic development grant agreement with SLF III - THE CANYON TIF, LP to reimburse the developer for the design and engineering costs for public infrastructure in the amount of $327,140.00; and,

WHEREAS, on June 25, 2014, Resolution No. 14-1018 authorized a construction contract with North Texas Contracting, Inc. for the construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension Project in the amount of $3,713,015.70; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project in the amount of $506,934.50, increasing the contract from $3,713,015.70 to $4,219,950.20.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with North Texas Contracting, Inc. for construction of utilities, roadway and streetscape improvements for the Colorado Boulevard Extension from Interstate Highway 30 eastbound service road to Westmoreland Road to add new pay items and increase the quantity of some of the existing pay items related to grading, earthwork, drainage and utility infrastructure necessary to complete the project in an amount of $506,934.50, increasing the contract from $3,713,015.70 to $4,219,950.20, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Economic & S. Area of City Transit-Oriented Development Fund	
Fund 2U52, Department ECO, Unit P889, Act. ECNR	
Obj. 4510, Program #ECO12P889, CT ECOP889H272	
Vendor #514455, in an amount not to exceed	$506,934.50

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 # 22

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	5
DEPARTMENT:	Public Works Department Police
CMO:	Jill A. Jordan, P.E., 670-5299 Eric Campbell, 670-3255
MAPSCO:	57N

SUBJECT

Authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the sally-port and fuel/wash roofs at the Southeast Police Station, located at 725 North Jim Miller Road - Not to exceed $92,959, from $4,131,241 to $4,224,200 - Financing: 2006 Bond Funds

BACKGROUND

This action will authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the sally-port and fuel/car wash roofs at the Southeast Police Station. The sally-port's metal roof structure has deteriorated with age and rain water leaks onto the police vehicles, equipment, and officers below. The fuel/car wash building roof is in need of replacement as rain water leaks into the maintenance and equipment rooms. Both roofs have exceeded the useful life and the leaks are causing damage and lessening the serviceable life of the buildings.

ESTIMATED PROJECT SCHEDULE

Begin Design	February 2015
Complete Design	February 2015
Begin Construction	March 2015
Complete Construction	April 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a design-build contract with Texas Roof Management, Inc. on October 24, 2012, by Resolution No. 12-2665.

Authorized Supplemental Agreement No. 2 with Texas Roof Management, Inc. on June 26, 2013, by Resolution No. 13-1081.

FISCAL INFORMATION

2006 Bond Funds - $92,959

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Roof Management, Inc.

Hispanic Female	0	Hispanic Male	86
African-American Female	0	African-American Male	0
Other Female	2	Other Male	4
White Female	4	White Male	11

OWNER

Texas Roof Management, Inc.

Catherine L. Awtrey, President/Secretary

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the sally-port and fuel/wash roofs at the Southeast Police Station, located at 725 North Jim Miller Road - Not to exceed $92,959, from $4,131,241 to $4,224,200 - Financing: 2006 Bond Funds

Texas Roof Management, Inc. is a 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$69,059.00	74.29%
Non-local contracts	$23,900.00	25.71%
TOTAL THIS ACTION	$92,959.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Texas Roof Management, Inc.	WFWB62655N0716	$60,559.00	87.69%
Total Minority - Local		$60,559.00	87.69%

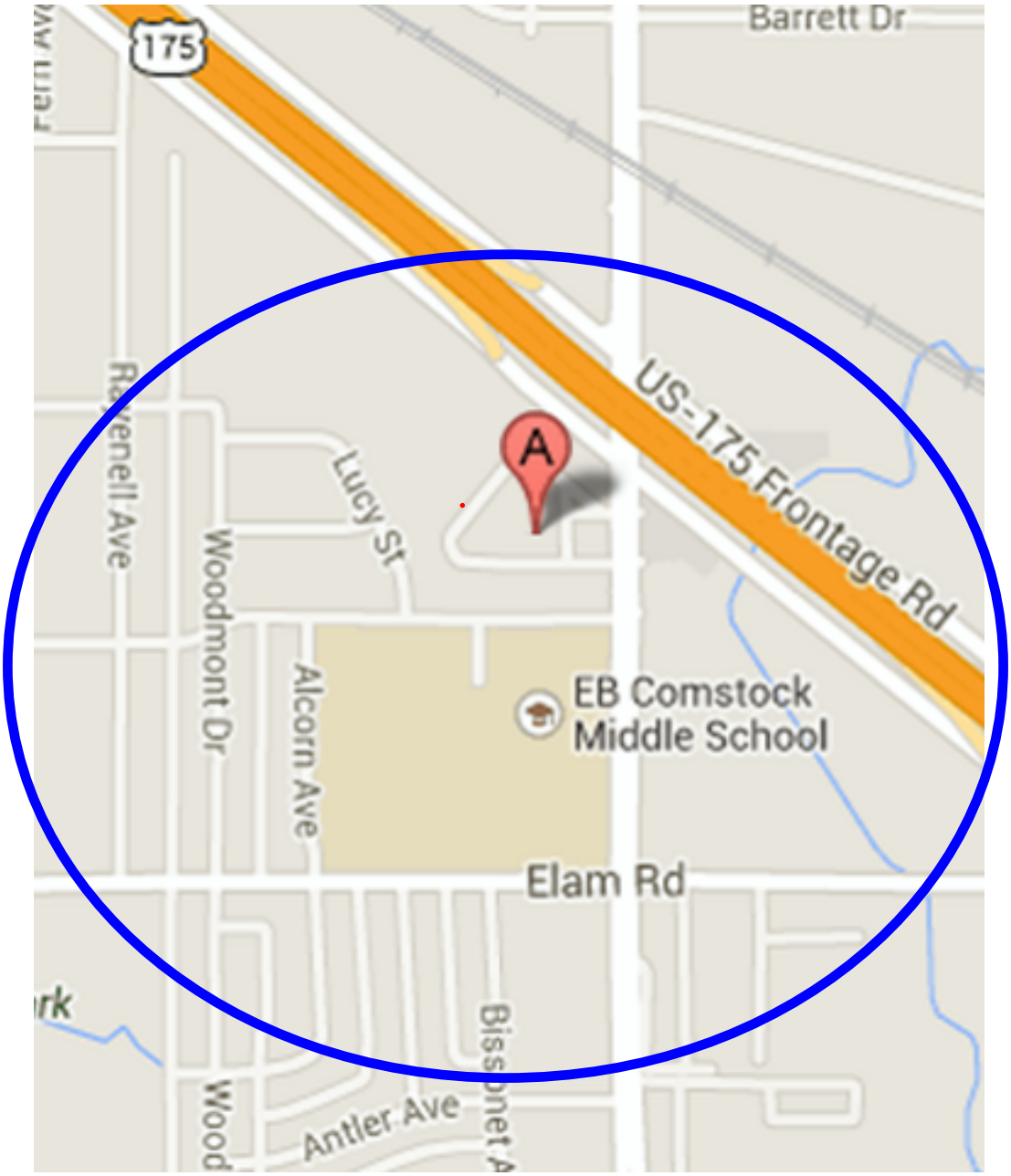
Non-Local Contractors / Sub-Contractors

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%	$42,920.00	1.02%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$60,559.00	65.15%	$2,869,626.00	67.93%
Total	$60,559.00	65.15%	$2,912,546.00	68.95%

Southeast Police Station
725 N Jim Miller Road



Mapsco 57N

WHEREAS, on October 24, 2012, Resolution No. 12-2665 authorized a design-build contract with Texas Roof Management, Inc. for Phase I design services to replace seventeen (17) roofs on City-owned facilities in the amount of $387,648; and,

WHEREAS, on April 17, 2013, Administrative Action No. 13-0594 authorized Supplemental Agreement No. 1 to add the Fair Oaks Transfer Station and Heritage Village Print Shop roof replacements, increasing the contract from $387,648 to $408,448; and,

WHEREAS, on June 26, 2013, Resolution No. 13-1081 authorized Supplemental Agreement No. 2 for Phase II construction services, increasing the contract from $408,448 to $4,033,318; and,

WHEREAS, on September 17, 2013, Administrative Action No. 13-1242 authorized Supplemental Agreement No. 3 to apply a waterproof coating at the McCommas Bluff Heavy Weld Shop, increasing the contract from $4,033,318 to $4,057,124; and,

WHEREAS, on January 27, 2014, Administrative Action No. 14-0072 authorized Supplemental Agreement No. 4 to replace deteriorated roof structure at the Martin Weiss Recreation Center, increasing the contract from $4,057,124 to $4,091,474; and,

WHEREAS, on September 2, 2014, Administrative Action No. 14-1557 authorized Supplemental Agreement No. 5 to add roof drains and tapered insulation to the Southwest Service Center - Building A and protective coverings to the wood beams at the Kiest Recreation Center, increasing the contract from $4,091,474 to $4,131,241; and,

WHEREAS, it is necessary to replace the Southeast Police sally-port and fuel/car wash building roofs to stop leaks, prevent damage, and extend the life of the structures; and,

WHEREAS, it is desirable to authorize Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the Southeast Police sally-port and fuel/car wash building roofs in an amount not to exceed $92,959, increasing the contract from $4,131,241 to $4,224,200.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 6 to the design-build contract with Texas Roof Management, Inc. to replace the Southeast Police sally-port and fuel/car wash building roofs in an amount not to exceed $92,959, from $4,131,241 to $4,224,200 upon approval as to form by the City Attorney.

Section 2. That the City Controller is authorized to disburse funds in accordance with the terms and conditions of the contract from:

2006 Bond Funds	
Fund 7T33, Dept. PBW, Unit P904, Act. MMCF	
Obj. 4310, Program #PB06P904, CT PBW06T199A1	
Vendor #354710, in an amount not to exceed	$ 57,650
2006 Bond Funds	
Fund 7T33, Dept. PBW, Unit P905, Act. MMCF	
Obj. 4310, Program #PB06P905, CT PBW06T199A1	
Vendor #354710, in an amount not to exceed	$ 35,309
Total contract amount not to exceed	$ 92,959

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

AGENDA ITEMS # 23,24

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Street Services

CMO: Mark McDaniel, 670-3256

MAPSCO: 34W

SUBJECT

Sign Panels on Freeway Exits to Inwood Road from Stemmons Freeway (I-35E)

* Authorize **(1)** the receipt and deposit of funds in the amount of $18,370 from the UT Southwestern Medical Center for the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way; and **(2)** an increase in appropriations in the amount of $18,370 in the Capital Projects Reimbursement Fund – Not to exceed $18,370 - Financing: Private Funds

* Authorize an Interlocal Agreement with the Texas Department of Transportation (TxDOT) for reimbursement of costs associated with the update of all sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E) within the state rights-of-way - Not to exceed $18,370 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

UT Southwestern has requested that four signs be updated on the freeway exit to Inwood Road from Stemmons Freeway I-35E Exit 432A. There are two signs southbound, one at the freeway exit and one on the frontage road; and two signs northbound, one at the freeway exit and one on the frontage road. The wording on the signs will change from Southwestern Medical Center Exit 432A to UT Southwestern Medical Center Exit 432A.

The signs are on State rights-of-way, and (TxDOT) requires that all sign panels on state rights-of-way be fabricated, removed and installed by them and paid for in advance. UT Southwestern Medical Center is willing to pay the cost for the sign change. However, under TxDOT's policy, they cannot receive payment from a private entity. The City of Dallas must receive the payment from UT Southwestern Medical Center and enter into an Interlocal Agreement with TxDOT to issue payment to them in the amount of $18,370.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	February 2015
Complete Construction	March 2015

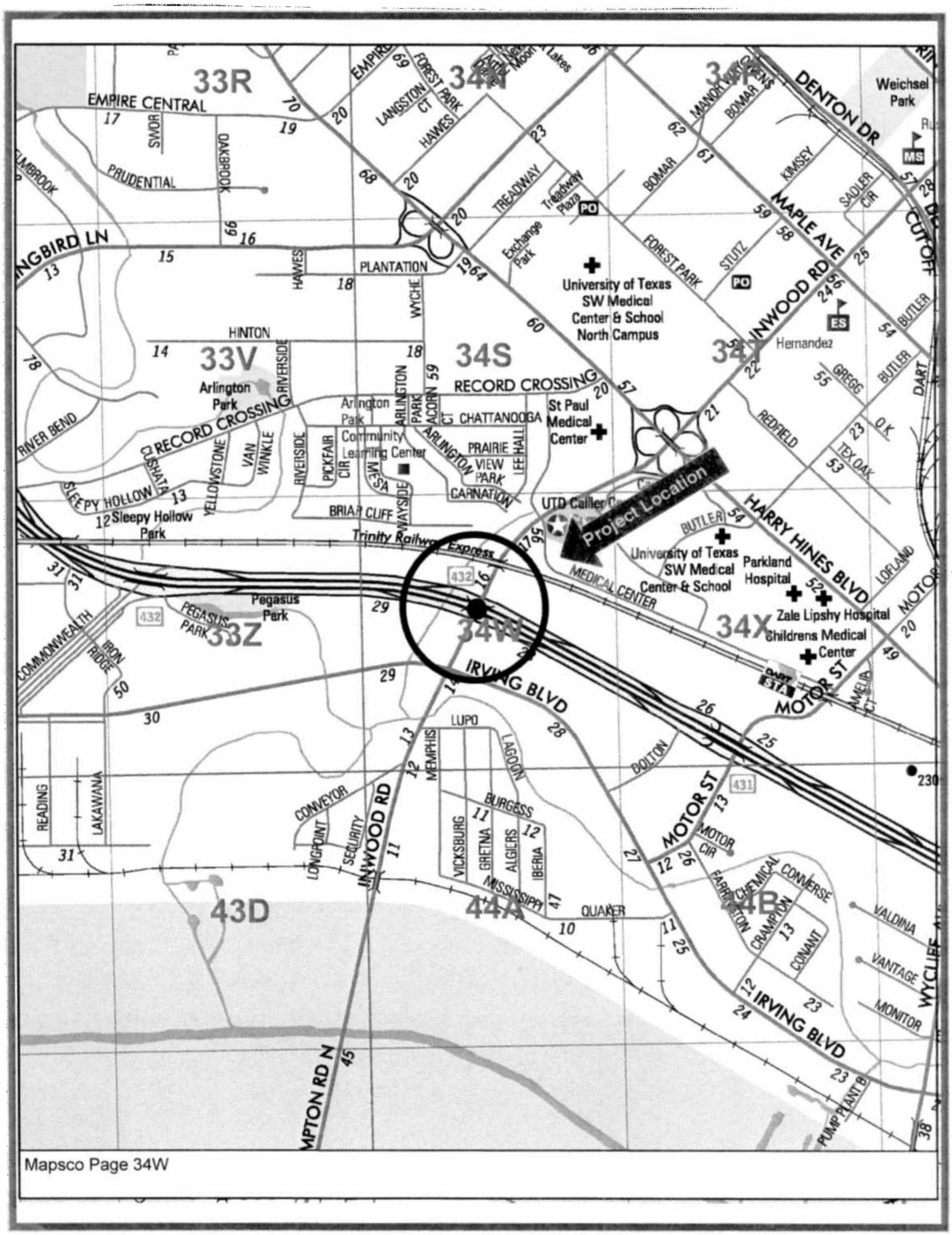
FISCAL INFORMATION

Capital Projects Reimbursement Funds - $18,369.59

MAP

Attached

Inwood Rd. at Stemmons Frwy.



Mapsco Page 34W

Mapsco Page 34W

January 28, 2015

WHEREAS, the City of Dallas approved the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E); and

WHEREAS, the Texas Department of Transportation (TxDOT) requires that all sign panels on state rights-of-way be fabricated, removed and installed by their organization and must be paid for in advance; and

WHEREAS, UT Southwestern Medical Center has agreed to pay for the full cost of the signs in the amount of $18,369.59; and

WHEREAS, TxDOT cannot receive payment from private sources, and therefore, the City must act as an intermediary to disburse payment to TxDOT.

Now, Therefore,

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

Section 1. That the City Controller be and is hereby authorized to receive funds from UT Southwestern Medical Center to provide for the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E).

Section 2. That the City Controller is hereby authorized to deposit funds pertaining to this project from the UT Southwestern Medical Center in the amount of $18,369.59 in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit P936, Revenue Source 8492.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit P936, Obj. 4820, Program TPP93615 in the amount of $18,369.59.

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.

January 28, 2015

WHEREAS, the City of Dallas approved the update of four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E); and

WHEREAS, the Texas Department of Transportation (TxDOT) requires that all sign panels on state rights-of-way be fabricated, removed and installed by their organization and must be paid for in advance; and

WHEREAS, UT Southwestern Medical Center has agreed to pay for the full cost of the signs in the amount of $18,369.59; and

WHEREAS, TxDOT cannot receive payment from private sources, and therefore, the City must act as an intermediary to disburse payment to TxDOT; and

WHEREAS, the City of Dallas desires to enter into an agreement with TXDOT to provide cost reimbursement for the sign panels.

Now, Therefore,

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

Section 1. That the City Manager be and is hereby authorized to execute an Interlocal Agreement with the Texas Department of Transportation to provide payment for four sign panels on the freeway exit to Inwood Road from Stemmons Freeway (I-35E).

Section 2. That the City Controller is hereby authorized to disburse funds from Fund 0556, Dept. STS, Unit P936, Obj. 4820, Program TPP93615, CT STS STSP936D01 in the amount of $18,369.59 to the Texas Department of Transportation, Vendor # 020318.

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 # 25

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	1, 2, 4, 6, 7, 8, 10, 11, 12, 13, 14, Outside City Limits
DEPARTMENT:	Street Services
CMO:	Mark McDaniel, 670-3256
MAPSCO:	6E 13V W X Y Z 14P Q R S T U V 15N P R S T U V W 16P S T 18W 22C D H M R V Z 43G Y 45Q V 46A H 47E 54H 55H M 74G

SUBJECT

An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** regulate the speed of vehicles on certain streets, expressways, and freeways; and **(2)** designate school traffic zones (list attached) – Financing: No cost consideration to the City

BACKGROUND

Engineering studies have been conducted at the locations listed, and it is recommended that the appropriate sections of the ordinance be amended to reflect changes in speed limits and school zone locations. The attached lists show the affected areas as they pertain to speed limits and school speed limit zones.

New school zones are studied based on requests from the Dallas Police, schools in the Dallas city limits, the neighborhood, and on needs determined by the Traffic Engineering Office. After the engineering study is completed, a school zone is established if it meets all necessary criteria.

Additionally, existing school zones occasionally require modification to change the extent of the zone. In these cases only the description of the school zone, i.e., the number of feet from the intersection, the block numbers included in the zone, or some previous error in the way the description was entered into the ordinance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

Section 28-45 Expressways and Freeways

Additions

Street Name	Extent	Speed Limit	Council District	Cause
Interstate Highway 35E Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order N. 114058, as amended	6, 11, 13	Addition
Interstate Highway 635E Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order N. 114058, as amended	6	Addition

Section 28- 50 School Zones - Additions

Location	School	Council District	Cause
200 N. -200 S. Beckley Avenue	La Academia De Estrellas	1	Extent
2700-2800 Canada Drive	Uplift Heights Preparatory	6	New Zone
17800-18000 Dickerson Street	Frankford Middle School	12	Extent
1400-1500 S. Ervay Street	First Baptist Academy	2	New Zone
11900-12000 Forestgate Drive	Harmony Science	10	New Zone
1200-1300 Fullerton Drive	Quintanilla Middle School	1	Extent
5700-6200 East Grand Avenue	Reconciliation Academy	2	Extent
3800 E. Kiest Boulevard	Albert S. Johnston Elem.	4	Extent
7500-7600 Maribeth Drive	Frankford Middle School	12	Extent
8500-8700 Willoughby Blvd.	Martin Weiss Elementary	8	Extent

Section 28- 50 School Zones - Deletions

Location	School	Council District	Cause
100-200 S. Beckley Avenue	La Academia De Estrellas	1	Extent
1000-1100 Buckingham Road	Richland Elementary	11,12,13	City of Richardson
17800-17900 Dickerson Street	Frankford Middle School	12	Extent
1100 Fullerton Drive	Quintanilla Middle School	1	Extent
5700-6100 East Grand Avenue	Reconciliation Academy	2	Extent
3900 E. Kiest Boulevard	Albert S. Johnston Elem.	4	Extent
7600 Maribeth Drive	Frankford Middle School	12	Extent
1300-1400 Peak Street	Reconciliation Academy	2	Relocation of School
8500-9300 Willoughby Blvd.	Martin Weiss Elementary	8	Extent

ORDINANCE NO. _____

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-45 and 28-50; regulating vehicle speeds on certain streets; designating school traffic zones; providing a penalty not to exceed $200; 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 Subsection (a) of Section 28-45, "Expressways and Freeways," of Division 2, "Speed Regulations," of Article VI, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended by alphabetically adding the following described streets:

ADDITIONS

STREET	EXTENT	SPEED (MPH)
"Interstate Highway 35E Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order No. 114058, as amended
Interstate Highway 635 Managed Lanes	All portions within the city limits	Set by Texas Transportation Commission Minute Order No. 114058, as amended"

SECTION 2. That Subsection (c) of Section 28-50, "Speed In School Zones; Signs; Designated Streets," of Division 2, "Speed Regulations," of Article VI, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended by alphabetically adding and deleting the following described streets designated as school traffic zones where the speed of motor vehicles is limited to 20 miles per hour:

ADDITIONS

STREET	BLOCK(S)	EXTENT
"Beckley Avenue	200N-200S	Melba Street to Sunset Avenue
Canada Drive	2700-2800	300' E. of to 470' W. of Holystone Street
Dickerson Street	17800-18000	270' S. of Hidden Creek Drive to 235' N. of Maribeth Drive
S. Ervay Street	1400-1500	100' S. of Gano Street to Sullivan Drive
Forestgate Drive	11900-12000	500' N. of Forest Lane to 100' W. of east leg of Forestgate Drive
Fullerton Drive	1200-1300	100' S. of Remond Drive to Colorado Boulevard
East Grand Avenue	5700-6200	50' W. of Parkview Avenue to 50'W of Cristler Avenue
E. Kiest Boulevard	3800	Cedar Crest Boulevard to 200' S. of Cedar Crest Boulevard
Maribeth Drive	7500-7600	Osage Plaza Parkway to 200' E. of Dickerson Street
Willoughby Boulevard	8500-8700	40' S. to 650' N. of Adjective Street"

DELETIONS

STREET	BLOCK(S)	EXTENT
"S. Beckley Avenue	100-200	235' N. of Ninth Street to 215' S. of Tenth Street
Buckingham Road	1000-1100	140' W. of Baythorne Drive to 80'W of Fleming Trail
Dickerson Street	17800-17900	270' S. of Hidden Creek Drive to 35' N. of Maribeth Drive

Fullerton Drive	1100	100' S. of Remond Drive to Colorado Boulevard
East Grand Avenue	5700-6100	50' W. of Parkview Avenue to 50' W. of Glasgow Drive
E. Kiest Boulevard	3900	Cedar Crest Boulevard to 200' S. of Cedar Crest Boulevard
Maribeth Drive	7600	Osage Plaza Parkway to 615' W. of Osage Plaza Parkway
Peak Street	1300-1400	150' S. of Bryan Street to 70' N. of Scurry Street
Willoughby Boulevard	8500-9300	340' S. to 650' N. of Adjective Street"

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $200.

SECTION 4. That Chapter 28 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. 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 6. 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:

WARREN M.S. ERNST, City Attorney

By_____
Assistant City Attorney

Passed_____

AGENDA ITEM # 26

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Ryan S. Evans, 671-9837 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize acquisition from John D. Underwood and Deborah D. Underwood, of approximately 65,431 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed $16,037 ($13,037, plus closing costs and title expenses not to exceed $3,000) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 65,431 square feet of land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline Project. The consideration is based on an independent appraisal.

This acquisition is part of the Lake Fork Project, currently underway by Dallas Water Utilities, which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet 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 - $16,037 ($13,037, plus closing costs and title expenses not to exceed $3,000)

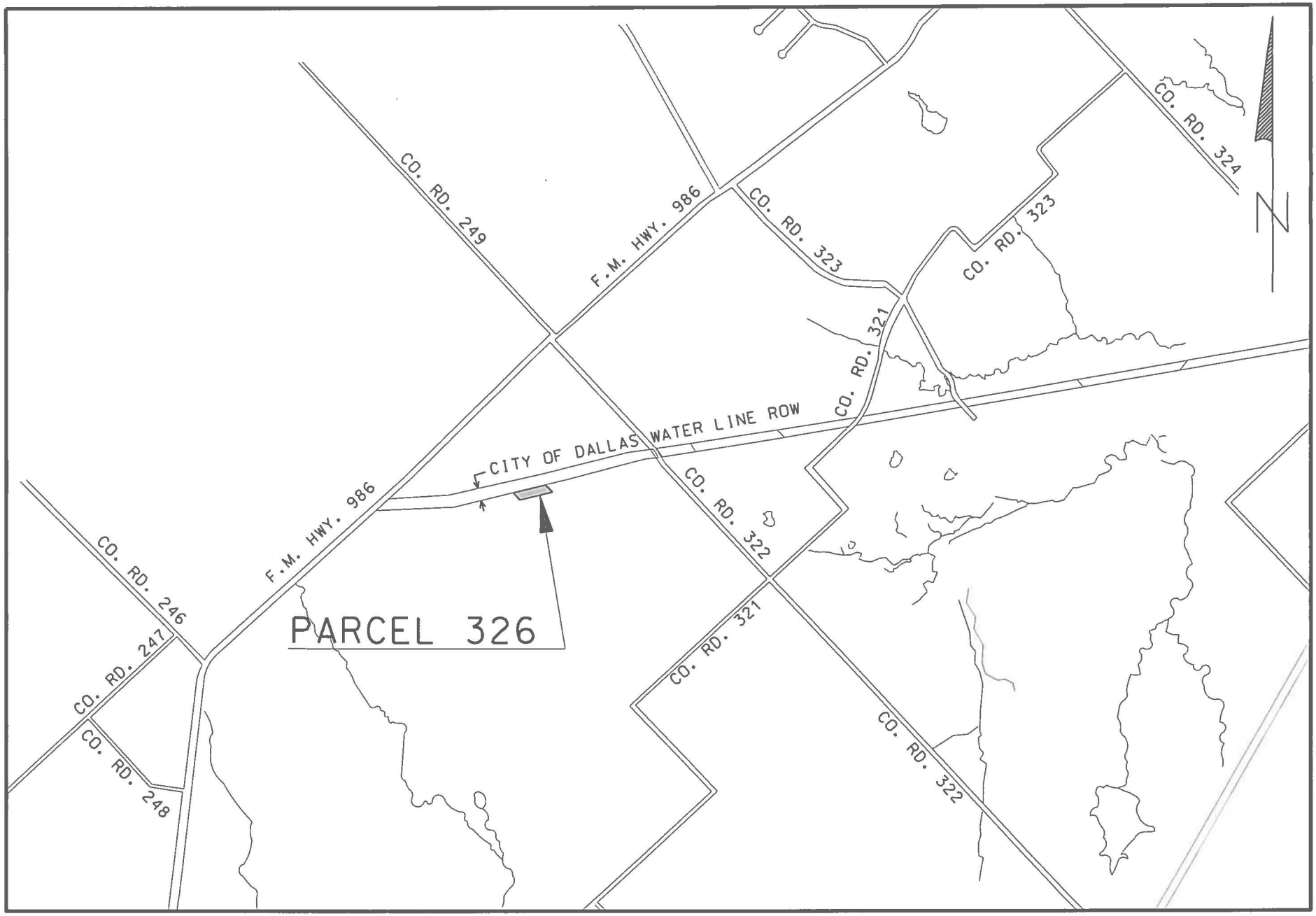
OWNERS

John D. Underwood

Deborah D. Underwood

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_326.dgn Plotted on 11/20/2013 at 9:19:23 AM By: jason Project:City Of Dallas Plot Driver: dieprinter pltcfg PenTable:dta.tbl

January 28, 2015

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 65,431 square feet of land located in Kaufman 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 Raw Water 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 subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B".

"OWNER": John D. Underwood and Deborah D. Underwood, 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": $13,037

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000

"AUTHORIZED AMOUNT": Not to exceed $16,037

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 City Controller is 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 No. 2115, Department DWU, Unit PW20, Program No. 704041, Object 4210, Encumbrance No. CTDWU704041HM. 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:
WARREN M. S. ERNST, City Attorney

BY Lorraine Bernard
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 KAUFMAN COUNTY, TEXAS
Parcel: 326

BEING a 1.502 acre tract of land in the William Smith Survey, Abstract No. 444, in Kaufman County, Texas, and being part of a called 27.507 acre tract of land described in Warranty Deed with Vendor's Lien to John D. Underwood and Deborah D. Underwood, dated February 14, 2002, as recorded in Volume 1952, Page 341, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a concrete monument with brass disc stamped "City of Dallas" found in the northeast line of said Underwood tract, and the southwest line of a called 61.693 acre tract of land described in Warranty Deed with Vendor's Lien to Terry W. Chambers and wife, Gerald D. Chambers, dated November 23, 1995, as recorded in Volume 1192, Page 582, and also being the southeast corner of a called 4.62 acre City of Dallas Perpetual Easement, Cause No. 5775, Civil Minutes Kaufman County Court Book 10, Page 227A, dated August 15, 1962;

THENCE South 45 degrees 54 minutes 08 seconds East, with the southwest line of said Chambers tract and the northeast line of said Underwood tract, a distance of 152.53 a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 75 degrees 38 minutes 20 seconds West, departing the southwest line of said Chambers tract and the northeast line of said Underwood tract, a distance of 508.23 feet to a 1/2-inch iron rod with cap set in the southwest line of said Underwood tract and the northeast line of a called 27.507 acre tract of land described in Special Warranty Deed to David Phillip Potts, dated May 21, 1999, as recorded in Volume 1457, Page 189, D.R.K.C.T.;

THENCE North 42 degrees 38 minutes 46 seconds West, with the southwest line of said Underwood tract and the northeast line of said Potts tract, a distance of 147.63 feet to a 1/2-inch iron rod with cap set in the southeast line of said City of Dallas Perpetual Easement;

THENCE North 75 degrees 38 minutes 20 seconds East, departing the southwest line of said Underwood tract and the northeast line of said Potts tract and with the southeast line of said City of Dallas Perpetual Easement, a distance of 498.39 feet to the POINT OF BEGINNING and containing 65,431 square feet or 1.502 acres of land, more or less.

FIELD NOTES APPROVED: 12/4/13

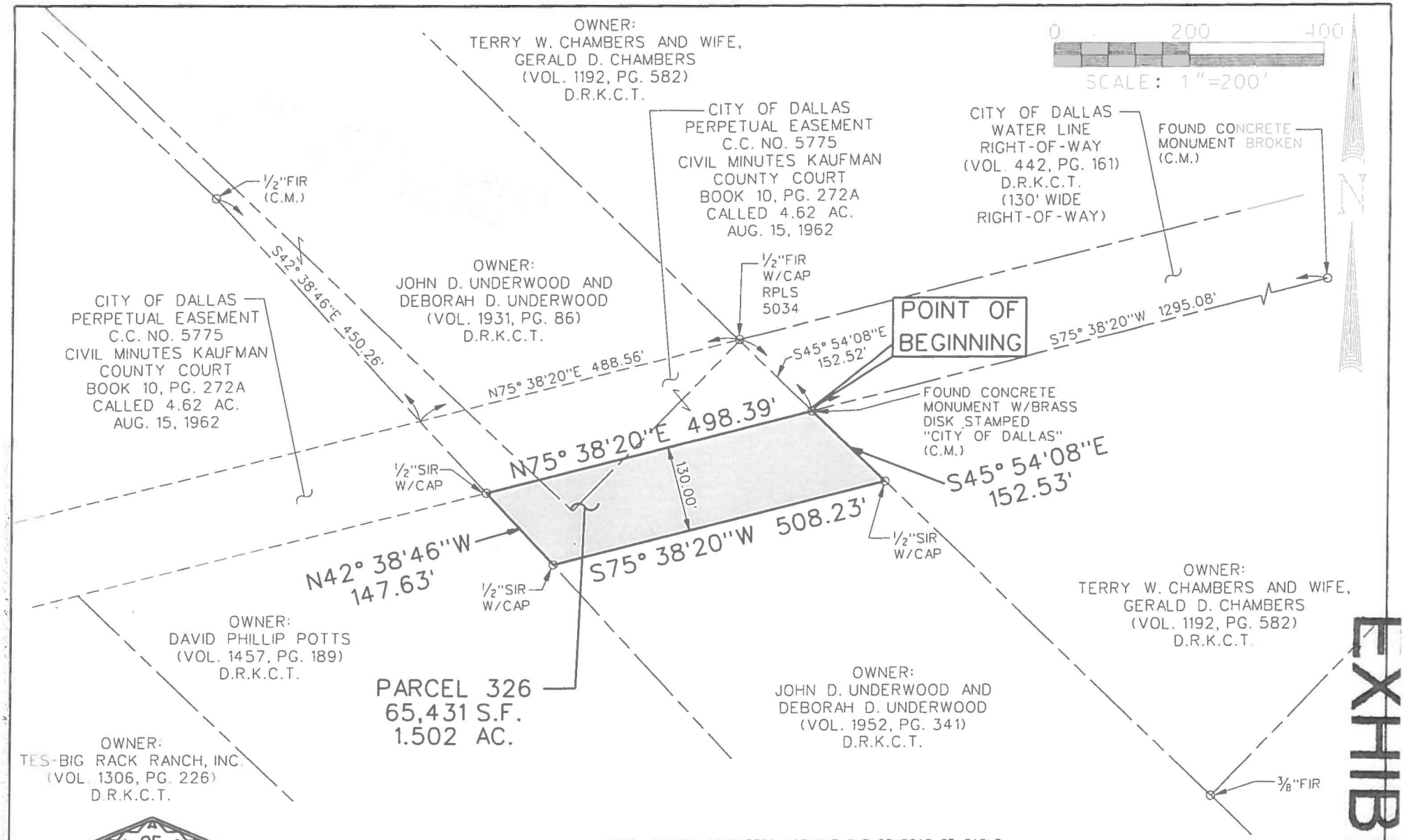


EXHIBIT A

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

11-20-13

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

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
W. SMITH SURVEY, ABSTRACT NO 444
KAUFMAN 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

DATE: SEPT '13 | REVISED: | SCALE: 1" = 200' | SHEET 3 OF 3

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
KAUFMAN COUNTY, TEXAS
Parcel: 326

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: 11.20.13

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

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 KAUFMAN §

That John D. Underwood and wife Deborah D. Underwood (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Kaufman, State of Texas, for and in consideration of the sum of THIRTEEN THOUSAND AND THIRTY-SEVEN AND 00/100 DOLLARS ($13,037.00) 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: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

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 _____, _____.

_____
John D. Underwood

_____
Deborah D. Underwood

* *

STATE OF TEXAS '
COUNTY OF KAUFMAN '

This instrument was acknowledged before me on _____

by John D. Underwood.

_____
Notary Public, State of TEXAS

* *

STATE OF TEXAS '
COUNTY OF KAUFMAN '

This instrument was acknowledged before me on _____

by Deborah D. Underwood.

_____
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: Lisa Andrews

Warranty Deed Log No. 40286 & 40287

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 KAUFMAN COUNTY, TEXAS
Parcel: 326

BEING a 1.502 acre tract of land in the William Smith Survey, Abstract No. 444, in Kaufman County, Texas, and being part of a called 27.507 acre tract of land described in Warranty Deed with Vendor's Lien to John D. Underwood and Deborah D. Underwood, dated February 14, 2002, as recorded in Volume 1952, Page 341, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a concrete monument with brass disc stamped "City of Dallas" found in the northeast line of said Underwood tract, and the southwest line of a called 61.693 acre tract of land described in Warranty Deed with Vendor's Lien to Terry W. Chambers and wife, Gerald D. Chambers, dated November 23, 1995, as recorded in Volume 1192, Page 582, and also being the southeast corner of a called 4.62 acre City of Dallas Perpetual Easement, Cause No. 5775, Civil Minutes Kaufman County Court Book 10, Page 227A, dated August 15, 1962;

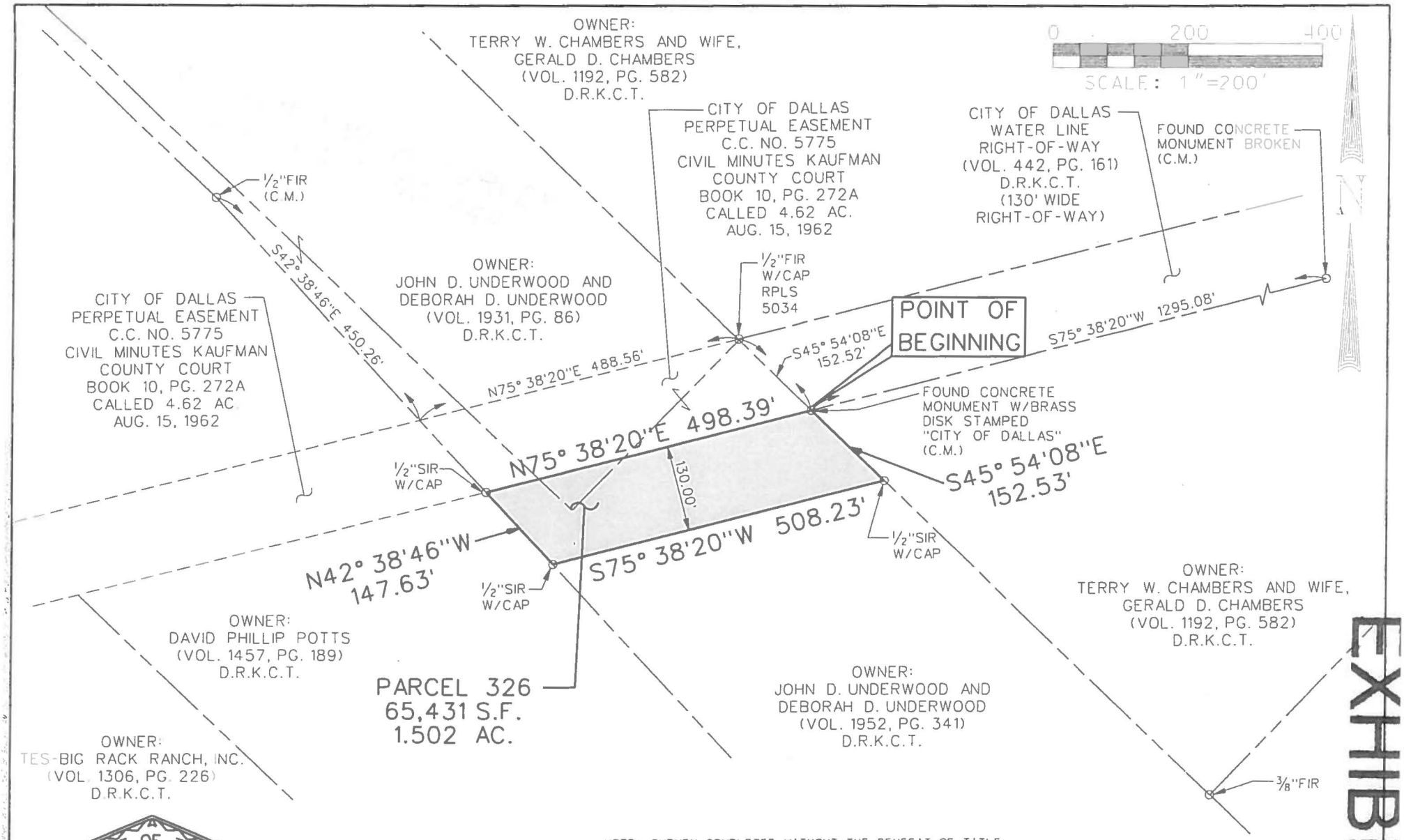
THENCE South 45 degrees 54 minutes 08 seconds East, with the southwest line of said Chambers tract and the northeast line of said Underwood tract, a distance of 152.53 a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 75 degrees 38 minutes 20 seconds West, departing the southwest line of said Chambers tract and the northeast line of said Underwood tract, a distance of 508.23 feet to a 1/2-inch iron rod with cap set in the southwest line of said Underwood tract and the northeast line of a called 27.507 acre tract of land described in Special Warranty Deed to David Phillip Potts, dated May 21, 1999, as recorded in Volume 1457, Page 189, D.R.K.C.T.;

THENCE North 42 degrees 38 minutes 46 seconds West, with the southwest line of said Underwood tract and the northeast line of said Potts tract, a distance of 147.63 feet to a 1/2-inch iron rod with cap set in the southeast line of said City of Dallas Perpetual Easement;

THENCE North 75 degrees 38 minutes 20 seconds East, departing the southwest line of said Underwood tract and the northeast line of said Potts tract and with the southeast line of said City of Dallas Perpetual Easement, a distance of 498.39 feet to the POINT OF BEGINNING and containing 65,431 square feet or 1.502 acres of land, more or less.





STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

1-20-13

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

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 A

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
W SMITH SURVEY, ABSTRACT NO. 444
KAUFMAN 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

DATE: SEPT. 13	REVISED -	SCALE: 1" = 200'	SHEET 3 OF 3

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
KAUFMAN COUNTY, TEXAS
Parcel: 326

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: 11·20·13

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

EXHIBIT B

EASEMENTS – ACCESS
[Specific Location]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve two (2) easements over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Areas") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Areas, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing the exact location of the access and any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any access location and/or proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the access location will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Areas in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Areas and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR AN ACCESS EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 326ACE

BEING a 4,429 square foot tract of land in the William Smith Survey, Abstract No. 444, in Kaufman County, Texas, and being part of a called 27.507 acre tract of land described in Warranty Deed with Vendor's Lien to John D. Underwood and Deborah D. Underwood, dated February 14, 2002, as recorded in Volume 1952, Page 341, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said Underwood tract, and the northeast line of a called 27.507 acre tract of land described in Special Warranty Deed to David Phillip Potts, dated May 21, 1999, as recorded in Volume 1457, Page 189, D.R.K.C.T., and the southeast line of a called 4.62 acre City of Dallas Perpetual Easement, Cause No. 5775, Civil Minutes Kaufman County Court, Book 10, Page 227A, dated August 15, 1962;

THENCE North 75 degrees 38 minutes 20 seconds East, departing the southwest line of said Underwood tract and the northeast line of said Potts tract and with the southeast line of said City of Dallas Perpetual Easement, a distance of 34.07 feet to a 1/2-inch iron rod with cap set;

THENCE South 42 degrees 38 minutes 46 seconds East, departing said City of Dallas Perpetual Easement, a distance of 147.63;

THENCE South 75 degrees 38 minutes 20 seconds West, a distance of 34.07 feet to a 1/2-inch iron rod with cap set in the southwest line of said Underwood tract and the northeast line of said Potts tract;

THENCE North 42 degrees 38 minutes 46 seconds West, with the southwest line of said Underwood tract and the northeast line of said Potts tract, a distance of 147.63 feet to the POINT OF BEGINNING and containing 0.1017 acres or 4,429 square feet 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.

FIELD NOTES APPROVED: 12/4/13

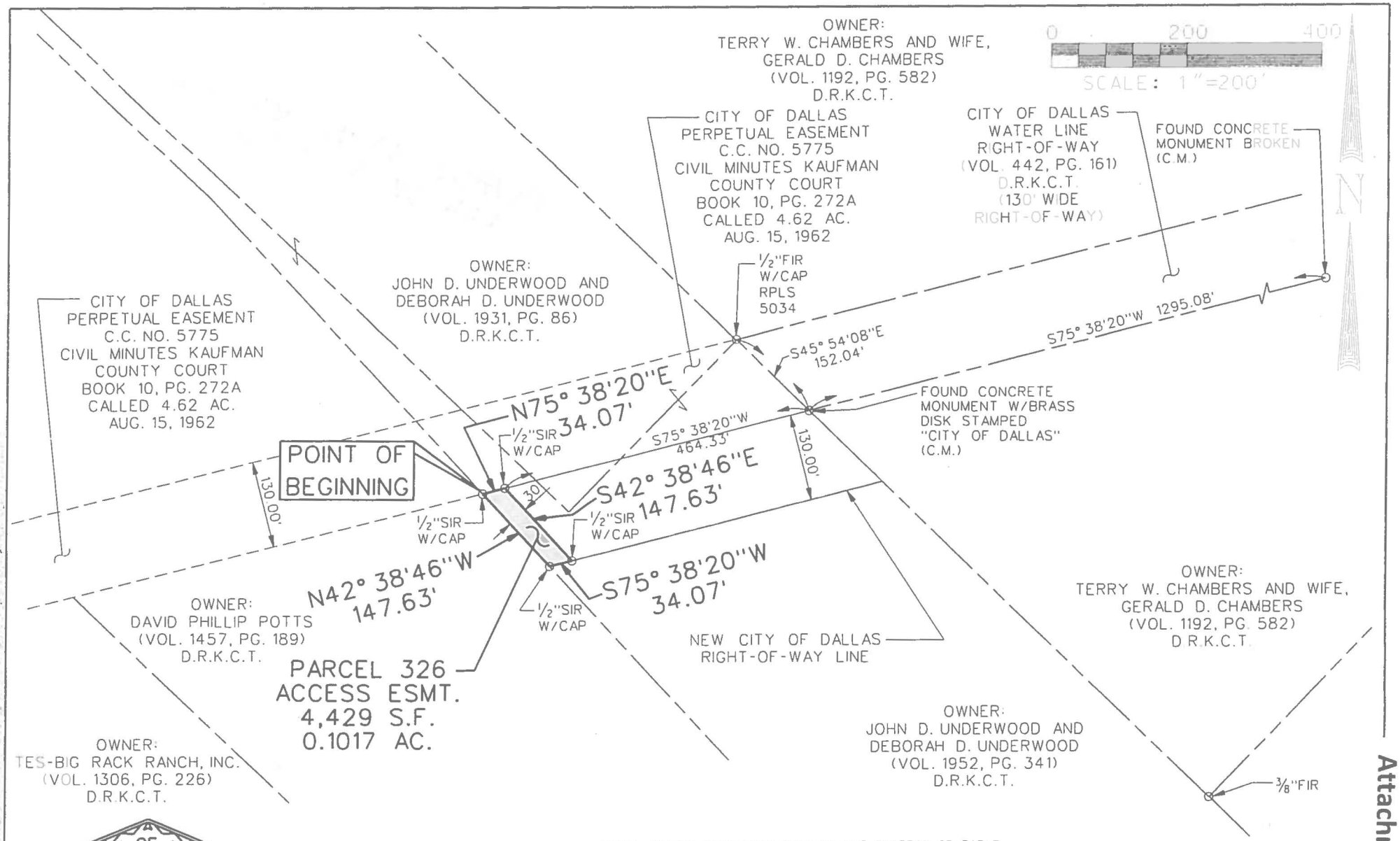
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 11/20/13

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR



STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

11-2013

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

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

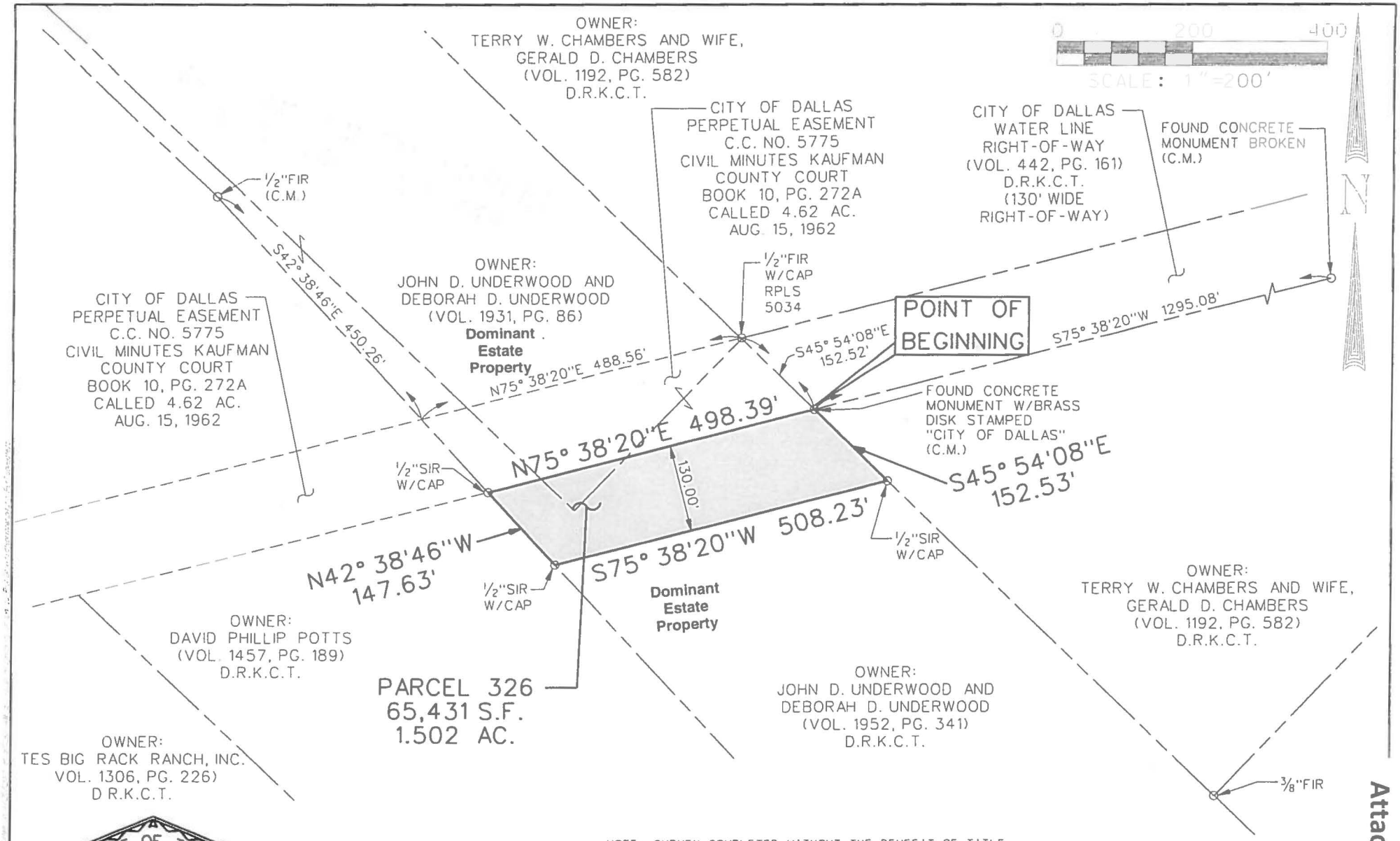
ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
30' ACCESS EASEMENT
SITUATED IN THE
W SMITH SURVEY, ABSTRACT NO 444
KAUFMAN 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

DATE: SEPT 3 | REVISED | SCALE: 1"=200' | SHEET 2 OF 2

Attachment 1



STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

1-20-13

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

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
W SMITH SURVEY, ABSTRACT NO 444
KAUFMAN 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

DATE SURVEYED	REVISED	SCALE: 1"=200'	SHEET 3 OF 3

Attachment 2

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction
Housing/Community Services
Public Works Department

CMO: Ryan S. Evans, 671-9837
A. C. Gonzalez, 670-3297
Jill A. Jordan, P.E., 670-5299

MAPSCO: 45Q

SUBJECT

Authorize acquisition from the State of Texas, of approximately 3,648 square feet of land located near the intersection of Interstate Highway 30 and St. Louis Street for a new entry portal at the homeless assistance center, The Bridge Entry Relocation Project - Not to exceed $69,664 ($65,664, plus closing costs and title expenses not to exceed $4,000) - Financing: Freddie MAC/UCAP Grant Funds

BACKGROUND

This item authorizes the acquisition of approximately 3,648 square feet of land located near the intersection of Interstate Highway 30 and St. Louis Street from the State of Texas. The property will create a safer and more unified entry portal for the homeless assistance center. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

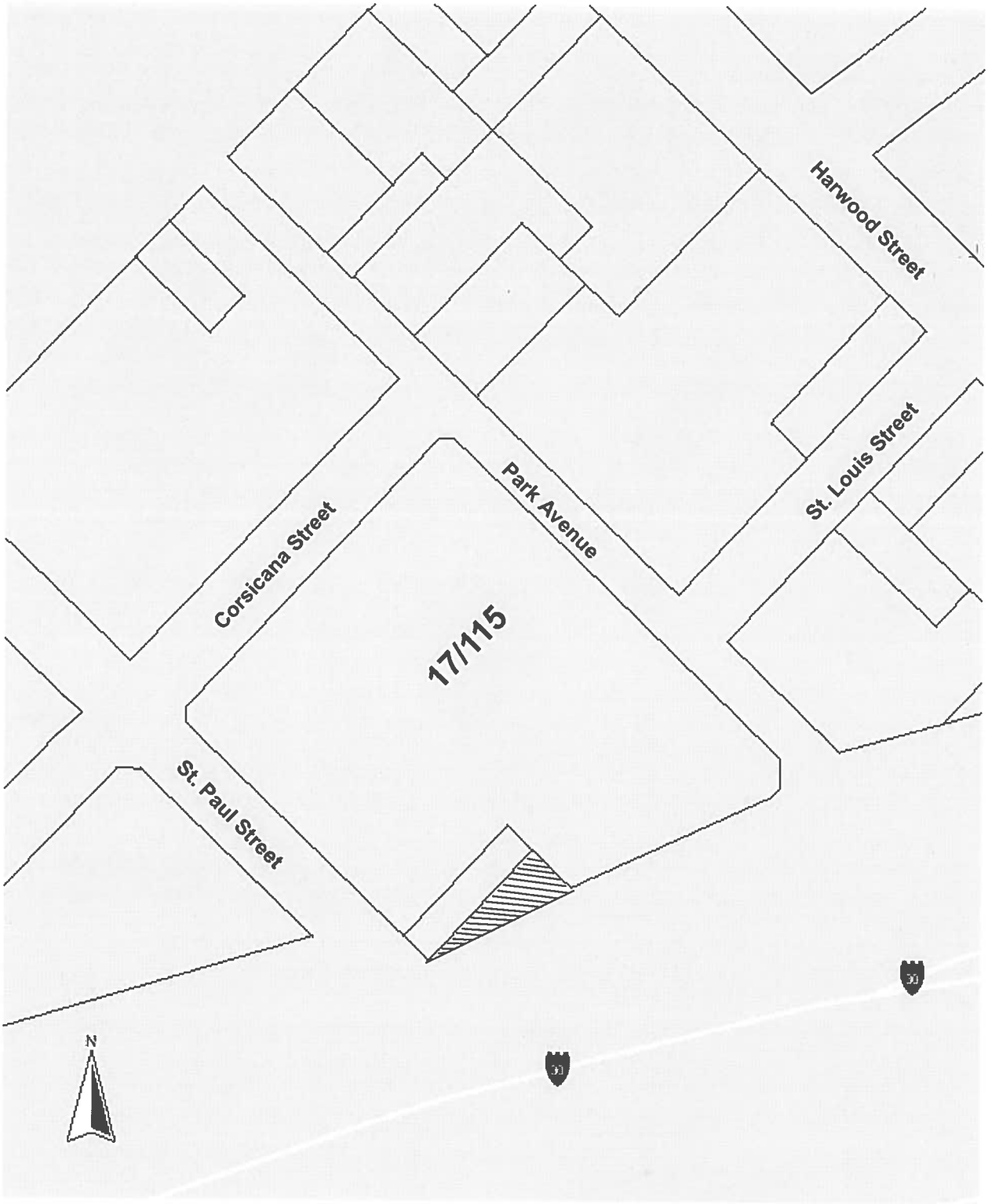
This item has no prior action.

FISCAL INFORMATION

Freddie MAC/UCAP Grant Funds - $69,664 ($65,664, plus closing costs and title expenses not to exceed $4,000)

MAP

Attached



Block 17/115 — IH30 and St. Louis Street

January 28, 2015

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 3,648 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”: Homeless Assistance Center - The Bridge Entry Relocation

“USE”: Future modifications to homeless assistance center property, 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 title subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit “B”.

"OWNER”: State of Texas, 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”: $65,664

"CLOSING COSTS and TITLE EXPENSES": Not to exceed $4,000

"AUTHORIZED AMOUNT": $69,664

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

SECTION 1. That the USE of this PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designee, 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" 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 City Controller is 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 payable out of Fund No. 0704, Department HOU, Unit 7008, Activity HO95, Program No. HACREV, Object 4210, Encumbrance No.SUS7008CC53. The OFFER AMOUNT - $65,664 and the CLOSING COSTS and TITLE EXPENSES - $4,000 together shall not exceed the AUTHORIZED AMOUNT - $69,664.

SECTION 7. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. All costs and expenses are 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:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

EXHIBIT A

County: Dallas
Highway: I.H. 30
Control-Section-Job: 0009-11-232

DESCRIPTION OF A 3,648 SQ. FT. (0.084 ACRE) TRACT TO BE ACQUIRED IN BLOCK 17/115 FROM THE STATE OF TEXAS (Texas Department of Transportation)

BEING a 3,648 Square Foot (0.084 Acre) tract of land in the City of Dallas, Dallas County, Texas, situated in the John Grigsby Survey, Abstract Number 495, being a portion of Lots 1 and 2, Block 17 (Block 17/115, Official City of Dallas Block Numbers) of the Browder's Addition, an addition to the City of Dallas recorded in volume U, Page 492 of the Deed Records of Dallas County, Texas, and being a portion of the property conveyed in condemnation proceedings to the State of Texas by the Dallas County Court at Law No. One, dated October 25, 1963 and recorded in Volume 199, Page 946 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

FIELD NOTES APPROVED: 10/9/2014

BEGINNING at a 5/8 inch diameter Iron Rod with Aluminum Disc Cap marked "CITY OF DALLAS – HAC" (hereinafter referred to as "5/8" I.R. w/Alum Disc") set in the Southeast Right-of-Way line of St. Louis Street (66-foot wide Right-of-Way by the Browder's Addition Dedication), being also the existing Northwest Right-of-Way line of Interstate Highway 30 (I.H. 30), at the most Northerly corner of said State of Texas tract, from which an "X" found cut in concrete pavement on the Centerline of said St. Louis Street bears North 45°33'28" West a distance of 33.00 feet, being also an inside corner of the Homeless Assistance Center Addition, an addition to the City of Dallas recorded in Instrument Number 20080163800 of the Official Public Records of Dallas County, Texas, and the most Northerly corner of the herein described tract of land:

1.) **THENCE** South 45°33'28" East, departing the said Southeast line of St. Louis Street and with the common line between said Homeless Assistance Center Addition and State of Texas tract, being also the said Northwest line of I.H. 30, a distance of 51.28 feet to a 5/8" I.R. w/Alum Disc set at an angle point on the existing Northwest line of said I.H. 30, at an outside corner of said Homeless Assistance Center Addition, being also the most Easterly corner of the herein described tract of land:

2.) **THENCE** South 64°15'37" West, departing the said boundary line of the Homeless Assistance Center Addition and with the new Northwest Right-of-Way line of I.H. 30 a distance of 151.24 feet to a 5/8" I.R. w/Alum Disc set at the intersection with the said Southeast line of St. Louis Street, at the most Westerly corner of the herein described tract of land:

EXHIBIT A

County: Dallas
Highway: I.H. 30
Control-Section-Job: 0009-11-232

DESCRIPTION OF A 3,648 SQ. FT. (0.084 ACRE) TRACT TO BE ACQUIRED IN BLOCK 17/115 FROM THE STATE OF TEXAS (Texas Department of Transportation)

3.) **THENCE** North 44°26'32" East, departing the said Northwest line of Interstate Highway 30 and with the said Southeast line of St. Louis Street, a distance of 142.29 feet (called 144 feet) to the **POINT OF BEGINNING**, containing 3,648 Square Feet, or 0.084 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

Scott Holt
10/3/2014

STATE OF TEXAS
REGISTERED
SCOTT RAY HOLT
4895
PROFESSIONAL
LAND SURVEYOR

Scott Holt
FIELD NOTES APPROVED:
10/13/2014

County: Dallas
Highway: I.H. 30
Control–Section–Job:
0009–11–232

EXHIBIT A



LOT 1A
BLOCK 10/114

St. Louis St.
CLOSED & VACATED
Ordinance No. 27106

HOMELESS ASSISTANCE CENTER ADDITION
Instrument No.
20080163800

Storm Sewer Easement by Homeless Assistance Center Addition

John Grigsby Survey
Abstract No. 495

Found "X" Cut in Concrete
CONTROLLING MONUMENT

City of Dallas
Vol. 2005101, Pg. 7787

City of Dallas
Instrument Number:
200600480461

Set 5/8" I.R. w/Alum.
Disc Marked "CITY
OF DALLAS – HAC"
POINT OF BEGINNING

33.00'
N 45°33'28" W

Existing I.H. 30
Right–of–Way

Boundary of Homeless Assistance Center Addition

S 45°33'28" E
51.28'

Boundary of Homeless Assistance Center Addition

St. Louis Street
(33' R.O.W. Remainder)

LOT 2

N 44°26'32" E (Called 144')
142.29'

LOT 1

BLOCK
17/115

ST. PAUL ST.
(66' R.O.W. by Browder's Addition Dedication)

Existing I.H. 30
Right–of–Way

N 47°30'54" W
50.18'

New I.H. 30
Right–of–Way

S 64°15'37" W
151.24'

LOT 2

State of Texas
Vol. 199, Pg. 946

3,648 Sqare Foot
(0.084 Acre Tract)
To Be Acquired

BLOCK
17/115

22.05'

Interstate Highway Right–of–Way Line

LOT 1

BROWDER'S ADDITION
Vol. U Pg. 492

U.S. Interstate Highway 30
(R.L. Thornton Freeway)

LEGEND

- 5/8" Iron Rod with Aluminum Disc Marked "CITY OF DALLAS – HAC"
- Indicates Common Ownership Across a Defined Line.

NOTE: State of Texas Tract (Vol. 199, Pg. 946) Shown as Parcel 38 on Map Sheet 3 of the TxDOT ROW Map, Control–Section–Job: 00009–11–024

NOTE: Additional Controlling Monuments for this Survey can be found on the Homeless Assistance Center Addition Plat, Recorded in Instrument Number 20080163800

BASIS OF BEARINGS: Bearings are Based on the State Plane Coordinate System, Texas Central Zone 4202, North American Daum of 1983.

Homeless Assistance Center			
Property to be Acquired from the State of Texas			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME		SCALE / DATE
S. Holt	N:\ENGR\SURVEY\HOLT\HOMELESS\Homeless Replat.dgn		As Noted / 5–22–13
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	S. Holt	Block 17/115	S067–027

DEED WITHOUT WARRANTY

EXHIBIT B

STATE OF TEXAS §
§
COUNTY OF DALLAS §

THE STATE OF TEXAS, acting through the Texas Transportation Commission and on behalf of the Texas Department of Transportation, hereinafter referred to as **Grantor**, pursuant to Minute Order 113918 passed by the Texas Transportation Commission on April 24, 2014, as shown by the official minutes of the Texas Transportation Commission, in consideration of the sum of SIXTY-FIVE THOUSAND SIX HUNDRED SIXTY-FOUR AND NO/100 DOLLARS ($65,664.00) to Grantor in hand paid by the **CITY OF DALLAS, TEXAS**, hereinafter referred to as **Grantee**, whether one or more, the receipt and sufficiency of which is hereby acknowledged and confessed and for which no lien is retained, either express or implied, has this day Sold and by these presents does Grant, Bargain, Sell and Convey unto Grantee all of Grantor's right, title and interest in and to that certain tract or parcel of land situated in Dallas County, Texas, said land being more particularly described in Exhibit A, attached hereto and made a part hereof; **SAVE AND EXCEPT**, however, there is excepted and reserved herefrom all of Grantor's right, title and interest, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the property described in Exhibit A, but Grantor waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same, provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside of said property.

Anything herein to the contrary notwithstanding, this conveyance is made subject to the rights of any and all existing public utilities or common carriers in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, Section 202.029. Any required adjustment will be at no cost to Grantor. In addition, this conveyance is subject to all matters of public record and to all easements, leases, agreements or licenses, or other interests which affect the property, and to any matter which would be disclosed by title examination, survey, investigation or inquiry, including but not limited to the rights of parties in possession.

BY THE ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE HAS THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY THE GRANTEE IN ORDER TO ENABLE THE GRANTEE TO EVALUATE THE PURCHASE OF THE PROPERTY. GRANTEE REPRESENTS THAT GRANTEE IS RELYING SOLELY ON GRANTEE'S OWN EXPERTISE AND THAT OF ITS CONSULTANTS, AND THAT GRANTEE HAS CONDUCTED SUCH INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AND IS RELYING UPON SAME, AND HEREBY ASSUMES THE RISK OF ANY ADVERSE MATTERS, INCLUDING, BUT NOT LIMITED TO, ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS THAT MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT GRANTEE IS ACQUIRING THE PROPERTY ON AN "AS IS, WHERE IS" AND "WITH ALL FAULTS" BASIS, WITHOUT REPRESENTATIONS, WARRANTIES OR COVENANTS, EXPRESS OR IMPLIED, OF ANY KIND OR NATURE. GRANTEE HEREBY WAIVES AND RELINQUISHES ALL RIGHTS AND PRIVILEGES ARISING OUT OF, OR WITH RESPECT OR IN RELATION TO, ANY REPRESENTATIONS, WARRANTIES OR COVENANTS, WHETHER EXPRESS OR IMPLIED, WHICH MAY HAVE BEEN MADE OR GIVEN, OR WHICH MAY HAVE BEEN

DEEMED TO HAVE BEEN MADE OR GIVEN, BY GRANTOR. GRANTEE HEREBY ASSUMES ALL RISK AND LIABILITY (AND AGREES THAT GRANTOR SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL OR OTHER DAMAGES) RESULTING OR ARISING FROM GRANTEE'S USE, MAINTENANCE, REPAIR, OR OPERATION OF THE PROPERTY.

WITHOUT LIMITING THE GENERAL PROVISIONS ABOVE, IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND SPECIFICALLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, AS TO (a) MATTERS OF TITLE; (b) ZONING; (c) TAX CONSEQUENCES; (d) PHYSICAL OR ENVIRONMENTAL CONDITIONS; (e) AVAILABILITY OF ACCESS, INGRESS OR EGRESS; (f) OPERATING HISTORY OR PROJECTIONS; (g) VALUATION; (h) AVAILABILITY AND ADEQUACY OF UTILITIES; (i) GOVERNMENTAL APPROVALS; (j) GOVERNMENTAL REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE PROPERTY, INCLUDING, WITHOUT LIMITATION: (1) THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY, OR FITNESS OF THE PROPERTY FOR A PARTICULAR USE OR PURPOSE; (2) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO ANY OF THE PROPERTY; AND (3) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY. GRANTEE FURTHER EXPRESSLY ACKNOWLEDGES AND AGREES THAT GRANTOR IS NOT REPRESENTING OR WARRANTING THAT ANYTHING CAN OR WILL BE ACCOMPLISHED THROUGH GRANTEE'S OR GRANTOR'S EFFORTS WITH REGARD TO THE PLANNING, PLATTING OR ZONING PROCESS OF ANY GOVERNMENTAL AUTHORITIES, BOARDS OR ENTITIES. GRANTEE FURTHER ACKNOWLEDGES THAT GRANTOR HAS NOT WARRANTED, AND DOES NOT HEREBY WARRANT, THAT THE PROPERTY NOW OR IN THE FUTURE WILL MEET OR COMPLY WITH THE REQUIREMENTS OF ANY SAFETY CODE, ENVIRONMENTAL LAW OR REGULATION OF ANY STATE OR FEDERAL AUTHORITY OR JURISDICTION.

This Deed without Warranty is expressly made by Grantor and accepted by Grantee without any warranty of title of any kind, oral or written, express or implied, whether existing by common law or by statute or any other manner. Grantee expressly agrees that the implied covenants set forth in Section 5.023 of the Texas Property Code are not applicable to this Deed without Warranty.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto said Grantee and Grantee's heirs, successors and/or assigns forever, subject to the reservations and exceptions described herein.

IN TESTIMONY WHEREOF, I have caused the Seal of the State to be affixed.

Executed this the 30th day of May, 2014.



Rick Perry

RICK PERRY
GOVERNOR OF TEXAS

Recommended for Approval:

LtGen J.F. Weber, USMC (Ret)
Executive Director

Attest:

Nandita Berry

Nandita Berry
Secretary of State

Approved:

Greg Abbott
Attorney General

By: Anthony J. Blazi

Anthony J. Blazi
Assistant Attorney General

NOTE TO COUNTY CLERK: PROPERTY CODE § 12.006 AUTHORIZES THE RECORDATION OF THIS INSTRUMENT WITHOUT ACKNOWLEDGMENT OR FURTHER PROOF OF THE SIGNATURE OF THE GOVERNOR.

EXHIBIT A

County: Dallas
Highway: I.H. 30
Control-Section-Job: 0009-11-232

DESCRIPTION OF A 3,648 SQ. FT. (0.084 ACRE) TRACT TO BE ACQUIRED IN BLOCK 17/115 FROM THE STATE OF TEXAS (Texas Department of Transportation)

BEING a 3,648 Square Foot (0.084 Acre) tract of land in the City of Dallas, Dallas County, Texas, situated in the John Grigsby Survey, Abstract Number 495, being a portion of Lots 1 and 2, Block 17 (Block 17/115, Official City of Dallas Block Numbers) of the Browder's Addition, an addition to the City of Dallas recorded in volume U, Page 492 of the Deed Records of Dallas County, Texas, and being a portion of the property conveyed in condemnation proceedings to the State of Texas by the Dallas County Court at Law No. One, dated October 25, 1963 and recorded in Volume 199, Page 946 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch diameter Iron Rod with Aluminum Disc Cap marked "CITY OF DALLAS – HAC" (hereinafter referred to as "5/8" I.R. w/Alum Disc") set in the Southeast Right-of-Way line of St. Louis Street (66-foot wide Right-of-Way by the Browder's Addition Dedication), being also the existing Northwest Right-of-Way line of Interstate Highway 30 (I.H. 30), at the most Northerly corner of said State of Texas tract, from which an "X" found cut in concrete pavement on the Centerline of said St. Louis Street bears North 45°33'28" West a distance of 33.00 feet, being also an inside corner of the Homeless Assistance Center Addition, an addition to the City of Dallas recorded in Instrument Number 20080163800 of the Official Public Records of Dallas County, Texas, and the most Northerly corner of the herein described tract of land:

1.) **THENCE** South 45°33'28" East, departing the said Southeast line of St. Louis Street and with the common line between said Homeless Assistance Center Addition and State of Texas tract, being also the said Northwest line of I.H. 30, a distance of 51.28 feet to a 5/8" I.R. w/Alum Disc set at an angle point on the existing Northwest line of said I.H. 30, at an outside corner of said Homeless Assistance Center Addition, being also the most Easterly corner of the herein described tract of land:

2.) **THENCE** South 64°15'37" West, departing the said boundary line of the Homeless Assistance Center Addition and with the new Northwest Right-of-Way line of I.H. 30 a distance of 151.24 feet to a 5/8" I.R. w/Alum Disc set at the intersection with the said Southeast line of St. Louis Street, at the most Westerly corner of the herein described tract of land:

FIELD NOTES APPROVED: 10/3/2014

EXHIBIT A

County: Dallas
Highway: I.H. 30
Control-Section-Job: 0009-11-232

DESCRIPTION OF A 3,648 SQ. FT. (0.084 ACRE) TRACT TO BE ACQUIRED IN BLOCK 17/115 FROM THE STATE OF TEXAS (Texas Department of Transportation)

3.) **THENCE** North 44°26'32" East, departing the said Northwest line of Interstate Highway 30 and with the said Southeast line of St. Louis Street, a distance of 142.29 feet (called 144 feet) to the **POINT OF BEGINNING**, containing 3,648 Square Feet, or 0.084 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.

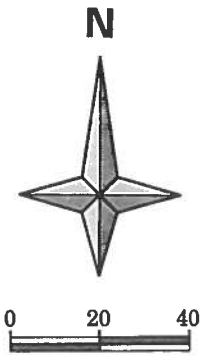
Scott Holt
10/3/2014

STATE OF TEXAS
REGISTERED
SCOTT RAY HOLT
4895
PROFESSIONAL
LAND SURVEYOR

Scott Holt
FIELD NOTES APPROVED:
10/3/2014

County: Dallas
Highway: I.H. 30
Control–Section–Job:
0009–11–232

EXHIBIT A



LOT 1A
BLOCK 10/114

St. Louis St.
CLOSED & VACATED
Ordinance No. 27106

HOMELESS ASSISTANCE CENTER ADDITION
Instrument No.
20080163800

Storm Sewer Easement by Homeless Assistance Center Addition

John Grigsby Survey
Abstract No. 495

Found "X" Cut in Concrete
CONTROLLING MONUMENT

City of Dallas
Vol. 2005101, Pg. 7787

City of Dallas
Instrument Number:
200600480461

Set 5/8" I.R. w/Alum.
Disc Marked "CITY
OF DALLAS – HAC"
POINT OF BEGINNING

33.00'
N 45°33'28" W

Existing I.H. 30
Right–of–Way

Boundary of Homeless Assistance Center Addition

S 45°33'28" E
51.28'

St. Louis Street
(33' R.O.W. Remainder)

142.29', N 44°26'32" E (Called 144')

Boundary of Homeless Assistance Center Addition

LOT 2

LOT 1

BLOCK
17/115

LOT 2

ST. PAUL ST.
(66' R.O.W. by
Browder's Addition Dedication)

Existing I.H. 30
Right–of–Way

New I.H. 30
Right–of–Way

N 47°30'54" W
50.18'

151.24', S 64°15'37" W

State of Texas
Vol. 199, Pg. 946

3,648 Sqare Foot
(0.084 Acre Tract)
To Be Acquired

22.05'

Interstate Highway Right–of–Way Line

BLOCK
17/115

LOT 1

BROWDER'S ADDITION
Vol. U Pg. 492

U.S. Interstate Highway 30
(R.L. Thornton Freeway)

LEGEND

⊙ 5/8" Iron Rod with Aluminum Disc Marked "CITY OF DALLAS – HAC"

Indicates Common Ownership Across a Defined Line.

NOTE: State of Texas Tract (Vol. 199, Pg. 946) Shown as Parcel 38 on Map Sheet 3 of the TxDOT ROW Map, Control–Section–Job: 00009–11–024

NOTE: Additional Controlling Monuments for this Survey can be found on the Homeless Assistance Center Addition Plat, Recorded in Instrument Number 20080163800

BASIS OF BEARINGS: Bearings are Based on the State Plane Coordinate System, Texas Central Zone 4202, North American Daum of 1983.

Homeless Assistance Center			
Property to be Acquired from the State of Texas			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME		SCALE / DATE
S. Holt	N:\ENGR\SURVEY\HOLT\HOMELESS\Homeless Replat.dgn		As Noted / 5–22–13
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	S. Holt	Block 17/115	S067–027

...\Homeless\Homeless Replat.dgn 10/2/2014 4:19:38 PM

AGENDA ITEM # 28

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Ryan S. Evans, 670-3314
Jill A. Jordan, P.E., 670-5299

MAPSCO: 42Y

SUBJECT

Authorize an amendment to Resolution No. 13-1574, previously approved on September 11, 2013, to amend the Slope Easement to the City from TXI Operations, LP, for a total of approximately 56,298 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project – Financing: No cost consideration to the City

BACKGROUND

This item authorizes an amendment and substitution of a Slope Easement to include the recorded title exceptions as permitted exceptions for the previously approved Slope Easement as the form instrument for the conveyance from TXI Operations, LP, of approximately 56,298 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project

All other provisions of Resolution No. 13-1574 remain in full force and effect.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on September 11, 2013, by Resolution No. 13-1574.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

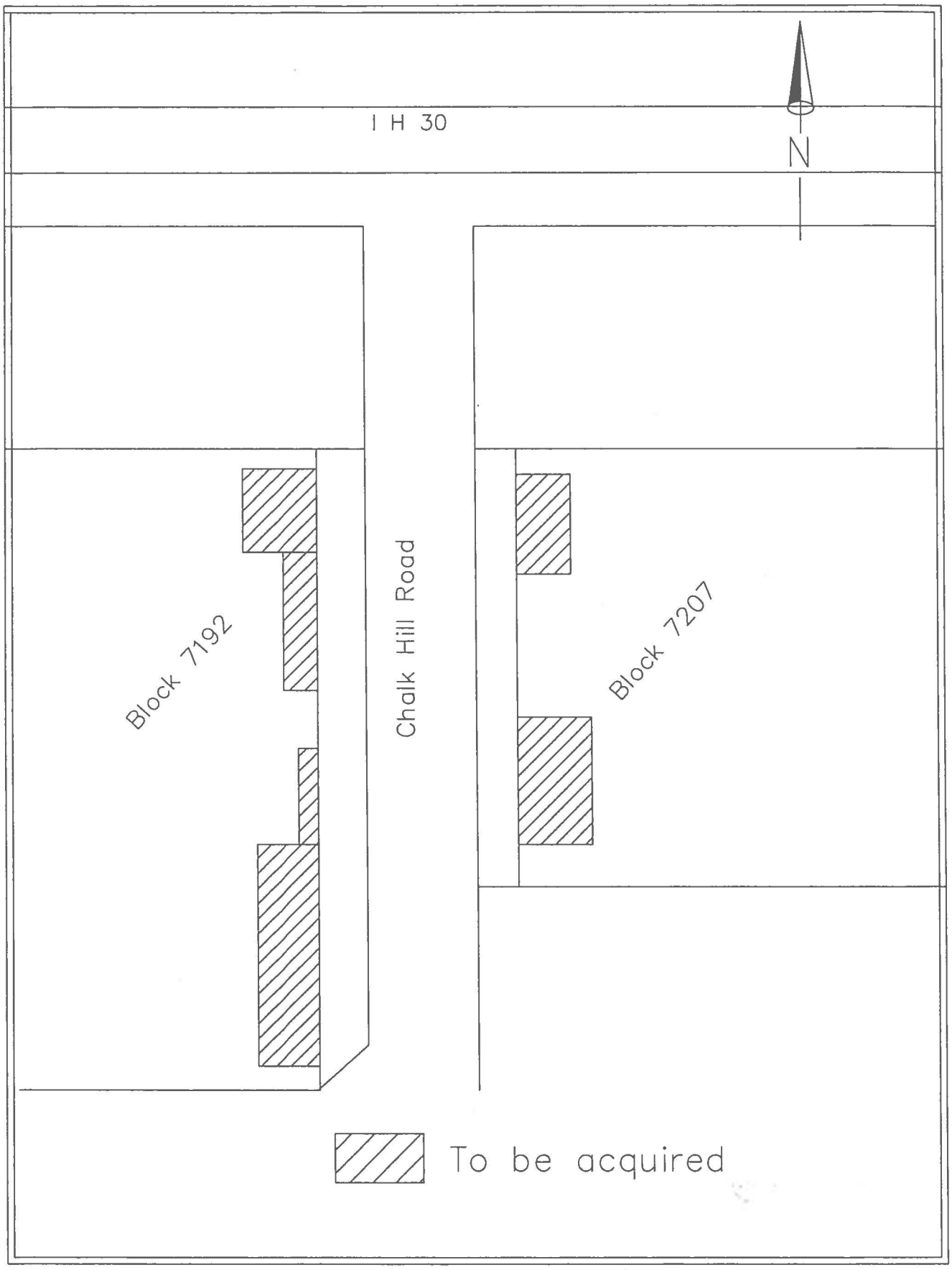
TXI Operations, LP

TXI Operating Trust

Mark Cleveland, Vice President

MAP

Attached


I H 30
N
Block 7192
Chalk Hill Road
Block 7207
To be acquired

January 28, 2015

WHEREAS, on September 11, 2013, Resolution No. 13-1574, authorized the acquisition for a total of approximately 56,298 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project; and

WHEREAS, an exclusive Slope Easement form was provided as Exhibit "B" to Resolution No. 13-1574 as the instrument to convey Easement interest in the PROPERTY from the Owner to the City of Dallas; and

WHEREAS, the Owner has requested that the Slope Easement, as approved by Resolution No. 13-1574, be amended to allow for non-exclusive use by the City; and

WHEREAS, the City of Dallas agrees to acquire the easement interest, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes by a Slope 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; **Now, Therefore,**

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

SECTION 1. That Resolution No. 13-1574 is amended to substitute a non-exclusive Slope Easement, substantially in the form described in Exhibit "B" attached hereto.

SECTION 2. All other provisions authorized by Resolution No. 13-1574 remain in full force and effect.

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.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

Slope Easement Acquisition
a 13,931 square foot (0.320 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 1:

BEING a 13,931 square foot (0.320 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Decd Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the said north line of TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the said north line of TXI Operations tract, and along the said new west right-of-way line of Chalk Hill Road, a distance of 2,950.94 feet to a ½-inch iron rod set with cap for POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 377.51 feet to a ½-inch iron rod with cap (monument set for previous survey) for an internal corner of the herein described tract, said point also being on a non-tangent curve to the right having a radius of 1,495.00 feet and whose chord bears South 00 degrees 36 minutes 26 seconds East, a distance of 72.62 feet;

THENCE Southerly, along said curve to the right and along the said new west right-of-way line of Chalk Hill Road, through a central angle of 02 degrees 47 minutes 01 second, an arc distance of 72.63 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

FIELD NOTES APPROVED:

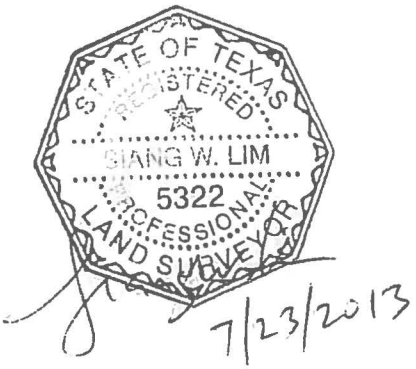
THENCE North 89 degrees 12 minutes 56 seconds West, departing the said new west right-of-way line of said Chalk Hill Road, a distance of 31.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract, said point also being on a non-tangent curve to the left having a radius of 1,464.00 feet and whose chord bears North 00 degrees 36 minutes 26 seconds West, a distance of 71.12 feet;

THENCE Northerly, along said curve to the left, parallel with and perpendicularly 31.00 feet distance from the said new west right-of-way line of Chalk Hill Road, through a central angle of 02 degrees 47 minutes 01 second, an arc distance of 71.13 feet to a ½-inch iron rod set with cap for an internal corner of the herein described tract;

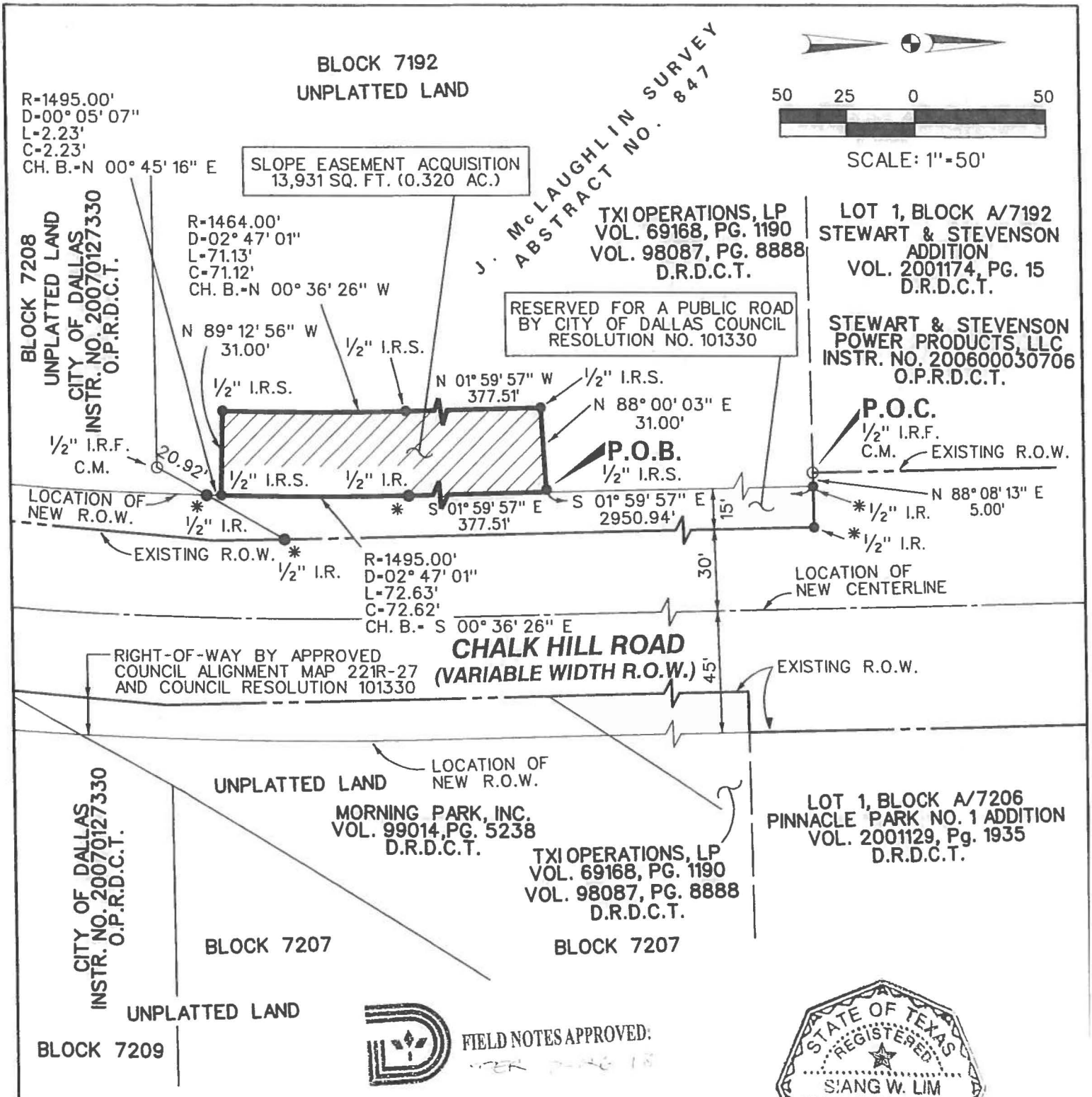
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 31.00 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 377.51 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degree 00 minutes 03 seconds East, a distance of 31.00 feet to THE POINT OF BEGINNING and containing 13,931 square feet or 0.320 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:



FIELD NOTES APPROVED:

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7/23/2013

LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

13,931 SQUARE FEET
(0.320 ACRES)
SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 2,100 square foot (0.048 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 2:

BEING a 2,100 square foot (0.048 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and the property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), same being a southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.), said point also being on a non-tangent curve to the right having a radius of 4,740.64 feet and whose chord bears North 32 degrees 03 minutes 51 seconds East, a distance of 26.78 feet;

THENCE Northwesterly, departing the said existing east right-of-way line of Chalk Hill Road, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap")(monument set for previous survey) in the new east right-of-way line of Chalk Hill Road as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE North 01 degree 59 minutes 57 seconds West, along the said new east right-of-way line of Chalk Hill Road, a distance of 1,456.59 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE North 01 degree 59 minutes 57 seconds West, continuing along the said new east right-of-way line of Chalk Hill Road, a distance of 350.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, departing the said new east right-of-way line of Chalk Hill Road, a distance of 6.00 feet to a ½-inch iron rod set with cap for the northeast corner of the herein described tract;

FIELD NOTES APPROVED:

THENCE South 01 degree 59 minutes 57 seconds East, parallel with and perpendicularly 6.00 feet distance from the said new east right-of-way line of Chalk Hill Road, a distance of 350.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

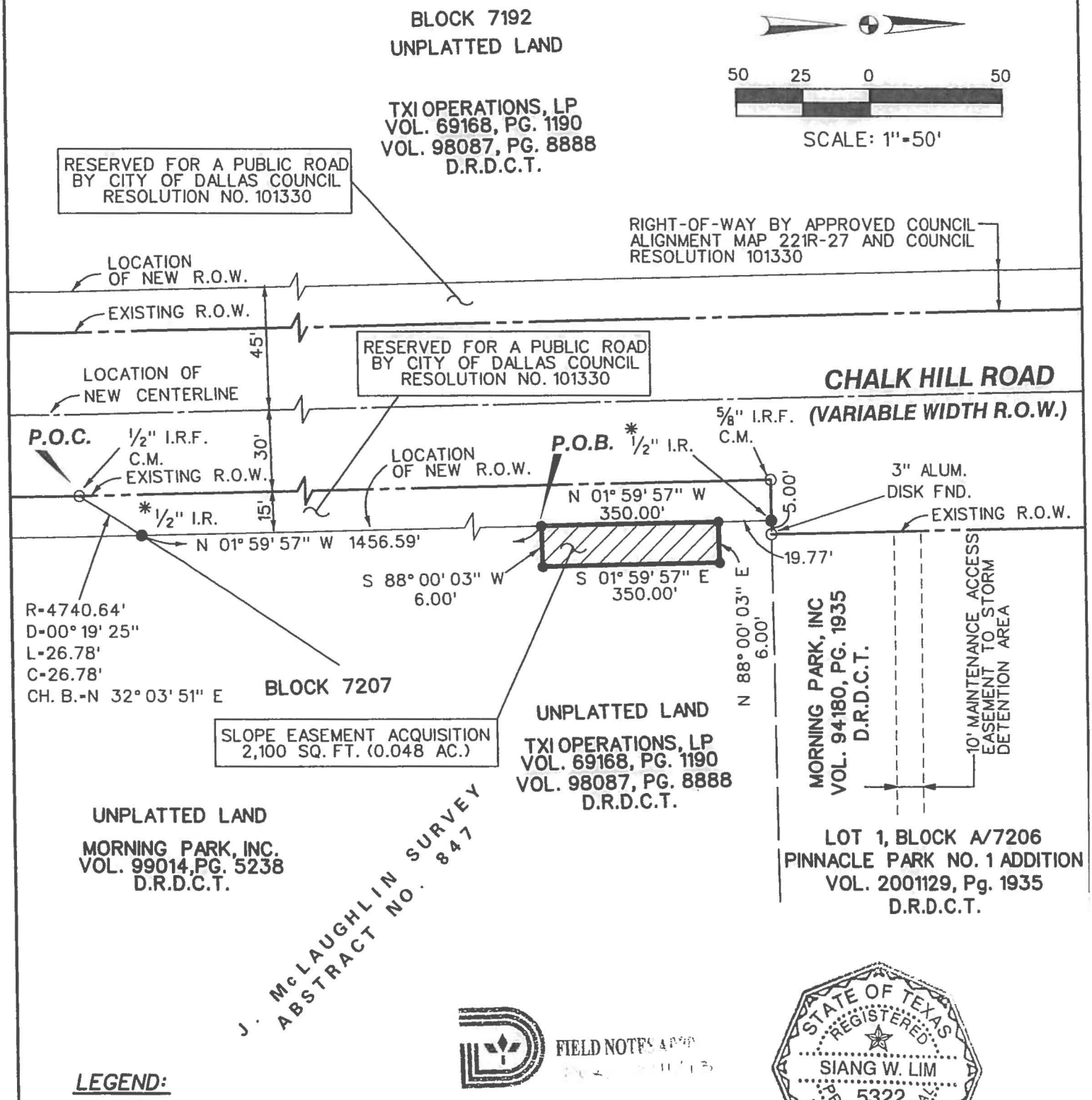
THENCE South 88 degrees 00 minutes 03 seconds West, a distance of 6.00 feet to THE POINT OF BEGINNING and containing 2,100 square feet or 0.048 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



7-10-2013

FIELD NOTES APPROVED:



FIELD NOTES

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

2,100 (0.048 ACRES) SLOPE EASEMENT ACQUISTION

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 6,992 square foot (0.161 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 3:

BEING a 6,992 square foot (0.161 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract, and along the said new west right-of-way line of Chalk Hill, a distance of 0.93 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 466.13 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

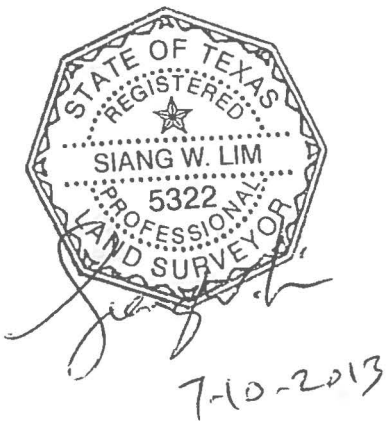
THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of Chalk Hill Road, a distance of 15.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

FIELD NOTES APPROVED:

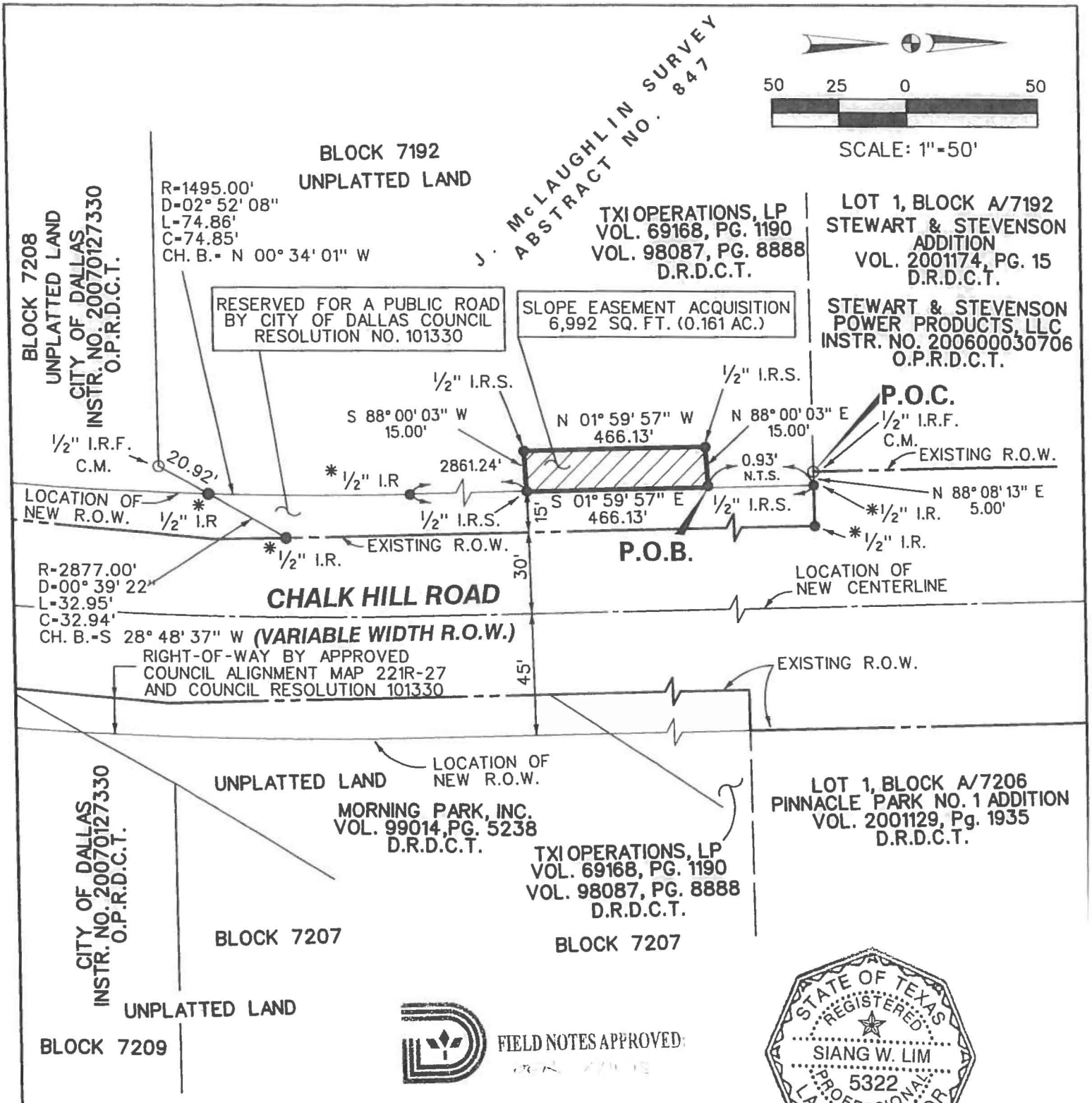
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 15.00 feet distant from the said new west right-of-way line of Chalk Hill Road, a distance of 466.13 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 15.00 feet to the POINT OF BEGINNING and containing 6,992 square feet or 0.161 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED



LEGEND:

C.M. CONTROLLING MONUMENT

○ IRON ROD FOUND (I.R.F.)

● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

6,992 SQUARE FEET (0.161 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 32,550 square foot (0.747 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 4:

BEING a 32,550 square foot (0.747 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), same being a southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.), said point also being on a non-tangent curve to the right having a radius of 4,740.64 feet and whose chord bears North 32 degrees 03 minutes 51 seconds East, a distance of 26.78 feet;

THENCE Northeasterly, departing the said existing east right-of-way line of Chalk Hill Road, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap")(monument set for previous survey) in the new east right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE North 01 degree 59 minutes 57 seconds West, along the said new east right-of-way line of Chalk Hill Road, a distance of 106.59 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE North 01 degree 59 minutes 57 seconds West, continuing along the said new east right-of-way line of Chalk Hill Road, a distance of 1,050.0 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, departing the said new east right-of-way line of Chalk Hill Road, a distance of 31.00 feet to a ½-inch iron rod set with cap for the northeast corner of the herein described tract;

FIELD NOTES APPROVED:

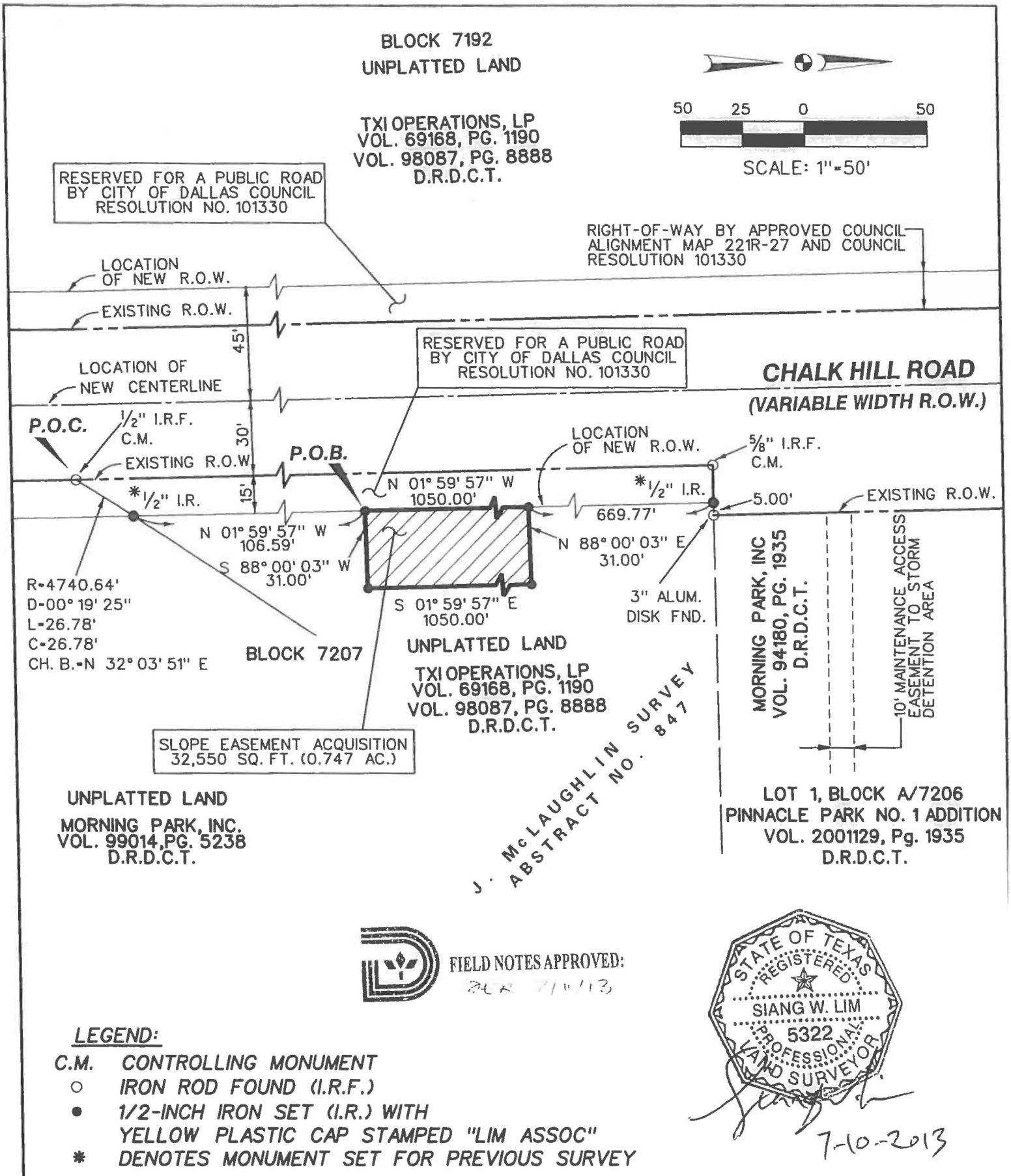
THENCE South 01 degree 59 minutes 57 seconds East, parallel with and perpendicularly 31.00 feet distance from the said new east right-of-way line of Chalk Hill Road, a distance of 1,050.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, a distance of 31.00 feet to THE POINT OF BEGINNING and containing 32,550 square feet or 0.747 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:



FIELD NOTES APPROVED:

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

32,550 (0.747 ACRES) SLOPE EASEMENT ACQUISTION

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 400 square foot (0.009 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 5:

BEING a 400 square foot (0.009 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the said north line of TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract and along the said new west right-of-way line of Chalk Hill Road, a distance of 850.93 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 100.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of said Chalk Hill Road, a distance of 4.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

FIELD NOTES APPROVED:

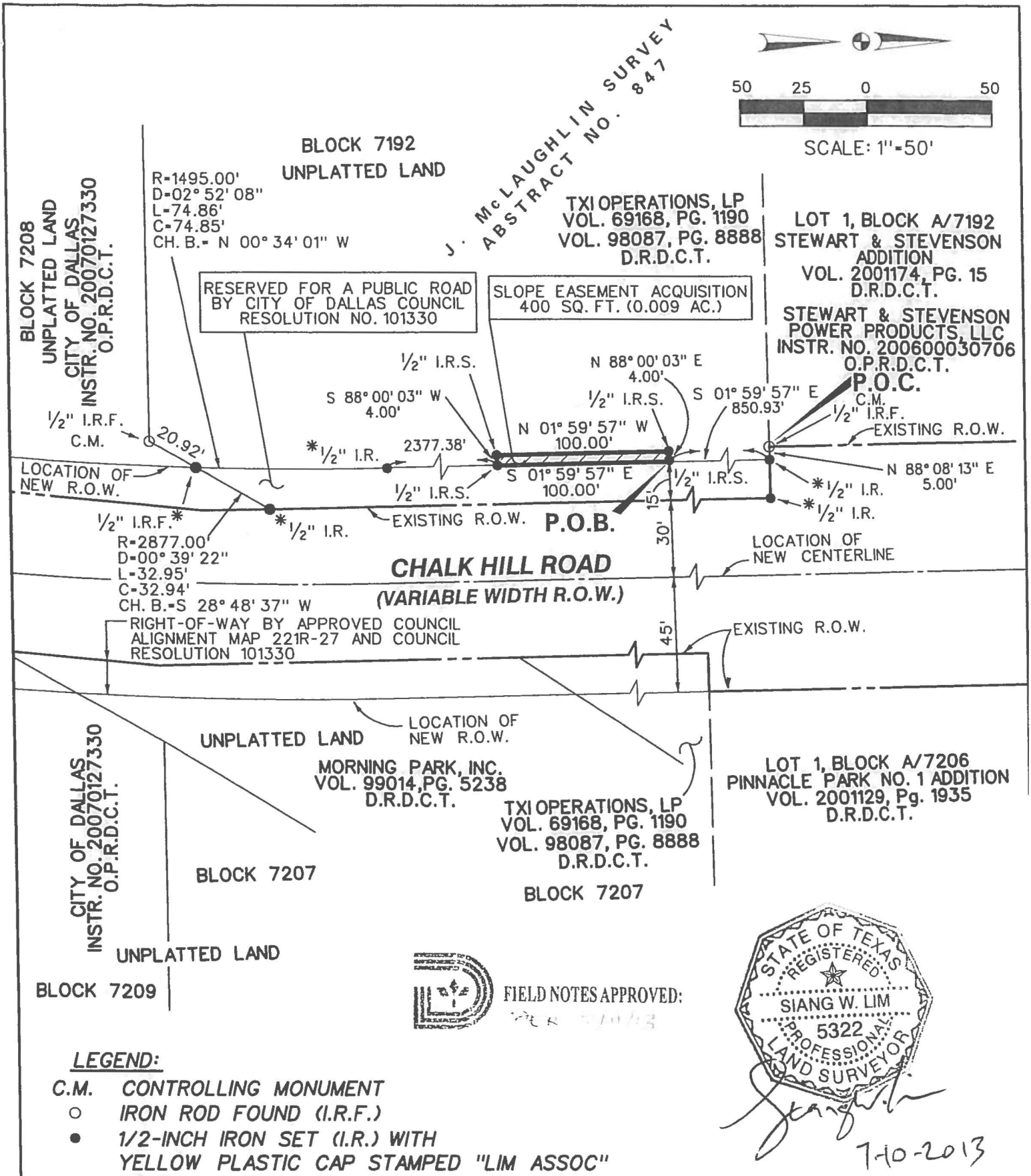
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 4.00 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 100.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 4.00 feet the POINT OF BEGINNING and containing 400 square feet or 0.009 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:



FIELD NOTES APPROVED:

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- C.M. CONTROLLING MONUMENT
- ○ IRON ROD FOUND (I.R.F.)
- ● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- * DENOTES MONUMENT SET FOR PREVIOUS SURVEY

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

400 SQUARE FEET (0.009 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 325 square foot (0.008 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 6:

BEING a 325 square foot (0.008 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract, and along the said new west right-of-way line of Chalk Hill Road, a distance of 600.94 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 50.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of Chalk Hill Road, a distance of 6.50 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 6.50 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 50.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

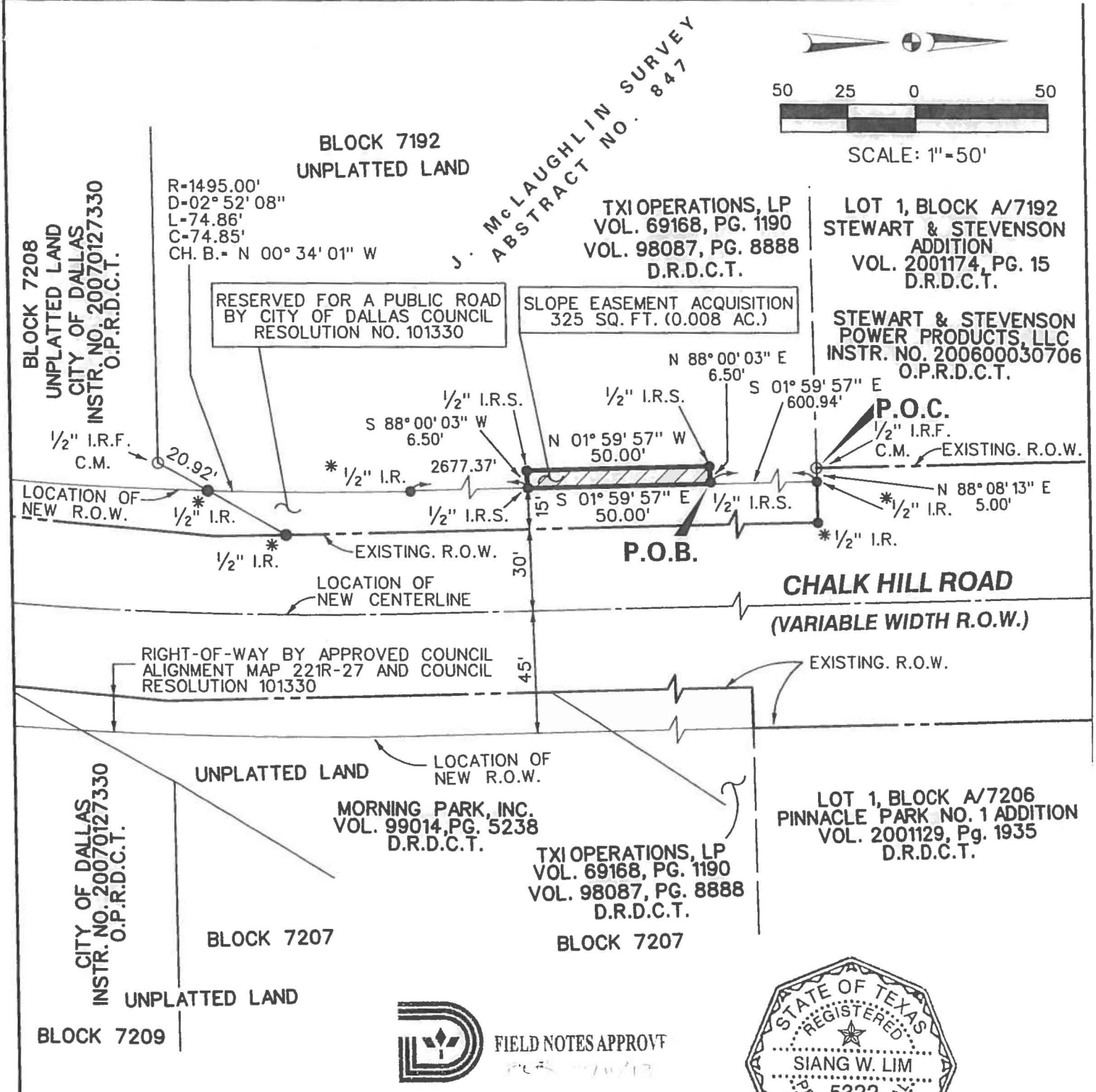
FIELD NOTES APPROVED:

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 6.50 feet to the POINT OF BEGINNING and containing 325 square feet or 0.008 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:



LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

325 SQUARE FEET (0.008 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

SLOPE EASEMENT

EXHIBIT B

THE STATE OF TEXAS '

' KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS '

That TXI OPERATIONS, LP, a Delaware limited 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-EIGHT THOUSAND ONE HUNDRED FORTY-NINE AND NO/100 DOLLARS ($28,149.00) 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 said City, its successors and assigns, a non-exclusive easement and right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes, an easement for the purpose of grading, filling, and/or maintaining a slope, together with the customary uses attendant thereto, including drainage improvements over, 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 grading, filling and/or maintaining a slope in conjunction with the construction of planned improvements, including the right to make the improvements on such grade and 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.

The Easement is nonexclusive, irrevocable and perpetual. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to continue to use and enjoy the Easement Property for purposes that do not interfere with or interrupt the use and enjoyment of the Easement by City for the easement purposes. Grantor reserves for Grantor and Grantor's heirs, successors and assigns the right to use all or part of the Easement Property in conjunction with City, as long as such further use or conveyance is subject to the terms of this agreement. Notwithstanding the foregoing, City shall have the right to remove and keep removed from the Easement Property any and all buildings, structures, improvements, fences, trees, shrubs, growths, or other matters as City, in its sole and unqualified discretion, deems necessary, convenient or advisable to avoid interference with the easement purpose granted herein, now and in the future, City's determination in this regard being final.

Should one or more of the Grantor(s) 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.

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

EXHIBIT B

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Dallas, its successors and assigns forever, and Grantor is hereby bound, together with all heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said easement unto the City of Dallas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

BY: TXI OPERATIONS, LP,
a Delaware limited partnership

BY: TXI Operating Trust,
A Delaware business trust, its sole general partner

By: _____

Name: _____

Title: _____

Approved As To Form:
WARREN M. S. ERNST,
City Attorney

By: _____
Assistant City Attorney

* * * \

EXHIBIT A

Slope Easement Acquisition
a 13,931 square foot (0.320 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 1:

BEING a 13,931 square foot (0.320 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the said north line of TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the said north line of TXI Operations tract, and along the said new west right-of-way line of Chalk Hill Road, a distance of 2,950.94 feet to a ½-inch iron rod set with cap for POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 377.51 feet to a ½-inch iron rod with cap (monument set for previous survey) for an internal corner of the herein described tract, said point also being on a non-tangent curve to the right having a radius of 1,495.00 feet and whose chord bears South 00 degrees 36 minutes 26 seconds East, a distance of 72.62 feet;

THENCE Southerly, along said curve to the right and along the said new west right-of-way line of Chalk Hill Road, through a central angle of 02 degrees 47 minutes 01 second, an arc distance of 72.63 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

FIELD NOTES APPROVED:
JE-KR 7-26-13

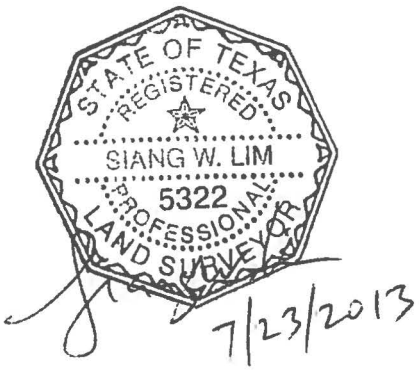
THENCE North 89 degrees 12 minutes 56 seconds West, departing the said new west right-of-way line of said Chalk Hill Road, a distance of 31.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract, said point also being on a non-tangent curve to the left having a radius of 1,464.00 feet and whose chord bears North 00 degrees 36 minutes 26 seconds West, a distance of 71.12 feet;

THENCE Northerly, along said curve to the left, parallel with and perpendicularly 31.00 feet distance from the said new west right-of-way line of Chalk Hill Road, through a central angle of 02 degrees 47 minutes 01 second, an arc distance of 71.13 feet to a ½-inch iron rod set with cap for an internal corner of the herein described tract;

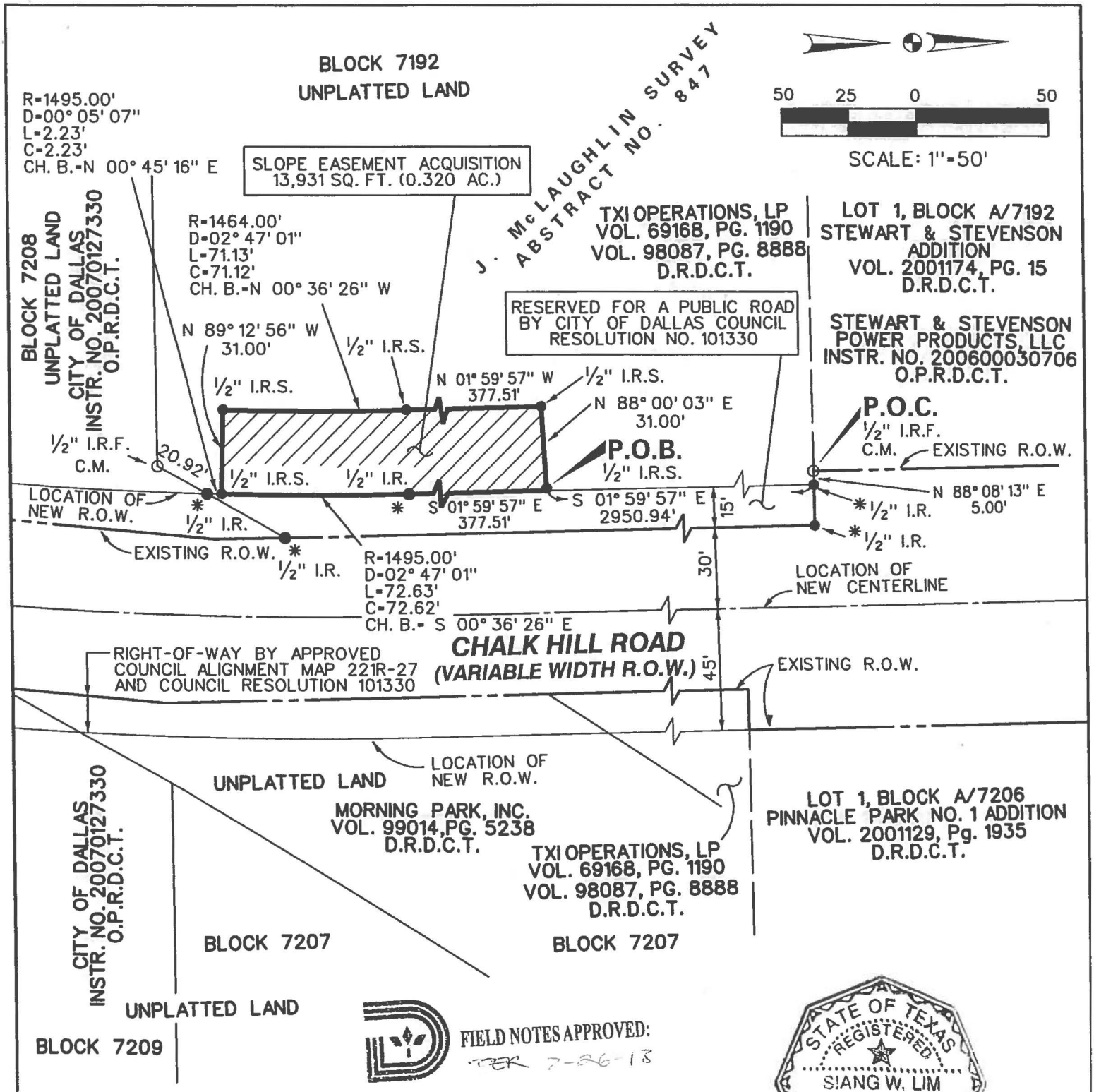
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 31.00 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 377.51 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degree 00 minutes 03 seconds East, a distance of 31.00 feet to THE POINT OF BEGINNING and containing 13,931 square feet or 0.320 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:
PER 7-26-13



FIELD NOTES APPROVED:
TFR 7-26-13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7/23/2013

LEGEND:

C.M. CONTROLLING MONUMENT

○ IRON ROD FOUND (I.R.F.)

● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

13,931 SQUARE FEET (0.320 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 2,100 square foot (0.048 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 2:

BEING a 2,100 square foot (0.048 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and the property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), same being a southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.), said point also being on a non-tangent curve to the right having a radius of 4,740.64 feet and whose chord bears North 32 degrees 03 minutes 51 seconds East, a distance of 26.78 feet;

THENCE Northwesterly, departing the said existing east right-of-way line of Chalk Hill Road, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap")(monument set for previous survey) in the new east right-of-way line of Chalk Hill Road as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE North 01 degree 59 minutes 57 seconds West, along the said new east right-of-way line of Chalk Hill Road, a distance of 1,456.59 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE North 01 degree 59 minutes 57 seconds West, continuing along the said new east right-of-way line of Chalk Hill Road, a distance of 350.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, departing the said new east right-of-way line of Chalk Hill Road, a distance of 6.00 feet to a ½-inch iron rod set with cap for the northeast corner of the herein described tract;

FIELD NOTES APPROVED:
PER 7/11/13

THENCE South 01 degree 59 minutes 57 seconds East, parallel with and perpendicularly 6.00 feet distance from the said new east right-of-way line of Chalk Hill Road, a distance of 350.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

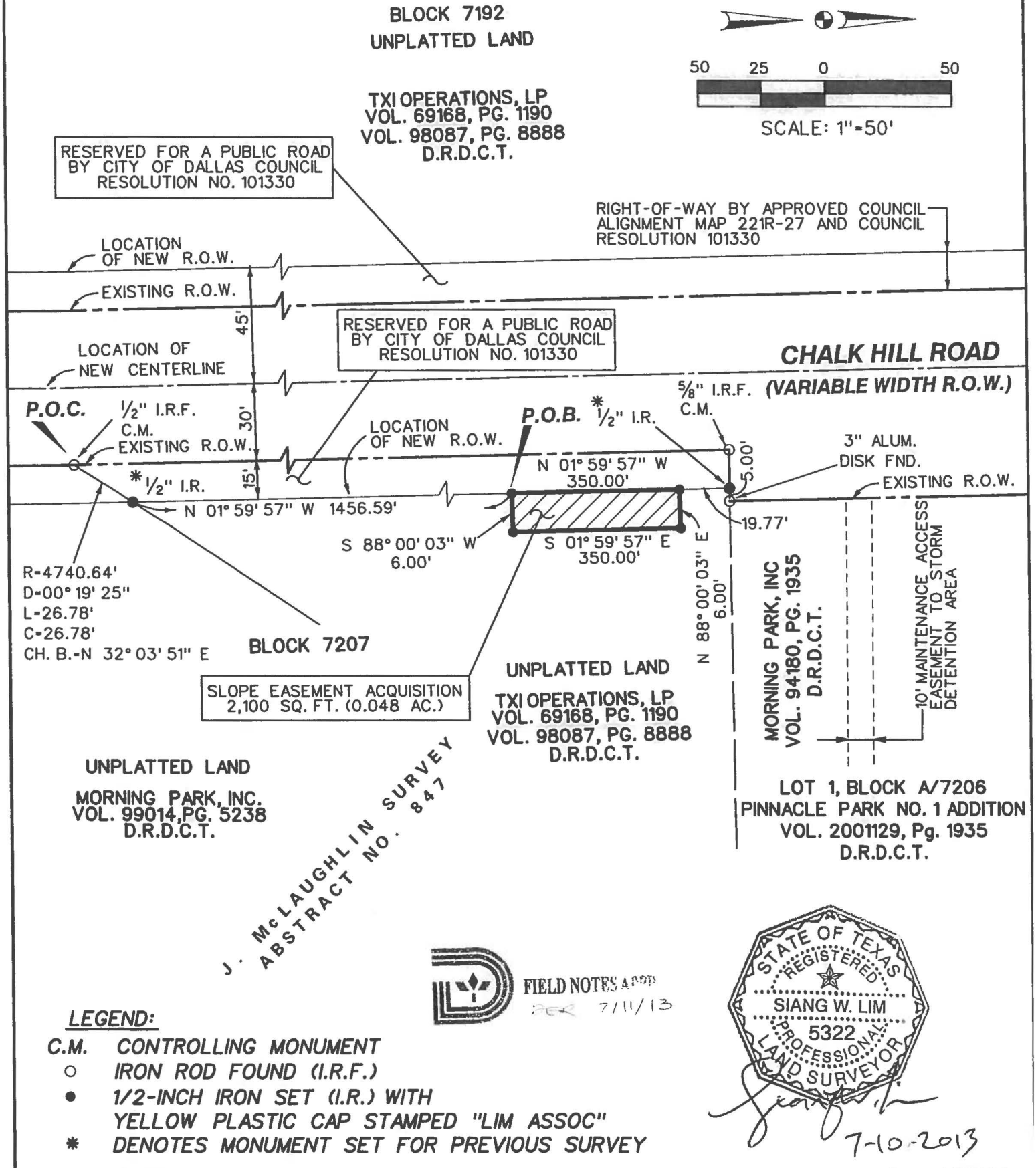
THENCE South 88 degrees 00 minutes 03 seconds West, a distance of 6.00 feet to THE POINT OF BEGINNING and containing 2,100 square feet or 0.048 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



7-10-2013

FIELD NOTES APPROVED:
7/11/13



FIELD NOTES ADD 7/11/13

LEGEND:

- C.M. CONTROLLING MONUMENT
- ○ IRON ROD FOUND (I.R.F.)
- ● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- * DENOTES MONUMENT SET FOR PREVIOUS SURVEY

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

2,100 (0.048 ACRES) SLOPE EASEMENT ACQUISTION

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 6,992 square foot (0.161 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 3:

BEING a 6,992 square foot (0.161 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract, and along the said new west right-of-way line of Chalk Hill, a distance of 0.93 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 466.13 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of Chalk Hill Road, a distance of 15.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

FIELD NOTES APPROVED:
DER 7/11/13

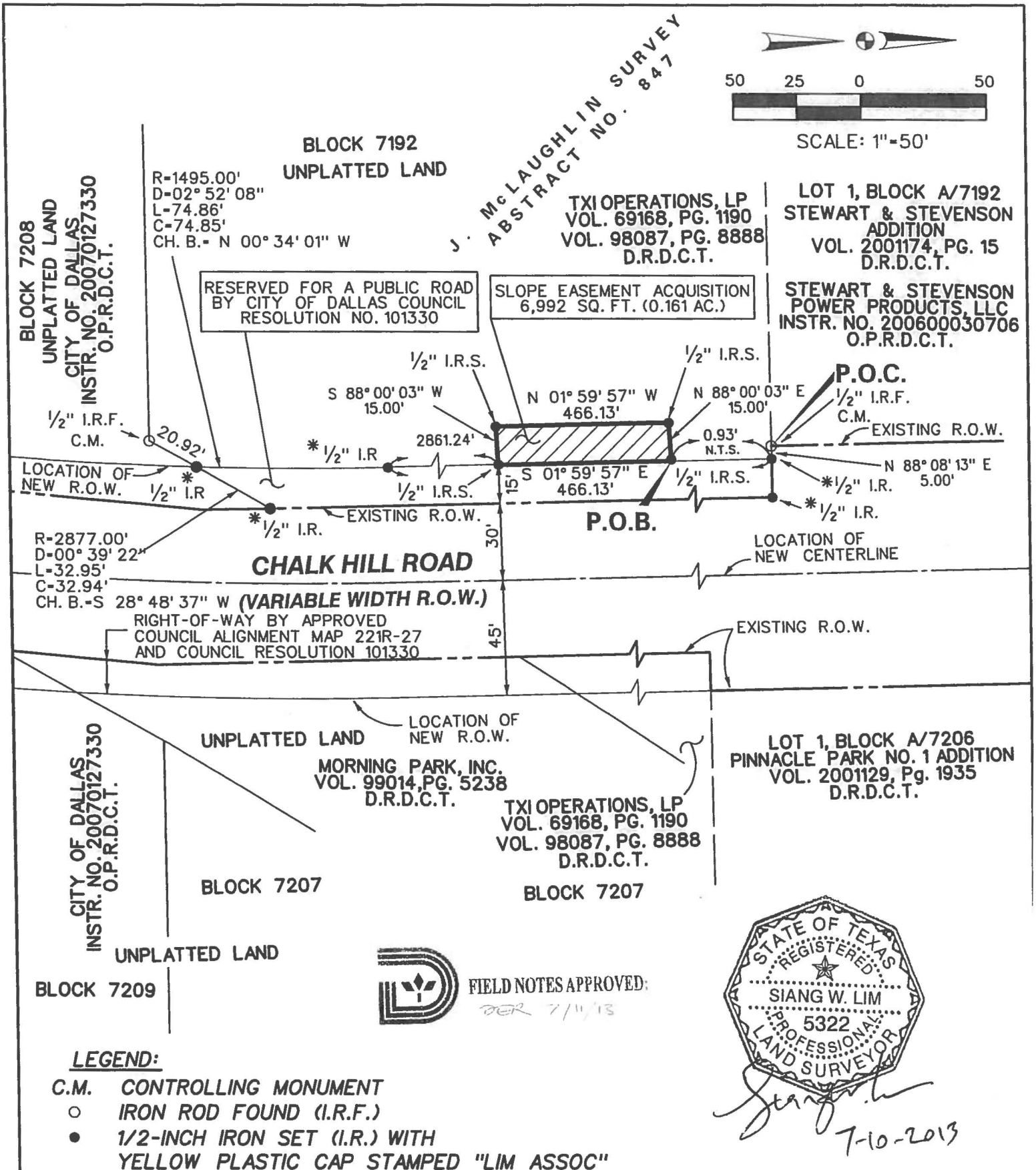
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 15.00 feet distant from the said new west right-of-way line of Chalk Hill Road, a distance of 466.13 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 15.00 feet to the POINT OF BEGINNING and containing 6,992 square feet or 0.161 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:
DEK 7/11/13



FIELD NOTES APPROVED:
DER 7/11/13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

C.M. CONTROLLING MONUMENT
○ IRON ROD FOUND (I.R.F.)
● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
* DENOTES MONUMENT SET FOR PREVIOUS SURVEY

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

6,992 SQUARE FEET (0.161 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 32,550 square foot (0.747 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 4:

BEING a 32,550 square foot (0.747 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), same being a southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.), said point also being on a non-tangent curve to the right having a radius of 4,740.64 feet and whose chord bears North 32 degrees 03 minutes 51 seconds East, a distance of 26.78 feet;

THENCE Northeasterly, departing the said existing east right-of-way line of Chalk Hill Road, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap")(monument set for previous survey) in the new east right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE North 01 degree 59 minutes 57 seconds West, along the said new east right-of-way line of Chalk Hill Road, a distance of 106.59 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE North 01 degree 59 minutes 57 seconds West, continuing along the said new east right-of-way line of Chalk Hill Road, a distance of 1,050.0 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, departing the said new east right-of-way line of Chalk Hill Road, a distance of 31.00 feet to a ½-inch iron rod set with cap for the northeast corner of the herein described tract;

FIELD NOTES APPROVED:
PER 7/11/13

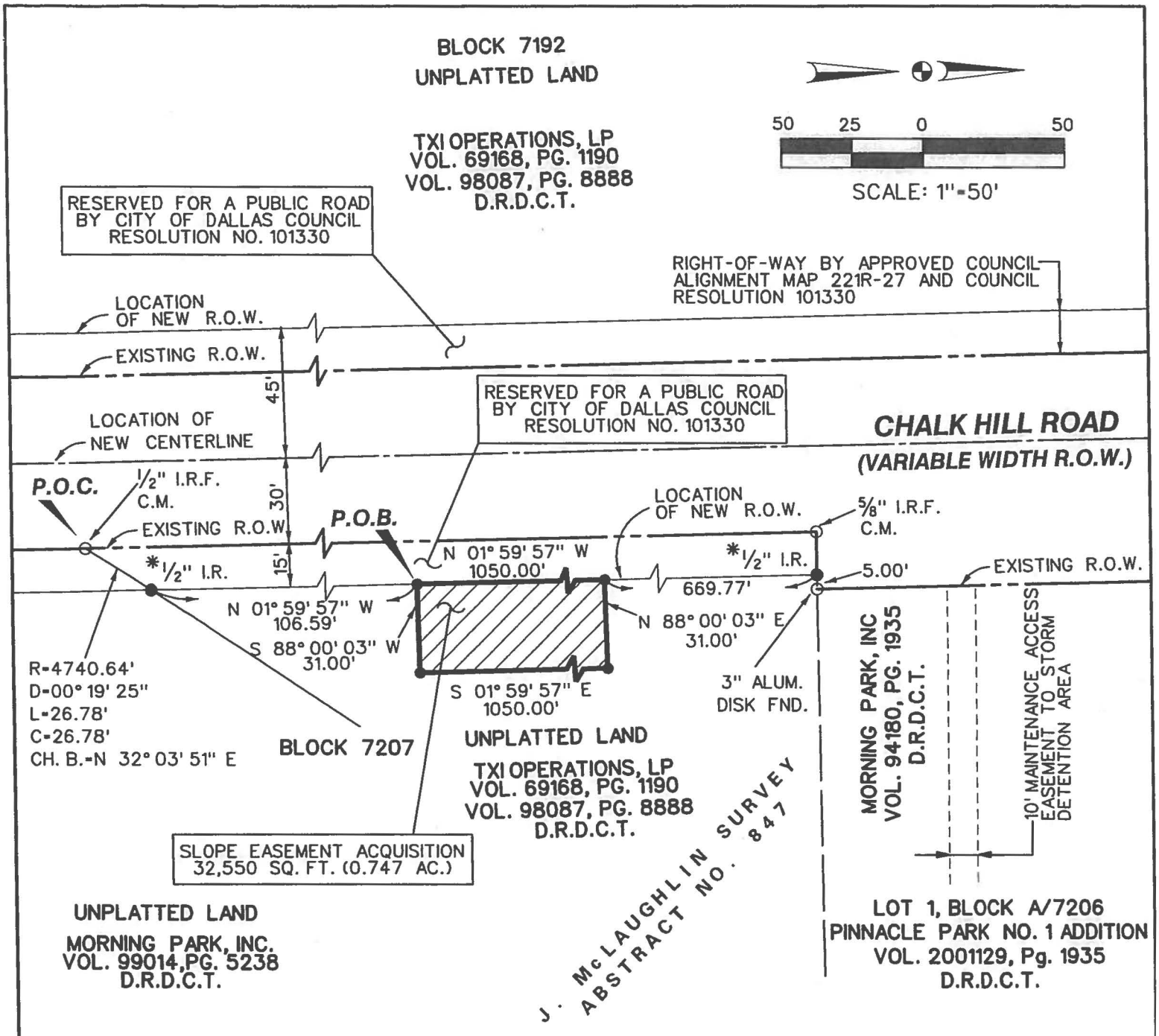
THENCE South 01 degree 59 minutes 57 seconds East, parallel with and perpendicularly 31.00 feet distance from the said new east right-of-way line of Chalk Hill Road, a distance of 1,050.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, a distance of 31.00 feet to THE POINT OF BEGINNING and containing 32,550 square feet or 0.747 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:
BER 7/11/13



FIELD NOTES APPROVED:
DER 7/11/13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

32,550 (0.747 ACRES) SLOPE EASEMENT ACQUISTION

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 400 square foot (0.009 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 5:

BEING a 400 square foot (0.009 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the said north line of TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract and along the said new west right-of-way line of Chalk Hill Road, a distance of 850.93 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 100.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of said Chalk Hill Road, a distance of 4.00 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

FIELD NOTES APPROVED:
DER 7/11/13

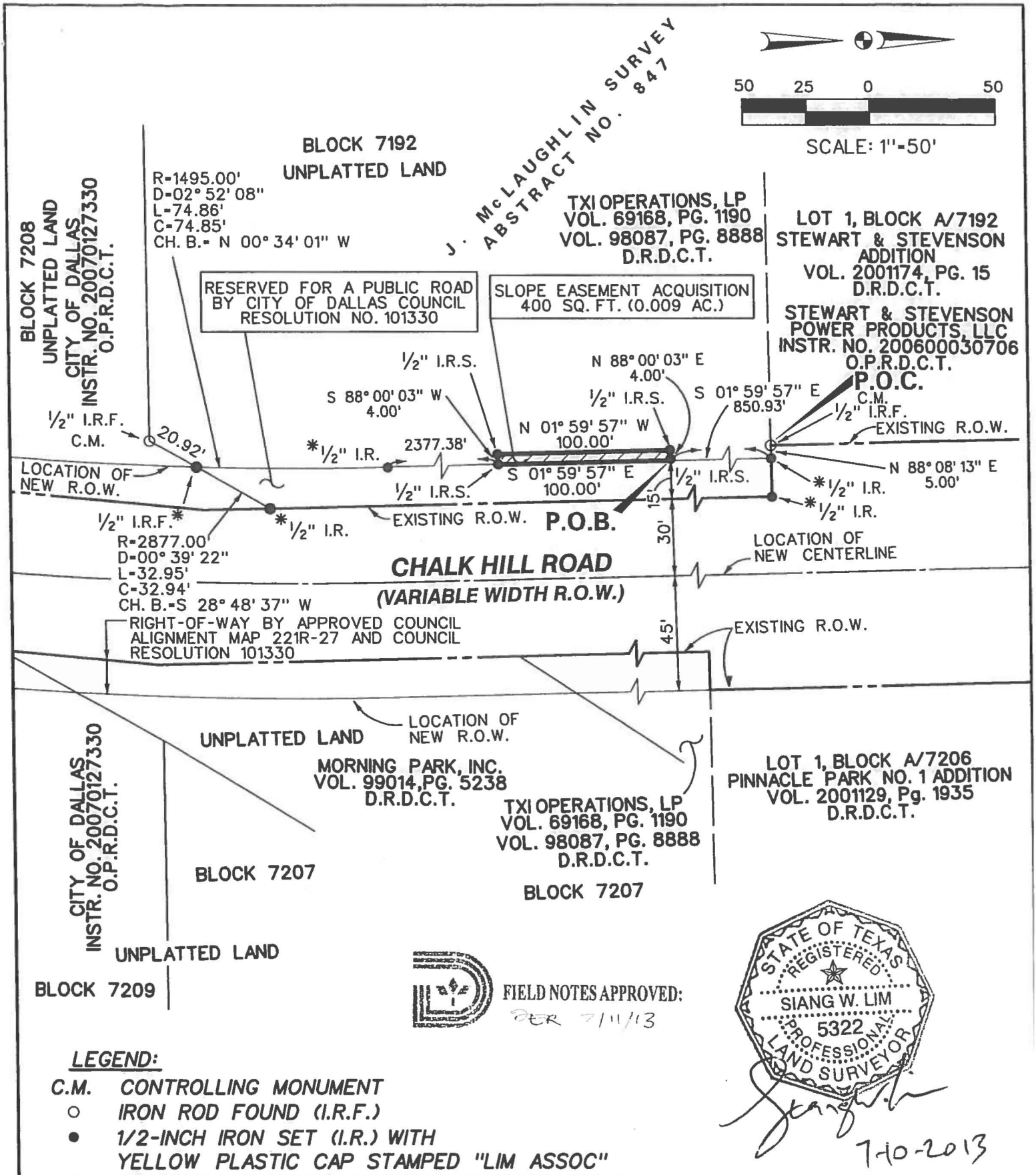
THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 4.00 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 100.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 4.00 feet the POINT OF BEGINNING and containing 400 square feet or 0.009 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:
7/11/13



FIELD NOTES APPROVED:
PER 7/11/13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- *C.M. CONTROLLING MONUMENT*
- *○ IRON ROD FOUND (I.R.F.)*
- *● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"*
- ** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

400 SQUARE FEET (0.009 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

EXHIBIT A

Slope Easement Acquisition
a 325 square foot (0.008 Acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
from TXI Operations, LP

PARCEL 6:

BEING a 325 square foot (0.008 acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of that tract of land conveyed to TXI Operations, LP, according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and property described in Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a ½-inch iron rod found in the southeast corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T., said point also being in the north line of said TXI Operations tract, same being in the existing west right-of-way line of Chalk Hill Road (a variable width right-of-way);

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, same being the said existing west right-of-way line of Chalk Hill Road, a distance of 5.00 feet to a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the new west right-of-way line of Chalk Hill Road, as shown on Council Alignment Map 221R-27, recorded in the City of Dallas Survey Vault, approved by Dallas City Council Resolution No. 101330;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said TXI Operations tract, and along the said new west right-of-way line of Chalk Hill Road, a distance of 600.94 feet to a ½-inch iron rod set with cap for the POINT OF BEGINNING;

THENCE South 01 degree 59 minutes 57 seconds East, continuing along the said new west right-of-way line of Chalk Hill Road, a distance of 50.00 feet to a ½-inch iron rod set with cap for the southeast corner of the herein described tract;

THENCE South 88 degrees 00 minutes 03 seconds West, departing the said new west right-of-way line of Chalk Hill Road, a distance of 6.50 feet to a ½-inch iron rod set with cap for the southwest corner of the herein described tract;

THENCE North 01 degree 59 minutes 57 seconds West, parallel with and perpendicularly 6.50 feet distance from the said new west right-of-way line of Chalk Hill Road, a distance of 50.00 feet to a ½-inch iron rod set with cap for the northwest corner of the herein described tract;

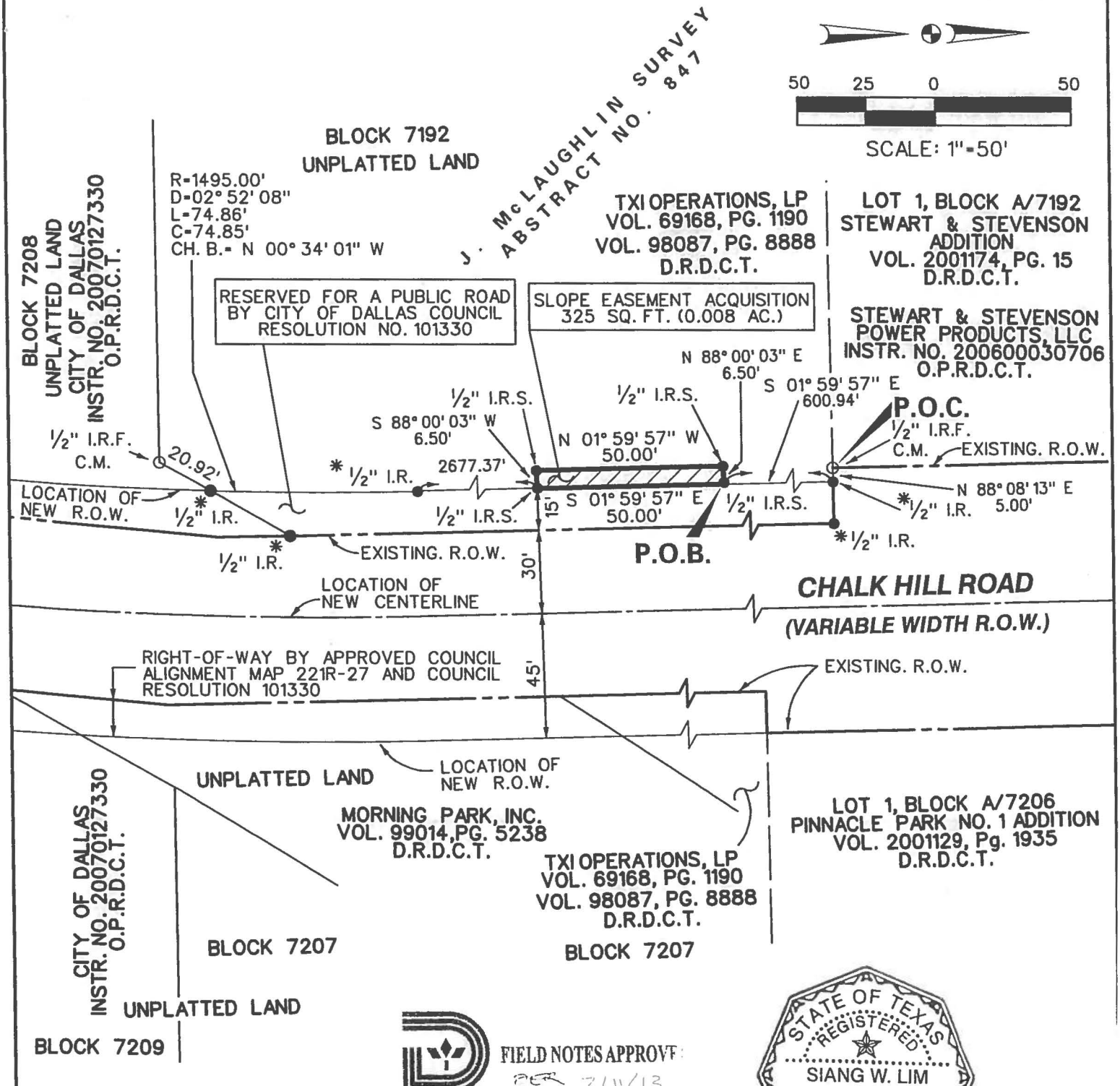
FIELD NOTES APPROVED:
DEK 7/11/13

THENCE North 88 degrees 00 minutes 03 seconds East, a distance of 6.50 feet to the POINT OF BEGINNING and containing 325 square feet or 0.008 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.



FIELD NOTES APPROVED:



FIELD NOTES APPROVED
PER 7/11/13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-10-2013

LEGEND:

- C.M. CONTROLLING MONUMENT
- ○ IRON ROD FOUND (I.R.F.)
- ● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- * DENOTES MONUMENT SET FOR PREVIOUS SURVEY

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

325 SQUARE FEET (0.008 ACRES) SLOPE EASEMENT ACQUISITION

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

AGENDA ITEM # 29

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	6
DEPARTMENT:	Sustainable Development and Construction Public Works Department
CMO:	Ryan S. Evans, 671-9837 Jill A. Jordan, P.E., 670-5299
MAPSCO:	42Y

SUBJECT

Authorize an amendment to Resolution No. 13-1575, previously approved on September 11, 2013, to amend the Special Warranty Deed to the City from TXI O perations, LP, for a total of approximately 78,418 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project – Financing: No cost consideration to the City

BACKGROUND

This item authorizes an amendment and substitution of a Special Warranty Deed to include the recorded title exceptions as permitted exceptions for the previously approved Special Warranty Deed as the form instrument for the conveyance from TXI Operations, LP, of approximately 78,418 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project.

All other provisions of Resolution No. 13-1575 remain in full force and effect.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on September 11, 2013, by Resolution No. 13-1575.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

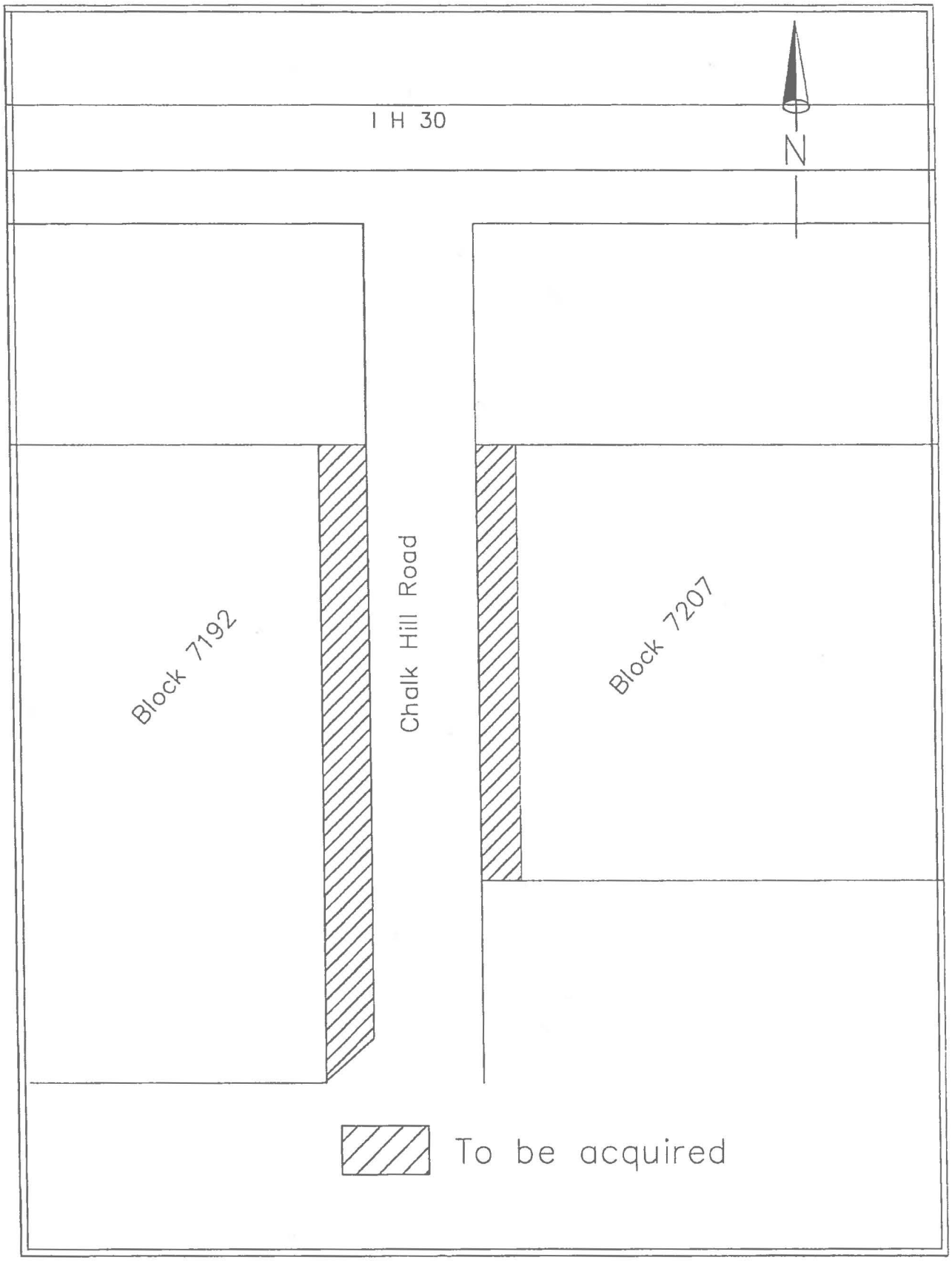
TXI Operations, LP

TXI Operating Trust

Mark Cleveland, Vice President

MAP

Attached


I H 30
N
Block 7192
Chalk Hill Road
Block 7207
To be acquired

January 28, 2015

WHEREAS, on September 11, 2013, Resolution No. 13-1575, authorized the acquisition for a total of approximately 78,418 square feet of land located near Interstate Highway 30 and Chalk Hill Road for the Chalk Hill Road Improvement Project; and

WHEREAS, a General Warranty Deed form was provided as Exhibit "B" to Resolution No. 13-1575 as the instrument to convey Fee Simple interest in the PROPERTY from the Owner to the City of Dallas; and

WHEREAS, the Owner has requested that the General Warranty Deed, as approved by Resolution No. 13-1575, be substituted with a Special Warranty Deed; and

WHEREAS, the City of Dallas agrees to acquire the fee simple property interest, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes by a Special Warranty Deed, 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; **Now, Therefore,**

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

SECTION 1. That Resolution No. 13-1575 is amended to substitute a Special Warranty Deed, substantially in the form described in Exhibit "B" attached hereto.

SECTION 2. All other provisions authorized by Resolution No. 13-1575 remain in full force and effect.

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.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

A 27,564 square foot (0.633 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
to be acquired for public road improvements,
from TXI Operations, L.P.

TRACT 1:

BEING a 27,564-square foot (0.633-acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, L.P., according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

FIELD NOTES APPROVED:

BEGINNING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), and being the southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.);

THENCE North 01 degree 59 minutes 57 seconds West, along the existing east right-of-way line of said Chalk Hill Road, same being the west line of said TXI Operations tract, a distance of 1,848.87 feet to a ⅝-inch iron rod found with cap in the northwest corner of said TXI Operations tract;

THENCE North 89 degrees 14 minutes 03 seconds East, departing the existing east right-of-way line of said Chalk Hill Road, and along the north line of said TXI Operations tract, a distance of 15.00 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") for corner;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said Texas Industries tract, at 15-foot parallel and perpendicularly distant with the existing east right-of-way line of Chalk Hill Road, a distance of 1,826.36 feet to a ½-inch iron rod set with cap for corner in the common line of said TXI Operations and Morning Park tracts, also being on a non-tangent curve to the left having a radius of 4,740.64 feet and whose chord bears South 32 degrees 03 minutes 51 seconds West, a distance of 26.78 feet;

THENCE Southwesterly, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to the POINT OF BEGINNING AND CONTAINING 27,564 square feet or 0.633 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

6-24-2013

FIELD NOTES APPROVED:

50 25 0 50

SCALE: 1"=50'

BLOCK 7192
UNPLATTED LAND

TXI OPERATIONS, L.P.
VOL. 98087, PG. 8888
VOL. 69168, PG. 1190
D.R.D.C.T.

FUTUR RIGHT-OF-WAY TO BE ACQUIRED BY SEPARATE INSTRUMENT

LOCATION OF NEW R.O.W.

EXISTING R.O.W.

45'

LOCATION OF NEW CENTERLINE

CHALK HILL ROAD
(VARIABLE WIDTH R.O.W.)

30'

P.O.B. ½" I.R.F. C.M.

EXISTING R.O.W.

N 01° 59' 57" W 1848.87'

15'

5/8" I.R.F. C.M.

N 89° 14' 03" E 15.00'

5.00' EXISTING R.O.W.

20' R.O.W. DEDICATION (VOL. 2001129, PG. 1935)

LOCATION OF NEW R.O.W.

½" I.R.S.

S 01° 59' 57" E 1826.36'

½" I.R.S.

3" ALUM. DISK FND.

R=4740.64'
D=0° 19' 25"
L=26.78'
C=26.78'
CH. B.=S 32° 03' 51" W

BLOCK 7207

UNPLATTED LAND

TXI OPERATIONS, L.P.
VOL. 98087, PG. 8888
VOL. 69168, PG. 1190
D.R.D.C.T.

MORNING PARK, INC
VOL. 94180, PG. 1935
D.R.D.C.T.

27,564 SQUARE FEET
(0.633 ACRES)
TO BE ACQUIRED
FOR PUBLIC ROAD
IMPROVEMENTS

LOT 1, BLOCK A/7206
PINNACLE PARK NO. 1 ADDITION
Vol. 2001129, Pg. 1935
D.R.D.C.T.

BLOCK 7207
UNPLATTED LAND

MORNING PARK, INC.
VOL. 99014, PG. 5238
D.R.D.C.T.

J. McLAUGHLIN SURVEY
ABSTRACT NO. 847

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

6-24-2013

LEGEND:

C.M. CONTROL MONUMENT
○ IRON ROD FOUND (I.R.F.)
● 1/2-INCH IRON ROD SET (I.R.S.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street Suite 310 LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

27,564 SQUARE FEET (0.633 ACRES) TO BE ACQUIRED FOR PUBLIC ROAD IMPROVEMENTS

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

A 50,854 square foot (1.168 acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
to be acquired for public road improvements,

TRACT 2:

BEING a 50,854-square foot (1.168-acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of tract of land conveyed to TXI Operations, L.P., according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and Volume 691868, Page 1190, D.R.D.C.T., and being more particularly described as follows:

FIELD NOTES APPROVED:

BEGINNING at a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the existing west right-of-way line of Chalk Hill Road (variable right-of-way) and the southeast corner of said TXI Operations tract, from which a ½-inch iron rod found for internal corner in the south line of said TXI Operations tract bears South 28 degrees 54 minutes 31 seconds West, a distance of 53.86 feet, said point also being a northeast corner of a tract of land conveyed to the City of Dallas by deed thereof recorded in Instrument No. 20070127330, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said point also being on a non-tangent curve to the left having a radius of 2,877.00 feet and whose chord bears South 28 degrees 48 minutes 37 seconds West, a distance of 32.94 feet;

THENCE Southwesterly, departing the existing west right-of-way line of said Chalk Hill Road and along said curve to the left and the common line of said TXI Operations and City of Dallas tracts, through a central angle of 00 degrees 39 minutes 22 seconds, an arc distance of 32.95 feet to a ½-inch iron with cap (monument set for previous survey), said point being on a non-tangent curve to the left having a radius of 1,495.00 feet and whose chord bears North 00 degrees 33 minutes 43 seconds West, a distance of 74.71 feet;

THENCE Northerly, departing the common line of said TXI Operations and City of Dallas tracts, at 45-foot parallel and perpendicularly distant with the new centerline of Chalk Hill Road, and along said curve to the left, through a central angle of 02 degrees 51 minutes 48 seconds, an arc distance of 74.72 feet to a ½-inch iron rod with cap (monument set for previous survey) for corner;

THENCE North 01 degree 59 minutes 57 seconds West, at 15-foot parallel and perpendicularly distant with the existing westerly right-of-way line of Chalk Hill Road, a distance of 3328.45 feet to a ½-inch iron rod with cap (monument set for previous survey) in the northerly line of said TXI Operations tract, said point being North 88 degrees 08 minutes 13 seconds East, a distance of 5.00 feet from a ½-inch iron rod found in the southeasterly corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T.;

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, the same being the north line of City Block 7192, a distance of 15.00 feet to a ½-inch iron rod with cap (monument set for previous survey) in the existing west right-of-way line of said Chalk Hill Road;

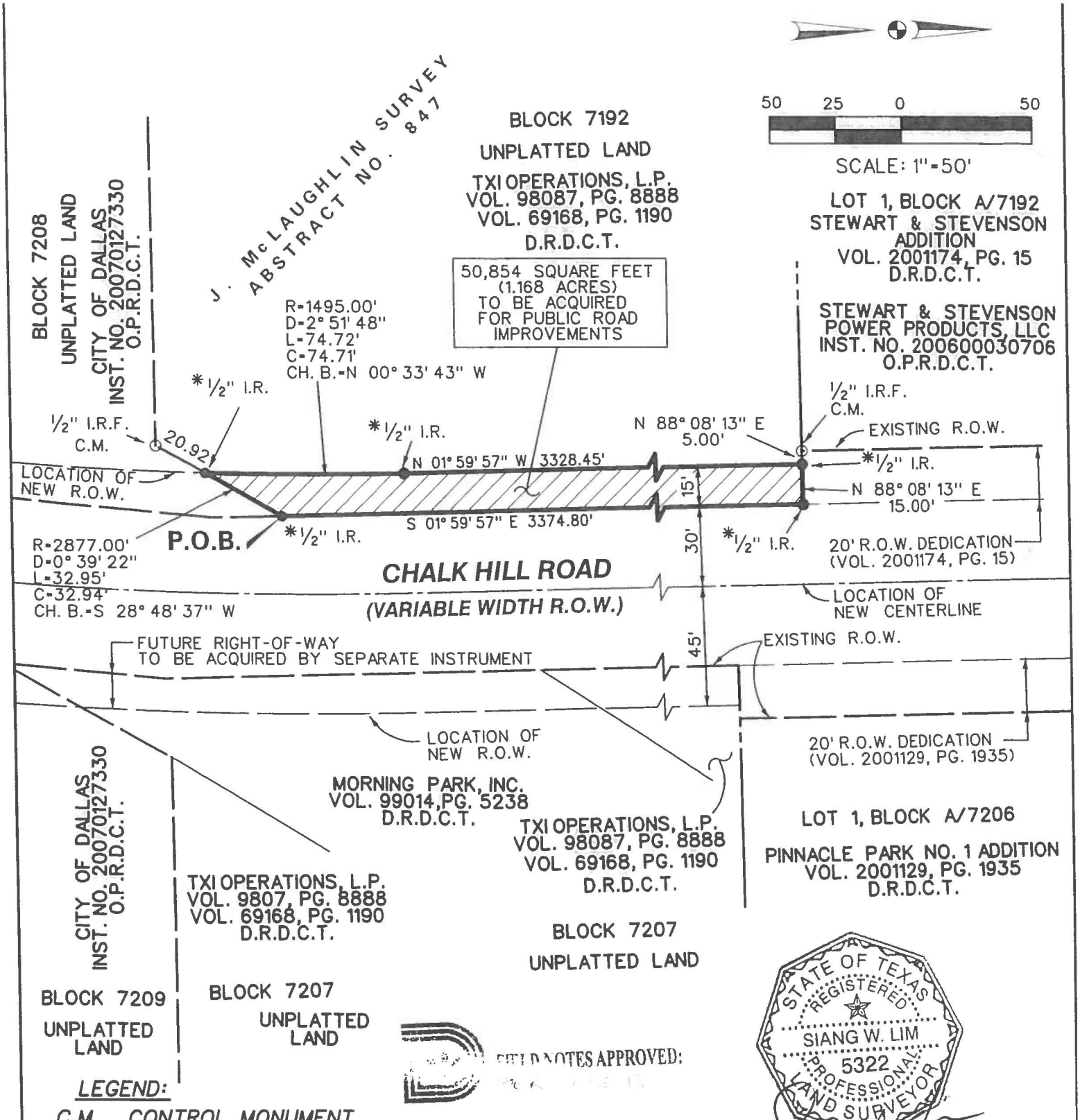
THENCE South 01 degree 59 minutes 57 seconds East, along the existing west right-of-way line of said Chalk Hill Road, a distance of 3,374.80 feet to the POINT OF BEGINNING AND CONTAINING 50,854 square feet or 1.168 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.

FIELD NOTES APPROVED:

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-2-2013



LEGEND:

C.M. CONTROL MONUMENT

○ IRON ROD FOUND (I.R.F.)

● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

50,854 SQUARE FEET (1.168 ACRES) TO BE ACQUIRED FOR PUBLIC ROAD IMPROVEMENTS

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

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.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That TXI OPERATIONS, LP, a Delaware limited 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 ONE HUNDRED FIFTY-SIX THOUSAND EIGHT HUNDRED THIRTY-SIX AND NO/100 DOLLARS ($156,836.00) 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: This deed and Grantor's warranty of title are expressly subject to all matters of record in the Title Commitment GF No. 1007-8188-RTT issued by First American Title Insurance Company.

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, by, through or under Grantor, but not otherwise.

EXECUTED this _____ day of _____, _____.

SIGNATURES APPEAR ON NEXT PAGE

EXHIBIT B

TXI OPERATIONS, LP,
a Delaware limited partnership

By: TXI Operating Trust,
a Delaware business trust its sole general partner

By: _____
Name: _____
Title: _____

Approved As To Form:
WARREN M. S. ERNST,
City Attorney

By: _____
Assistant City Attorney

* * * \

EXHIBIT A

A 27,564 square foot (0.633 Acres)
tract of land in City Block 7207,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
to be acquired for public road improvements,
from TXI Operations, L.P.

TRACT 1:

BEING a 27,564-square foot (0.633-acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying City Block 7207, an unplatted land, and being a part of that tract of land conveyed to TXI Operations, L.P., according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records, Dallas County, Texas (D.R.D.C.T.) and Volume 69168, Page 1190, D.R.D.C.T., and being more particularly described as follows:

FIELD NOTES APPROVED: DER 6-25-13

BEGINNING at a ½-inch iron rod found with cap in the existing east right-of-way line of Chalk Hill Road (variable width right-of-way), and being the southwest corner of said TXI Operations tract, said point also being the northwest corner of a tract of land conveyed to Morning Park, Inc. by deed thereof recorded in Volume 99014, Page 5238, (D.R.D.C.T.);

THENCE North 01 degree 59 minutes 57 seconds West, along the existing east right-of-way line of said Chalk Hill Road, same being the west line of said TXI Operations tract, a distance of 1,848.87 feet to a ⅝-inch iron rod found with cap in the northwest corner of said TXI Operations tract;

THENCE North 89 degrees 14 minutes 03 seconds East, departing the existing east right-of-way line of said Chalk Hill Road, and along the north line of said TXI Operations tract, a distance of 15.00 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") for corner;

THENCE South 01 degree 59 minutes 57 seconds East, departing the north line of said Texas Industries tract, at 15-foot parallel and perpendicularly distant with the existing east right-of-way line of Chalk Hill Road, a distance of 1,826.36 feet to a ½-inch iron rod set with cap for corner in the common line of said TXI Operations and Morning Park tracts, also being on a non-tangent curve to the left having a radius of 4,740.64 feet and whose chord bears South 32 degrees 03 minutes 51 seconds West, a distance of 26.78 feet;

THENCE Southwesterly, along said curve to the right and along the common line of said TXI Operations and Morning Park tracts, through a central angle of 00 degrees 19 minutes 25 seconds, an arc distance of 26.78 feet to the POINT OF BEGINNING AND CONTAINING 27,564 square feet or 0.633 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

6-24-2013

FIELD NOTES APPROVED:
JER 6-25-13

50 25 0 50

SCALE: 1"=50'

BLOCK 7192
UNPLATTED LAND

TXI OPERATIONS, L.P.
VOL. 98087, PG. 8888
VOL. 69168, PG. 1190
D.R.D.C.T.

FUTUR RIGHT-OF-WAY TO BE ACQUIRED BY SEPARATE INSTRUMENT

LOCATION OF NEW R.O.W.

EXISTING R.O.W.

45'

LOCATION OF NEW CENTERLINE

CHALK HILL ROAD
(VARIABLE WIDTH R.O.W.)

30'

P.O.B. 1/2" I.R.F. C.M.

EXISTING R.O.W.

N 01° 59' 57" W 1848.87'

5/8" I.R.F. C.M.

N 89° 14' 03" E 15.00'

15'

5.00'

EXISTING R.O.W.

LOCATION OF NEW R.O.W.

1/2" I.R.S.

S 01° 59' 57" E 1826.36'

1/2" I.R.S.

20' R.O.W. DEDICATION (VOL. 2001129, PG. 1935)

BLOCK 7207

UNPLATTED LAND

TXI OPERATIONS, L.P.
VOL. 98087, PG. 8888
VOL. 69168, PG. 1190
D.R.D.C.T.

3" ALUM. DISK FND.

MORNING PARK, INC
VOL. 94180, PG. 1935
D.R.D.C.T.

R=4740.64'
D=0° 19' 25"
L=26.78'
C=26.78'
CH. B.=S 32° 03' 51" W

27,564 SQUARE FEET
(0.633 ACRES)
TO BE ACQUIRED
FOR PUBLIC ROAD
IMPROVEMENTS

LOT 1, BLOCK A/7206
PINNACLE PARK NO. 1 ADDITION
Vol. 2001129, Pg. 1935
D.R.D.C.T.

BLOCK 7207
UNPLATTED LAND

MORNING PARK, INC.
VOL. 99014,PG. 5238
D.R.D.C.T.

J. McLAUGHLIN SURVEY
ABSTRACT NO. 847

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

6-24-2013

LEGEND:

C.M. CONTROL MONUMENT
○ IRON ROD FOUND (I.R.F.)
● 1/2-INCH IRON ROD SET (I.R.S.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

27,564 SQUARE FEET (0.633 ACRES) TO BE ACQUIRED FOR PUBLIC ROAD IMPROVEMENTS

CITY BLOCK 7207
CITY OF DALLAS, TEXAS

EXHIBIT A

A 50,854 square foot (1.168 acres)
tract of land in City Block 7192,
J. McLaughlin Survey, Abstract No. 847,
City of Dallas, Dallas County, Texas,
to be acquired for public road improvements,

TRACT 2:

BEING a 50,854-square foot (1.168-acre) tract of land situated in the J. McLaughlin Survey, Abstract No. 847, in the City of Dallas, Dallas County, Texas, lying in City Block 7192, an unplatted land, and also being a part of tract of land conveyed to TXI Operations, L.P., according to the limited warranty deed thereof recorded in Volume 98087, Page 8888, Deed Records of Dallas County, Texas (D.R.D.C.T.) and Volume 691868, Page 1190, D.R.D.C.T., and being more particularly described as follows:

FIELD NOTES APPROVED: DER 7-3-18

BEGINNING at a ½-inch iron rod with yellow plastic cap stamped "LIM ASSOC" (hereinafter referred to as "with cap") (monument set for previous survey) in the existing west right-of-way line of Chalk Hill Road (variable right-of-way) and the southeast corner of said TXI Operations tract, from which a ½-inch iron rod found for internal corner in the south line of said TXI Operations tract bears South 28 degrees 54 minutes 31 seconds West, a distance of 53.86 feet, said point also being a northeast corner of a tract of land conveyed to the City of Dallas by deed thereof recorded in Instrument No. 20070127330, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said point also being on a non-tangent curve to the left having a radius of 2,877.00 feet and whose chord bears South 28 degrees 48 minutes 37 seconds West, a distance of 32.94 feet;

THENCE Southwesterly, departing the existing west right-of-way line of said Chalk Hill Road and along said curve to the left and the common line of said TXI Operations and City of Dallas tracts, through a central angle of 00 degrees 39 minutes 22 seconds, an arc distance of 32.95 feet to a ½-inch iron with cap (monument set for previous survey), said point being on a non-tangent curve to the left having a radius of 1,495.00 feet and whose chord bears North 00 degrees 33 minutes 43 seconds West, a distance of 74.71 feet;

THENCE Northerly, departing the common line of said TXI Operations and City of Dallas tracts, at 45-foot parallel and perpendicularly distant with the new centerline of Chalk Hill Road, and along said curve to the left, through a central angle of 02 degrees 51 minutes 48 seconds, an arc distance of 74.72 feet to a ½-inch iron rod with cap (monument set for previous survey) for corner;

THENCE North 01 degree 59 minutes 57 seconds West, at 15-foot parallel and perpendicularly distant with the existing westerly right-of-way line of Chalk Hill Road, a distance of 3328.45 feet to a ½-inch iron rod with cap (monument set for previous survey) in the northerly line of said TXI Operations tract, said point being North 88 degrees 08 minutes 13 seconds East, a distance of 5.00 feet from a ½-inch iron rod found in the southeasterly corner of Lot 1, Block A/7192, Stewart & Stevenson Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 2001174, Page 15, D.R.D.C.T.;

THENCE North 88 degrees 08 minutes 13 seconds East, along the north line of said TXI Operations tract, the same being the north line of City Block 7192, a distance of 15.00 feet to a ½-inch iron rod with cap (monument set for previous survey) in the existing west right-of-way line of said Chalk Hill Road;

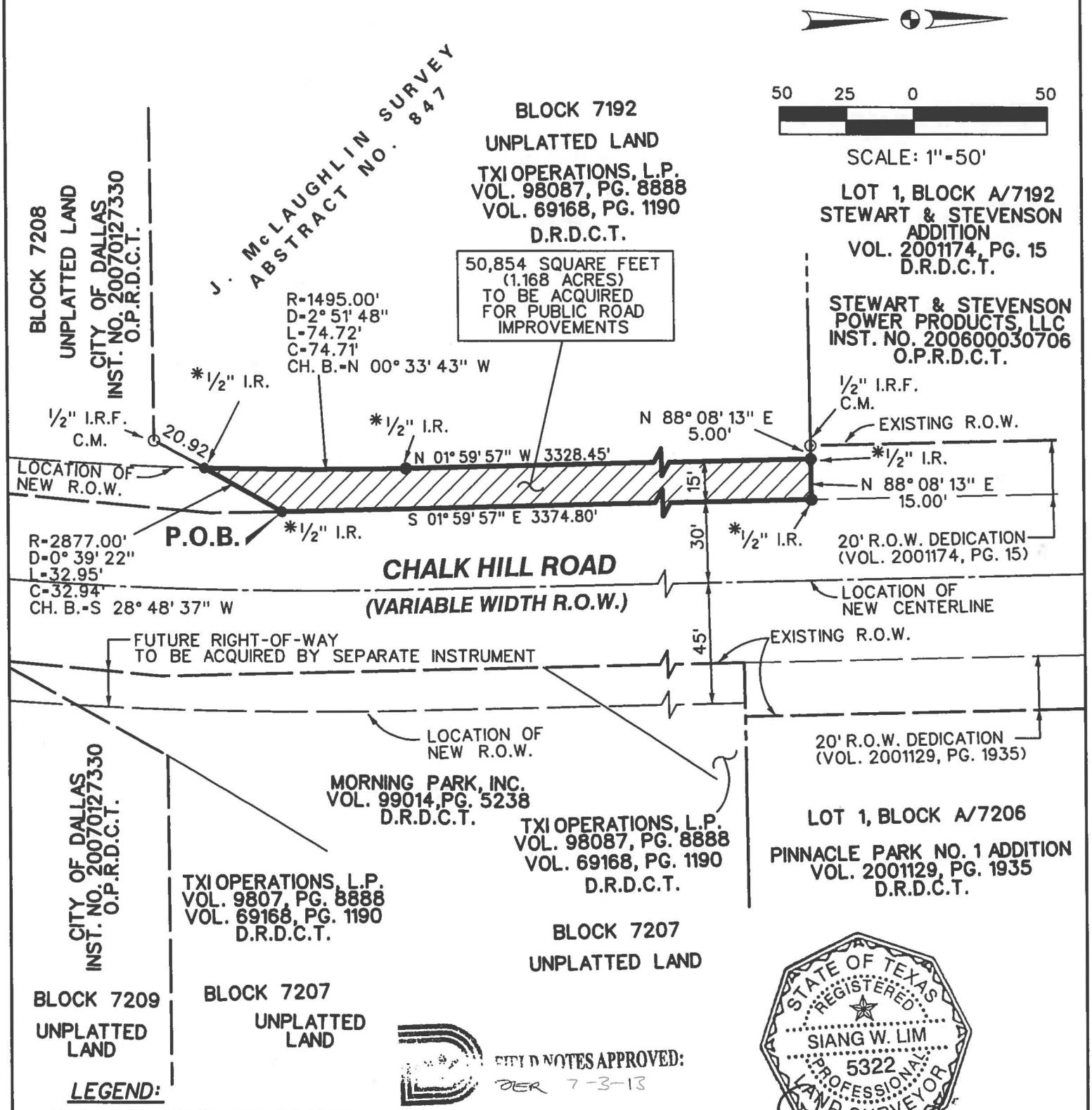
THENCE South 01 degree 59 minutes 57 seconds East, along the existing west right-of-way line of said Chalk Hill Road, a distance of 3,374.80 feet to the POINT OF BEGINNING AND CONTAINING 50,854 square feet or 1.168 acres of land, more or less.

BASIS OF BEARING is the Texas State Plane Coordinate System, North Central Texas Zone 4202, North American Datum 1983 (NAD83), 1993 adjustment, using Geoid03 Model.

FIELD NOTES APPROVED:
DGR 7-3-13

STATE OF TEXAS
REGISTERED
SIANG W. LIM
5322
PROFESSIONAL
LAND SURVEYOR

7-2-2013



LEGEND:

C.M. CONTROL MONUMENT

○ IRON ROD FOUND (I.R.F.)

● 1/2-INCH IRON SET (I.R.) WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"

** DENOTES MONUMENT SET FOR PREVIOUS SURVEY*

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPLS Reg. 101236-00
1701 N. Market Street, Suite 310 / LB20
Dallas, Texas 75202
Tel. (214) 698-1888 • Fax (214) 698-9881

50,854 SQUARE FEET (1.168 ACRES) TO BE ACQUIRED FOR PUBLIC ROAD IMPROVEMENTS

CITY BLOCK 7192
CITY OF DALLAS, TEXAS

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 25V

SUBJECT

An ordinance abandoning a portion of a utility easement to Bandera Apartments, LLC, the abutting owner, containing approximately 2,085 square feet of land, located near the intersection of Northwest Plaza Drive and Bandera Avenue – Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a utility easement to Bandera Apartments, LLC, the abutting owner. The abandonment area will be included with the property of the abutting owner for redevelopment of the property into multi-family apartments.

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

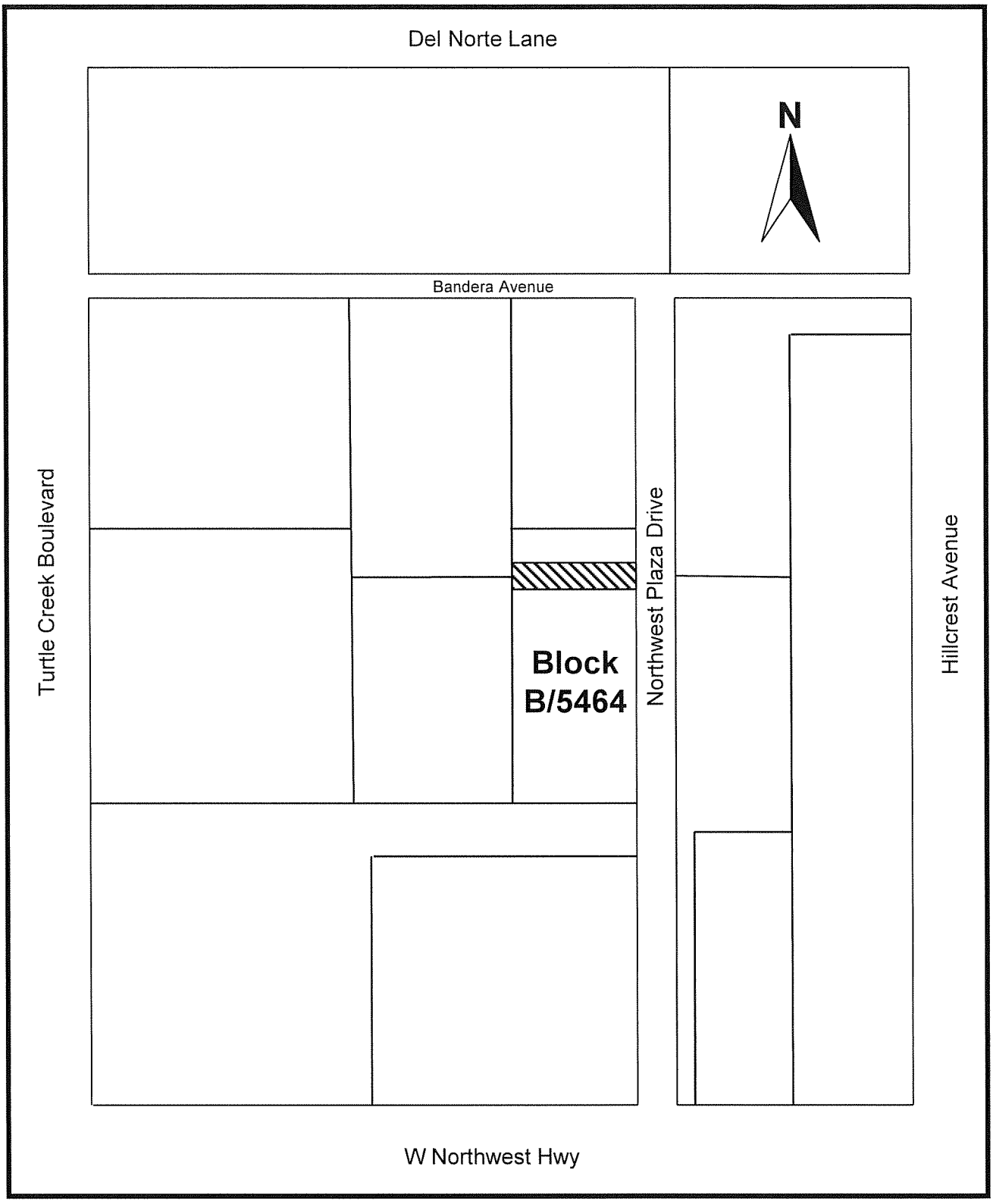
Bandera Apartments, LLC

Lang Partners, LLC

Kyle Oudt, Member

MAP

Attached



= Abandonment Area

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a utility easement, located in City Block B/5464 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Bandera Apartments, LLC; 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; and providing for the payment of the publication fee.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Bandera Apartments, LLC, a Texas limited liability company; 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 Section 8, 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 that certain tract or parcel 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 City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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 whole and harmless the City of Dallas of, from and against 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 property 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 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 10. 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:
WARREN M. S. ERNST
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
For Assistant Director

Passed _____.

EXHIBIT A

UTILITY EASEMENT ABANDONMENT
SECOND INSTALLMENT OF NORTHWEST PLAZA
BLOCK B/5464
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,085 square foot (0.0479 acre) tract of land situated in the John McDowell Survey, Abstract No. 922, City of Dallas, Dallas County, Texas, City of Dallas Block Number B/5464, and being a part of the Second Installment of Northwest Plaza, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 111, Page 2857 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being part of that tract of land described as "Tract 3" in Special Warranty Deed to Bandera Apartments, LLC, as recorded in Instrument Number 201300030936 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being all of a 15-foot "Utility Easement" within said "Tract 3" as dedicated by said Northwest Plaza addition, and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod for the southwest corner of said "Tract 3";

THENCE North 01 degree 11 minutes 30 seconds West, with the west line of said "Tract 3" and over and across said Second Installment of Northwest Plaza, a distance of 194.37 feet to a point (not monumented) for the POINT OF BEGINNING of the herein described tract;

THENCE North 01 degree 11 minutes 30 seconds West, continuing with said west line of "Tract 3" and over and across said Second Installment of Northwest Plaza, a distance of 15.00 feet to a point (not monumented) for corner;

THENCE North 89 degrees 18 minutes 28 seconds East, departing said west line of "Tract 3" and over and across said "Tract 3" and said Second Installment of Northwest Plaza, a distance of 139.00 feet to a point (not monumented) for corner on the west line of a 40-foot "Access & Utility Easement" as dedicated by said Second Installment of Northwest Plaza Addition;

THENCE South 01 degree 11 minutes 30 seconds East, with said west line of a 40-foot "Access & Utility Easement" and over and across said "Tract 3" and said Second Installment of Northwest Plaza, a distance of 15.00 feet to a point (not monumented) for corner;

THENCE South 89 degrees 18 minutes 28 seconds West, departing said west line of a 40-foot "Access & Utility Easement" and over and across said "Tract 3" and said Second Installment of Northwest Plaza, a distance of 139.00 feet to the POINT OF BEGINNING AND CONTAINING 2,085 square feet or 0.0479 acres more or less.

(For SPRG use only)
Reviewed By: JR
Date: 11.11.2013
SPRG NO.: 2710

EXHIBIT A

UTILITY EASEMENT ABANDONMENT
SECOND INSTALLMENT OF NORTHWEST PLAZA
BLOCK B/5464
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.

This metes and bounds description was prepared with an exhibit of even date.

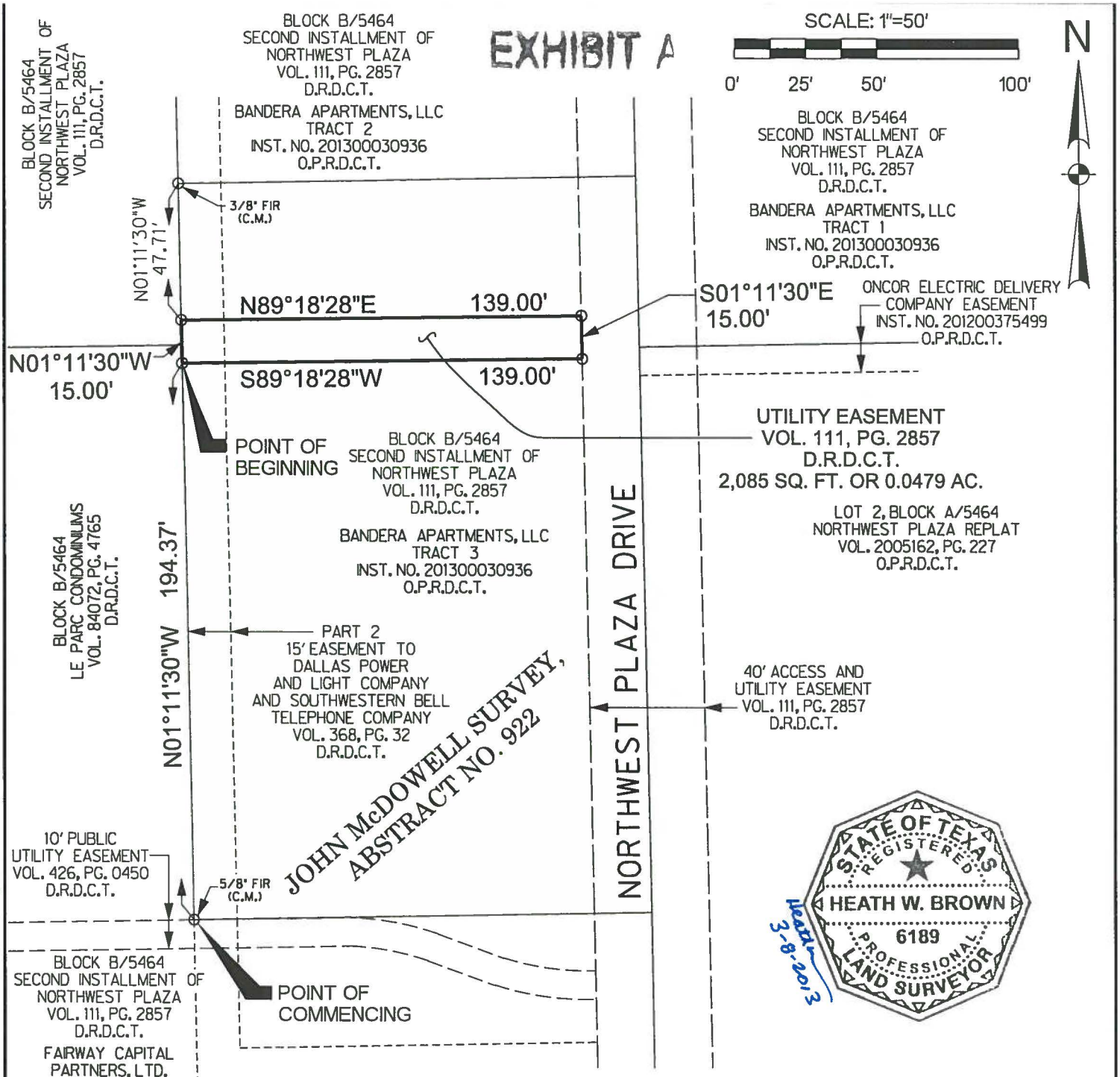
Heath W. Brown 3-8-2013

HEATH W. BROWN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6189
TBPLS FIRM NO. 10029600



(For SPRG use only)
Reviewed By: JR
Date: 11.11.2013
SPRG NO.: 2710

EXHIBIT A



LEGEND

(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD
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

NOTES:

1. Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202) as derived by GPS measurements. All distances and/or coordinates shown hereon are surface and may be converted by the published TXDOT "Surface Adjustment Factor" for Dallas County of 1.000136506.
2. This exhibit was prepared with a metes and bounds description of even date.

(For SPRG use only)
Reviewed By: JR
Date: 11.11.2013
SPRG NO.: 2710

UTILITY EASEMENT ABANDONMENT
SECOND INSTALLMENT OF NORTHWEST PLAZA
BLOCK B/5464
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
TBPLS FIRM NO. 10029600
1201 N.BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: OCTOBER, 2013
AVO.: 28996
PAGE 3 OF 3

I:\28000s\28996\CADD\Sheets\EXHB-01-28996-ABANDON.dgn
10/30/2013 11:30:21 AM

AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35V Z

SUBJECT

An ordinance abandoning a portion of Bennett Avenue and portions of Fitzhugh Avenue to Fitzhugh Associates, Ltd., the abutting owner, containing a total of approximately 7,019 square feet of land, located near the intersection of Fitzhugh and Mission Avenues, and authorizing the quitclaim - Revenue: $182,494, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Bennett Avenue and portions of Fitzhugh Avenue, to Fitzhugh Associates, Ltd., the abutting owner. These areas will be included with the property of the abutting owner for a mixed use development. The abandonment fee is based on an independent appraisal.

Notices were sent to 52 property owners located within 300 feet of the proposed abandonment area. There was no response received in opposition to the request.

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $182,494, plus the $20 ordinance publication fee

OWNER

Fitzhugh Associates, Ltd.

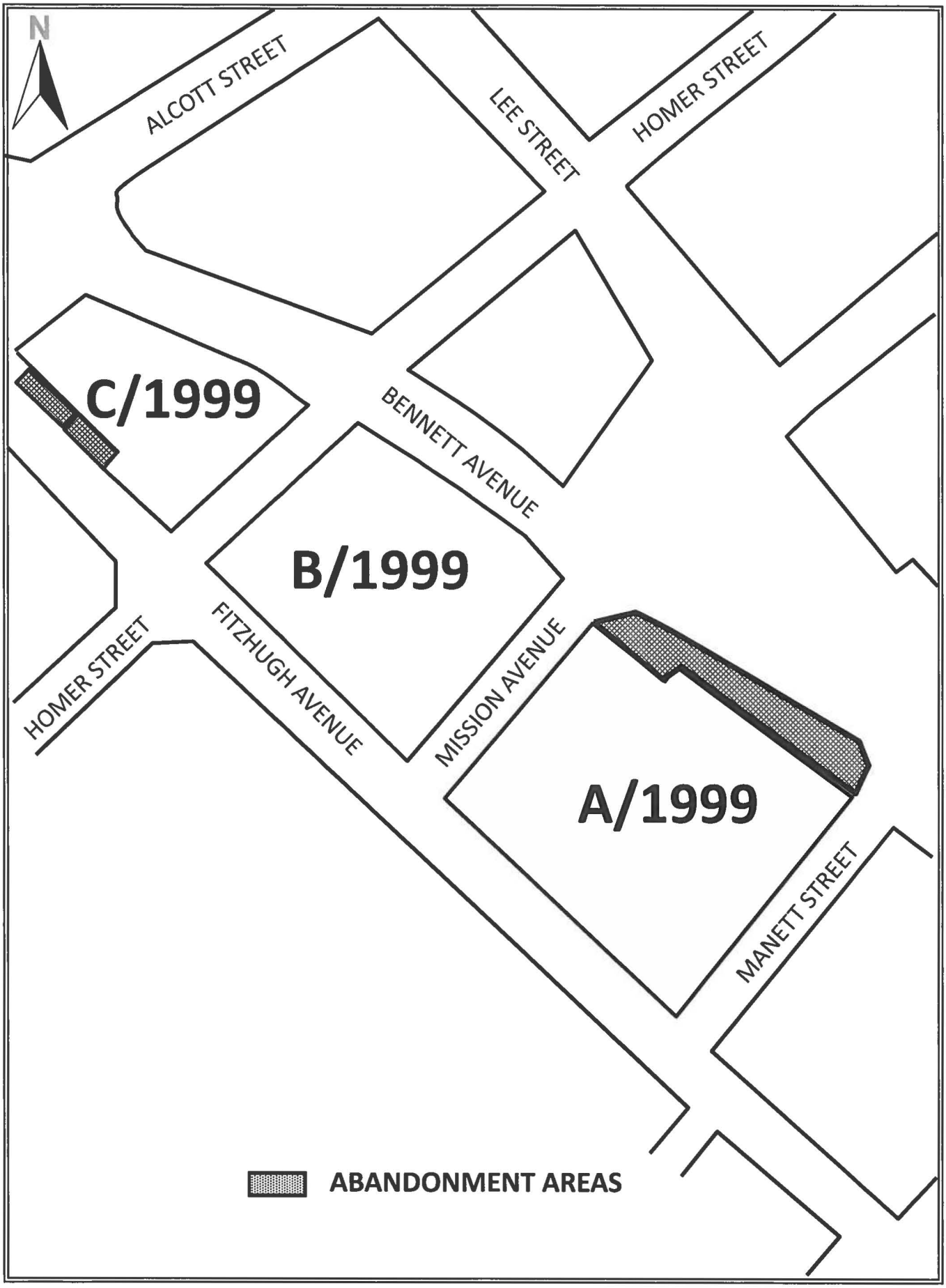
Fitzhugh Partners, LP

Cibolo Creek Partners, LLC

J. Steven Person, Manager

MAP

Attached


N
ALCOTT STREET
LEE STREET
HOMER STREET
C/1999
BENNETT AVENUE
B/1999
HOMER STREET
FITZHUGH AVENUE
MISSION AVENUE
A/1999
MANETT STREET
ABANDONMENT AREAS

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Bennett Avenue and portions of Fitzhugh Avenue, located adjacent to City Blocks A/1999 and C/1999 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Fitzhugh Associates, Ltd.; 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 Fitzhugh Associates, Ltd., a Texas limited partnership hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of Bennett Avenue and portions of Fitzhugh Avenue are 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 tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same are 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 **ONE HUNDRED EIGHTY-TWO THOUSAND FOUR HUNDRED NINETY-FOUR AND NO/100 DOLLARS ($182,494.00)** 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, 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 tracts 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 City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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 whole and harmless the City of Dallas of, from and against 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 property 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. 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 tracts 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 areas are 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 passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of the Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas 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 the 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 the 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 the 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 areas 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 the 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 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:
WARREN M. S. ERNST
City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____ **BY** _____
Assistant City Attorney **For Assistant Director**

Passed _____.

EXHIBIT A-TRACT 1

STREET RIGHT-OF-WAY ABANDONMENT
BENNETT AVENUE
PART OF LOT 8, BLOCK A/1999,
ALCOTT'S FITZHUGH HEIGHTS ADDITION
AND PART OF LOT 4, BLOCK F/1996, BON VIEW PLACE
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 6,519 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being part of Lot 8, Block A/1999, of the Alcott's Fitzhugh Heights Addition, an addition to the City of Dallas, recorded in Volume 2, Page 154 of the Map Records, Dallas County, Texas (MRDCT), and being a part of Lot 4, Block F/1996, of the Bon View Place, an addition to the City of Dallas, recorded in Volume 1, Page 43 MRDCT, and being a portion of Bennett Avenue, a variable width public right-of-way, created by Warranty Deeds to City of Dallas, recorded in Volume 118, Page 1263 and Volume 58, Page 1820, Deed Records, Dallas County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron pipe found at the intersection of northwest line of Mannett Street, a 50' public right-of-way, created by said plat of Bon View Place, with the southwest line of said Bennett Avenue, being on the southeast line of said Lot 4, Block F/1996, for the east corner of a tract conveyed by Special Warranty Deed to Fitzhugh Associates, Ltd., recorded in Instrument Number 201400183291 of the Official Public Records, Dallas County, Texas (OPRDCT);

THENCE N 45°08'02" W, 192.81 feet along the southwest line of said Bennett Avenue, and along the northeast line of said Fitzhugh Associates tract, through said Lot 4, to a 5/8" iron rod found on the northwest line of said Lot 4 and on the southeast line of said Lot 8, for the north corner of said Fitzhugh Associates tract;

THENCE S 32°33'34" W, 22.96 feet along the northwest line of said Lot 4 and said Fitzhugh Associates tract, and along the southeast line of said Bennett Avenue and said Lot 8, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the south corner of said Bennett Avenue and said Lot 8, and for the east corner of Lot 7, Block A/1999, Alcott's Fitzhugh Heights Addition, as conveyed by General Warranty Deed to Fitzhugh Associates, Ltd., recorded in Instrument Number 201400076393 OPRDCT;

THENCE N 45°08'02" W, 138.70 feet continuing along the southwest line of said Bennett Avenue and said Lot 8, and along the northeast line of said Lot 7 and said Fitzhugh Associates tract (201400076393), to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 74°54'39" E, 7.68 feet departing the southwest line of said Bennett Avenue, through said Lot 8, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE continuing through said Lot 8, around a non-tangent curve to the right having a central angle of 16°58'16", a radius of 800.77 feet, a chord of S 53°46'10" E – 236.32 feet, an arc length of 237.19 feet, passing the southeast line of said Lot 8 and the northwest line of said Lot 4, continuing through said Lot 4, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE S 45°17'02" E, 77.02 feet continuing through said Lot 4 to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE S 03°14'00" E, 14.85 feet continuing through said Lot 4 to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the southeast line of said Lot 4 and the northwest line of said Mannett Street, for corner;

THENCE S 38°49'02" W, 10.04 feet along the southeast line of said Lot 4 and the northwest line of said Mannett Street to the POINT OF BEGINNING with the subject tract containing 6,519 square feet or 0.150 acres of land.

(For SPRG use only)
Reviewed By: JR
Date: 11.10.2014
SPRG No: 3019

NOTES:
1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A parcel plat map of even date hereby accompanies this legal description.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

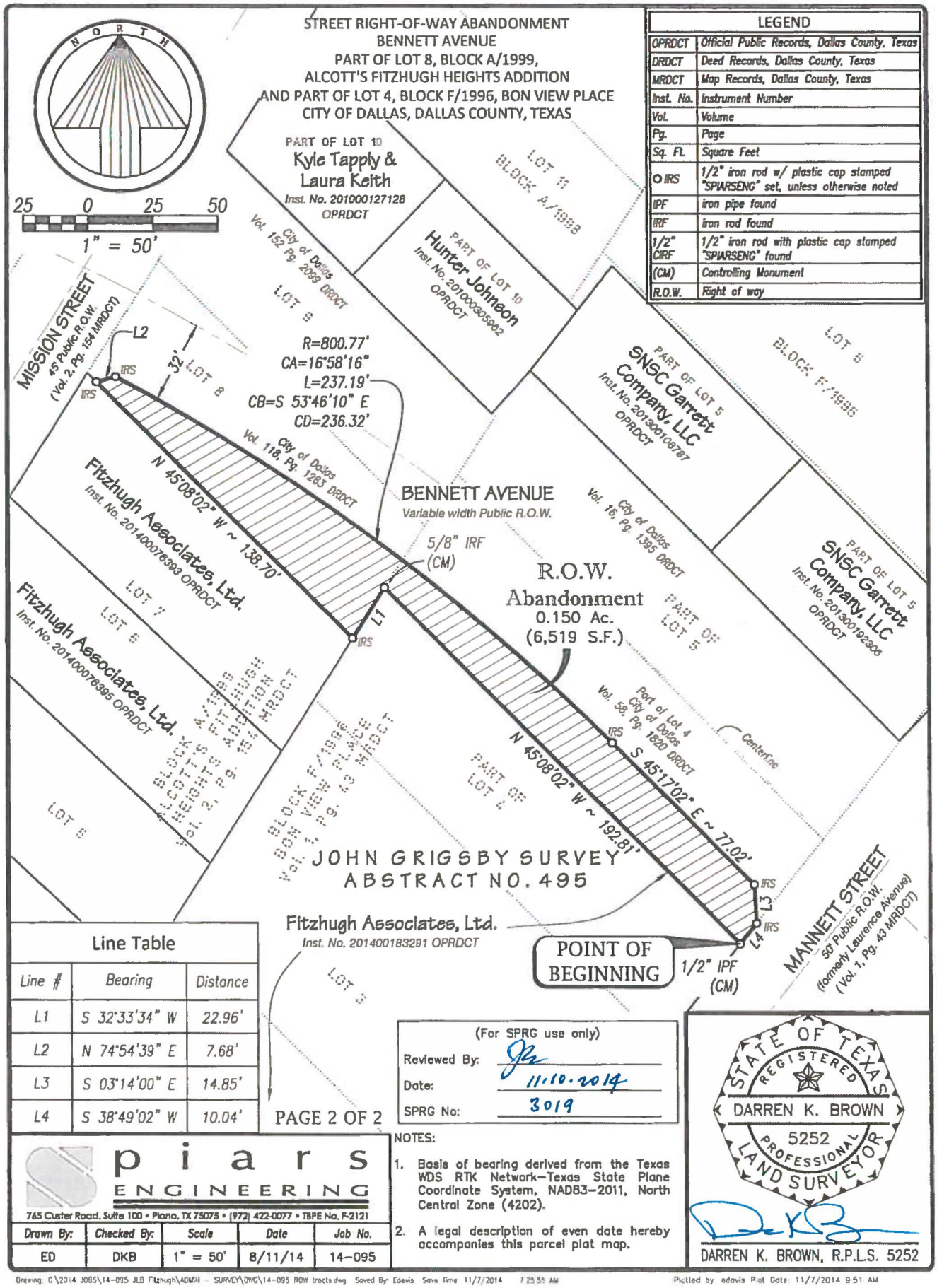
DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/11/14	14-095

Drawing G:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14-095 ROW tracts.dwg Saved By: Edavis Save Time: 11/7/2014 7:25:55 AM
Plotted by: edavis Plot Date: 11/7/2014 9:51 AM

EXHIBIT A-TRACT 1



Line Table		
Line #	Bearing	Distance
L1	S 32°33'34" W	22.96'
L2	N 74°54'39" E	7.68'
L3	S 03°14'00" E	14.85'
L4	S 38°49'02" W	10.04'

PAGE 2 OF 2

(For SPRG use only)
Reviewed By: JR
Date: 11.10.2014
SPRG No: 3019

NOTES:

1. Basis of bearing derived from the Texas WDS RTK Network–Texas State Plane Coordinate System, NAD83–2011, North Central Zone (4202).
2. A legal description of even date hereby accompanies this parcel plat map.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/11/14	14-095

Drawing: C:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14-095 ROW tracts.dwg Saved By: Edavis Save Time: 11/7/2014 7:25:55 AM
Plotted by: edavis Plot Date: 11/7/2014 9:51 AM

EXHIBIT A-TRACT 2

5' STREET EASEMENT ABANDONMENT
LOT 5, BLOCK C/1999
ALCOTT'S FITZHUGH HEIGHTS ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 250 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being part of Lot 5, Block C/1999, of the Alcott's Fitzhugh Heights Addition, an addition to the City of Dallas, recorded in Volume 2, Page 154 of the Map Records, Dallas County, Texas (MRDCT), as conveyed by General Warranty Deed to Fitzhugh Associates Ltd., recorded in Instrument Number 201400183458 of the Official Public Records, Dallas County, Texas (OPRDCT), and being all of a street easement created as Tract No. 2 to the City of Dallas, recorded in Volume 567, Page 1531 of the Deed Records, Dallas County, Texas (DRDCT), the subject tract being more particularly described as follows:

COMMENCING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" found on the northeast line of Fitzhugh Avenue, a 50 foot public right-of-way, created by plat recorded in Volume 2, Page 154 MRDCT, for the west corner of Lot 4, Block C/1999 of said Alcott's Fitzhugh Heights Addition, and said Fitzhugh Associates tract and being the west corner of another street easement conveyed as Tract No. 2 by Commissioners' Report and Award to the City of Dallas, recorded in Volume 261, Page 718 DRDCT, and being the south corner of Lot 3, Block C/1999;

THENCE S 45°15'32" E, 50.00 feet along the northeast line of said Fitzhugh Avenue and the southwest line of said Lot 4 and said Fitzhugh Associates tract and said street easement, to a point for the POINT OF BEGINNING of the subject tract, and for the south corner of said Lot 4 and the second mentioned street easement, and for the west corner of said Lot 5 and the first mentioned street easement;

THENCE N 41°56'18" E, 5.01 feet along the southeast line of said Lot 4 and the second mentioned street easement, and along the northwest line of said Lot 5 and the first mentioned street easement, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the north corner of the first mentioned street easement, and for the east corner of the second mentioned street easement;

THENCE S 45°15'32" E, 49.93 feet through said Lot 5 and along the northeast line of the first mentioned street easement, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the southeast line of said Lot 5 and on the northwest line of Lot 6, Block C/1999, for the east corner of the first mentioned street easement;

THENCE S 41°07'23" W, 5.01 feet along the southeast line of said Lot 5 and said street easement, and along the northwest line of said Lot 6, to a point on the northeast line of said Fitzhugh Avenue and the southwest line of said Fitzhugh Associates tract, for the south corner of said street easement and Lot 5, and for the west corner of said Lot 6, and from which a 1/2" iron rod with plastic cap stamped "RPLS 4918" found at the intersection of the northeast line of said Fitzhugh Avenue with the northwest line of Homer Street, a 45 foot public right-of-way, created by plat recorded in Volume 2, Page 154 MRDCT, for the south corner of said Lot 6, and same for said Fitzhugh Associates tract, bears S 45°15'32" E, 50.00 feet;

THENCE N 45°15'32" W, 50.00 feet along the northeast line of said Fitzhugh Avenue and the southwest line of said Lot 5 and said Fitzhugh Associates tract and said street easement, to the POINT OF BEGINNING with the subject tract containing 250 square feet or 0.006 acres of land.

(For SPRG use only)
Reviewed By: JB
Date: 11.10.2014
SPRG No: 3020

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-212

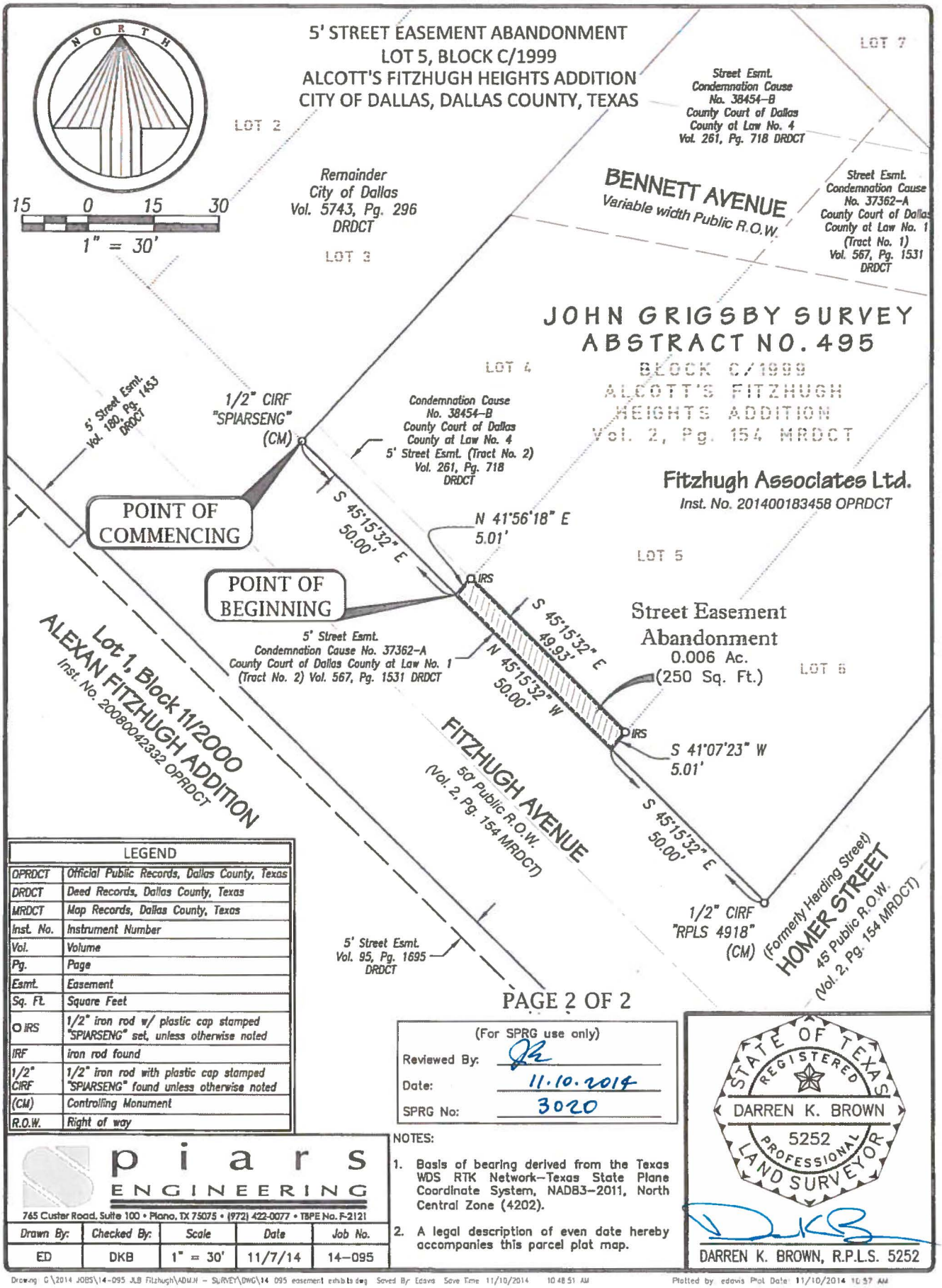
NOTES:
1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A parcel plat map of even date hereby accompanies this legal description.

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		11/7/14	14-095

DARREN K. BROWN, R.P.L.S. 5252

Drawing: G:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14-095 easement exhibits.dwg Saved By: Edavis Save Time: 11/10/2014 11:01:45 AM Plotted by: edavis Plot Date: 11/10/2014 1:35 PM

EXHIBIT A-TRACT 2



PAGE 2 OF 2

LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
MRDCT	Map Records, Dallas County, Texas
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Esmt.	Easement
Sq. Ft.	Square Feet
O IRS	1/2" iron rod w/ plastic cap stamped "SPIARSENG" set, unless otherwise noted
IRF	iron rod found
1/2" CIRF	1/2" iron rod with plastic cap stamped "SPIARSENG" found unless otherwise noted
(CM)	Controlling Monument
R.O.W.	Right of way

(For SPRG use only)

Reviewed By: JR

Date: 11.10.2014

SPRG No: 3020

piars ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 30'	11/7/14	14-095

NOTES:

1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A legal description of even date hereby accompanies this parcel plat map.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

Drawing G:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14 095 easement exhibits.dwg Saved By: Edavis Save Time: 11/10/2014 10:48:51 AM

Plotted by: edavis Plot Date: 11/10/2014 10:57 AM

EXHIBIT A-TRACT 3

5' STREET EASEMENT ABANDONMENT
LOT 4, BLOCK C/1999
ALCOTT'S FITZHUGH HEIGHTS ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 250 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being part of Lot 4, Block C/1999, of the Alcott's Fitzhugh Heights Addition, an addition to the City of Dallas, recorded in Volume 2, Page 154 of the Map Records, Dallas County, Texas (MRDCT), as conveyed by General Warranty Deed to Fitzhugh Associates Ltd., recorded in Instrument Number 201400183458 of the Official Public Records, Dallas County, Texas (OPRDCT), and being all of a street easement created as Tract No. 2 by Commissioners' Report and Award to the City of Dallas, recorded in Volume 261, Page 718 of the Deed Records, Dallas County, Texas (DRDCT), the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" found on the northeast line of Fitzhugh Avenue, a 50 foot public right-of-way, created by plat recorded in Volume 2, Page 154 MRDCT, for the west corner of Lot 4, Block C/1999 and said Fitzhugh Associates tract and said street easement, and being the south corner of Lot 3, Block C/1999;

THENCE N 42°45'13" E, 5.00 feet along the northwest line of said Lot 4 and said Fitzhugh Associates tract and said street easement, and along the southeast line of said Lot 3, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the north corner of said street easement;

THENCE S 45°15'32" E, 49.93 feet through said Lot 4 and said Fitzhugh Associates tract, and along the northeast line of said street easement, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the southeast line of said Lot 4 and on the northwest line of Lot 5, Block C/1999, for the east corner of said street easement, and being the north corner of another street easement conveyed as Tract No. 2 to the City of Dallas, recorded in Volume 567, Page 1531 DRDCT;

THENCE S 41°56'18" W, 5.01 feet along the southeast line of said Lot 4 and the first mentioned street easement, and along the northwest line of said Lot 5 and the second mentioned street easement, to a point on the northeast line of Fitzhugh Avenue for the south corner of said Lot 4 and the first mentioned street easement, and for the west corner of said Lot 5 and the second mentioned street easement, and from which a 1/2" iron rod with plastic cap stamped "RPLS 4918" found at the intersection of the northeast line of said Fitzhugh Avenue with the northwest line of Homer Street, a 45 foot public right-of-way, created by plat recorded in Volume 2, Page 154 MRDCT, for the south corner of Lot 6, Block C/1999, and same for said Fitzhugh Associates tract, bears S 45°15'32" E, 100.01 feet;

THENCE N 45°15'32" W, 50.00 feet along the northeast line of said Fitzhugh Avenue and the southwest line of said Lot 4 and said Fitzhugh Associates tract, and said street easement, to the POINT OF BEGINNING with the subject tract containing 250 square feet or 0.006 acres of land.

(For SPRG use only)
Reviewed By: JR
Date: 11.10.2014
SPRG No: 3021

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		11/7/14	14-095

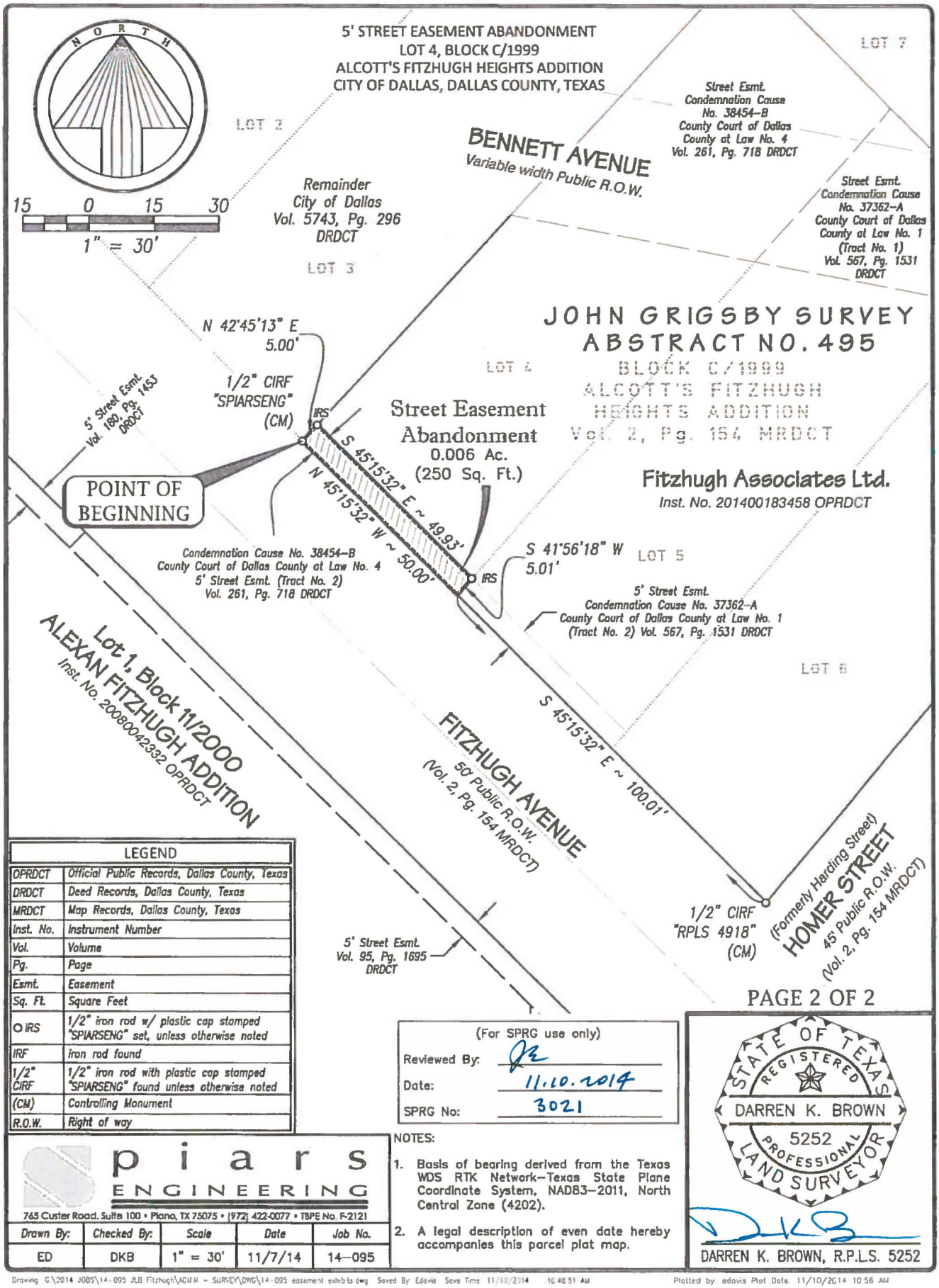
NOTES:
1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A parcel plat map of even date hereby accompanies this legal description.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

Drawing: C:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14-095 easement exhibits.dwg Saved By: Edavis Save Time: 11/10/2014 11:01:48 AM Plotted by: edavis Plot Date: 11/10/2014 1:35 PM

EXHIBIT A-TRACT 3



LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
MRDCT	Map Records, Dallas County, Texas
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Esmt.	Easement
Sq. Ft.	Square Feet
O IRS	1/2" iron rod w/ plastic cap stamped "SPIARSENG" set, unless otherwise noted
IRF	iron rod found
1/2" CIRF	1/2" iron rod with plastic cap stamped "SPIARSENG" found unless otherwise noted
(CM)	Controlling Monument
R.O.W.	Right of way

(For SPRG use only)
Reviewed By: JR
Date: 11.10.2014
SPRG No: 3021

NOTES:
1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A legal description of even date hereby accompanies this parcel plat map.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 30'	11/7/14	14-095

Drawing C:\2014 JOBS\14-095 JLB Fitzhugh\ADMIN - SURVEY\DWG\14-095 easement exhibits.dwg Saved By: Edavis Save Time: 11/10/2014 10:48:51 AM
Plotted by: edavis Plot Date: 11/10/2014 10:56 AM

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 # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35V Z

SUBJECT

An ordinance abandoning a portion of Homer Street to Fitzhugh Associates, Ltd., the abutting owner, containing approximately 8,128 square feet of land, located near its intersection with Fitzhugh Avenue, and authorizing the quitclaim – Revenue: $211,328, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Homer Street to Fitzhugh Associates, Ltd., the abutting owner. The area will be included with the property of the abutting owner for a mixed use development. The abandonment fee is based on an independent appraisal.

Notices were sent to 25 property owners located within 300 feet of the proposed abandonment area. There was no response received in opposition to the request.

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $211,328, plus the $20 ordinance publication fee

OWNER

Fitzhugh Associates, Ltd.

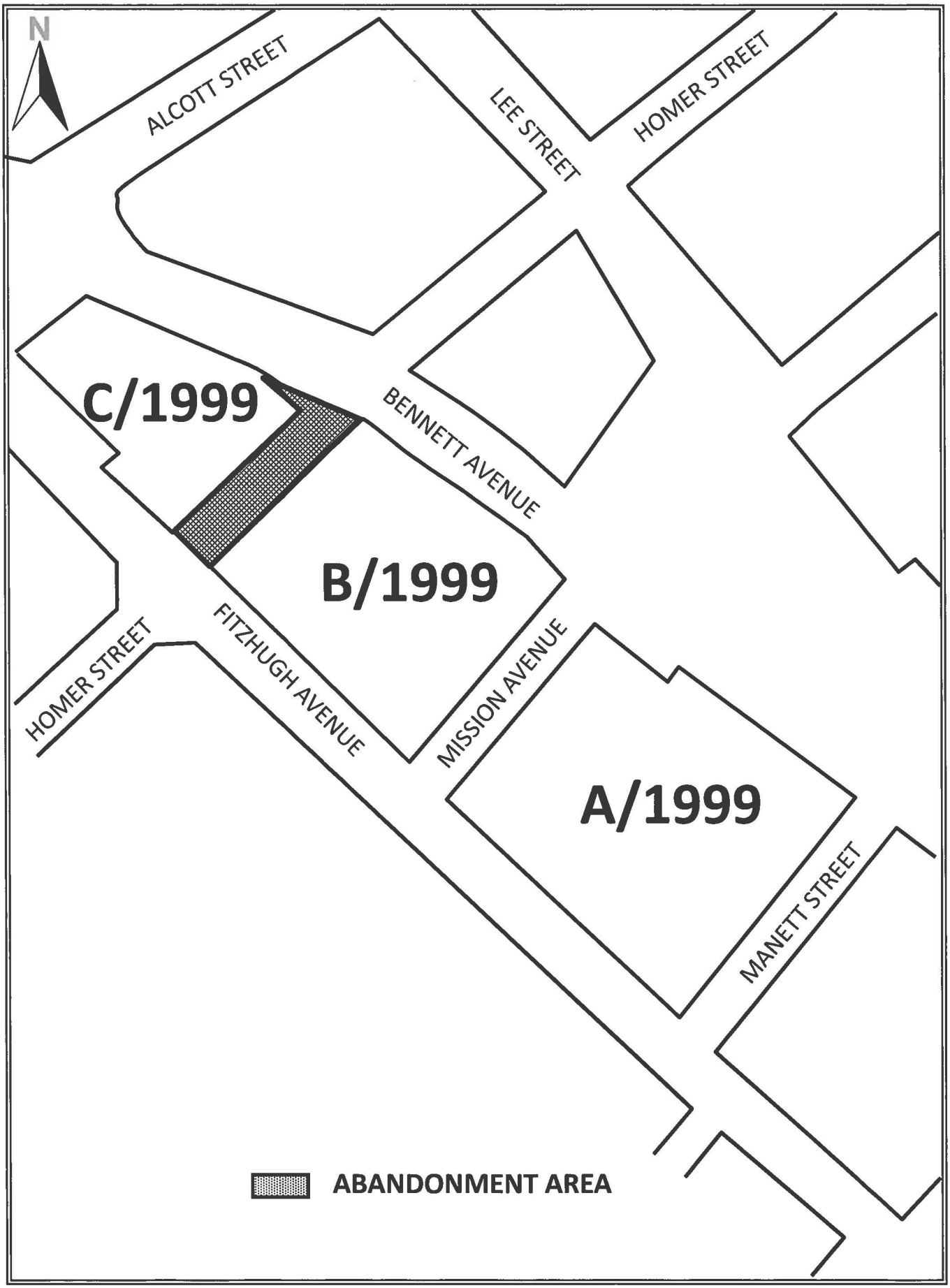
Fitzhugh Partners, LP

Cibolo Creek Partners, LLC

J. Steven Person, Manager

MAP

Attached


N
ALCOTT STREET
LEE STREET
HOMER STREET
C/1999
BENNETT AVENUE
B/1999
HOMER STREET
FITZHUGH AVENUE
MISSION AVENUE
A/1999
MANETT STREET
ABANDONMENT AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Homer Street located adjacent to City Blocks B/1999 and C/1999 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Fitzhugh Associates, Ltd.; 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 Fitzhugh Associates, Ltd., a Texas limited partnership, 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 Homer Street 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 **TWO HUNDRED ELEVEN THOUSAND THREE HUNDRED TWENTY-EIGHT AND NO/100 DOLLARS ($211,328.00)** 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, 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 City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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 whole and harmless the City of Dallas of, from and against 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 property 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 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 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 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 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 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:
WARREN M. S. ERNST
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
for Assistant Director

Passed _____.

EXHIBIT A

STREET RIGHT-OF-WAY ABANDONMENT
A PORTION OF HOMER STREET, ADJACENT TO BLOCK'S B/1999 AND C/1999, ALCOTT'S FITZHUGH HEIGHTS ADDITION CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 8,128 SQUARE FOOT (0.187 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRISBY SURVEY, ABSTRACT NO 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS; BEING A PORTION OF HOMER STREET (FORMERLY KNOWN AS HARDING STREET) (A CALLED 45 FOOT WIDE PUBLIC RIGHT-OF-WAY) AS CREATED IN THE ALCOTT'S FITZHUGH HEIGHTS ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2, PAGE 154, MAP RECORDS DALLAS COUNTY, TEXAS, (M.R.D.C.T.), AND ALSO BEING A PORTION OF LOT 7, BLOCK C/1999 OF SAID ALCOTT'S FITZHUGH HEIGHTS ADDITION DESCRIBED IN A DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 5882, PAGE 605, DEED RECORDS DALLAS COUNTY, TEXAS (D.R.D.C.T.) AND BEING ADJACENT TO CITY BLOCKS B/1999 AND C/1999; SAID 8,128 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP FOUND (UNABLE TO READ) FOR THE POINT OF INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID HOMER STREET WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF BENNETT AVENUE, (A 64 FOOT WIDE PUBLIC RIGHT-OF-WAY) AND BEING IN THE NORTHWESTERLY LINE OF LOT 16, BLOCK B/1999 OF SAID ALCOTT'S FITZHUGH HEIGHTS ADDITION, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF A CALLED 1.79 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO FITZHUGH ASSOCIATES, LTD. RECORDED IN INSTRUMENT NUMBER 20070373930, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.);

THENCE, SOUTH 32°59'45" WEST, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID HOMER STREET, A DISTANCE OF 41.69 FEET TO A PK NAIL WITH WASHER STAMPED "BURY+PARTNERS" SET FOR THE MOST WESTERLY CORNER OF SAID LOT 16 SAME BEING THE MOST NORTHERLY CORNER OF LOT 1, BLOCK B/1999 OF SAID ALCOTT'S FITZHUGH HEIGHTS ADDITION AND FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 47°42'04 EAST, A DISTANCE OF 0.40 FEET;

THENCE, SOUTH 40°04'12" WEST, CONTINUING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 149.74 FEET TO A CUT "X" IN CONCRETE SET FOR THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID HOMER STREET, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FITZHUGH AVENUE, (A 50 FOOT WIDE PUBLIC RIGHT-OF-WAY) AND BEING THE MOST WESTERLY CORNER OF SAID 1.79 ACRE TRACT OF LAND AND SAID LOT 1, BLOCK B/1999;

(For SPRG use only)

Reviewed by: DBF Date: 06.10.2013 SPRG NO: 2648

EXHIBIT A

STREET RIGHT-OF-WAY ABANDONMENT
A PORTION OF HOMER STREET,
ADJACENT TO BLOCK'S B/1999 AND C/1999,
ALCOTT'S FITZHUGH HEIGHTS ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE, NORTH 45°15'58" WEST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID FITZHUGH AVENUE, A DISTANCE OF 45.15 FEET TO A 5/8-INCH IRON ROD WITH ALUMINIUM CAP STAMPED "RPLS #4918" FOUND FOR THE POINT OF INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HOMER STREET, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID FITZHUGH AVENUE AND BEING THE MOST SOUTHERLY CORNER OF LOT 6, BLOCK C/1999 OF THE SAID ALCOTT'S FITZHUGH HEIGHTS ADDITION AND BEING THE MOST SOUTHERLY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DRAFTED WITHOUT TITLE EXAMINATION WARRANTY DEED WITH VENDOR'S LIEN TO LUIS MARTINEZ RECORDED IN VOLUME 98016, PAGE 2535, D.R.D.C.T.;

THENCE, NORTH 40°04'12" EAST, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HOMER STREET, A DISTANCE OF 150.08 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE MOST EASTERLY CORNER OF SAID MARTINEZ TRACT AND SAID LOT 6, BLOCK C/1999;

THENCE, NORTH 45°08'12" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 6, BLOCK C/1999 AND SAID MARTINEZ TRACT, A DISTANCE OF 22.76 FEET TO A 5/8-INCH IRON ROD FOUND IN THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF BENNET AVENUE;

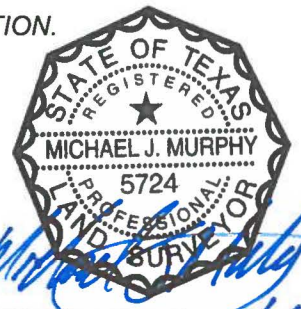
THENCE, SOUTH 79°28'39" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BENNETT AVENUE, A DISTANCE OF 71.90 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 8,128 SQUARE FEET OR 0.187 ACRES OF LAND, MORE OR LESS.

NOTES:

THE BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM (NORTH CENTRAL ZONE, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK, DISTANCES ADJUSTED TO SURFACE USING AN AVERAGE COMBINED SCALE FACTOR OF 0.99986030247.

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

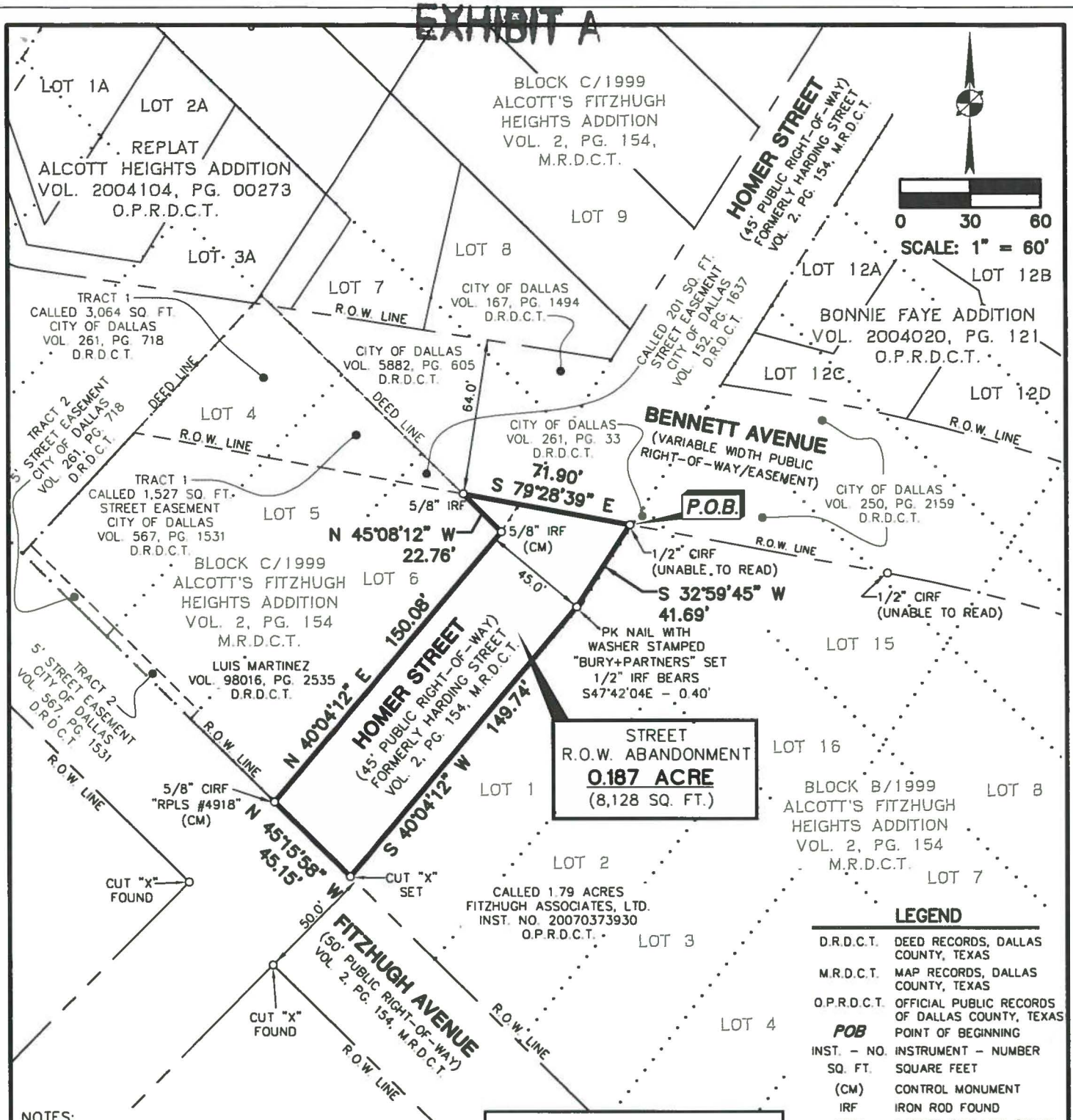


6/6/13

(For SPRG use only)

Reviewed by: DBF Date: 06·10·2013 SPRG NO: 2648

EXHIBIT A



LEGEND

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
POB	POINT OF BEGINNING
INST. - NO.	INSTRUMENT - NUMBER
SQ. FT.	SQUARE FEET
(CM)	CONTROL MONUMENT
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
R.O.W.	RIGHT OF WAY

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

THE BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM (NORTH CENTRAL ZONE, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK, DISTANCES ADJUSTED TO SURFACE USING AN AVERAGE COMBINED SCALE FACTOR OF 0.99986030247.

(FOR SPRG USE ONLY)
REVIEWED BY: OBF
DATE: 06.10.2013
SPRG NO. 2648

STATE OF TEXAS
REGISTERED
MICHAEL J. MURPHY
5724
PROFESSIONAL
LAND SURVEYOR

MICHAEL J. MURPHY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5724

Bury+Partners
5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972)991-0011 Fax (972)991-0278
TBPLS Firm Number 10107502
TBPE Registration Number F-1048

Bury+Partners-DFW, Inc. ©Copyright 2013

DATE: 06/06/13

STREET
RIGHT-OF-WAY ABANDONMENT

A PORTION OF HOMER STREET,
ADJACENT TO BLOCK'S B/1999 AND C/1999,
ALCOTT'S FITZHUGH HEIGHTS ADDITION,
CITY OF DALLAS,
DALLAS COUNTY, TEXAS

S:\SUR\0102125 Legacy Partners\30004\ROW-ABAND-EXH.dwg at Jun 06, 2013 - 9:51am

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 # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45F

SUBJECT

An ordinance abandoning a portion of Colby Street and two adjacent street easements to TC Uptown Associates, LLC, the abutting owner, containing a total of approximately 6,496 square feet of land, located near the intersection of Pearl Street and Woodall Rodgers Freeway, and authorizing the quitclaim - Revenue: $974,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Colby Street and two adjacent street easements to TC Uptown Associates, LLC, the abutting owner. The abandonment areas will be included with the property of the abutting owner for a mixed use development. The abandonment fee is based on an independent appraisal.

Notices were sent to 7 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: $974,400, plus the $20 ordinance publication fee

OWNER

TC Uptown Associates, LLC

TC Uptown Associates Member, LLC

TCDFW Office Development, Inc.

Scott Krikorian, President

MAP

Attached


N
MCKINNEY AVENUE
PEARL STREET
A/540
539
539
539
COLBY STREET
OLIVE STREET
WOODALL ROGERS SERVICE ROAD
WOODALL ROGERS FREEWAY
ABANDONMENT AREAS
Colby Street
Street Easements

ORDINANCE NO. _____

An ordinance providing for the abandonment of Colby Street and two corner clip street easements located adjacent to City Blocks 539 and A/540 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to TC Uptown Associates, 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 TC Uptown Associates, LLC, a Delaware limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said right-of-way and street easements are 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 tracts 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 **NINE HUNDRED SEVENTY-FOUR THOUSAND FOUR HUNDRED AND NO/100 DOLLARS**

($974,400.00) 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, 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 tracts 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 City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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 whole and harmless the City of Dallas of, from and against 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 property 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 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. 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 within one year of the effective date of this ordinance and prior to the issuance of any building permits affecting the tracts 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:

a) designate sidewalk locations adjoining the site along Pearl Street and Olive Street with a minimum width of 8 feet shown by final replat; and

b) show by final replat continuous connection from Pearl Street and Olive Street located between Woodall Rogers and McKinney Avenue to allow for vehicular service and pedestrian access (no separate sidewalk required); and

c) keep existing fire hydrant located on the northwest corner of Colby Street and Pearl Street operational for 2100 McKinney Avenue or install a new water fire hydrant to maintain fire protection for occupied high-rise building located at 2100 McKinney Avenue.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately the effectiveness of this abandonment, close, barricade and/or place signs in the areas 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 areas 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 areas are 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, and the filing of the final replat set forth in Section 9, 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 areas 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 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:
WARREN M. S. ERNST
City Attorney

BY Roxanne Diamond
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY Kathy Green
Assistant Director

Passed_____.

EXHIBIT A-TRACT 1

STREET ABANDONMENT
COLBY STREET
ADJACENT TO CITY OF DALLAS BLOCK NUMBERS 539 AND A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 6,396 square foot (0.1468 acre) tract of land situated in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, adjacent to City of Dallas Block Numbers 539 and A/540, being all of Colby Street, created by Volume T, Page 112, Volume T, Page 530, Volume V, Page 173, and Volume V, Page 320, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.) from the northeast right-of-way line of Olive Street (a called 60 foot wide right-of-way) to the southwest right-of-way line of Pearl Street (a called 100 foot wide right-of-way), and being more particularly described as follows:

BEGINNING at a found crow's foot for the north corner of a tract of land described in Special Warranty Deed to TC Uptown Associates, LLC, as recorded in Instrument Number 201300351202, Official Public records Dallas County, Texas (O.P.R.D.C.T.), said point being at the intersection of the southeast right-of-way line of said Colby Street with the southwest right-of-way line of said Pearl Street;

THENCE South 44 degrees 30 minutes 37 seconds West, departing said Pearl Street and along the common southeast right-of-way line of said Colby Street and the northwest line of said TC Uptown tract, a distance of 189.00 feet to a 5/8-inch iron rod with yellow plastic cap stamped "JOM" found for corner;

THENCE South 43 degrees 54 minutes 57 seconds West, continuing along said common line, a distance of 163.89 feet to a "X" cut in concrete found for the west corner of said TC Uptown tract and in the northeast right-of-way line of said Olive Street;

THENCE North 41 degrees 49 minutes 32 seconds West, along the northeast right-of-way line of said Olive Street, a distance of 18.73 feet to the intersection of said northeast right-of-way line of Olive Street with the northwest right-of-way line of said Colby Street;

REVIEWED BY
JL 6-5-14
SPRG 2919

THENCE North 44 degrees 08 minutes 20 seconds East, departing said Olive Street and along said northwest right-of-way line, passing at 10.00 feet a found 1/2-inch iron rod with yellow plastic cap stamped "PACHECO-KOCH" for the easterly most south corner of Lot 1 of the McKinney/Olive Addition, an addition to the City of Dallas recorded in Volume 98033, Page 107, Deed Records Dallas County, Texas (D.R.D.C.T.), and continuing along the common northwest right-of-way line of said Colby Street and southeast line of said Lot 1, in all a total distance of 163.87 feet to a found MAG nail with washer stamped "City of Dallas" for corner;

EXHIBIT A-TRACT 1
STREET ABANDONMENT
COLBY STREET
ADJACENT TO CITY OF DALLAS BLOCK NUMBERS 539 AND A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 44 degrees 35 minutes 35 seconds East, continuing along said common line, passing at 178.96 feet a found 1/2-inch iron rod with yellow plastic cap stamped "PACHECO-KOCH" for the southerly most east corner of said Lot 1, thence departing said Lot 1 and continuing along said northwest right-of-way line, in all a total distance of 188.96 feet to a point in the southwest right-of-way line of said Pearl Street, from which said point a found MAG nail with a washer stamped "City of Dallas" bears South 26 degrees 49 minutes 03 seconds East, a distance of 0.32 feet;

THENCE South 41 degrees 48 minutes 27 seconds East, along said southwest right-of-way line, a distance of 17.82 feet to the POINT OF BEGINNING AND CONTAINING 6,396 square feet or 0.1468 acre of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (CORS96).

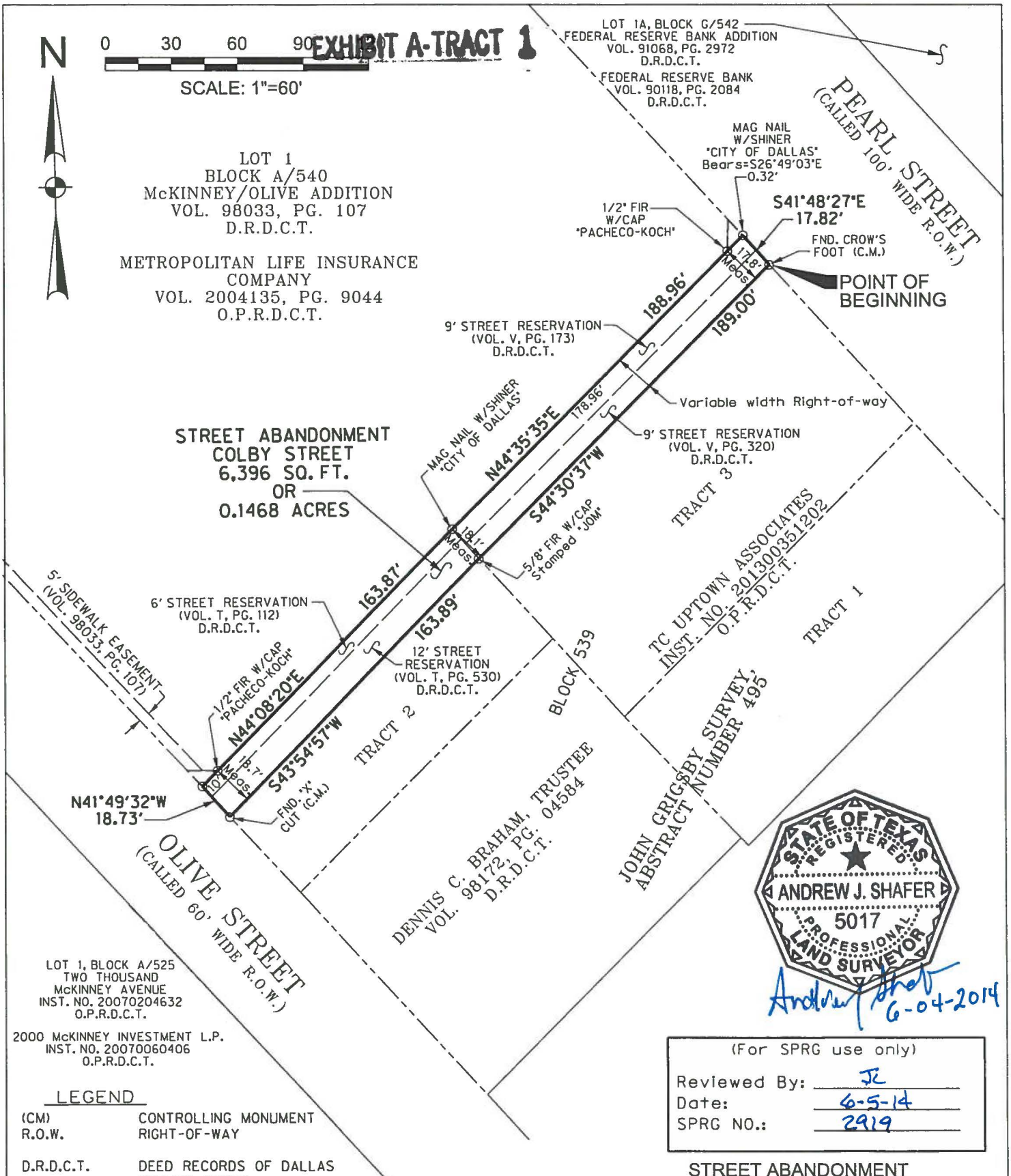
STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

6-04-2014

Andrew J. Shafer
Registered Professional Land Surveyor
Texas No. 5017
Halff Associates, Inc.
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6208
TBPLS Firm No. 10029600

REVIEWED BY
JL 6-5-14
SPRG 2319

EXHIBIT A-TRACT 1



STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

6-04-2014

(For SPRG use only)

Reviewed By: JC
Date: 6-5-14
SPRG NO.: 2919

LEGEND

(CM)	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
1/2" FIR	1/2-INCH FOUND IRON ROD
5/8" FIR	5/8-INCH FOUND IRON ROD
INST. NO.	INSTRUMENT NUMBER
VOL.	VOLUME
PG.	PAGE

Basis of Bearing is the State Plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, (CORS96).

STREET ABANDONMENT
COLBY STREET
ADJACENT TO CITY OF DALLAS
BLOCK NUMBERS 539 AND A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=60' (214)346-6200 AVO. 30014 JUNE, 2014

I:\30000s\30014\CADD\Sheets\EXH-ABAND-30014.dgn
6/4/2014 3:20:53 PM ah435

EXHIBIT A-TRACT 2

STREET ABANDONMENT
COLBY STREET CORNER CLIPS
ADJACENT TO CITY OF DALLAS BLOCK NUMBER A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 100 square feet (0.0023 acres) of land situated in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, adjacent to City of Dallas Block Number A/540, being all of two 10'X10' corner clips adjacent to Colby Street as dedicated by the plat of McKinney/Olive Addition, an addition to the City of Dallas recorded in Volume 98033, Page 107, Deed Records Dallas County, Texas (D.R.D.C.T.), and being more particularly described in two parts as follows:

PART 1:

BEGINNING at a "X" cut found in concrete for the most northerly east corner of Lot 1 of said McKinney/Olive Addition, being the north corner of a 10'x10' corner clip located at the intersection of the northwest right-of-way line of said Colby Street (variable width right-of-way) with the southwest right-of-way line of Pearl Street (a called 100 foot wide right-of-way);

THENCE South 42 degrees 33 minutes 42 seconds East, along the southwest right-of-way line of said Pearl Street, a distance of 10.00 feet to a point from which a found MAG nail with a washer stamped "City of Dallas" bears South 26 degrees 49 minutes 03 seconds East, a distance of 0.32 feet;

THENCE South 44 degrees 35 minutes 35 seconds West, departing said Pearl Street right-of-way and along the northwest line of said Colby Street, a distance of 10.00 feet to a found 1/2-inch iron rod with yellow plastic cap stamped "PACHECO-KOCH" for the south end of said corner clip on the southeast line of said Lot 1;

REVIEWED BY JL 6-5-14 SRG 2919

THENCE North 01 degree 00 minutes 56 seconds East, along said corner clip and the southeast line of said Lot 1, a distance of 14.49 feet to the POINT OF BEGINNING AND CONTAINING 50 square feet or 0.0011 acres of land, more or less.

PART 2:

BEGINNING at a point for the most westerly south corner of said Lot 1, being the west corner of a 10'x10' corner clip located at the intersection of the northwest right-of-way line of said Colby Street (variable width right-of-way) with the northeast right-of-way line of Olive Street (a called 60 foot wide right-of-way);

THENCE South 89 degrees 29 minutes 01 second East, departing said Olive Street and along said corner clip and the southeast line of said Lot 1, a distance of 13.80 feet to a found 1/2-inch iron rod with yellow plastic cap stamped "PACHECO-KOCH" on said northwest line of Colby Street;

EXHIBIT A-TRACT 2

STREET ABANDONMENT
COLBY STREET CORNER CLIPS
ADJACENT TO CITY OF DALLAS BLOCK NUMBER A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 44 degrees 08 minutes 20 seconds West, along said northwest line, a distance of 10.00 feet to a point on said northeast right-of-way line of Olive Street;

THENCE North 43 degrees 06 minutes 22 seconds West, along said northeast right-of-way line, a distance of 10.00 feet to the POINT OF BEGINNING AND CONTAINING 50 square feet or 0.0011 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 (CORS96).

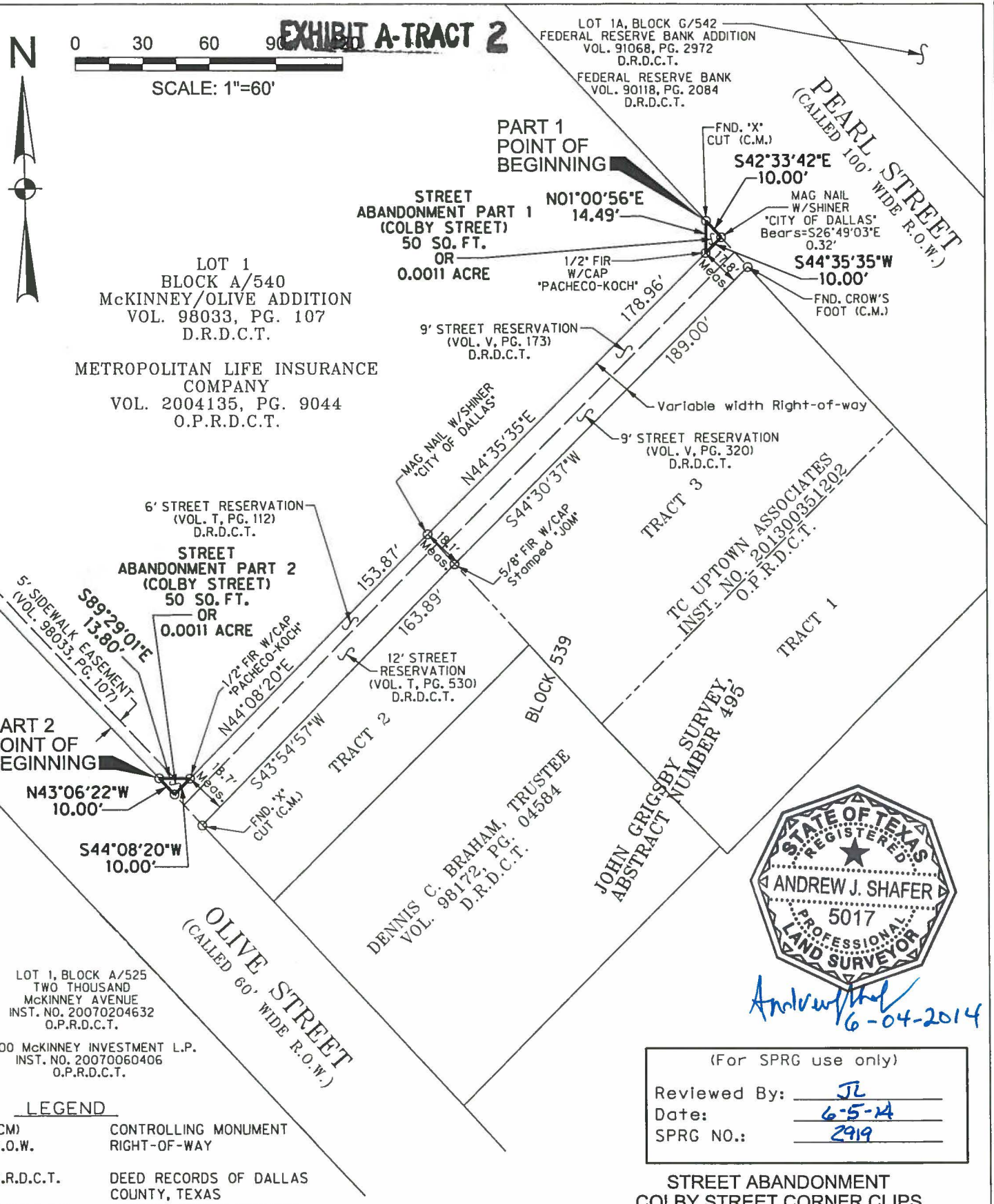


Andrew J. Shafer 6-04-2014

Andrew J. Shafer
Registered Professional Land Surveyor
Texas No. 5017
Halff Associates, Inc.
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6208
TBPLS Firm No. 10029600

REVIEWED BY
JL 6-5-14
SPRW 2919

EXHIBIT A-TRACT 2



STATE OF TEXAS
REGISTERED
ANDREW J. SHAFER
5017
PROFESSIONAL
LAND SURVEYOR

6-04-2014

(For SPRG use only)

Reviewed By: JL
Date: 6-5-14
SPRG NO.: 2919

LEGEND

(CM)	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
1/2" FIR	1/2-INCH FOUND IRON ROD
5/8" FIR	5/8-INCH FOUND IRON ROD
INST. NO.	INSTRUMENT NUMBER
VOL.	VOLUME
PG.	PAGE

Basis of Bearing is the State Plane coordinate system, Texas North Central Zone 4202, North American Datum of 1983, (CORS96).

STREET ABANDONMENT
COLBY STREET CORNER CLIPS
ADJACENT TO CITY OF DALLAS
BLOCK NUMBER A/540
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF

HALFF ASSOCIATES, INC. ENGINEERS ~ SURVEYORS
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275
SCALE: 1"=60' (214)346-6200 AVO. 30014 JUNE, 2014

I:\30000s\30014\CADD\Sheets\EXH-ABAND-CLIPS-30014.dgn
6/4/2014 3:17:45 PM ah435

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 # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45K

SUBJECT

An ordinance amending Ordinance No. 29552, previously approved on December 10, 2014, which granted a revocable license to 7-Eleven, Inc., to amend the license term for the use of approximately 25 square feet of aerial space to install, use and maintain three signs over portions of Elm and Akard Streets right-of-way, located near the intersection of Elm and Akard Streets - Financing: This action has no cost consideration to the City

BACKGROUND

This item authorizes the amendment of Ordinance No. 29552, which granted a revocable license to install, use and maintain three aerial signs, located near the intersection of Elm and North Akard Street to 7-Eleven, Inc. This amendment authorizes the correction of the term in Section 2 to 9 (years) and 5 (months).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Ordinance No. 29552 was authorized on December 10, 2014.

FISCAL INFORMATION

This action has no cost consideration to the City.

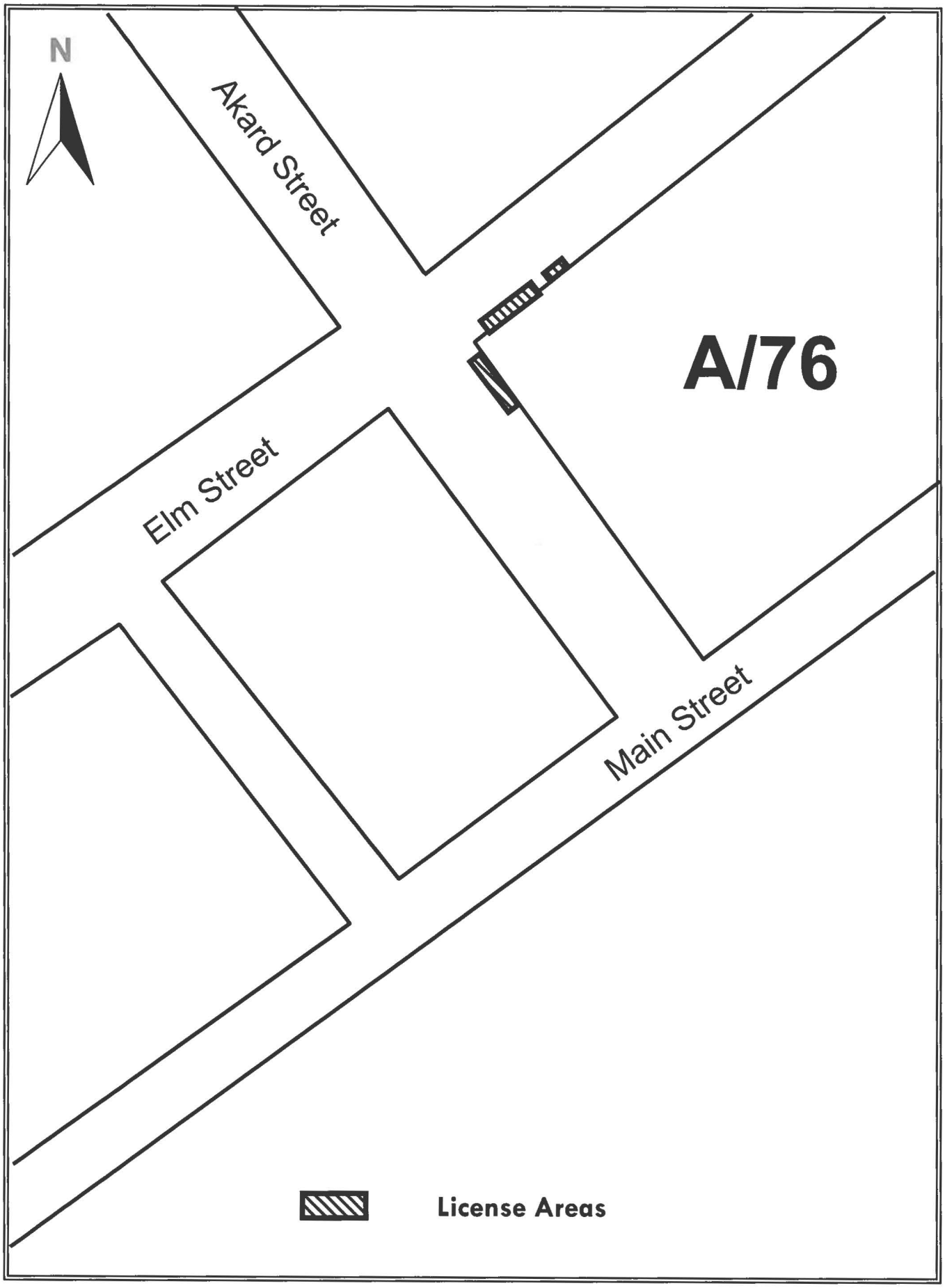
OWNER

7-Eleven, Inc.

Joseph M. Depinto, Director

MAP

Attached


N
Akard Street
A/76
Elm Street
Main Street
License Areas

ORDINANCE NO. _____

An ordinance amending Ordinance 29552, by altering Section 2 thereof providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance 29552 adopted by the City Council of the City of Dallas on December 10, 2014, be and the same is hereby amended by altering and amending Section 2 thereof to read as follows:

> **"SECTION 2.** That this license is granted for a term of nine (9) years and five (5) ~~year~~ months, unless sooner terminated according to other terms and provisions herein contained."

SECTION 2. That the terms and conditions of Ordinance No. 29552 shall remain in full force and effect except as repealed hereby.

SECTION 3. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Development Services, or designee. Upon receipt of the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Development Services, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Development Services, or his designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provision of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:
WARREN M. S. ERNST
City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Trinity Watershed Management
Public Works Department
City Attorney's Office

CMO: Jill A. Jordan, P.E., 670-5299
Warren M.S. Ernst, 670-3491

MAPSCO: 45J

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Greyhound Lines, Inc., a Delaware Corporation, et al., Cause No. CC-14-02823-B, pending in Dallas County Court at Law No. 2, to acquire two tracts of land containing a total of approximately 4,526 square feet, including any improvements, located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $253,430 ($248,930 being the amount of the award, plus closing costs and title expenses not to exceed $4,500); an increase of $71,648 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

BACKGROUND

On February 14, 2014, the City Council authorized the acquisition of this property by Resolution No. 14-0425. The property owner was offered $177,282, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the city filed an eminent domain proceeding to acquire the property. After a hearing before the Special Commissioners on November 10, 2014, the property owners were awarded $248,930. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is $71,648 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed $4,500.

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 14, 2014, City Council approved Resolution No. 14-0425.

Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

2006 Bond Funds - $253,430 ($248,930 plus closing costs and title expenses not to exceed $4,500)

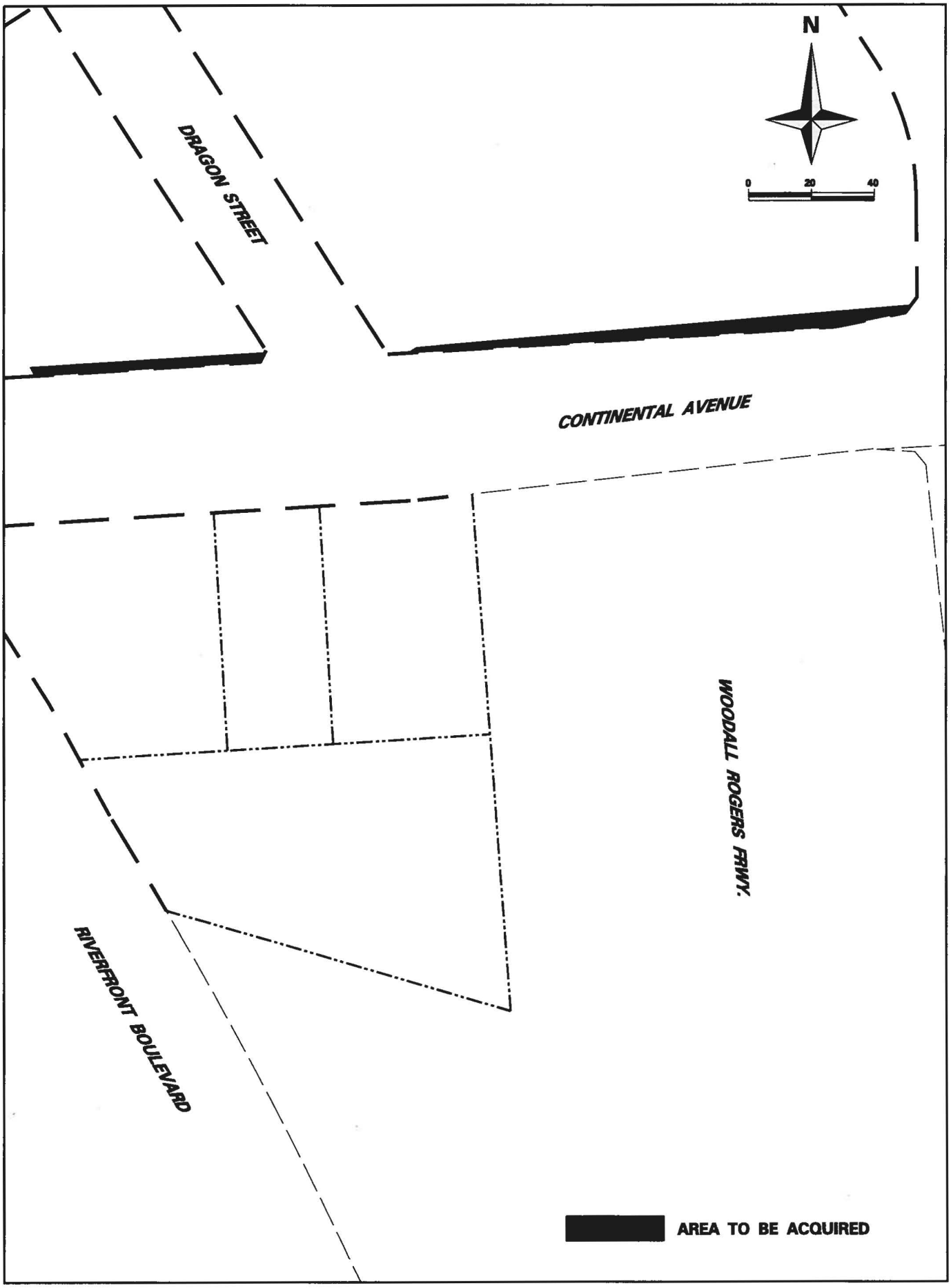
OWNER

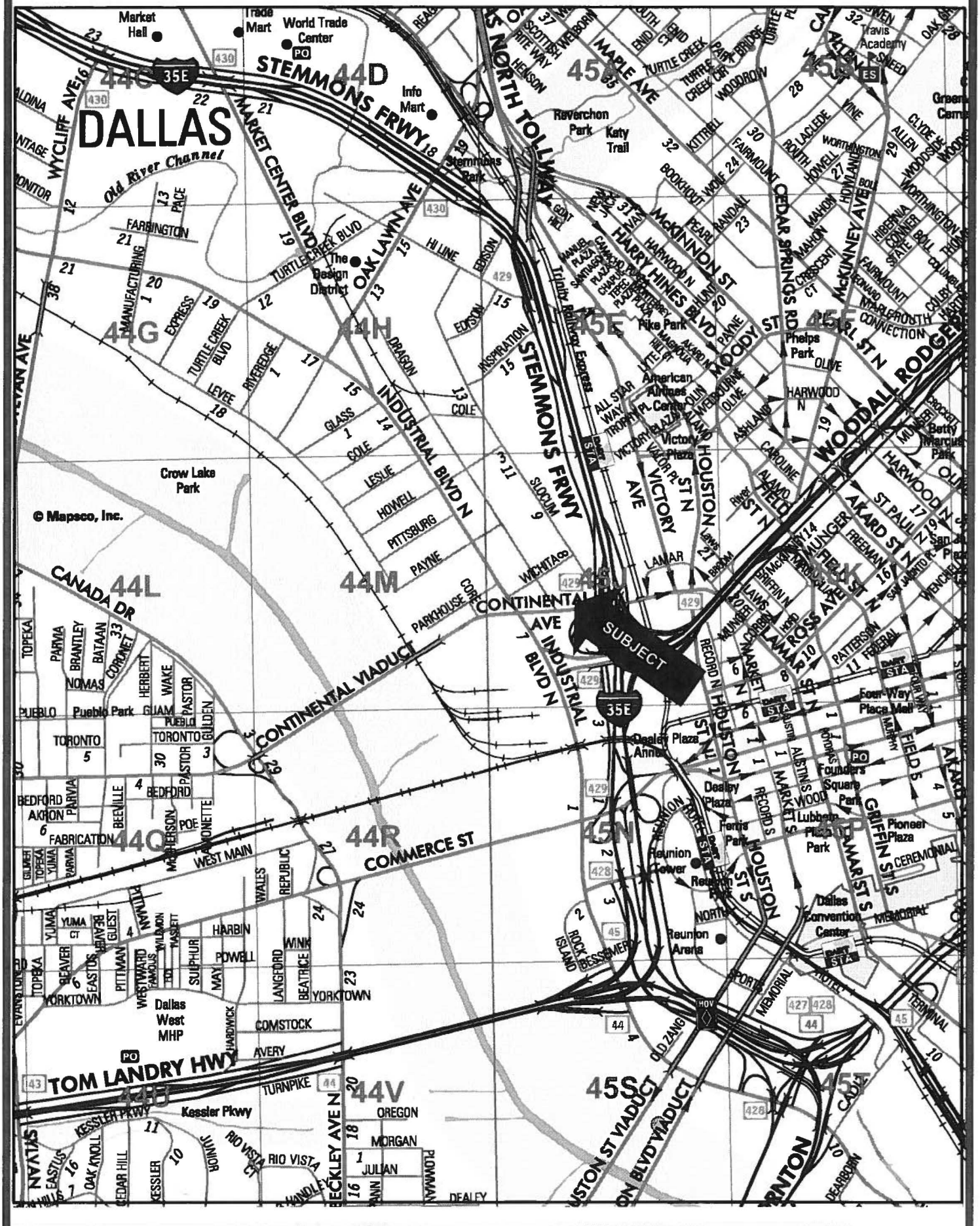
Greyhound Lines, Inc.

David Leach, President

MAPS

Attached


N
0
20
40
DRAGON STREET
CONTINENTAL AVENUE
WOODALL ROGERS FRWY.
RIVERFRONT BOULEVARD
AREA TO BE ACQUIRED



copyright © 2006 MAPSCO, Inc.

MAPSCO

Mapsco 45J

0 Mi 0.29 Mi 0.57 Mi

Scale 1 : 18 390

January 28, 2015

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION PROCEEDING: Cause No. CC-14-02823-B, in Dallas County Court at Law No. 2, and styled CITY OF DALLAS v. GREYHOUND LINES, INC., A DELAWARE CORPORATION, et al., filed pursuant to City Council Resolution No. 14-0425.

PROPERTY: Two tracts containing approximately 4,526 square feet of property located in Dallas County, as described in the CONDEMNATION PROCEEDING.

PROJECT: Street Reconstruction Group 06-618

OFFICIAL OFFER: $177,282.00

AWARD: $248,930.00

CLOSING COSTS AND TITLE EXPENSES: Not to exceed $4,500.00

AUTHORIZED AMOUNT: Not to exceed: $253,430.00

DESIGNATED FUNDS: AWARD payable out of the Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit U783, Activity THRF, Program No. PB06U783, Object 4210, Encumbrance No. CT-PBW06U783E1, CLOSING COSTS AND TITLE EXPENSES payable out of the Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit U783, Activity THRF, Program No. PB06U783, Object 4230, Encumbrance No. CT-PBW06U783E2.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

January 28, 2015

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore,

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

SECTION 1. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

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.

APPROVED AS TO FORM
Warren M. S. Ernst
City Attorney

By: _____
Assistant City Attorney

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management
Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: Various

SUBJECT

Authorize **(1)** the conveyance to TxDOT of approximately 4.796 acres of real property previously acquired by the City in lieu of right-of-way funds for the City's share of the right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project, Phase 1 (list attached); and **(2)** authorize the sale of a tract of land containing approximately .0442 acres of City-owned land located on the east line of IH 45 to TxDOT – Revenue: $1,000

BACKGROUND

The Texas Department of Transportation's (TxDOT) planned S. M. Wright Project entails constructing direct freeway-to-freeway ramps connecting C. F. Hawn Freeway and IH 45, and converting the existing 6-lane S. M. Wright Freeway and frontage roads to a low-speed, 6-lane signalized boulevard. TxDOT has notified the City of Dallas of its intent to proceed with the right-of-way acquisition and utility relocations and has requested the City's share of associated costs. The City of Dallas is responsible for 10 percent of the right-of-way acquisition and utility relocation costs currently estimated at $2.5 million. The City plans to meet its $250,000 obligation for right-of-way acquisition and utility relocations by conveying to TxDOT approximately 4.796 acres of real property previously acquired by the City.

On March 26, 2014, the City Council authorized an agreement with the Texas Department of Transportation to contribute real property in lieu of right-of-way acquisition funds, evidencing the intent of the City to contribute approximately 4.796 acres of real property to TxDOT for the City's share of right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project (Phase 1).

BACKGROUND (Continued)

This action would authorize conveyance to TxDOT of approximately 4.796 acres of real property previously acquired by the City in lieu of right-of-way funds for the City's share of the right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project (Phase 1). This action also authorizes the sale of a tract of land containing approximately (.0442 acres) that was not included in the TxDOT Agreement to Contribute Right of Way Funds; however, it has since been determined to be required for the SM Wright Project. The purchase price of the .0442 acre tract is $1,000 and is based on an independent appraisal. 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.

All property will be conveyed/sold with a reservation of all oil, gas and other minerals in and under the property.

ESTIMATED SCHEDULE OF PROJECT

	Phase 1	Phase 2
Began Environmental Clearance	January 2012	January 2012
Completed Environmental Clearance	September 2013	September 2013
Began Design	July 2013	January 2015
Complete Design	June 2014	January 2016
Begin ROW Acquisition/Utility Relocations	March 2014	January 2016*
Complete ROW Acquisition/Utility Relocations	May 2015	January 2017*
Begin Construction	February 2015	January 2017
Complete Construction	August 2017	January 2019

* Phase 2 entails Utility Relocations only. No ROW is anticipated for Phase 2.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Memorandum of Understanding with the Regional Transportation Council of the North Central Council of Governments and the City of Dallas to establish a funding partnership, in an amount not to exceed $6,250,000 for real estate acquisition, environmental remediation and utility relocation for implementation of the S. M. Wright Project, Phase 1 for the Trinity Parkway on April 11, 2012, by Resolution No. 12-1077.

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

Supported adding the planned freeway connection for C. F. Hawn Freeway (US 175) and IH 45 to the State Highway System as US 175 and the re-designation of S. M. Wright Freeway (currently designated as US 175) to SH 310 on February 13, 2013, by Resolution No. 13-0311.

Authorized an agreement with the Texas Department of Transportation to contribute real property in lieu of right-of-way acquisition funds to cover the City's share of right-of-way acquisition and utility relocation costs associated with the S. M. Wright Project (Phase 1) on March 26, 2014, by Resolution No. 14-0558.

FISCAL INFORMATION

Revenue: $1,000

MAPS

Attached

City of Dallas to Texas Department of Transportation

Parcel Number	Size (approximate)	Legal Description
2	933 square feet (0.0214 acre)	Part of City of Dallas Block No. 1246
5	8,354 square feet (0.1917 acre)	Part of City of Dallas Block No. 1683
18	57,092 square feet (1.3106 acre)	Part of City of Dallas Block No. 5832
21	26,825 square feet (0.6158 acre)	Part of City of Dallas Block No. 2247
26	13,533 square feet (0.3106 acre)	Part of City of Dallas Block No. 2247
29	7,000 square feet (0.1606 acre)	Part of City of Dallas Block No. 2247
30	1,039 square feet (0.0238 acre)	Part of City of Dallas Block No. 2248
31	27,136 square feet (0.6229 acre)	Part of City of Dallas Block No. 2249
32	8,886 square feet (0.2039 acre)	Part of City of Dallas Block No. 2250
36	2,873 square feet (0.0659 acre)	Part of City of Dallas Block No. 2249
42	235 square feet (0.0054 acre)	Part of City of Dallas Block No. 3/2526
46	286 square feet (0.0065 acre)	Part of City of Dallas Block No. 3/2540
48	902 square feet (0.0207 acre)	Part of City of Dallas Block No. 3/2540
50	53,851 square feet (1.2362 acre)	Part of City of Dallas Block Nos. 1432 and 1684

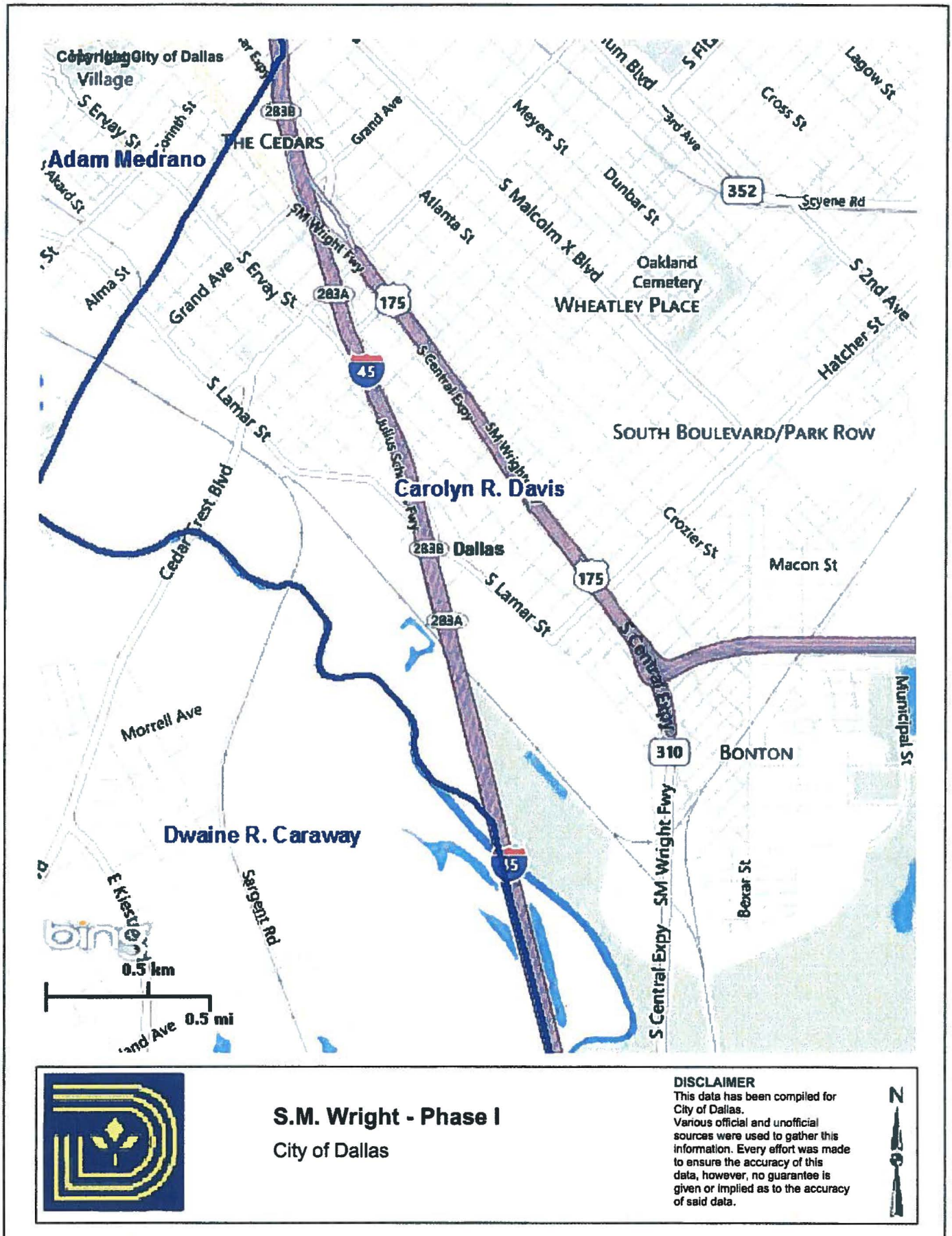
All properties located in City of Dallas, Dallas County, Texas

US 175

Council District: 7



MAPSCO: 46S, W, X
56A, B, C, G



S.M. Wright - Phase I

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

WHEREAS, on April 11, 2012, Resolution No. 12-1077 authorized a Memorandum of Understanding with the Regional Transportation Council of the North Central Council of Governments and the City of Dallas to establish a funding partnership, in an amount not to exceed $6,250,000, for real estate acquisition, environmental remediation and utility relocation for implementation of the S.M. Wright Project, Phase 1 for the Trinity Parkway; and,

WHEREAS, Phase 1 of the Texas Department of Transportation's planned S.M Wright Project will improve travel mobility and safety by providing direct ramps connecting C. F. Hawn Freeway (US 175) to IH 45, thus supplanting the existing sharp curve at S.M. Wright Freeway and C.F. Hawn Freeway; and,

WHEREAS, Phase 2 of the Texas Department of Transportation's planned S.M Wright Project will improve neighborhood connectivity and aesthetics, and serve as a transportation catalyst for community development by converting the existing high speed, 6-lane freeway with frontage roads to a low-speed, 6-lane, signalized boulevard; and,

WHEREAS, in order for TxDOT to construct Phase 1 of the S.M. Wright Project, the planned freeway connection between C.F. Hawn Freeway (US 175) and IH 45 must first be added to the State Highway System via a Texas Transportation Commission Minute Order; and,

WHEREAS, the Texas Department of Transportation recommends designating the planned C. F. Hawn Freeway to IH 45 connection to the State Highway System as US 175, and re-designating the existing section of US 175 from IH 45 to SH 310, locally known as S. M. Wright Freeway, as SH 310; and,

WHEREAS, on February 13, 2013, Resolution No. 13-0311 supported adding the planned C. F. Hawn Freeway to IH 45 connection to the State Highway System as US 175, and re-designating the existing section of US 175 from IH 45 to SH 310, locally known as S. M. Wright Freeway, as SH 310; and,

WHEREAS, TxDOT is responsible for administering the design, right-of-way acquisition, utility relocation, and construction of US 175 improvements from IH 45 to East of Bexar Street, locally know as S. M. Wright (Phase I); and,

WHEREAS, TxDOT has notified the City of Dallas of their intent to proceed with right-of-way acquisition and utility relocation associated with S.M. Wright Project (Phase I) and requested the City's 10% share of the current right-of-way acquisition and utility relocation costs estimated of $2,500,000; and,

WHEREAS, the City of Dallas is the owner of 14 tracts of land containing approximately 4.796 acres, (the "Property"), which are no longer needed for municipal use; and

WHEREAS, TxDOT has agreed to accept real property in lieu of funds for the City's share of right-of-way acquisitions and utility relocations for the project; and

WHEREAS, on March 26, 2014, Resolution No. 14-0558 authorized execution of an Agreement to Contribute Right of Way Funds with TxDOT to contribute real property in lieu of right-of-way acquisition funds, evidencing the intent of the City to contribute approximately 4.796 acres of real property to TxDOT for right-of-way acquisitions and utility relocations, to be performed by TxDOT associated with S.M. Wright Project (Phase I); and

WHEREAS, the City of Dallas owns a tract of land containing approximately (.0442 acres) that was not included in the above-referenced TxDOT Agreement to Contribute Right of Way Funds, however, it has since been determined to be required for the SM Wright Project; 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 the City Manager or his designee is hereby authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney, for each of the 14 tracts of land listed on the attached Exhibit A, all located in Dallas County, Texas, (the "Property"), said Deed(s) Without Warranty being subject to the conditions contained in Section 3.

Section 2. That upon receipt of ONE THOUSAND AND NO/100 ($1,000.00) from the State of Texas, the City Manager or his designee is hereby authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney, for the .0442 acre tract, described on the attached Exhibit B, located in City Block 1684, Dallas County, Texas (the "Property"), said Deed(s) Without Warranty being subject to the conditions contained in Section 3.

Section 3. That the Deed(s) Without Warranty shall provide that the conveyance to the State of Texas (**"GRANTEE"**) is subject to the following:

(a) 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

(b) any visible and apparent easements and any encroachments whether of record or not; and

(c) 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

(d) 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

(e) 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, (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

(f) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

Section 4. That the proceeds shall be deposited into the General Capital Reserve Fund 0625, Department BMS, Unit 7263, Revenue Source 8118.

Section 5. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **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 the Property

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.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY Roxanne Diamond
Assistant City Attorney

Exhibit A

City of Dallas to Texas Department of Transportation

Parcel Number	Size (approximate)	Legal Description
2	933 square feet (0.0214 acre)	Part of City of Dallas Block No. 1246
5	8,354 square feet (0.1917 acre)	Part of City of Dallas Block No. 1683
18	57,092 square feet (1.3106 acre)	Part of City of Dallas Block No. 5832
21	26,825 square feet (0.6158 acre)	Part of City of Dallas Block No. 2247
26	13,533 square feet (0.3106 acre)	Part of City of Dallas Block No. 2247
29	7,000 square feet (0.1606 acre)	Part of City of Dallas Block No. 2247
30	1,039 square feet (0.0238 acre)	Part of City of Dallas Block No. 2248
31	27,136 square feet (0.6229 acre)	Part of City of Dallas Block No. 2249
32	8,886 square feet (0.2039 acre)	Part of City of Dallas Block No. 2250
36	2,873 square feet (0.0659 acre)	Part of City of Dallas Block No. 2249
42	235 square feet (0.0054 acre)	Part of City of Dallas Block No. 3/2526
46	286 square feet (0.0065 acre)	Part of City of Dallas Block No. 3/2540
48	902 square feet (0.0207 acre)	Part of City of Dallas Block No. 3/2540
50	53,851 square feet (1.2362 acre)	Part of City of Dallas Block Nos. 1432 and 1684

All properties located in City of Dallas, Dallas County, Texas

Exhibit B

Description for Parcel 51

BEING a 1.928 square foot (0.0442 acre) tract of land, situated in the A.J. Clark Survey, Abstract No. 285, City of Dallas, Dallas County, Texas, Block No. 1684, official City of Dallas numbers, and being part of a called 3.37 acre, Tract 2-A, as conveyed to the City of Dallas, a municipal corporation, by Judgment recorded in Instrument No. 200900188254 and Instrument No. 201000330017 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a found concrete right of way monument, controlling monument (CM), at the most southerly corner of said City of Dallas 3.37 acre, Tract 2-A, the most westerly corner of a called 7.20 acre, Tract 3-A, as conveyed to the City of Dallas, a municipal corporation, by Judgment recorded in Instrument No. 201000105915 and Instrument No. 201000330017 (O.P.R.D.C.T.), and located in the existing easterly right of way line of Interstate Highway 45 (a variable width R.O.W.);

THENCE North 15°17'22" West, departing the northwesterly line of said City of Dallas 7.20 acre, Tract 3-A and along the common westerly line of said City of Dallas 3.37 acre, Tract 2-A and the existing easterly right of way line of said Interstate Highway 45, a distance of 629.07 feet to a set 5/8" iron rod** with pink plastic cap marked "TXDOT SURVEY MARKER & RIGHT OF WAY MONUMENT", (hereafter referred to as set 5/8" iron rod) in the new westerly right of way line of U.S. Highway 175 (a variable width R.O.W.), and the POINT OF BEGINNING at Station 42+31.81, 533.32 feet Right; having N.A.D. 83 (1993) Texas State Plane, North Central Zone (4202) surface coordinate of North 6959400.94, East 2501286.02;

1) THENCE North 15°17'22" West, departing the new westerly right of way line of said U.S. Highway 175 and continuing along the existing easterly right of way line of said Interstate Highway 45, a distance of 230.30 feet to a found 5/8" iron rod with aluminum cap marked "LCI" (CM) at the most northerly corner of said City of Dallas 3.37 acre, Tract 2-A and located in the southwesterly line of a tract of land conveyed to the Chicago, Rock Island, and Gulf Railway Company by deeds recorded in Volume 285, Page 385, Volume 286, Page 613, Volume 290, Page 195, Volume 290, Page 213, Volume 291, Page 403, Volume 296, Page 272, and Volume 298, Page 121 (D.R.D.C.T.), now being the Union Pacific Railroad Company, a Delaware corporation as successor in title;

2) THENCE South 42°40'50" East, departing the existing easterly right of way line of said Interstate Highway 45 and along the common northeasterly line of said City of Dallas 3.37 acre, Tract 2-A and the southwesterly line of said Union Pacific Railroad Company right of way (variable width), a distance of 35.07 feet to a set 5/8" iron rod for the beginning of an Access Denial Line at Station 40+75.41, 412.62 feet Right, and being the beginning of a non-tangent curve to the right, having a radius of 6054.00 feet and a chord which bears South 10°53'10" East, 118.61 feet;

Description for Parcel 51

3) THENCE in a southeasterly direction, departing the common northeasterly line of said City of Dallas 3.37 acre, Tract 2-A and the southwesterly line of said Union Pacific Railroad Company right of way, and along the new westerly right of way line of said U.S. Highway 175, said Access Denial Line, and said curve to the right, through a central angle of 01°07'21", an arc distance of 118.61 feet to a set 5/8" iron rod** for the end of said curve at Station 41+66.77, 484.69 feet Right;

4) THENCE South 10°19'30" East, continuing along the new westerly right of way line of said U.S. Highway 175 and said Access Denial Line, a distance of 81.21 feet to the POINT OF BEGINNING containing 1,928 square feet (0.0442 acres) of land, more or less, and being the end of this Access Denial Line.

Basis of Bearings is the Texas State Plane Coordinate System, North American Datum 1983 (1993), North Central Zone (4202).

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All coordinates shown are surface unless otherwise noted and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000136506.

The Station and Offset information refers to the Baseline described in the Control Sheet created 04-01-2013 for the TxDOT Right of Way Mapping Project Control-Section-Number 0197-02-113.

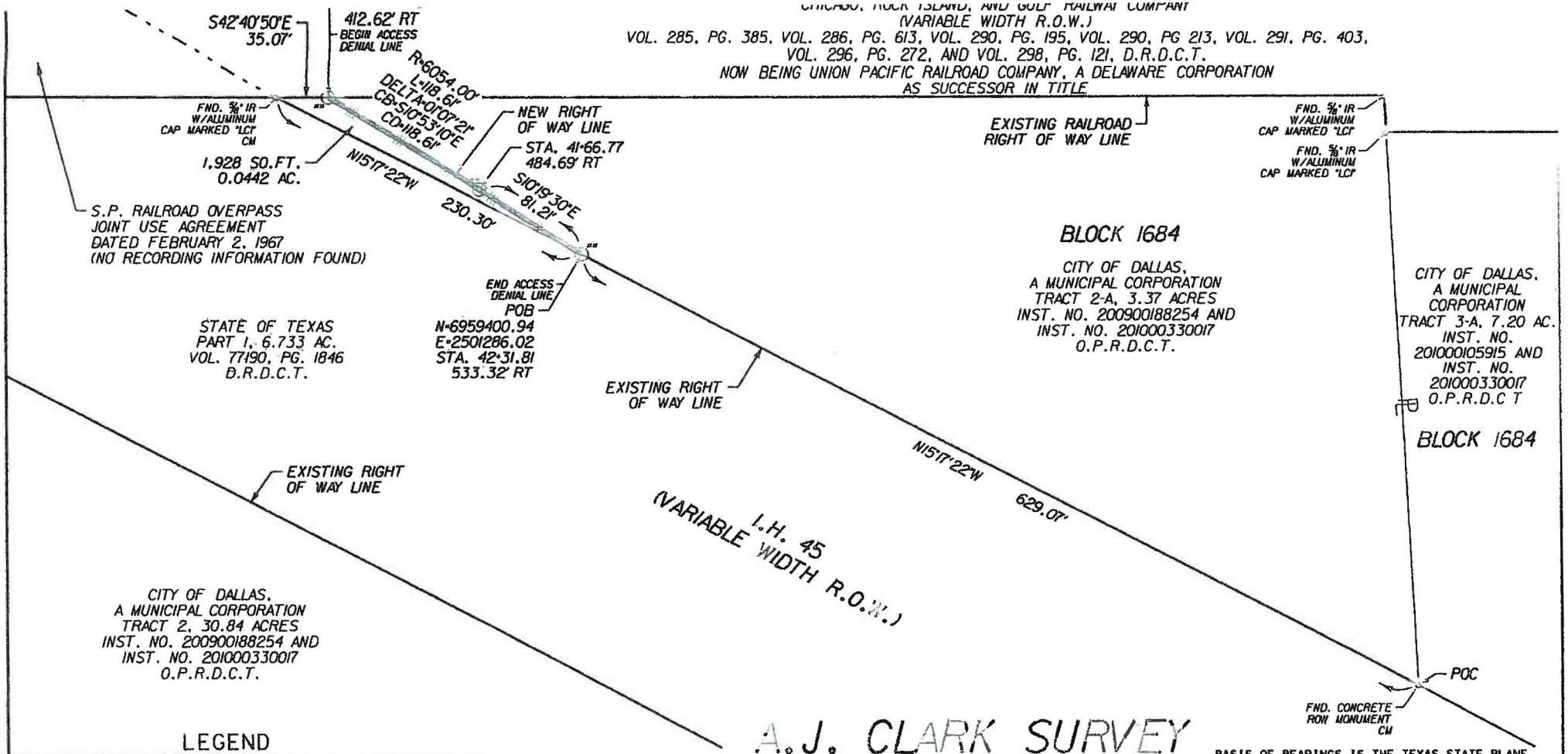
I, Marvin King, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

Marvin King 4/11/14

Marvin King, R.P.L.S. Date
Texas Registration No. 5581



Lina T. Ramey & Associates, Inc.
1349 Empire Central, Suite 900
Dallas, Texas 75247
Ph. 214-979-1144
TBPLS FIRM NO. 10140700



A.J. CLARK SURVEY
ABSTRACT NO. 285

LEGEND

- EXISTING ROADWAY RIGHT OF WAY BOUNDARY LINE
- EXISTING RIGHT OF WAY LINE
- NEW RIGHT OF WAY LINE
- PROPERTY LINE (PL)
- SURVEY LINE (SL)
- PROJECT BASELINE
- EXISTING EASEMENT LINE
- ACCESS DENIAL LINE

ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE HIGHWAY FACILITY FROM ADJACENT PROPERTY.

- ○ = SET 5/8 INCH IRON ROD WITH PINK PLASTIC CAP MARKED "TxDOT SURVEY MARKER & RIGHT OF WAY MONUMENT"
- ◎ = SET 5/8 INCH IRON ROD WITH RED PLASTIC CAP MARKED "LTRA" UNLESS OTHERWISE NOTED
- = FOUND MONUMENT (AS NOTED)
- CM = CONTROLLING MONUMENT

**THE MONUMENT DESCRIBED AND SET IN THIS CALL, IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

GRAPHIC SCALE

0' 25' 50' 100'

A PLAT OF A SURVEY OF
PARCEL 51
FOR U.S. HIGHWAY 175
RIGHT OF WAY CSJ: 0197-02-113
A 1,928 SQ. FT., [0.0442 AC.]
TRACT OF LAND IN THE
A.J. CLARK SURVEY
ABSTRACT NO. 285
CITY OF DALLAS
DALLAS COUNTY, TEXAS

PAGE 3 OF 3

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (1993), NORTH CENTRAL ZONE (4202) ALL COORDINATES SHOWN ARE SURFACE UNLESS OTHERWISE NOTED AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TxDOT COMBINED SCALE FACTOR OF 1.000136506.

THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED, 04-01-2013, FOR THE TxDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-NUMBER 0197-02-113.

STATE OF TEXAS
REGISTERED
MARVIN KING
5581
PROFESSIONAL
LAND SURVEYOR

Marvin King 4/11/14

MARVIN KING, R.P.L.S. NO. 5581 DATE

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2, 3, 4, 5, 6, 7, 8, 9, 10, Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize a contract for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities - D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., lowest responsible bidder of two (list attached) - Not to exceed $2,366,250 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

In FY 2012-2013, a condition assessment was performed on roof systems at all Dallas water and wastewater treatment plants, pump stations and other off-site water and wastewater facilities. All roofs were prioritized with a ranking based on condition, age, and wear. Dallas Water Utilities (DWU) staff worked with consultants to design the replacement and repair of the Priority Two roofs as identified in the 2013 Roof Assessment document.

Approval of this action will provide the means to have certified roof technicians perform replacements and major repairs at 14 DWU facilities. The roofs at DWU facilities are generally exposed to more aggressive and corrosive environments due to the chemicals used in some of the treatment processes. With this exposure, roof materials break down at a higher rate, which necessitates more frequent repairs and replacements. This project will help DWU eliminate potential roof leaks that could damage process equipment within the various facilities. Regularly scheduled roof replacements and repairs will ensure the continued reliable water and wastewater services that are provided to approximately 2.3 million customers in Dallas and its customer cities.

D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc. has no completed contractual activities with the City of Dallas in the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Assessment	July 2012
Completed Assessment	November 2012
Began Design	April 2014
Completed Design	July 2014
Begin Construction	March 2015
Complete Construction	September 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Conley Group to provide architectural and engineering services to perform condition assessment of the roof and HVAC systems at the Water Utilities Department's 230 facilities on June 27, 2012, by Resolution No. 12-1668.

Authorized a professional services contract with Halff Associates, Inc. to provide (1) architectural and engineering services for the design of roof and HVAC systems; and (2) a space utilization study for the Trinity Watershed Management Department on March 26, 2014, by Resolution No. 14-0523.

FISCAL INFORMATION

$2,366,250.00 - Water Utilities Capital Improvement Funds

Assessment	$1,897,800.00
Design	$2,583,128.64
Construction (this action)	$2,366,250.00
Total Project Cost	$6,847,178.64

FISCAL INFORMATION (Continued)

Council District	Amount
2	$ 163,341.50
3	$ 28,453.50
4	$ 437,047.50
5	$ 222,856.00
6	$ 79,489.50
7	$ 140,543.50
8	$ 411,946.00
9	$ 86,313.50
10	$ 89,783.50
Outside City Limits	$ 706,475.50
Total	$2,366,250.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc.

Hispanic Female	2	Hispanic Male	33
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	0	White Male	4

BID INFORMATION

The following bids with quotes were opened on November 13, 2014:

*Denotes successful bidder

Bidders	Bid Amount
*D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc. 2632 Chalk Hill Road Dallas, Texas 75212	$2,366,250.00
Texas Roof Management, Inc.	$3,004,288.00

OWNER

D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc.

David Emerson, President

MAP

Attached

Roof Replacements and Major Repairs

Council District	Facility Name	Address
2	Cadiz Pump Station	411 Cadiz Street
3	Redbird Booster Pump Station	3537 Bronze Way
	Southwest Service Center	2524 Valleria Drive
4	Central Wastewater Treatment Plant	1020 Sargent Road
5	Lake June Pump Station	1031 Algonquin Drive
6	Bachman Water Treatment Plant	2525 Shorecrest Drive
7	Jim Miller Pump Station	5200 N. Jim Miller Road
8	Southside Wastewater Treatment Plant	10011 Log Cabin Road
9	Lake Ray Hubbard	685 Ray Hubbard Drive
10	Northeast Service Center	8915 Adlora Lane
Outside City Limits	Beltwood Pump Station	4799 Belt Line Road
	Eastside Water Treatment Plant	405 Long Creek Road
	Elm Fork Water Treatment Plant	1440 Whitlock Lane
	Iron Bridge Pump Station	4777 County Road 3706

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities - D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., lowest responsible bidder of two (list attached) - Not to exceed $2,366,250 - Financing: Water Utilities Capital Improvement Funds

D&K Emerson Stock Investment Holdings, LLC d/b/a AA Applicators, Inc. 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	$1,327,914.00	56.12%
Total non-local contracts	$1,038,336.00	43.88%
TOTAL CONTRACT	$2,366,250.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

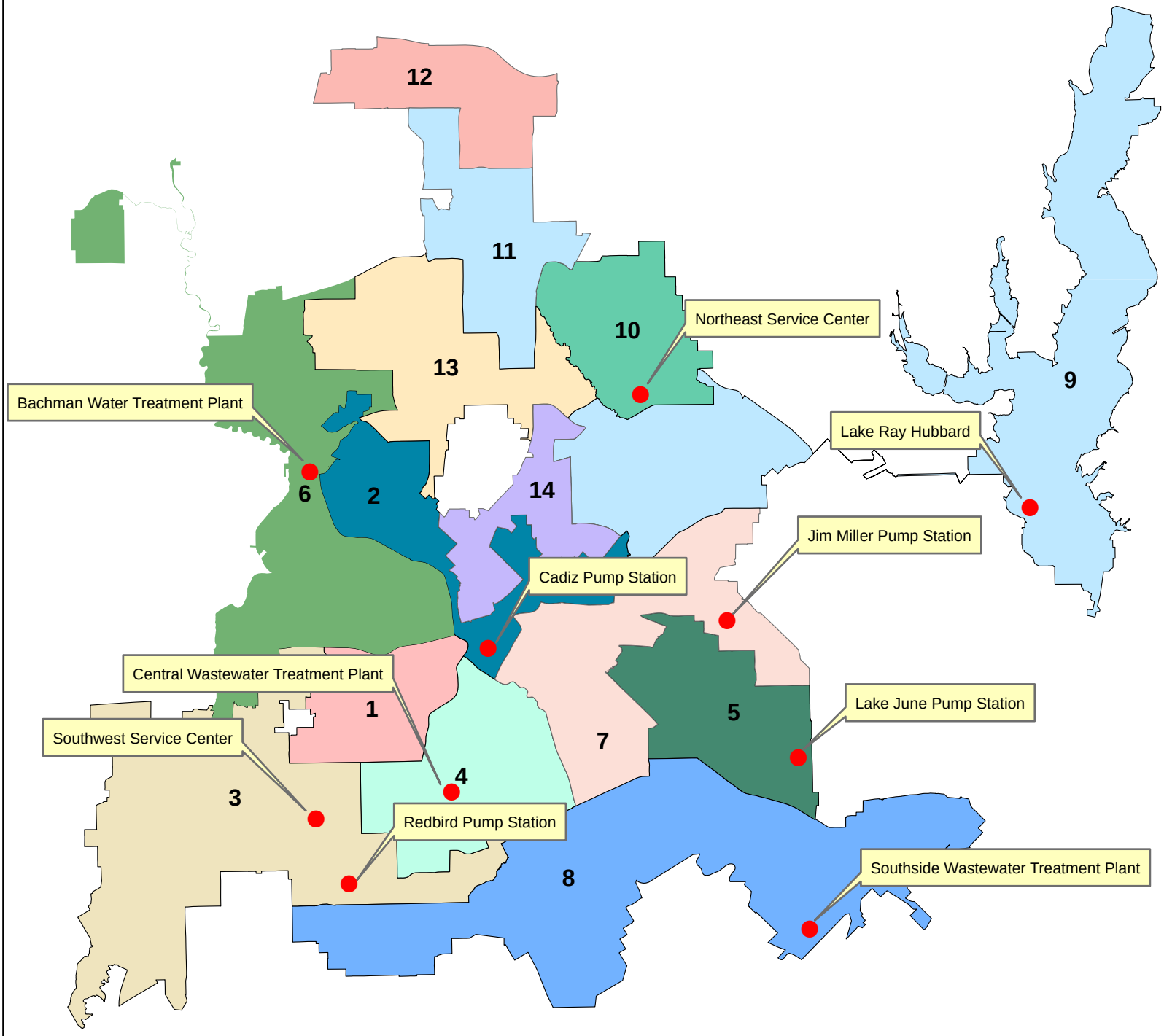
None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Mollica and Associates, Inc.	WFWB61559N0416	$708,603.00	68.24%
Total Minority - Non-local		$708,603.00	68.24%

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%	$708,603.00	29.95%
Total	$0.00	0.00%	$708,603.00	29.95%



Dallas Water Utilities
Contract No. 14-353/354
Roof Replacements and Major Repairs

January 28, 2015

WHEREAS, bids were received on November 13, 2014 for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities, Contract No. 14-353/354, listed as follows:

BIDDERS	**BID AMOUNT**
D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc.	$2,366,250.00
Texas Roof Management, Inc.	$3,004,288.00

WHEREAS, the bid submitted by D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., 2632 Chalk Hill Road, Dallas, Texas 75212, in the amount of $2,366,250.00, is the lowest and best of all bids received.

Now, Therefore,

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

Section 1. That the bid submitted by D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., in the amount of $2,366,250.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 14-353/354, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with D&K Emerson Stock Investment Holdings, LLC dba AA Applicators, Inc., for roof replacements and major repairs at 14 Dallas Water Utilities owned facilities, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of $2,366,250.00 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3115	DWU	PW42	4310	714353	CT-DWU714353CP	VC0000005741

Contract No. 14-353 - $1,248,487.25

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3116	DWU	PS42	4310	714354	CT-DWU714354CP	VC0000005741

Contract No. 14-354 - $1,117,762.75

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 # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2, 7, 9, 10, 11, 13, 14

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize a contract for the installation of water and wastewater mains at 22 locations - Camino Construction, L.P., lowest responsible bidder of five (list attached) - Not to exceed $8,838,889 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of the installation of approximately 43,051 feet of water and wastewater mains. This includes the installation of approximately 1,041 feet of 6-inch, 26,137 feet of 8-inch, and 344 feet of 12-inch water mains, and the installation of approximately 9,909 feet of 8-inch, 1,553 feet of 10-inch, and 4,067 feet of 12-inch wastewater mains.

The existing water and wastewater mains were built between 1939 and 1970. These mains are contributing to an increase in maintenance costs as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

Camino Construction, L.P. contractual activities in the past three years:

	PBW	DWU	PKR
Projects Authorized	1	0	0
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2011
Completed Design	October 2014
Begin Construction	April 2015
Complete Construction	April 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Burgess & Niple, Inc. to provide engineering design services for the renewal of water and wastewater mains at 44 locations on January 12, 2011, by Resolution No. 11-0189.

Authorized a professional services contract with Stream Water Group, Inc. to provide engineering design services for the renewal of water and wastewater mains at 19 locations on June 13, 2012, by Resolution No. 12-1557.

FISCAL INFORMATION

$8,838,888.60 - Water Utilities Capital Improvement Funds

Design	$ 2,439,157.50
Construction Contract (this action)	$ 8,838,888.60
Total Project Cost	$11,278,046.10

Council District	Amount
2	$ 745,700.10
7	$ 736,979.65
9	$2,215,603.39
10	$ 669,649.65
11	$1,660,130.83
13	$2,537,448.93
14	$ 273,376.05
Total	$8,838,888.60

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Camino Construction, L.P.

Hispanic Female	2	Hispanic Male	34
Black Female	0	Black Male	2
Other Female	0	Other Male	0
White Female	1	White Male	2

BID INFORMATION

The following bids with quotes were opened on October 30, 2014:

*Denotes successful bidder

Bidders	Bid Amount
*Camino Construction, L.P. 1208 Metro Park Boulevard Lewisville, Texas 75057	$8,838,888.60
Ark Contracting Services, LLC	$9,088,653.00
SYB Construction Co., Inc.	$9,465,624.64
John Burns Construction Company of Texas, Inc.	$9,847,935.00
Atkins Bros. Equipment Co., Inc.	Non-Responsive**

**Atkins Bros. Equipment Co., Inc. was deemed non-responsive for failure to acknowledge Addendum No. 1.

OWNER

Camino Construction, L.P.

Rogelio T. Ayala, President

MAPS

Attached

Installation of Water and Wastewater Mains

District 2

Alley between Langdon Avenue and Roanoke Avenue from Huron Drive southwest
Bank Street from Congo Street to Lindsley Avenue
Carroll Avenue from Parry Avenue to Congo Street
Gurley Avenue from Carroll Avenue to Bank Street

District 7

Copeland Street from Pine Street to State Highway 352 (Scyene Road)

District 9

Alley south of Dunloe Drive from Dalehurst Drive to Ferguson Road
Cambria Boulevard from Kenwood Avenue to Bob O Link Drive
Creekmere Circle from Creekmere Drive southeast
Creekmere Drive from Sylvania Drive to Peavy Road
Frontier Lane from Kenwood Avenue to Irongate Lane
Overglen Drive from Creekmere Drive to Vinemont Street
Vinemont Street from Creekmere Drive to Sylvania Drive

District 10

Broken Bow Road from Audelia Road to Fieldcrest Drive
Stillwater Circle from Stillwater Drive northeast

District 11

Kenny Lane from Janmar Drive northeast
Town Bluff Drive from Meadowcreek Drive to Hillcrest Road
Valleybrook Drive from Dartbrook Drive southwest

District 13

Ellensburg Drive from Welch Road east
Goodfellow Drive from Crestline Avenue to Forest Lane
Hollow Way Road from Park Lane to Walnut Hill Lane
Northview Lane from Marsh Lane east

District 14

Ellsworth Avenue from Matilda Street to Concho Street

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the installation of water and wastewater mains at 22 locations - Camino Construction, L.P., lowest responsible bidder of five (list attached) - Not to exceed $8,838,889 - Financing: Water Utilities Capital Improvement Funds

Camino Construction, L.P. 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	$4,054,705.00	45.87%
Total non-local contracts	$4,784,183.60	54.13%
TOTAL CONTRACT	$8,838,888.60	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Muniz Construction, Inc.	HMMB62532N0716	$1,000,000.00	24.66%
Magnum Manhole & Underground Co.	WFDB61186Y0415	$32,455.00	0.80%
MMG Building Services & Construction Services, LLC	WFWB62284N0616	$7,346.00	0.18%
Total Minority - Local		$1,039,801.00	25.64%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Brokers Grass (DFW), Inc.	BMMB59652N0115	$6,000.00	0.13%
Partnering For Success, Inc.	HFMB61772Y0516	$6,000.00	0.13%
Camino Construction, LP.	HMDB63353Y1015	$2,795,870.60	58.44%
Miller Surveying, Inc.	WFWB59881N0115	$50,000.00	1.05%
Total Minority - Non-local		$2,857,870.60	59.74%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

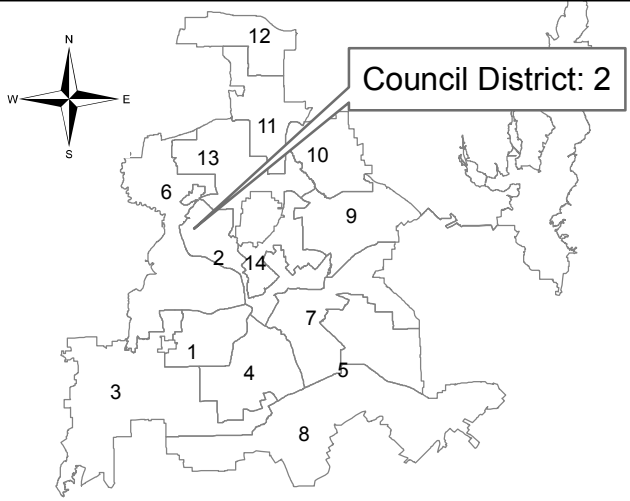
TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$6,000.00	0.07%
Hispanic American	$1,000,000.00	24.66%	$3,801,870.60	43.01%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$39,801.00	0.98%	$89,801.00	1.02%
Total	$1,039,801.00	25.64%	$3,897,671.60	44.10%



Alley between Langdon Avenue and Roanoke Avenue

from Huron Drive southwest



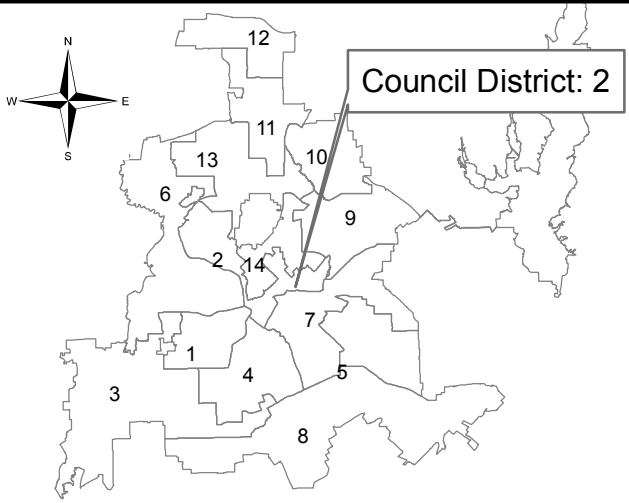
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2600

Segment 1 of 22



Bank Street
from Congo Street to Lindsley Avenue



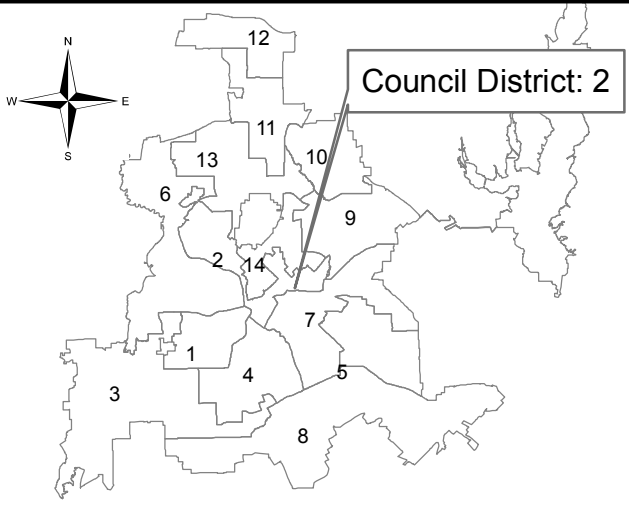
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 5716

Segment 2 of 22



Carroll Avenue
from Parry Avenue to Congo Street



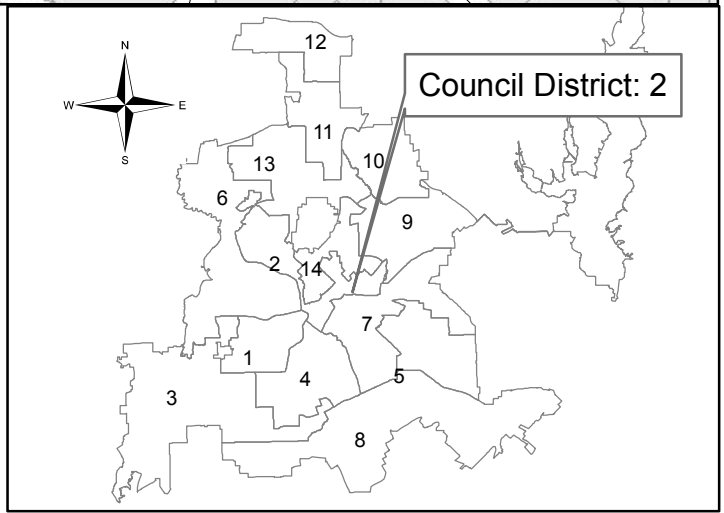
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 5718

Segment 3 of 22



Gurley Avenue
from Carroll Avenue to Bank Street



Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

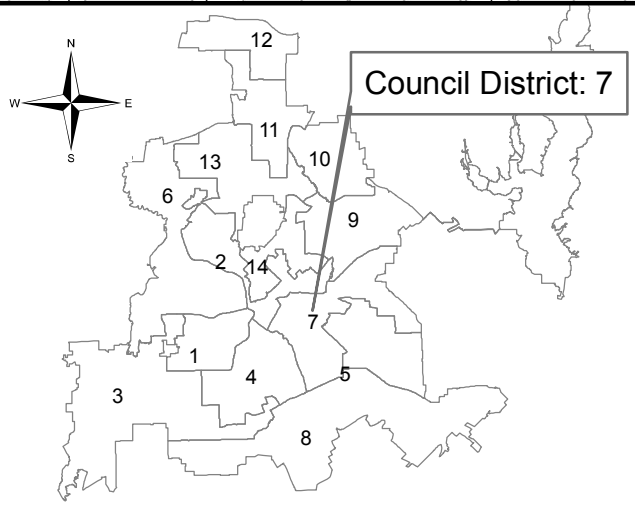
PID: 5717

Segment 4 of 22



Copeland Street

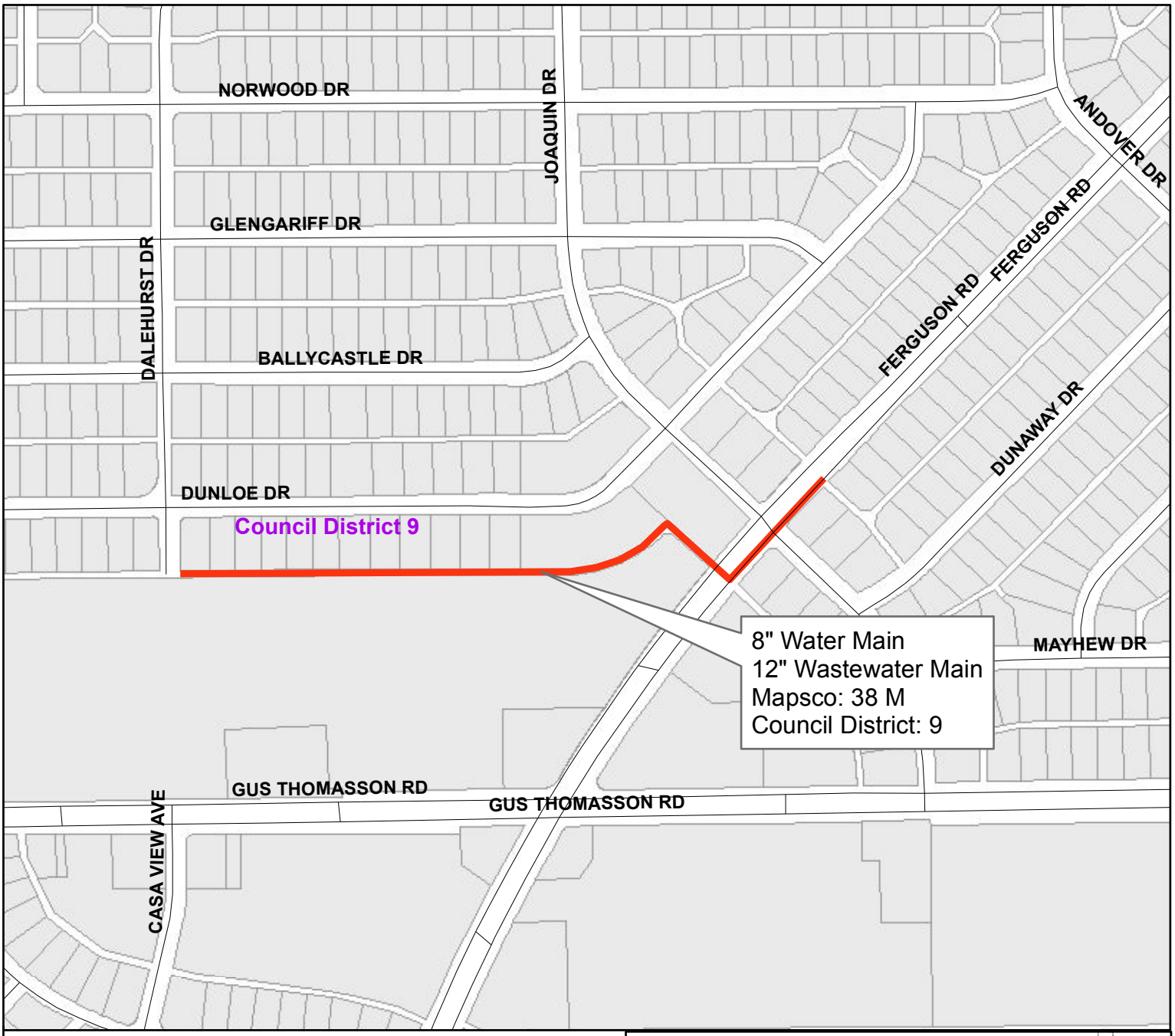
from Pine Street to State Highway 352
(Scyene Road)



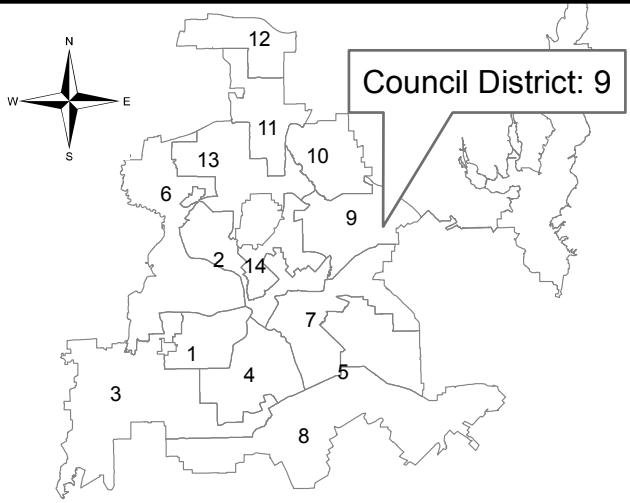
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 4240

Segment 5 of 22



Alley south of Dunloe Drive
from Dalehurst Drive to Ferguson Road



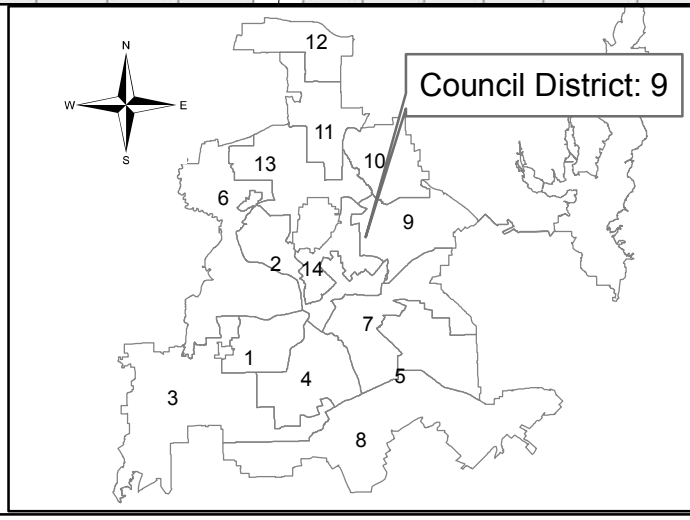
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 4285

Segment 6 of 22



Cambria Boulevard
from Kenwood Avenue to Bob O Link Drive



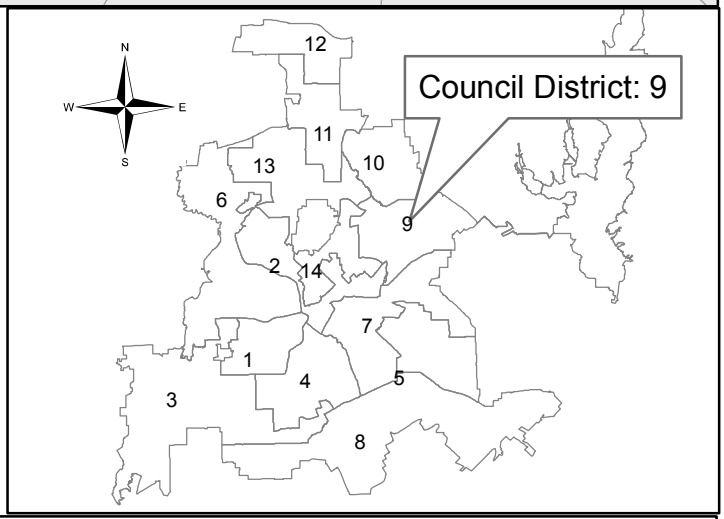
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 5107

Segment 7 of 22



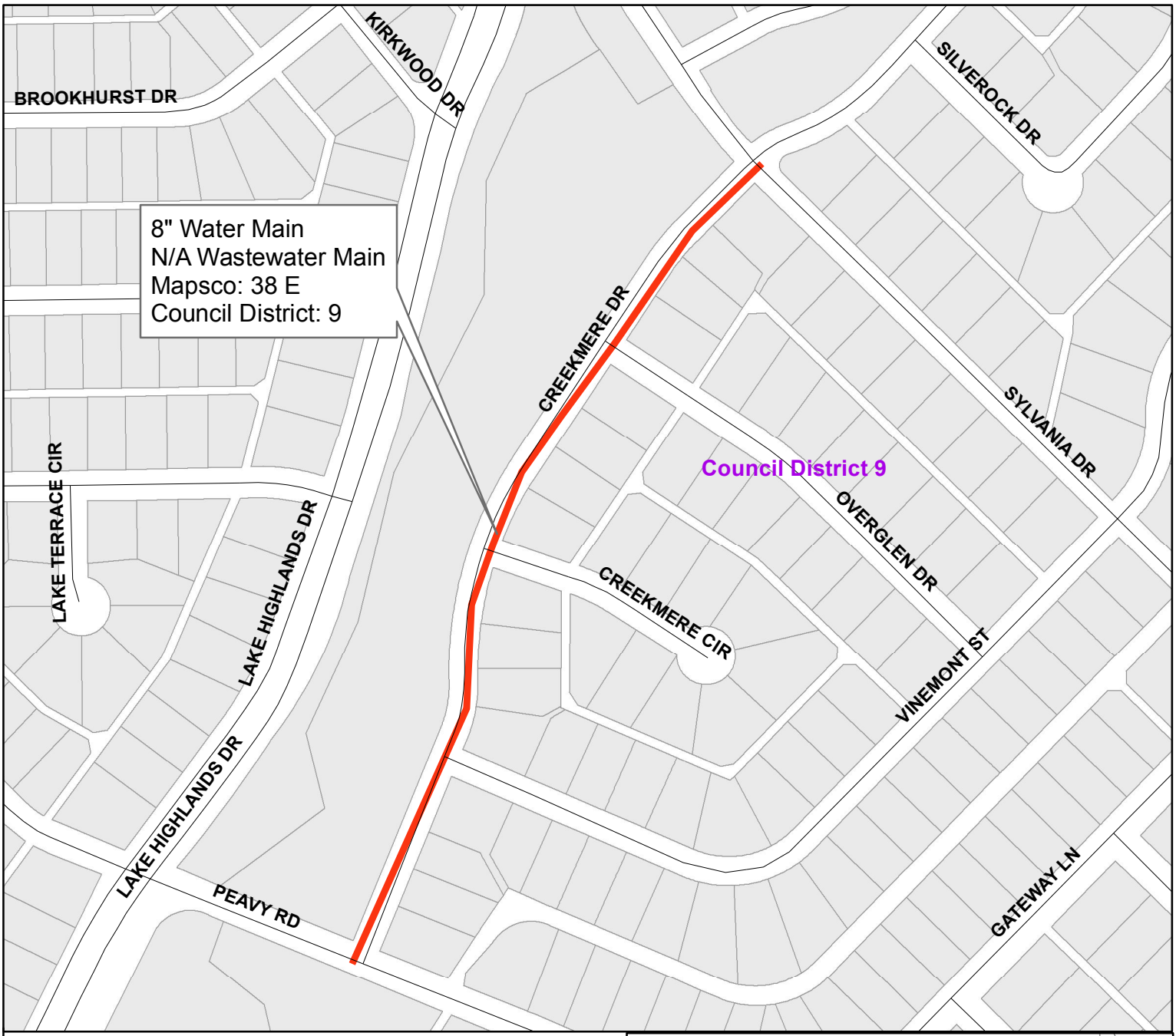
Creekmere Circle
from Creekmere Drive southeast



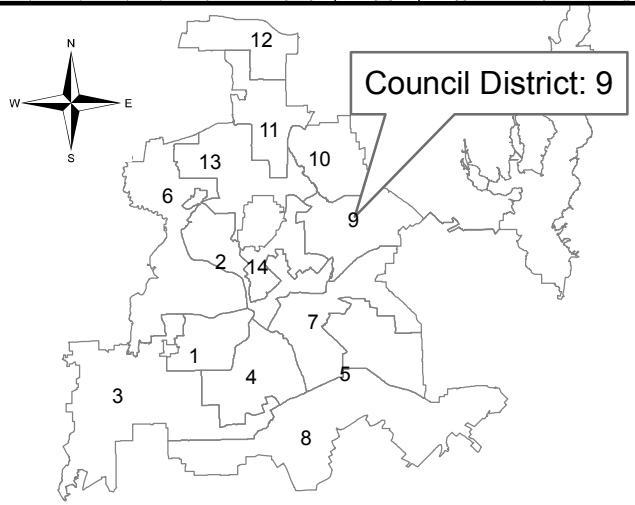
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2804

Segment 8 of 22



Creekmere Drive
from Sylvania Drive to Peavy Road



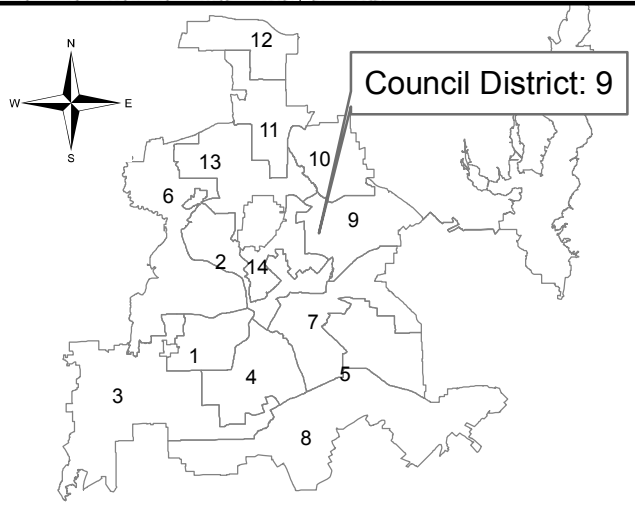
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2801

Segment 9 of 22



Frontier Lane
from Kenwood Avenue to Irongate Lane



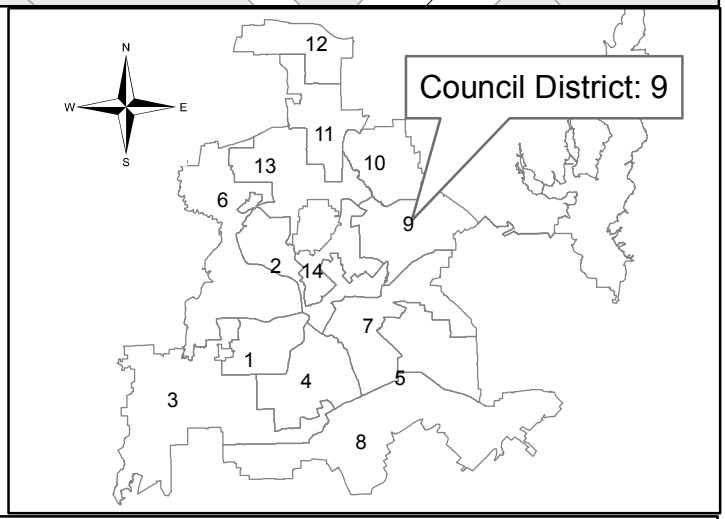
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 3414

Segment 10 of 22



Overglen Drive
from Creekmere Drive to Vinemont Street



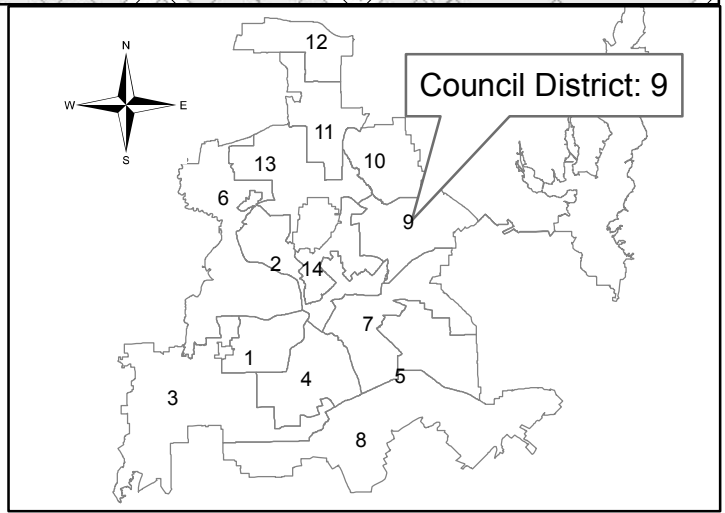
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2802

Segment 11 of 22



Vinemont Street
from Creekmere Drive to Sylvania Drive



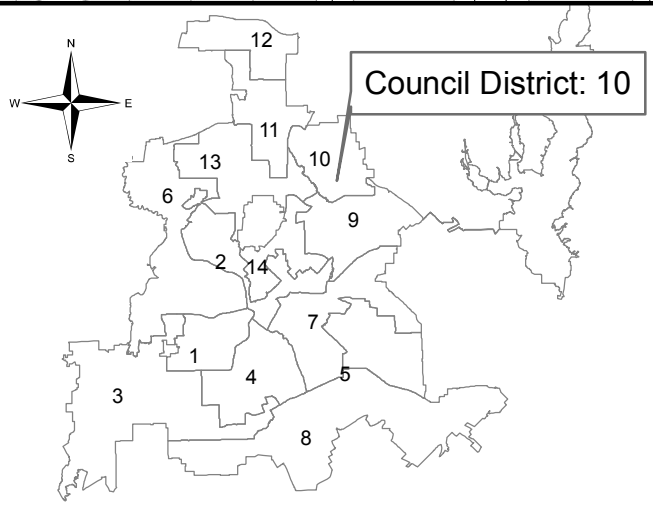
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2803

Segment 12 of 22



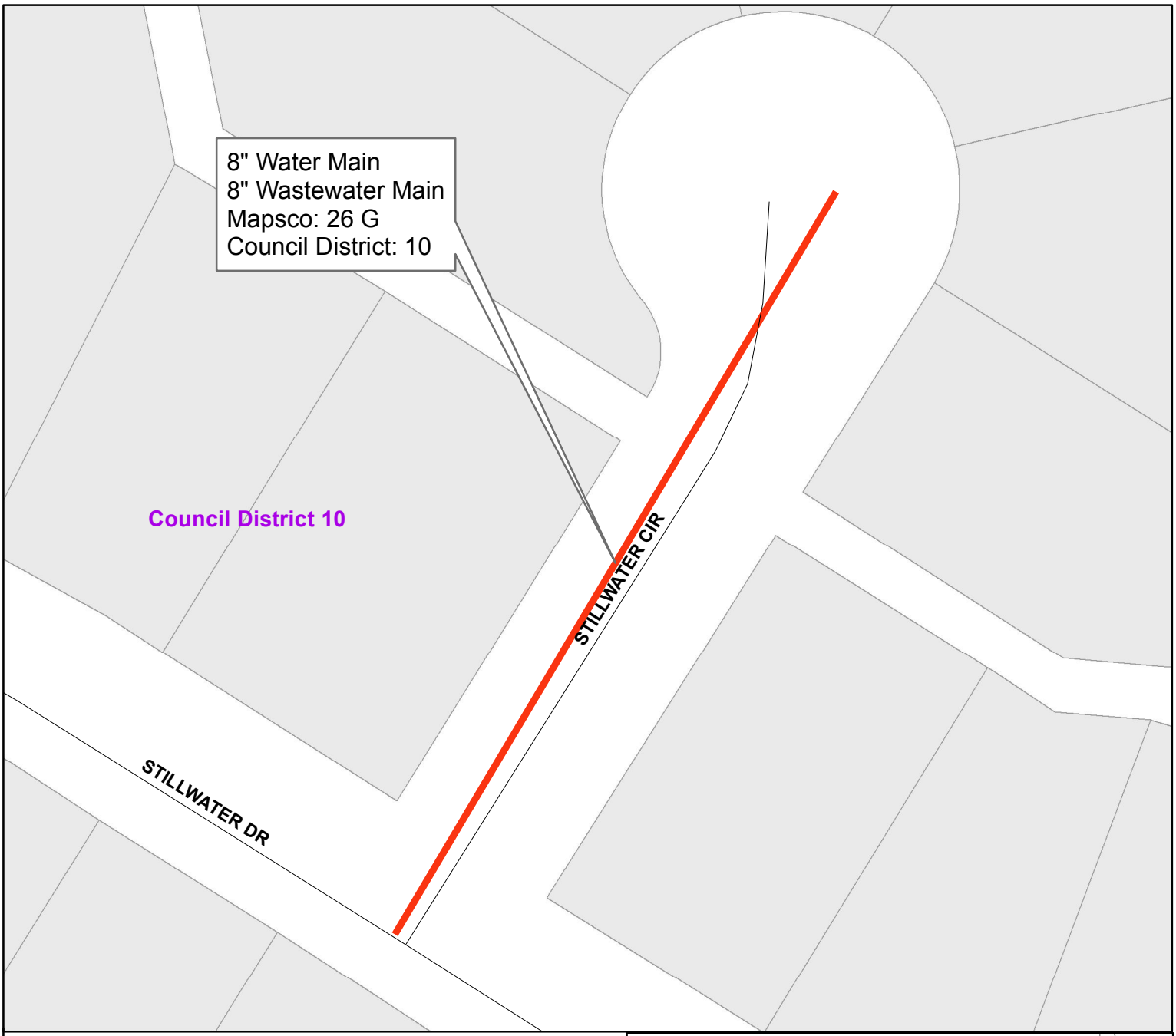
Broken Bow Road
from Audelia Road to Fieldcrest Drive



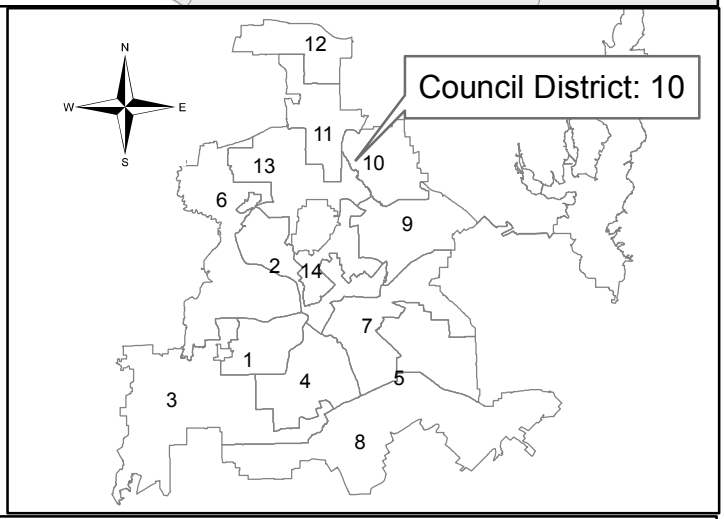
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2932

Segment 13 of 22

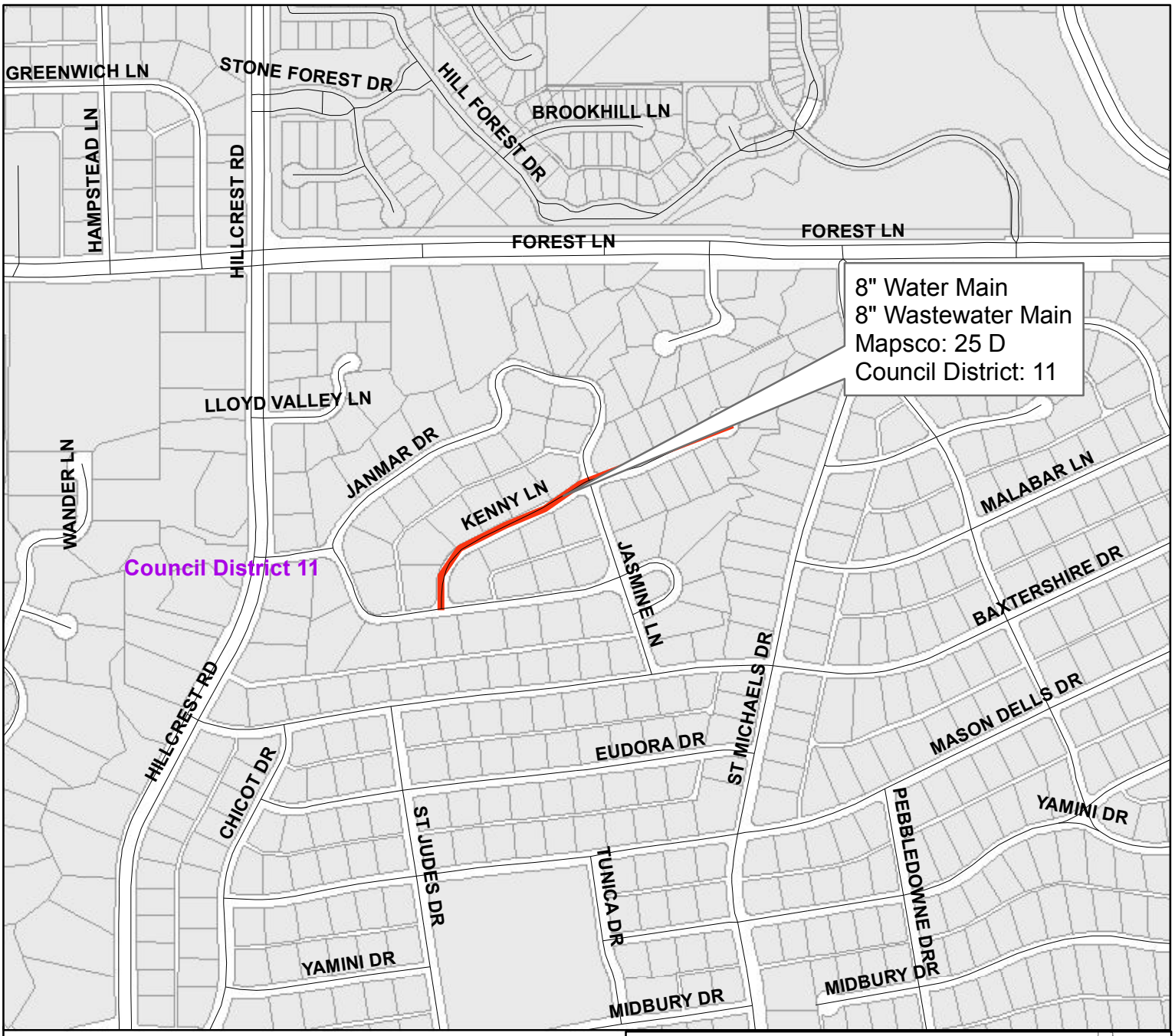


Stillwater Circle
from Stillwater Drive northeast

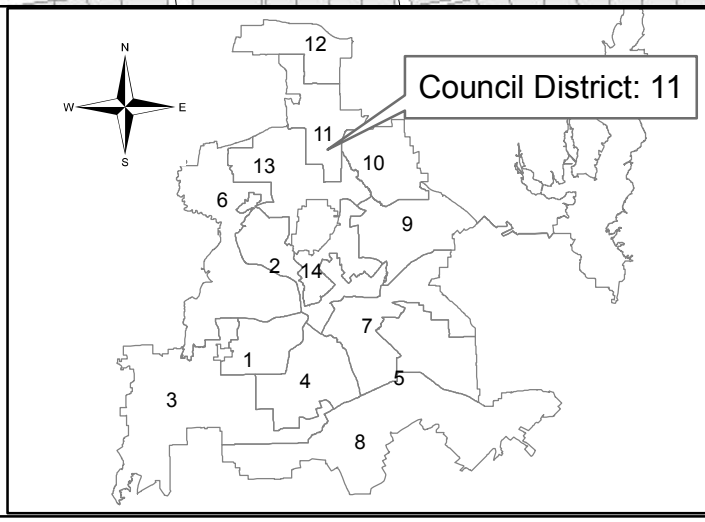


Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2596



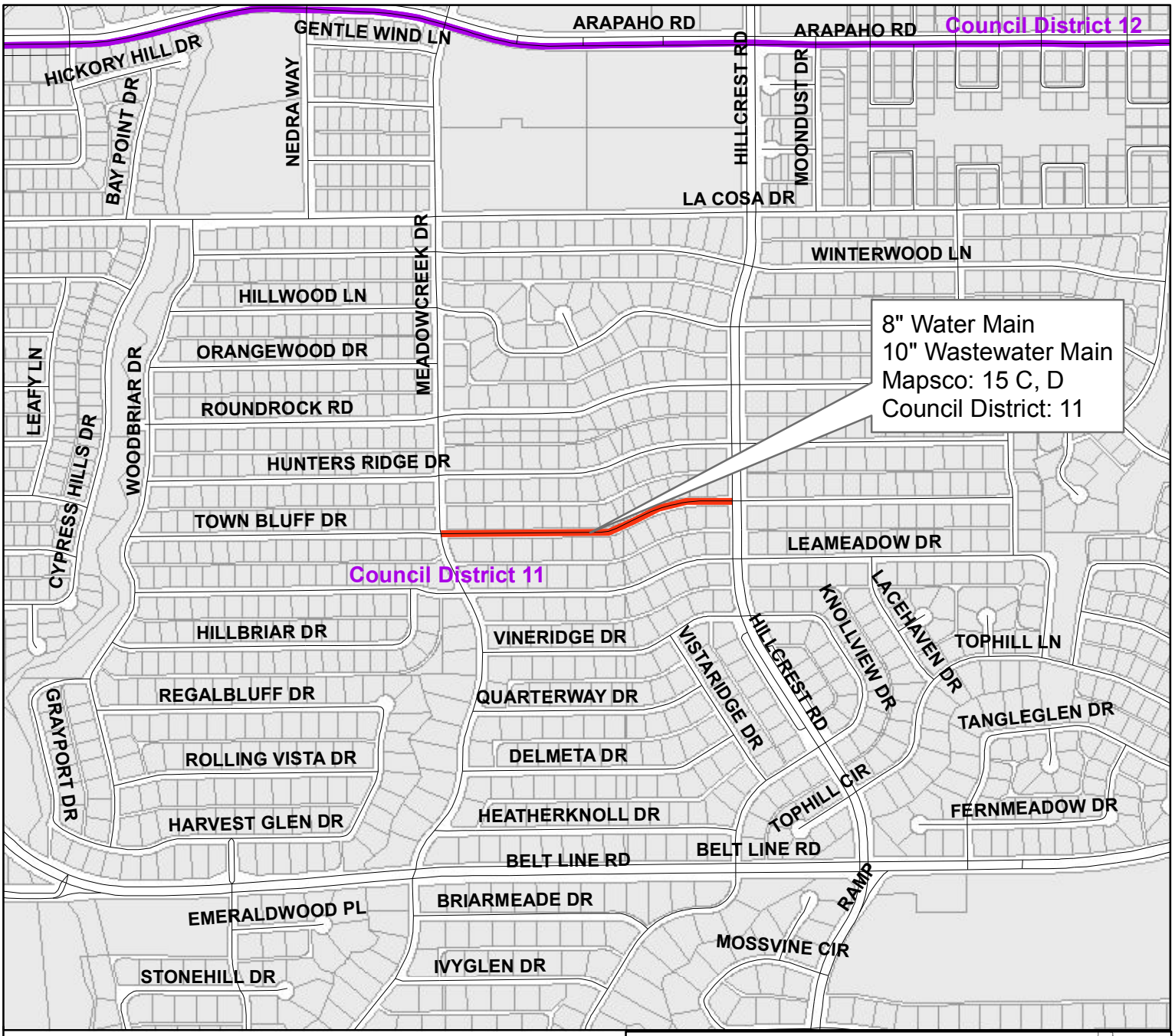
Kenny Lane
from Janmar Drive northeast



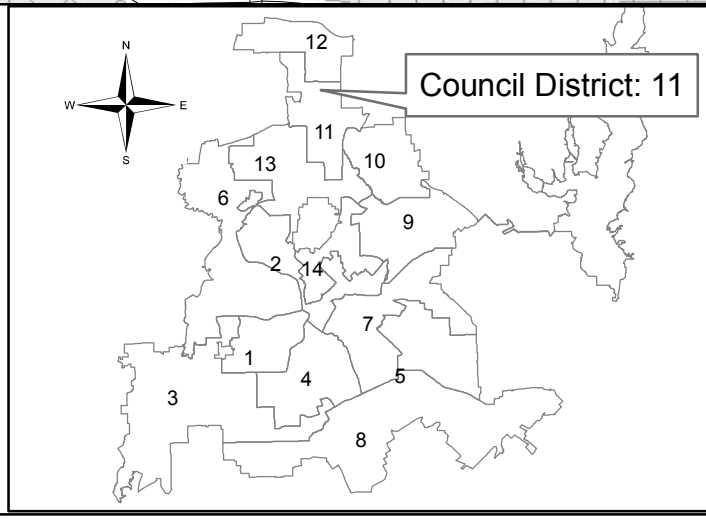
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2862

Segment 15 of 22



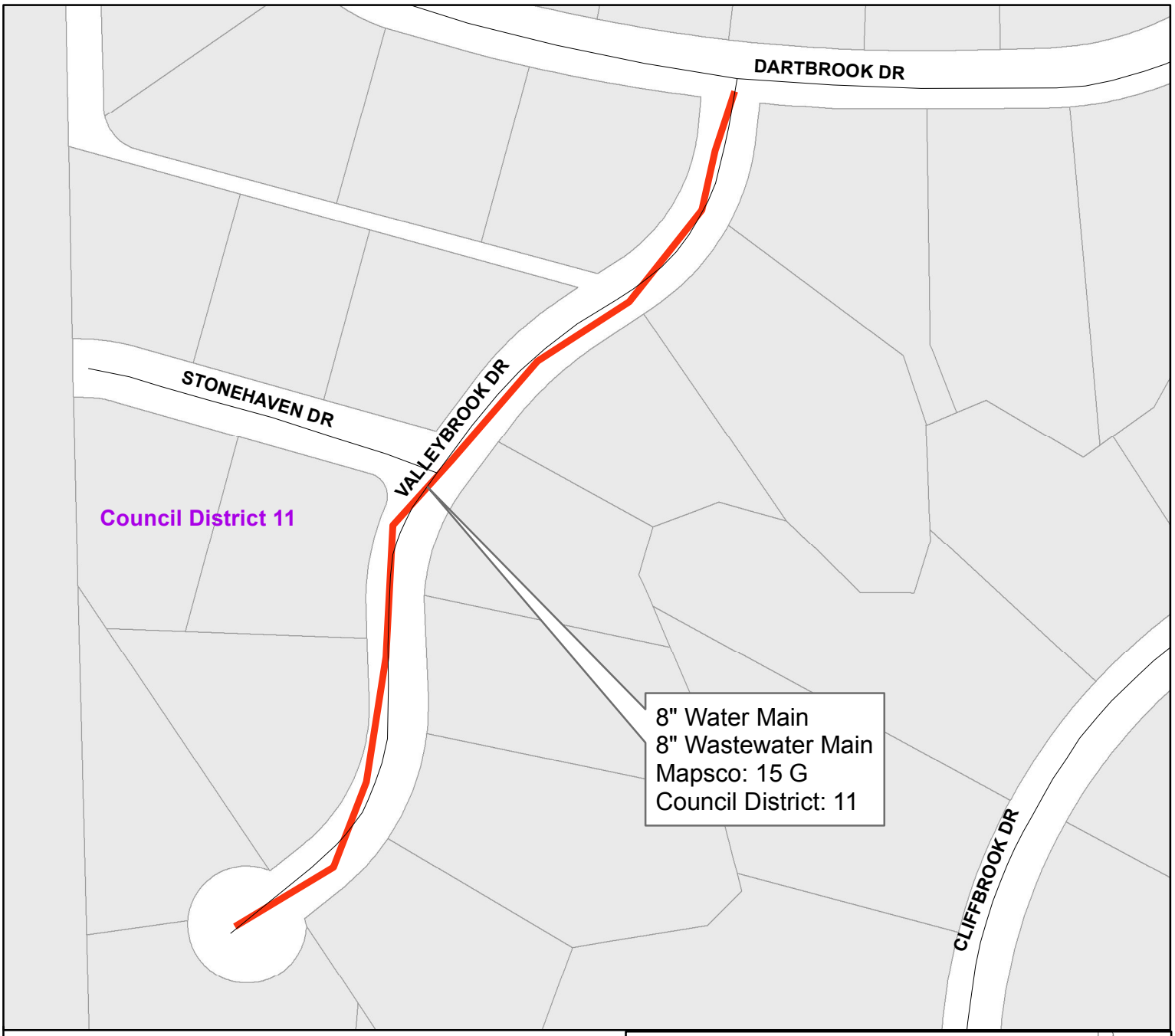
Town Bluff Drive
from Meadowcreek Drive to Hillcrest Road



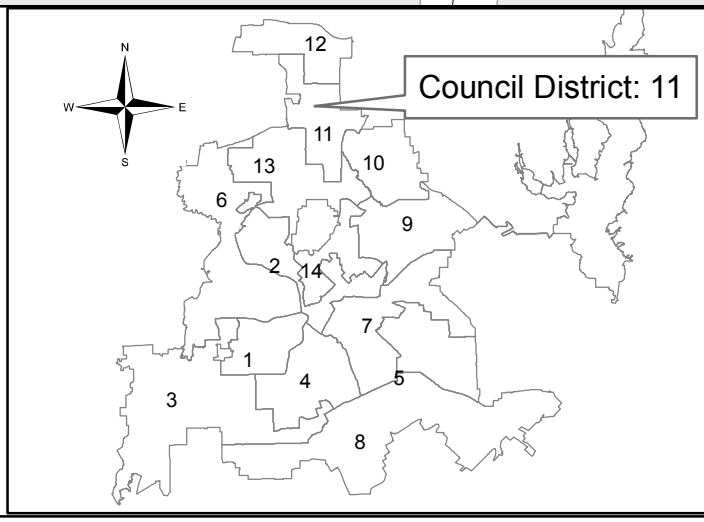
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2841

Segment 16 of 22



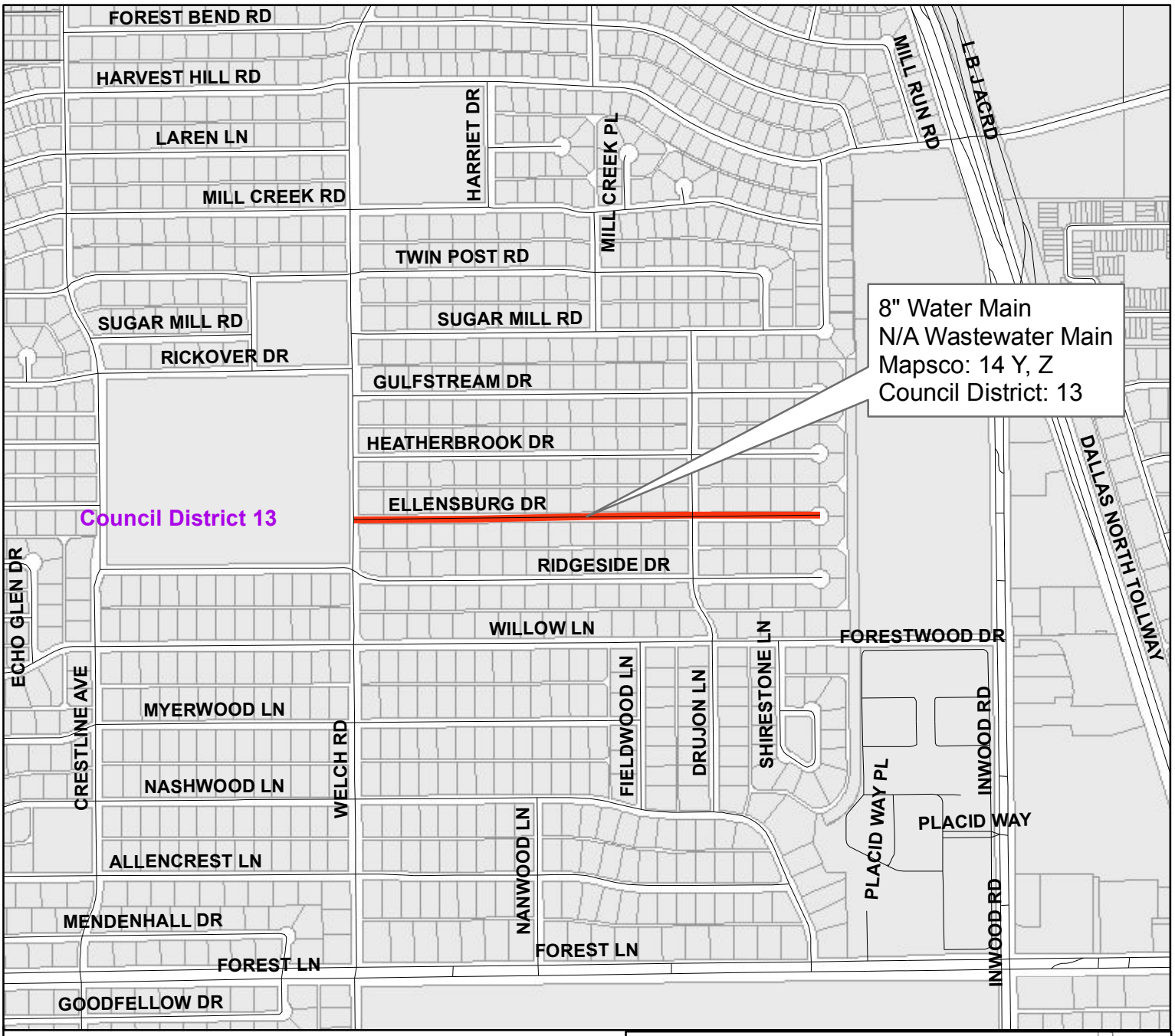
Valleybrook Drive
from Dartbrook Drive southwest



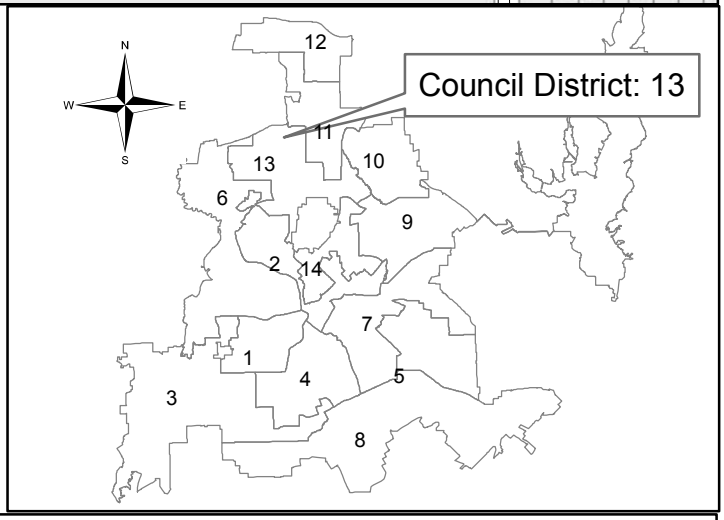
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2844

Segment 17 of 22



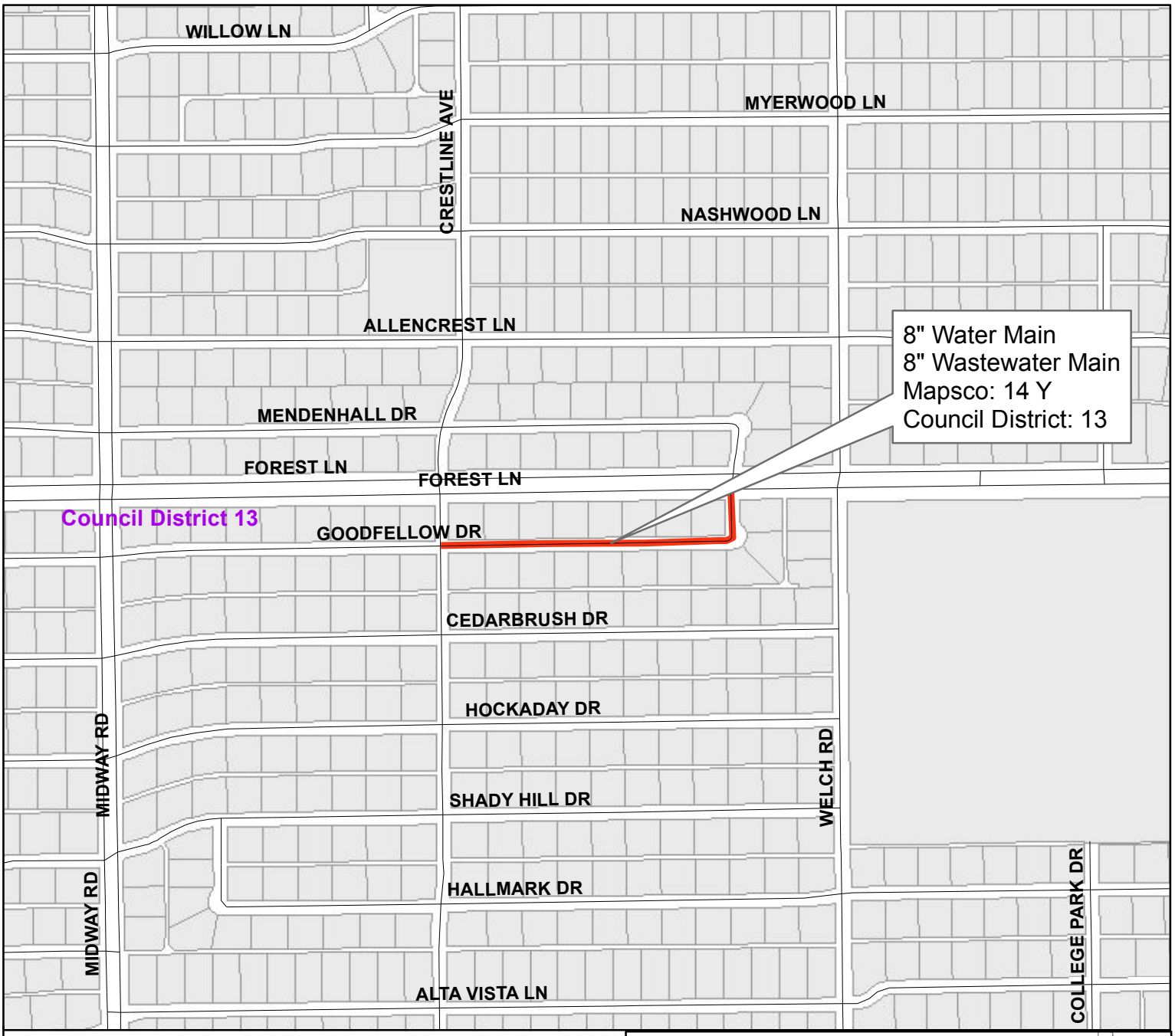
Ellensburg Drive
from Welch Road east



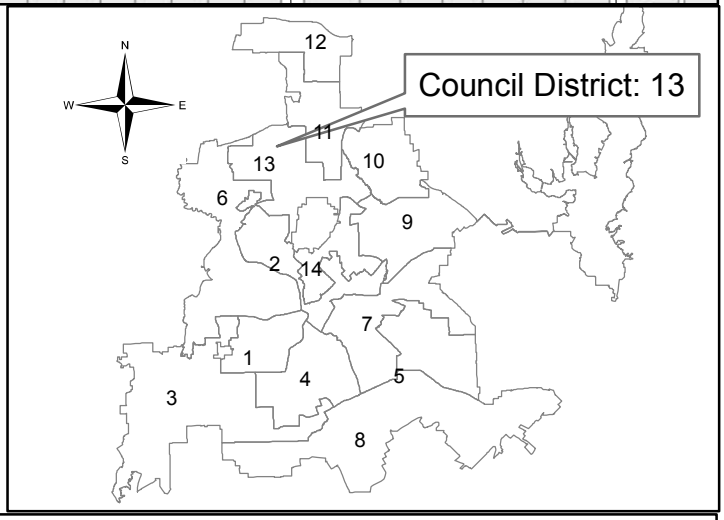
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2857

Segment 18 of 22



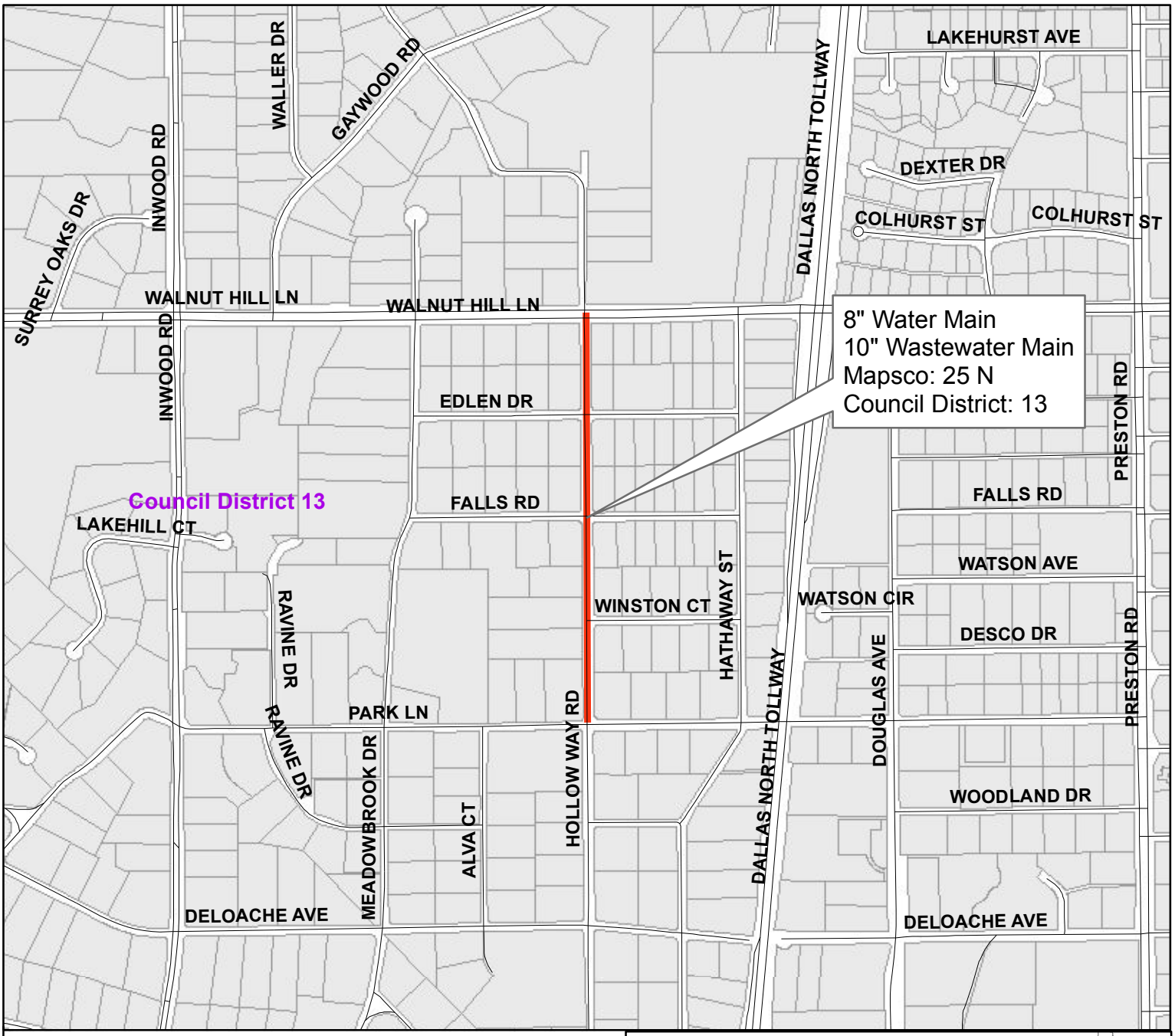
Goodfellow Drive
from Crestline Avenue to Forest Lane



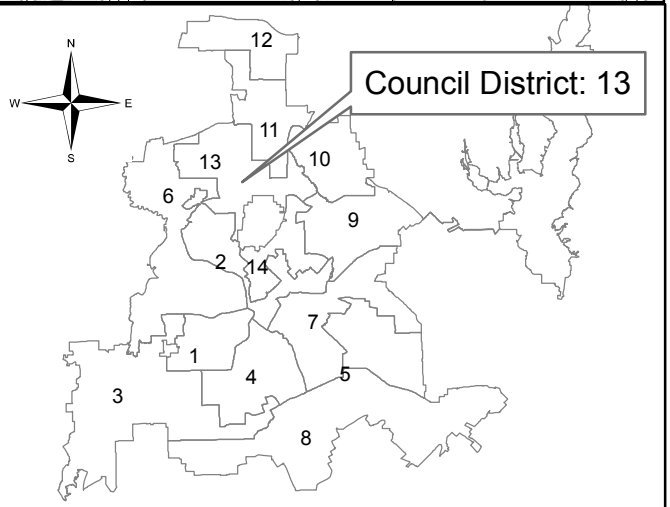
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2860

Segment 19 of 22



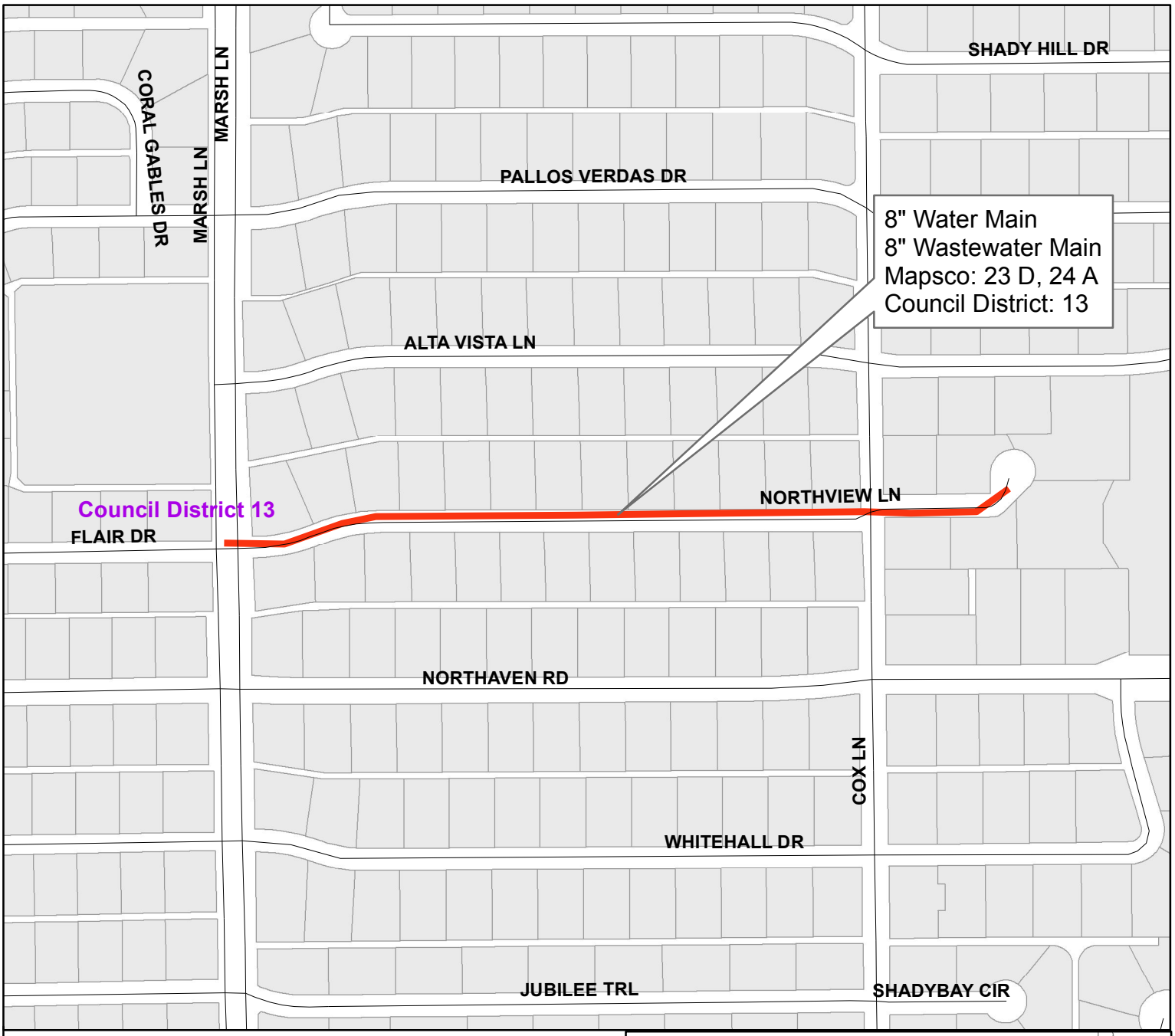
Hollow Way Road
from Park Lane to Walnut Hill Lane



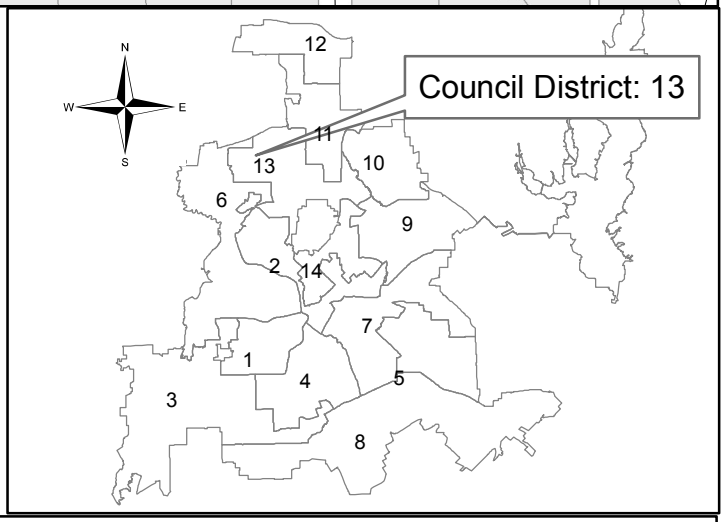
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 4243

Segment 20 of 22



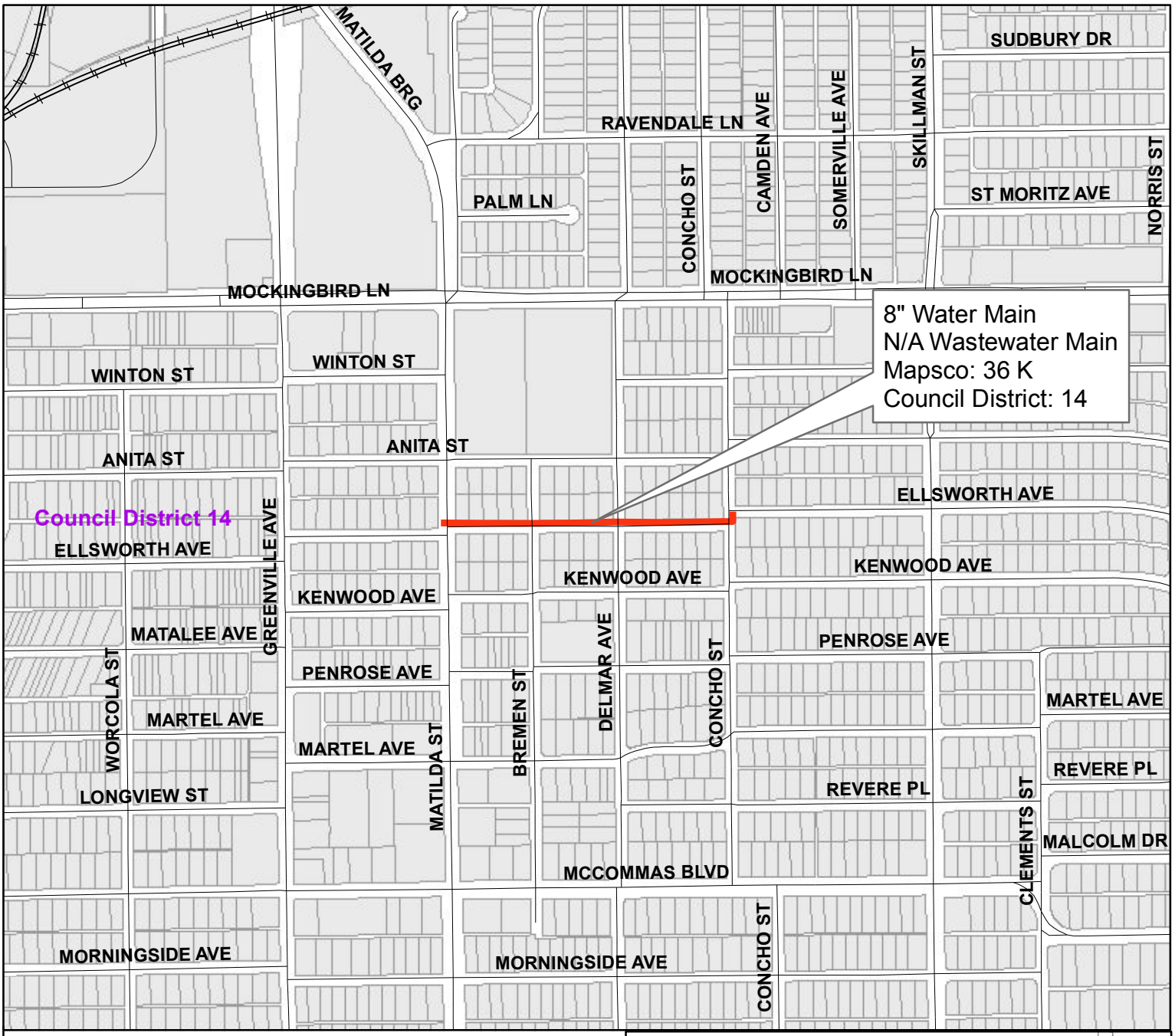
Northview Lane
from Marsh Lane east



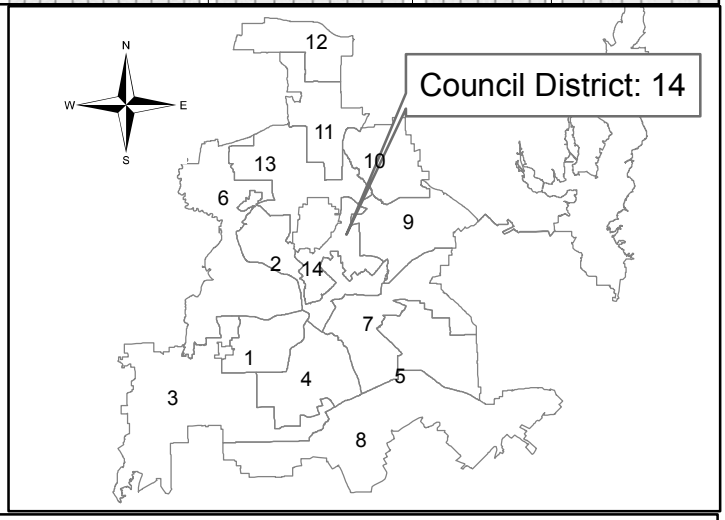
Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2866

Segment 21 of 22



Ellsworth Avenue
from Matilda Street to Concho Street



Dallas Water Utilities
Contract No. 14-357/358
Water and Wastewater Main Installations
at 22 Locations

PID: 2989

Segment 22 of 22

January 28, 2015

WHEREAS, bids were received on October 30, 2014 for the installation of water and wastewater mains at 22 locations, Contract No. 14-357/358, listed as follows:

BIDDERS	**BID AMOUNT**
Camino Construction, L.P.	$8,838,888.60
Ark Contracting Services, LLC	$9,088,653.00
SYB Construction Co., Inc.	$9,465,624.64
John Burns Construction Company of Texas, Inc.	$9,847,935.00
Atkins Bros. Equipment Co., Inc.	Non-Responsive*

*Atkins Bros. Equipment Co., Inc. was deemed non-responsive for failure to acknowledge Addendum No. 1.

WHEREAS, the bid submitted by Camino Construction, L.P., 1208 Metro Park Boulevard, Lewisville, Texas 75057, in the amount of $8,838,888.60, is the lowest and best of all bids received.

Now, Therefore,

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

Section 1. That the bid submitted by Camino Construction, L.P., in the amount of $8,838,888.60, for doing the work covered by the plans, specifications, and contract documents, Contract No. 14-357/358, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with Camino Construction, L.P., for the installation of water and wastewater mains at 22 locations, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of $8,838,888.60 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3115	DWU	PW40	4550	714357	CT-DWU714357CP	144735

Camino Construction, L.P. - (Contract No. 14-357) - $5,656,888.60

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3116	DWU	PS40	4560	714358	CT-DWU714358CP	144735

Camino Construction, L.P. - (Contract No. 14-358) - $3,182,000.00

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 # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 79 C D

SUBJECT

Authorize an increase in the contract with AUI Contractors, LLC for additional work associated with the 2012 major maintenance and rehabilitation improvements project at the Southside Wastewater Treatment Plant - Not to exceed $241,464, from $7,971,400 to $8,212,864 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action will authorize additional work identified during the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant. This work includes replacement of gate actuators at the chlorine contact basins that experienced severe corrosion due to the harsh environment, and additional labor required to expose and tie into underground chlorine lines that were in different locations than shown on the as-builts. This action also authorizes electrical repairs to a substation at the Southside Wastewater Treatment Plant that was damaged by lightning during a storm.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2007
Completed Design	April 2012
Began Construction	September 2012
Complete Construction	March 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with DAL-TECH Engineering, Inc. to evaluate deteriorated equipment and infrastructure and prepare a design report with recommendations for miscellaneous improvements associated with major maintenance and rehabilitation at the Southside Wastewater Treatment Plant on September 12, 2007, by Resolution No. 07-2588.

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

Authorized Supplemental Agreement No. 1 to the professional services contract with DAL-TECH Engineering, Inc. for design and construction administration services at the Southside Wastewater Treatment Plant associated with major maintenance and rehabilitation improvements on May 27, 2009, by Resolution No. 09-1347.

Authorized a contract with AUI Contractors, LLC for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant on August 22, 2012, by Resolution No. 12-2113.

FISCAL INFORMATION

$241,464.00 - Water Utilities Capital Improvement Funds

Design	$ 748,348.00
Supplemental Agreement No. 1	$ 1,887,707.00
Construction Contract	$ 7,971,400.00
Change Order No. 1 (this action)	$ 241,464.00
Total Project Cost	$10,848,919.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

AUI Contractors, LLC

Hispanic Female	3	Hispanic Male	95
Black Female	0	Black Male	4
Other Female	0	Other Male	5
White Female	11	White Male	79

OWNER

AUI Contractors, LLC

B. Doug Alumbaugh, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with AUI Contractors, LLC for additional work associated with the 2012 major maintenance and rehabilitation improvements project at the Southside Wastewater Treatment Plant - Not to exceed $241,464, from $7,971,400 to $8,212,864 - Financing: Water Utilities Capital Improvement Funds

AUI Contractors, LLC is a non-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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$166,140.25	68.81%
Non-local contracts	$75,323.75	31.19%
TOTAL THIS ACTION	$241,464.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

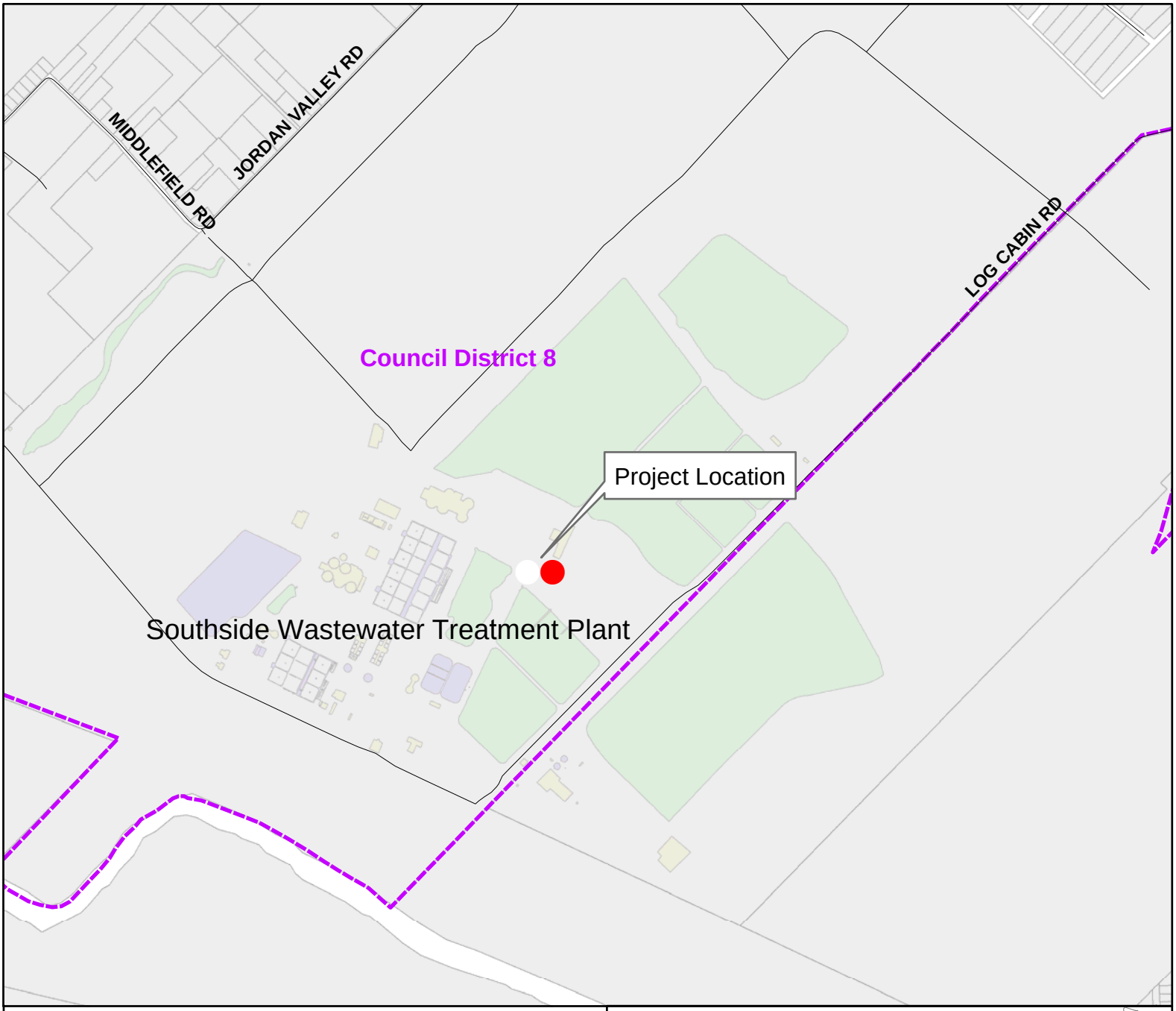
Local	Certification	Amount	Percent
Ram Tool & Supply Company, Inc.	WFWB61372N0416	$77,940.25	46.91%
Total Minority - Local		$77,940.25	46.91%

Non-Local Contractors / Sub-Contractors

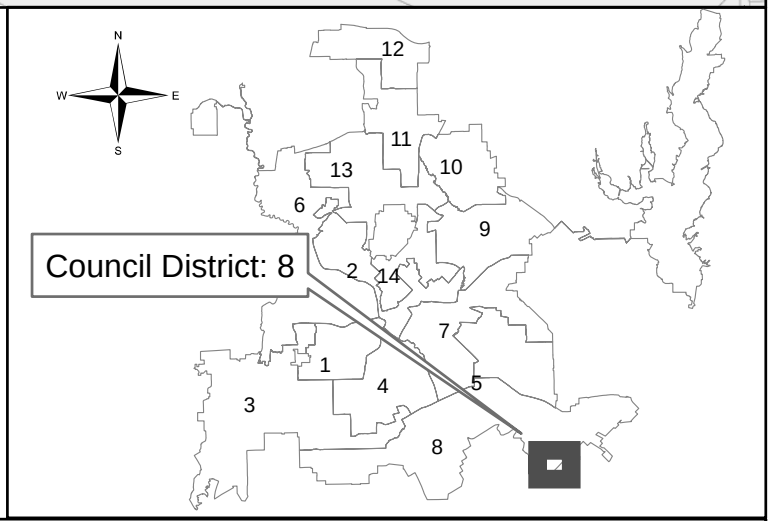
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$194,950.00	2.37%
Hispanic American	$0.00	0.00%	$117,428.20	1.43%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$230,367.00	2.80%
WBE	$77,940.25	32.28%	$1,044,205.25	12.71%
Total	$77,940.25	32.28%	$1,586,950.45	19.32%



Mapsco: 79 C D



Dallas Water Utilities
Contract No. 12-050, Change Order No. 1
Southside Wastewater Treatment Plant
Major Maintenance and Rehabilitation Improvements

January 28, 2015

WHEREAS, on August 22, 2012, the City Council awarded Contract No. 12-050 in the amount of $7,971,400.00, by Resolution No. 12-2113, to AUI Contractors, LLC, for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant; and,

WHEREAS, additional work is necessary for the completion of the major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant; and,

WHEREAS, AUI Contractors, LLC, 4775 North Freeway, Fort Worth, Texas 76106, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 12-050 be increased by $241,464.00, from $7,971,400.00 to $8,212,864.00.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 12-050 with AUI Contractors, LLC, be revised accordingly.

Section 2. That the City Controller is hereby authorized to pay the amount of $241,464.00 from the Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
2116	DWU	PS31	4330	712050	CT-DWU712050CP	259651

AUI Contractors, LLC - (Contract No. 12-050) - $241,464.00

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 # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 50A N S T

SUBJECT

Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Not to exceed $782,937, from $79,259,374 to $80,042,311 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On September 10, 2014, the City Council authorized the construction of improvements to Stages I, II and III of the Eastside Water Treatment Plant flocculation and sedimentation basins as part of the transition to the new treatment strategy recommended in the Water Quality Study final report. The improvements are necessary to modify the basins to both allow the basins to be in compliance with the current Texas Commission on Environmental Quality regulations, and to allow for the reconfiguration of chemical feed modifications and improve the structural stability of the basins.

As part of the process transition to enhanced coagulation and biologically active filters, the disinfectant feed location is moved from before flocculation to after filtration. Recent testing associated with the overall treatment strategy changes revealed a hydraulic mixing deficiency in the flumes between the filters and the clearwells. The existing hydraulics do not achieve adequate mixing to ensure the complete incorporation of the chloramine disinfectant. The best solution is the installation of two static mixers in each of the two flumes. A static mixer is a custom designed combination of plates that induces mixing in the flume as the water flows through it in the flume. One mixer in each flume will be installed at the point where chlorine will be added with the second mixer in each flume installed where the ammonia will be added. A total of four static mixers will be installed at the Eastside Water Treatment Plant as part of this change.

BACKGROUND (Continued)

The contractor for the flocculation and sedimentation basin project is highly qualified to install the mixers being the original constructor of the flumes on a current project associated with the water quality improvements at Eastside Water Treatment Plant, and has submitted an acceptable proposal for the purchase and installation of these mixers. Installation of these mixers requires restrictions to the plant operation and coordination of this work during the lowest demand period will allow installation of the mixers without impacting the overall system and achieve water quality goals by improving the biological stability of the water prior to summer 2015.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2012
Completed Design	May 2014
Begin Construction	February 2015
Complete Construction	July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Black & Veatch Corporation to provide engineering services for the Eastside Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1639.

Authorized Supplemental Agreement No. 1 to the professional services contract with Black & Veatch Corporation for additional engineering design services for the Eastside Water Treatment Plant water quality improvements on June 22, 2011, by Resolution No. 11-1737.

Authorized Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant on October 24, 2012, by Resolution No. 12-2673.

Authorized a contract with Oscar Renda Contracting, Inc. for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant on September 10, 2014, by Resolution No. 14-1485.

FISCAL INFORMATION

$782,937.00 - Water Utilities Capital Improvement Funds

Study	$ 2,047,315.00
Supplemental Agreement No. 1	$ 3,995,000.00
Supplemental Agreement No. 2	$ 4,175,570.00
Construction Contract	$79,259,374.00
Change Order No. 1 (this action)	$ 782,937.00
Total Project Cost	$90,260,196.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Oscar Renda Contracting, Inc.

Hispanic Female	5	Hispanic Male	295
Black Female	1	Black Male	21
Other Female	0	Other Male	0
White Female	12	White Male	117

OWNER

Oscar Renda Contracting, Inc.

Oscar Renda, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Not to exceed $782,937, from $79,259,374 to $80,042,311 - Financing: Water Utilities Capital Improvement Funds

Oscar Renda Contracting, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$782,937.00	100.00%
TOTAL THIS ACTION	$782,937.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

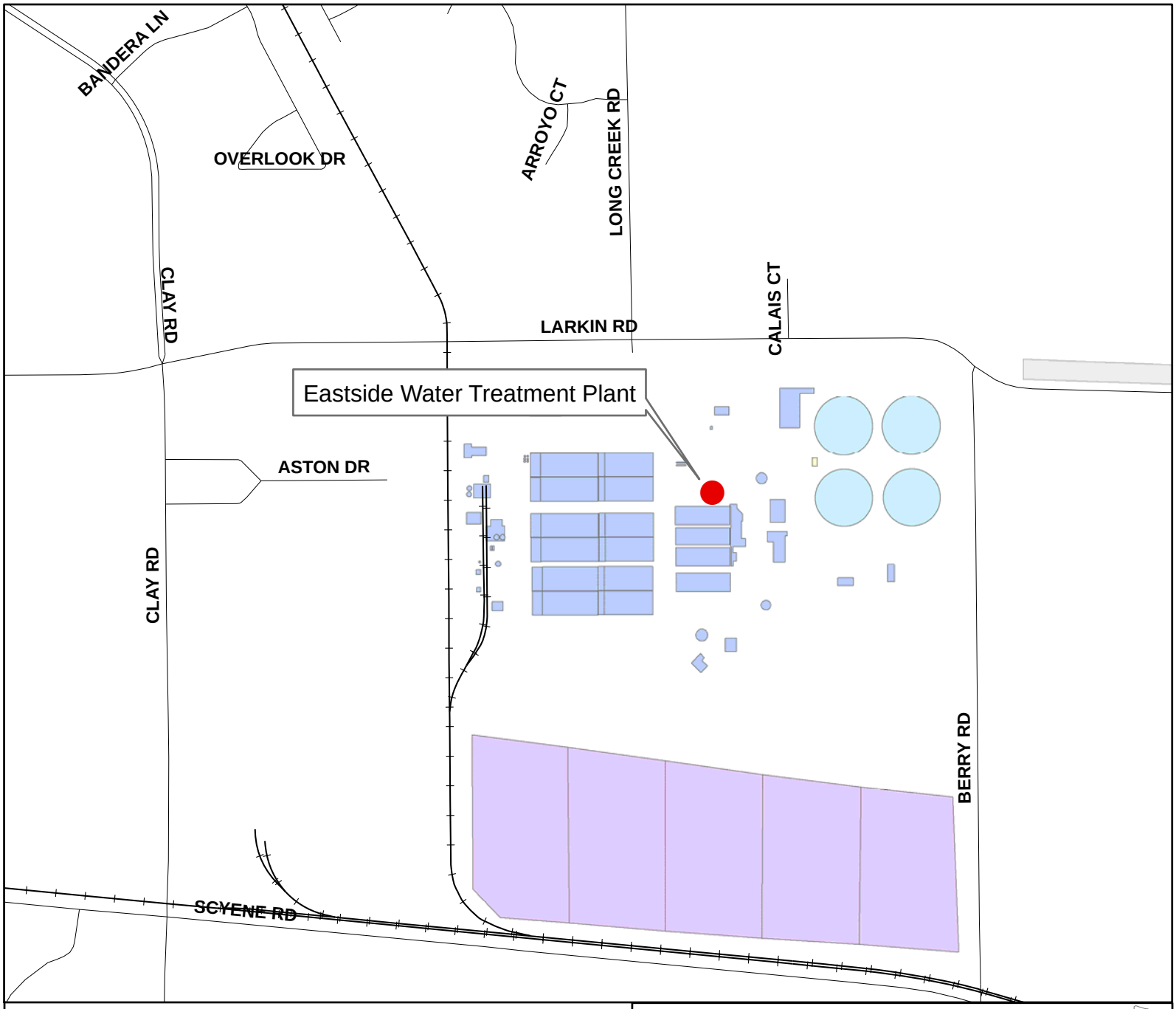
None

Non-Local Contractors / Sub-Contractors

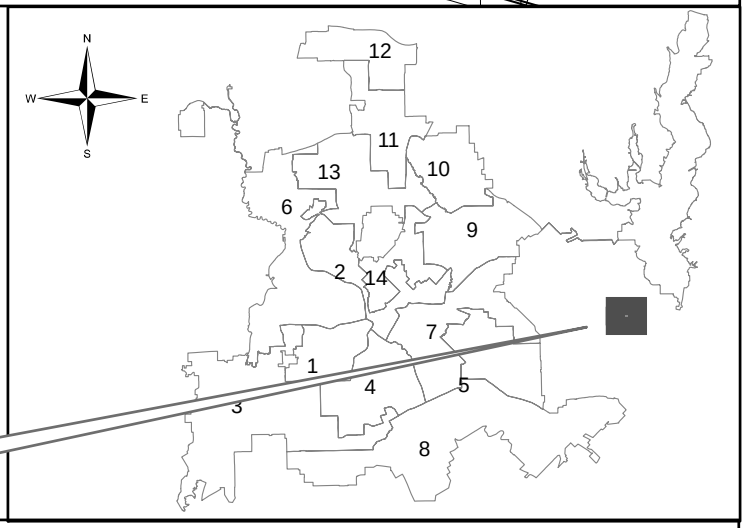
None

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%	$13,215,000.00	16.51%
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%	$7,875,000.00	9.84%
Total	$0.00	0.00%	$21,090,000.00	26.35%



Mapsco: 50A N, S, T



Council District: Outside City Limits

Dallas Water Utilities
Contract No. 14-305, Change Order No. 1
Eastside Water Treatment Plant
Flocculation and Sedimentation Basin Improvements

January 28, 2015

WHEREAS, on September 10, 2014, the City Council awarded Contract No. 14-305 in the amount of $79,259,374.00, by Resolution No. 14-1485, to Oscar Renda Contracting, Inc., for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant; and,

WHEREAS, additional work has been identified as necessary for the water quality improvements at the Eastside Water Treatment Plant; and,

WHEREAS, Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 14-305 be increased by $782,937.00, from $79,259,374.00 to $80,042,311.00.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 14-305 with Oscar Renda Contracting, Inc., be revised accordingly.

Section 2. That the City Controller is hereby authorized to pay the amount of $782,937.00 from the Water Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3115	DWU	PW32	4320	714305	CT-DWU714305CP	244607

Oscar Renda Contracting, Inc. - (Contract No. 14-305) - $782,937.00

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 # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 11

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 25 R

SUBJECT

Authorize Supplemental Agreement No. 2 to the engineering services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering design services related to improvements to the Walcrest Pump Station and reservoir - Not to exceed $1,234,117, from $2,430,831 to $3,664,948 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Walcrest Pump Station and reservoir located at the northeast corner of Hillcrest Road and Walnut Hill Lane have been in service since 1954 and have reached the end of their useful life. The original scope of services awarded to Nathan D. Maier Consulting Engineers, Inc. included the design of a new pump station, with structural and regulatory compliance evaluations for the rehabilitation of the existing reservoir. Results of the reservoir's evaluation determined it would be more economical to replace the reservoir so supplemental agreement no. 1 was awarded to the consultant for the design of a new reservoir. The reservoir design included new regulatory requirements that resulted in a partially above grade structure and a sloped roof with an elevation approximately 17 feet taller than the existing facility.

This action will award Supplemental Agreement No. 2 for additional preliminary design services to develop multiple concepts for consideration and the resulting final design changes for a pump station and reservoir that meets all regulatory requirements as set forth by TCEQ, as well as, additional work to meet rezoning requirements for the property per City codes. Also included are design changes that incorporates comments from the neighborhood and homeowner association groups that collaborated with Dallas Water Utilities to minimize the visual exposure of the new facility, enhance landscape appearance around the perimeter of the site, and increase setback to adjacent residences.

BACKGROUND (Continued)

The Walcrest Pump Station and Reservoir is a 20 million gallon potable water ground storage reservoir with an associated pump station with a pumping capacity of approximately 90 million gallons per day. The Walcrest Pump Station provides water to approximately 200,000 citizens within the central and northern portions of Dallas and also functions to support stable water pressures within the Central Business District.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2009
Complete Design	May 2015
Begin Construction	October 2015
Complete Construction	October 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering services for design improvements to the Walcrest Pump Station on March 25, 2009, by Resolution No. 09-0842.

Authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services for design improvements to the Walcrest Pump Station on June 13, 2012, by Resolution No. 12-1559.

FISCAL INFORMATION

$1,234,116.08 - Water Utilities Capital Improvement Funds

Design	$2,051,750.00
Supplemental Agreement No. 1	$ 379,081.28
Supplemental Agreement No. 2 (this action)	$1,234,116.08
Total Project Cost	$3,664,947.36

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Nathan D. Maier Consulting Engineers, Inc.

Hispanic Female	1	Hispanic Male	2
Black Female	0	Black Male	1
Other Female	0	Other Male	1
White Female	10	White Male	28

OWNER

Nathan D. Maier Consulting Engineers, Inc.

Jean Maier Dean, P.E., President and Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the engineering services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering design services related to improvements to the Walcrest Pump Station and reservoir - Not to exceed $1,234,117, from $2,430,831 to $3,664,948 - Financing: Water Utilities Capital Improvement Funds

Nathan D. Maier Consulting Engineers, Inc. is a local, 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$1,234,116.08	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$1,234,116.08	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

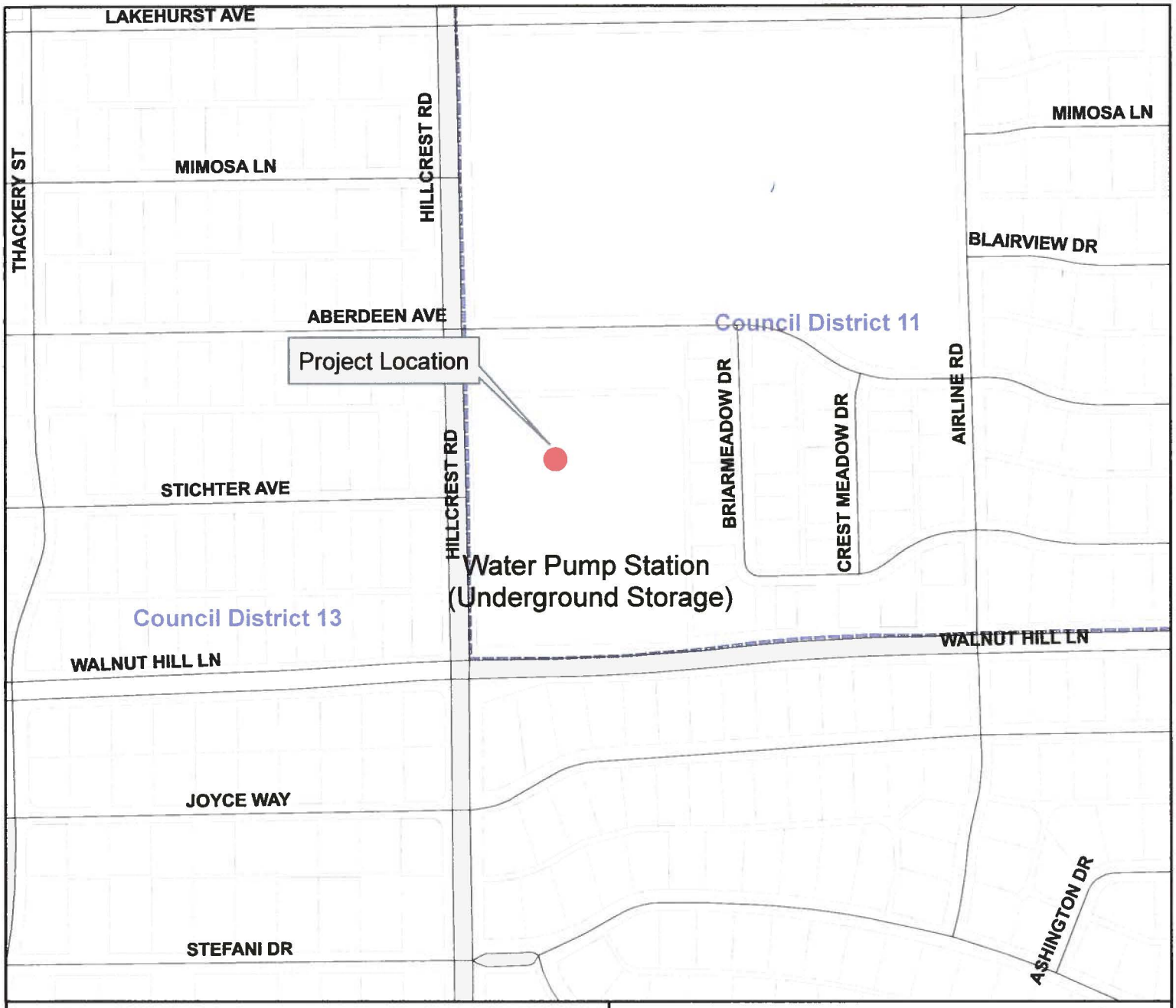
Local	Certification	Amount	Percent
Alliance Geotechnical Group, Inc.	BMDB59500Y1214	$13,000.00	1.05%
Camargo Copeland Architects, LLP	HFDB63120Y0915	$84,104.00	6.81%
Gojer-McCreary, Inc.	HMDB63185Y0915	$29,300.00	2.37%
JQ Infrastructure, LLC	IMDB62600Y0715	$118,930.00	9.64%
Nathan D. Maier Consulting Engineers, Inc.	WFWB62783Y0816	$744,896.08	60.36%
Caye Cook & Associates	WFWB62079Y0616	$52,260.00	4.23%
Total Minority - Local		$1,042,490.08	84.47%

Non-Local Contractors / Sub-Contractors

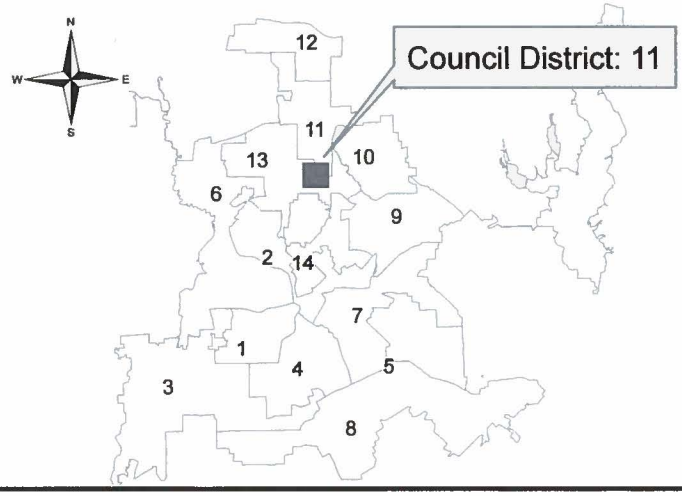
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$13,000.00	1.05%	$90,100.00	2.46%
Hispanic American	$113,404.00	9.19%	$411,894.00	11.24%
Asian American	$118,930.00	9.64%	$427,635.20	11.67%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$797,156.08	64.59%	$2,380,180.16	64.94%
Total	$1,042,490.08	84.47%	$3,309,809.36	90.31%



Mapsco: 25 R



Dallas Water Utilities
Contract No. 08-091E, Supplemental Agreement No. 2
Walcrest Pump Station Improvements

January 28, 2015

WHEREAS, on March 25, 2009, the City Council awarded Contract No. 08-091E in the amount of $2,051,750.00, by Resolution No. 09-0842, to Nathan D. Maier Consulting Engineers, Inc., to provide engineering services for design improvements to the Walcrest Pump Station; and,

WHEREAS, on June 13, 2012, the City Council awarded Supplemental Agreement No. 1, in the amount of $379,081.28, by Resolution No. 12-1559, to Nathan D. Maier Consulting Engineers, Inc., to provide additional engineering services for design improvements to the Walcrest Pump Station; and,

WHEREAS, the consultant must conduct additional investigation, analyses and design of the reservoir and pump station site layout as it relates to the constructability, operation and regulatory requirements to determine the effect of the new configuration; and,

WHEREAS, Nathan D. Maier Consulting Engineers, Inc., 8080 Park Lane, Suite 600, Dallas, Texas 75231, has submitted an acceptable proposal to provide these engineering services; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 08-091E be increased by $1,234,116.08, from 2,430,831.28 to $3,664,947.36.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 2 be accepted and that Contract No. 08-091E with Nathan D. Maier Consulting Engineers, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of $1,234,116.08 from the Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
2115	DWU	PW40	4111	708091	CT-DWU708091CP	192659

Nathan D. Maier Consulting Engineers, Inc. - (Contract No. 08-091E) - $1,234,116.08

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 # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

An ordinance amending Chapters 27 and 49 of the Dallas City Code, providing for civil adjudication of violations of Chapter 49-2 and for civil penalties, fees, and court costs - Financing: No cost consideration to the City

BACKGROUND

In 2013, the State Legislature passed S.B. No. 654, which allows civil enforcement of water conservation and animal control ordinances by amending Section 54 of the Local Government Code. This amendment gives local governments the ability to issue civil citations instead of criminal citations for violations of water conservation and animal control ordinances. The proposed changes for water conservation violations include:

Amending Chapter 27 of the Dallas City Code to:

- Affirm that administrative penalties will not be assessed in addition to civil penalties for violations of Chapter 49-21.1

Amending Chapter 49 of the Dallas City Code to:

- Include an alternative to imposing criminal penalties for violations of Chapter 49-21.1 by authorizing civil penalties, fees and court costs
- Include a culpable mental state requirement as governed by Section 1-5.1

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed on Drought Status which included code changes to allow for civil enforcement of water conservation ordinance violations on January 7, 2015.

FISCAL INFORMATION

No cost consideration to the City

11-14-14

ORDINANCE NO. _____

An ordinance amending Sections 27-16.16, 27-16.18, 27-16.21, and 27-16.23 of Chapter 27, "Minimum Urban Rehabilitation Standards," and Section 49-2 of Chapter 49, "Water and Wastewater," of the Dallas City Code, as amended; providing civil alternative adjudication procedures for prosecuting violations of the city's water conservation regulations; providing a penalty not to exceed $2,000; 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 Subsection (b) of Section 27-16.16, "Failure to Appear at an Administrative Hearing," of Article IV-b, "Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(b) The hearing officer shall assess an additional $36 administrative penalty for each violation <u>(other than a violation of Section 49-21.1 of this code)</u> for which a person is found liable, which amount will be placed in the Dallas Tomorrow Fund or the Dallas Animal Welfare Fund, as applicable. In no case may the total amount of administrative penalties assessed against a person for a violation exceed the maximum penalty established by city ordinance for the particular violation."

SECTION 2. That Subsection (g) of Section 27-16.18, "Hearing for Disposition of an Administrative Citation; Citation as Rebuttable Proof of Offense," of Article IV-b, "Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(g) The hearing officer shall assess an additional $36 administrative penalty for each violation (other than a violation of Section 49-21.1 of this code) for which a person is found liable, which amount will be placed in the Dallas Tomorrow Fund or the Dallas Animal Welfare Fund, as applicable. In no case may the total amount of administrative penalties assessed against a person for a violation exceed the maximum penalty established by city ordinance for the particular violation."

SECTION 3. That Subsection (b) of Section 27-16.21, "Disposition of Administrative Penalties, Fees, and Court Costs," of Article IV-b, "Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(b) From the administrative penalties assessed under this article, $36 for each violation (other than a violation of Section 49-21.1 of this code) for which a person is found liable must be deposited into the Dallas Tomorrow Fund established in Section 27-16.22 of this article or the Dallas Animal Welfare Fund established under Section 7-8.4 of Chapter 7 of this code, as applicable."

SECTION 4. That Subsection (b) of Section 27-16.23, "Administration of the Dallas Tomorrow Fund," of Article IV-b, "Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(b) To be eligible to receive funds from the Dallas Tomorrow Fund, a person must:

(1) have been found liable for an administrative offense under this article (other than a violation of Chapter 7 or Section 49-21.1 of this code);

(2) have been found by a hearing officer under Section 27-16.19 to be financially unable to comply with an administrative order issued under this article;

(3) not qualify for other home repair or rehabilitation assistance available through the city;

(4) file a request with the Dallas Tomorrow Fund administrator for the purpose of rehabilitating and/or repairing the person's property or premises until it complies with the administrative order; and

(5) not have received funds from the Dallas Tomorrow Fund within the preceding 60 months."

SECTION 5. That Subsection (b), "Civil Jurisdiction," of Section 49-2, "Chapter Enforcement," of Article I, "General," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

"(b) Civil jurisdiction.

(1) As an alternative to imposing the applicable criminal penalty prescribed in Subsection (d), the city may, as authorized by Section 54.044 of the Texas Local Government Code, impose administrative penalties, fees, and court costs in accordance with Article IV-b of Chapter 27 of this code for an offense under Section 49-21.1 of this chapter. The alternative administrative penalty range for an offense is the same as is prescribed for an offense in Subsection (d). The provisions of Article IV-b of Chapter 27 of this code pertaining to financial inability to comply with an administrative order do not apply to violations of this chapter.

(2) This chapter may be enforced by civil court action as provided by state and federal law."

SECTION 6. That Subsection (e), "Culpability," of Section 49-2, "Chapter Enforcement," of Article I, "General," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

"(e) Culpability.

(1) A person is criminally responsible for a violation of this chapter if the person:

(A[~~1~~]) commits or assists in the commission of a violation; or

(B[~~2~~]) is a customer, owner, tenant, permittee, or other person in control of the premises determined to be the source of a violation.

(2) The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code."

SECTION 7. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 8. That Chapters 27 and 49 of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former laws are continued in effect for that purpose.

SECTION 9. 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 10. 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:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

AGENDA ITEM # 44

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water – Mosaic Crop Nutrition, LLC, lowest responsible bidder of three – Not to exceed $1,060,800 - Financing: Water Utilities Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will provide hydrofluosilicic acid (fluoride) for the treatment of potable water as required by Resolution No. 65-4383, on August 9, 1965 to fluoridate drinking water at all three purification plants.

Water Utilities provides service to an estimated 2.3 million people in Dallas and surrounding communities. On average, the City pumps over 410 million gallons of fresh water per day.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 30.60% decrease over comparable unit prices for the bid awarded in 2012.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 380 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses the internet, and vendor contact information obtained from user departments to contact additional vendors by phone.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On January 12, 2011, City Council authorized a one-year master agreement for the purchase of hydrofluosilicic acid (fluoride) to be used for the treatment of potable water by Resolution No. 11-0155.

On January 11, 2012, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water by Resolution No. 12-0120.

This item was deferred on December 10, 2014, by Councilmember Sheffield Kadane.

FISCAL INFORMATION

$1,060,800.00 - Water Utilities Current Funds

M/WBE INFORMATION

38 - Vendors contacted
38 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

380 - M/WBE and Non-M/WBE vendors were contacted

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.

ETHNIC COMPOSITION

Mosaic Crop Nutrition, LLC

White Male	204	White Female	124
Black Male	6	Black Female	16
Hispanic Male	15	Hispanic Female	16
Other Male	12	Other Female	8

BID INFORMATION

The following bids were received from solicitation number BP1503 and opened on October 30, 2014. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount of Bid
*Mosaic Crop Nutrition, LLC	13830 Circa Crossing Dr. Lithia, FL 33547	$1,060,800.00
Pencco, Inc.	831 Bartlett Rd. Sealy, TX 77474	$1,166,400.00
Key Chemical, Inc.	9503 Dovewood Pl. Waxhaw, NC 28173	$1,435,248.00

OWNER

Mosaic Crop Nutrition, LLC

James T. Prokopanko, President
Richard N. McLellan, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water – Mosaic Crop Nutrition, LLC, lowest responsible bidder of three – Not to exceed $1,060,800 - Financing: Water Utilities Current Funds

Mosaic Crop Nutrition, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$1,060,800.00	100.00%
TOTAL CONTRACT	$1,060,800.00	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%

January 28, 2015

WHEREAS, on January 12, 2011, City Council authorized a one-year master agreement for the purchase of hydrofluosilicic acid (fluoride) to be used for the treatment of potable water by Resolution No. 11-0155; and,

WHEREAS, on January 11, 2012, City Council authorized a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water by Resolution No. 12-0120;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water is authorized with Mosaic Crop Nutrition, LLC (VS0000066954) for a term of three years in an amount not to exceed $1,060,800.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for hydrofluosilicic acid to be used for the treatment of potable water. If a written contract is required or requested for any or all purchases of hydrofluosilicic acid to be used for the treatment of potable water under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $1,060,800.00.

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 # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45-K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge, or tavern on property zoned a CA-1 Central Area District with an H/2 West End Historic District Overlay on the south corner of Munger Avenue and Lamar Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z134-278(AF)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z134-278(AF) **DATE FILED:** June 20, 2014

LOCATION: South corner of Munger Avenue and Lamar Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45-K

SIZE OF REQUEST: Approx. 0.22 acres **CENSUS TRACT:** 21.00

REPRESENTATIVE: Santos Martinez, Masterplan

APPLICANT / OWNER: West End API, Ltd.

REQUEST: An application for a Specific Use Permit for a bar, lounge, or tavern on property zoned a CA-1 Central Area District with an H/2 West End Historic District Overlay.

SUMMARY: The purpose of the SUP is to open an alcohol beverage establishment on the first floor of a three-story building. The building is located at the northern portion of the West End Entertainment District.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approva**l for a three-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The integration of a 10,000-square-foot bar, lounge, or tavern is compatible with the surrounding land uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The subject site is located within the West End District, known to be a historic, cultural and entertainment with retail and residential. The opening of a bar in the area has the ability to attract patrons and form a connection to the increased development that has been seen over the recent years in the Downtown/Uptown area.

3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the business.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

Zoning History: There have been four recent zoning changes requested in the area.

1. **Z101-241** On May 31, 2011, the City Council approved the renewal of Specific Use Permit No. 1638 for a five-year period with automatic renewals for additional five- year periods for an Alcoholic beverage establishment limited to a bar, lounge, or tavern.

2. **Z101-275** On August 24, 2012, the City Council approved Specific Use Permit No. 1643 for a five-year period with automatic renewals for additional five-year periods for an Alcoholic Beverage Establishment limited to a bar, lounge, or tavern.

3. **Z090-157** On April 10, 2013, the City Council approved Specific Use Permit No. 1803 for a five-year period with automatic renewals for additional five-year periods for an Open Enrollment Charter School.

4. **Z145-109** On October 17, 2014, an application for a Specific Use Permit for an Alcoholic Beverage Manufacturer was submitted. The tentative City Plan Commission Date is January 8, 2015.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Lamar Street	Principal Arterial	Variable	Variable
Munger Avenue	Minor Arterial	50 ft.	50ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed SUP will not have a negative impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	CA-1 (A)	Undeveloped, Mixed Use, Office/Retail
North	CA-1 (A)	Staging area, Restaurant,
South	CA-1 (A)	Hotel
East	CA-1 (A)	Parking Lot
West	CA-1 (A)	Mixed Use, Restaurant/Retail

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 in Downtown.

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas region and to continually reinvent itself to maintain its competitive advantage.

AREA PLAN: Downtown Dallas 360 (or simply "the 360 plan") was born out of the need to bolster and support development and investment in the core city, identified as the area within the existing freeway "loop" (also referred to as the Central Business District, or CBD). The plan's main purpose is to cultivate a shared vision for Downtown's future and provide strategic implementation actions for achieving that vision. While the plan is

a long-term, strategic vision for how to ensure that Downtown Dallas is a vibrant urban center, it provides clear, targeted recommendations that can be implemented over a relatively short timeframe.

Specifically, a major goal is to identify and prioritize capital spending to be secured with the issue of future City of Dallas bond funds, currently scheduled for 2012, that will demonstrate tangible, direct implementation of the 360 plan.

Situated along what the plan calls the Lamar Corridor, the West End is envisioned to be an entry point to many of the historic and cultural resources in the area. The plan proclaims there is a tremendous opportunity for the corridor to create a Great, Entertainment, Cultural, and Shopping Experience for Visitors and Residents.

STAFF ANALYSIS:

Land Use Compatibility: The building is occupied by office space on the second and third floors. The first floor is currently vacant. Previously, the first floor was used as a restaurant. The property is adjacent to a large parking lot and surrounded by office space with a hotel on the south side. The surrounding area consists of a mix of office and retail uses, supported by surface parking areas. Known as an entertainment district/destination location, a new bar in the area can serve to compliment the other uses in the area.

Located within a quarter of a mile of the site are two more SUP's for a bar, lounge, or tavern, both with a five-year time period and automatic renewals. SUP No. 1638 is located at 1701 North Market St. and set to expire in August 2016. SUP No. 1643 is located at 1801 North Lamar is set to expire in September 2016.

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.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CA-1	0	5 feet for duplex structures 10 feet for multifamily structures 36 feet or less in height no minimum in all other cases	20	Any legal height	100%	Minimum 10-foot seback is required in CA-1(A)-CP and CA-1(A)-SP district and is measured from street curb	Mixed Use

Landscaping: There are no major changes to the outside of the building; hence, it will not trigger any requirements under Article X.

CPC Action (December 18, 2014)

Motion: It was moved to recommend **approval** for Specific Use Permit for a bar, lounge, or tavern on property zoned a CA-1 Central Area District with an H/2 West End Historic District Overlay on the south corner of Munger Avenue and Lamar Street for a three-year period, subject to a site plan and conditions.

Maker: Ridley
Second: Shidid
Result: Carried: 14 to 0 with 1 abstaining (Abtahi)

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 16
Replies: For: 2 Against: 0

Speakers: For: Santos Martinez, 900 Jackson #640, Dallas, 75202
Against: None

Owner:
West End API, Ltd
Robert Lavie, General Partner

EXISTING/PROPOSED CONDITIONS
Z134-278

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern.

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 _____ (3 years)

4. FLOOR AREA: The maximum floor area is limited to 10,000 square feet.

5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge or tavern use may only operate Monday thru Sunday (7 days a week). 10:00 a.m. to 2:00 a.m.

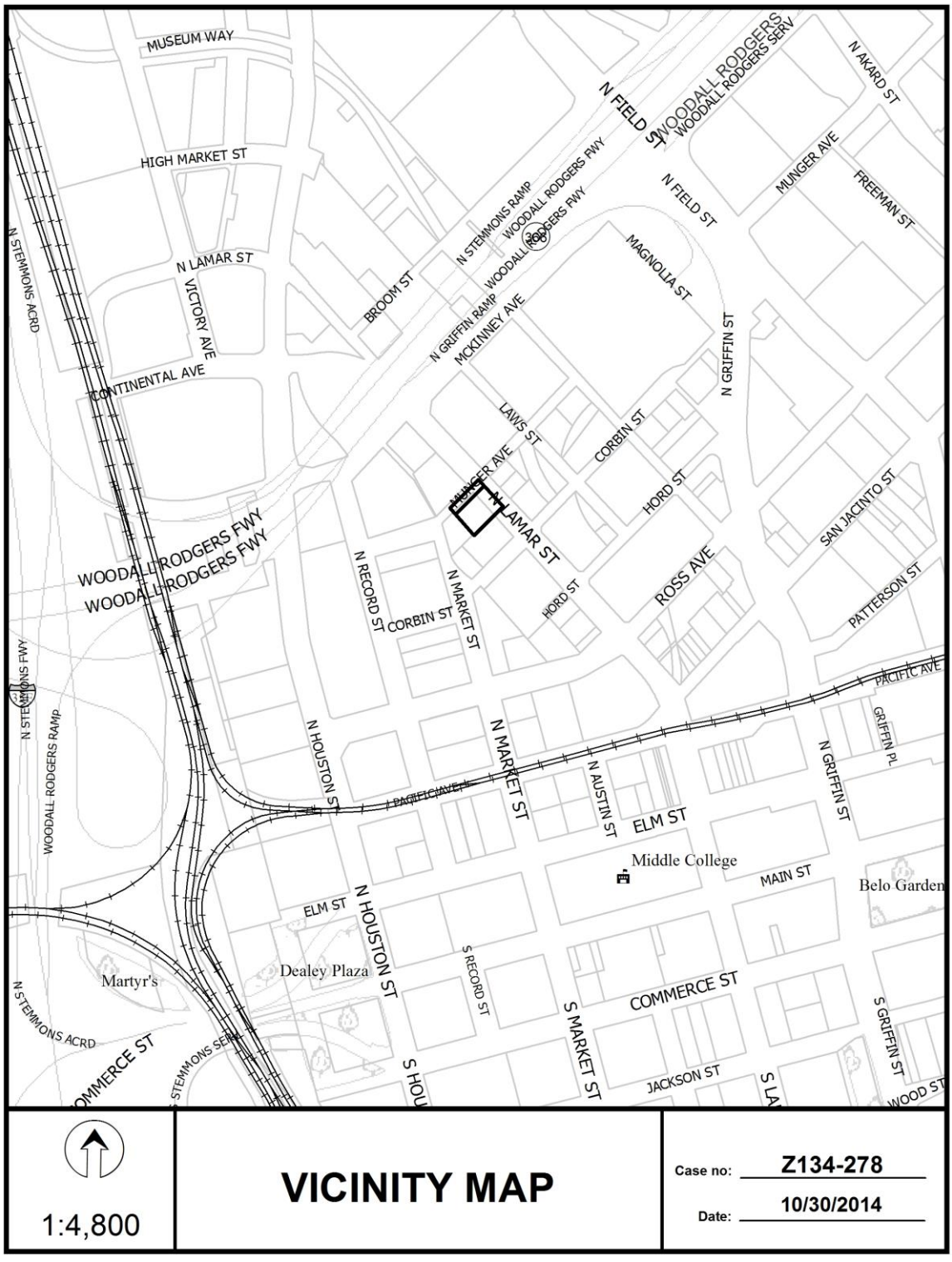
6. OUTSIDE SPEAKERS: Outdoor speakers are prohibited.

7. OUTSIDE STORAGE: Outside storage of silos or containers of spent grain is not permitted.

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. 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

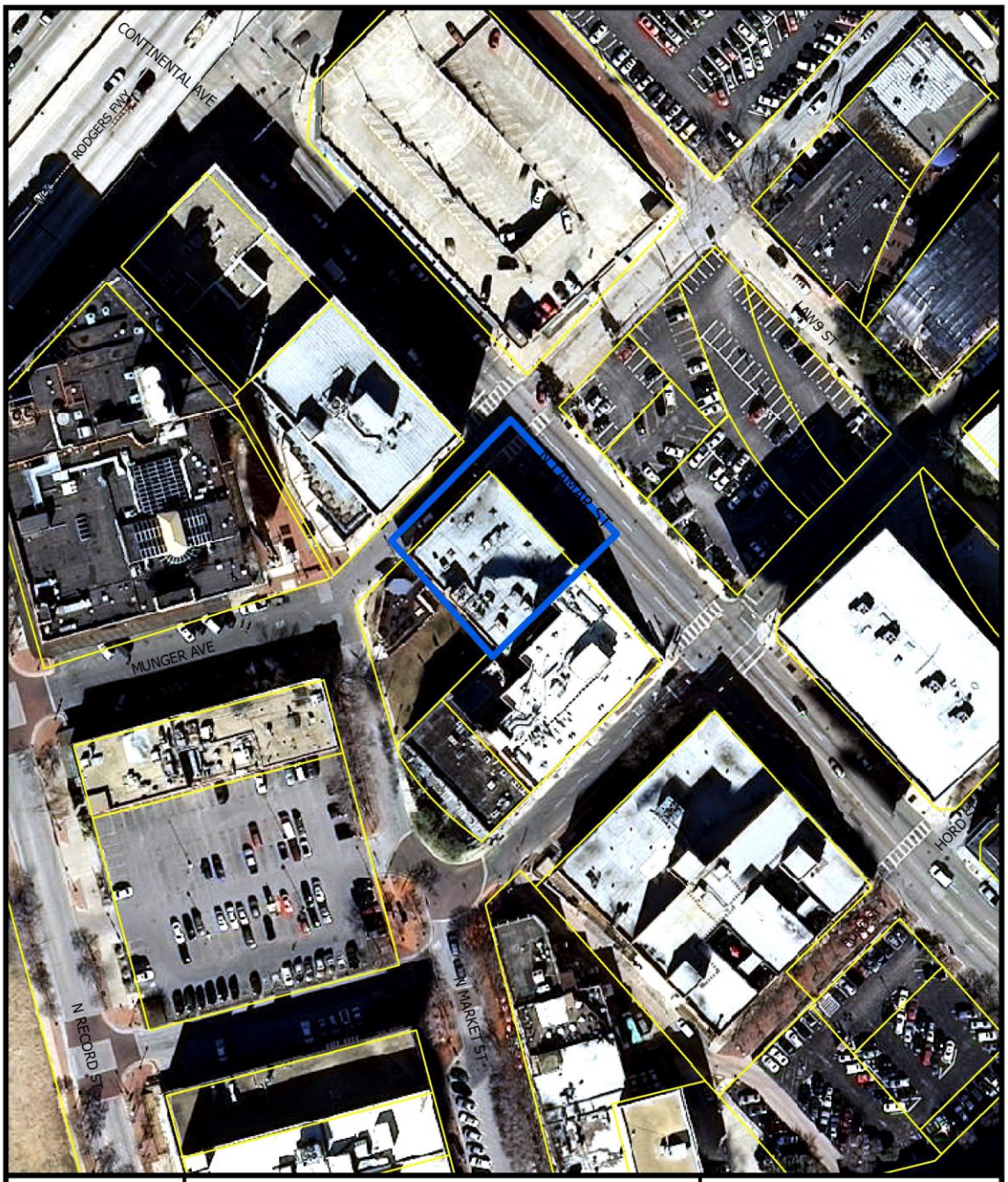


1:4,800

VICINITY MAP

Case no: Z134-278

Date: 10/30/2014

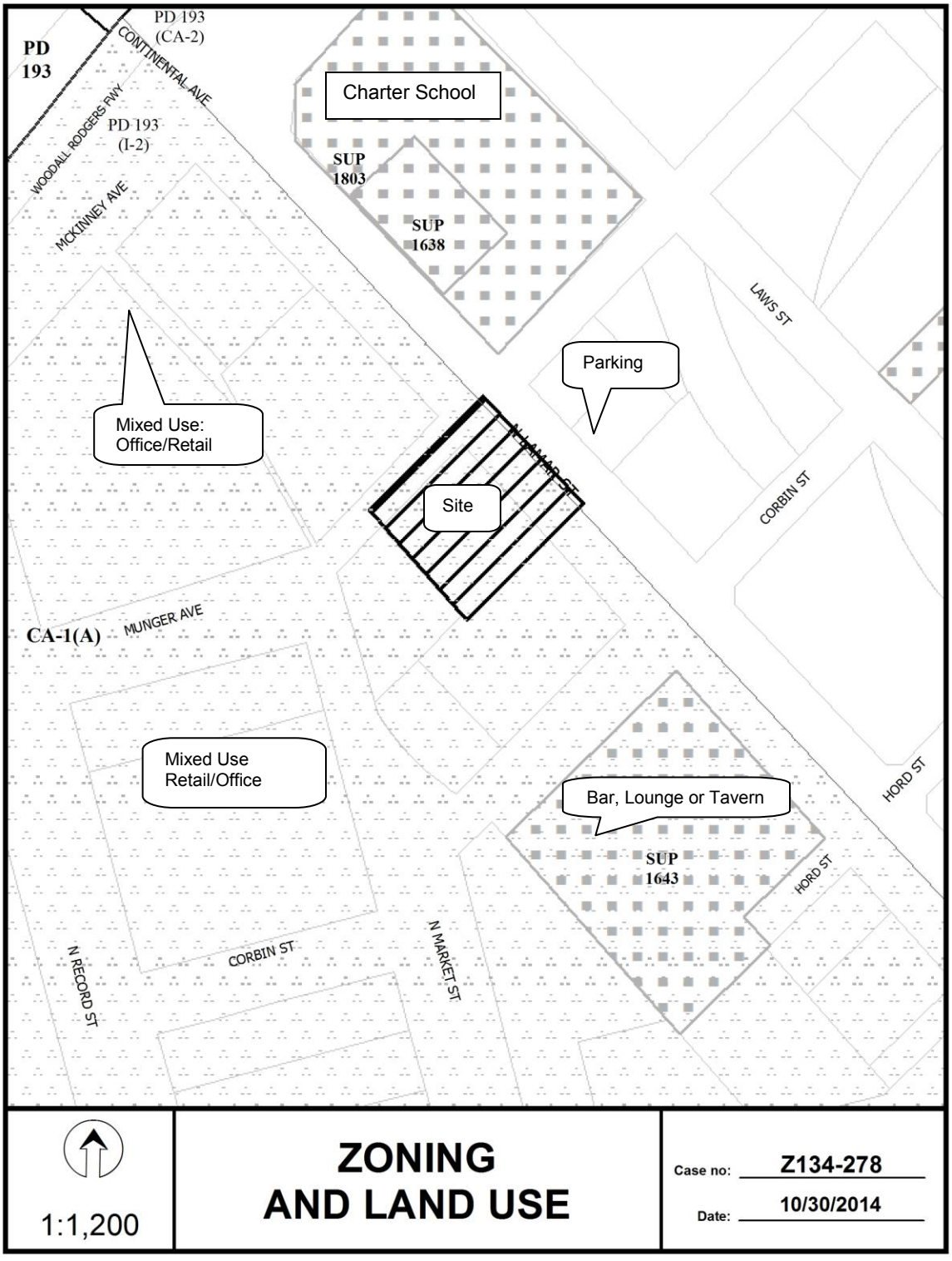


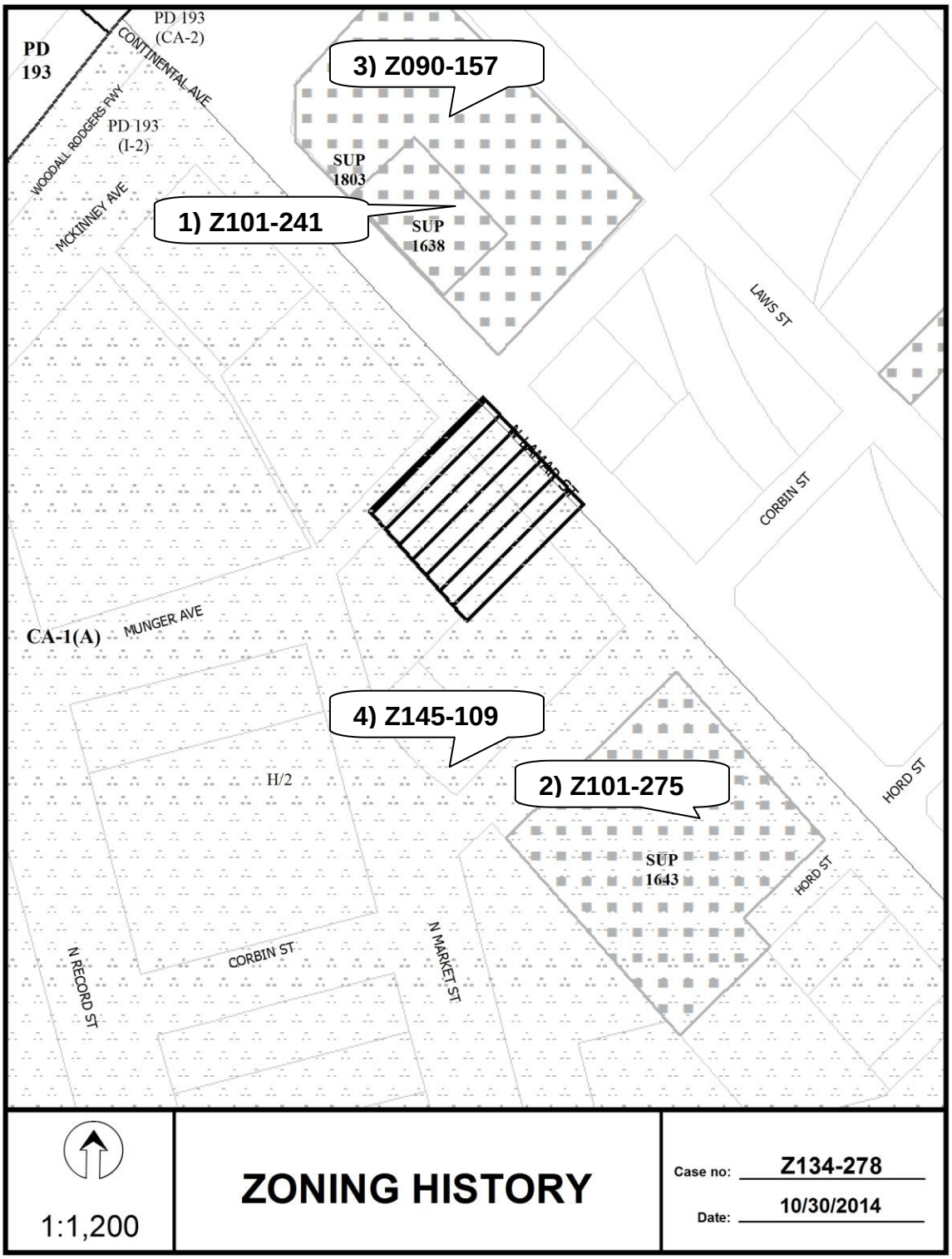
1:1,200

AERIAL MAP

Case no: Z134-278

Date: 10/30/2014


PD 193
PD 193 (CA-2)
CONTINENTAL AVE
WOODALL RODGERS FWY
PD 193 (I-2)
MCKINNEY AVE
Charter School
SUP 1803
SUP 1638
LAWS ST
Parking
Mixed Use: Office/Retail
HAMMAR ST
Site
CORBIN ST
CA-1(A)
MUNGER AVE
Mixed Use Retail/Office
HORD ST
Bar, Lounge or Tavern
SUP 1643
HORD ST
N RECORD ST
CORBIN ST
N MARKET ST
1:1,200
ZONING AND LAND USE
Case no: Z134-278
Date: 10/30/2014


PD 193
(CA-2)
PD 193
CONTINENTAL AVE
WOODALL RODGERS FWY
PD 193
(I-2)
MCKINNEY AVE
3) Z090-157
SUP
1803
1) Z101-241
SUP
1638
LAWS ST
HAMMOND ST
CORBIN ST
CA-1(A)
MUNGER AVE
4) Z145-109
H/2
2) Z101-275
SUP
1643
HORD ST
HORD ST
N RECORD ST
CORBIN ST
N MARKET ST
1:1,200
ZONING HISTORY
Case no: Z134-278
Date: 10/30/2014


LAMAR ST
GRIFFIN RAMP
CONTINENTAL AVE
GRIFFIN ST
WOODALL RODGERS FWY
MCKINNEY AVE
LAMAR ST
LAWS ST
MUNGER AVE
CORBIN ST
MARKET ST
RECORD ST
HORD ST
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
16 Property Owners Notified (19 parcels)
2 Replies in Favor (2 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
12/18/2014 Date
Z134-278
CPC
N
W
E
S
1:1,200

12/19/2014

Reply List of Property Owners

Z134-278

16 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
O	1	1911	LAMAR ST	WEST END API LTD
	2	1910	LAMAR ST	CITY PARK A LOT LP
	3	1901	LAWS ST	CHAVEZ ACQUISITIONS LP
	4	1902	LAMAR ST	CHAVEZ ACQUISITIONS LP
	5	911	CORBIN ST	CHAVEZ ACQUISITIONS LP
	6	1907	LAMAR ST	BRE SELECT HOTELS TX LP
	7	1802	MARKET ST	SOUTHWEST ADVISORY SERVICES LLC
	8	1815	MARKET ST	USRP FUNDING 2001 A LP
	9	701	ROSS AVE	MARKET ROSS LTD
	10	2019	LAMAR ST	ARENA PARTNERS LP
	12	1801	LAMAR ST	ARI LANDMARK CENTER LP
	13	2020	LAMAR ST	2020 GARAGE LAND LP
	14	607	CORBIN ST	LAZ LA III TX 1 LP
	15	2001	LAMAR ST	703 MCKINNEY LP
	16	1800	LAMAR ST	UNITED WAY OF
O	A1	603	MUNGER AVE	MARKET STREET DEV LTD

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 17-X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District with deed restrictions, on the northeast line of LBJ Freeway, northwest of Forest Lane

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions

Z145-112(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z145-112(WE) **DATE FILED:** October 20, 2014

LOCATION: Northeast line of LBJ Freeway, northwest of Forest Lane

COUNCIL DISTRICT: 10 **MAPSCO:** 17-X

SIZE OF REQUEST: Approx. 5.16 acres **CENSUS TRACT:** 190.35

REPRESENTATIVE: Robert Reeves, Robert Reeves & Associates, Inc.

APPLICANT: Cornerstone Development Company

OWNER: F & D Ventures, L.P.

REQUEST: An application for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District with deed restrictions.

SUMMARY: The purpose of this request is to allow for the construction of seven, one-story buildings with mini-warehouses on 5.16 acres of land. The proposed development will consist of approximately 94,475 square feet of storage space which will include a 1,130 square foot office. The site currently has two sets of deed restrictions. One set of restrictions prohibits non-premise signs and limits the square footage of each detached sign on site. The effective area of each detached, premise sign shall not exceed 500 square feet. The second set of restrictions limits the structure height to ten stories, not to exceed a height of 150 feet and a floor area ratio of 1.5 to 1. There are no changes to the existing deed restrictions and the deed restrictions will remain with the property.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed mini-warehouse use is compatible with the surrounding uses which consist of lodging, hotel or motel, office, and mini-warehouse uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will have no impact on the street system.

3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

- In February 2003, the City Council approved Specific Use Permit 1504 for mini-warehouse uses for a ten-year period with eligibility for automatic renewals for additional ten-year periods on the subject site. The site was never developed with this land use.

Zoning History: There is one recent zoning case in the area, which is pending.

(1) Z134-306 An application for a Planned Development District for single family uses on property zoned an NO(A) Neighborhood Office District with deed restrictions. This case has not been scheduled for consideration by the City Plan Commission.

Land Use:

	Zoning	Land Use
Site	CR w/deed restrictions	Undeveloped
North	NO(A) w/deed restrictions, SUP 1794, MU-1 w/SUP No. 1727	Surface parking, undeveloped, cellular tower, hospital, limited to a special hospital licensed by the State of Texas
South	CR w/deed restrictions	Undeveloped
East	GO(A) w/deed restrictions, SUP No. 1404 w/ deed restrictions	Lodging, Hotel or motel
West	MU-1 w/deed restrictions	Office

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 in Commercial Center or Corridor Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan.* The *forwardDallas! Plan* is a guide to the future development in the City of Dallas.

Commercial Centers or Corridors

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The site's configuration and the access from the mutual access easement may restrict the various types if retail and office development that could be developed on this site. In order mitigate potential concerns with compatibility with surrounding uses, the applicant has limited the proposed development to several one-story units and will construct the mini-warehouse development with a minimum of 80 percent of the following materials: brick, stone, decorative concrete blocks or tile, excluding doors and windows. In addition, the development will be secured with a fence and will operate between the hours of 8:00 a.m. and 7:00 p.m., Monday and Saturday and between 9:00 a.m. and 5:00 p.m. on Sunday.

The request site has frontage on the LBJ frontage Road and the mutual access easement and is adjacent to a lodging use to the east. The property north and west of the request site, across the mutual access easement, is developed with several offices, a cellular communication tower, surface parking and an undeveloped tract of land.

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					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
LBJ Frontage Road	TxDOT Freeway	Variable lane widths	Variable lane widths

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking: The off-street parking requirement for a mini-warehouse use is a minimum of six spaces. Spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent.

CPC Action (December 18, 2014)

Motion: It was moved to recommend **approval** for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District with deed restrictions on the northeast line of LBJ Freeway, northwest of Forest Lane for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions to a site plan and conditions.

Maker: Abtahi
Second: Shidid
Result: Carried: 10 to 0

For: 10 - Anglin, Rodgers, Shidid, Bagley, Lavallaisaa, Abtahi, Tarpley, Peadon, Murphy, Ridley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 10
Replies: For: 0 Against: 1

Speakers: For: Robert Reeves, 900 Jackson, Ste. 160, Dallas 75202
Against: None

LIST OF OFFICERS
Cornerstone Development Corporation

- Fred Gans - President

LIST OF OFFICERS
F & D Ventures, L.P.

- Frank Hise – Partner
- Don Witt - Partner

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a mini-warehouse.

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_____, (ten-year period from the passage of this ordinance), but is eligible for automatic renewal for additional ten-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. FLOOR AREA:

   a. Total maximum floor area is 94,475 square feet.

   b. Maximum floor area for the office is 1,130 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION: The mini-warehouse may only operate between 8:00 a.m. and 7:00 p.m., Monday through Saturday, and between 9:00 a.m. and 5:00 p.m. on Sunday.

6. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.

7. MATERIALS: The exterior facades must be a minimum 80 percent brick, stone, or decorative concrete blocks or tile, excluding doors and windows.

   Building A: Southwest, northwest and southeast facades as shown on the site plan

   Building D: Northeast facades as shown on the site plan

   Building E: Southwest and northwest facades as shown on the site plan

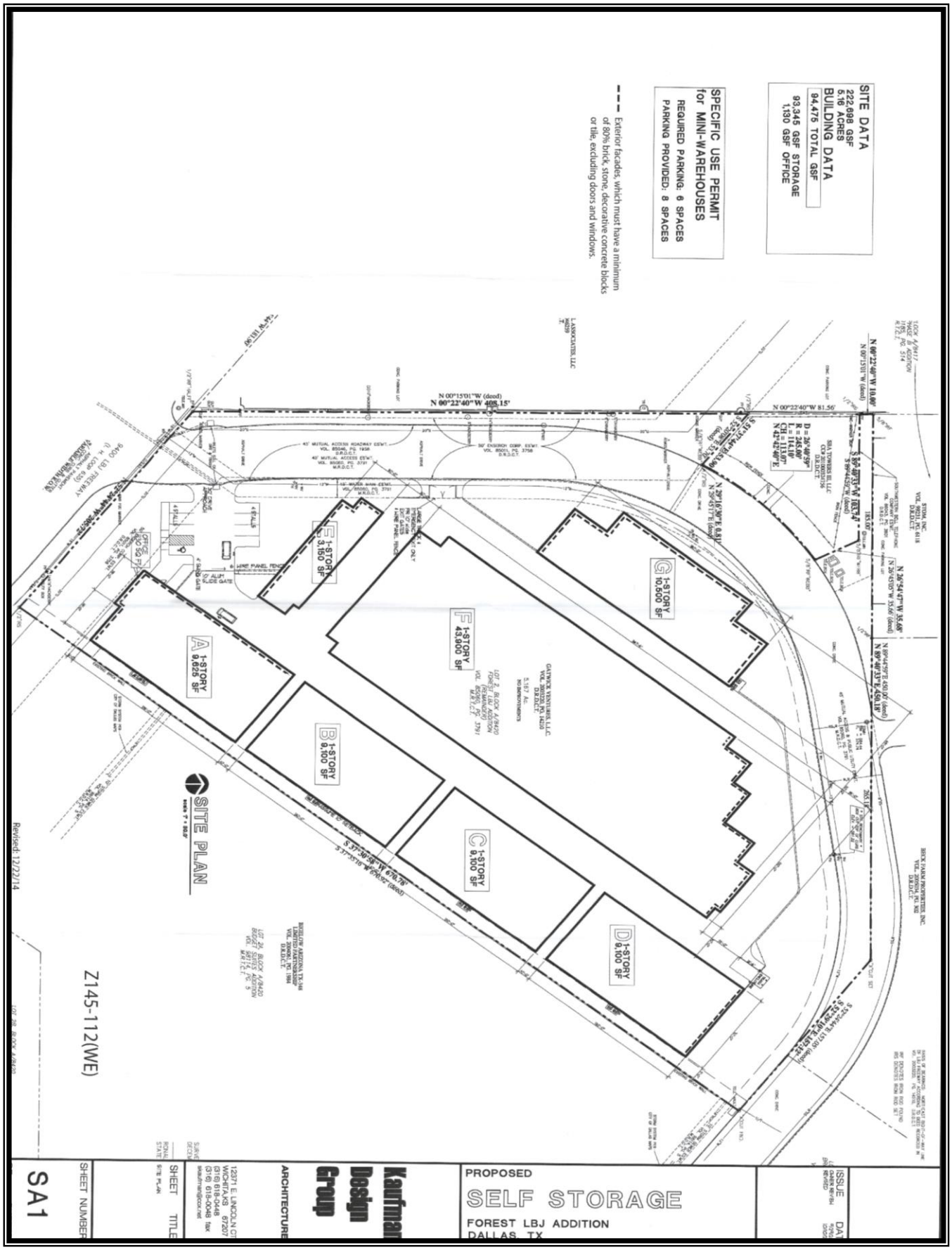
Building F: Northeast facades as shown on the site plan

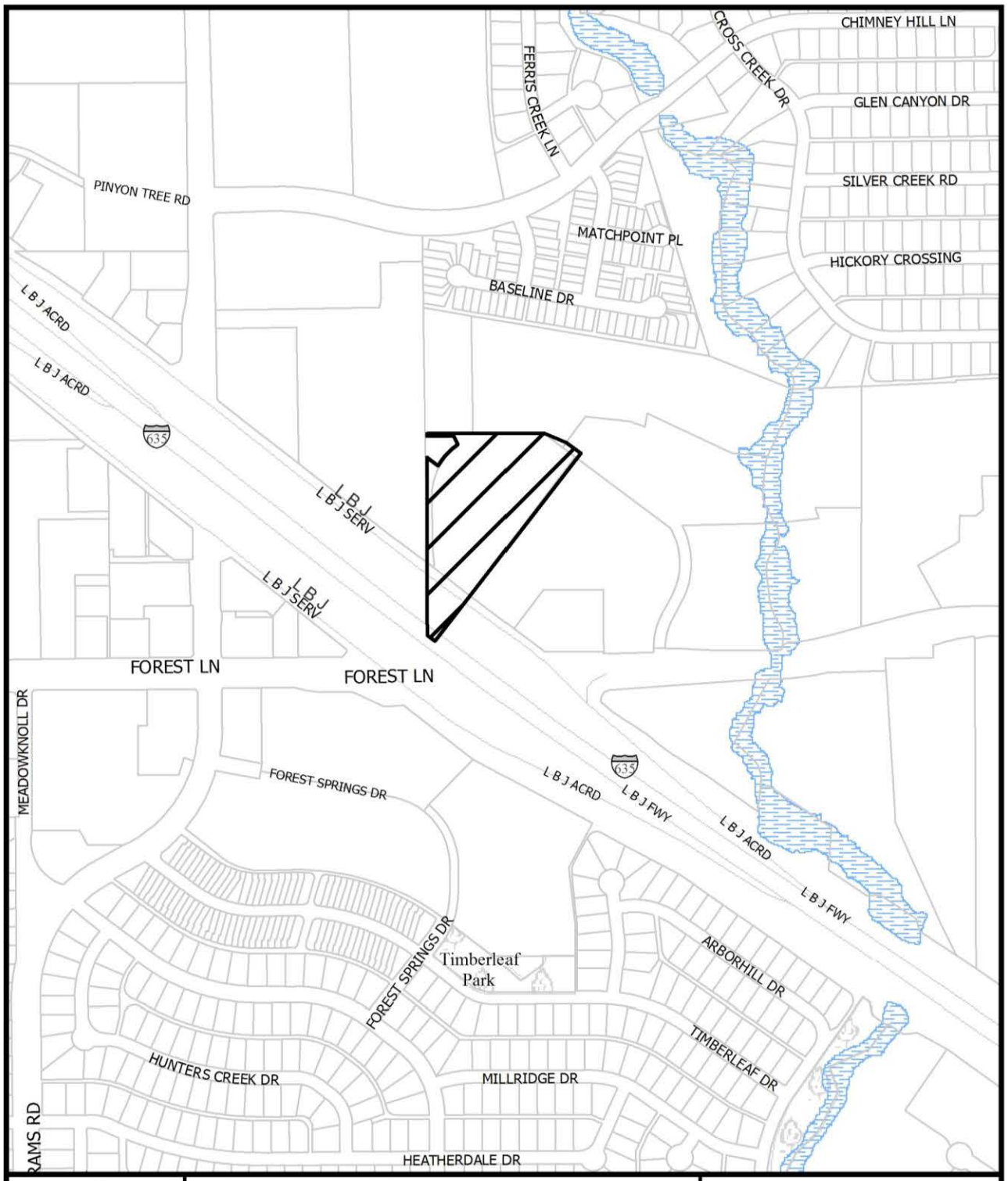
Building G: Southwest and northwest facades as shown on the site plan

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. 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



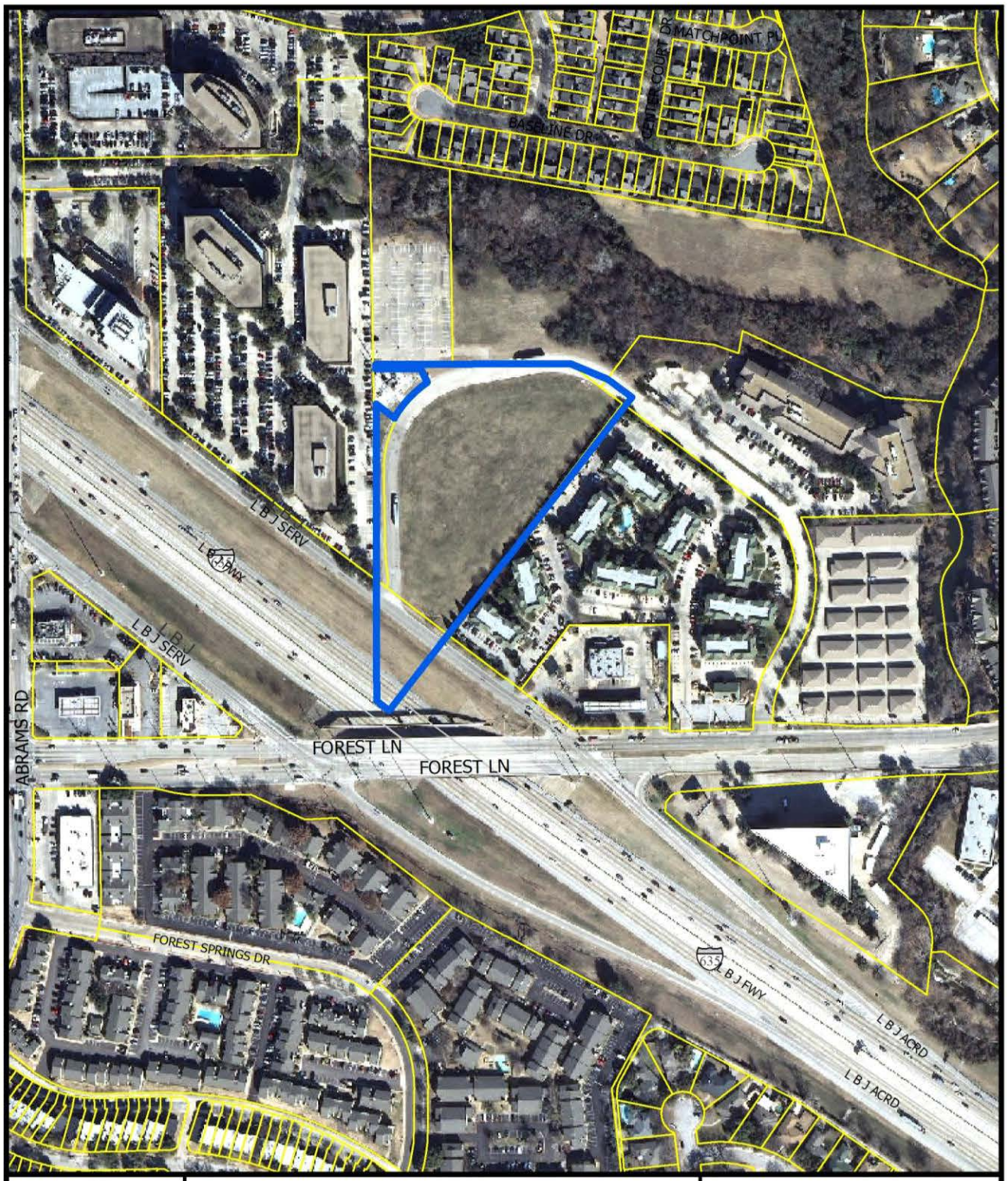


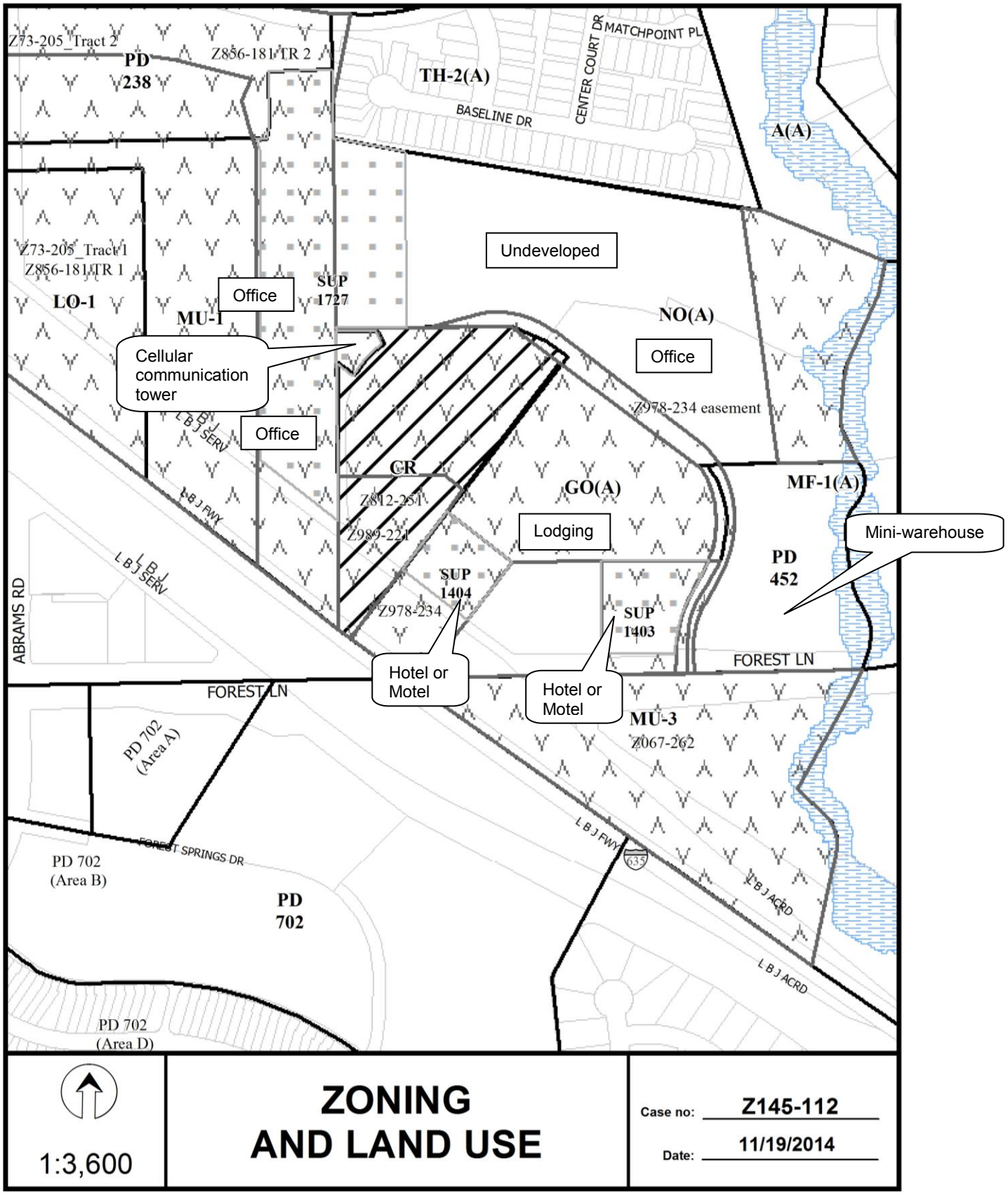
1:6,000

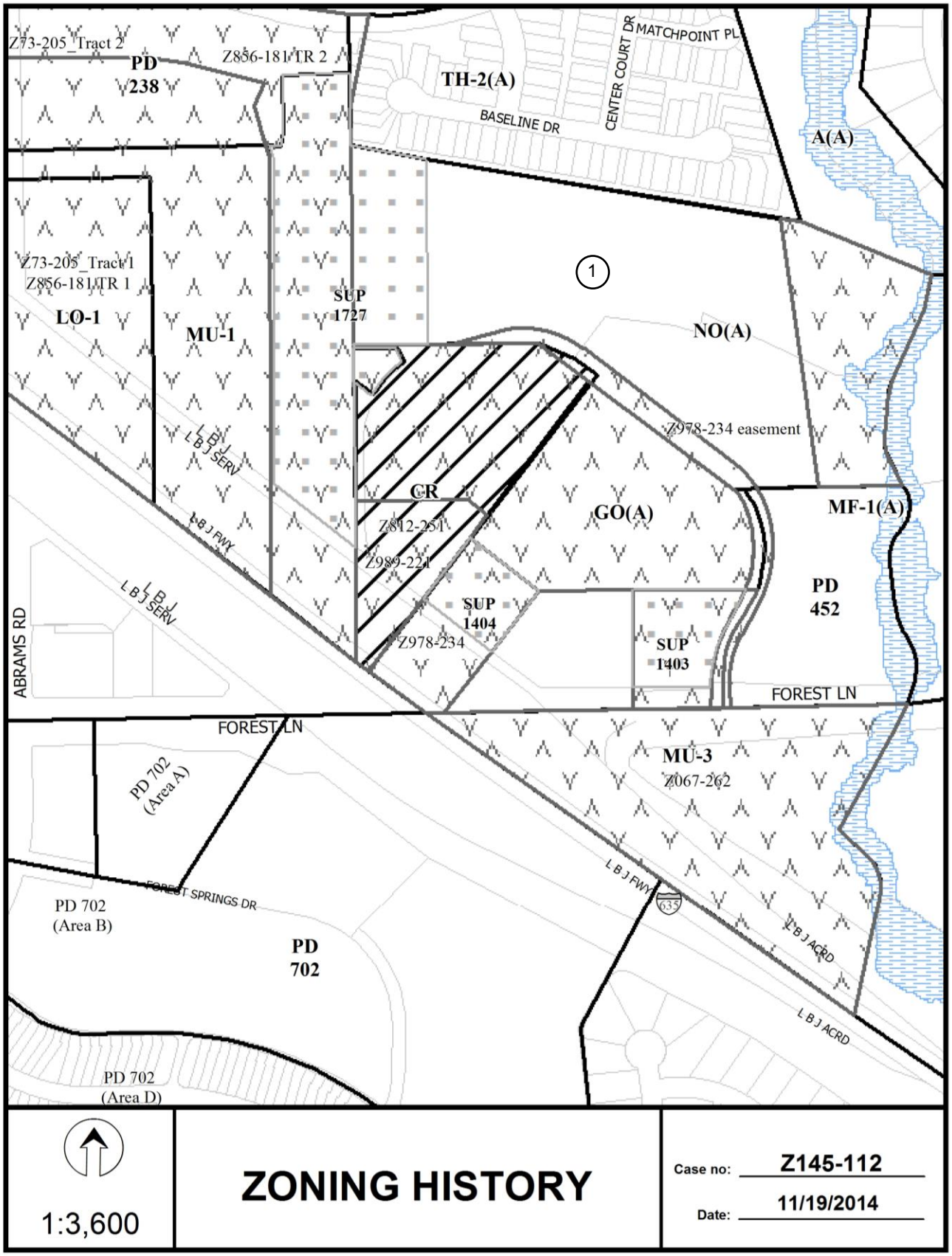
VICINITY MAP

Case no: Z145-112

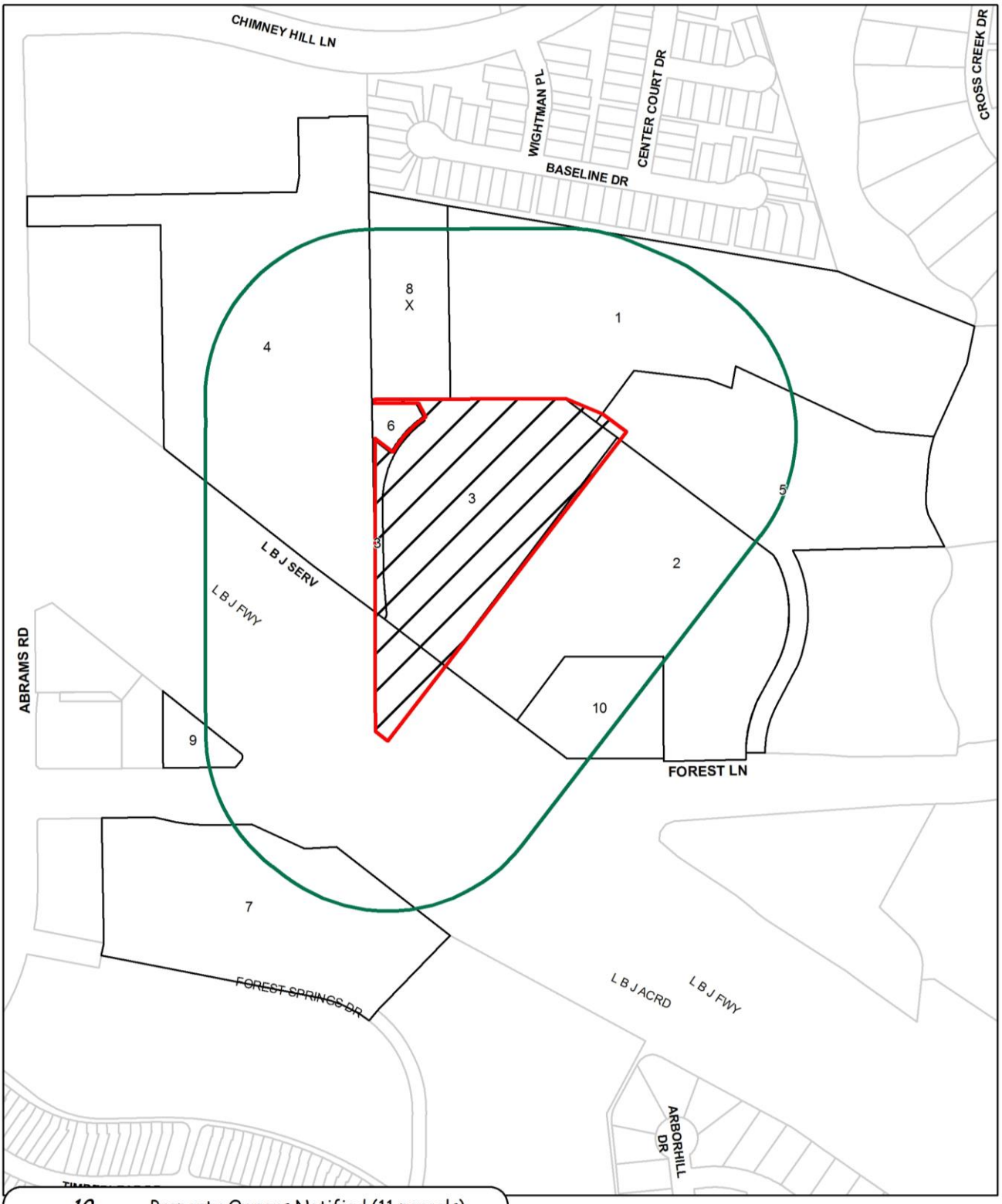
Date: 11/19/2014


BASELINE DR
CENTER COURT DR
MATCHPOINT PL
L B J SERV
L B J FWY
L B J SERV
ABRAMS RD
FOREST LN
FOREST LN
FOREST SPRINGS DR
635
L B J FWY
L B J ACRD
L B J ACRD
1:3,600
AERIAL MAP
Case no: Z145-112
Date: 11/19/2014


Z73-205_Tract 2
PD 238
Z856-181 TR 2
TH-2(A)
BASELINE DR
CENTER COURT DR
MATCHPOINT PL
A(A)
Undeveloped
Z73-205_Tract 1
Z856-181 TR 1
LO-1
MU-1
Office
SUP 1727
NO(A)
Office
Cellular communication tower
Z978-234 easement
L B J SERV
Office
CR
GO(A)
MF-1(A)
Z812-251
Z989-221
Lodging
Mini-warehouse
L B J FWY
PD 452
SUP 1404
Z978-234
SUP 1403
ABRAMS RD
L B J SERV
FOREST LN
Hotel or Motel
Hotel or Motel
FOREST LN
MU-3
Z067-262
PD 702 (Area A)
FOREST SPRINGS DR
L B J FWY
635
PD 702 (Area B)
PD 702
L B J ACRD
L B J ACRD
PD 702 (Area D)
1:3,600
ZONING AND LAND USE
Case no: Z145-112
Date: 11/19/2014


Z73-205_Tract 2
PD 238
Z856-181 TR 2
TH-2(A)
BASELINE DR
CENTER COURT DR
MATCHPOINT PL
A(A)
Z73-205_Tract 1
Z856-181 TR 1
LO-1
MU-1
SUP 1727
1
NO(A)
Z978-234 easement
L B J SERV
L B J FWY
CR
Z812-251
Z989-224
GO(A)
MF-1(A)
PD 452
SUP 1404
Z978-234
SUP 1403
ABRAMS RD
FOREST LN
MU-3
Z067-262
PD 702 (Area A)
FOREST SPRINGS DR
PD 702 (Area B)
PD 702
L B J ACRD
635
PD 702 (Area D)
1:3,600
ZONING HISTORY
Case no: Z145-112
Date: 11/19/2014

CPC RESPONSES



10	Property Owners Notified (11 parcels)
0	Replies in Favor (0 parcels)
1	Replies in Opposition (1 parcels)
400'	Area of Notification
12/18/2014	Date

Z145-112
CPC

N
W E
S

1:3,600

Notification List of Property Owners

Z145-112

10 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	9400	LBJ FWY	BECK FARM PROPERTIES INC
	2	9519	FOREST LN	BIGELOW ARIZONA TX 348 LP
	3	9467	LBJ FWY	F & D VENTURES LTD
	4	9441	LBJ FWY	NORTHCREEK FINANCIAL ASSOC LLC
	5	9535	FOREST LN	9535 FOREST LANE LLC
	6	9400	LBJ FWY	SBA TOWERS III LLC
	7	9420	FOREST LN	DFS VILLAS AT CASTLE HILL
X	8	9441	LBJ FWY	STOM INC
	9	9465	LBJ FWY	HARRIS CREDIT TRUST
	10	9501	LBJ FWY	7 ELEVEN INC

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45-M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and to add commercial amusement (inside) limited to a live music venue on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District on the south side of Elm Street, east of North Good Latimer Expressway
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z145-114(CE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z145-114(CE) **DATE FILED:** October 24, 2014

LOCATION: South side of Elm Street, east of North Good Latimer Expressway

COUNCIL DISTRICT: 2 **MAPSCO:** 45-M

SIZE OF REQUEST: ± 2,500 square feet **CENSUS TRACT:** 204.00

APPLICANT: Twilite on Elm, LLC

REPRESENTATIVE: Jason Marshall

OWNER: 42 Deep Ellum, LP

REQUEST: An application for an amendment to and the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and to add commercial amusement (inside) limited to a live music venue on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District.

SUMMARY: The applicant proposes to continue the operation of a bar, lounge or tavern use and allow for the operation of a live music venue in the existing, approximately 2,500-square-foot lot. [Twilite Lounge]

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing alcoholic beverage establishment use limited to a bar, lounge or tavern and request to add an inside commercial amusement use limited to a live music venue is compatible and conforms with the adjacent retail and personal service uses. The use should not impact the surrounding uses negatively from a land use perspective. The primary uses in PDD No. 269 consist of a mix of alcoholic beverage establishments, restaurants, personal service and office uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties. The SUP has conditions associated with the use to mitigate any potential negative impacts.

3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

BACKGROUND INFORMATION:

- On February 27, 2013, the City Council approved Specific Use Permit No. 2019 for a two year period.

- On June 14, 2006, the City Council approved an amendment to Planned Development District No. 269, which requires a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue.

Zoning History:

1. **Z101-187:** On May 25, 2011, the City Council approved renewal of SUP No. 1757 for a bar, lounge, or tavern and an inside commercial amusement use for a live music venue on property for a three-year period.

2. **Z112-206:** On August 22, 2012, the City Council approved SUP No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall for a one-year period.

3. **Z101-242:** On January 23, 2013, the City Council approved SUP No. 1694 for a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue for a five-year period.

4. **Z123-299:** On October 8, 2013, the City Council approved SUP No. 2050 for bar, lounge or tavern for a two-year period.

5. **Z089-271:** On December 9, 2009, the City Council approved SUP No. 1783 for bar, lounge or tavern for a two-year period.

6. **Z101-345:** On November 7, 2011, the City Council approved renewal of SUP No. 1784 for a bar, lounge, or tavern for a three-year period.

7. **Z101-242:** On October 26, 2011, the City Council approved SUP No. 1913 for a bar, lounge or tavern for a two-year period.

8. **Z123-137:** On February 27, 2013, the City Council approved SUP No. 2019 for a bar, lounge, or tavern for a two-year period.

Thoroughfares/Streets:

	Type	Existing ROW	Proposed ROW
Elm Street	Local	70 ft.	70 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 269	Bar
North	PDD No. 269; H/51	Charter school; retail
East	PDD No. 269	Retail
South	PDD No. 269	Retail
West	PDD No. 269; SUP 1913	Bar

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 Plan identifies the request site as being in an Urban Mixed Use Building Block. The request site is consistent with the Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

STAFF ANALYSIS:

Land Use Compatibility: The ±2,500-square foot request site is developed with a ±1,500-square foot building and includes a ±1,000-square foot uncovered patio. The applicant proposes to operate a bar, lounge or tavern within the existing building and to utilize the patio in conjunction with the main use. The applicant intends to operate between 11:00 am and 2:00 am (the next day), Monday through Sunday, consistent with other bar, lounge or tavern uses in the area.

The north of the subject site is a charter school and retail uses; retail uses are located on the east and south; and a bar lounge or tavern are to the west.

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.

The request is considered compatible with the surrounding uses. Staff recommends a

two-year time period so that the use can be reevaluated for compatibility with the addition of the inside commercial amusement request at this location.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building. Therefore, the proposed bar, lounge or tavern, which does not exceed 2,500 square feet, will not require any off-street parking. It has historically been recognized that Deep Ellum serves as an entertainment and retail destination that often finds patrons traversing the area on foot. As a result, the area's surface parking lots and on-street meters provide for parking options.

Landscaping:

No new construction is proposed by this application. New construction would require landscaping in accordance with the provisions of Planned Development District No. 269.

Police Report:

A police report was not available for the specific address. Therefore, the activity from February 27, 2013 to January 2, 2015 in the entire block, which contains 25 businesses, is included.

DALLAS POLICE DEPARTMENT

Virtual Viewer - Public Access

Search Records - Offense

Service #	Offense Date	Complainant	Offense	Block	Street	Beat	Reporting Area
0007402-B	01/10/2014	*7-11 #3341	OTHER OFFENSES	02608	ELMST	153	2066
0008139-B	01/10/2014	BAIRD,CHRISTIAN,	THEFT	02715	ELMST	153	2066
0025253-B	01/31/2014	*7-ELEVEN	THEFT	02608	ELMST	153	2066
0029912-B	02/05/2014	*7-ELEVEN STORE 33441	THEFT	02608	ELMST	153	2066
0030869-B	02/01/2014	CHAPLIK,MELISSA	THEFT	02709	ELMST	153	2066
0031119-A	02/07/2013	NGUYEN, KHOA	THEFT	02711	ELMST	153	2066
0034491-A	02/11/2013	*BLACK SWAN	OTHER OFFENSES	02708	ELMST	153	2066
0034795-B	02/04/2014	BLASSINGAME,KYLA	THEFT	02638	ELMST	153	2066
0036656-B	02/13/2014	*LEMON GRASS	CRIMINAL MISCHIE...	02711	ELMST	153	2066
0040393-A	02/18/2013	*7-ELEVEN	THEFT	02608	ELMST	153	2066
0041285-B	02/19/2014	@CITY OF DALLAS	FOUND PROPERTY	02714	ELMST	153	2066
0048211-A	02/27/2013	CARTER, KATHERINE	OTHER OFFENSES	02723	ELMST	153	2066
0049514-A	03/01/2013	SPIGARELLI,GEENA	THEFT	02720	ELMST	153	2066
0050013-A	03/02/2013	BARRETT,LAUREL	LOST PROPERTY	02608	ELMST	153	2066
0051917-B	03/04/2014	*OMEGA CONTRACTING	THEFT	02625	ELMST	153	2066

Service #	Offense Date	Complainant	Offense	Block	Street	Beat	Reporting Area
0053883-A	03/07/2013	BYRUM,AMBER	THEFT	02608	ELMST	153	2066
0054129-B	03/07/2014	CONNOLLY, ALISON	THEFT	02638	ELMST	153	2066
0054241-B	03/07/2014	*7/11	THEFT	02608	ELMST	153	2066
0054982-B	03/07/2014	MOTTER,JAMES	THEFT	02700	ELMST	153	2066
0055913-B	03/09/2014	*BOILER ROOM	CRIMINAL MISCHIE...	02723	ELMST	153	2066
0057955-B	03/11/2014	RODRIGUEZ,JOSE	THEFT	02716	ELMST	153	2066
0057960-A	02/24/2013	MILTON, DANIEL	LOST PROPERTY	02608	ELMST	153	2066
0060460-B	02/01/2014	DESHUKH,MADHUCHHANDA	CRIMINAL MISCHIE...	02709	ELMST	153	2066
0064202-B	03/18/2014	*7-11	THEFT	02608	ELMST	153	2066
0065140-B	03/19/2014	KENNY,IAN	ROBBERY	02709	ELMST	153	2066
0069263-A	03/24/2013	PATIN,SKYLER DALE	ROBBERY	02625	ELMST	153	2066
0072729-A	03/27/2013	ROSELES,DELMIRA	THEFT	02625	ELMST	153	2066
0076054-B	03/29/2014	WISE, DARREN	OTHER OFFENSES	02723	ELMST	153	2066
0077676-B	03/14/2014	*FRAZIN PIZZA	BURGLARY	02639	ELMST	153	2066
0078088-B	04/03/2014	Withheld	ATTEMPT SUICIDE	026XX	ELMST	153	2066

Service #	Offense Date	Complainant	Offense	Block	Street	Beat	Reporting Area
0078788-B	04/02/2014	OLIVAS,DOMINGUEZ	AUTO THEFT-UUMV	02700	ELMST	153	2066
0079420-B	04/03/2014	SHIELDS, ANDREW	CRIMINAL MISCHIE...	02708	ELMST	153	2066
0080879-A	04/02/2013	Withheld	ASSAULT	026XX	ELMST	153	2066
0083903-B	04/09/2014	TIBBETS, MICHAEL	FOUND PROPERTY	02625	ELMST	153	2066
0084065-B	04/09/2014	TIBBETS, MICHAEL	FOUND PROPERTY	02625	ELMST	153	2066
0086465-A	04/08/2013	RYAN,ELIZABETH,J	OTHER OFFENSES	02700	ELMST	153	2066
0087832-A	04/10/2013	ORTIZ,GIOVANI	FOUND PROPERTY	02700	ELMST	153	2066
0092104-A	04/11/2013	SOWDEN, DAVID	OTHER OFFENSES	02704	ELMST	153	2066
0093810-A	04/17/2013	@CITY OF DALLAS	FOUND PROPERTY	02608	ELMST	153	2066
0094002-A	04/16/2013	LUCEY,ELIZABETH	LOST PROPERTY	02709	ELMST	153	2066
0097012-B	04/23/2014	@CITY OF DALLAS	FOUND PROPERTY	02608	ELMST	153	2066
0101881-B	04/28/2014	*7-11 STORES	OTHER OFFENSES	02608	ELMST	153	2066
0107152-A	05/01/2013	MOYERS, CANDACE	THEFT	02608	ELMST	153	2066
0119056-A	05/13/2013	ARWINE,LINDSEY,	THEFT	02624	ELMST	153	2066
0120535-A	05/15/2013	*ZINI'S PIZZA	ROBBERY	02639	ELMST	153	2066

Service #	Offense Date	Complainant	Offense	Block	Street	Beat	Reporting Area
0133066-A	05/29/2013	STRATTMAN,CHRIS	CRIMINAL MISCHIE...	02618	ELMST	153	2066
0133074-A	05/29/2013	BANKS,KELLY	THEFT	02618	ELMST	153	2066
0138838-A	06/04/2013	YOUNG, MARY	THEFT	02618	ELMST	153	2066
0149374-A	06/13/2013	ARMSTRONG,ROXANNE	ROBBERY	02723	ELMST	153	2066
0178096-A	07/13/2013	NARAYAN, BUSHYANT,V	TRAFFIC MOTOR VE...	02608	ELMST	153	2066
0205112-A	08/11/2013	RIVERA,ALEXANDER	CRIMINAL MISCHIE...	02709	ELMST	153	2066
0230565-A	09/07/2013	KENNEDY,ERIKA,	ASSAULT	02644	ELMST	153	2066
0236320-A	09/13/2013	KOROMA,ALHAJI	TRAFFIC MOTOR VE...	02608	ELMST	153	2066
0239523-A	09/15/2013	@CITY OF DALLAS	LOST PROPERTY	02709	ELMST	153	2066
0251017-A	09/30/2013	*WORK BAR AND GRILL	BURGLARY	02618	ELMST	153	2066
0257990-A	10/07/2013	COWARD, LAURA	AUTO THEFT-UUMV	02700	ELMST	153	2066
0261225-A	10/11/2013	RATEMO,BERNARD	TRAFFIC MOTOR VE...	02608	ELMST	153	2066
0268818-A	10/20/2013	*FUZZYS TACO SHOP	BURGLARY	02706	ELMST	153	2066
0268868-A	10/20/2013	*7-11 #33441	THEFT	02608	ELMST	153	2066
0273050-A	10/25/2013	MOORE, SETH	ASSAULT	02709	ELMST	153	2066

Service #	Offense Date	Complainant	Offense	Block	Street	Beat	Reporting Area
0274080-A	10/26/2013	*TEXAS LOTTERY	THEFT	02608	ELMST	153	2066
0277776-A	10/29/2013	COMBS, REGINALD	ASSAULT	02714	ELMST	153	2066
0282609-A	11/03/2013	SKELTON, DANIEL	AGGRAVATED ASSA...	02709	ELMST	153	2066
0292548-A	11/16/2013	CALHOUN, ALLAN	AGGRAVATED ASSA...	02724	ELMST	153	2066
0299590-A	11/24/2013	COOPER,MORIAH	OTHER OFFENSES	02709	ELMST	153	2066
0299937-A	11/23/2013	PERRY,DAVID	OTHER OFFENSES	02706	ELMST	153	2066
0300878-A	10/24/2013	CASE,TIFFANY	LOST PROPERTY	02720	ELMST	153	2066
0309704-A	11/29/2013	COGAR,SARAH,	AGGRAVATED ASSA...	02709	ELMST	153	2066
0317542-A	12/17/2013	GRAVES,GREGORY	ROBBERY	02608	ELMST	153	2066
0322230-A	12/22/2013	*ANVILE PUB	FRAUD	02638	ELMST	153	2066
0326356-A	12/27/2013	TUCKER,GARY	MISSING PERSON	02618	ELMST	153	2066

The Twilight Lounge
List of Partners/Principles/Officers

Applicant/Tenant: Twilite on Elm, LLC a Texas Limited Liability Company
Corporate Address: 2640 Elm St., Dallas, Texas 75226

Members:
Daniel A. Balis
5932 Llano
Dallas, TX 75206

William J. Barr
9353 Highedge Circle
Dallas, TX 75238

Benjamin Scott Meek
3919 Gilbert Ave. #4
Dallas, TX 75219

Jason C. Marshall
1312 Adair St.
Dallas, TX 75204

Barnett D. Hammond, Jr.
5602 Ridgedale
Dallas, TX 75206

Applicant's Manager:

Lone Sparrow, LLC, 5932 Llano, Dallas TX 75206
Members: Daniel A. Balis and William J. Barr (addresses listed above)

Property Owner: 42 Deep Ellum, LP, 8333 Douglas Ave, Suite 342, Dallas, TX 75225

Partners:

Scott Rohrman
8333 Douglas Ave
Suite 342
Dallas, TX 75225

Mike Geisler
8235 Douglas Ave
Suite 720
Dallas, TX 75225

CPC Minutes – December 18, 2014

Motion: It was moved to recommend **approval** for an amendment to and the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and to add commercial amusement (inside) limited to a live music venue on property zoned Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side District on the south side of Elm Street, east of North Good Latimer Expressway for a two-year period, subject to conditions.

Maker: Culbreath
Second: Shellene
Result: Carried: 15 to 0

For: 15 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 200 Mailed: 24
Replies: For: 3 Against: 0

Speakers: For: None
Against: None

CPC Approved Conditions

1. USE: The only use authorized by this specific use permit are a bar, lounge, or tavern and an inside commercial amusement use limited to a live music venue.

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 ~~February 27, 2015~~ (two years).

4. FLOOR AREA:

   A. Maximum floor area for a bar, lounge, or tavern and inside commercial amusement limited use to a live music venue is 1,500 square feet in the location shown on the attached site plan.

   B. Maximum land area for the uncovered patio is 1,000 square feet in the location shown on the attached site plan.

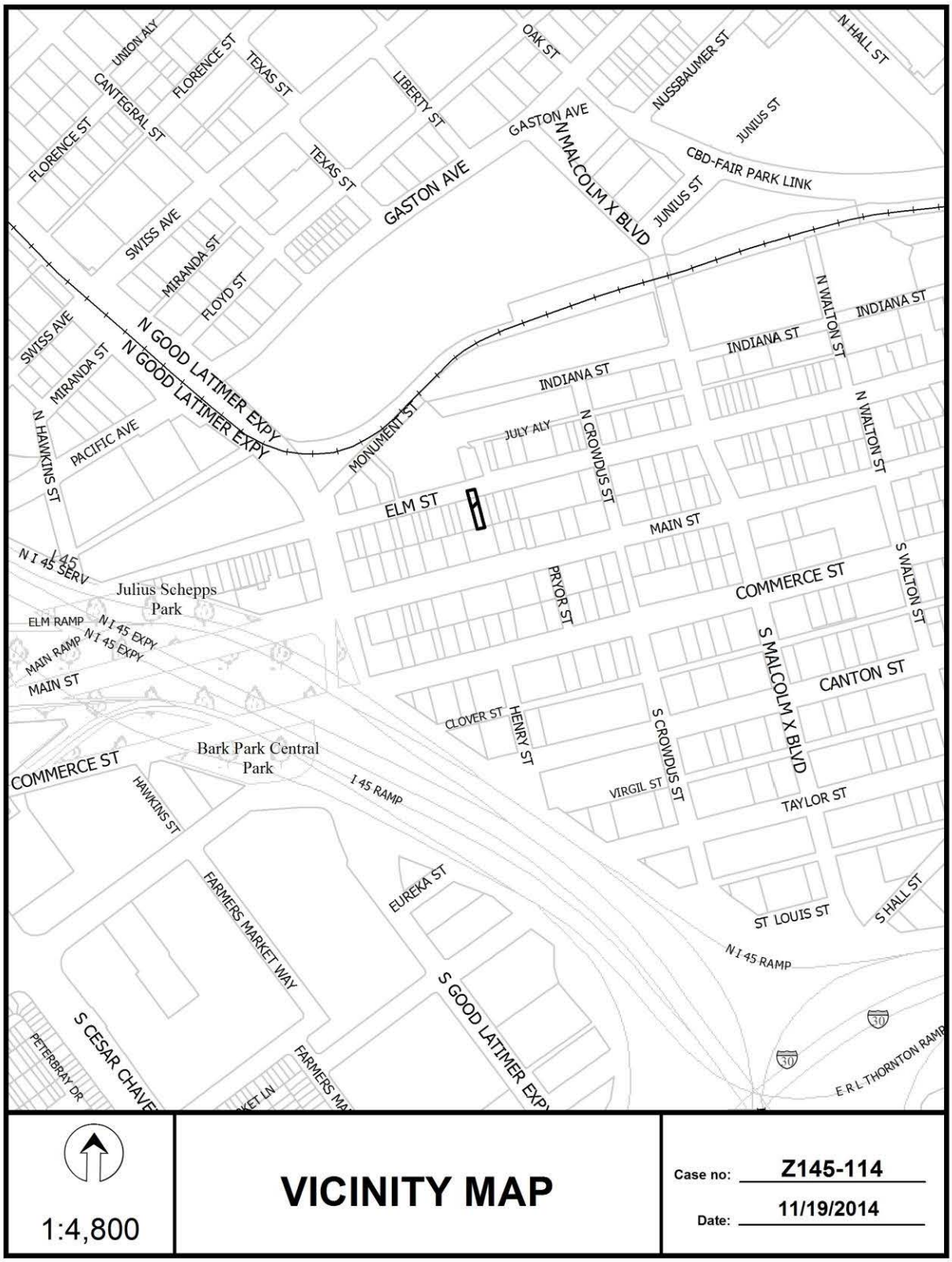
5. HOURS OF OPERATION: The bar, lounge, or tavern and inside commercial amusement use limited to a live music venue may only operate between 11:00 a.m. and 2:00 am. (the next day), Monday through Sunday.

6. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. 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 SITE PLAN

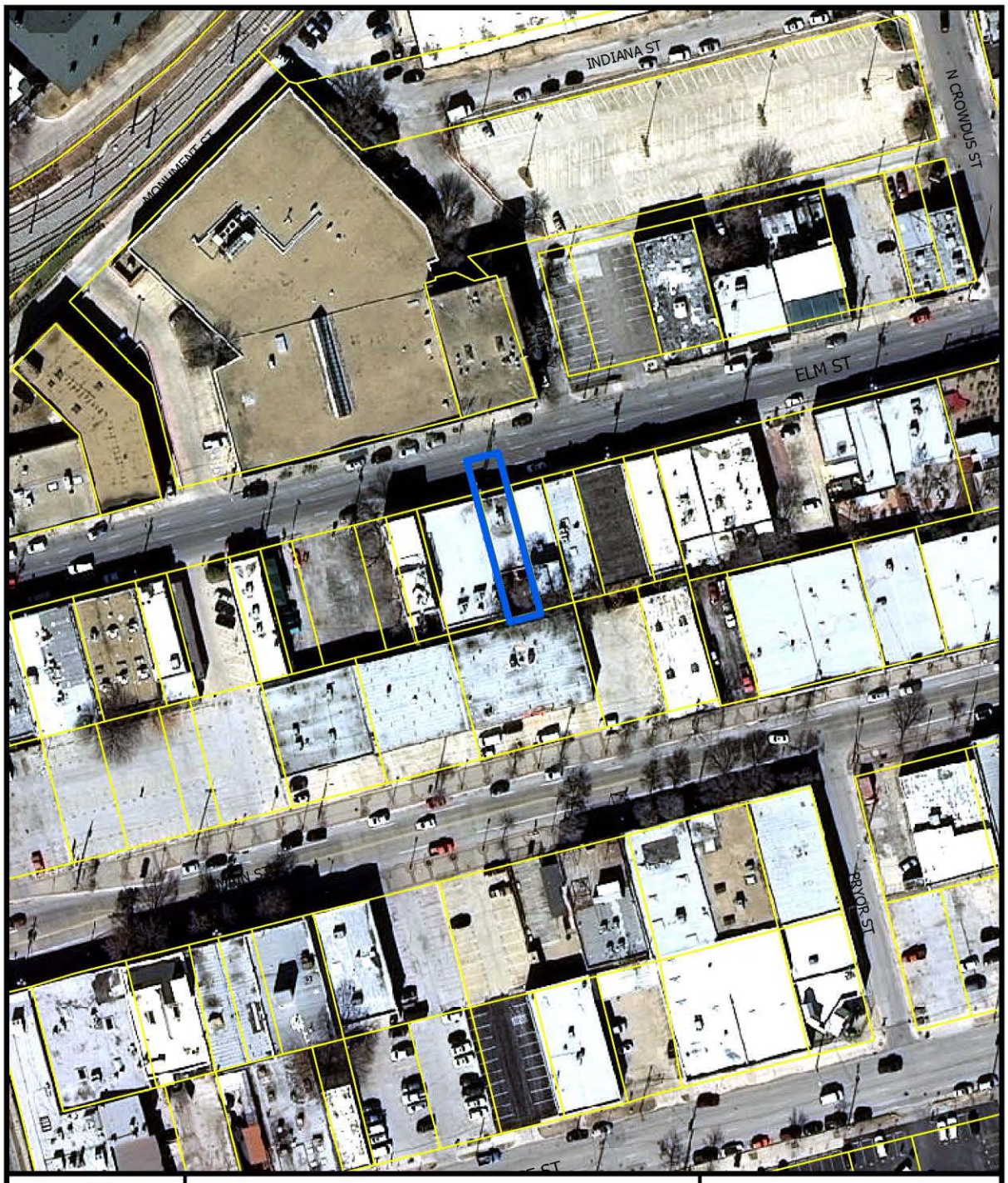


1:4,800

VICINITY MAP

Case no: Z145-114

Date: 11/19/2014

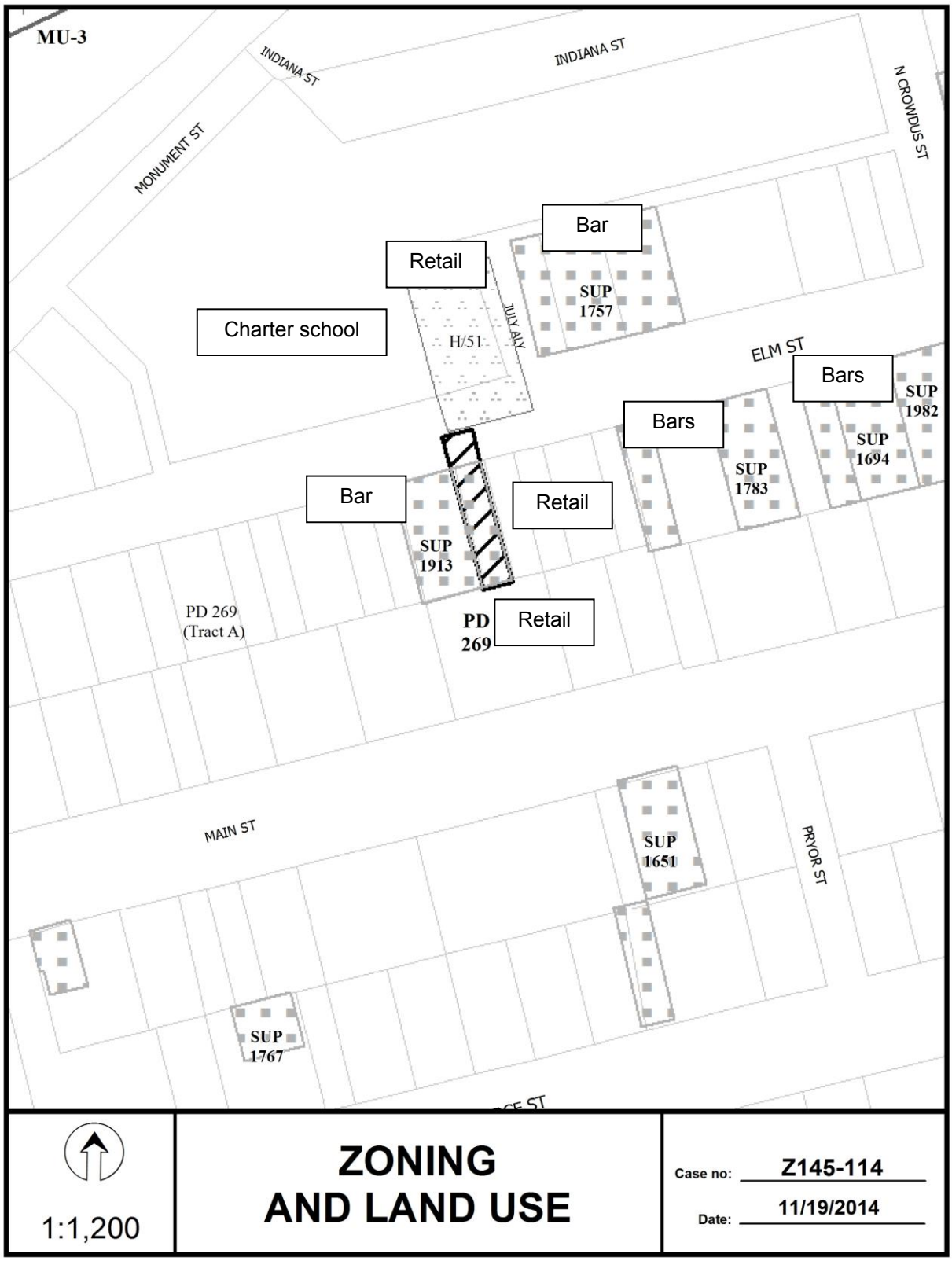


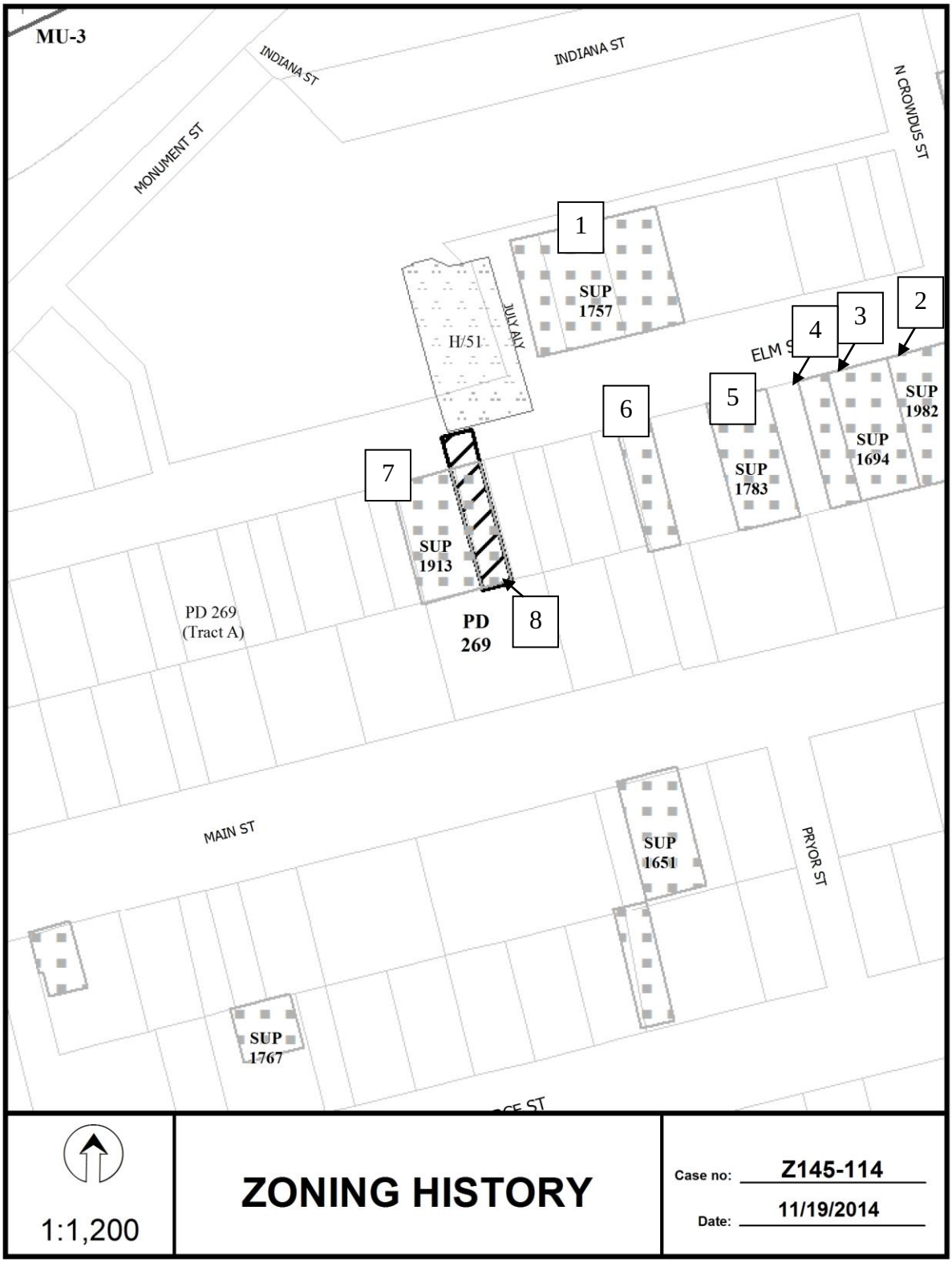
1:1,200

AERIAL MAP

Case no: Z145-114

Date: 11/19/2014


MU-3
INDIANA ST
INDIANA ST
MONUMENT ST
N CROWDUS ST
Bar
Retail
SUP 1757
Charter school
H/51
JULY ALY
ELM ST
Bars
SUP 1982
Bars
SUP 1694
SUP 1783
Bar
Retail
SUP 1913
PD 269 (Tract A)
PD 269
Retail
MAIN ST
SUP 1651
PRYOR ST
SUP 1767
1:1,200
ZONING AND LAND USE
Case no: Z145-114
Date: 11/19/2014


MU-3
INDIANA ST
INDIANA ST
MONUMENT ST
N CROWDUS ST
1
SUP 1757
H/51
JULY ALY
ELM ST
2
3
4
5
6
7
8
SUP 1982
SUP 1694
SUP 1783
SUP 1913
PD 269 (Tract A)
PD 269
MAIN ST
SUP 1651
PRYOR ST
SUP 1767
1:1,200
ZONING HISTORY
Case no: Z145-114
Date: 11/19/2014

CPC RESPONSES



12/19/2014

Reply List of Property Owners

Z145-114

24 Property Owners Notified ***3 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	2638	ELM ST	MGP HOLDINGS LLC
	2	2640	ELM ST	42 DEEP ELLUM LP
	3	2639	MAIN ST	42 DEEP ELLUM LP
	4	2626	ELM ST	ELM STREET LOFTS LTD
	5	2625	MAIN ST	42 DEEP ELLUM LP
	6	2634	ELM ST	ROSE BARSHOP RESIDUARY TR
	7	2628	ELM ST	ROSE BARSHOP RESIDUARY TR
	8	2644	ELM ST	CAMERON PAUL DARREN
	9	2635	MAIN ST	42 DEEP ELLUM LP
	10	2634	ELM ST	BAZZLE S WAYNE &
O	11	2620	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	12	2650	ELM ST	ELM ELM LLC
	13	2625	ELM ST	UPLIFT EDUCATION
	14	2701	MAIN ST	42 DEEP ELLUM LP
	15	2703	ELM ST	BELMOR CORP
	16	2701	ELM ST	BELMOR CORP
	17	2624	ELM ST	ELM STREET LOFTS LTD
	18	2649	MAIN ST	42 DEEP ELLUM LP
	19	2642	ELM ST	LALCO INC
	20	2650	MAIN ST	42 DEEP ELLUM LP
O	21	2720	ELM ST	ELM STREET REALTY LTD
O	22	2713	ELM ST	ELM STREET REALTY LTD
	23	2707	ELM ST	BELMOR CORP
	24	2639	ELM ST	ELM STREET LOFTS LTD

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45-B

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District located on the northwest side of McKinney Avenue, northeast of Bowen Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-280(AF)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER:	Z134-280(AF)	**DATE FILED:**	June 20, 2014
LOCATION:	Northwest side of McKinney Avenue, northeast of Bowen Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	45-B
SIZE OF REQUEST:	Approx. 0.36 acres	**CENSUS TRACT:**	18.00

REPRESENTATIVE: Karl A. Crawley, Masterplan

APPLICANT: McKinney Hotel Developers, LLC

OWNER: Gibon McCrorey Holdings, LLC

REQUEST: An application for a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant requests to maintain the existing LC Subdistrict, but to increase the floor area ratio and lot coverage and permit above ground parking to accommodate a hotel with a restaurant on the ground floor.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

1. *Performance impacts upon surrounding property* – When analyzing the development plan, staff's major priority was to ensure that any future development would not encroach on the abutting residential neighborhoods while remaining consistent with the existing mixed-use, pedestrian-oriented development that occurs along McKinney Avenue. Locating active uses along pedestrian pathways is imperative to pedestrian orientation. As a result, above-ground parking structures along streets where pedestrian activity is encouraged, such as McKinney Avenue, is being minimized. The applicant has included conditions that limit the above-ground parking to two levels enclosed with façade walls.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the existing street system can accommodate the trips and proposed layout.

3. *Comprehensive Plan or Area Plan Conformance* – The request is generally in compliance with the *forwardDallas!* Comprehensive Plan and the Oak Lawn Plan.

Zoning History:

File No.	Request, Disposition, and Date
1. Z134-333	An application for a new development subdistrict for mixed uses was submitted on September 5, 2014. The applicant has not been considered by the City Plan Commission.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
McKinney Avenue	Major Arterial	55'

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	PD 193, LC	Vacant Lot
North	PD 193, MF-2	Multi-Family: Residential
South	PD 193, LC	Retail/Restaurant
West	PD 193, LC	Office
East	PD 193, LC	Mixed Use: Residential/Retail

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 along a Multi-Modal Corridor.

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add "eyes on the street" that can aid public safety.

The *forwardDallas!* Comprehensive Plan lists examples that help define urban character in Downtown and urban cores. In regards to the placement and design of buildings, the plan suggests that developments should consider the following: a) building entrances and windows should be provided to offer "eyes on the street," improving security and pedestrian access; b) sidewalks should accommodate pedestrians by including

amenities such as seating; and c) parking lots, garage doors, loading zones and mechanical equipment should be placed away from streets.

The applicant's request is in compliance with the goals and policies in the *forwardDallas! Comprehensive Plan.*

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.1.3 Apply urban design tools in pedestrian or transit oriented districts when approving zoning cases and when developing Area Plans.

Policy 5.1.2 Define urban character in Downtown and urban cores.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Area Plans:

In Spring of 1982, the Oak Lawn Forum was formed with a wide representation from the competing interest groups in the community. The Forum paved the way for an overall vision to be created for the area that is bounded by the town of Highland Park to the north, Central Expressway to the East, Woodall Rogers Freeway to the South, and the Harry Hines Boulevard. Below are a list of objectives that guided the Oak Lawn Plan's mission and its intentions for future development:

(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.

By removing traffic from McKinney Avenue, limiting above grade parking to two floors, and having limited rear setbacks, the development plan and conditions are consistent with maintaining the existing urban fabric of the area. The development plan and conditions allow for a hotel that will not heavily overshadow the abutting residential building since the height is being reduced to 155 feet below what is currently permitted in the subdistrict, which is 270 feet.

The characteristics of the boutique hotel are in line with the Oak Lawn Forum's Plan, specifically focusing on 1 through 4, and 7. The urban form of the building allows for an easy integration along McKinney Ave and is true to the intent of the Oak Lawn Forum's Plan for the area.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is located on an undeveloped lot located on a heavily transited, one-way, major arterial – McKinney Avenue. This arterial serves as a major spine that connects prominent Downtown landmarks and destinations that include the Museum District, Klyde Warren Park, and West Village. In addition, the site is located along the Trolley Line, adding another mode of transportation to the area. It is prudent that the lot be developed with an emphasis on urban form in order to establish a more prominent urban character for the area. Proper development would allow for better cohesion between the wide varieties of uses in the area.

The proposed PD is attempting to encourage the development of a hotel on McKinney Avenue. From a land use perspective, the use is conducive to the overall surrounding uses. Because of the importance of the site's location, it is important to develop it properly taking into consideration the multi-modal, pedestrian network that is currently in place.

Development Standards:

	Compared Development Standards	
	Current LC Standards (already allows Hotel)	**Proposed Standards for Hotel Use Only; all other uses will have same development standards as LC Subdistrict**
Front Yards:	10' up to 36' height, 25' for height above 36'	17' (special hotel use) 25' above 38'
Side Yard:	0'	0'
Rear Yard	0' 1st 36'½ bldg ht above 36'(50' max)	10' up to 44'; 20' above 44' or max width of 35 % of structure
Lot Coverage:	80%	82.5% Above 38' lot coverage is 54% (hotel use only)
FAR	4.5:1	5.67:1 (0.31:1 non-res)
Height:	240'	155' per the PD conditions
Density:	No limit hotel rooms	128 rooms
Uses	Res and non-residential,	Same uses with special requirements for hotel use..
Parking:	One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided.	Per 193 Hotel use all parking within a structure, No parking directly accessed from McKinney, Special valet requirements. Hotel 0.85/room; restaurant with Hotel 1 space/175 s.f.; loading within building
Landscaping & Sidewalks:	Per PD 193	Per PD 193

Parking: Parking must be located within a structure. No at-grade parking may be accessed from McKinney Avenue. The applicant is proposing parking exceptions in the form of 0.85 parking spaces per room, 1 parking space per 175 square feet for a restaurant as an accessory use to a hotel, and off-street loading within the structure. In addition, a maximum of 2 floors of parking will be allowed above grade. All other parking is to be located below grade.

Landscaping: Landscaping and screening will be provided in accordance with PD 193 development standards.

CPC Minutes – December 18, 2014

Motion: It was moved to recommend **approval** for a Planned Development Subdistrict for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest side of McKinney Avenue, northeast of Bowen Street subject to a development plan and revised conditions including limiting the maximum floor area to 85,000 square feet and requiring a minimum of 85 parking spaces.

Maker: Ridley
Second: Abtahi
Result: Carried: 14 to 0 with 1 abstaining (Abtahi)

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 383
Replies: For: 1 Against: 1

Speakers: For: Frank M. Stich, 4228 N. Hall St., Dallas 75219; Karl Crawley, Melissa Miles, 3208 Cole; Peter Crosby, 3208 Cole; Anthony Page
Against: Jan Cunningham, 3219 McKinney Ave., Dallas 75204

Partners/Principals/Officers:

OWNER
Gibon McCrorey Holdings, LLC; a Texas limited liability company

Mehrdad Moayedi, Sole Manager

POTENTIAL BUYER
Mckinney Hotel Developers, LLC

Abteen Vaziri, Managing Manager
Steven Shelley, Managing Manager

Proposed Conditions

"**Division S-111. PD Subdistrict 111.**

SEC. S-111.101. LEGISLATIVE HISTORY.

PD Subdistrict 111 was established by Ordinance No. _____, passed by the Dallas City Council on January 28, 2015.

SEC. S-111.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 111 is established on property located on McKinney Avenue, northeast of Bowen Street. The size of PD Subdistrict 111 is approximately 0.361 acres.

SEC. S-111.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(b) In this division Subdistrict means a subdistrict of PD 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 nonresidential zoning district.

SEC. S-111.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-111A: development plan.

SEC. S-111.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, 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.

(b) For a hotel or motel use, development and use of the Property must comply with the development plan (Exhibit S-111A). . If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S-111.106. MAIN USES PERMITTED.

The only main uses permitted in this Subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC 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 LC Subdistrict is subject to DIR in this Subdistrict; etc.

SEC. S-111.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Part I of this article. For more information regarding accessory uses, consult PD 193.

(b) The following accessory uses are not permitted:

-- Private stable.
-- Amateur communication tower.
-- Open storage.

SEC. S-111.108. 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. In the event of 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 LC Light Commercial Subdistrict apply.

(b) Hotel or motel use.

(1) Front Yard. Minimum setback is 17 feet. Minimum setback above 38 feet in height along McKinney Avenue is 25 feet.

(2) Side yard. 0 feet, no additional setback is required above 36 feet in height.

(3) Rear yard (alley). Minimum setback of 10 feet for a height up to 44 feet. Minimum setback of 20 feet when building structure exceeds 44 feet in height and is a maximum of 35 percent of the length of the lot.

(4) Density. For a hotel and motel use, the maximum number of guest rooms is 128.

(5) Height.

(A) Maximum structure height is 155 feet measured from McKinney Avenue.

(B) Structures listed in Section 51P-193.123(2)(a) may exceed the maximum height by 12 feet.

(6) Floor area.

(A) Maximum floor area is 85,000 square feet.

(B) Accessory uses to a hotel use are not included in the limitation of non-residential floor area.

(7) Lot coverage.

(A) Maximum lot coverage is 82.5 percent.

(B) Maximum lot coverage is 54 percent above 50 feet in height (measured from McKinney Avenue).

(c) Outdoor swimming pools.

(1) Outdoor swimming pools must be located a minimum of 75 feet from the northwest property line.

(2) A wall or other solid structure with a minimum height of 10 feet between the swimming pool and the northwest property line on the same level as the pool.

SEC. S-111.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Hotel or motel use.

(1) Parking structure.

(A) Required parking must be located within a structure.

(B) At grade parking may not be accessed from McKinney Avenue.

(C) A maximum of two stories of parking may be located above grade.

(2) Valet parking.

(A) Queuing, drop-off, and pick-up are not permitted within the public right-of-way.

(B) Valet parking drop-off and pick-up must be located within a parking structure.

(C) Packed parking is allowed for required parking for a hotel or motel use.

(3) Minimum required off-street parking. Minimum required off-street parking is one parking space per 0.85 rooms/suites.

(4) Loading areas. Loading areas for a hotel or motel use or restaurant use must be enclosed on all four sides and accessed with a gated entry that remains closed except during deliveries.

(c) Restaurant use.

(1) Minimum required off-street parking is one parking space per 175 square feet of floor area.

(2) Valet parking, drop-off, and pick-up must be located within a parking structure

SEC S-111.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) Except as provided in this section, see Article VI.

(b) No outside live music is allowed.

(c) No amplified sound is allowed.

SEC. S-111.111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part I of this article.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-111.112. DESIGN STANDARDS FOR STREET FRONTAGES FOR A HOTEL USE

(a) Purpose. Continuous facades along pedestrian oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards are intended to ensure that continuous facades located along public streets mitigate the negative impact of monotonous, blank or inactive facades, while allowing creativity, flexibility, and variety in design.

(b) Garage facade wall. Parking garage structures facing a public right of way and are more than one story in height, must have the following design standards:

(1) Each floor must be differentiated horizontally in order to minimize the vertical plane of the structure.

(2) The required change per floor horizontally may be done through a change in wall material, garage screening material, or an offset and/or projection from the face of the adjacent floor by a minimum of six inches.

(3) The horizontal plane of the exterior wall of each parking garage floor cannot exceed 60 feet without a change in material, color, and/or offset or projection.

(c) Parking structures.

(1) Except as provided in this subsection, all aboveground parking structures must comply with Section 51P-193.127(a).

(2) Parking structures must integrate an external skin designed to improve the buildings appearance over the basic concrete structure of ramps, walls and columns, including at least one of the following: heavy gauge metal screen, pre-cast concrete panels, laminated glass, photovoltaic panels or other elements.

(3) Any above ground parking structure must have a solid wall or panel with a minimum height of 36 inches in order to block light spillage from headlights.

(e) Hotel or motel use or restaurant use in conjunction with a hotel or motel use.A minimum transparency of 75 percent for the ground story of the McKinney Avenue frontage, not including any opening for the parking garage is required.

(f) .

(f) Hotel room windows/openings. Any hotel room windows/openings located within 50 feet of the northwest property line (alley) must be designed such as to restrict view from to the property located across the alley from the hotel. This can be done through the insetting of the openings, translucent glazing or the use of mounted architectural elements which would direct views away from neighboring yards. (h) Vertical plane of the hotel tower. Any continuous vertical plane of the hotel must be altered vertically at a minimum every 30 feet in elevation through the use of openings, use of architectural components, articulation in wall detailing, change in texture, and/or change in color or material.

SEC. S-111.113. SIGNS

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. S-111.114. 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.

(d) Construction Schedule. Construction on the exterior of the building is limited between the hours of 7 a.m. to 7 p.m. Monday through Friday.

SEC. S-111.115. PAVING.

(a) Paved Areas. 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.

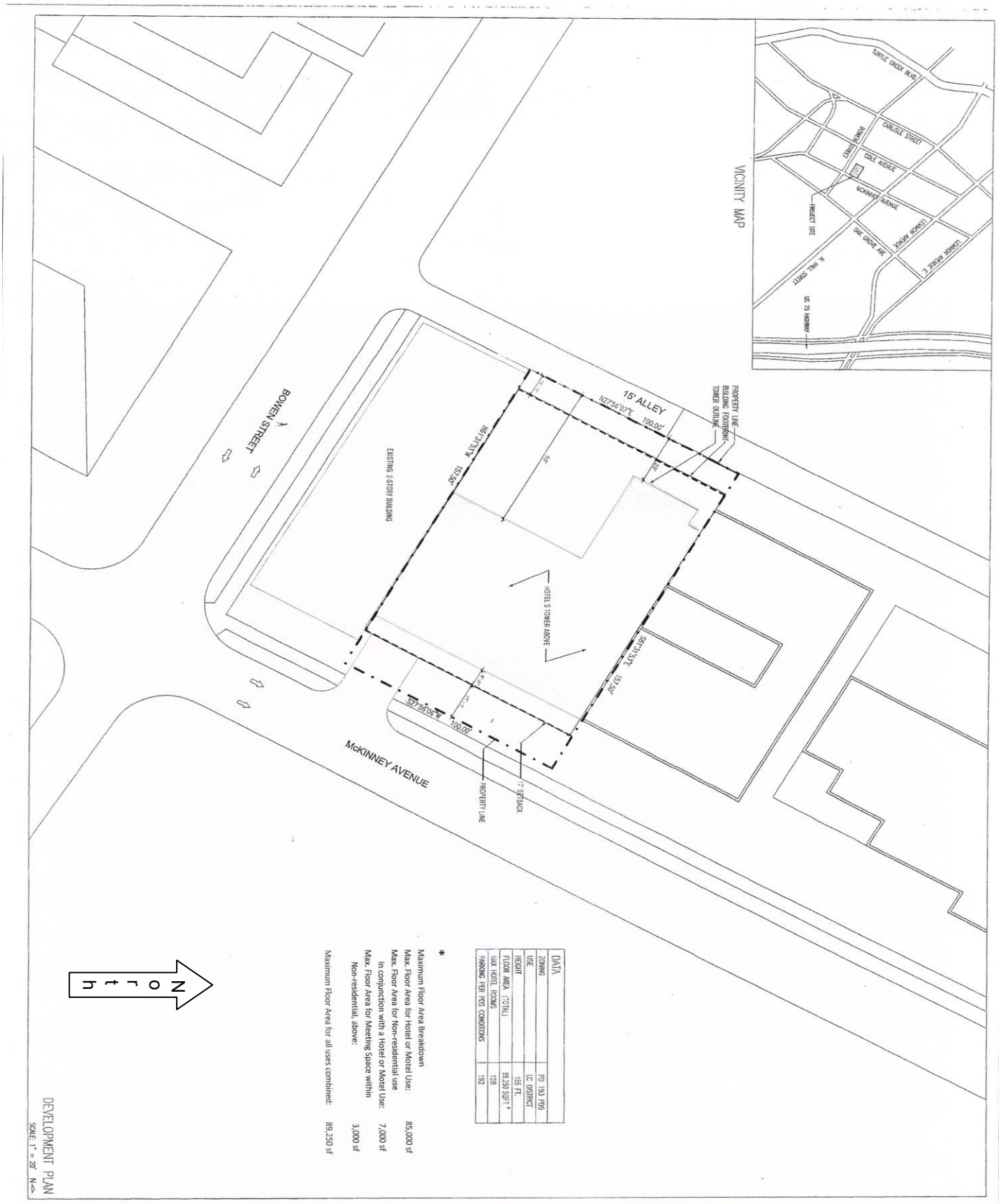
(b) Sidewalks. Sidewalks shall continue at a level walking surface across curb-cuts to give priority to the pedestrian

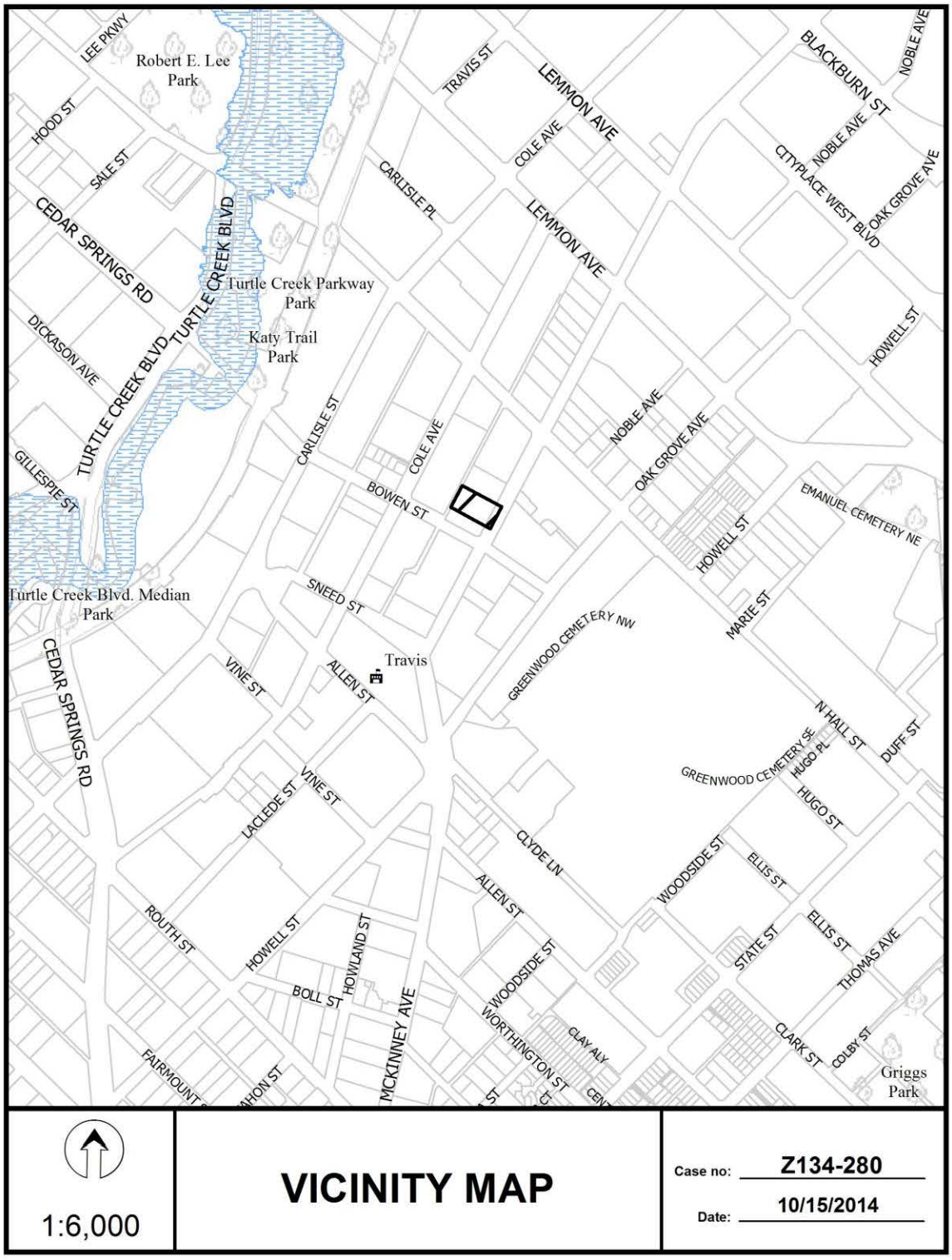
SEC. S-111.116. COMPLIANCE WITH CONDITIONS.

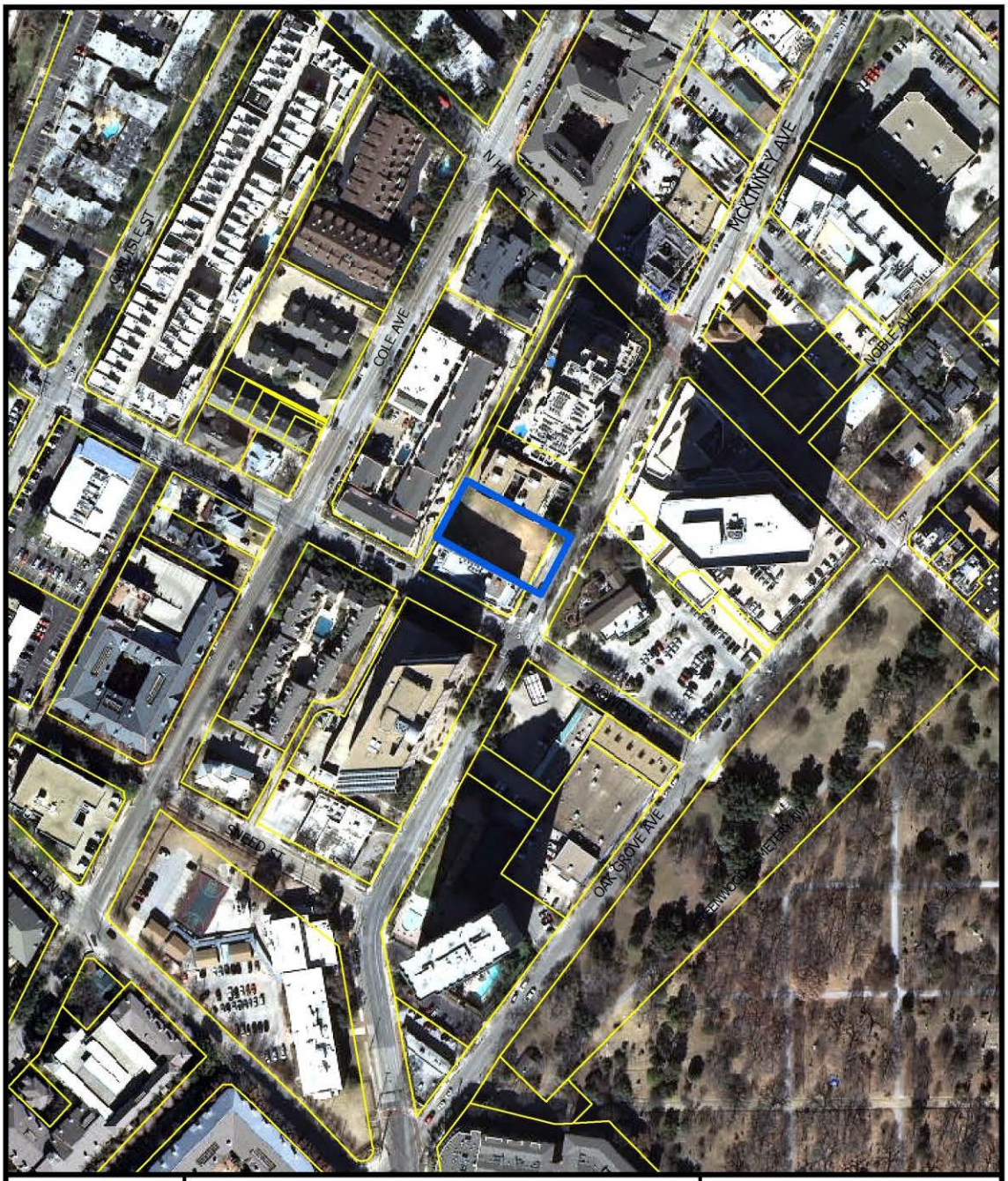
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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, 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




LEE PKWY
Robert E. Lee Park
HOOD ST
SALE ST
CEDAR SPRINGS RD
TURTLE CREEK BLVD
Turtle Creek Parkway Park
Katy Trail Park
DICKASON AVE
GILLESPIE ST
Turtle Creek Blvd. Median Park
CEDAR SPRINGS RD
TRAVIS ST
LEMMON AVE
COLE AVE
CARLISLE PL
CARLISLE ST
BOWEN ST
SNEED ST
Travis
VINE ST
ALLEN ST
LACLEDE ST
ROUTH ST
HOWELL ST
HOWLAND ST
BOLL ST
MCKINNEY AVE
FAIRMOUNT
MAHON ST
BLACKBURN ST
NOBLE AVE
CITYPLACE WEST BLVD
OAK GROVE AVE
HOWELL ST
NOBLE AVE
OAK GROVE AVE
EMANUEL CEMETERY NE
HOWELL ST
MARIE ST
GREENWOOD CEMETERY NW
N HALL ST
DUFF ST
GREENWOOD CEMETERY SE
HUGO PL
HUGO ST
CLYDE LN
WOODSIDE ST
ELLIS ST
ALLEN ST
WOODSIDE ST
WORTHINGTON ST
CLAY ALY
STATE ST
ELLIS ST
THOMAS AVE
CLARK ST
COLBY ST
Griggs Park
1:6,000
VICINITY MAP
Case no: Z134-280
Date: 10/15/2014

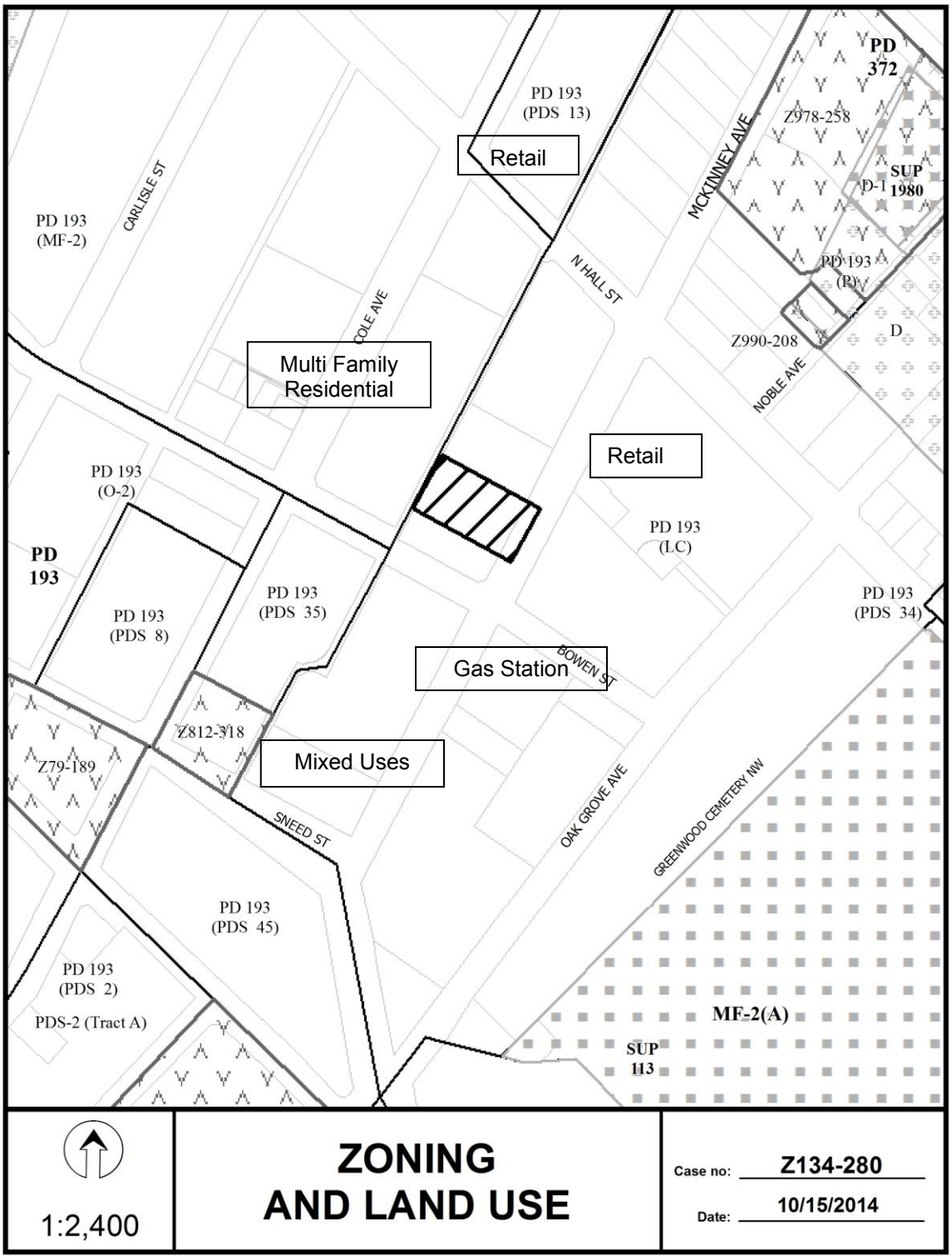


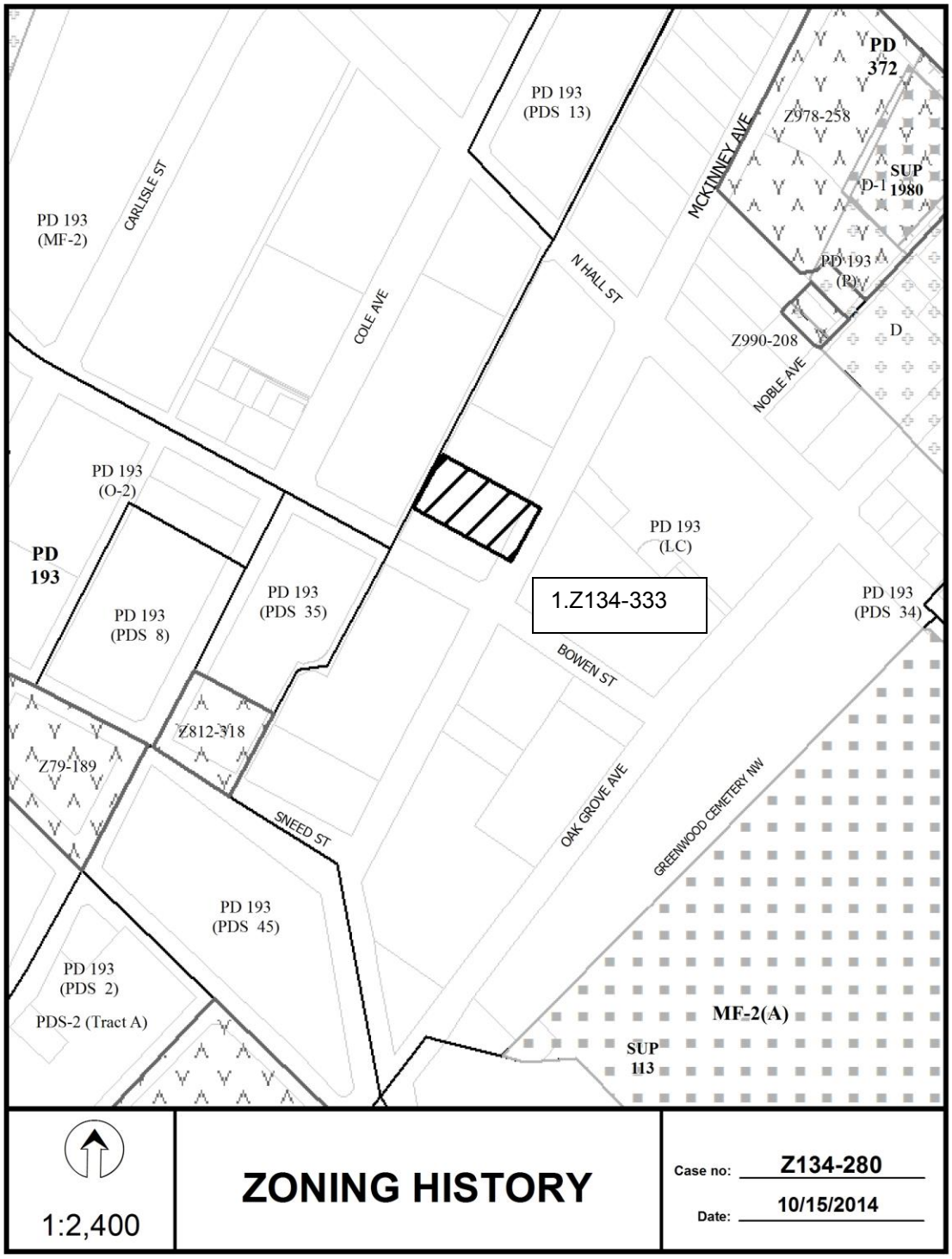
1:2,400

AERIAL MAP

Case no: Z134-280

Date: 10/15/2014


PD 372
PD 193 (PDS 13)
Retail
MCKINNEY AVE
Z978-258
SUP 1980
D-1
PD 193 (MF-2)
CARLISLE ST
N HALL ST
PD 193 (P)
COLE AVE
Z990-208
D
Multi Family Residential
NOBLE AVE
Retail
PD 193 (O-2)
PD 193 (LC)
PD 193
PD 193 (PDS 8)
PD 193 (PDS 35)
PD 193 (PDS 34)
Gas Station
BOWEN ST
Z812-318
Z79-189
Mixed Uses
SNEED ST
OAK GROVE AVE
GREENWOOD CEMETERY NW
PD 193 (PDS 45)
PD 193 (PDS 2)
PDS-2 (Tract A)
MF-2(A)
SUP 113
1:2,400
ZONING AND LAND USE
Case no: Z134-280
Date: 10/15/2014


PD 372
PD 193 (PDS 13)
Z978-258
MCKINNEY AVE
SUP D-1 1980
PD 193 (MF-2)
CARLISLE ST
COLE AVE
N HALL ST
PD 193 (R)
Z990-208
D
NOBLE AVE
PD 193 (O-2)
PD 193
PD 193 (PDS 8)
PD 193 (PDS 35)
PD 193 (LC)
1.Z134-333
PD 193 (PDS 34)
BOWEN ST
Z812-318
Z79-189
SNEED ST
OAK GROVE AVE
GREENWOOD CEMETERY NW
PD 193 (PDS 45)
PD 193 (PDS 2)
PDS-2 (Tract A)
MF-2(A)
SUP 113
1:2,400
ZONING HISTORY
Case no: Z134-280
Date: 10/15/2014

CPC Responses



383	Property Owners Notified (45 parcels)
1	Replies in Favor (1 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
12/18/2014	Date 11/20/2014 Under Advisement

Z134-280
CPC

N
W E
S

1:2,400

12/19/2014

Reply List of Property Owners

Z134-280

383 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	3207	MCKINNEY AVE	GIBON MCCROREY HOLDINGS LLC
	2	3100	OAK GROVE AVE	GREENWOOD CEMETERY ASSN
	3	3124	MCKINNEY AVE	MCKINNEY AVENUE
	4	3000	CARLISLE ST	SLR 3000 CARLISLE LLC
	5	3107	COLE AVE	BOUCHER DANIEL D
	6	3112	BOWEN ST	KASNETZ ANDREW B
	7	2910	HALL ST	MCCROREY GIBON HOLDINGS LLC
	8	3301	OAK GROVE AVE	GIBON MCCROREY HOLDINGS LLC
	9	2916	HALL ST	GIBON MCCROREY HOLDINGS LLC
	10	3307	NOBLE AVE	PORTOLANI FAMILY LP
	11	3230	MCKINNEY AVE	LISAR INC
	12	3230	MCKINNEY AVE	LISAR INC
	13	3205	OAK GROVE AVE	GAEDEKE HOLDINGS II LTD
	14	3006	COLE AVE	ROCKLAND LP
	15	3015	COLE AVE	POST APARTMENT HOMES LP
	16	3207	COLE AVE	WARNICK HAROLD B
	17	3207	COLE AVE	STANIS GRANT
	18	3207	COLE AVE	HANSEN SARAH M
	19	3207	COLE AVE	FELDMAN JULIE & MATTHEW
	20	3207	COLE AVE	LOUKAIDES ALEXANDER
	21	3203	MCKINNEY AVE	DFW MAPLE LEAF PTNRS LLC
	22	3120	MCKINNEY AVE	MCKINNEY AVENUE
	23	3153	OAK GROVE AVE	MCKINNEY AVENUE TRANSIT
	24	3101	MCKINNEY AVE	YOUNG CANNON PROPERTIES LP
	25	3131	MCKINNEY AVE	VELOCIS MCKINNEY LP
O	26	3111	COLE AVE	ANDERSON MICHAEL J

12/19/2014

Reply	*Label #*		*Address*	*Owner*
	27	3205	COLE AVE	KASNETZ ANDREW B
	28	3300	MCKINNEY AVE	REGISTER CHARLES
	29	3306	MCKINNEY AVE	REGISTER CHARLES
	30	3309	MCKINNEY AVE	RACHOFSKY M J TRUST ETAL
	31	3301	MCKINNEY AVE	HUGHES HULL HOLDINGS LLC
	32	3232	MCKINNEY AVE	GAEDEKE HOLDINGS II LTD
	33	3230	MCKINNEY AVE	LISAR INC
	34	3128	MCKINNEY AVE	AZIZA INVESTMENTS INC
	35	3227	MCKINNEY AVE	FATH DALLAS RESIDENCES LP
X	36	3219	MCKINNEY AVE	W&K REAL ESTATE PTNRS INC
	37	3402	COLE AVE	POST APARTMENT HOMES LP
	38	3208	COLE AVE	DILLING CAITLIN C
	39	3208	COLE AVE	PINKER MARC
	40	3208	COLE AVE	JAMES KIM
	41	3208	COLE AVE	WOODALL MARK E &
	42	3208	COLE AVE	PLESNARSKI WILLIAM
	43	3208	COLE AVE	SAMUEL ANN LINDA
	44	3208	COLE AVE	CROSBIE PETER J
	45	3208	COLE AVE	PAK CHRISTOPHER
	46	3208	COLE AVE	DYNAN THOMAS & CAROLINE M
	47	3208	COLE AVE	WICKER MALLORIE
	48	3208	COLE AVE	CAHILL HEATHER
	49	3208	COLE AVE	ARNOLD NANCY G
	50	3208	COLE AVE	HANNA MARY C
	51	3208	COLE AVE	WIDENER MICHAEL LEE & INNA
	52	3208	COLE AVE	DUELKS BRADFORD B
	53	3208	COLE AVE	GONZALEZ RAY L
	54	3208	COLE AVE	SAKHAI MARYAM
	55	3208	COLE AVE	PATEL CHIRAG
	56	3208	COLE AVE	VARGHESE THOMAS
	57	3208	COLE AVE	STEPHENS CHARLES

Reply	*Label #*		*Address*	*Owner*
	58	3208	COLE AVE	KOJDER JESSICA
	59	3208	COLE AVE	MITTEN JENNIFER
	60	3208	COLE AVE	THAKRAR ANISH
	61	3208	COLE AVE	HAYES JILL BETH
	62	3208	COLE AVE	PAPE AUTUMN R
	63	3208	COLE AVE	DEMIRKOL HANDE
	64	3208	COLE AVE	WEDEBERG BRADLEY A & LEE B
	65	3208	COLE AVE	KRACKE KIM B
	66	3208	COLE AVE	MINGLE DANIEL
	67	3208	COLE AVE	BELL THERESA MARIE
	68	3208	COLE AVE	KNOTT LAURA G
	69	3208	COLE AVE	CURRA CHRISTOPHER J
	70	3208	COLE AVE	DYKEMAN ALICE MGMT TR THE
	71	3208	COLE AVE	HOUCK TROY
	72	3208	COLE AVE	WOODS JOSEPH D
	73	3208	COLE AVE	NEUNERT CINDY E
	74	3208	COLE AVE	PIERCE ROGER A
	75	3208	COLE AVE	HARE JAMIE
	76	3208	COLE AVE	LATHAM KATHLEEN
	77	3208	COLE AVE	HERNANDEZ CARDENAS ANN V
	78	3208	COLE AVE	EGGEBRECHT DARREN W
	79	3208	COLE AVE	CALEGARI MAUD B
	80	3208	COLE AVE	PFITZINGER BRIAN S
	81	3208	COLE AVE	CHARUWORN NART
	82	3208	COLE AVE	FEDERAL NATIONAL MORTGAGE ASSOCIATION
	83	3208	COLE AVE	HARLOW CHARLES J
	84	3208	COLE AVE	DAVIS JENNIFER
	85	3208	COLE AVE	KNIGHT ALLISON M
	86	3208	COLE AVE	GREEN MARY POLK
	87	3208	COLE AVE	FINKEL FAMILY TRUST
	88	3208	COLE AVE	LAU HOWARD

12/19/2014

Reply	*Label #*		*Address*	*Owner*
	89	3208	COLE AVE	HURTADO ANDREA
	90	3230	COLE AVE	BHAMIDIPATI PRABHAKAR
	91	3230	COLE AVE	GARLICK RYAN M
	92	3230	COLE AVE	WOODWARD LOIS N
	93	3230	COLE AVE	WEBER KARIN
	94	3230	COLE AVE	WILLIAMS STEVE F
	95	3230	COLE AVE	LUNA JOHN B
	96	3230	COLE AVE	SHAW BRITTANY
	97	3230	COLE AVE	WILLIAMS CURTIS A
	98	3230	COLE AVE	
	99	3230	COLE AVE	COSTA FRANCESCO
	100	3230	COLE AVE	KLUGE DENNIS L &
	101	3230	COLE AVE	TOLLESON CHAD M & JESSCIA
	102	3230	COLE AVE	PETERSON DAVID J &
	103	3230	COLE AVE	HESS DOUGLAS ALLEN
	104	3230	COLE AVE	RIVERA FRANK
	105	3215	COLE AVE	L1 PROPERTIES LLC
	106	3215	COLE AVE	HARRISON SUZANNE & JAMES M
	107	3209	COLE AVE	LOPEZ ROLAND V
	108	3209	COLE AVE	GONZALEZ DEVIN
	109	3215	COLE AVE	OLIVERI CHARLES
	110	3215	COLE RD	OLIVERI CHARLES W SR
	111	3215	COLE AVE	MCBEE DAVID H
	112	3209	COLE AVE	BRIDGE TOWER DALLAS ONE LLC
	113	3215	COLE AVE	FOLDESY SHAWN E
	114	3209	COLE AVE	HERNANDEZ GUILLERMO A & GABRIELA
	115	3209	COLE RD	J & O BLAKE FAMILY LLC
	116	3215	COLE AVE	VIOLI MICHAEL &
	117	3209	COLE AVE	MORROW SAMUEL S
	118	3215	COLE AVE	MURPHY CYRUS
	119	3030	MCKINNEY AVE	ROBINSON INDUSTRIES, INC

Reply	*Label #*		*Address*	*Owner*
	120	3030	MCKINNEY AVE	BRINKMAN JEANNIE &
	121	3030	MCKINNEY AVE	AMMON SUSAN
	122	3030	MCKINNEY AVE	DOTY YVONNE D
	123	3030	MCKINNEY AVE	KAY DANA L
	124	3030	MCKINNEY AVE	HAYS RAYMOND R & DINAH D
	125	3030	MCKINNEY AVE	BAILEY LIVING TRUST
	126	3030	MCKINNEY AVE	LAWSON LILLIAN I
	127	3030	MCKINNEY AVE	KLEINE WILLIAMS D & ANN
	128	3030	MCKINNEY AVE	BROSI SCOTT C &
	129	3030	MCKINNEY AVE	NAPPI DAVID J
	130	3030	MCKINNEY AVE	GARCIA RICARDO LUIS & VERONICA M
	131	3030	MCKINNEY AVE	SIMPSON ANN
	132	3030	MCKINNEY AVE	HAIRE SCOTT L
	133	3030	MCKINNEY AVE	PHILLIPS WAYNE D
	134	3030	MCKINNEY AVE	STEELE JOHN RODMAN EST OF &
	135	3030	MCKINNEY AVE	SAHWANI DIANA
	136	3030	MCKINNEY AVE	BERTHOLD ROMBERG &
	137	3030	MCKINNEY AVE	WAGMAN FELICIA A MD
	138	3030	MCKINNEY AVE	MULLICAN MARY A
	139	3030	MCKINNEY AVE	VU CHI T
	140	3030	MCKINNEY AVE	NEAL BARBARA H
	141	3030	MCKINNEY AVE	STERN FAMILY LIVING TRUST
	142	3030	MCKINNEY AVE	OLKKOLA EDWARD E
	143	3030	MCKINNEY AVE	KLEIN HANNE
	144	3030	MCKINNEY AVE	DYKES DONALD E
	145	3030	MCKINNEY AVE	GOLDFARB FAMILY TRUST U A
	146	3030	MCKINNEY AVE	PEPMILLER DELMAR D &
	147	3030	MCKINNEY AVE	CARTER HALEY MARCUS JR &
	148	3030	MCKINNEY AVE	SAMARA KENNETH J
	149	3030	MCKINNEY AVE	BAILEY KATHLEEN C LIVING TRUST
	150	3030	MCKINNEY AVE	BATCHELOR JAMES F &
	151	3030	MCKINNEY AVE	BRANTLEY GLADYS
	152	3030	MCKINNEY AVE	GRIFFIN ELIZABETH R
	153	3030	MCKINNEY AVE	ESTELLHANCOCK MARITA

154	3030	MCKINNEY AVE	BAKER DONNA LYNN
155	3030	MCKINNEY AVE	PETTIT MICHAEL B &
156	3030	MCKINNEY AVE	ISMAIL SALIM & SHIREEN SALIM
157	3030	MCKINNEY AVE	WALKER DAVID G
158	3030	MCKINNEY AVE	CAMPEAU CORP TEXAS
159	3030	MCKINNEY AVE	GWYN JAMES W & V MARIE
160	3030	MCKINNEY AVE	SEAMAN GARY L & CAROLYN K
161	3030	MCKINNEY AVE	HELVEY KENT
162	3030	MCKINNEY AVE	SPIEGELMAN WILLARD
163	3030	MCKINNEY AVE	MALKA MICHAEL A
164	3030	MCKINNEY AVE	CARPENTER SUSAN
165	3030	MCKINNEY AVE	DONALDSON NIGEL A
166	3030	MCKINNEY AVE	STREIDL LISA ANN
167	3030	MCKINNEY AVE	SANDKNOP RYAN
168	3030	MCKINNEY AVE	LAMB SHELLY S
169	3030	MCKINNEY AVE	MOSSER ROBERT E
170	3030	MCKINNEY AVE	MCKEE JOHN
171	3030	MCKINNEY AVE	BALL JEANNIE C
172	3030	MCKINNEY AVE	KHOSHNOUDI AHMAD &
173	3030	MCKINNEY AVE	WOOD ELLEN
174	3030	MCKINNEY AVE	MCDONALD MARLA
175	3030	MCKINNEY AVE	HALLIDAY EDWIN JAY & LYNN MARY
176	3030	MCKINNEY AVE	WANSTRATH LAURA
177	3030	MCKINNEY AVE	BRITTINGHAM GUILLERMO M &
178	3030	MCKINNEY AVE	DUFFIELD ANNE E
179	3030	MCKINNEY AVE	TOUMANI RAFIK & SEDI
180	3030	MCKINNEY AVE	DIPASQUA ALPHONSO &
181	3030	MCKINNEY AVE	MILES JANIS C

12/19/2014

Reply	*Label #*		*Address*	*Owner*
	182	3030	MCKINNEY AVE	CARUSO RONALD
	183	3030	MCKINNEY AVE	THOMAS JOHN C & DEBRA
	184	3030	MCKINNEY AVE	FRANKEL DOUGLAS &
	185	3030	MCKINNEY AVE	GILHOOLY STEPHEN
	186	3030	MCKINNEY AVE	FREEMAN JOE E & CHERYL W
	187	3030	MCKINNEY AVE	WAUGH JOHN MARK TR &
	188	3030	MCKINNEY AVE	SELLARS JOHN P
	189	3030	MCKINNEY AVE	HARRIS CURTIS D &
	190	3030	MCKINNEY AVE	BROOKSHIER FAMILY TRUST
	191	3030	MCKINNEY AVE	BERNSTEIN BASIL
	192	3030	MCKINNEY AVE	MUIR J DUNCAN
	193	3030	MCKINNEY AVE	PRICE SANDRA NELSON
	194	3030	MCKINNEY AVE	PETERKIN NELL & LAWRENCE
	195	3030	MCKINNEY AVE	GREEN RAY E & VICKIE
	196	3030	MCKINNEY AVE	NORRIS PAUL
	197	3030	MCKINNEY AVE	CUNNINGHAM GENE M
	198	3030	MCKINNEY AVE	BRYAN BARRY
	199	3030	MCKINNEY AVE	KHOSHNOUDI BAHAR
	200	3030	MCKINNEY AVE	BROWN WILLIAM T II
	201	3030	MCKINNEY AVE	BARRY ELLEN M &
	202	3030	MCKINNEY AVE	HARRIS ELIZABETH K
	203	3030	MCKINNEY AVE	FISCHER REVOCABLE TRUST
	204	3030	MCKINNEY AVE	LADD DENNIS
	205	3030	MCKINNEY AVE	JORDAN STEVEN C
	206	3030	MCKINNEY AVE	LADD DENNIS &
	207	3030	MCKINNEY AVE	AHNERT EDWARD F &
	208	3030	MCKINNEY AVE	TRIMBLE RODNEY B
	209	3030	MCKINNEY AVE	TARPLEY KRISTA J
	210	3030	MCKINNEY AVE	WHITWELL STEPHEN
	211	3030	MCKINNEY AVE	SCHMIDT KEITH A
	212	3030	MCKINNEY AVE	BARNES MITZI T

Reply	*Label #*		*Address*	*Owner*
	213	3030	MCKINNEY AVE	CCR FAMILY TRUST
	214	3030	MCKINNEY AVE	KELLY MICHAEL J
	215	3030	MCKINNEY AVE	HAKIM CAMILLE A &
	216	3030	MCKINNEY AVE	SCHROEDER PATRICIA C REVOCABLE TRUST
	217	3030	MCKINNEY AVE	FELSTED KAREN E
	218	3030	MCKINNEY AVE	FARROWGILLIESPIE ALAN C
	219	3030	MCKINNEY AVE	FRANKS ROBERT C &
	220	3030	MCKINNEY AVE	HARGROVE T GEDDIE
	221	3030	MCKINNEY AVE	BARTON STANLEY & LINDA
	222	3030	MCKINNEY AVE	PUTNAM DONOVAN &
	223	3030	MCKINNEY AVE	APPERSON MARK W
	224	3030	MCKINNEY AVE	COLLINS FLOYD W
	225	3030	MCKINNEY AVE	ROGERS CULLEN A &
	226	3030	MCKINNEY AVE	CORTEZ CARLOS R
	227	3030	MCKINNEY AVE	MCLAUGHLIN KATHLEEN
	228	3030	MCKINNEY AVE	BIRKNER JOHN H
	229	3030	MCKINNEY AVE	SHELMIRE SUSAN
	230	3030	MCKINNEY AVE	WEATHERBY LESTER C JR & MORGAN TRUST CO-TR
	231	3030	MCKINNEY AVE	HAKIM CAMILLE & HAIFA TR
	232	3030	MCKINNEY AVE	BERG ALAN G
	233	3030	MCKINNEY AVE	BUTTS KELEM B &
	234	3030	MCKINNEY AVE	HEPFNER JAMES P
	235	3030	MCKINNEY AVE	ROBERTSON REBEL LEA LEGACY TRUST
	236	3030	MCKINNEY AVE	LA TOUR 2302 LLC
	237	3030	MCKINNEY AVE	MILDEBRATH MARK E & DANA
	238	3030	MCKINNEY AVE	NELSON RANDALL & KIMBERLY
	239	3030	MCKINNEY AVE	BERGNER JOHN F &
	240	3030	MCKINNEY AVE	STEWART JEFFREY G
	241	3030	MCKINNEY AVE	SKYLINE TRUST
	242	3030	MCKINNEY AVE	HAWLEY JOHN R & MARCIA H
	243	3030	MCKINNEY AVE	SKYLINE TRUST
	244	3030	MCKINNEY AVE	SKYLINE TRUST

245	3030	MCKINNEY AVE	SKYLINE TRUST
246	3100	COLE AVE	AFTABROUSHADR KAMBIZ
247	3100	COLE AVE	ALLSION CHRIS
248	3100	COLE AVE	RAFFEL SCOTT J & KATHY E
249	3100	COLE AVE	ZHANG HELEN X Y
250	3100	COLE AVE	BRANT SARAH M
251	3100	COLE AVE	KOJIMA SHIHOKO
252	3100	COLE AVE	PALETTI SONIA
253	3100	COLE AVE	NICOLLE BRYCE DAUVERGNE
254	3100	COLE AVE	CHESNUT JOHN
255	3100	COLE AVE	SMITH HOLLY F
256	3100	COLE AVE	REYES ROBERT M
257	3100	COLE AVE	TEJURA SEEMA V
258	3100	COLE AVE	RAFEA VEEDA
259	3100	COLE AVE	ZERR JOSEPH
260	3100	COLE AVE	KJELDGAARD DAVID
261	3100	COLE AVE	MATAMOROS JOSEPH A
262	3100	COLE AVE	DRAPER DUANE D
263	3100	COLE AVE	ZENTNER DANIEL J
264	3100	COLE AVE	HAUCK HANS G &
265	3100	COLE AVE	WHEAT DAVID G
266	3100	COLE AVE	MURRAY ESTATE LLC
267	3100	COLE AVE	FLEMING STEPHEN M
268	3100	COLE AVE	BENAVIDES MICHAEL L
269	3100	COLE AVE	YU MIMI
270	3100	COLE AVE	GAMINI MORTEZA & BORTAY
271	3100	COLE AVE	SKAINES JONATHAN B
272	3100	COLE AVE	LOZANO JAVIER ALBERTO NEYRA & YEAL JOSEPH
273	3100	COLE AVE	THELEN TODD M
274	3100	COLE AVE	OREILLEY KATHLEEN

12/19/2014

Reply	*Label #*		*Address*	*Owner*
	275	3100	COLE AVE	SALANON EMANUEL JOEL
	276	3100	COLE AVE	GARCIA EDWARD I
	277	3100	COLE AVE	AHN SAM
	278	3100	COLE AVE	MILLIET MARK JOSEPH
	279	3100	COLE AVE	MAYES EVAN Z
	280	3100	COLE AVE	REISMAN MARK L
	281	3100	COLE AVE	PHILLIPS THOMAS L
	282	3100	COLE AVE	ROSENBAUM RICO
	283	3100	COLE AVE	YOUNG LINDSAY &
	284	3100	COLE AVE	WARMAN DAVID
	285	3100	COLE AVE	VONBORSIG MICHAEL A
	286	3100	COLE AVE	LIN CONSTANCE LEECHEN
	287	3100	COLE AVE	YORK ROBERT A &
	288	3100	COLE AVE	DEMEIS DANIEL G
	289	3210	CARLISLE ST	PAGE ANTHONY R
	290	3210	CARLISLE ST	DAVIS JAMES KYLE &
	291	3210	CARLISLE ST	GIORDANO JOHN V
	292	3210	CARLISLE ST	CHOI YUN H
	293	3210	CARLISLE ST	ENGWICHT JACKIE L & CORY J
	294	3210	CARLISLE ST	TURNBULL RANDALL C &
	295	3210	CARLISLE ST	WOLFE DAVID ENTERPRISES INC
	296	3210	CARLISLE ST	TORCHIO PAOLO
	297	3210	CARLISLE ST	CHAKAL NAVDEEP S &
	298	3210	CARLISLE ST	FREEMAN JOHN &
	299	3210	CARLISLE ST	BERGH CHRISTOPHER A &
	300	3210	CARLISLE ST	WENTWORTH BARBARA
	301	3210	CARLISLE ST	SKALSKI STEVEN
	302	3210	CARLISLE ST	DEFARRO GIANPAOLO &
	303	3210	CARLISLE ST	BELTER CHRISTOPHER
	304	3210	CARLISLE ST	JEFFREY B JOHNS 2007 TRUST
	305	3210	CARLISLE ST	NORTH TIMOTHY G &

Reply	*Label #*		*Address*	*Owner*
	306	3210	CARLISLE ST	DAVIS JON C
	307	3210	CARLISLE ST	FOX MICHAEL & JULIANNE
	308	3210	CARLISLE ST	HORTON LANCE
	309	3210	CARLISLE ST	MCKAY JOHN K & ANN
	310	3210	CARLISLE ST	STOJANOVIC VESNA
	311	3210	CARLISLE ST	DORMER TIM
	312	3210	CARLISLE ST	GOODWIN BOBBY A &
	313	3210	CARLISLE ST	SCHMIDT FREDERICK M
	314	3210	CARLISLE ST	RAJA SEKHAR N & INDIRA R
	315	3210	CARLISLE ST	GIEGER ERNIE & DIANE
	316	3210	CARLISLE ST	STANFORD CHRISTIN C & ERIK
	317	3210	CARLISLE ST	LYNCH DAVID E
	318	3210	CARLISLE ST	WOODARD BRYAN T
	319	3210	CARLISLE ST	LUONG PHUONG M
	320	3210	CARLISLE ST	FLOWERS ROBERT R
	321	3210	CARLISLE ST	LEE RICHARD
	322	3210	CARLISLE ST	BURNS MICHAEL R &
	323	3210	CARLISLE ST	HELM ADAM
	324	3210	CARLISLE ST	AUGUSTINE AARON E
	325	3210	CARLISLE ST	LYONS KEVIN & MEGAN
	326	3210	CARLISLE ST	HARMAN ROBERT KING & LINDA ANNE
	327	3210	CARLISLE ST	MINK JUSTIN
	328	3210	CARLISLE ST	PRESSLER FAMILY TRUST
	329	3210	CARLISLE ST	ALVAREZ PEDRO JR &
	330	3210	CARLISLE ST	GALAS ELIZABETH L
	331	3210	CARLISLE ST	GEIKEN CHAD D
	332	3210	CARLISLE ST	SMITH HOLLY L
	333	3210	CARLISLE ST	WCISLO BRIAN &
	334	3210	CARLISLE ST	CUMMINS CHRISTINA LYNN
	335	3210	CARLISLE ST	SILAVIA DIERDRE
	336	3210	CARLISLE ST	WELLS CORY

Reply	*Label #*		*Address*	*Owner*
	337	3210	CARLISLE ST	MATEN RACHEL J
	338	3210	CARLISLE ST	HAWKINS DWAYNE W
	339	3210	CARLISLE ST	LAVENDER RACHEL LAUREN
	340	3210	CARLISLE ST	HUANG THERESA T
	341	3210	CARLISLE ST	KAUFMAN CAPITAL LLC
	342	3210	CARLISLE ST	ATKINS JOSEPH B JR &
	343	3210	CARLISLE ST	OCONNOR MARY B
	344	3210	CARLISLE ST	TERRY JASON E
	345	3210	CARLISLE ST	UPCHURCH ADRIENNE E
	346	3210	CARLISLE ST	HASS RACHEL
	347	3210	CARLISLE ST	MIRE DENNIS
	348	3210	CARLISLE ST	YOUNG AMY C
	349	3210	CARLISLE ST	SMITH EDWARD A
	350	3210	CARLISLE ST	HAMM PHILIP
	351	3210	CARLISLE ST	EBERWEIN SCOTT A &
	352	3235	COLE AVE	COOKE AMY M
	353	3235	COLE AVE	NGUYEN THONG
	354	3235	COLE AVE	FREDERICK KYLE
	355	3235	COLE AVE	
	356	3235	COLE AVE	HALL DOUGLAS K
	357	3235	COLE AVE	SHEINBERG DARREN
	358	3235	COLE AVE	BURKE ASHLEE ESTELLE & AARON
	359	3235	COLE AVE	CHAPMAN ALBERT J III
	360	3235	COLE AVE	WELLS ALEX L
	361	3235	COLE AVE	HALLOCK KEITH R JR
	362	3235	COLE AVE	KNOWLTON KELLY
	363	3235	COLE AVE	MAJOR DAVID P
	364	3235	COLE AVE	MALLOY BETHANY E
	365	3235	COLE AVE	THOMPSON SCOTT JAY
	366	3235	COLE AVE	DEERING CHRISTOPHER
	367	3235	COLE AVE	WILCOX AUSTIN J

12/19/2014

Reply	*Label #*		*Address*	*Owner*
	368	3235	COLE AVE	HUMPHRIES MATTHEW SHAWN
	369	3235	COLE AVE	MILES BRANDON
	370	3235	COLE AVE	WHITE STEVEN M & TERESA J
	371	3235	COLE AVE	GOLDMAN DAVID
	372	3235	COLE AVE	LITOFF AUSTIN
	373	3235	COLE AVE	LECOVER MATTHEW L
	374	3235	COLE AVE	KUO ANDY
	375	3235	COLE AVE	FICKE GEOFFREY E
	376	3235	COLE AVE	AN JADHAVJI INVESTMENTS LLC
	377	3235	COLE AVE	BARNEY JOHN DAVID
	378	3235	COLE AVE	PAINTER KENNETH R
	379	3235	COLE AVE	MEHTA EMILY BALCH & GAURAV
	380	3235	COLE AVE	VANN RHONDA H
	381	3235	COLE AVE	ELKINS LARRY G
	382	3235	COLE AVE	FIORE ANGELA M
	383	3235	COLE AVE	MAIONE MICHAEL

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 58-C

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 greater than 3,500 square feet, and an ordinance granting the termination of Specific Use Permit No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the southeast corner of South Buckner Boulevard and Jennie Lee Lane

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions, and approval of the termination of Specific Use Permit No. 1996

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions, and approval of the termination of Specific Use Permit No. 1996

Z134-350(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z134-350(RB) **DATE FILED:** September 26, 2014

LOCATION: Southeast corner of South Buckner Boulevard and Jennie Lee Lane

COUNCIL DISTRICT: 5 **MAPSCO:** 58-C

SIZE OF REQUEST: Approx. 30,928 Sq. Ft. **CENSUS TRACT:** 90.00

REPRESENTATIVE: Tailim Song

APPLICANT/ OWNER: U.S. Realty Holdings, LTD

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and termination of Specific Use Permit No. 1996 for the Sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to provide for a 4,278-square-foot main structure, which exceeds the maximum floor area permitted for the use category (3,500 square feet) permitted by Specific Use No. 1996.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions, and **approval** of the termination of Specific Use Permit No. 1996.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions, and **approval** of the termination of Specific Use Permit No. 1996.

GUIDING CRITERIA FOR RECOMMENATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The request being located at the intersection of a thoroughfare and local street, provides for orientation of improvements facing Buckner Boulevard, with required screening and setbacks from residential uses to the east.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The underlying zoning permits community serving retail uses, and subject to the conditions of SUP No. 1996, the sale of alcoholic beverages can provide for

3. *Not a detriment to the public health, safety, or general welfare* – The proposed amendments will continue to provide for a use that is consistent with those normally found in close proximity to residential uses.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – A certificate of occupancy will be required prior to use of the property for the intended use as well as compliance with Chapter 12B (Dallas Development Code) and TABC regulations.

BACKGROUND INFORMATION:

- The request site was previously developed with a convenience store, inclusive of a car wash and a fueling area.

- On November 14, 2012, the City Council approved SUP No. 1996 for a five-year period with eligibility for automatic renewal for additional ten-year periods.

- On September 14, 2014, the City Plan Commission approved a waiver of the two-year waiting period, thus providing for acceptance of this application on September 26, 2014.

- The applicant has removed all improvements and is constructing per the attached site plan, specifically increasing the size of the general merchandise or food store as previously approved.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Thoroughfare/Street	Designation; Existing & Proposed ROW
South Buckner Boulevard	Principal Arterial; 100' & 100' ROW
Jennie Lee Lane	Local; 50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges 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.

Land Use Compatibility: The applicant received approval for an SUP No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. At this time, all improvements have been removed; however, the applicant is providing for a larger retail store (4,278 square feet). Thus, the application for a sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet. The current SUP will be terminated.

The site is situated along the Buckner Boulevard frontage, with access to the site along this thoroughfare as well as along the south line of Jennie Lee Lane. Community serving retail uses are located on properties fronting the thoroughfare, both north and south of the site. Areas west and east of these retail uses, respectively, transition to low density residential uses.

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.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. As the applicant is providing for approximately 1,842 square feet of additional floor area, should this possible requirement will be addressed at the time of submission for permits to utilize this floor area.

Criminal Activity: The following represents reported offenses for the four-year period from November 20, 2010-2014.

Dallas Police Department Reports

Public Offense Search Results

	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0092360-Y	04/12/2011	THEFT	*SHELL GAS STATION	02438 S BUCKNERBLVD	324	1243
2	0092361-Y	04/13/2011	THEFT	*SHELL GAS STATION	02438 S BUCKNERBLVD	324	1243
3	0137559-Y	05/28/2011	FOUND PROPERTY	@PLANO PD	02438 S BUCKNERBLVD	324	1243
4	0289750-Z	11/21/2012	ASSAULT	SHAKYA, PRAGEN	02438 S BUCKNERBLVD	324	1243
5	0289752-Z	11/21/2012	CRIMINAL MISCHIEF/VANDALISM	*SHELL STATION	02438 S BUCKNERBLVD	324	1243
6	0060619-Z	03/12/2012	OTHER OFFENSES	HARBISON,ROSSANA,	02438 S BUCKNERBLVD	324	1243
7	0251594-Z	10/08/2012	FRAUD	REYNOLDS, MARK	02438 S BUCKNERBLVD	324	1243
8	0181364-Z	07/22/2012	FORGERY & COUNTERFEITING	TURNER, DEMARCUS	02438 S BUCKNERBLVD	324	1243
9	0220867-A	08/28/2013	BURGLARY	*R&P FOOD MART (SHELL)	02438 S BUCKNERBLVD	324	1243
10	0233703-A	09/11/2013	BURGLARY	*SHELL	02438 S BUCKNERBLVD	324	1243
11	0306266-A	11/23/2013	THEFT	BHAGAT, SHANALI	02438 S BUCKNERBLVD	324	1243

CPC ACTION
(December 4, 2014)

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 greater than 3,500 square feet for a two-year period, subject to a site plan and conditions, and, and **approval** of the termination of Specific Use Permit No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the southeast corner of South Buckner Boulevard and Jennie Lee Lane.

Maker: Shdid
Second: Anantasomboon
Result: Carried: 13 to 1

For: 13 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 1 - Culbreath
Absent: 1 - Abtahi
Vacancy: 0

Notices: Area: 200 Mailed: 17
Replies: For: 0 Against: 0

Speakers: For: Tailim Song, 13140 Coit Rd., Dallas, TX, 75240
Against: None

U.S. Realty Holdings, LTD
Shanali (Shawn) Bhagat, President/CEO

CPC/STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT

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 greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommended:

3. TIME LIMIT: This specific use permit expires on (two years).

Staff recommended:

3. TIME LIMIT: This specific use permit expires on (five years) but is eligible for automatic renewal for additional ten-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. FLOOR AREA: The maximum floor area is 4,278 square feet.

5. SCREENING: A solid screening fence must be provided where a residential adjacency exists.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance

7. 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.

122792

28840

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as Planned Development District No. 366 with a D-1 Liquor Control Overlay, to be used under Specific Use Permit No. 1996 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

SECTION 2. That this specific use permit is granted on the following 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.

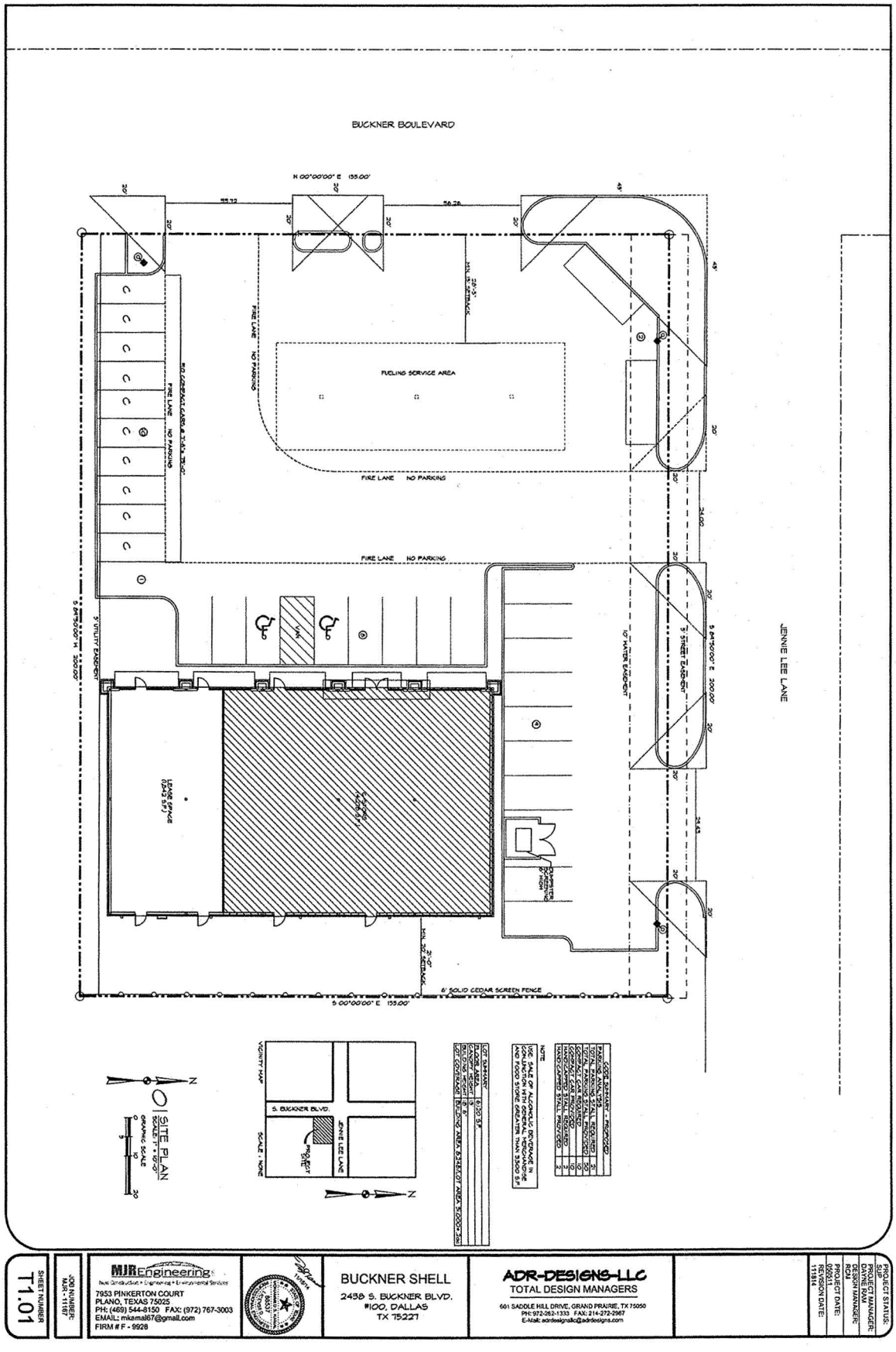
3. TIME LIMIT: This specific use permit expires on November 14, 2017, but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application 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. FLOOR AREA: Maximum floor area is 2,805 square feet.

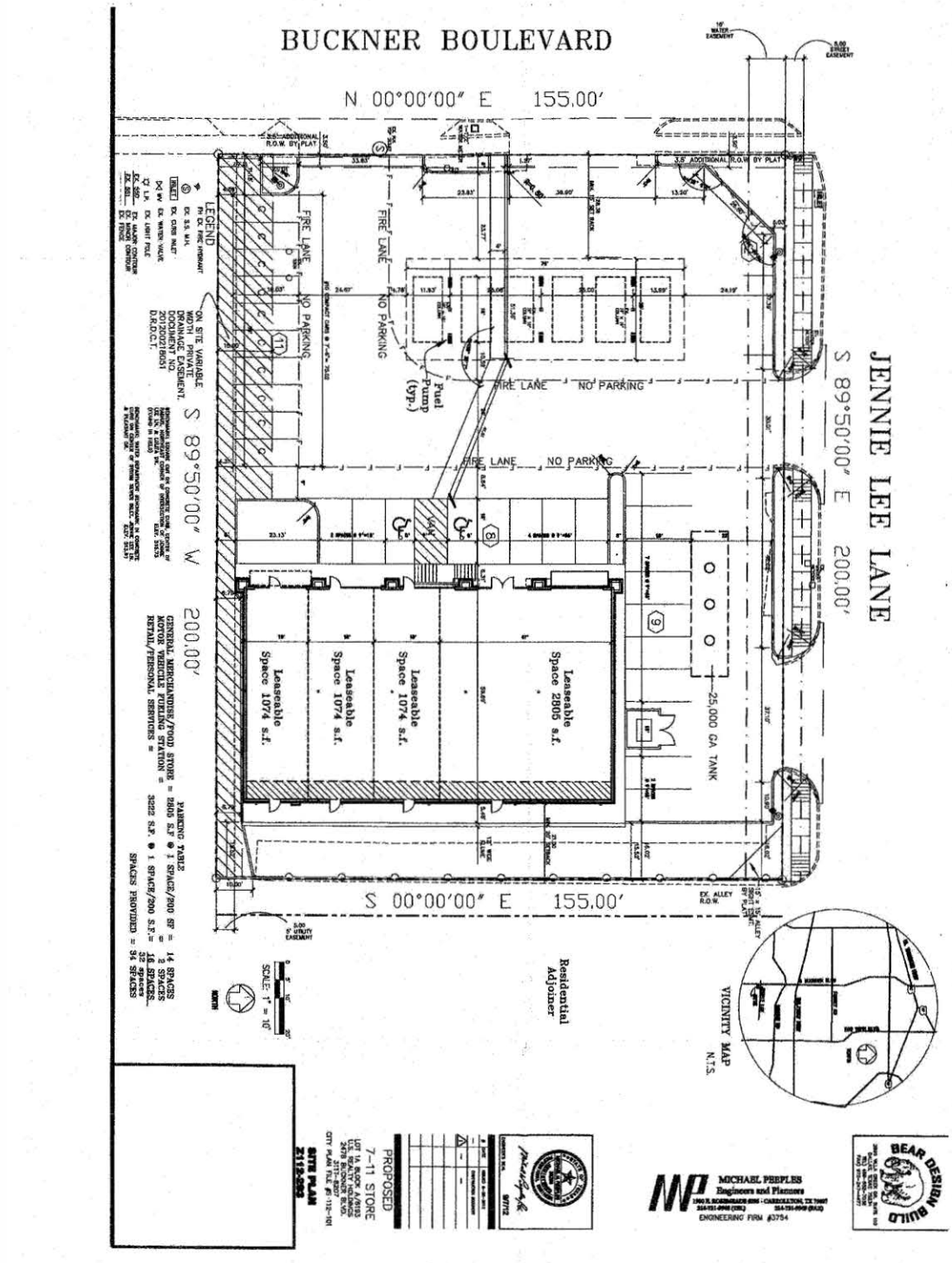
5. SCREENING: A solid screening fence must be provided where a residential adjacency exists.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

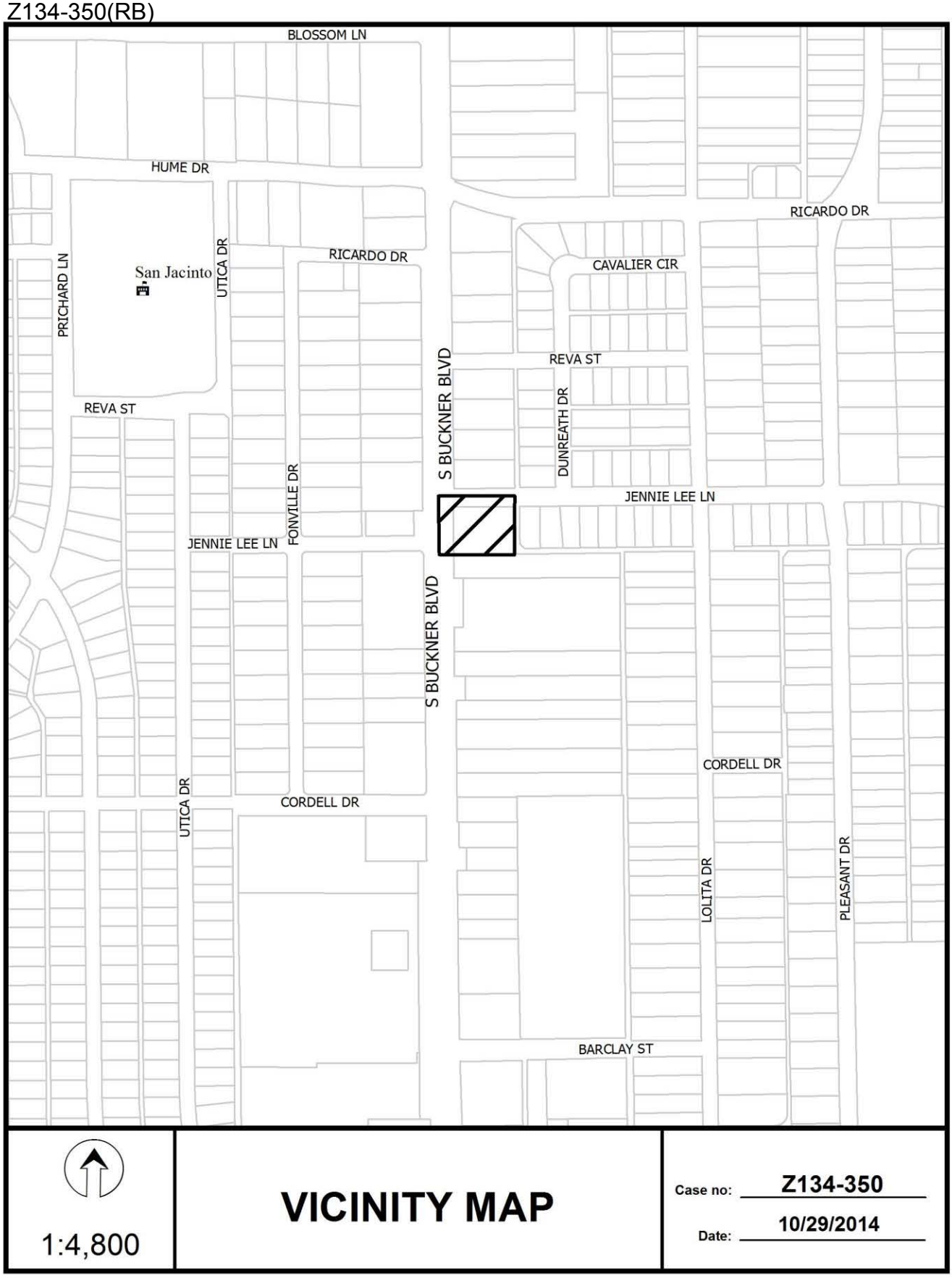
Existing Conditions



Proposed Site Plan



Existing Site Plan

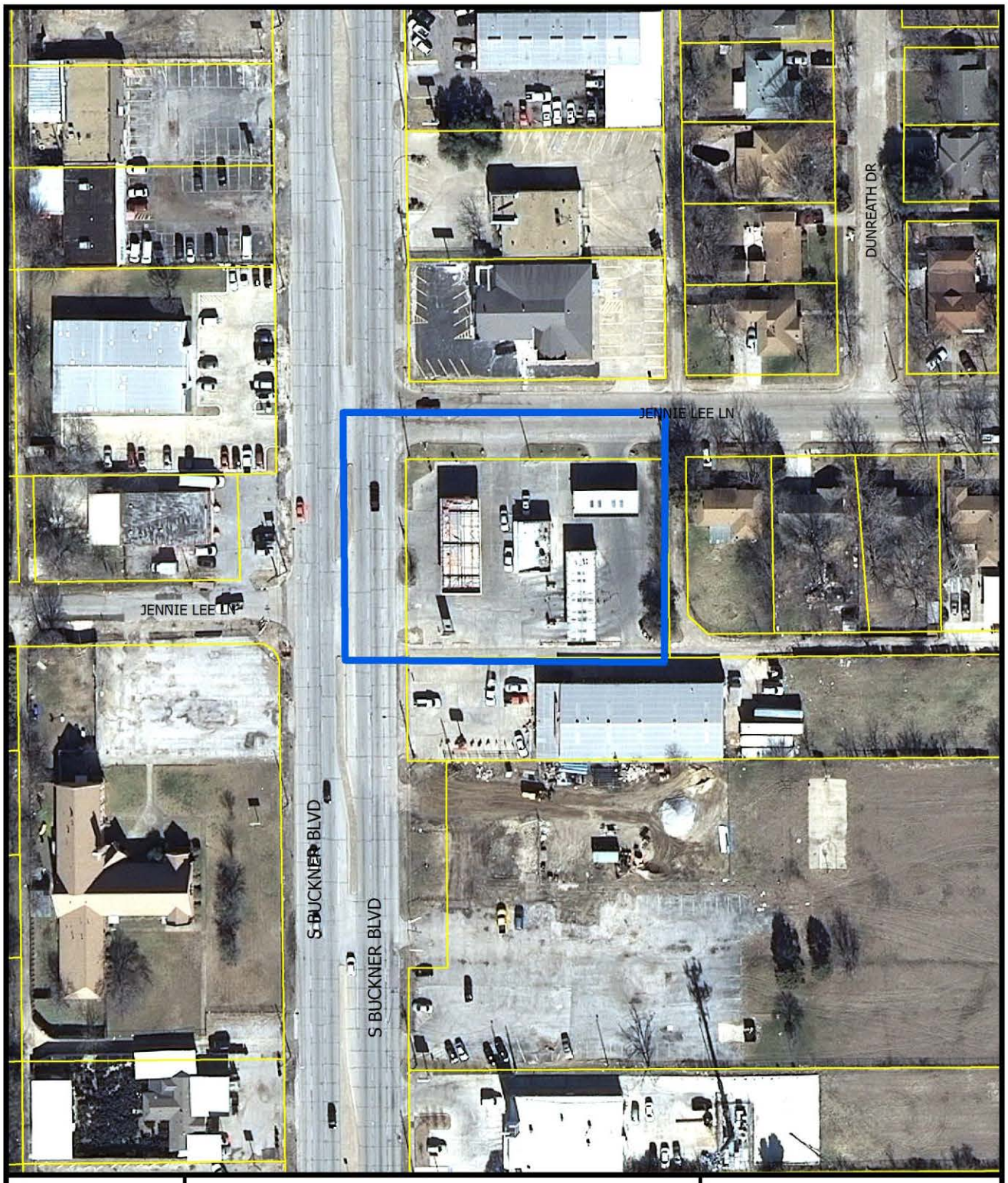


1:4,800

VICINITY MAP

Case no: Z134-350

Date: 10/29/2014

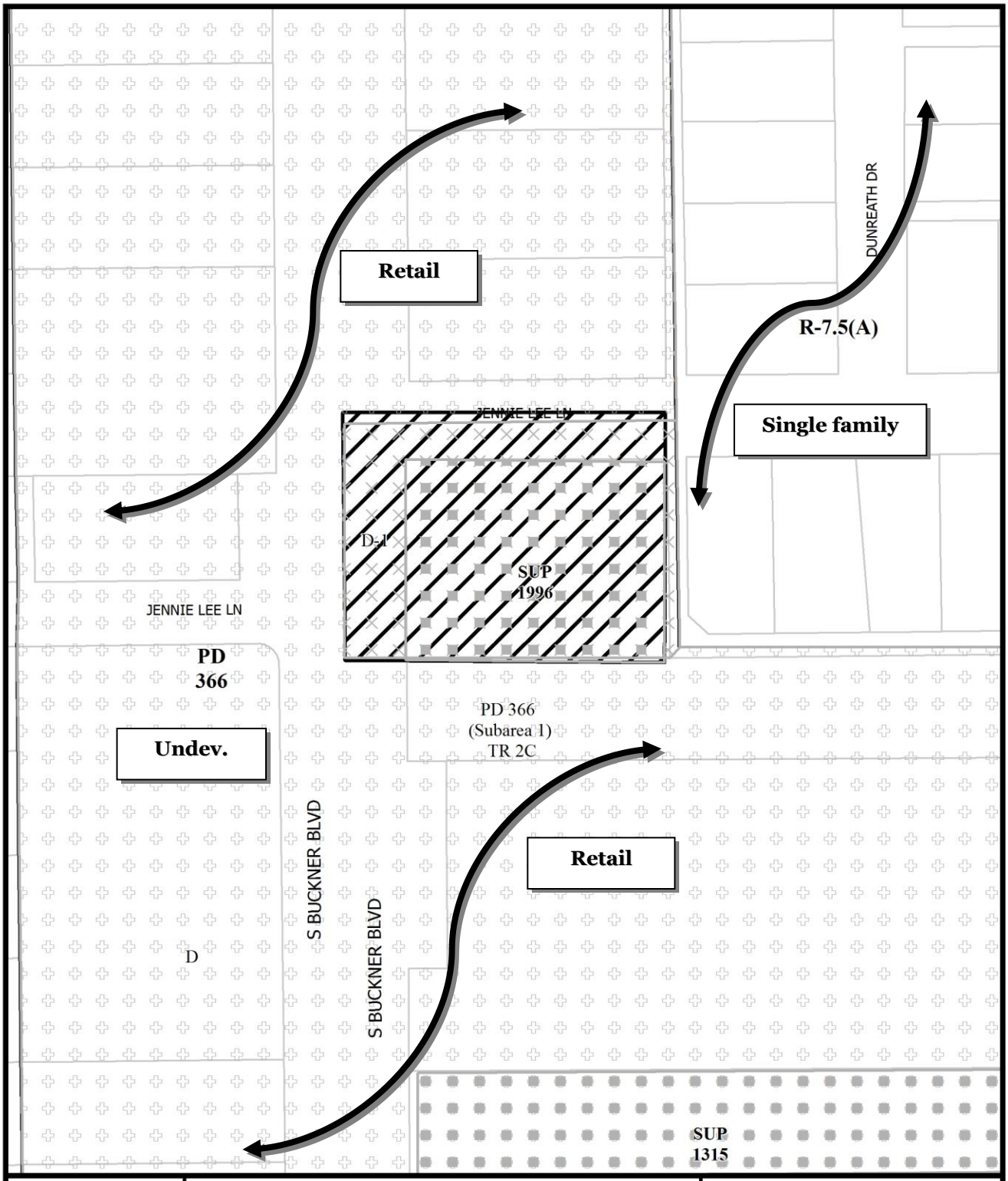


1:1,200

AERIAL MAP

Case no: Z134-350

Date: 10/29/2014



1:1,200

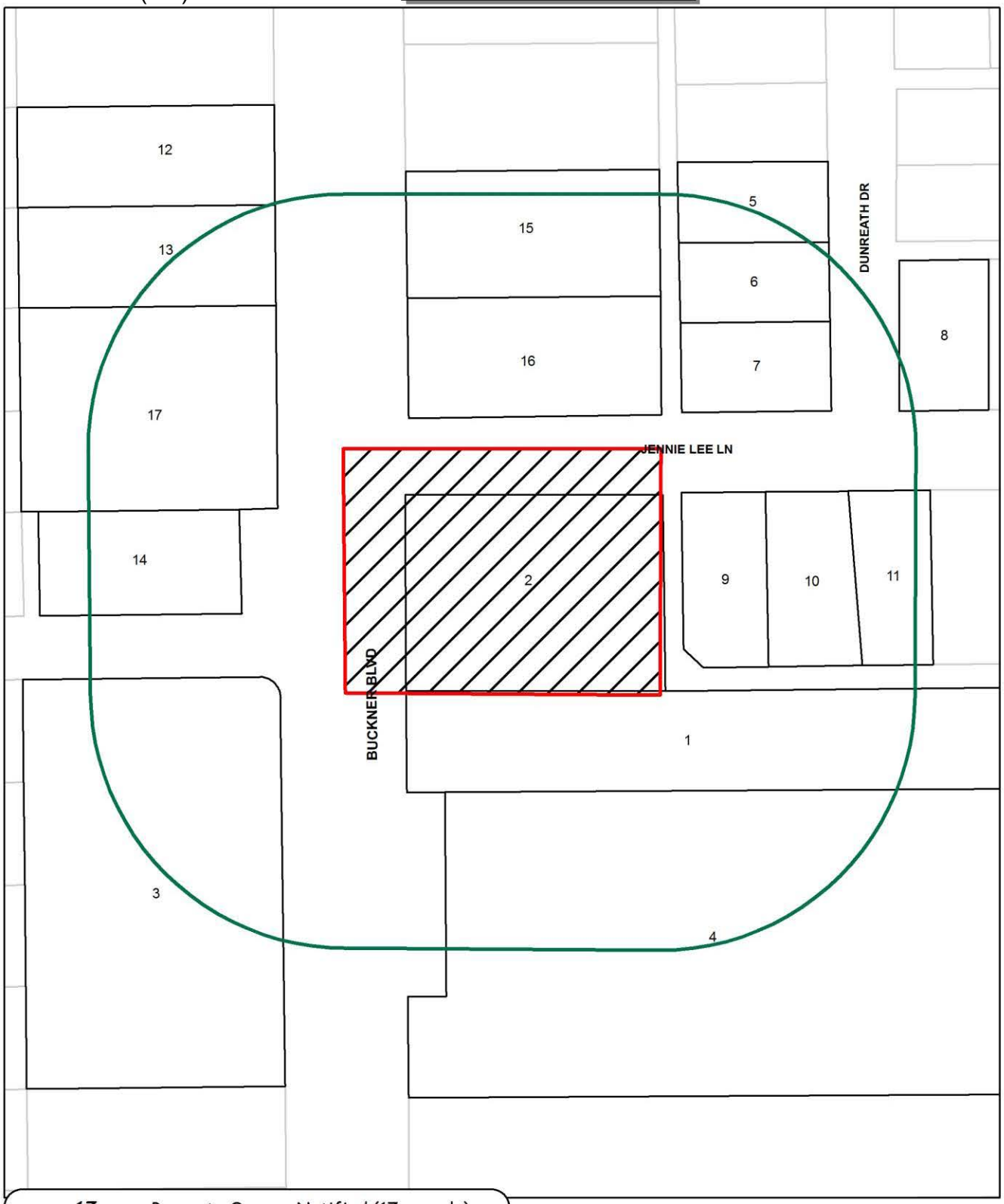
ZONING AND LAND USE

Case no: Z134-350

Date: 10/29/2014

Z134-350(RB)

CPC RESPONSES



17	Property Owners Notified (17 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
12/4/2014	Date

Z134-350
CPC

N
W E
S

1:1,200

10/29/2014

Notification List of Property Owners

Z134-350

17 Property Owners Notified

Label #	*Address*		*Owner*
1	2424	BUCKNER BLVD	ADLEY RON TR &
2	2438	BUCKNER BLVD	BUCKNER INVESTMENTS LLC
3	2423	BUCKNER BLVD	ALMASS INVESTMENT GROUP LP
4	2414	BUCKNER BLVD	PALOMA ISABELA INVESTMENTS INC
5	2515	DUNREATH DR	DUREN JUANITA
6	2511	DUNREATH DR	CALDERON URIEL
7	2505	DUNREATH DR	MARTINEZ BRAYAN D
8	8133	JENNIE LEE LN	CORDERO RAUL &
9	8118	JENNIE LEE LN	MUSTAFA SANDRA LUHRING
10	8124	JENNIE LEE LN	PEQUENO JUANITA M ET AL
11	8128	JENNIE LEE LN	SANDERS W J
12	2531	BUCKNER BLVD	MARTINEZ JUAN J & IRMA G
13	2523	BUCKNER BLVD	MARTINEZ JUAN J & IRMA G
14	2501	BUCKNER BLVD	CNB REAL ESTATE
15	2514	BUCKNER BLVD	2120 24 NS KTD
16	2506	BUCKNER BLVD	LCG BUCKNER COMMONS LLC
17	2517	BUCKNER BLVD	RUVALCABA RAMON & GILMA &

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest side of Kimsey Drive, northeast of Maple Avenue and a resolution accepting deed restrictions volunteered by the applicant

Recommendation of Staff and CPC: Approval with deed restriction volunteered by the applicant

Z134-292(OTH)

Note: This item was considered by the City Council at public hearings on November 12, 2014 and December 10, 2014, and was taken under advisement until January 28, 2015, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z134-292(OTH) **DATE FILED:** July 17, 2014

LOCATION: Northwest side of Kimsey Drive, northeast of Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34-P

SIZE OF REQUEST: ±7,500 square feet **CENSUS TRACT:** 4.06

OWNER/APPLICANT: Madison Kimsey Ltd.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to develop the property, a 7,500-square-foot lot with a duplex unit and is volunteering deed restrictions to prohibit multifamily uses on the property.

CPC RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the existing development in the surrounding area. The property is only one lot between an existing single family dwelling unit and an office/showroom/warehouse. The proposed development will be a smooth transition into a more dense development allowed by the property in PD No. 907 which allows for a denser townhouse development. Even though staff is supporting the request, it is important to note that the proposed zoning district will make the property adjacent to the south a nonconforming structure due to the setbacks required for a non-residential development adjacent to a residential zoning district. In the event that the property owner of the adjacent property wants to make an addition to the existing structure, the owner will have to comply with Code requirements, and might need to go to the Board of Adjustment to request either a special exception or a variance, depending on the type of development the owner wants to do. Staff believes this area is in transition to residential districts, thus the recommendation for approval.

2. *Traffic impact* – The proposed development does not have direct access to a major thoroughfare and will have small impact on the existing street system. The number of trips generated by a residential district differ from the number of trips generated by a use permitted in the Industrial Research District

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Campus Building Block. The requested zoning district and proposed development are consistent with the Campus Building Block.

Zoning History:

1. Z123-339 On Wednesday, March 26, 2014, the City Council approved Planned Development District No. 907 for MF-2(A) Multifamily District on property located on the northwest side of Kimsey Drive, northeast of Maple Avenue.

2. Z112-228 On Wednesday, August 22, 2012, the City Council approved a WR-5 Walkable Urban Residential District on property zoned an MU-2 Mixed Use District on property located on the east corner of Maple Avenue and Bomar Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Kimsey Drive	Local	50 feet

Surrounding Land Uses:

	Zoning	Land Use
Site	IR	Undeveloped
North	IR, CS, MU-2	Single family and Office/showroom/warehouse
East	IR	Single family
South	PD No. 907, IR	Undeveloped & Single Family
West	MU-2	Multifamily & undeveloped

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 in the Campus Block.

The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a "university town" feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

The requested zoning district and proposed development are consistent with the Campus Building Block and provides for a variety of housing options.

Land Use Compatibility:

The property is a single 7,500 square feet lot located between an existing single family dwelling unit and an office/showroom/warehouse. The applicant is proposing to develop the property with a duplex unit. The applicant is volunteering deed restrictions to limit the development of the property by prohibiting multifamily uses. The deed restrictions are offered with the intention of protecting the adjacent single family residential uses from a higher density development.

The proposed zoning district, if approved by the City Plan Commission, will make the structure located on the south side of the property a non-conforming structure. This means, that in the event that the property owner sales or decides to make an addition to the existing structure, the owner will have to comply with Code requirements or go to the Board of Adjustment to request a variance or a special exception, whichever is needed. In essence, the approval of this request will be a detriment to the property owner of the adjacent property to the south of the subject property.

Kimsey Drive is developed with a mix of light industrial/office, office/showroom warehouse uses and single family residential uses. The proposed development will be a smooth transition into the development allowed by the property within PD No. 907 which allows for a denser townhouse development. The site is in close proximity to the Inwood DART rail station. Although over a 1.5-mile walking distance, it is a plus for higher density development and the proposed use for the site. The proximity of the DART rail station and the UT Southwestern campus are creating the need for additional housing options.

The property is adjacent to a single family to the northeast, and to an office/showroom/warehouse to the southwest, and multifamily to the west. Other development in the surrounding area comprises of single family residential uses and undeveloped land, multifamily uses of what previously was a mix of light and heavy industrial (inside) uses with scattered single-family uses. The surrounding area is experiencing a series of zoning changes and development of residential uses to satisfy the needs of the area due to the proximity to the DART rail Station and UT Southwestern campus. Staff supports the applicant's request.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed							
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code.

CPC ACTION – October 23, 2014

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest side of Kimsey Drive, northeast of Maple Avenue.

Maker: Murphy
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 19
Replies: For: 1 Against: 0

Speakers: None

DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF _____)

I.

The undersigned, _____ , a _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _____ Survey, Abstract No. _____ , City Block _____ , City of Dallas ("City"), County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated _____ , and recorded in Volume _____ , Page , in the Deed Records of _____ County, Texas, and being more particularly described as follows:

[*Insert property description*]

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The following use is not permitted: Multifamily uses.

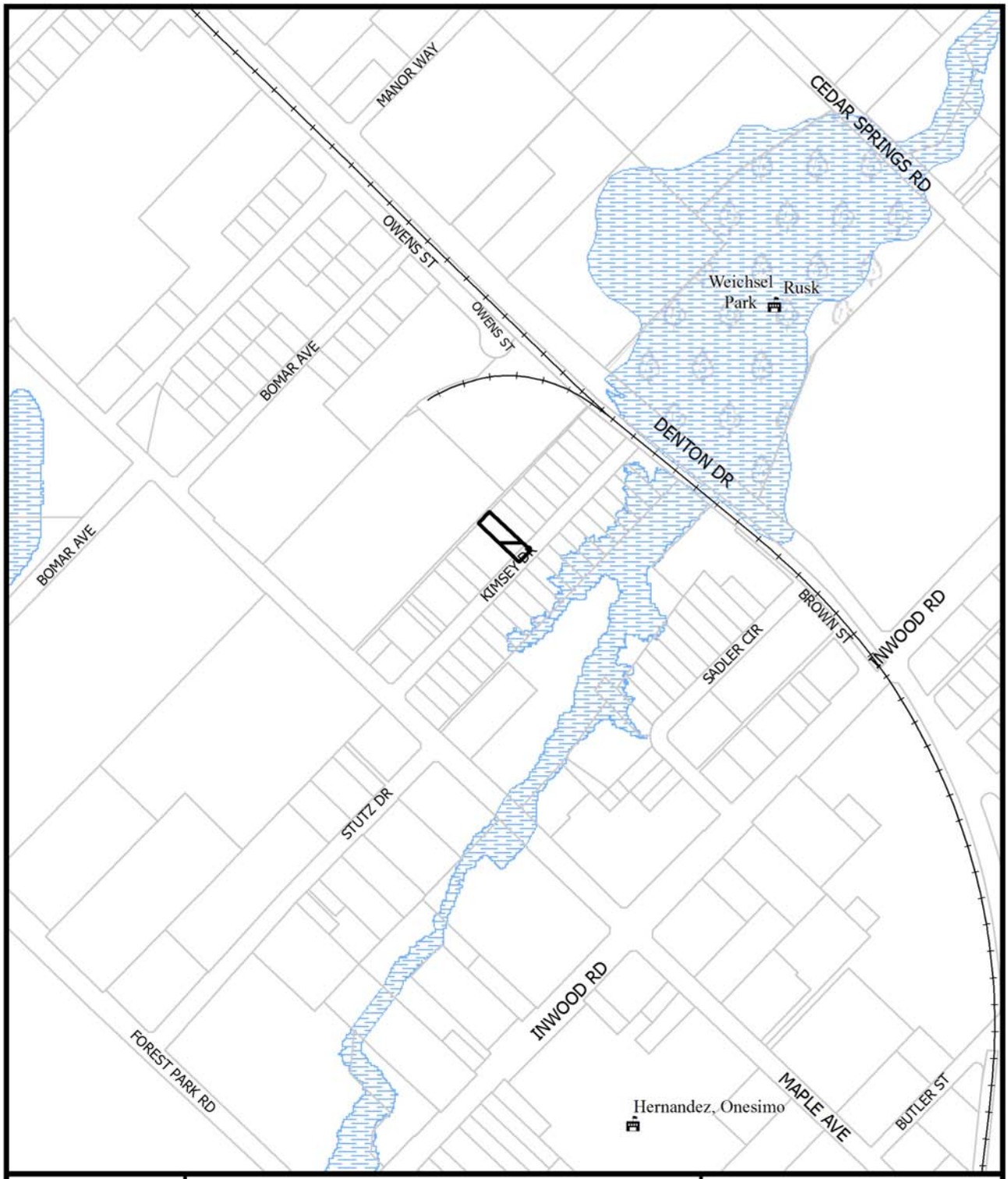
III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the

Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.



1:4,800

VICINITY MAP

Case no: Z134-292

Date: 10/7/2014

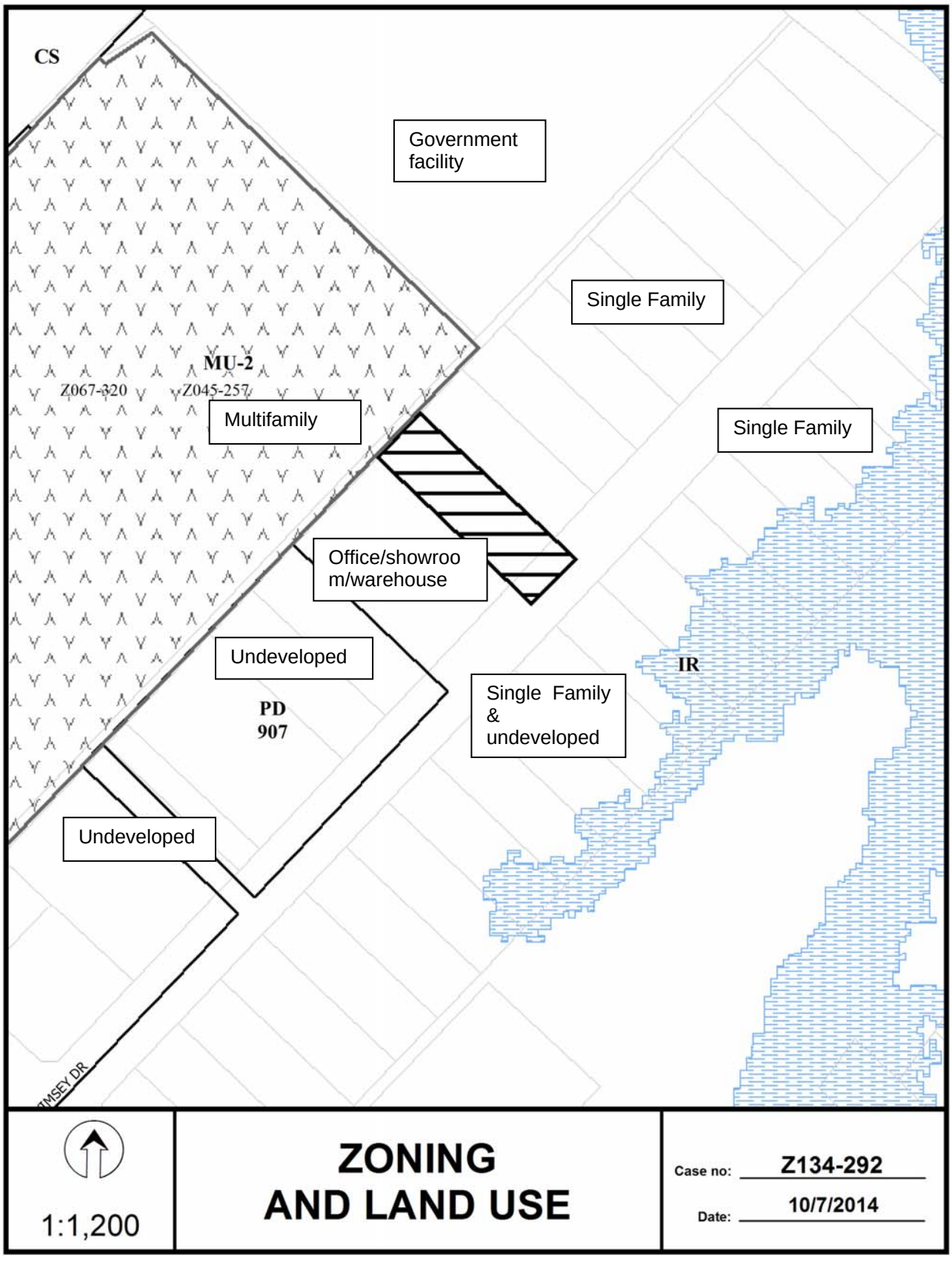


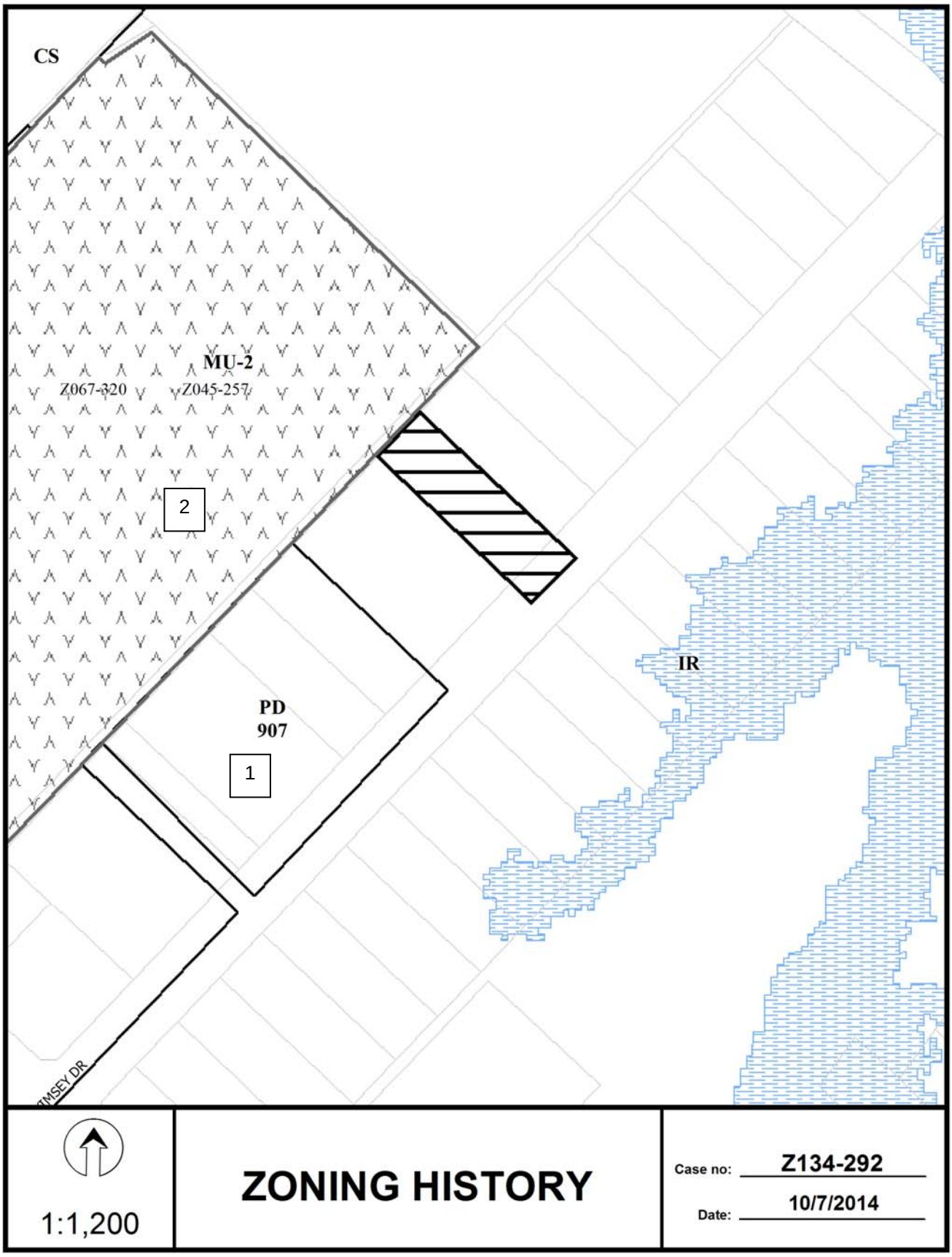
1:1,200

AERIAL MAP

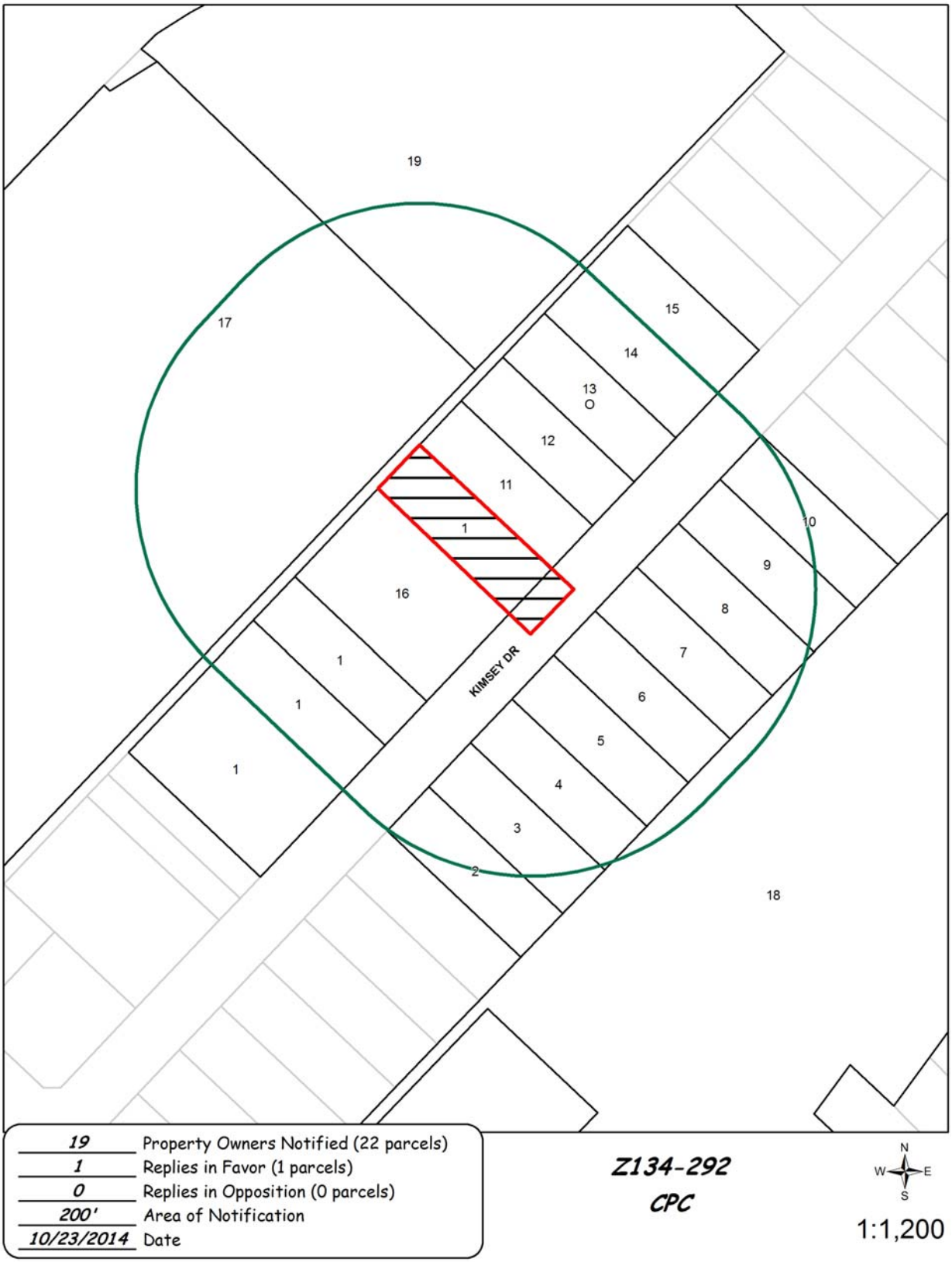
Case no: Z134-292

Date: 10/7/2014


CS
Government facility
Single Family
MU-2
Z067-320
Z045-257
Multifamily
Single Family
Office/showroom/warehouse
Undeveloped
IR
PD 907
Single Family & undeveloped
Undeveloped
1:1,200
ZONING AND LAND USE
Case no: Z134-292
Date: 10/7/2014


CS
MU-2
Z067-320
Z045-257
2
PD
907
1
IR
IMSEY DR
1:1,200
ZONING HISTORY
Case no: Z134-292
Date: 10/7/2014

CPC RESPONSES



10/22/2014

Reply List of Property Owners

Z134-292

19 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	2523	KIMSEY DR	MADISON KIMSEY LTD
	2	2602	KIMSEY DR	PERKINS JANIE L
	3	2606	KIMSEY DR	COPELAND D K
	4	2610	KIMSEY DR	MADISON KIMSEY TLD
	5	2614	KIMSEY DR	SOLIS MARTHA M
	6	2618	KIMSEY DR	HEED CYNTHIA LOUISE
	7	2622	KIMSEY DR	MARTINEZ ALEXANDER C &
	8	2626	KIMSEY DR	RODRIGUEZ JUAN &
	9	2702	KIMSEY DR	PATTERSON DAVID C ETAL
	10	2706	KIMSEY DR	PORTILLO SOCORRO H LIFE ESTATE
	11	2623	KIMSEY DR	ARTEAGA JUAN M & GLAFIRA
	12	2627	KIMSEY DR	ALDAPE GABRIELA
O	13	2703	KIMSEY DR	2703 KIMSEY LLC
	14	2707	KIMSEY DR	SMITH EDGAR LEE
	15	2711	KIMSEY DR	PECINA DAGOBERTO &
	16	2611	KIMSEY DR	WINE MAISON LLC
	17	6008	MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC
	18	5760	MAPLE AVE	ADLER PROPERTY CO LLP
	19	6025	OWENS ST	CALVARY BEN

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 58 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay on the north line of Bruton Road, east of North Jim Miller Road

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Z134-316(OTH)

Note: This item was considered by the City Council at a public hearing on December 10, 2014, and was taken under advisement until January 28, 2015, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z134-316(OTH) **DATE FILED:** August 14, 2014

LOCATION: On the north line of Bruton Road, east of North Jim Miller Road

COUNCIL DISTRICT: 5 **MAPSCO:** 58-A

SIZE OF REQUEST: ± 0.34 acres **CENSUS TRACT:** 91.01

REPRESENTATIVE: Audra Buckley, Permitted Development

APPLICANT: Mehd Rezaeizadeh

OWNER: Mazoud Rezael, Sadeh Rezaeizadeh

REQUEST: An application for the renewal of Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale of alcohol in the existing convenience store [Top Mart]. SUP No. 2017 was originally approved on February 13, 2013 for a period of two years. The 0.34 acre request site is currently developed with an approximately 1,822-square-foot building.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less, which offers the sale of alcoholic beverages, is compatible with the surrounding land uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverage, does not appear to negatively impact the adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

Surrounding Zoning History:

There have been two recent zoning changes in the area:

1. Z123-127 On February 13, 2013, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay on property located on the north line of Bruton Road between Jim Miller Road and Mack Lane.

2. Z134-141 On May 28, 2014, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2093 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property located on the south side of Bruton Road, east of North Jim Miller Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Bruton Road	Principal Arterial	100 feet
North Jim Miller Road	Principal Arterial	100 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined that it will not impact the surrounding roadway system.

Surrounding Land Uses:

	Zoning	Land Use
Site	CS-D-1& SUP No. 2017	Convenience Store with sale of alcoholic beverages and vehicle fueling station
North	R-7.5(A)	Undeveloped
East	R-7.5(A)	Undeveloped & Single Family
South	CS-D & D-1, SUP No. 2093 & R-7.5(A)	Retail, Office, & Auto Related Uses
West	CS-D	Retail, Office, & Auto Related Uses

STAFF ANALYSIS:

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Plan identifies the request site as being in the *Residential Neighborhood* Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood “pocket parks” provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride

facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

Land Use Compatibility:

There site is surrounded by undeveloped land to the north; undeveloped and single family to east; a church, office, retail, vacant and auto related uses to the south; and offices, retail, vacant and auto service uses to the west.

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.

The applicant's request conforms to the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of alcoholic beverages in conjunction with the existing convenience store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for additional five-year periods, subject to a site plan and conditions.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±1.822-square-foot convenience store requires 9 parking spaces. Parking will be provided as shown on the site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police report:

A copy of a police report for the past 5 years of offenses is provided below.

Z134-316 (OTH)

STATS: 7047 BRUTON ROAD
SEPTEMBER 13, 2013 - OCTOBER 23, 2014

PART 1 OFFENSES	
Row Labels	Count of OFFENSE
BURGLARY-BUSINESS	1
ROBBERY-INDIVIDUAL	1
THEFT/BMV	1
THEFT/SHOPLIFT	1
UUMV	1
Grand Total	5

PART 2 OFFENSES	
Row Labels	Count of OFFENSE
ALARM INCIDENT	1
MIR	1
TRAFFIC NON HAZARDOUS	1
VANDALISM & CRIMINAL MISCHIEF	1
Grand Total	4

CALLS	
Row Labels	Count of Problem
07 - Minor Accident	1
09 - Theft	1
20 - Robbery	1
21B - Business Hold Up	1
40 - Other	2
41/11B - Burg Busn in Progress	1
6X - Major Dist (Violence)	2
Grand Total	9

CPC ACTION:
November 6, 2014

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2017 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 with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned a CS Commercial Service District with a D-1 Overlay on the north line of Bruton Road, east of North Jim Miller Road.

Maker: Anantasomboon
Second: Shidid
Result: Carried: 13 to 0

For: 13 - Emmons, Rodgers, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Murphy, Ridley, Abtahi

Against: 0
Absent: 2 - Anglin, Peadon
Vacancy: 0

Notices: Area: 200 Mailed: 13
Replies: For: 3 Against: 3

Speakers: None

PROPOSED CONDITIONS SUP No. 2017
Z134-316(OTH)

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.

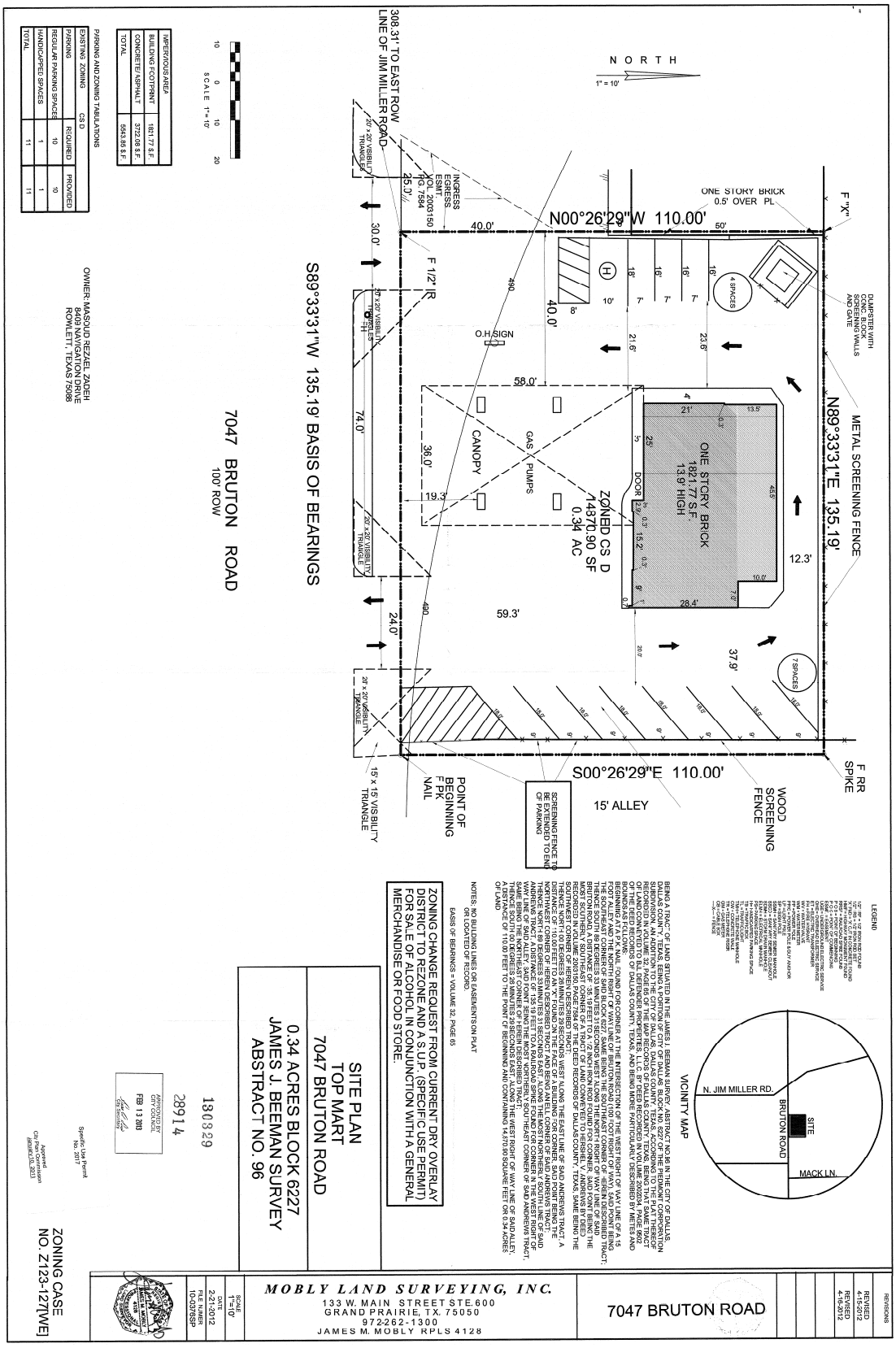
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

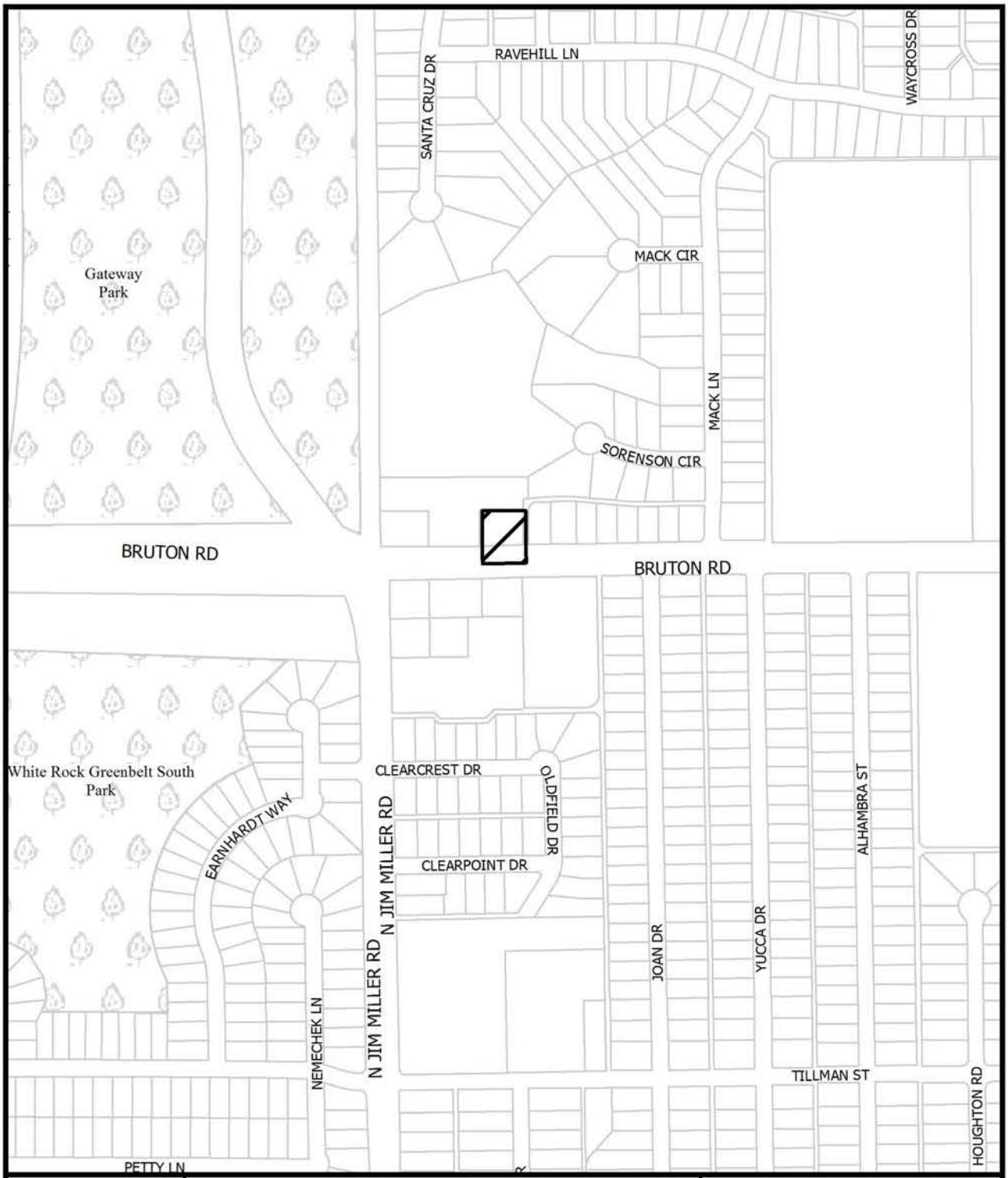
3. TIME LIMIT: TIME LIMIT: This specific use permit expires on two years from the day of approval ~~February 13, 2015~~, and is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

5. 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 Site Plan




RAVEHILL LN
WAYCROSS DR
SANTA CRUZ DR
MACK CIR
MACK LN
SORENSON CIR
Gateway Park
BRUTON RD
BRUTON RD
White Rock Greenbelt South Park
CLEARCREST DR
OLDFIELD DR
CLEARPOINT DR
EARNHARDT WAY
N JIM MILLER RD
N JIM MILLER RD
JOAN DR
YUCCA DR
ALHAMBRA ST
NEMECHEK LN
TILLMAN ST
HOUGHTON RD
PETTY LN
1:4,800
VICINITY MAP
Case no: Z134-316
Date: 10/14/2014

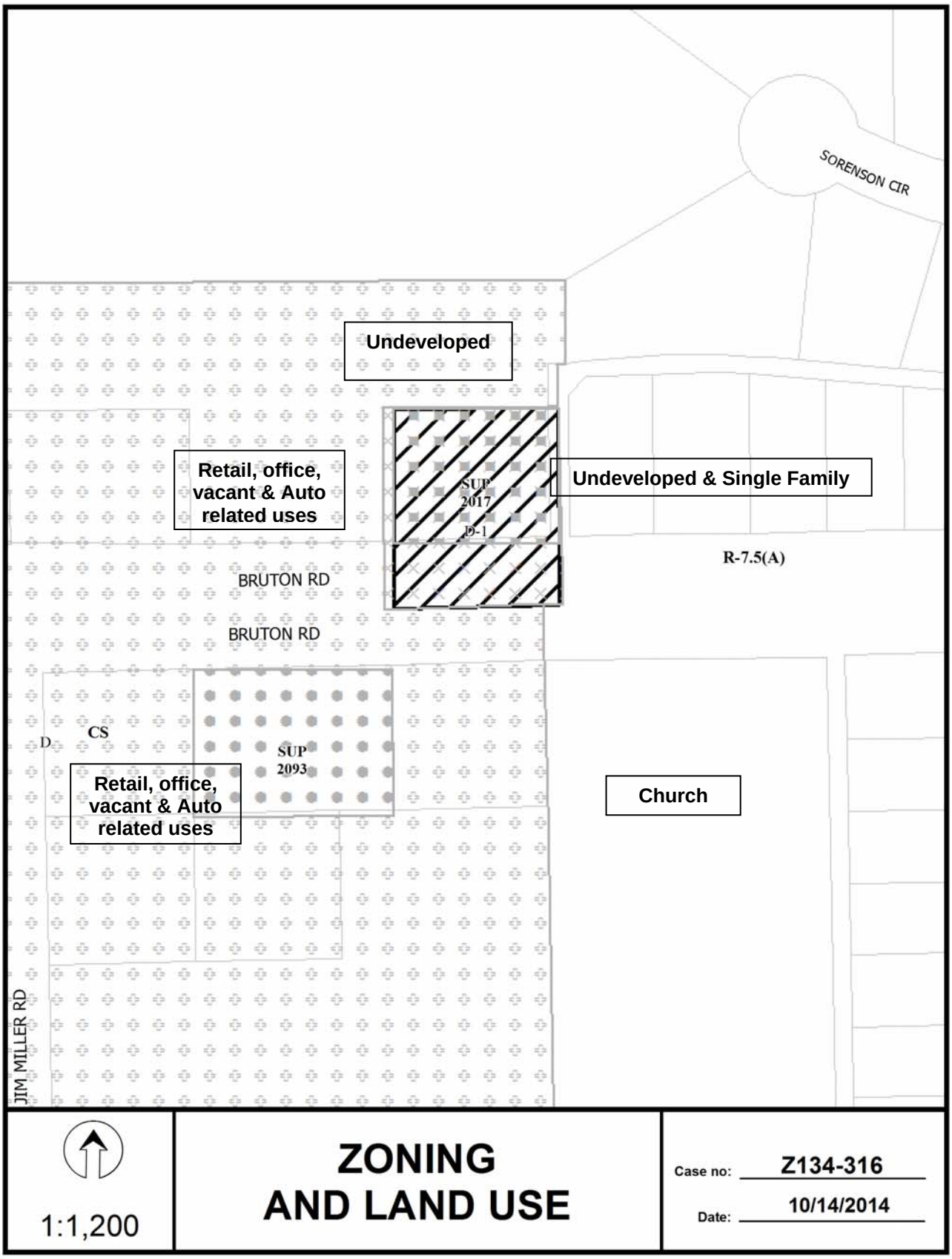


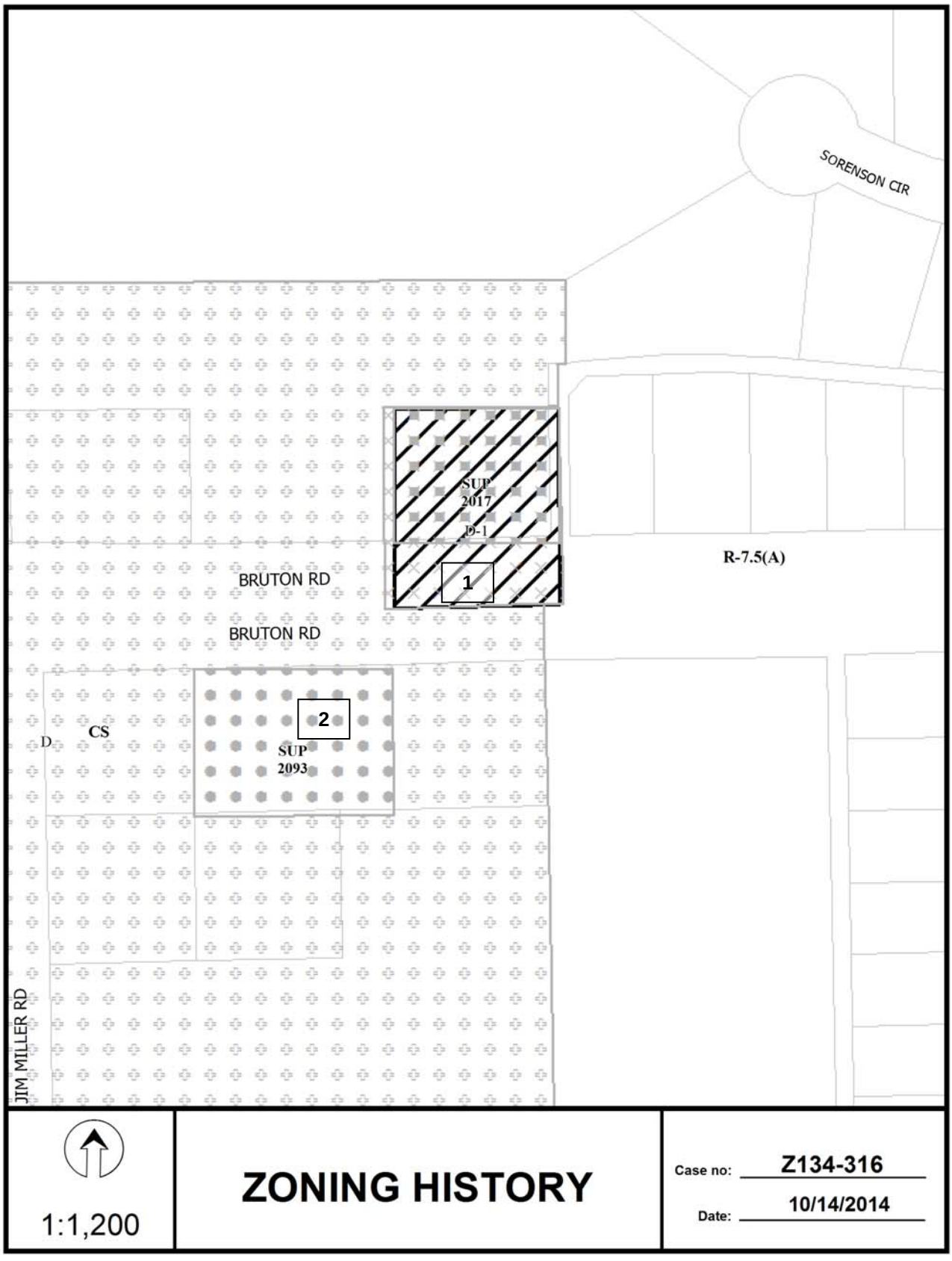
1:1,200

AERIAL MAP

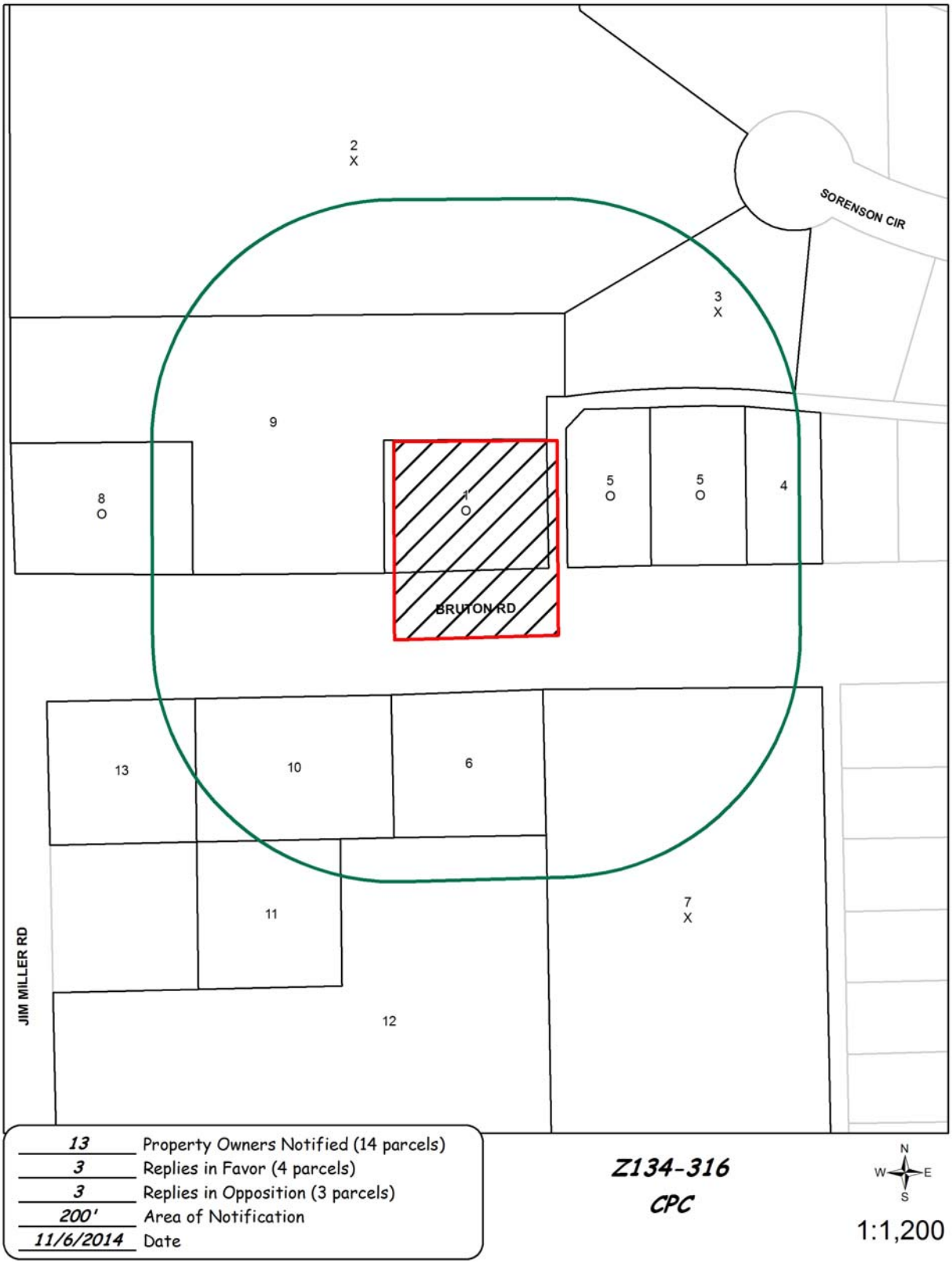
Case no: Z134-316

Date: 10/14/2014


SORENSON CIR
Undeveloped
Retail, office, vacant & Auto related uses
SUP 2017
D-1
Undeveloped & Single Family
R-7.5(A)
BRUTON RD
BRUTON RD
CS
D
SUP 2093
Retail, office, vacant & Auto related uses
Church
JIM MILLER RD
1:1,200
ZONING AND LAND USE
Case no: Z134-316
Date: 10/14/2014


SORENSON CIR
SUP
2017
D-1
1
R-7.5(A)
BRUTON RD
BRUTON RD
2
CS
D
SUP
2093
JIM MILLER RD
1:1,200
ZONING HISTORY
Case no: Z134-316
Date: 10/14/2014

CPC RESPONSES



10/14/2014

Notification List of Property Owners

Z134-316

13 Property Owners Notified

	Label #	*Address*		*Owner*
O	1	7047	BRUTON RD	ZADEH MASOUD REZAEL
X	2	7102	SORENSON CIR	PEET MARK CHARLES
X	3	7106	SORENSON CIR	JENKINS LEE ROY & PATTYE TRUSTEES
	4	7115	BRUTON RD	CHRISTIAN LIZZIE FAYE
O	5	7109	BRUTON RD	HERNANDEZ RICARDO & EVA
	6	7022	BRUTON RD	BLAKE CHARLES & JANET L
X	7	7110	BRUTON RD	CENTRO EVANGELISTICO
O	8	7007	BRUTON RD	YESTAFYEVA NATALYA
	9	7023	BRUTON RD	ANDREWS HERSHEL V & LADY ALICE
	10	7010	BRUTON RD	MOSER PROPERTIES INC
	11	2090	JIM MILLER RD	MOSER PROPERTIES INC
	12	2084	JIM MILLER RD	MOSER PROPERTIES INC
	13	7000	BRUTON RD	SANTOS JUAN J

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 12

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 5 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z134-332(AF)
Note: This item was considered by the City Council at a public hearing on January 14, 2015, and was taken under advisement until January 28, 2015, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: Z134-332(AF) **DATE FILED:** September 5, 2014

LOCATION: East side of Preston Road, south of Frankford Road

COUNCIL DISTRICT: 12 **MAPSCO:** 5-G

SIZE OF REQUEST: ± 6.29 acres **CENSUS TRACT:** 317.08

APPLICANT/ OWNER: Caddo Preston Plaza LLC

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for an MU-3 Mixed Use District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District

SUMMARY: Currently, the property is nonconforming to the existing zoning classification. The applicant/owner of the property would like to address the nonconformity by rezoning the property to a conforming district. The request site is currently zoned a CR Community Retail District and developed with a 10-story office building, parking structure, roof-top tower for cellular communication, and drive-thru bank. The site was originally developed in 1984 under the SC Shopping Center zoning, which allowed a maximum height of 240 feet. The site's current zoning of CR, Community Retail District has height restrictions that limit buildings to be 54 feet/4 stories. In addition, deed restrictions have been volunteered to limit the height and restrict certain land uses.

CPC RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval** with deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* – The proposed MU-3 Mixed Use District would not adversely impact adjacent uses. The uses to the north, east, south and west are compatible with the office, retail, and personal service, lodging, and residential uses already located along Preston Road.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the surrounding roadway system can support proposed zoning district.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is complies with the *forwardDallas! Comprehensive Plan.* The plan shows the request site located in an Urban Mixed-Use Block.

BACKGROUND INFORMATION:

Zoning History: There have been no recent zoning cases within close proximity to the subject site.

Land Use:

	Zoning	Land Use
Site	CR	Office/Retail
North	PD 425	Retail
South	MF-1 (A)	Multi-family
East	MF-2 (A)	Multi-family
West	MF-1 (A)	Retail/MultiFamily

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Preston Rd	Major Arterial	120 ft.	120 ft.

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 in the Urban Mixed-Use building block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The request site is located in a Business Center or Corridor. The applicant's request is in compliance with the goals and policies in the ***forwardDallas! Comprehensive Plan***.

URBAN DESIGN ELEMENT

GOAL 5.1 Promote a sense of place, safety and walkability

Policy 5.1.3: Encourage complementary building height, scale, design and character.

STAFF ANALYSIS:

Land Use Compatibility: Originally developed in 1984 under the SC Shopping Center zoning, the site was conforming to all regulations and standards that its land use designation allowed. In the late 1980's, the city of Dallas changed zoning classifications, which caused the subject site to become nonconforming. The zoning designation granted to the site was CR Community Retail.

Under the City of Dallas' Code of Ordinances, the CR Community Retail District allows a maximum height of 54 feet or 4 stories. Currently, the site houses a structure that is well over the maximum allowed of 54 feet. It is the intention of the applicant to update his property's zoning designation to allow for his site to be conforming to Building Code regulations. The applicant has volunteered deed restrictions that would limit any new structures to be no higher than 140 feet.

Staff's recommendation is for approval.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Previous Designation before changes in Building Code							
SC Shopping Center	30'	0' adjacent to residential OTHER: 5 or 10.	2.0 FAR overall 0.75 office/ retail 0.5 retail	240'	1:1	MAX Lot Coverage: Res:60/Non Res:40	Retail & Personal Service, Office
Current Zoning							
CR Community Retail	15'	20' adjacent to residential OTHER: No min.	.75 FAR overall 0.5 office	54' 4 stories	60%	Prox. Slope	Retail & Personal Service, Office
Proposed							
MU-3 Mixed Use District	15'	0' adjacent to residential OTHER: No min.	3.2FAR base 4.0 FAR Max +Bonus for residential	270'	80%	Prox. Slope Uform setback Tower Spacing Visual Intrusion	Office, retail, & personal service, lodging, residential

Landscaping: Any additional development will be in accordance with Article X requirements, as amended.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the surrounding street system can accommodate the request.

CPC Action–October 23, 2014

Motion: It was moved to recommend **approval** of an MU-3 Mixed Use District with volunteered deed restrictions on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road.

Maker: Murphy
Second: Ridley
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0

Absent: 1 - Anantasomboon

Vacancy: 0

Notices: Area: 400 Mailed: 32
Replies: For: 0 Against: 0

Speakers: None

List of Officers

17950 Preston Road

Caddo Preston Plaza GP, LLC

Dustin Schillin, Managing Partner
Time Slaughter, Managing Partner
Justin Engler, Managing Partner

PROPOSED DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF _____)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, _____ , a _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _____ Survey, Abstract No. _____ , City Block , City of Dallas ("City"), _____ County, Texas, and being that same tract of land conveyed to the Owner by _____ , by deed dated , and recorded in Volume _____ , Page _____, in the Deed Records of County, Texas, and being more particularly described as follows:

BEING all of Lot 1 Block J/8729; fronting approximately 599 feet on the west line of Preston road; and containing approximately 6.29 acres.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Main uses.

The following main uses are not permitted:

-- Labor hall.
-- Temporary concrete or asphalt batching plant.
-- Cemetery.
-- Convent or monastery.
-- Halfway house.
-- Foster home.
-- Overnight general purpose shelter.
-- Carnival or circus.
-- Group residential facility.
-- Mortuary, funeral home, commercial wedding chapel.
-- Swap or buy shop.
-- Electrical substation.
-- Utility/government other than listed
-- Recycling buy-back center
-- Recycling collection center
-- Recycling drop-off container
-- Recycling drop-off for special occasion collection

2. Stories. Maximum number of stories above grade is 10

3. Height. Maximum structure height is 140 feet. Structures located on a roof, such as chimneys, clerestories, communication towers, cooling towers, elevator penthouses or bulkheads, mechanical equipment rooms, plaza or terrace structures, pool structures, skylights, vent stacks, and visual screens that surround mechanical equipment are allowed to project up to 25 feet above the maximum structure height.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with.

The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

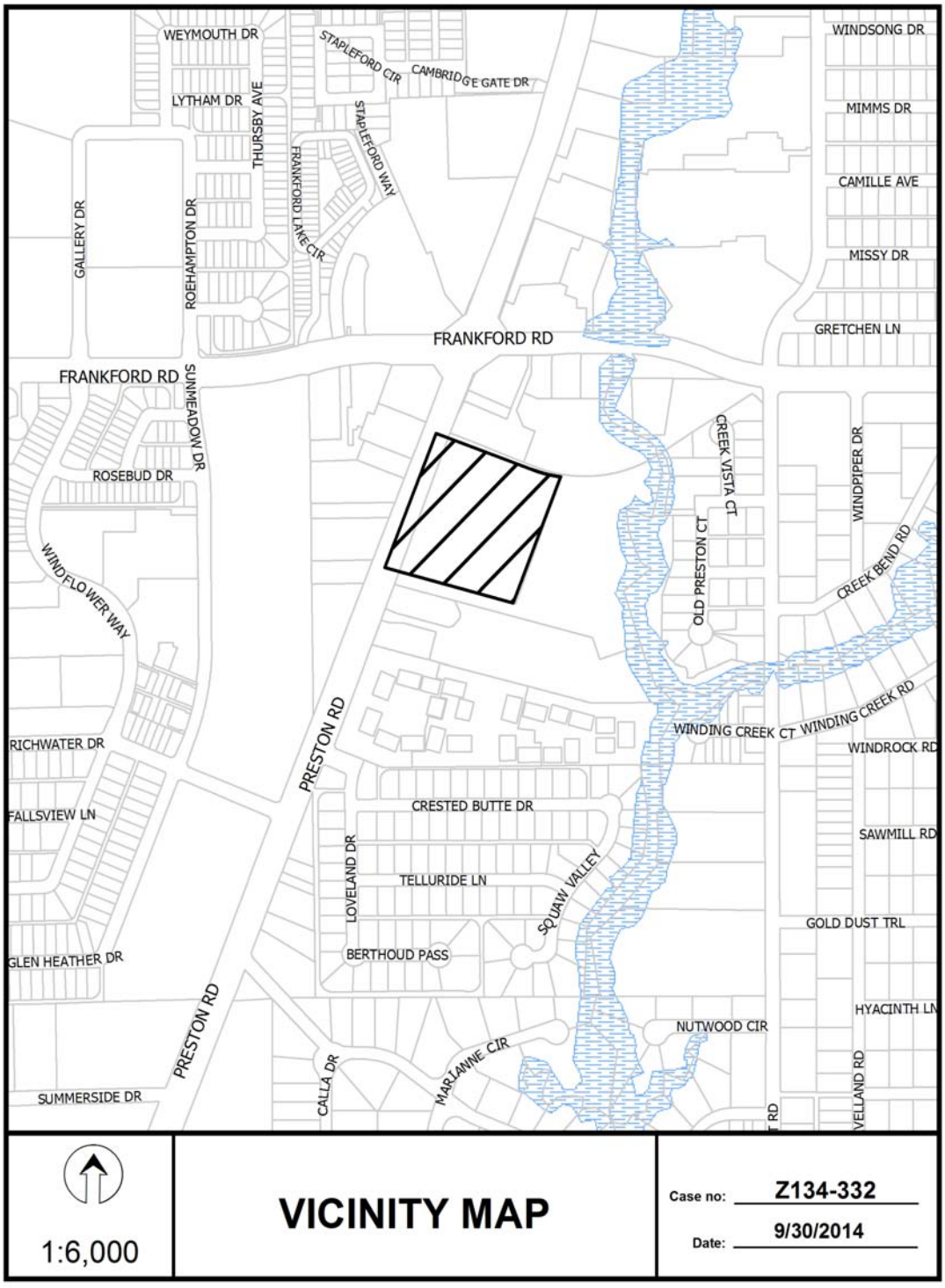
The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

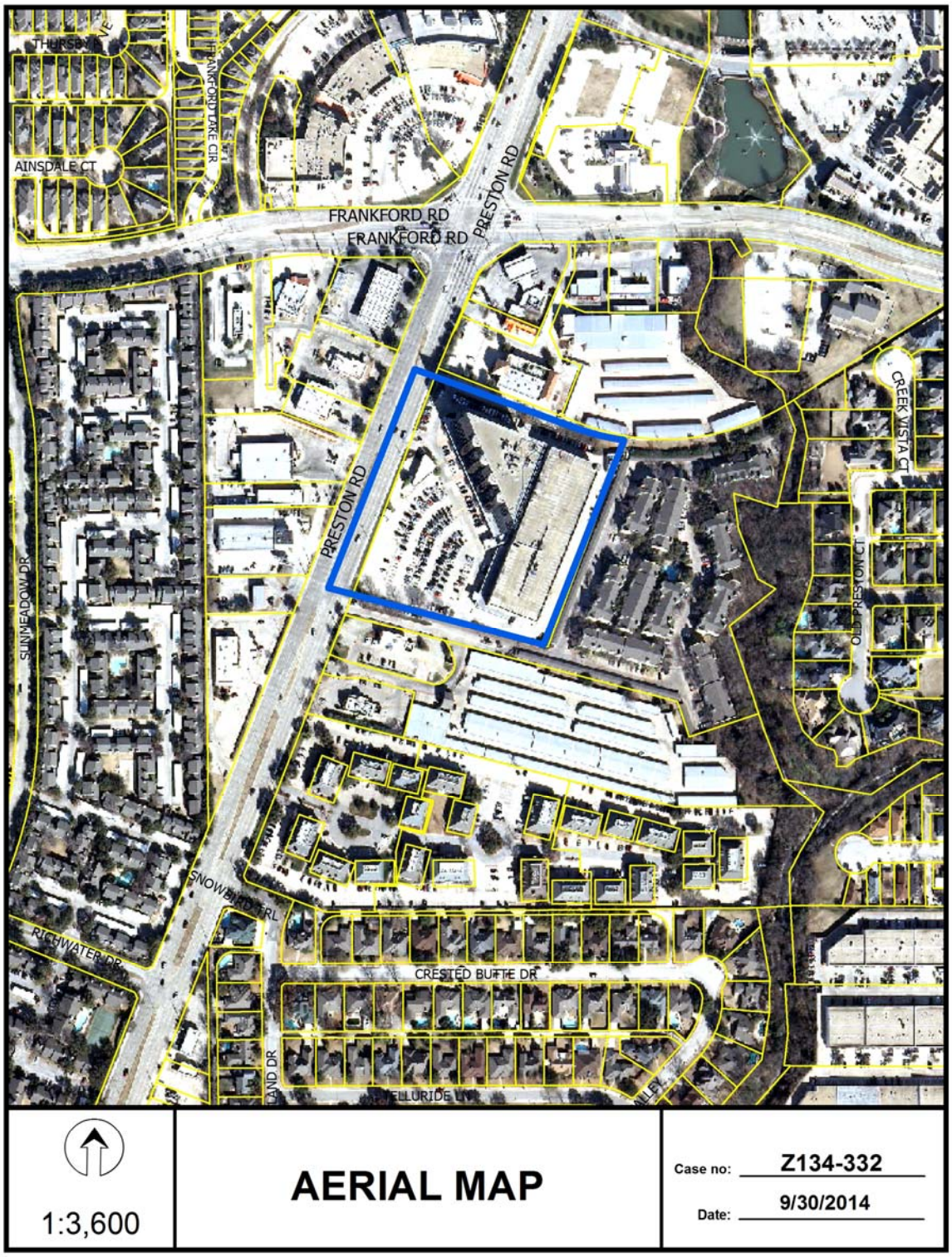
XI.

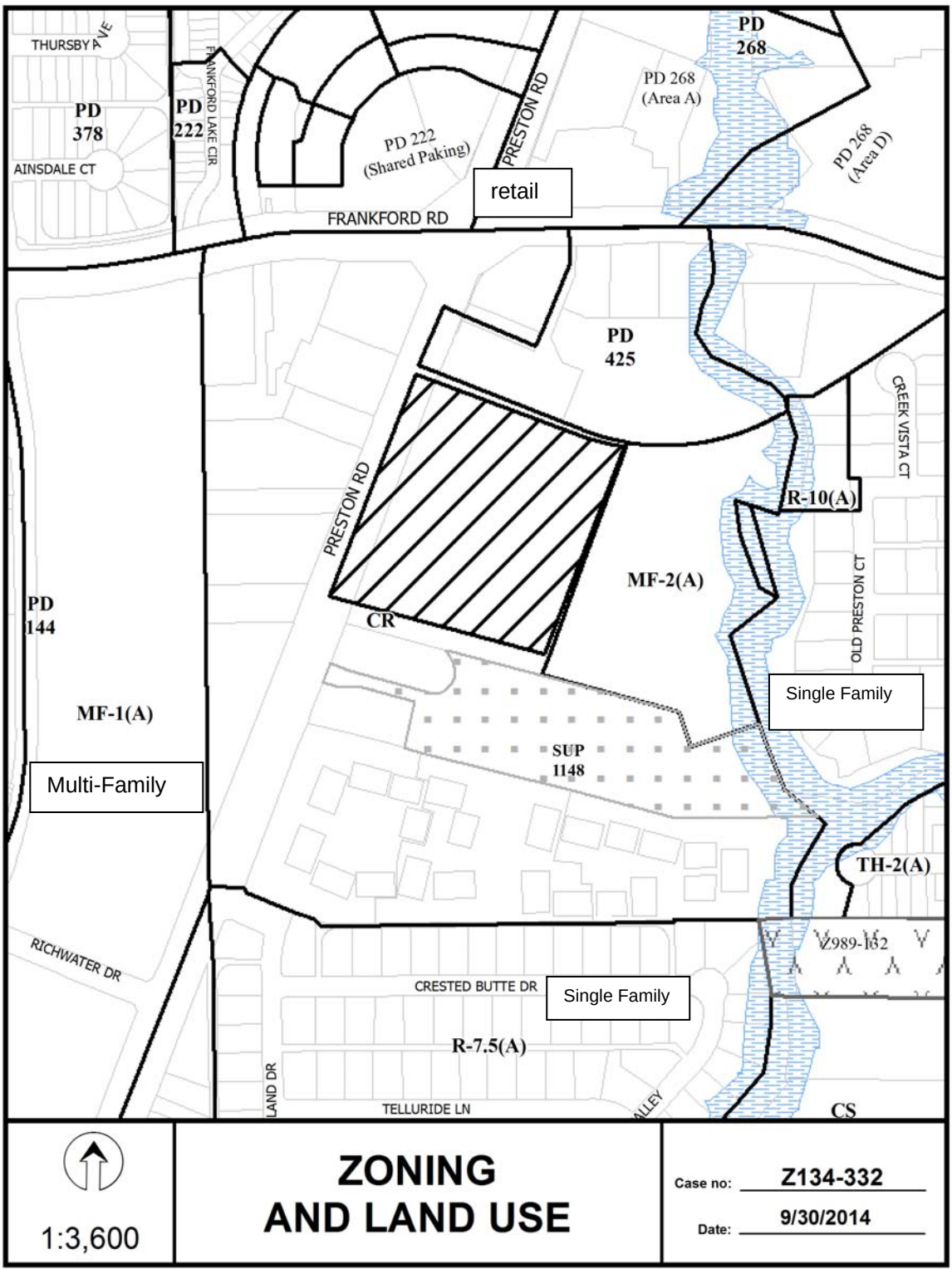
The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.


WEYMOUTH DR
STAPLEFORD CIR
CAMBRIDGE GATE DR
LYTHAM DR
THURSBY AVE
STAPLEFORD WAY
FRANKFORD LAKE CIR
GALLERY DR
ROEHAMPTON DR
WINDSONG DR
MIMMS DR
CAMILLE AVE
MISSY DR
GRETCHEN LN
FRANKFORD RD
FRANKFORD RD
SUMMERDOW DR
ROSEBUD DR
WINDFLOWER WAY
CREEK VISTA CT
WINDPIPER DR
OLD PRESTON CT
CREEK BEND RD
PRESTON RD
WINDING CREEK CT
WINDING CREEK RD
WINDROCK RD
RICHWATER DR
FALLSVIEW LN
CRESTED BUTTE DR
SAWMILL RD
LOVELAND DR
TELLURIDE LN
SQUAW VALLEY
GOLD DUST TRL
GLEN HEATHER DR
BERTHOUD PASS
PRESTON RD
HYACINTH LN
NUTWOOD CIR
CALLA DR
MARIANNE CIR
SUMMERSIDE DR
VELLAND RD
1:6,000
VICINITY MAP
Case no: Z134-332
Date: 9/30/2014


THURSBY AVE
FRANKFORD LAKE CIR
AINSDALE CT
FRANKFORD RD
FRANKFORD RD
PRESTON RD
PRESTON RD
CREEK VISTA CT
OLD PRESTON CT
SUNMEADOW DR
SNOWBIRD TRL
RICHWATER DR
CRESTED BUTTE DR
TELLURIDE LN
1:3,600
AERIAL MAP
Case no: Z134-332
Date: 9/30/2014


THURSBY AVE
PD 378
AINSDALE CT
PD 222
FRANKFORD LAKE CIR
PD 222 (Shared Paking)
PRESTON RD
PD 268
PD 268 (Area A)
PD 268 (Area D)
retail
FRANKFORD RD
PD 425
CREEK VISTA CT
R-10(A)
PRESTON RD
MF-2(A)
OLD PRESTON CT
CR
PD 144
MF-1(A)
Multi-Family
Single Family
SUP 1148
TH-2(A)
Z989-162
RICHWATER DR
CRESTED BUTTE DR
Single Family
R-7.5(A)
LAND DR
TELLURIDE LN
CS
1:3,600
ZONING AND LAND USE
Case no: Z134-332
Date: 9/30/2014



32	Property Owners Notified (40 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
400'	Area of Notification
10/23/2014	Date

Z134-332
CPC

N
W E
S

1:3,600

Reply List of Property Owners

Z134-332

32 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	17950	PRESTON	CADDO PRESTON PLAZA LLC
	2	17772	PRESTON	17772 PRESTON LLC
	3	17878	PRESTON	WESTDALE POLO CLUB LTD
	4	17717	PRESTON	SUMMER VILLAS APARTMENTS LLC
	5		PRESTON	G O C ASSOCIATION INC
	6	17742	PRESTON	NIDO PROPERTIES LLC
	7	17744	PRESTON	BLACK THOMAS E JR &
	8	17754	PRESTON	EZ ESTATES LLC
	9	17770	PRESTON	EVC PROPERTIES LLC
	10	18081	PRESTON	18081 PRESTON LLC
	11	18008	PRESTON	OOZI INVESTMENTS INC
	12	17858	PRESTON	GVD COMMERCIAL PROPERTIES INC
	13	17848	PRESTON	GOOD TAC REMAINDER IV LLC
	14	17854	PRESTON	ESS PRISA II TX LP
	15	17981	PRESTON	WENDY'S INTERNATIONAL INC
	16	17879	PRESTON	RETAIL BUILDINGS INC
	17	17977	PRESTON	DFI LLC
	18	17885	PRESTON	J WILSON PROPERTIES LLC
	19	6150	FRANKFORD	FONBERG REAL ESTATE INVESTMENTS LTD
	20	6330	FRANKFORD	ROYSS LLC
	21	6340	FRANKFORD	KWIK SUDS CAR WASH LLC
	22	6350	FRANKFORD	JEON'S MANAGEMENT LLC
	23	18000	PRESTON	BEHNAM ORIENTAL RUG CORP
	24	18004	PRESTON	SHURGARD TEXAS LP3
	25	6110	FRANKFORD	FONBERG REAL ESTATE INVESTMENTS LTD
	26	17899	PRESTON	SAAD BASEL

10/22/2014

Reply	*Label #*		*Address*	*Owner*
	27	17931	PRESTON	ZINCO ENTERPRISES INC
	28	18101	PRESTON	LBCMT 2007-C3 COMPLEX 18101 LLC
	29	STATE HWY 289 (PRESTON RD)		STATE OF TEXAS
	30		FRANKFORD	STATE OF TEXAS
	31			STATE OF TEXAS
	32	17921	PRESTON	ALLAHYARI MANSOUR

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: All

SUBJECT

A public hearing to receive comments regarding consideration of amendments to Section 51A-1.106 of the Dallas Development Code to amend regulations pertaining to the posting of notification signs and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA134-007(MW)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JANUARY 28, 2015**

ACM: Ryan S. Evans

FILE NUMBER: DCA 134-007(MW) **DATE INITIATED:** June 19, 2014

TOPIC: Posting of notification signs

COUNCIL DISTRICT: All **CENSUS TRACT:** All

PROPOSAL: Consideration of amending Section 51A-1.106 of the Dallas Development Code to amend regulations pertaining to the posting of notification signs.

SUMMARY: The purpose of the amendment is to develop appropriate regulations to address the consequences of improper posting of notification signs; the authority of City Plan Commission, Landmark Commission, or Board of Adjustment to determine if the posting of notification signs met the code's intent; and notification sign posting for authorized hearings.

CITY PLAN COMMISSION RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

.

BACKGROUND INFORMATION:

- On February 14, 2007, the City Council approved an amendment to Section 51A-1.106 of the Dallas Development Code to address the number and timing of notification signs. The amendments proposed by DCA 134-007(MW) were not previously addressed.

- The consequence of improper posting of notification signs is the postponement of the public hearing for at least four weeks or denial of the request. Currently the City Plan Commission, Landmark Commission, and Board of Adjustment are not granted the discretion to determine if the posting of notification signs complies with the code's intent. The proposed development code amendment provides these bodies with the authority to make the determination of compliance.

- The proposed development code amendment includes a statement that notification signs are intended only to supplement other notice requirements and provides guidance on when posting requirements have been met.

- Information included on notification signs is not addressed in the development code. However, it is the Department of Sustainable Development and Construction's policy to include the City's name, type of request, file number (write-in), division phone number, and penalty sentence. No changes to this item are proposed by this development code amendment.

- Currently, notification signs for authorized hearings must be posted within 14 days after the hearing is authorized. The proposed development code amendment requires notification signs for authorized hearings to be posted a minimum of 30 days before the first public hearing unless the authorizing authority approves a shorter time period at the time of the authorization.

- The Zoning Ordinance Committee (ZOC) was first briefed on this topic on June 19, 2014. ZOC considered this issue again on August 7, 2014 and made a final recommendation on September 18, 2014.

- City Plan Commission recommended approval of the amendments on December 4, 2014.

City Plan Commission action:
December 4, 2014

Motion: It was moved to recommend **approval** of amendments to Section 51A-1.106 of the Dallas Development Code to amend regulations pertaining to the posting of notification signs.

Maker: Shellene
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath*, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Abtahi
Vacancy: 0

*out of the room, shown voting in favor

Speakers: None

CPC RECOMMENDATION

ORDINANCE NO. _____

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Section 51A-1.106; providing a good faith effort clause for posting zoning notification signs; providing a time frame for posting notification signs for authorized zoning cases; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Section 51A-1.106, "Notification Signs Required to be Obtained and Posted," of Article I, "General Provisions," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"**SEC. 51A-1.106. NOTIFICATION SIGNS REQUIRED TO BE OBTAINED AND POSTED**

(a) In general.

(1) The notification signs required in this section are intended to supplement state law and other Dallas Development Code notice requirements.

(2) The city plan commission, landmark commission, board of adjustment, or city council shall determine if an applicant complies with the notification sign posting requirements of this section.

(b) Signs required to be obtained from the city. An applicant is responsible for obtaining the required number of notification signs and posting them on the property that is the subject of the application. Notification signs must be obtained from the director or the building official. An application will not be processed until the fee for the signs has been paid. For purposes of this section, an applicant is one who makes a request:

(1) for a change in a zoning classification or boundary;

(2) to the board of adjustment;

(3) for a certificate of appropriateness for a sign that is to be located in a special provision sign district and is either a detached sign or an attached sign that has more than 100 square feet of effective area; or

(4) to the landmark commission for a certificate for demolition or removal.

(c[~~b~~]) Number of signs required. A minimum of one notification sign is required for every 500 feet or less of street frontage, with one additional notification sign required for each additional 500 feet or less of street frontage. For tracts without street frontage, a minimum of one notification sign is required for every five acres or less, with one additional notification sign required for each additional five acres or less. A maximum of five notification signs are required.

(d[~~c~~]) Posting of signs.

(1) Except as provided in Subsection 51A-1.106(e[~~d~~]), the applicant shall post the required number of notification signs on the property within 14 days after an application is filed.

(2) The signs must [~~be legible and~~] remain posted until a final decision is made on the application.

(3) For tracts with street frontage, signs must be evenly spaced over the length of every street frontage, posted at a prominent location adjacent to a public street, and be easily visible from the street. For tracts without street frontage, signs must be evenly posted in prominent locations most visible to the public.

(4) An applicant has complied with the required posting of notification signs if any lost, stolen, or vandalized notification signs are timely replaced, and the applicant has made good faith efforts to keep the notification signs posted in accordance with by this section.

(e[~~d~~]) Failure to comply.

(1) If the city plan commission, landmark commission, or board of adjustment determines that the applicant has failed to comply with the provisions of this section, it shall take no action on the application other than to postpone the public hearing for at least four weeks or deny the applicant's request, with or without prejudice.

(2) If the hearing is postponed, the required notification signs must be posted within 24 hours after the case is postponed and comply with all other requirements of this section.

(f[e]) Illegal removal of signs.

(1) A person commits an offense if he intentionally or knowingly removes a notification sign that has been posted pursuant to this section.

(2) It is a defense to prosecution under this subsection that the sign was no longer required to be posted pursuant to this section at the time of its removal.

(g[f]) Posting of signs by the director.

(1) When the city council or city plan commission authorizes a hearing on a change in zoning district classification or boundary pursuant to Paragraph 51A-4.701(a)(1), the city council, city plan commission, or landmark commission authorizes a public hearing to establish or amend a historic overlay district pursuant to Paragraph 51A-4.501(c)(2), the board of adjustment authorizes a hearing pursuant to Paragraph 51A-4.703(a)(1), or the city council or an applicant requests that the board of adjustment consider establishing a compliance date for a nonconforming use pursuant to Subparagraph 51A-4.704(a)(1), the director shall post the required number of notification signs on the subject property a minimum 30 days before the first public hearing unless the body authorizing a hearing approves a shorter time period at the time of authorization [~~within 14 days after the hearing is authorized~~].

(2) If the property owner denies permission for the post of the signs, the signs may be posted on the nearest public right-of-way. Illegal removal of a notification sign that has been posted pursuant to this subsection does not require postponement or denial under Subsection 51A-1.106(d).”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. 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 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.

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Planning and Neighborhood Vitality

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 56 B F G L

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Lamar Street between IH-45 and Central Expressway from a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within a variable 80 to 100 feet of right-of-way and 44 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The Public Works Department is requesting an amendment to the City of Dallas Thoroughfare Plan to change the designation of Lamar Street from IH-45 to Central Expressway from a six lane divided roadway within 100 feet of right-of-way to a four lane undivided roadway within a variable 80 to 100 feet of right-of-way and 44 feet of pavement.

Lamar Street is currently a substandard, underused street with a five lane cross-section that needs pedestrian improvements and landscaping to transform the character of this roadway into an attractive boulevard that will facilitate the economic revitalization of the area. A sustainable street design approach that places emphasis on sustainability and livability through a balance of walking and automobile use will provide economic development opportunities. The sustainable design incorporates public art and also implements stormwater management amenities that will assist in flood mitigation in the area.

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of Lamar Street between IH-45 and Central Expressway from a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within a varying 80 to 100 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION)

The City Plan Commission Transportation Committee acted on this item on December 4, 2014, and followed staff recommendation of approval.

The City Plan Commission acted on this item on December 18, 2014, and followed staff recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

Lamar Street

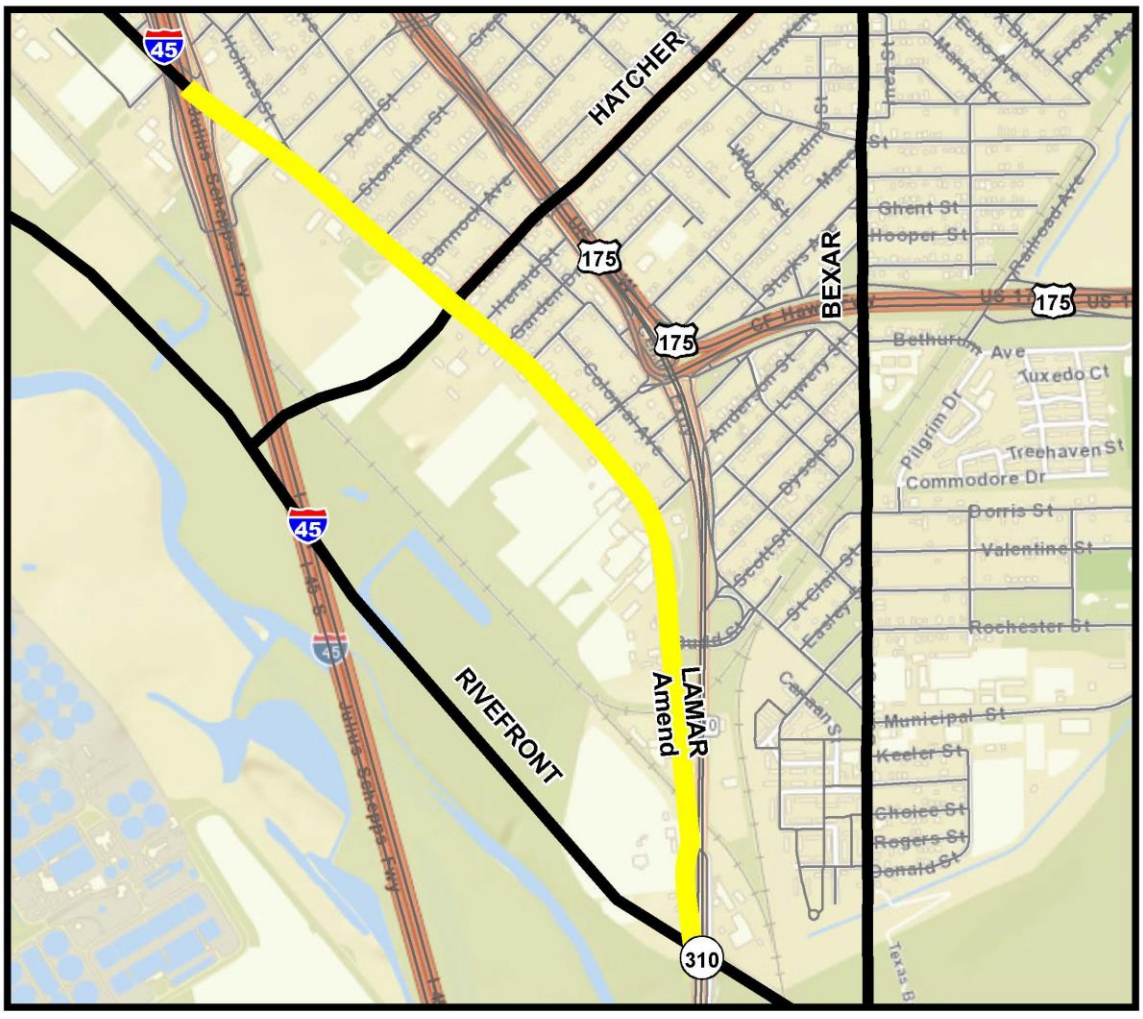
IH-45 to Central Expressway

Council District 7

MAPSCO: 56B,F,G,L

Thoroughfare Plan Amendment Map





AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Planning and Neighborhood Vitality

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 57 P T U Y Z; 58 W; 67 C D; 68 A B F G

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete **(1)** Elam Road from Lake June Road to Pemberton Hill Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; **(2)** Lake June Road from Riverfront Boulevard to Rylie Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way; **(3)** Long Acre Lane from Great Trinity Forest Boulevard to Jim Miller Road, a four lane undivided roadway (S-4-U) within 60 feet of right-of-way; **(4)** Rylie Road from Lake June Road to Murdock Road, a six lane divided roadway (S-6-D) within 107 feet of right-of-way; and **(5)** Jim Miller Road from Great Trinity Forest to Lake June Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

BACKGROUND

The Trinity Watershed Department has requested amendments to delete the following roadways from the City of Dallas Thoroughfare Plan, Elam Road from Lake June to Pemberton Hill Road, Lake June Road from Riverfront Boulevard to Rylie Road, Long Acre Lane from Great Trinity Forest Boulevard to Jim Miller Road and Rylie Road from Lake June Road to Murdock Road. Staff analyzed the network of adjacent roadways designated on the Thoroughfare Plan and determined that constructing Jim Miller Road from Great Trinity Forest to Lake June Road as a six lane roadway is unwarranted. It currently exists as a two lane roadway that serves residential uses. Staff recommends deleting it from the Thoroughfare Plan.

BACKGROUND (Continued)

These amendments will facilitate current and planned development projects in the Great Trinity Forest Planned Development District. Previous zoning allowed for zoning that was projected to generate significantly more vehicular traffic. The new developments, including the Great Trinity Forest, Texas Horse Park, and the Texas Championship Golf Course will not require the roadway capacity currently designated in the Thoroughfare Plan. Many of the roadway segments currently designated in the City's Thoroughfare Plan have not been constructed and the required right-of-way has not been dedicated. The planned developments can be accessed from adjacent thoroughfares and local roadways. The amendments will minimize the environmental impact to the Great Trinity Forest.

Staff recommends approval of the following amendments to the City of Dallas Thoroughfare Plan to delete (1) Elam Road from Lake June Road to Pemberton Hill Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right of way; (2) Lake June Road from Riverfront Boulevard to Rylie Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right of way; (3) Long Acre Lane from Great Trinity Forest Boulevard to Jim Miller Road, a four lane undivided roadway (S-4-U) within 60 feet of right of way; (4) Rylie Road from Lake June Road to Murdock Road, a six lane divided roadway (S-6-D) within 107 feet of right of way; and (5) Jim Miller Road from Great Trinity Forest to Lake June Road, a six lane divided roadway {(M-6-D)A} within 100 feet of right of way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on December 18, 2014, and followed staff recommendation of approval.

The City Plan Commission acted on this item on January 8, 2015, and followed staff recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

Elam Road
Lake June Road to Pemberton Hill Road

Lake June Road
Riverfront Boulevard to Rylie Road

Long Acre Lane
Great Trinity Forest Boulevard to Jim Miller Road

Rylie Road
Lake June Road to Murdock Road

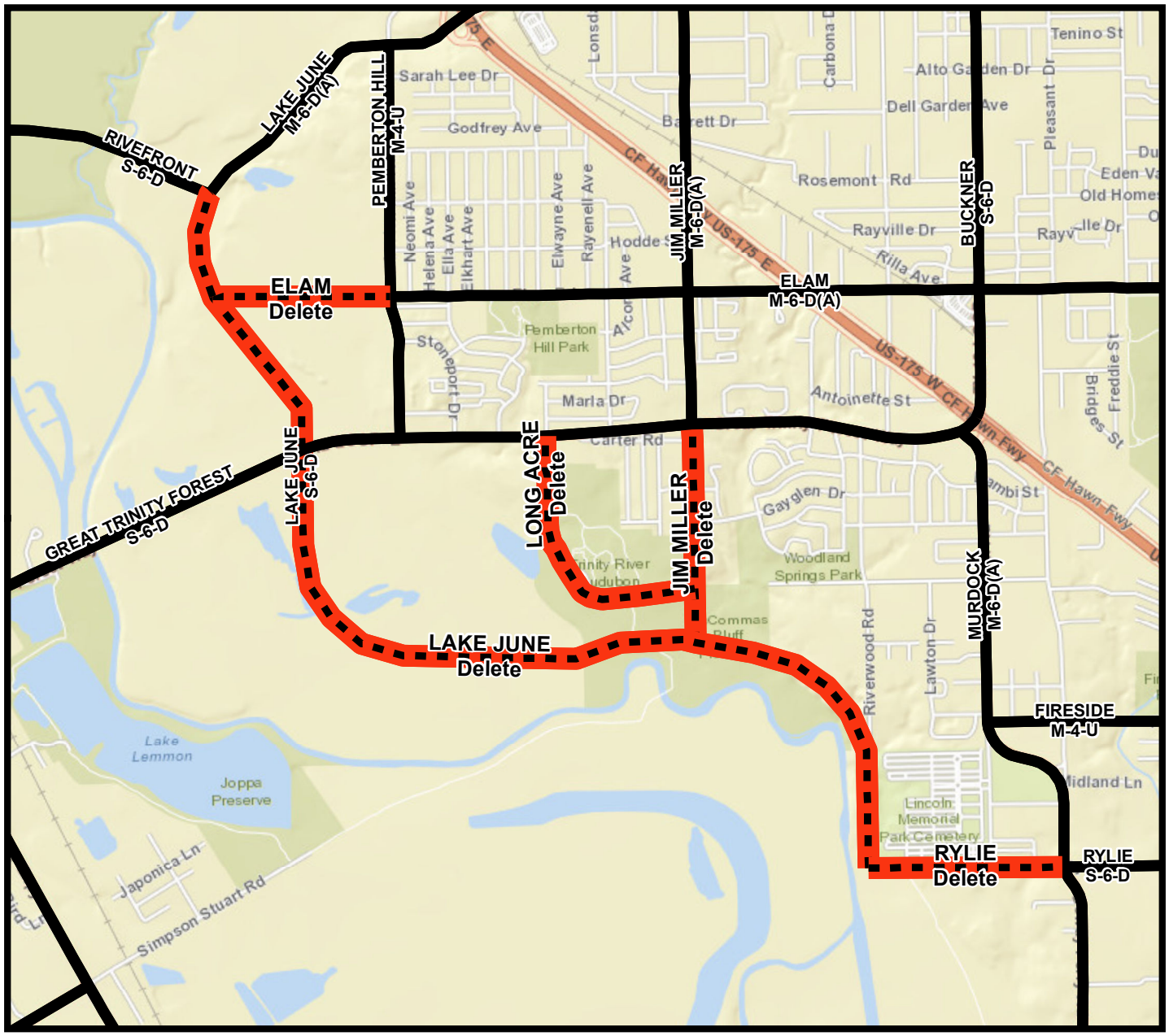
Jim Miller Road
Lake June Road to Great Trinity Forest Boulevard

Council Districts 7 & 8

MAPSCO: 57P,T,U,Y,Z; 58W; 67C,D; 68A,B,F,G



Thoroughfare Plan Amendment Map



AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Planning and Neighborhood Vitality

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 76 D H; 77 A E F

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** change the dimensional classification of Cleveland Road from Bonnie View Road to the BNSF Railroad Tracks from a six lane divided roadway (S-6-D) within 107 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within 80 feet of right-of-way; **(2)** delete Unnamed SE5 from Langdon Road and Hutchins City Limits as a special six lane divided roadway (SPCL 6D) within 113 feet of right-of-way; and **(3)** delete Unnamed SE6 from Unnamed SE5 to Cleveland Road as a special four lane undivided roadway (SPCL 4D) within 72 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

BACKGROUND

The Economic Development and Public Works Departments together have requested amendments to the City of Dallas Thoroughfare Plan to change the designations and dimensional classification of Cleveland Road from a six lane roadway to a four lane roadway and delete two roadways from the Thoroughfare Plan that do not currently exist in the Inland Port area of Southeast Dallas.

These amendments will facilitate the development of Grocers Supply Company, Inc., a warehouse and distribution development. Changes in area land uses no longer require a six lane roadway. The development will receive access from Cleveland Road. Cleveland Road, currently a sub-standard two lane roadway, will be designated as a four lane undivided roadway. The unnamed roadways are designated in the City's Thoroughfare Plan however, they do not currently exist. Deleting Unnamed SE5 and Unnamed SE6 will not deny access to the adjacent parcels.

BACKGROUND (Continued)

Staff recommends approval of the amendment to the Thoroughfare Plan to: (1) Change the dimensional classification of Cleveland Road from Bonnie View Road to the BNSF Railroad Tracks from a six lane divided roadway (S-6-D) within 107 feet of right-of-way to a special four lane undivided roadway (SPCL 4U) within 80 feet of right-of-way; (2) Delete Unnamed SE5 from Langdon Road and Hutchins City Limits as a special six lane divided roadway (SPCL 6D) within 113 feet of right-of-way; and (3) Delete Unnamed SE6 from Unnamed SE5 to Cleveland Road as a special four lane undivided roadway (SPCL 4D) within 72 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on December 4, 2014, and followed staff recommendation of approval.

The City Plan Commission acted on this item on December 18, 2014, and followed staff recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

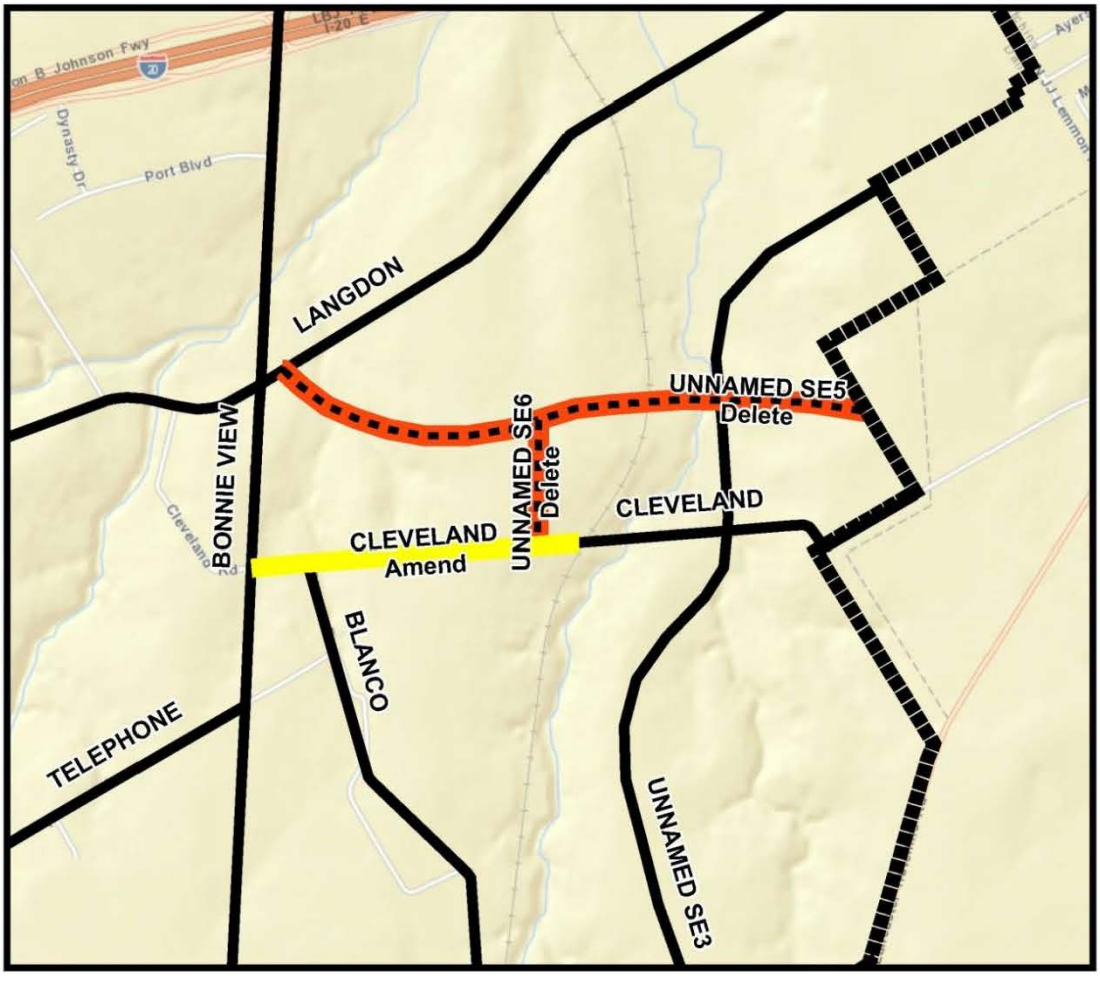
Cleveland Road, Unnamed SE5, Unnamed SE6

Council District 8

MAPSCO: 76D,H, 77A,E,F

Thoroughfare Plan Amendment Map





AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Planning and Neighborhood Vitality

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 12 Y Z

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to **(1)** delete Unnamed NW1 from IH-35E to IH-635, a four lane divided roadway (S-4-D) within 80 feet of right-of-way; and **(2)** expand the limits and change the dimensional classification of Unnamed NW2 from Farmers Branch City Limits to IH-635 from a four lane divided roadway (S-4-D) within 80 feet of right-of-way to a special three lane undivided roadway (SPCL 3U) within 56 feet of right-of-way and 36 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the changes - Financing: No cost consideration to the City

BACKGROUND

The Billingsley Company has requested amendments to the City of Dallas Thoroughfare Plan to delete Unnamed NW1 roadway and to change the dimensional classification of Unnamed NW2. These amendments will facilitate planned industrial development in Northwest Dallas. The roadway segments are not currently constructed and the required right-of-way has not been dedicated. The developer has proposed to dedicate 56 feet of right-of-way to build a three lane undivided roadway to accommodate required capacity at build-out of their development. A three lane roadway will be sufficient to handle the traffic demand for the proposed development.

Staff recommends approval of the amendments to the Thoroughfare Plan to: (1) Delete Unnamed NW1 from IH-35E to IH-635, a four lane divided roadway (S-4-D) within 80 feet of right-of-way; and (2) Expand the limits and change the dimensional classification of Unnamed NW2 from Farmers Branch City Limits to IH-635 from a four lane divided roadway (S-4-D) within 80 feet of right-of-way to a special three lane undivided roadway (SPCL 3U) within 56 feet of right-of-way and 36 feet of pavement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on December 4, 2014, and followed staff recommendation of approval.

The City Plan Commission acted on this item on December 18, 2014, and followed staff recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

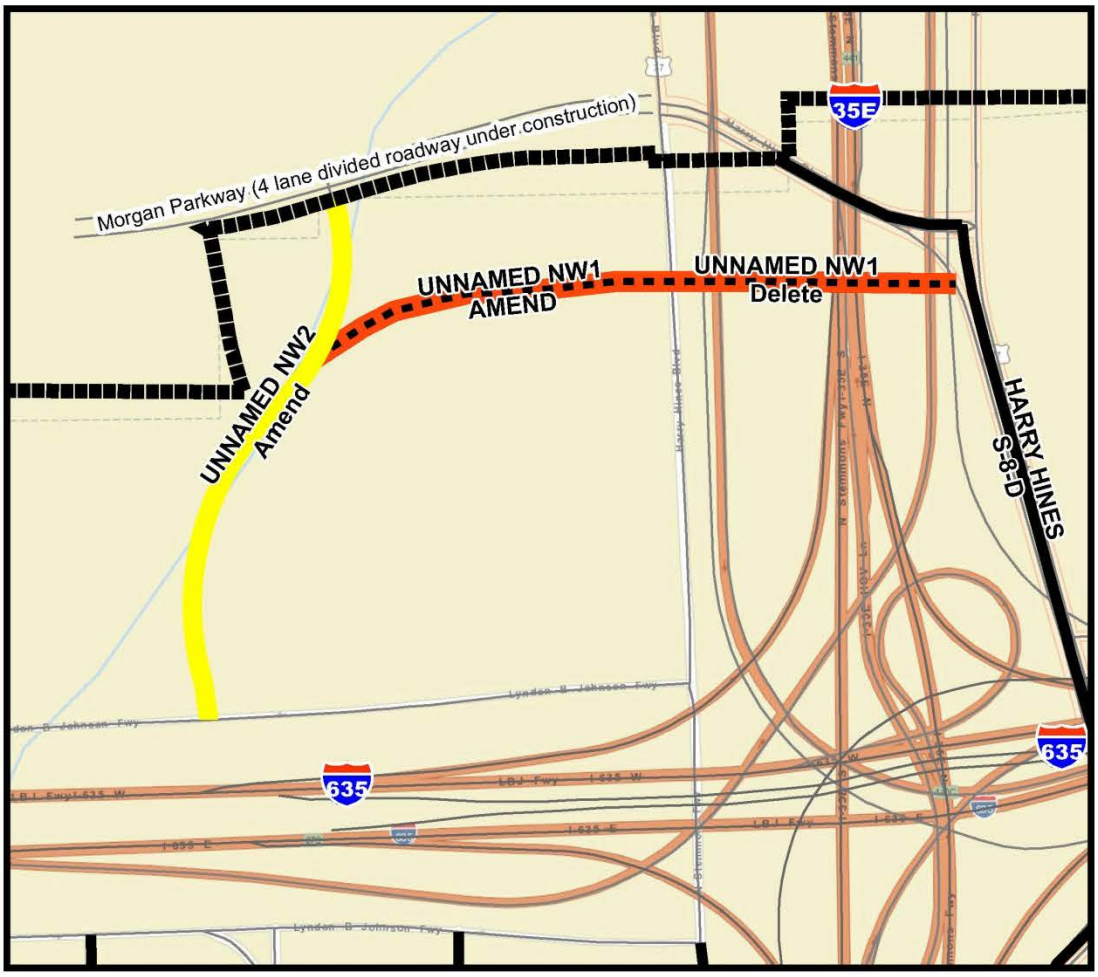
Unnamed NW1
and
Unnamed NW2

Council Districts 6

MAPSCO: 12Y, Z

Thoroughfare Plan
Amendment Map





AGENDA ITEM # 58

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 1, 2, 4, 6

DEPARTMENT: Office of Management Services
Office of Environmental Quality
Trinity Watershed Management

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by shallow groundwater that ranges in depth from approximately 22 to 30 feet below ground surface (bgs) in the alluvial floodplain deposits and extends to the top of the Eagle Ford Shale at depths ranging from approximately 40 to 60 feet bgs. The Eagle Ford Formation consists of shales, sandstones, and sandy limestones and is considered a regional aquitard with an estimated thickness of 175 to 430 feet in the area and will serve as a confining unit. The direction of groundwater flow beneath the Designated Property is generally towards the south. Portions of this groundwater have been affected by total petroleum hydrocarbons (TPH) and chlorinated solvents: 1,1-dichloroethene (1,1-DCE), tetrachloroethylene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE) and vinyl chloride at concentrations above groundwater ingestion standards. Probable off-site sources include historical releases of petroleum hydrocarbons from petroleum storage tanks associated with up-gradient facilities; and historical releases of chlorinated solvents from general manufacturing or commercial operations using hazardous substances. These former facilities are located up-gradient and outside the Designated Property and operated since at least the 1940s.

BACKGROUND (Continued)

These off-site regulated facilities have been evaluated through the Texas Commission on Environmental Quality regulatory programs and have either received or will soon receive closure concurrence.

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in December of 2014. The site is designated as VCP Facility ID No. 2717.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting was held on January 22, 2015 to receive comments and concerns. Notices of the meeting were sent to 7579 property owners within 2,500 feet of the property and 243 private well owners within 5 miles of the property. The City of Irving is the only other municipality located within one-half mile of the designated property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street, including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently the designated property is used for floodplain/flood control, ecosystem restoration, transportation, recreation, and high voltage power line right-of-way. The anticipated future use of the property is expected to be similar to the current use including additional environmental, ecosystem, and transportation related improvements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

OWNERS

City of Dallas

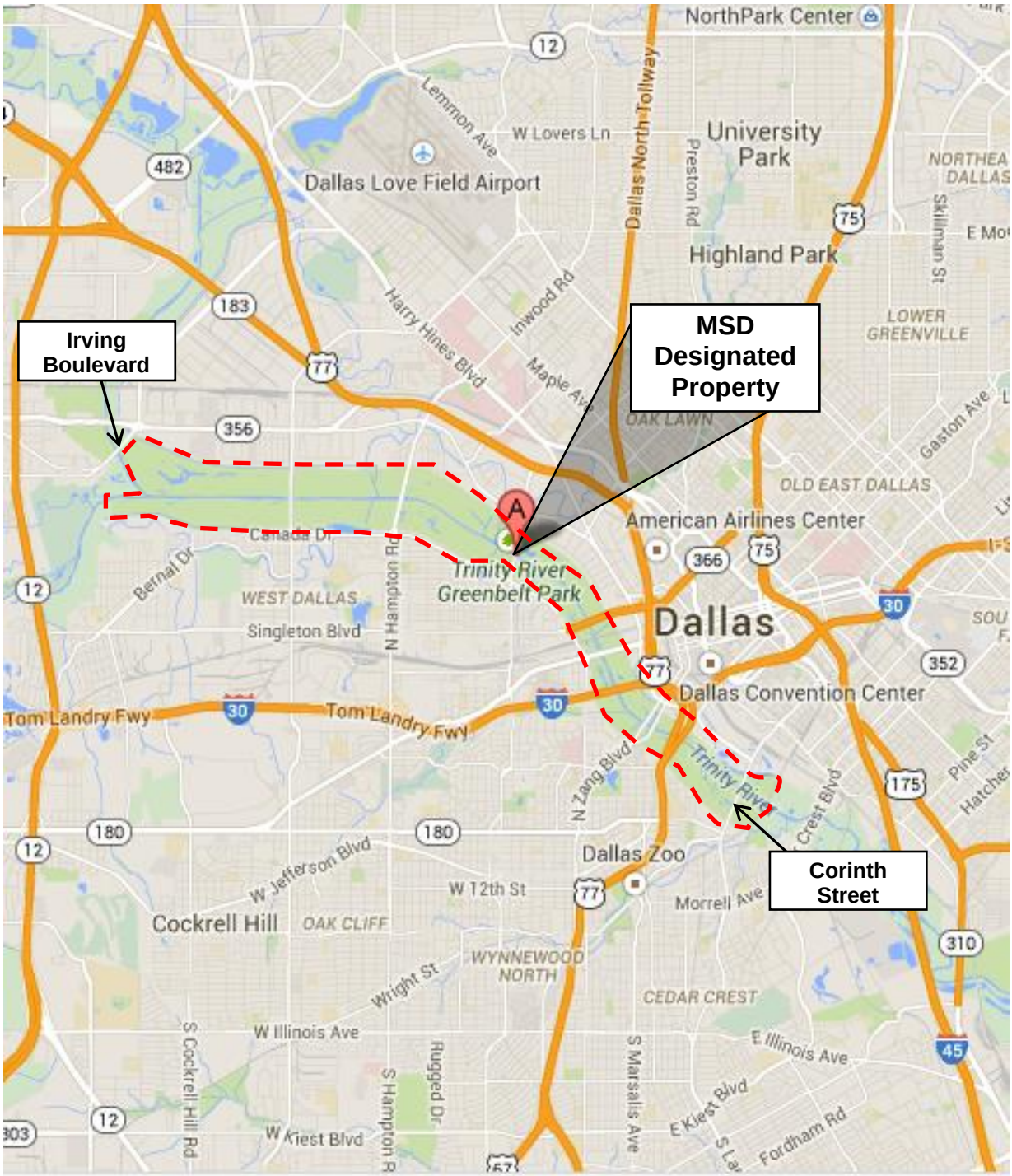
A.C. Gonzalez, City Manager

Oncor Electric Delivery Company, LLC

Walter Mark Carpenter, Senior Vice President

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation

Designated Property Boundary Map
Applicant – City of Dallas
Trinity Watershed Management
Dallas Floodway – Trinity River and Surrounding Properties
Dallas, TX 75207

January 13, 2015

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at the Dallas Floodway on the landside of the east and west levees and generally located southeast of the confluence of the Elm Fork and West Fork of the Trinity River near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Cleanup Program No. 2717 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than January 28, 2017.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than January 28, 2017. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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:

WARREN M.S. ERNST, City Attorney

By_____
Assistant City Attorney

Passed _____

GIS_Approved

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

BEING a 2945.5 Acre (128,303,919 Square Foot) tract of land situated in the W. S. Beatty Survey, Abstract Number 57, the John N. Bryan Survey, Abstract Number 149, the John Beeman Survey, Abstract Number 209, the John P. Cole Survey, Abstract Number 242, the Leven G. Coombs Survey, Abstract Number 289, the E. Durbin Survey, Abstract Number 384, the George W. Dooley Survey, Abstract Number 390, the Amariah Hannah Survey, Abstract Number 564, the Enoch Horton Survey, Abstract Number 604, the Peter Haught Survey, Abstract Number 607, the Jacob Knopfle Survey, Abstract Number 727, the Henry C. Long Survey, Abstract Number 762, the James McLaughlin Survey, Abstract Number 845, the U. Matthusen Survey, Abstract Number 1041, the William P. Overton Survey, Abstract Number 1106, the Radcliffe Platt Survey, Abstract Number 1141, the John C. Read Survey, Abstract Number 1187, the Elizabeth Robertson Survey, Abstract Number 1211, the S.A. & M.G. Railroad CO. Survey, Abstract Number 1436 and the Amos Hodges Survey, Abstract Number 1652, City of Dallas, Dallas County, Texas, City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 2/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670, and being all of those tracts of land described in deed to City of Dallas as recorded in Volume 73066, Page 1073, Volume 73252, Page 392, Volume 73012, Page 479, Volume 1502, Page 202, Volume 74029, Page 777, Volume 1502, Page 172, Volume 1502, Page 268, Volume 1502, Page 269, Volume 1502, Page 314, Volume 1502, Page 208, Volume 1503, Page 140, Volume 1502, Page 168, Volume 1502, Page 898, Volume 1556, Page 344, Volume 1556, Page 342, Volume 3586, Page 2, Volume 644, Page 658, Volume 776, Page 1017, Volume 1465, Page 474, Volume 1502, Page 321, Volume 73105, Page 992, Volume 73183, Page 764, Volume 73248, Page 745, Volume 73251, Page 470, Volume 74005, Page 3274, Deed Records of Dallas County, Texas (D.R.D.C.T.), and Instrument Number 201200148467, Instrument Number 201300255675 and Instrument Number 20070286272, Instrument Number 200900184476 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being all of that tract of land described in deed to City and County of Dallas Levee Improvement District, as recorded in Volume 1502, Page 169, Volume 1502, page 170, Volume 1502, Page 175, Volume 1502, Page 184, Volume 1502, Page 186, Volume 1502, Page 187, Volume 1502, page 211, Volume 1502, Page 212, Volume 1502, Page 244, Volume 1502, Page 300, Page 1502, Page 306, Page 1502, Page 310, Volume 1502, Page 325, Volume 1502, Page 605, Volume 1614, Page 471, Volume 1715, Page 11, Volume 3099, Page 64, Volume 3751, Page 225, Volume 3909, Page 220, Volume 74029, Page 777, D.R.D.C.T., and being all of that tract of land described in deed to Industrial Properties Corp., as recorded in Volume 1521, Page

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

368, Volume 1527, Page 123, Volume 1527, Page 137, Volume 1532, Page 109, Volume 1614, Page 471, D.R.D.C.T., and being all of that tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3385, Page 85, Volume 3391, Page 533, Volume 3430, Page 397, D.R.D.C.T., and being part of that tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 67194, Page 1050, D.R.D.C.T., and being all of that tract of land described in deed to "Dallas County Flood Control District" (hereinafter referred to as "DCFCD"), as recorded in Volume 4235, Page 19, Volume 4235, Page 10, Volume 4235, Page 14, Volume 67012, Page 695, Volume 4182, Page 637, Volume 4262, Page 87 and Volume 4352, Page 455, Volume 1532, Page 109, Volume 3758, Page 428, Volume 3779, Page 138, Volume 3779, Page 142, Volume 3782, Page 23, Volume 3788, Page 153, Volume 3841, Page 550, D.R.D.C.T., and being part of that tract of land described in deed to County of Dallas, as recorded in Volume 1556, Page 344, Volume 1556, Page 342, Volume 3586, Page 2, D.R.D.C.T., being parts of those tracts of land described in deeds to The Texas & Pacific Railway Company (now Union Pacific Railroad Company, hereinafter referred to as "UPRR"), as recorded in Volume S, Page 373 and Page 412, and Volume 50, Page 99, D.R.D.C.T., and being part of that tract of land described in Deed without Warranty to Dallas Area Rapid Transit (DART), as recorded in Volume 95201, Page 3378, D.R.D.C.T., and being part of Doug Drive (variable width right-of-way) dedicated by Trinity Valley Addition (Revised) as recorded in Volume 12, Page 269, D.R.D.C.T. and Industrial Acres Addition (Revised), as recorded in Volume 12, Page 317, D.R.D.C.T., and being part of Westmoreland Road (variable width right-of-way) by use and occupation, and being part of Corinth Street (a 100-foot wide right-of-way), recorded in Volume 1566, Page 555, D.R.D.C.T., and being part of Beckley Avenue (variable width right-of-way), dedicated by Mac Arthur Heights, as recorded in Volume 7, Page 405, D.R.D.C.T., being part of Inwood Road/Hampton Road (100-foot wide right-of-way), recorded in Volume 3573, Page 641, D.R.D.C.T., being part of Sylan Avenue (variable width right-of-way) by use and occupation, being part of the Texas Senate Bill No. 44, dated March 30, 1925, being part of Mississippi Avenue (a 50-foot wide right-of-way) recorded in Volume 8, Page 185 of the Map Record of Dallas County, Texas (M.R.D.C.T.), being part of Jefferson Boulevard (called 150-foot wide right-of-way), recorded in Volume 4527, Page 262, D.R.D.C.T., being part of Houston Street (called 80-foot wide right-of-way), recorded in Volume 495, Page 626, D.R.D.C.T. and being part of L. H. Bomar's Subdivision, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 1, page 161, M.R.D.C.T., being all of that tract of land described in deed to John M. Fouts, as recorded in Volume 3786, Page 54, D.R.D.C.T., being part of the Dallas City Council Resolution 68-4483, dated August 28, 1968, and being more particularly described as follows:

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

BEGINNING at a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the most westerly southwest corner of that 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 for the northwest corner of said DCFCD tract, recorded in Volume 4235, Page 19, D.R.D.C.T., said corner being on the southeast right-of-way line of Irving Boulevard (variable with right-of-way by use and occupation), said corner also being the point of curvature of a non-tangent circular curve to the left having a radius of 1,305.10 feet, chord that bears South 61 degrees 31 minutes 54 seconds East, a distance of 356.66 feet;

THENCE Southeasterly, with the northeast line of said DCFCD tract and the southwest line of said Trans Freight tract and with said curve, through a central angle of 15 degrees 42 minutes 26 seconds, an arc distance of 357.78 feet to a corner, said corner being the point of tangency;

THENCE South 69 degrees 23 minutes 07 seconds East, with said northeast line of said DCFCD tract and the southwest line of said Trans Freight, passing a distance of 444.32 feet the southeast corner of said Trans Freight tract, continuing with said northeast line of DCFCD tract and the southwest line of that tract of land described in deed to Spur 10 Holdings, LP, as recorded in Instrument Number 201100109783, O.P.R.D.C.T., passing a distance of 1,047.23 feet the southeast corner of said Spur tract and the southwest corner of that tract of land described in deed to 4600 Dillon LLC, as recorded in Instrument Number 201100046934, O.P.R.D.C.T., continuing with said northeast line of DCFCD tract and the southwest line said Dillon tract, passing a distance of 1,314.86 feet the southeast corner of said Dillon tract and the southwest corner of that tract of land described as Tract 1 in deed to Crown Enterprises, Inc., as recorded in Instrument Number 201100260532, O.P.R.D.C.T., continuing with said northeast line of DCFCD tract and the southwest line of said Tract 1, passing a distance of 2,300.51 feet the southeast corner of said Tract 1 and the southwest corner of that tract of land described as Tract 2 in deed to Crown Enterprises, Inc., as recorded in Instrument Number 201100260532, O.P.R.D.C.T., continuing with said northeast line of DCFCD tract and the southwest line said Tract 2, passing a distance of 2,835.85 feet the southeast corner of said Tract 2 and the southwest corner of Lot 1, Block A/7708 of ABF ADDITION, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 2001028, Page15, D.R.D.C.T., continuing with said northeast line of DCFCD tract and the southwest line of said Lot 1, a distance of 3,095.65 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 3,914.20 feet, chord that bears South 73 degrees 38 minutes 01 second East, a distance of 579.92 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Easterly, with said northeast line of DCFCD tract and the southwest line of said Lot 1 and with said curve, through a central angle of 08 degrees 29 minutes 48 seconds, an arc distance of 580.45 feet to a corner, said corner being the northeast corner of DCFCD tract and the southeast corner of said Lot 1 and being on the west line of said DCFCD tract, recorded in Volume 4235, Page 10;

THENCE North 00 degrees 14 minutes 07 seconds West, with said west line of DCFCD and the east line of said Lot 1, a distance of 10.82 feet to a corner, said corner being the northwest corner of said DCFCD and the southwest corner of that tract of land described in deed to Noamtc Inc., as recorded in Volume 2002077, Page 6265, D.R.D.C.T., said corner also being the point of curvature of a non-tangent circular curve to the left having a radius of 3,903.40 feet, chord that bears South 84 degrees 30 minutes 46 seconds East, a distance of 902.93 feet;

THENCE Easterly, with said northeast line of DCFCD tract and the southwest line of said Noamtc Inc. tract and with said curve, through a central angle of 13 degrees 17 minutes 00 seconds, passing an arc distance of 564.45 feet a 1/2-inch found iron rod for the southeast corner of said Noamtc Inc. tract and the southwest corner of that tract of land described in deed to Texas Kenworth Co., as recorded in Volume 95107, Page 3246, D.R.D.C.T, continuing with said northeast line of DCFCD tract and the south line of Texas Kenworth tract, passing an arc distance of 758.95 feet the northeast corner of said DCFCD tract and the northwest corner of DCFCD tract, recorded in Volume 4235, Page 14, D.R.D.C.T, continuing with the north line of said DCFCD tract and said south line of Texas Kenworth tract, in all a total arc distance of 904.96 feet to a corner, said corner being the southeast corner of said Texas Kenworth tract and the southwest corner of Mercantile Industrial District Third Installment, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 69011, Page 1901, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 89 degrees 10 minutes 50 seconds East, with said north line of DCFCD tract and with the south line of Mercantile Industrial District Third Installment addition, passing a distance of 400.02 feet the southeast corner of said Mercantile Industrial District Third Installment addition and the southwest corner of Mercantile Industrial District Second Installment, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 173, Page 1885, D.R.D.C.T., continuing with said north line of DCFCD tract and with the south line of Mercantile Industrial District Second Installment addition, passing a distance of 875.12 feet the southeast corner of said Mercantile Industrial District Second Installment addition and the southwest corner of Mercantile Industrial District, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 52, Page 3, M.R.D.C.T., continuing with said north line of DCFCD tract and the south line of Mercantile Industrial District addition, in all a total distance of 1,041.69 feet to a corner, said corner being an "ell" corner of said Mercantile Industrial District addition and the northeast corner of said DCFCD tract;

THENCE South 66 degrees 52 minutes 58 seconds East, continuing with said north line of DCFCD tract and the south line of Mercantile Industrial District addition, a distance of 347.03 feet to a corner, said corner being the southeast corner of said DCFCD tract and the southeast corner of said Mercantile Industrial District addition and corner also being on the north line of said called 416.63 acres City of Dallas tract;

THENCE North 00 degrees 13 minutes 05 seconds West, with the east line of said Mercantile Industrial District addition and with said north line of called 416.63 acres City of Dallas tract, a distance of 5.21 feet to a corner, said corner being the southwest corner of that tract of land described in deed to Swit Holdings, LLC, as recorded in Instrument Number 200600241481, O.P.R.D.C.T.;

THENCE North 89 degrees 09 minutes 16 seconds East, departing said east line of said Mercantile Industrial District addition, with said north line of called 416.63 acres City of Dallas tract and with the south line of said Swit Holdings tract, a distance of 359.80 feet to a corner, said corner being the most southerly southeast corner of said Swit Holdings tract;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 13 minutes 42 seconds West, with the east line of said Swit Holdings tract and with said north line of called 416.63 acres City of Dallas tract, passing a distance of 7.77 feet the southwest corner of Trinity Valley Addition (Revised), an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 12, Page 269 and 270, M.R.D.C.T., departing said north line of called 416.63 acres City of Dallas tract and continuing with said east line of Swit Holdings tract and the west line of said Trinity Valley Addition (Revised), in all a total distance of 67.77 feet to a corner, said corner being the northwest corner of said Doug Drive (variable width right-of-way) of said Trinity Valley Addition (Revised);

THENCE North 89 degrees 11 minutes 07 seconds East, departing said east line of said Swit Holdings tract and said west line of Trinity Valley Addition (Revised) and with the north right-of-way line of said Doug Drive, a distance of 49.13 feet to a 1/2-inch found iron rod for corner, said corner being the most easterly southeast corner of said Swit Holdings tract, the southeast corner of Lot 1, Block F of said Trinity Valley Addition (Revised), and being at the intersection of said north right-of-way line of Doug Drive and the east right-of-way line of Apricot Street (a 50-foot wide right-of-way) of Trinity Valley Addition (Revised);

THENCE North 89 degrees 11 minutes 07 seconds East, over and a cross said Apricot Street, a distance of 50.00 feet to a corner, said corner being on the west right-of-way line of said Apricot Street and on the east line of Harper Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 88182, Page 2368, D.R.D.C.T.;

THENCE South 00 degrees 13 minutes 37 seconds East, with said east right-of-way line of Apricot Street and with the west line of Harper Addition, a distance of 2.91 feet to a corner, said corner being at the intersection of said east right-of-way line of said Apricot Street and the north right-of-way line of said Doug Drive and being the southwest corner of said Harper Addition;

THENCE North 89 degrees 09 minutes 23 seconds East, with said north right-of-way line of Doug Drive and with the south line of said Harper Addition, a distance of 40.89 feet to a corner, said corner being the most southerly southeast corner of said Harper Addition;

THENCE North 59 degrees 49 minutes 23 seconds East, continuing with said north right-of-way line of Doug Drive and with said south line of Harper Addition, a distance of 10.79 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 00 degrees 23 minutes 44 seconds East, departing said north right-of-way line of Doug Drive and said south line of Harper Addition and over and across said Doug Drive, a distance of 62.79 feet to a found PK nail for corner, said corner being the south southwest corner of Lot 33, Block H of Industrial Acres Addition (Revised), an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 12, Page 317, M.R.D.C.T. and on said north line of called 416.63 acres City of Dallas tract;

THENCE North 89 degrees 36 minutes 16 seconds East, with the south line of said Industrial Acres Addition (Revised) addition and with said north line of called 416.63 acres City of Dallas tract, a distance of 1,861.92 feet to a corner, said corner being the southeast corner of said Industrial Acres Addition (Revised) addition and being on the west right-of-way line of Westmoreland Road (a variable width right-of-way) by use and occupation, and the northeast corner of said called 416.63 acres City of Dallas tract;

THENCE North 00 degrees 36 minutes 37 seconds West, with the east line of said Industrial Acres Addition (Revised) addition and with said west right-of-way line of Westmoreland Road, a distance of 131.86 feet to a corner;

THENCE North 89 degrees 23 minutes 23 seconds East, departing said east line of Industrial Acres Addition (Revised) addition and said west right-of-way line of Westmoreland Road and over and across said Westmoreland Road, a distance of 99.12 feet to a corner, said corner being on the east right-of-way line of said Westmoreland Road and the northwest corner of said City of Dallas Tract 1(F) recorded in Instrument Number 200900184476 and the southwest corner of West Trinity Industrial District Installment No. 6, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 70151, Page 1971, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 89 degrees 10 minutes 52 seconds East, with the north line of said City of Dallas Tract 1(F) and with the south line of said West Trinity Industrial District Installment No. 6 addition, with the south line of Second Installment Commerce Center, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 70102, Page 1849, D.R.D.C.T., with the south line of Fourth Installment of West Trinity Industrial District, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 43, Page 69, M.R.D.C.T., with the south line of Revision of Lots 7-15, Block 7 First Installment West Trinity Industrial District, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 36, Page 67, M.R.D.C.T. and the south line of J L C Corporation Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 78103, Page 941, D.R.D.C.T., a distance of 3,237.10 feet to a 5/8-inch found iron rod with "City of Dallas" (hereinafter referred to as "COD") cap for corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 742.99 feet, chord that bears North 82 degrees 42 minutes 51 seconds East, a distance of 167.37 feet;

THENCE Easterly, continuing with said north line of City of Dallas Tract 1(F) and with the south line of said J L C Corporation Addition and with said curve, through a central angle of 12 degrees 56 minutes 03 seconds, an arc distance of 167.73 feet to a corner, from which a 1/2-inch found iron rod bears North 32 degrees East a distance of 1.1 feet;

THENCE North 76 degrees 10 minutes 48 seconds East, continuing with said north line of City of Dallas Tract 1(F) and with the south line of said J L C Corporation Addition, a distance of 25.00 feet to a 5/8-inch found iron rod with COD cap for corner;

THENCE North 81 degrees 50 minutes 51 seconds East, continuing with said north line of City of Dallas Tract 1(F) and with the south line of said J L C Corporation Addition, a distance of 201.90 feet to a corner, from which a 5/8-inch iron rod with COD cap bears North 66 degrees West a distance of .8 of a foot;

THENCE North 89 degrees 10 minutes 48 seconds East, continuing with said north line of City of Dallas Tract 1(F) and with the south line of said J L C Corporation Addition, a distance of 188.40 feet to a 5/8-inch found iron rod with COD cap for corner, said corner being the northeast corner of said City of Dallas Tract 1(F), the southeast corner of said J L C Corporation Addition and also being on the west line of that tract of land described as Tract 10 (C) in deed to City of Dallas, as recorded in Instrument Number 200900184477, O.P.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 00 degrees 10 minutes 48 seconds West, with the east line of said City of Dallas Tract 1(F) and with the west line of said City of Dallas Tract 10 (C), a distance of 41.50 feet to a corner, said corner being the southeast corner of said City of Dallas Tract 1(F), the southwest of said City of Dallas Tract 10 (C), the northeast corner of said called 298.45 acres City of Dallas tract and on the north line of said City of Dallas tract recorded in Volume 74029, Page 777, D.R.D.C.T.;

THENCE North 89 degrees 19 minutes 36 seconds East, with the south line of said City of Dallas Tract 10 (C) and with the north line of said City of Dallas tract, a distance of 1,477.00 feet to a corner, said corner being the southeast corner of said City of Dallas Tract 10 (C) and on the west line of said City of Dallas Tract 11 (F) as recorded in Instrument Number 200900184476;

THENCE North 00 degrees 40 minutes 24 seconds West, with the east line of said City of Dallas Tract 10 (C) and the west line of said City of Dallas Tract 11 (F), a distance of 75.77 feet to a 1/2-inch found iron rod with cap for corner, said corner being the northwest corner of said City of Dallas Tract 11 (F) and the southwest corner of Revised Trinity Service Center, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 68086, Page 2480, D.R.D.C.T.;

THENCE with the north line of said City of Dallas Tract 11 (F) and the south line of said Revised Trinity Service Center, following courses and distances:

North 89 degrees 05 minutes 40 seconds East, departing said east line of said City of Dallas Tract 10 (C), a distance of 181.02 feet to a corner;

South 00 degrees 54 minutes 20 seconds East, a distance of 20.00 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 1,175.67 feet, chord that bears South 80 degrees 18 minutes 20 seconds East, a distance of 432.53 feet;

Easterly, with said curve, through a central angle of 21 degrees 12 minutes 00 seconds, an arc distance of 435.01 feet to a corner from with a 5/8-inch found iron rod with COD cap bears North 11 degrees East a distance of 0.3 of a foot;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

South 69 degrees 42 minutes 20 seconds East, a distance of 91.30 feet to a 5/8-inch found iron rod with COD cap for corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 686.78 feet, chord that bears South 73 degrees 58 minutes 29 seconds East, a distance of 102.25 feet;

Easterly, with said curve, through a central angle of 08 degrees 32 minutes 17 seconds, an arc distance of 102.34 feet to a 5/8-inch found iron rod with COD cap for corner, said corner being the southeast corner of said Revised Trinity Service Center, said corner also being on the west right-of-way line of Inwood Road (a variable width right-of-way);

THENCE South 12 degrees 21 minutes 40 seconds West, continuing with said north line of City of Dallas Tract 11 (F) and with said west right-of-way line of Inwood Road, a distance of 9.22 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 11 (F);

THENCE South 84 degrees 45 minutes 32 seconds East, continuing with said north line of City of Dallas Tract 11 (F) and over and across said Inwood Road, a distance of 188.53 feet to a 5/8-inch found iron rod with COD cap for corner, said corner being an "ell" corner of said City of Dallas Tract 11 (F), said corner also being on the east right-of-way line of said Inwood Road;

THENCE North 05 degrees 14 minutes 28 seconds East, continuing with said north line of City of Dallas Tract 11 (F) and with said east right-of-way line of said Inwood Road, a distance of 29.50 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 11 (F) and the southwest corner of Subdivision of Part of Block 7929, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 71058, Page 2172, D.R.D.C.T., said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 4,099.33 feet, chord that bears South 81 degrees 26 minutes 06 seconds East, a distance of 475.36 feet;

THENCE Easterly, continuing with said north line of City of Dallas Tract 11 (F) and with the south line of said Subdivision of Part of Block 7929 and with said curve, through a central angle of 06 degrees 38 minutes 52 seconds, an arc distance of 475.63 feet to a corner, said corner being the northeast corner of said City of Dallas Tract 11 (F) and the southeast corner of said Subdivision of Part of Block 7929, also being on the west line of said City of Dallas Tract 13 (F), recorded in Instrument Number 200900184476 and on the west line of Hampton & Industrial Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 8, Page 185, M.R.D.C.T., from which a 5/8-inch iron rod bears North 78 degrees West a distance of 1.0 foot;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 44 minutes 30 seconds West, with the east line of said Subdivision of Part of Block 7929, with said west line of Hampton & Industrial Addition and with said City of Dallas Tract 13 (F), passing a distance of 66.95 feet the northwest corner of said City of Dallas Tract 13 (F), continuing with said east line of said Subdivision of Part of Block 7929 and with said west line of Hampton & Industrial Addition, in all a total distance of 118.13 feet to a corner, said corner being on the north right-of-way line of Mississippi Avenue (a 50-foot wide right-of-way) recorded in said Hampton & Industrial Addition, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 4,214.83 feet, chord that bears South 75 degrees 21 minutes 33 seconds East, a distance of 458.41 feet;

THENCE Easterly, departing said east line of Subdivision of Part of Block 7929 and said west line of Hampton & Industrial Addition and with the north right-of-way line of Mississippi Avenue (50-foot wide right-of-way) of said Hampton & Industrial Addition and with said curve, through a central angle of 06 degrees 14 minutes 05 seconds, an arc distance of 458.63 feet to a corner;

THENCE South 17 degrees 17 minutes 15 seconds West, departing said north right-of-way line of Mississippi Avenue and over and across said Mississippi Avenue, passing a distance of 50.00 feet a 5/8-inch found iron rod with COD cap for the northeast corner of said City of Dallas Tract 13 (F) and the common corner of Lots 8 and 9, Block 1/8570 of said Hampton & Industrial Addition and on the south right-of-way line of said Mississippi Avenue, continuing with the east line of said City of Dallas Tract 13 (F) and with the common line of said Lots 8 and 9, in all total distance of 117.01 feet to a 5/8-inch found iron rod for corner, said corner being the southwest corner of that tract of land described in deed to Prescott Interests, Ltd, as recorded in Instrument Number 201100337934, O.P.R.D.C.T. and the northwest corner of said City of Dallas Tract 14 (F);

THENCE South 72 degrees 25 minutes 51 seconds East, departing said common line of Lots 8 and 9 and with the north line of said City of Dallas Tract 14 (F) and the south line of said Prescott tract and over and across said Lot 9, a distance of 51.16 feet to a 5/8-inch found iron rod with COD cap for corner on the common line of Lots 9 and 10, Block 1/8570 of said Hampton & Industrial Addition;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE South 70 degrees 31 minutes 05 seconds East, continuing with said north line of City of Dallas Tract 14 (F) and said south line of Prescott tract and over and across said Lots 10 and 11, a distance of 102.33 feet to a 5/8-inch found iron rod for the northeast corner of said City of Dallas Tract 14 (F), the southeast corner of said Prescott tract, the northwest corner of City of Dallas Tract 15 (C) of said Instrument Number 200900184477, the southwest corner of that tract of land described in deed to Bates Joint Venture II, as recorded in Volume 98253, Page 495, D.R.D.C.T. and being on the common line of Lots 11 and 12, Block 1/8570 of said Hampton & Industrial Addition;

THENCE South 19 degrees 26 minutes 10 seconds West, with the said common line of Lots 11 and 12, a distance of 53.00 feet to a corner, said corner being the common corner of said Lots 11 and 12, the southwest corner of said City of Dallas Tract 15 (C) and the southeast corner of said City of Dallas Tract 14 (F) and on the north line of said called 703.34 acres City of Dallas tract, from which a 5/8-inch found iron rod with COD cap bears South 04 degrees West a distance of .2 of a foot, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 4,044.83 feet, chord that bears South 69 degrees 21 minutes 39 seconds East, a distance of 101.00 feet;

THENCE Easterly, with the south line of said City of Dallas Tract 15 (C) and with the south line of said Lot 12 and Lot 13, Block 1/8570 of said Hampton & Industrial Addition, with said north line of said City of Dallas tract and with said curve, through a central angle of 01 degree 25 minutes 50 seconds, an arc distance of 101.00 feet to a 5/8-inch found iron rod with COD cap for the common corner of Lots 13 and 14, the southeast corner of said City of Dallas Tract 15 (C) and the southwest corner of said City of Dallas Tract 16 (F);

THENCE North 20 degrees 52 minutes 06 seconds East, departing said City of Dallas tract and with the common line of said Lots 13 and 14, a distance of 51.50 feet to a corner, said corner being the southeast corner of said City of Dallas Tract 15 (C), the northwest corner of said City of Dallas Tract 16 (F), the southeast corner of said Bates tract and the southwest corner of that tract of land described in deed to Two Rivers Properties, LLC, as recorded in Instrument Number 201200364179, O.P.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 66 degrees 15 minutes 22 seconds East, departing said common line of Lots 13 and 14 and with the south line of said Two Rivers tract and the north line of said City of Dallas Tract 16 (F) and over and across Lots 14 and 15, Block 1/8570 of said Hampton & Industrial Addition, a distance of 102.32 feet to a 5/8-inch found iron rod with COD cap for the southeast corner of said Two Rivers tract and the northeast corner of said City of Dallas Tract 16 (F) and being on the common line of Lots 15 and 16 of said Block 1/8570;
THENCE North 22 degrees 18 minutes 03 seconds East, with said common Line of Lots 15 and 16, passing a distance of 71.50 feet the common corner of said Lots 15 and 16 and the northwest corner of said City of Dallas Tract 17 (F) and the northeast corner of said Two Rivers tract and on the south right-of-way line of said Mississippi Avenue, continuing over and across said Mississippi Avenue, in all a total distance of 121.51 feet to a corner on the north right-of-way line of said Mississippi Avenue, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 4,214.83 feet, chord that bears South 66 degrees 31 minutes 08 seconds East, a distance of 105.25 feet;

THENCE Southeasterly, with said north right-of-way line of Mississippi Avenue and with said curve, through a central angle of 01 degree 25 minutes 51 seconds, an arc distance of 105.25 feet to a corner;

THENCE South 23 degrees 43 minutes 59 seconds West, departing said north right-of way line of Mississippi Avenue and over and across said Mississippi Avenue, passing a distance of 50.00 feet the common corner of Lots 17 and 18 of said Block 1/8570, the northeast corner of said City of Dallas Tract 18 (F), the northwest corner of that tract of land described in deed to Ladera Investments, LLC, as recorded in Instrument Number 20080036620, O.P.R.D.C.T. and on the south right-of-way line of said Mississippi Avenue, continuing with the common line of said Lots 17 and 18, in all a total distance of 124.96 feet to a corner, said corner being the northwest corner of said City of Dallas Tract 19 (F) and the southwest corner of said Ladera tract, from which a 5/8-inch found iron rod with COD cap bears South 71 degrees East a distance of 0.6 of a foot;

THENCE South 61 degrees 42 minutes 53 seconds East, departing said common line of Lots 17 and 18 and with the south line of said Ladera tract and the north line of said City of Dallas Tract 19 (F) and over and across Lots 18, 19 and 20 of said Block 1/8570, a distance of 153.61 feet to a 5/8-inch found iron rod with COD cap for the northeast corner of said City of Dallas Tract 19 (F) and the southeast corner of said Ladera tract and on the common line of Lots 20 and 21 of said Block 1/8570;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 26 degrees 20 minutes 53 seconds East, with the common line of said Lots 20 and 21, passing a distance of 82.99 feet the northeast corner of said Ladera tract and the northwest corner of said City of Dallas Tract 20 (F) and on the south right-of-way line of said Mississippi Avenue, continuing over and across said Mississippi Avenue, in all a total distance of 132.99 feet to a corner on the north right-of-way line of said Mississippi Avenue, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 4,214.83 feet, chord that bears South 63 degrees 17 minutes 24 seconds East, a distance of 51.31 feet;

THENCE Southeasterly, with said north right-of-way line of Mississippi Avenue and with said curve, through a central angle of 00 degrees 41 minutes 51 seconds, an arc distance of 51.31 feet to a corner;

THENCE South 26 degrees 40 minutes 38 seconds West, departing said north right-of-way line of Mississippi Avenue and over and across said Mississippi Avenue, passing a distance of 50.00 feet the common corner of Lots 21 and 22 of said Block 1/8570, the northeast corner of said City of Dallas Tract 20 (F), the northwest corner of that tract of land described in deed to Dallas Power & Light, as recorded in Volume 72184, Page 1272, D.R.D.C.T. and on the south right-of-way line of said Mississippi Avenue, continuing with said common line of Lots 21 and 22, in all a total distance of 136.05 feet to a corner, said corner being the northwest corner of said City of Dallas Tract 21 (F) and the southwest corner of said Dallas Power tract;

THENCE South 59 degrees 12 minutes 47 seconds East, departing said common line of Lots 21 and 22, with the south line of said Dallas Power tract and the north line of said City of Dallas Tract 21 (F) and over and across said Lot 22, a distance of 51.02 feet to a 5/8-inch found iron rod with COD cap for the northeast corner of said City of Dallas Tract 21 (F) and the northwest corner of said City of Dallas Tract 22 (F) and on the common line of Lots 22 and 23 of said Block 1/8570;

THENCE South 59 degrees 03 minutes 23 seconds East, continuing with said south line of Dallas Power tract, the north line of said City of Dallas Tract 22 (F) and over and across said Lot 23, a distance of 50.95 feet to a 5/8-inch found iron rod with COD cap for the northeast corner of said City of Dallas Tract 22 (F) and the northwest corner of said City of Dallas Tract 23 (F) and on the common line of Lots 23 and 24 of said Block 1/8570;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 58 degrees 54 minutes 04 seconds East, continuing with said south line of Dallas Power tract, the north line of said City of Dallas Tract 23 (F) and over and across said Lot 24, a distance of 50.90 feet to a 5/8-inch found iron rod with COD cap for the northeast corner of said City of Dallas Tract 23 (F) and the northwest corner of said City of Dallas Tract 24 (F) and on the common line of Lots 24 and 25 of said Block 1/8570;

THENCE South 59 degrees 24 minutes 31 seconds East, continuing with said south line of Dallas Power tract, the north line of said City of Dallas Tract 24 (F) and over and across said Lots 25 and 26, a distance of 101.19 feet to a corner on the common line of Lots 26 and 27 and said Block 1/8570, from which a 1/2-inch found iron rod bears North 20 degrees West a distance of 0.9 of a foot;

THENCE South 60 degrees 04 minutes 30 seconds East, continuing with said south line of Dallas Power tract, the north line of said City of Dallas Tract 24 (F) and over and across said Lot 27, passing a distance of 50.00 feet the southeast corner of said Dallas Power tract and the southwest corner of that tract of land described in deed to Machinists Tools & Supplies, Inc., as recorded in Volume 78175, Page 3179, D.R.D.C.T. and on the common line of said Lots 27 and 28, continuing with the south line of Machinists tract and the north line of said City of Dallas Tract 24 (F) and over and across said Lot 28, in all a total distance of 100.00 feet to a corner, said corner being the northeast corner of said City of Dallas Tract 24 (F) and on the common line of Lots 28 and 29 of said Block 1/8570;

THENCE South 60 degrees 04 minutes 40 seconds East, continuing with said south line of Machinists tract, the north line of said City of Dallas Tract 25 (F) and over and across Lots 29, 30 and 31 of said Block 1/8570, a distance of 190.34 feet to a corner, said corner being the northeast corner of said City of Dallas Tract 25 (F) and on the east line of said Hampton & Industrial Addition and on the west line of Trinity Industrial District Installment No. 20, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 50, Page 21, M.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 00 degrees 44 minutes 30 seconds East, with said east line of Hampton & Industrial Addition, said west line of Trinity Industrial District Installment No. 20 and the west line of said City of Dallas Tract 25 (F), passing a distance of 18.05 feet the northwest corner of City of Dallas Tract 26 (R) of said Instrument Number 200900184477, continuing with said east line of City of Dallas Tract 25 (F) and with the west line of said City of Dallas Tract 26 (R), passing a cumulative distance of 58.14 feet the southeast corner of said City of Dallas Tract 25 (F), continuing with said west line of City of Dallas Tract 26 (R), in all a cumulative distance of 65.97 feet to a corner, said corner being the southeast corner of said City of Dallas Tract 26 (R) and on the east line of said called 103.34 acres City of Dallas tract and on the north line of said City of Dallas tract recorded in Volume 74029, Page 777, D.R.D.C.T., from which a 5/8-inch found iron rod with COD cap bears North 56 West a distance of 1.1 feet;

THENCE South 59 degrees 34 minutes 10 seconds East, with the south line of said City of Dallas Tract 26 (R) and with the north line of said City of Dallas tract recorded in Volume 74029, Page 777, D.R.D.C.T., a distance of 2,431.16 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 26 (R), from which a 5/8-inch found iron rod with COD cap bears South 20 degrees West a distance of 0.3 of a foot;

THENCE North 00 degrees 46 minutes 10 seconds West, continuing with said south line of City of Dallas Tract 26 (R) and with said north line of City of Dallas tract, a distance of 29.23 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 26 (R);

THENCE South 59 degrees 34 minutes 10 seconds East, continuing with said south line of City of Dallas Tract 26 (R) and with said north line of City of Dallas tract, a distance of 1,326.31 feet to a found "PK" for corner, said corner being the southeast corner of said City of Dallas Tract 26 (R) and the southwest corner of City of Dallas Tract 27 (R) of said Instrument Number 200900184477;

THENCE South 59 degrees 35 minutes 30 seconds East, with the south line of said City of Dallas Tract 27 (R) and with said north line of City of Dallas tract, a distance of 1,860.69 feet to a corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 440.28 feet, chord that bears South 48 degrees 19 minutes 02 seconds East, a distance of 172.16 feet;

THENCE Southeasterly, continuing with said south line of City of Dallas Tract 27 (R), with said north line of City of Dallas tract and with said curve, through a central angle of 22 degrees 32 minutes 56 seconds, an arc distance of 173.27 feet to a 5/8-inch found iron rod with COD cap for corner, said corner being an "ell" corner of said City of Dallas Tract 27 (R);

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 30 degrees 38 minutes 34 seconds West, continuing with said south line of City of Dallas Tract 27 (R) and with said north line of City of Dallas tract, a distance of 67.09 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 27 (R) and the northwest corner of said City of Dallas Tract 28 (F), from which a 5/8-inch found iron rod bears North 31 degrees East a distance of 0.3 of a foot;

THENCE South 59 degrees 32 minutes 56 seconds East, departing said north line of City of Dallas tract with the south line of said City of Dallas Tract 27 (R) and the north line of said City of Dallas Tract 28 (F), passing a distance of 324.07 feet the southeast corner of said City of Dallas Tract 27 (R), from which a 5/8-inch found iron rod with COD cap bears South 29 degrees East a distance of 1.2 feet and on the south line of Trinity Industrial District Installment No. 8 & Installment No. 9, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 16, Page 331, MR.D.C.T., continuing with the north line of said City of Dallas Tract 28 (F) and with said south line of Trinity Industrial District Installment No. 8 & Installment No. 9 addition and with the south line of Trinity Industrial District Installment No. 10, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 16, Page 259, M.R.D.C.T., in all a total distance of 1,216.00 feet to a corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 4,708.70 feet, chord that bears South 50 degrees 07 minutes 38 seconds East, a distance of 1541.65 feet;

THENCE Southeasterly, continuing with said north line of City of Dallas Tract 28 (F), with said south line of Trinity Industrial District Installment No. 10, with the south line of Trinity Industrial District Installment No. 6, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 15, page 297, D.R.D.C.T, the south line of Replat and Resubdivision of said blocks Numbers Ten (10) and Thirteen (13), Trinity Industrial District, as recorded in Volume 15, Page 331, M.R.D.C.T. and with said curve, through a central angle of 18 degrees 50 minutes 37 seconds, an arc distance of 1548.62 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 4,708.70 feet, chord that bears South 36 degrees 36 minutes 48 seconds East, a distance of 673.27 feet;

THENCE Southeasterly, continuing with said north line of City of Dallas Tract 28 (F), with said south line of Replat and Resubdivision of said blocks Numbers Ten (10) and Thirteen (13), Trinity Industrial District and with said curve, through a central angle of 08 degrees 11 minutes 58 seconds, an arc distance of 673.84 feet to a 5/8-inch found iron rod with COD cap of corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 32 degrees 30 minutes 49 seconds East, continuing with said north line of City of Dallas Tract 28 (F), with said south line of Replat and Resubdivision of said blocks Numbers Ten (10) and Thirteen (13), Trinity Industrial District addition, the south line of that tract of land described in deed to Viking Holdings LLC, as recorded in Instrument Number 200900114254, O.P.R.D.C.T. and the south line of Trinity Industrial District Installment No. 12, as recorded in Volume 22, Page 73, M.R.D.C.T. and over and across Continental Avenue (a 100-foot wide right-of-way), recorded in Volume 1556, Page 342, D.R.D.C.T., a distance of 1,587.79 feet to a corner, said corner being the northwest corner of said City of Dallas Tract 28 (F);

THENCE South 57 degrees 26 minutes 11 seconds West, continuing over and across said Continental Avenue and the east line of said City of Dallas Tract 28 (F), a distance of 9.18 feet to a corner, said corner being the northwest corner of said City of Dallas Tract 29 (F);

THENCE South 32 degrees 30 minutes 49 seconds East, continuing over and across said Continental Avenue, with the north line of said City of Dallas Tract 29 (F) and the south line of Continental Terrace, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 77074, Page 1194, D.R.D.C.T., a distance of 132.22 feet to a corner, said corner being the northeast corner of said City of Dallas Tract 29 (F) and the most westerly northwest corner of that tract of land described as Tract 1 in deed to 505 Riverfront LTD., as recorded in Instrument Number 20130072041, O.P.R.D.C.T., from which a found monument bears North 62 degrees East a distance of 1.5 feet;

THENCE South 57 degrees 36 minutes 02 seconds West, departing said south line of Continental Terrace addition and with the southeast line of said City of Dallas Tract 29 (F) and with the northwest line of said 505 Riverfront tract, a distance of 55.07 feet to a corner, said corner being the southwest corner of said City of Dallas Tract 29 (F) and the southwest corner of said 505 Riverfront tract and on the north line said City of Dallas tract recorded in Volume 74029, Page 777, D.R.D.C.T.;

THENCE South 32 degrees 32 minutes 34 seconds East, with the southwesterly line of said 505 Riverfront tract and with said north line of City of Dallas tract, a distance of 292.47 feet to the southwest corner of said tract and the northwest corner of that tract of land described in Judgment to the State of Texas as recorded in Instrument Number 201100078629, O.P.R.D.C.T., said corner being on the northerly right-of-way line of Spur 366 (a state highway also known as Woodall Rogers Freeway (a variable width right-of-way) by use and occupation, from which a 5/8-inch found iron rod with cap bears North 78 degrees East, a distance of 2.2 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 33 degrees 00 minutes 37 seconds East, over and across said Spur 366 and with the southwesterly line of said State of Texas tract, a distance of 250.77 feet to the southwest corner of said tract and the northwest corner of that tract of land described in Special Warranty Deed to 505 Riverfront, LTD, as recorded in Instrument Number 201200355763, O.P.R.D.C.T., said corner being on the southerly right-of-way line of said Spur 366, from which a 5/8-inch found iron rod with cap bears North 67 degrees East, a distance of 2.3 feet;

THENCE South 32 degrees 32 minutes 40 seconds East, departing said right-of-way line and with the southwest line of said 505 Riverfront tract, a distance of 438.27 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the left having a radius of 726.75 feet, chord that bears South 40 degrees 32 minutes 03 seconds East, a distance of 202.03 feet;

THENCE Southeasterly, with said southwest line of 505 Riverfront tract and with said curve, through a central angle of 15 degrees 58 minutes 47 seconds, an arc distance of 202.69 feet a corner, said corner being the point of reverse curvature of a non-tangent circular curve to the right having a radius of 5,819.60 feet, chord that bears South 29 degrees 46 minutes 54 seconds East, a distance of 233.37 feet;

THENCE Southeasterly, with said curve and continuing with said southwest line of 505 Riverfront tract, through a central angle of 02 degrees 17 minutes 52 seconds, passing the northeast corner of that tract of land described in deeds to The Texas and Pacific Railway Company (now Union Pacific Railroad Company) as recorded in Volume S, Page 412, and Volume 50, Page 99, D.R.D.C.T. at an arc distance of 188.96 feet, continuing with said southwest line and the east line of said Railway tract for a total arc distance of 233.39 feet to southwest corner of said 505 Riverfront tract, said corner being on the north line of said Union Pacific Railroad Company tract in Volume S, page 412.

THENCE South 26 degrees 28 minutes 56 seconds East, over and across said Union Pacific tract, a distance of 158.14 feet to a 1/2-inch found iron rod for the northwest corner of Lot 1, Block 6826 of Dallas Criminal Courts Facility, an addition to the City of Dallas as recorded in Volume 89122, Page 663, D.R.D.C.T., said corner being on the southerly line of said Union Pacific tract, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 5,819.65 feet, chord that bears South 23 degrees 49 minutes 16 seconds East, a distance of 731.49 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Southeasterly, with the east line of said Union Pacific tract, with the west line of said Lot 1, Block 6826, and with said curve, through a central angle of 07 degrees 12 minutes 23 seconds, passing the southeast corner of said Union Pacific tract at an arc distance of 32.46 feet, continuing with said curve and said west line for a total arc distance of 731.97 feet to the southwest corner of said Lot 1, Block 6826 and a northwesterly ell corner of the north right-of-way line of Commerce Street (a variable width right-of-way by use and occupation; originally a 100 foot wide right-of-way by Volume R, page 444), from which a 5/8-inch found iron rod with illegible cap bears South 02 degrees East, a distance of 0.3 feet;

THENCE South 20 degrees 25 minutes 56 seconds East, departing said Lot 1, Block 6826 and with a northwesterly right-of-way line of said Commerce Street, passing the north right-of-way line of a 100 foot wide right-of-way portion of said Commerce Street at a distance of 25.15 feet, over and across said Commerce Street, passing the south right-of-way line of said 100 foot wide right-of-way portion of Commerce Street at a distance of 125.57 feet, with a southwesterly right-of-way line of said Commerce Street for a total distance of 177.18 feet to the northwest corner of that tract of land described in Warranty Deed with Vendor's Line to CHPD-LP as recorded in Volume 97070, Page 455, D.R.D.C.T., said corner being on the south right-of-way line of said Commerce Street, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 5,819.65 feet, chord that bears South 17 degrees 13 minutes 35 seconds East, a distance of 225.79 feet;

THENCE Southerly, departing said south right-of-way line of Commerce Street, with the west line of said CHPD-LP tract, and with said curve, through a central angle of 02 degrees 13 minutes 23 seconds, an arc distance of 225.80 feet to a corner;

THENCE South 16 degrees 06 minutes 53 seconds East, continuing with the west line of said CHPD-LP tract, a distance of 811.49 feet to the southwest corner of said CHPD-LP tract and the northwest corner of that tract of land described in Warranty Deed to City and County of Dallas Levee Improvement District as recorded in Volume 3615, Page 570, D.R.D.C.T.;

THENCE North 73 degrees 55 minutes 26 seconds East, with the south line of said CHPD-LP tract and the north line of said City and County tract, a distance of 42.82 feet to the southeast corner of said CHPD-LP tract and the southwest corner of that tract of land described as Tract III in Warranty Deed to The City of Dallas as recorded in Volume 86080, Page 2378, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 71 degrees 28 minutes 53 seconds East, continuing with the north line of said City and County tract and with the south line of said Tract III, passing at a distance of 11.85 feet the southeast corner of said Tract III, and the southwest corner of that tract of land conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925 (hereafter referred to as "Bill 44" tract), continuing with said north line of City and County tract and with the south line of said Bill 44 tract, passing at a distance of 145.72 feet the southeast corner of said Bill 44 tract and the northeast corner of said City and County tract, said corner being on the west right-of-way line of Rock Island Road (an 80 foot wide right-of-way; variable width at this point), over and across said Rock Island Road for a total distance of 279.96 feet to the easterly right-of-way line of said Rock Island Road and the westerly line of Lot 22, Block 65/415 of Industrial Improvement Project – Units One and Two, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 5, Page 415, M.R.D.C.T., and being the point of curvature of a non-tangent circular curve to the left having a radius of 216.38 feet, chord that bears South 03 degrees 07 minutes 58 seconds East, a distance of 142.46 feet;

THENCE Southerly, with said east right-of-way line and with the west line of said Block 65/415 and with said curve, through a central angle of 38 degrees 26 minutes 22 seconds, an arc distance of 145.17 feet to a corner;

THENCE South 22 degrees 21 minutes 08 seconds East, continuing with said east right-of-way line and said west line of Block 65/415, a distance of 510.98 feet to the southwest corner of Lot 35 in said Block 65/415, Industrial Improvement Project – Units One and Two, and the northwest corner of that tract of land described in deed to the Texas Turnpike Authority as recorded in Volume 4615, Page 216, D.R.C.D.T., said corner being on the northerly right-of-way line of Interstate Highway No. 30 (IH-30; a variable width right-of-way);

THENCE South 67 degrees 38 minutes 52 seconds West, departing said east right-of-way line of Rock Island Road and said west line of Block 65/415, over and across said Rock Island Road and with said northerly right-of-way line of IH-30, a distance of 32.76 feet to a P-K nail found in asphalt pavement for corner;

THENCE South 42 degrees 38 minutes 07 seconds West, continuing over and across said Rock Island Road and with said northerly right-of-way line of IH-30, a distance of 52.12 feet to a 1/2-inch found iron rod with cap stamped "GLD" on the west right-of-way line of said Rock Island Road and the east line of the aforementioned City and County of Dallas Levee Improvement District tract recorded in Volume 3615, Page 570, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 22 degrees 55 minutes 48 seconds East, with said northerly right-of-way line of IH-30 and with said east line of City and County tract, passing at a distance of 32.80 feet a 5/8-inch found iron rod with red cap stamped "LTRA" on the northeast corner of that tract of land described for Easement of Right-of-Way to the Texas Turnpike Authority as recorded in Volume 4623, Page 287, D.R.D.C.T., departing said northerly right-of-way line, with the east line of said Easement of Right-of-Way tract, over and across said IH-30, for a total distance of 282.97 feet to a corner;

THENCE North 67 degrees 39 minutes 07 seconds East, continuing with said east line of said Easement of Right-of-Way tract, over and across said IH-30, a distance of 41.85 feet to a corner;

THENCE South 29 degrees 29 minutes 53 seconds East, continuing with said east line of Easement of Right-of-Way tract, over and across said IH-30, a distance of 362.82 feet to the northwest corner of that tract of land described in Special Warranty Deed to Jiffy Properties, LP, as recorded in Volume 97131, Page 5502, D.R.D.C.T., said corner being on the southerly right-of-way line of said IH-30;

THENCE South 29 degrees 28 minutes 13 seconds East, with the west line of said Jiffy tract and said southerly right-of-way line and said east line of Easement of Right-of-Way tract; passing the southeast corner of said Easement of Right-of-Way tract and an ell corner of said southerly right-of-way line at a distance of 39.83 feet, continuing with the west line of said Jiffy tract for a total distance of 239.94 feet to a corner;

THENCE South 42 degrees 00 minutes 53 seconds East, continuing with the west line of said Jiffy tract, a distance of 59.49 feet to the southwest corner of said Jiffy tract;
THENCE North 61 degrees 15 minutes 43 seconds East, with the south line of said Jiffy tract, a distance of 27.22 feet to the common southwest corner of Lot 14 and the northwest corner of Lot 15, both in Block 64/415 of the aforementioned Industrial Improvement Project – Units One and Two addition in Volume 5, Page 415, M.R.D.C.T.;

THENCE South 29 degrees 29 minutes 53 seconds East, departing the south line of said Jiffy tract and with the west line of said Block 64/415 of Industrial Improvement Project – Units One and Two addition, a distance of 55.74 feet a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 600.00 feet, chord that bears South 48 degrees 05 minutes 53 seconds East, a distance of 382.75 feet;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE Southeasterly, continuing with the west line of said Block 64/415 and with said curve, through a central angle of 37 degrees 12 minutes 00 seconds, an arc distance of 389.56 feet to a corner;

THENCE South 66 degrees 41 minutes 53 seconds East, continuing with the west line said Block 64/415, a distance of 53.79 feet to a found "X" cut in concrete for the southerly corner of said Block 64/415, said corner being on the west right-of-way line of Old Zang Boulevard (a 80 foot wide right-of-way), recorded in Volume 221, Page 25, D.R.D.C.T.;

THENCE North 38 degrees 21 minutes 22 seconds East, with the southeast line of said Block 64/415 and said west right-of-way line, a distance of 113.64 feet to a found "X" cut in concrete for the east corner of said Block 64/415, said corner being on the south right-of-way line of Industrial Boulevard (now known as Riverfront Boulevard; a 130 foot wide right-of-way), recorded in Volume 5, Page 415, M.R.D.C.T.;

THENCE South 50 degrees 40 minutes 05 seconds East, with said south right-of-way line of Industrial Boulevard, over and across said Old Zang Boulevard, a distance of 80.01 feet to a 1/2-inch found iron rod with cap stamped "GLD" on the north corner of that tract of land described in Warranty Deed to John M. Fouts, as recorded in Volume 3786, Page 54, D.R.D.C.T., and being the point of curvature of a non-tangent circular curve to the left having a radius of 1,211.28 feet, chord that bears South 54 degrees 52 minutes 20 seconds East, a distance of 97.70 feet;

THENCE Southeasterly, with the north line of said Fouts tract and said south right-of-way line of Industrial Boulevard, and with said curve, through a central angle of 04 degrees 37 minutes 22 seconds, an arc distance of 97.73 feet to a 1/2-inch found iron rod with cap stamped "GLD" on the east corner of said Fouts tract and at the intersection of said south right-of-way line of Industrial Boulevard with the west right-of-way line of Houston Street (formerly Dallas Oak Cliff Viaduct, a 80-foot wide right-of-way), recorded in Volume 495, Page 626, D.R.D.C.T.;

THENCE North 32 degrees 47 minutes 38 seconds East, departing said south right-of-way line of Industrial Boulevard, and with said west right-of-way line of Houston Street, over and across said Industrial Boulevard, a distance of 130.00 feet to found PK nail at the intersection of the north right-of-way line of Industrial Boulevard with said west right-of-way line of Houston Street, said being on the southeast corner of Block Number 1/416;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 59 degrees 18 minutes 08 seconds East, with said north right-of-way line of Industrial Boulevard, over and across said Houston Street, a distance of 80.05 feet to a found "X" cut in concrete at the intersection of said north right-of-way line of Industrial Boulevard with the east right-of-way line of Houston Street and the southwest corner of that tract of land described in General Warranty Deed to the City of Dallas, as recorded in Volume 95159, Page 3358, D.R.D.C.T.;

THENCE South 61 degrees 38 minutes 02 seconds East, departing said east right-of-way line and with said north right-of-way line of Industrial Boulevard and with the south line of said City of Dallas tract, a distance of 245.80 feet to a found concrete monument on the southeast corner of said City of Dallas tract and being at the intersection of said north right-of-way line of Industrial Boulevard with the west right-of-way line of Jefferson Street Viaduct (a 150-foot wide right-of-way), recorded in Volume 4527, Page 262 D.R.D.C.T.;

THENCE South 62 degrees 16 minutes 21 seconds East, departing said west right-of-way line and with said north right-of-way line of Industrial Boulevard, over and across said Jefferson Street Viaduct, a distance of 114.74 feet to a found "X" cut in concrete for the southeast corner of that tract of land described in Deed to the State of Texas, as recorded in Instrument Number 201200264905, O.P.R.D.C.T., said corner being at the intersection of said north right-of-way line of Industrial Boulevard with the east right-of-way line of Jefferson Street Viaduct, and being the point of curvature of a non-tangent circular curve to the left having a radius of 651.78 feet, chord that bears South 70 degrees 06 minutes 11 seconds East, a distance of 110.95 feet;

THENCE Southeasterly, with said north right-of-way line of Industrial Boulevard and with the south line of said State of Texas tract, and with said curve, through a central angle of 09 degrees 45 minutes 55 seconds, an arc distance of 111.09 feet to a corner;

THENCE South 74 degrees 59 minutes 08 seconds East, continuing with said north right-of-way line and said south line, at a distance of 63.15 feet passing the southeast corner of said State of Texas tract and the west line of a portion of the Old Channel of the Trinity River, conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925, and continuing with said north right-of-way line, a total distance of 317.19 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 15 degrees 00 minutes 52 seconds West, departing said north right-of-way line, over and across said Industrial boulevard, a distance of 130.00 feet to the northwest line of Block A/3409 of Fuel City No. 2 Addition, as recorded in Volume 2000180, Page 53, D.R.D.C.T., and the east corner of that tract of land described in Quitclaim Deed to the City and County of Dallas Levee Improvement District, as recorded in Volume 3099, Page 64, D.R.D.C.T. , said corner being on the south right-of-way line of said Industrial Boulevard;

THENCE South 73 degrees 05 minutes 58 seconds West, departing said south right-of-way line, and with the common line of said Fuel City No.2 Addition and said City and County tract, a distance of 119.72 feet to a corner;

THENCE North 86 degrees 15 minutes 58 seconds West, continuing with said common line, a distance of 147.95 feet to a corner;

THENCE South 82 degrees 03 minutes 02 seconds West, continuing with said common line, a distance of 203.23 feet to a found 2-inch aluminum disk stamped "RPLS 5034" on the northwest corner of said Fuel City No.2 Addition;

THENCE South 28 degrees 03 minutes 02 seconds West, departing said common line and with the west line of said Fuel City No.2 Addition, a distance of 122.45 feet to a found 2-inch aluminum disk stamped "RPLS 5034" on the southwest corner of said Fuel City No.2 Addition and being the point of curvature of a non-tangent circular curve to the right having a radius of 7,653.06 feet, chord that bears South 55 degrees 10 minutes 05 seconds East, a distance of 1,064.48 feet to a corner;

THENCE Southeasterly, with the south line of said Fuel City No.2 Addition, and with said curve, through a central angle of 07 degrees 58 minutes 33 seconds, at an arc distance of 916.21 feet passing the southeast corner of said Fuel City No.2 Addition and the west right of way line of the southbound lanes of Interstate Highway No. 35 (IH-35; a variable width right-of-way), recorded in Instrument Number 201300267561, O.P.R.D.C.T., continuing with said curve, in all, a total arc distance of 1,065.34 feet to the east right-of-way line of said southbound lanes;

THENCE North 22 degrees 45 minutes 37 seconds East, with said east right-of-way line, a distance of 80.29 feet to a corner;

THENCE North 67 degrees 45 minutes 37 seconds East, continuing with said east right-of-way line, a distance of 70.71 feet to a found bent 1/2-inch iron rod for corner;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE North 22 degrees 45 minutes 37 seconds East, continuing with said east right-of-way line a distance of 104.09 feet to a found "X" cut in concrete on the southwest corner of that tract of land described in Correction Deed to the State of Texas, as recorded in Instrument Number 201300080518, O.P.R.D.C.T.;

THENCE South 01 degree 14 minutes 09 seconds East, departing said east right-of-way line, and with the south line of said State of Texas tract, a distance of 16.63 feet to an angle corner on said south line and the point of curvature of a non-tangent circular curve to the right having a radius of 8,123.11 feet, chord that bears South 47 degrees 23 minutes 35 seconds East, a distance of 940.48 feet;

THENCE Southeasterly, with said curve, through a central angle of 06 degrees 38 minutes 14 seconds, at an arc distance of 350.80 feet passing the southeast corner of said State of Texas tract and the west right-of-way line of the northbound lanes of said IH-35, continuing with said curve, at an arc distance of 583.17 passing the east right-of-way line of said northbound lanes and the southwest corner of Lot 6A, Block 70/7339 of Beadar Inc Industrial Boulevard Addition to the City of Dallas as shown on plat thereof recorded in Volume 97102, Page 895, D.R.D.C.T., continuing with said curve and the south line of said Lot 6A, Block 70/7339, a total arc distance of 941.00 feet to the southeast corner of said Lot 6A, said corner being at the intersection of the west right-of-way line of Dearborn Street (a 80-foot wide right-of-way, Volume 5, Page 415, M.R.D.C.T.) with the south right-of-way line of Rock Island Street (a 800-foot wide right-of-way, Volume 5, Page 415, M.R.D.C.T.);

THENCE North 33 degrees 16 minutes 37 seconds East, departing said south right-of-way line of Rock Island Street, and with the east line of said Lot 6A, Block 70/7339, and said west right-of-way line of Dearborn Street, a distance of 81.97 feet to the point of curvature of a non-tangent circular curve to the right having a radius of 8,203.11 feet, chord that bears South 42 degrees 53 minutes 01 second East, a distance of 376.84 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Southeasterly, departing said east line and said west right-of-way line, and with said curve, over and across said Dearborn Street, through a central angle of 02 degrees 37 minutes 56 seconds, at an arc distance of 82.04 feet passing the intersection of east right-of-way of said Dearborn Street and the north right-of-way line of said Rock Island Street and the southeast corner of Block 71/7340 of Industrial Improvement Project-Units One and Two, an addition to the City of Dallas as shown on plat thereof recorded in Volume 5, Page 415, M.R.D.C.T., continuing with said curve and with the south line of said Block 71/7340 and said north right-of-way line, a total arc distance of 376.87 feet to a corner, said corner being the point of compound curvature of a tangent circular curve to the left having a radius of 726.20 feet, chord that bears South 49 degrees 08 minutes 43 seconds East, a distance of 191.53 feet;

THENCE Southeasterly, continuing with said south line of Block 71/7340 and said north right-of-way line, and with said curve, through a central angle of 15 degrees 09 minutes 21 seconds, an arc distance of 192.09 feet to a corner;

THENCE South 56 degrees 43 minutes 23 seconds East, continuing with said south line of Block 71/7340 and said north right-of-way line, passing at a distance of 509.50 feet the southeast corner of said Block 71/7340 and the westerly line of the Old Channel of the Trinity River, conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925, continuing with the prolongation of said north right-of-way line, over and across said Old Channel tract, passing at a distance of 780.36 feet the east line of said Old Channel tract and the common westerly corner of that tract of land described in Warranty Deed to the Dallas County Flood Control District, as recorded in Volume 3788, page 153, D.R.D.C.T., and the tract of land described in Special Warranty Deed to Cadiz Riverfront, L.P., as recorded in Instrument Number 201200085208, O.P.R.D.C.T., continuing with the prolongation of said north right-of-way line and the common line of said Dallas County tract and said Cadiz Riverfront tract, passing at a distance of 1,474.36 feet the common east corner of said Dallas County tract and said Cadiz Riverfront tract, continuing with the prolongation of said north right-of-way line, over and across said Old Channel tract, a total distance of 1,739.33 feet to the southwest corner of Block 74/7343 of said Industrial Improvement Project – Units One and Two addition on the north right-of-way line of said Rock Island Street, from which a found 1/2-inch iron rod bears North 09 degrees West, a distance of 2.1 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 59 degrees 57 minutes 07 seconds West, departing said north right-of-way line of said Rock Island Street, and with the southerly line of said Old Channel tract, passing at a distance of 88.53 feet the northwest corner of Block 73/7342 of said Industrial Improvement Project – Units One and Two addition, on the south right-of-way line of said Rock Island Street, continuing with the southerly line of said Old Channel tract and with the northerly line of said Block 73/7342, a distance of 141.15 feet;

THENCE South 83 degrees 15 minutes 07 seconds West, continuing with the southerly line of said Old Channel tract and with the northerly line of said Block 73/7342, a distance of 100.26 feet to a corner, said corner being the northwest corner of Buckley Oil co., as recorded in Volume 93218, Page 7305, D.R.D.C.T., from which a found 1/2-inch iron rod with cap stamped "DC&A" bears North 12 degrees East, a distance of 1.1 feet;

THENCE South 33 degrees 16 minutes 37 seconds West, departing the southerly line of said Old Channel tract and with the northerly line of said Block 73/7342, over and across Lot 16, Block 73/7342 and with the west line of said Buckley tract, a distance of 88.76 feet to the southwest corner of said Buckley tract, from which a found 1/2-inch iron rod with cap stamped "DC&A" bears North 15 degrees East, a distance of 0.9 feet;

THENCE South 56 degrees 43 minutes 23 seconds East, over and across Lot 16, Block 73/7342 and with the south line of said Buckley tract, a distance of 158.45 feet to an "ell" corner of said Buckley tract on the east line of said Lot 16, Block 73/7342, and the west line of Lot 15 of said Block 73/7342;

THENCE South 33 degrees 16 minutes 37 seconds West, with said east line and said west line and with the southwest line of said Buckley tract, a distance of 140.76 feet to the southwest corner of said Buckley tract, said corner being the south common corner of said Lot 16 and Lot 15 of Block 73/7342;

THENCE South 52 degrees 45 minutes 53 seconds East, with the south line of said Block 73/7342, a distance of 174.37 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 1,807.79 feet, chord that bears South 71 degrees 30 minutes 53 seconds East, a distance of 1,162.19 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Southeasterly, continuing with the south line of said Block 73/7342, and with said curve, through a central angle of 37 degrees 30 minutes 00 seconds, passing at an arc distance of 899.72 feet the southeast corner of said Block 73/7342 and the west right-of-way line of Corinth Street (a 220-foot wide right-of-way, Volume 5, page 415, M.R.D.C.T.), continuing with said curve, over and across said Corinth Street, passing at an arc distance of 1,128.66 feet the southwest corner of Block 77/7346 of said Industrial Improvement Project – Units One and Two addition and the east right-of-way line of said Corinth Street, continuing with said curve and with the south line of said Block 77/7346, a total arc distance of 1,183.20 feet;

THENCE North 89 degrees 44 minutes 07 seconds East, continuing with the south line of said Block 77/7346, a distance of 555.96 feet to a corner;

THENCE North 00 degrees 15 minutes 53 seconds West, continuing with the south line of said Block 77/7346, a distance of 33.95 feet to an ell corner of said Block 77/7346;

THENCE North 89 degrees 44 minutes 07 seconds East, continuing with the south line of said Block 77/7346, a distance of 251.09 feet to a corner, said corner on the south line of said Block 77/7346, said corner being on the west line of a portion of said Old Channel tract;

THENCE North 40 degrees 08 minutes 07 seconds East, continuing with the south line of said Block 77/7346, and with the west line of said Old Channel tract, passing the northeast corner of said Block 77/7346 and the south right-of-way line of Rock Island Street (a 60-foot wide right-of-way, Volume 5, page 415, M.R.D.C.T.) at a distance of 29.43 feet, continuing with said west line of Old Channel tract, over and across said Rock Island Street, a total distance of 60.62 feet to a corner, said corner being on said west line;

THENCE North 08 degrees 24 minutes 07 seconds East, continuing with said west line of said Old Channel tract and over and across said Rock Island Street, a distance of 32.01 feet to the southeast corner of Block 76/7346 of said Industrial Improvement Project – Units One and Two addition on the north right-of-way line of said Rock Island Street, from which a found 5/8-inch iron rod bears North 04 degrees East, a distance of 0.5 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 88 degrees 39 minutes 32 seconds East, departing the west line of said Old Channel tract and said north right-of-way line, over and across said Old Channel tract, a distance of 252.91 feet to a corner, said corner being on the east line of said Old Channel tract and the northwest corner of that tract of land described as a Right-of-Way Easement in deed to the City of Dallas, as recorded in Volume 67229, Page 1096, D.R.D.C.T., said corner being on the west line of that tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 67194, Page 1050, D.R.D.C.T.;

THENCE South 87 degrees 02 minutes 46 seconds East, departing said east line and said west line, over and across said Dallas Power and Light tract, and with the north line of said Right-of-Way Easement tract, a distance of 179.07 feet to a found 1/2-inch iron rod with cap for corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 622.96 feet, chord that bears South 76 degrees 16 minutes 43 seconds East, a distance of 232.75 feet;

THENCE Easterly, continuing over and across said Dallas Power and Light tract, and with the north line of said Right-of-Way Easement tract, and with said curve, through a central angle of 21 degrees 32 minutes 00 seconds, an arc distance of 234.13 feet to a corner;

THENCE South 65 degrees 30 minutes 46 seconds East, continuing over and across said Dallas Power and Light tract, and with the north line of said Right-of-Way Easement tract, passing at a distance of 124.82 feet a found 1/2-inch iron rod with cap on the east line of said Dallas Power and Light tract and the west line of that tract of land described in Deed without Warranty to Dallas Area Rapid Transit (DART), as recorded in Volume 95201, Page 3378, D.R.D.C.T., continuing with the prolongation of the north line of said Right-of-Way Easement tract, over and across said DART tract, passing at a distance of 324.82 feet the east line of said DART tract and the west line of a called 4.63 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3391, page 533, D.R.D.C.T., continuing with the prolongation of the north line of said Right-of-Way Easement tract, over and across said called 4.63 acre tract, a total distance of 424.77 feet to the east line of called 4.63 acre tract and the west line of that tract of land described in Special Warranty Deed with Vendor's Line to Brown-Forest Properties, Inc., as recorded in Volume 95240, Page 1431, D.R.D.C.T.;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE South 24 degrees 29 minutes 15 seconds West, with said the east line of said called 4.63 acre tract and the west line of said Brown-Forest tract, passing at a distance of 1,294.00 feet the common south corner of said called 4.63 tract and said Brown-Forest tract and the common north corner of a called 1.03 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3430, Page 397, D.R.D.C.T., and that tract of land described in Agreed Judgment to the City of Dallas, as recorded in Instrument Number 200600018846, O.P.R.D.C.T., with the east line of said called 1.03 acre tract and the west line of said City tract, passing the common south corner of said 1.03 acre tract and said City tract and the north line of the meanders of the Trinity River, conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925, continuing with the prolongation of the east line of said 1.03 acre tract, over and across said Trinity River, in all, a total distance of 2,020.02 feet to a corner on the north line of the that tract of land described as Tract 2 in Special Warranty Deed to the City of Dallas, as recorded in Volume 2001085, Page 5004, D.R.D.C.T.;

THENCE North 66 degrees 21 minutes 45 seconds West, with the north line of said City Tract 2, a distance of 25.00 feet to the common northwest corner of said City Tract 2 and the northeast corner of a called 3.25 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3385, Page 85, D.R.D.C.T.;

THENCE South 24 degrees 28 minutes 52 seconds West, with the east line of said called 3.25 acre tract and the west line of said City Tract 2, a distance of 106.74 feet to the corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 1,448.24 feet, chord that bears South 34 degrees 38 minutes 47 seconds West, a distance of 511.19 feet;

THENCE Southwesterly, continuing with said east line of called 3.25 acre tract and the west line of said City Tract 2, and with said curve, through a central angle of 20 degrees 19 minutes 49 seconds, passing the southwest corner of said City Tract 2 and the northwest corner of that tract of land described in deed to Dallas Power and Light Company as recorded in Volume 70182, Page 696, D.R.D.C.T., continuing with said east line and the said curve, and with the west line of said Dallas Power and Light tract, passing the southwest corner of said Dallas Power and Light tract and the northwest corner of that tract of land described in Warranty Deed to Texas Utilities Electric Company, as recorded in Volume 91119, Page 3503, D.R.D.C.T., continuing with said east line and the said curve, and with the west line of said Texas Utilities tract, in all, a total arc distance of 513.88 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 45 degrees 36 minutes 29 seconds West, continuing with said east line of called 3.25 acre tract and with the west line of said Texas Utilities tract, passing the southwest corner of said Texas Utilities tract and the northwest corner of that tract of land described as Tract 1 in said Special Warranty Deed to the City of Dallas, as recorded in Volume 2001085, Page 5004, D.R.D.C.T., continuing with said east line of called 3.25 acre tract and with the west line of City Tract 1, in all, a total distance of 839.65 feet to the southeast corner of said called 3.25 acre tract and the southwest corner of said City Tract 1;

THENCE North 50 degrees 23 minutes 31 seconds West, with the south line of said called 3.25 acre tract, a distance of 28.00 feet to a corner;

THENCE North 86 degrees 23 minutes 31 seconds West, continuing with the south line of said called 3.25 acre tract, a distance of 97.27 feet to the southwest corner of said called 3.25 acre tract on the east line of the aforementioned DART tract;

THENCE South 45 degrees 37 minutes 39 seconds West, with the east line of said DART tract, a distance of 230.33 feet to a corner;

THENCE North 44 degrees 18 minutes 09 seconds West, departing said east line, over and across said DART tract, a distance of 194.11 feet to a corner, said corner being on the east right-of-way line of Santa Fe Street (a variable width right-of-way);

THENCE North 57 degrees 45 minutes 11 seconds West, over and across said Santa Fe Street, passing at a distance of 7.68 feet the west line of said DART tract, continuing over and across said Santa Fe Street, passing the west right-of-way line of said Santa Fe Street and the northeast corner of those tracts of land described in Special Warranty Contribution Deeds to Bishop-Corwin Properties, LLC, as recorded in Instrument Numbers 201100340397, 201100340398, and 201100340399, O.P.R.D.C.T., continuing with the north line of said Bishop-Corwin tract, a total distance of 230.43 feet to a corner on said north line;

THENCE North 78 degrees 34 minutes 51 seconds West, with said north line of Bishop-Corwin tract, a distance of 597.56 feet to the southeast corner of that tract of land described in Deed without Warranty to Patrick Realty Corp., as recorded in Volume 88028, Page 1253, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 52 degrees 42 minutes 45 seconds West, departing said north line of Bishop-Corwin tract, and with the north line of said Patrick Realty tract, at a distance of 92.60 feet, passing the east right-of-way line of Corinth Street (a 100 foot wide right-of-way), recorded in Volume 1566, Page 555, D.R.D.C.T., continuing over and across said Corinth Street, at a distance of 196.78 feet, passing the intersection of the west right-of-way line of said Corinth Street and the north line of Block 9/7679 of Meadowmere No. 3, an addition to the City of Dallas as shown on map or plat thereof recorded in Volume 6, Page 203, D.R.D.C.T., continuing with the north line of said Block 9/7679, a total distance of 472.92 feet to the northwest corner of said Block 9/7679, said corner being at the intersection of the east right-of-way line of Viaduct Street (a 40 foot wide right-of-way, Volume 6, Page 203, M.R.D.C.T.) and the north right-of-way line of Levee Street (a 20 foot wide right-of-way, Volume 6, Page 203, M.R.D.C.T.);

THENCE South 01 degree 51 minutes 45 seconds East, with the said east right-of-way line and the west line of said Block 9/7679, a distance of 25.79 feet to a corner;

THENCE North 52 degrees 42 minutes 45 seconds West, with the south right-of-way line of said levee Street and with the north line of Block 6/7679, 7/7679, and 8/7679, all of said Meadowmere No. 3 addition, a distance of 980.83 feet to a corner on the west right-of-way line of Pecan Street (a 40 foot wide right-of-way, Volume 6, Page 203, M.R.D.C.T.) and the east line of Block 5/7679 of said Meadowmere No. 3 addition;

THENCE North 01 degree 51 minutes 45 seconds West, with said west right-of-way line of Pecan Street and said east line of Block 5/7679, a distance of 25.79 feet to a corner at the intersection of said east line with said north right-of-way line of Levee Street;

THENCE North 52 degrees 42 minutes 45 seconds West, with the north line of said Block 5/7679, a distance of 128.95 feet to the northwest corner of said Block 5/7679, and the northeast corner of Block 3/7678 of Meadowmere Annex, an addition to the City of Dallas as shown on map or plat thereof recorded in Volume 6, Page 67, D.R.D.C.T.;

THENCE North 52 degrees 38 minutes 26 seconds West, with the north line of said Block 3/7678, a distance of 121.70 feet to the northwest corner of said Block 3/7678, said corner being the intersection of the east right-of-way line of Hart Street (a 40 foot wide right-of-way, Volume 6, Page 67, M.R.D.C.T.) and the north right-of-way line of an Levee Street (a 20 foot wide right-of-way; street name as shown on Dallas County Appraisal District records; an unnamed street as shown on said plat Volume 6, Page 67, M.R.D.C.T.);

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 01 degree 47 minutes 28 seconds East, with the west line of said Block 3/7678 and the said east right-of-way line, a distance of 25.79 feet a corner;

THENCE North 52 degrees 38 minutes 28 seconds West, departing said west line and said east right-of-way line, and with the south right-of-way line of said Levee Street, over and across said Hart Street, with the north line of Block 2/7678 of said Meadowmere Annex addition, over and across Cleaves Street (a 30 foot wide right-of-way, Volume 6, Page 67, M.R.D.C.T.), a distance of 341.54 feet to a corner, said corner being on the west line of Block 1/7678 of said Meadowmere Annex addition and the west right-of-way line of said Cleaves Street;

THENCE North 01 degree 47 minutes 28 seconds West, with the east line of said Block 1/7678, and with said west right-of-way line, a distance of 25.79 feet to the northeast corner of said Block 1/7678, said corner being the intersection of said west right-of-way line and the north right-of-way line of said Levee Street;
THENCE North 52 degrees 38 minutes 28 seconds West, departing said right-of-way lines, and with the north line of said Block 1/7678, a distance of 131.80 feet to the northwest corner of said Block 1/7678 and being on the east line of Block 3/7675 of Dewberry's Addition, as shown on map or plat thereof recorded in Volume 2, Page 169, D.R.D.C.T.;

THENCE North 01 degree 40 minutes 53 seconds West, with the east line of said Block 3/7675, at a distance of 123.27 feet passing the northeast corner of said Block 3/7675 and the southeast corner of Block C/7674 of Antone Addition, as shown on map or plat thereof recorded in Volume 7, Page 271, D.R.D.C.T., continuing with the east line of said Block C/7674, a total distance of 236.67 feet to the northeast corner of said Block C/7674;

THENCE North 53 degrees 27 minutes 53 seconds West, with the north line of said Block C/7674, a distance of 133.40 feet to the northwest corner of said Block C/7674 and the intersection of the east right-of-way line of Moore Avenue (a 38 foot wide right-of-way, Volume 7, Page 271, M.R.D.C.T.) and the north right-of-way line of Levee Street (a 30 foot wide right-of-way; street name as shown on Dallas County Appraisal District records; an unnamed street as shown on said plat, Volume 7, Page 271, M.R.D.C.T.);

THENCE South 00 degrees 52 minutes 53 seconds East, with the west line of said Block C/7674 and the east right-of-way of said Moore Avenue, a distance of 37.77 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 53 degrees 27 minutes 53 seconds West, departing said west line, over and across said Moore Avenue, with the northeast line of Block B/7674 of said Antone Addition, with the south right-of-way line of said Levee Street, over and across Sparks Avenue (a 38 foot wide right-of-way Volume 2, Page 271, M.R.D.C.T.), in all, a total distance of 347.32 feet to a point on the west right-of-way line of said Sparks Avenue and the east line of Block A/7674 of said Antone Addition;

THENCE North 00 degrees 51 minutes 53 seconds West, with the west right-of-way line of said Sparks Avenue and with the east line of said Block A/7674, a distance of 28.80 feet to the northeast corner of said Block A/7674;

THENCE South 87 degrees 26 minutes 07 seconds West, with the north line of said Block A/7674, a distance of 200.00 feet to the northwest corner of said Block A/7674 on the east right-of-way line of Denley Drive (a variable width right-of-way) by use and occupation;

THENCE South 84 degrees 41 minutes 18 seconds West, over and across Denley Drive, a distance of 60.16 feet to a 1/2-inch found iron rod for the northeast corner of Lot 7A, Block 49/3030 of Eloise Lundy Park Addition, as shown on plat thereof recorded in Volume 89151, Page 3234, D.R.D.C.T., said corner being at the intersection of the west right-of-way line of said Denley Drive and the south right-of-way line of Sabine Street (a 60 foot wide right-of-way Volume 2, Page 191, M.R.D.C.T.);

THENCE South 89 degrees 04 minutes 39 seconds West, with said south right-of-way line and with the north line of said Lot 7A, Block 49/3030, over and across a public alley (a 15 foot wide right-of-way) as shown on map or plat of Dallas Land and Loan Plat of Oak Cliff, an addition to the City of Dallas, as recorded in Volume 89, Pages 1, 2, and 3, D.R.D.C.T., and with the north line of Lot 5, Block 49/3030 of said Dallas Land and Loan Plat of Oak Cliff, over and across Cliff Street (a variable width right-of-way Volume 89, Pages 1-3, D.R.D.C.T.), a total distance of 439.68 feet to the northeast corner of Block 50/3031 of Golden Gate Baptist Church Annex, an addition to the City of Dallas, as shown on plat thereof recorded in Instrument Number 200600118651, O.P.R.D.C.T., and the intersection of said south right-of-way line and with the west right-of-way line of said Cliff Street;

THENCE North 04 degrees 07 minutes 52 seconds East, over and across said Sabine Street, a distance of 72.14 feet to the southeast corner of Block 47/3028 of Golden Gate Baptist Church Addition, as shown on plat thereof recorded in Volume 2001077, Page 1, D.R.D.C.T., and said Block 47/3028 as originally shown on said map or plat of Dallas Land and Loan Plat of Oak Cliff addition;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 46 minutes 37 seconds West, with the east line of said Block 47/3028 and the west right-of-way line of said Cliff Street, a distance of 283.00 feet to the intersection of the west right-of-way line of said Cliff Street and the south right-of-way line of Dodd Street (a variable width right-of-way Volume 89, Pages 1-3, D.R.D.C.T.);

THENCE North 07 degrees 31 minutes 10 seconds West, departing the original east line of Block 47/3028 of said Dallas Land and Loan Plat of Oak Cliff addition, over and across said Dodd Street, a distance of 51.10 feet to the southeast corner of Lot 6A, Block 47/3028 of Replat of Lots 6 & 7 of the Original Town of Oak Cliff, an addition to the City of Dallas, as shown on plat thereof recorded in Volume 86170, Page 2210, D.R.D.C.T., said corner being on the intersection of the west right-of-way line of said Cliff Street and the north right-of-way line of said Dodd Street;

THENCE North 00 degrees 46 minutes 37 seconds West, with the east line of said Lot 6A, Block 47/3028, and the west right-of-way line of said Cliff Street, a distance of 166.25 feet to the easterly northeast corner of said Block 47/3028, said corner being the southerly intersection of a corner clip right-of-way line for said west right-of-way line and the south right-of-way line of Comal Street (a 60 foot wide right-of-way Volume 89, Pages 1-3, D.R.D.C.T.);

THENCE North 45 degrees 46 minutes 37 seconds West, with the northeast line of said Block 47/3028, and with said corner clip right-of-way line, a distance of 14.14 feet to the northerly northeast corner of said Lot 6A, Block 47/3028, said corner being the northerly intersection of said corner clip right-of-way line for said west right-of-way line of Cliff Street and the said south right-of-way line of Comal Street;

THENCE South 89 degrees 13 minutes 23 seconds West, with the north line of said Lot 6A, Block 47/3028, and said right-of-way line, a distance of 64.17 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 46 minutes 37 seconds West, departing said north line and said south right-of-way line, over and across Comal Street, at a distance of 58.13 feet passing the north right-of-way line of said Comal Street and the south line of Lot 10 of Block 32/3013 of said Dallas Land and Loan Plat of Oak Cliff addition, and being the southwest corner of that tract of land described in Judgment to the City of Dallas, as recorded in Instrument Number 201300255675, O.P.R.D.C.T., and also being the southeast corner of that tract of land described as Tract 14 in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, Ltd., as recorded in Instrument Number 201200202524, O.P.R.D.C.T., and from which the southwest corner of said Lot 10, Block 32/3013 bears North 89 degrees 13 minutes 23 seconds East, a distance of 82.00 feet, continuing over and across said Lot 10, Block 32/3013 and with the west line of said City tract and the east line of said Texas Heavenly Homes Tract 14, a total distance of 145.63 feet to the northwest corner of said City tract and the northeast corner of said Texas Heavenly Homes Tract 14, being on the north line of said Lot 10, Block 32/3013, and the south line of Lot 9 of Block 32/3013 of said Dallas Land and Loan Plat of Oak Cliff addition;

THENCE South 89 degrees 13 minutes 23 seconds West, with the north line of said Lot 10 and with the south line of said Lot 9, and with the north line of said Texas Heavenly Homes Tract 14, a distance of 13.00 feet to the southeast corner of that tract of land described in Quitclaim Deed to J. L. McCombs, as recorded in Volume 80109, Page 2271, D.R.D.C.T.;

THENCE North 36 degrees 37 minutes 30 seconds West, departing said north line and said south line, over and across said Lot 9, Block 32/3013, and with the east line of said McCombs tract, and with the east line of that tract of land described in Warranty Deed to Florence Hunt as recorded in Volume 4897, Page 518, D.R.D.C.T., and with the east line of that tract of land described as Tract 13 in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, Ltd., as recorded in Instrument Number 201200202524, O.P.R.D.C.T., in all, a distance of 123.37 feet to the northeast corner of said Texas Heavenly Homes Tract 13 on the north line of said Lot 9, said corner being on the south right-of-way line of an alley (10 foot wide right-of-way) as shown on map or plat of Haynes Subdivision, an addition to the City of Dallas thereof recorded in Volume 2, Page 221, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 89 degrees 13 minutes 23 seconds West, with said north line of Lot 9 and with the north line of said Texas Heavenly Homes Tract 13, and with the south right-of-way line of said alley, passing at a distance of 22.75 feet the northeast corner of said Lot 9 and said Texas Heavenly Homes Tract 13, and the east right-of-way line of a public alley (a 20 foot wide right-of-way Volume 89, Pages 1-3, M.R.D.C.T.) as shown on map or plat of said Dallas Land and Loan Plat of Oak Cliff addition, over and across said alley, in all, a total distance of 42.75 feet to the west right-of-way line of said alley and the common northeast corner of Lot 2, Block 32/3013 of said Dallas Land and Loan Plat of Oak Cliff addition, with the southeast corner of Lot 3, Block 32/3013 of said addition;

THENCE North 00 degrees 46 minutes 37 seconds West, with the east line of said Lot 3, Block 32/3013, and with said west right-of-way line, a distance of 59.17 feet to a corner;

THENCE North 36 degrees 37 minutes 30 seconds West, departing said east line and said west right-of-way line, with the northeast line of that tract of land described as Tract 7 in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, Ltd., as recorded in Instrument Number 201200202524, O.P.R.D.C.T., over and across said Lot 3, Block 32/3013, and with the northeast line of that tract of land to Sharron Smith, according to Dallas County Appraisal District (no deed of record found), over and across Lot 4, Block 32/3013 of said addition, and with the northeast line of that tract of land described in Warranty Deed to Smith Kent, and wife, Bell Kent, as recorded in Volume 2588, Page 417, D.R.D.C.T., and with the northeast line of that tract of land described in Special Cash Warranty Deed to Dorothy Jones, as recorded in Volume 98227, Page 4291, D.R.D.C.T., over and across Jas. R. Forster Subdivision, an addition to the City of Dallas, as shown on map or plat thereof recorded in Volume 2, Page 193, D.R.D.C.T., and with the northeast line of that tract of land described in Warranty Deed to Milton Crayton, as recorded in Volume 82225, Page 827, D.R.D.C.T., passing at a distance of 297.11 feet a point on the north line of said Block 32/3013 and the north line of said Forster Subdivision and the south right-of-way line of Colorado Boulevard (a 60 foot wide right-of-way Volume 89, Pages 1-3, M.R.D.C.T.), from which said point a found TxDOT aluminum cap monument on the northwest corner of said Block 32/3013 bears South 89 degrees West, a distance of 13.0 feet, said northwest corner being the intersection of said south right-of-way line of Colorado Street and the east right-of way line of Eads Avenue (a 60 foot wide right-of-way Volume 3, Page 516, M.R.D.C.T.), continuing with said course, over and across said Colorado Boulevard, in all, a total distance of 370.93 feet to a point on the south line of that tract of land described in Right-of-Way Easement to the State of Texas, as recorded in Instrument Number 201300267561, O.P.R.D.C.T., said point being on the north right-of-way line said Colorado Boulevard and in Interstate Highway Number 35-E (IH35E; a variable width right-of-way);

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 89 degrees 02 minutes 38 seconds West, with the south line of said right-of-way easement tract and the north line of said Colorado Boulevard, over and across said IH35E, a distance of 601.92 feet to the southwest corner of said right-of-way easement tract and the southeast corner of that tract of land described in General Warranty Deed to Beltline-Trinity Gateway LP, as recorded in Instrument Number 200600025572, O.P.R.D.C.T., said corner being on the west right-of-way line of said IH35E;

THENCE North 45 degrees 53 minutes 09 seconds East, departing said north right-of-way line of Colorado Boulevard, and with the east line of said Beltline-Trinity tract and said West right-of-way line, a distance of 14.60 feet to a found 5/8-inch iron rod said iron rod being the point of curvature of a non-tangent circular curve to the right having a radius of 674.07 feet, chord that bears North 11 degrees 08 minutes 52 seconds East, a distance of 187.46 feet;

THENCE Northerly, with said east line and said west right-of-way line, and with said curve, through a central angle of 15 degrees 59 minutes 09 seconds, an arc distance of 188.07 feet to the end of said curve;

THENCE North 19 degrees 08 minutes 26 seconds East, continuing with said east line and said west right-of-way line, passing an ell corner of said Beltline-Trinity tract and the southeast corner of that tract of land described in General Warranty Deed to GRTP, LTD., as recorded in Volume 97039, Page 3052, D.R.D.C.T, in all, a total distance of 185.73 feet to a corner;

THENCE North 29 degrees 38 minutes 26 seconds East, continuing with said west right-of-way line and with the east line of said GRTP tract, passing the northeast corner of said GRTP tract and ell corner of said Beltline-Trinity tract, continuing with said west right-of-way line and with the east line of said Beltline-Trinity tract, a total distance of 37.40 feet to a corner on the east line of said Beltline-Trinity tract;

THENCE North 00 degrees 59 minutes 51 seconds West, departing said west right-of-way line and continuing with the east line of said Beltline-Trinity tract, a distance of 335.15 feet to the northeast corner of said Beltline-Trinity tract;

THENCE South 89 degrees 00 minutes 09 seconds West, with the north line of said Beltline-Trinity tract, a distance of 383.53 feet to the point of curvature of a non-tangent circular curve to the left having a radius of 2,649.93 feet, chord that bears North 58 degrees 11 minutes 56 seconds West, a distance of 483.44 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Northwesterly, continuing with the north line of said Beltline-Trinity tract, and with said curve, through a central angle of 10 degrees 28 minutes 02 seconds, an arc distance of 484.11 feet to a corner;

THENCE North 63 degrees 25 minutes 57 seconds West, continuing with the north line of said Beltline-Trinity tract, a distance of 55.66 feet to the northwest corner of said Beltline-Trinity tract, said corner being on the east right-of-way line of Jefferson Street Viaduct (a variable width right-of-way), recorded in Volume 5071, Page 142, D.R.D.C.T.;

THENCE North 61 degrees 32 minutes 16 seconds West, departing said east right-of-way line, over and across said Jefferson Street, a distance of 106.05 feet to northeast corner of Lot 1B, Block D/3000 of Oak Farms 2, an addition to the City of Dallas, as shown on plat thereof recorded in Volume 200237, Page 91, D.R.D.C.T., said corner being on the west right-of-way line of said Jefferson Street;

THENCE, departing said west right-of-way line and with the north line of said Lot 1B, Block D/3000, the following courses and distances:

North 64 degrees 11 minutes 52 seconds West, a distance of 128.41 feet to a corner;

North 55 degrees 03 minutes 25 seconds West, a distance of 37.08 feet to a corner;

North 50 degrees 16 minutes 42 seconds West, a distance of 70.27 feet to a corner;

North 73 degrees 28 minutes 28 seconds West, a distance of 46.82 feet to an angle point from which a found 1/2-inch iron rod bears South 87 degrees East, a distance of 1.4 feet to a corner;

North 85 degrees 21 minutes 19 seconds West, a distance of 102.65 feet to an angle point from which a found 1/2-inch iron rod with illegible yellow cap bears North 66 degrees East, a distance of 1.8 feet to a corner;

North 79 degrees 24 minutes 35 seconds West, a distance of 61.26 feet to the northwest corner of said Lot 1B, Block D/3000, said corner being on the southeast right-of-way line of the Jefferson Street connection ramp (a variable width right-of-way), by use and occupation, said corner also being the point of curvature of a non-tangent circular curve to the left having a radius of 1,003.41 feet, chord that bears South 54 degrees 06 minutes 05 seconds West, a distance of 82.85 feet;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE Southwesterly, with said southeast right-of-way line and the northwest line of said Lot 1B, Block D/3000, and with said curve, through a central angle of 04 degrees 43 minutes 56 seconds, an arc distance of 82.88 feet to the point of curvature of a non-tangent circular curve to the right having a radius of 222.04 feet, chord that bears North 01 degree 00 minutes 23 seconds West, a distance of 146.84 feet, said point of curvature being on the prolongation of the east right-of-way line of Houston Street Viaduct (a variable width right-of-way Volume 481, Page 615, M.R.D.C.T.);

THENCE Northerly, departing said southeast right-of-way line and the north line of said Lot 1B, Block D/3000, and with said east right-of-way line of Houston Street and with said curve, over and across said Jefferson Street connection ramp, through a central angle of 38 degrees 37 minutes 09 seconds, an arc distance of 149.66 feet to the end of said curve;

THENCE North 61 degrees 26 minutes 28 seconds West, departing said east right-of-way line, over and across said Houston Street, a distance of 91.97 feet to the west right-of-way line of said Houston Street and the point of curvature of a non-tangent circular curve to the right having a radius of 401.60 feet, chord that bears South 54 degrees 19 minutes 48 seconds West, a distance of 177.98 feet;

THENCE Southwesterly, with said west right-of-way line and with said curve, through a central angle of 25 degrees 36 minutes 16 seconds, an arc distance of 179.47 feet to the end of said curve and the intersection of the northwesterly right-of-way line of said Houston Street and the east right-of-way of Old Zang Boulevard (a variable width right-of-way, originally an 80 foot wide right-of-way) by use and occupation;

THENCE North 64 degrees 54 minutes 37 seconds West, departing said east right-of-way line, over and across said Old Zang Boulevard, a distance of 67.47 feet to the southeast corner of Block A/3415 of Trinity Townhomes, an addition to the City of Dallas, as shown on plat thereof recorded in Instrument Number 200600031123, O.P.R.D.C.T., said corner being on the intersection of the west right-of-way line of Old Zang Boulevard and the north right-of-way line of Greenbriar Lane (a variable width right-of-way) by use and occupation;

THENCE North 31 degrees 23 minutes 34 seconds East, with said west right-of-way line and the east line of said Block A/3415 a distance of 164.56 feet to a found 5/8-inch iron rod with cap stamped "DC&A" on the northeast corner of said Block A/3415;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 61 degrees 26 minutes 28 seconds West, departing said west right of way line and with the north line of said Block A/3415, a distance of 140.00 feet to a corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 3,618.68 feet, chord that bears North 59 degrees 34 minutes 40 seconds West, a distance of 235.33 feet;

THENCE Northwesterly, continuing with the north line of said Block A/3415 and with said curve, through a central angle of 03 degrees 43 minutes 36 seconds, an arc distance of 235.37 feet to a found 5/8-inch iron rod with cap stamped "JDJR 4184" on the end of said curve, said iron rod being on the northwest corner of said Block A/3415 and on the east line of Lot 5A, Block E/3415 of Trinity Townhomes No.2, an addition to the City of Dallas, as shown on plat thereof recorded in Instrument Number 2009002629054, O.P.R.D.C.T.;

THENCE North 01 degree 19 minutes 07 seconds West, with the east line of said Lot 5A, Block E/3415, a distance of 17.29 feet to a point on the northeast corner of said Lot 5A, Block E/3415, and the point of curvature of a non-tangent circular curve to the right having a radius of 3,657.18 feet, chord that bears North 57 degrees 24 minutes 27 seconds West, a distance of 359.51 feet, and from which said point a found 5/8-inch iron rod with cap stamped "BDS TECH" bears North 59 degrees West, a distance of 2.2 feet;

THENCE Northwesterly, with the north line of said Lot 5A, Block E/3415, and with said curve, through a central angle of 05 degrees 38 minutes 04 seconds, an arc distance of 359.65 feet to a corner from which a found 5/8-inch iron rod with cap stamped "BDS TECH" bears North 35 degrees West, a distance of 0.2 feet;

THENCE North 00 degrees 21 minutes 32 seconds West, with the northerly line of said Lot 5A, Block E/3415, a distance of 48.47 feet to a found 5/8-inch iron rod for the northerly northeast corner of said Lot 5A, Block E/3415, said iron rod being on the south right-of-way line of Dealey Avenue (a variable width right-of-way by) use and occupation;

THENCE South 89 degrees 38 minutes 29 seconds West, with the north line of said Lot 5A, Block E/3415, and the said south right-of-way line, a distance of 93.68 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 3,657.29 feet, chord that bears North 42 degrees 52 minutes 52 seconds West, a distance of 1,113.39 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Northwesterly, departing said north line and said south right-of-way line, over and across said Dealey Avenue, and with said curve, through a central angle of 17 degrees 30 minutes 39 seconds, passing the north right-of-way line of said Dealey Avenue and the southeast corner of that tract of land to Dallas Power and Light as shown on Dallas Central Appraisal District records (no deed of record found) at an arc distance of 86.15 feet, continuing with said course and with the north line of said Dallas Power and Light tract, and with said curve, passing at an arc distance of 713.31 feet the north corner of said Dallas Power and Light tract and the northeast corner of that tract of land described in Warranty Deed to Billie C. Holleman, as recorded in Instrument Number 201000152074, O.P.R.D.C.T., continuing with said course and with the north line of said Holleman tract, and with said curve, passing at an arc distance of 1061.40 feet the northwest corner of said Holleman tract and the east right-of-way line of Plowman Avenue (a variable width right-of-way) by use and occupation, continuing with said course and with said curve, over and across said Plowman Avenue, in all, a total arc distance of 1,117.74 feet to the west right-of-way line of said Plowman Avenue and the east line of Lot 18, Block B/3413 of Dal-Cliff Terrace, an addition to the City of Dallas, as shown on map or plat thereof recorded in Volume 1, Page 289, D.R.D.C.T.

THENCE North 00 degrees 49 minutes 21 seconds West, with said west right-of-way line and the east line of said Lot 18, Block B/3413, a distance of 55.01 feet to the northeast corner of said Lot 18, Block B/3413 and the southeast corner of Lot 1, Block B/3413 of said Dal-Terrace addition;

THENCE South 89 degrees 10 minutes 39 seconds West, departing said west right-of-way line, and with the north line of said Lot 18 and the south line of said Lot 1, a distance of 35.44 feet to the point of curvature of a non-tangent circular curve to the right having a radius of 3,657.29 feet, chord that bears North 31 degrees 46 minutes 34 seconds West, a distance of 169.08 feet;

THENCE Northwesterly, departing said north line and said south line, and with said curve, over and across Lots 1, 2, and 3, Block B/3413 of said Dal-Terrace addition, through a central angle of 02 degrees 38 minutes 57 seconds, an arc distance of 169.09 feet to a point on the north line of said Lot 3 and the south right-of-way of Oregon Street (a 50 foot wide right-of-way Volume 16, Page 185, M.R.D.C.T.), from which found bent 1/2-inch iron rod bears North 30 degrees West, a distance of 0.6 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 89 degrees 10 minutes 39 seconds West, with said south right-of-way line and with the north line of Lot 3, Block B/3413, passing at a distance of 27.60 feet the northwest corner of said Lot 3 and the northeast corner of Lot 4, Block B/3413 of said Dal-Terrace addition, with said north line, a total distance of 38.53 feet;

THENCE North 28 degrees 53 minutes 36 seconds West, departing said south right-of-way line and said north line, over and across said Oregon Street, at a distance of 111.15 feet passing the north corner of a circular corner clip for the intersection of the north right-of-way line of said Oregon Street and the west right-of-way line of Donovsky Street (a 50 foot wide right-of-way Volume 16, Page 185, M.R.D.C.T.), on the east line of Block 2/3406 of Donovsky's Subdivision of Tract 6, Block 2/3406, Beckley Industrial District, an addition to the City of Dallas, as shown on map or plat thereof recorded in Volume 21, Page 33, D.R.D.C.T., continuing with said course and with said west right-of-way line and said east line, at a distance of 336.66 feet passing the northeast corner of Block 2/3406 of said Donovsky's Subdivision and the intersection of the said west right-of-way line and the south right-of-way line of Della Street (a 50 foot wide right-of-way), continuing with said course, over and across said Della Street, at a distance of 391.26 feet passing the intersection of said west right-of-way line with the north right-of-way line of said Della Street and passing the southeast corner of Lot 5, Block 2/3406 of Beckley's Industrial District, an addition to the City of Dallas, as shown on map or plat thereof recorded in Volume 16, Page 185, D.R.D.C.T., continuing with said course and with said west right-of-way line and the east line of Lot 5, in all, a total distance of 425.64 feet to a corner;

THENCE North 18 degrees 53 minutes 36 seconds West, continuing with said west right-of-way line and said east line, passing the northeast corner of said Lot 5 and the southeast corner of Lot 4, Block 2/3406 of said Beckley's Industrial District, at a distance of 116.85 feet, continuing with said west right-of-way line and with the east line of said Lot 4, a total distance of 382.64 feet to the intersection of said west right-of-way line and the south right-of-way line of Interstate Highway No. 30 (IH-30; a variable width right-of-way);

THENCE North 67 degrees 16 minutes 25 seconds East, departing said west right-of-way line and said east line of Lot 4, and with the south right-of-way line of IH-30, over and across said Donovsky Street, a distance of 50.11 feet to the intersection of said south right-of-way line and the east right-of-way line of said Donovsky Street;

THENCE North 18 degrees 53 minutes 36 seconds West, departing said south right-of-way line, over and across said IH-30, a distance of 334.23 feet to the intersection of the north right-of-way line of said IH-30 and the east right-of-way line of said Donovsky Street;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 71 degrees 06 minutes 24 seconds West, departing said east right-of-way line and with the north right-of-way line of IH-30, over and across said Donovsky Street, a distance of 50.00 feet to the intersection of said north right-of-way line of IH-30 and the west right-of-way of Donovsky Street, said intersection being on the east line of Lot 3, Block 2/3406 of said Beckley's Industrial District;

THENCE North 18 degrees 53 minutes 36 seconds West, departing said north line and with said east line and said west right-of-way line, passing at a distance of 56.25 feet the northeast corner of said Lot 3, Block 2/3406, and the intersection of said west right-of-way line and the south right-of-way line of Comstock Street (a 50 foot wide right-of-way Volume 25, Page 67, M.R.D.C.T.), departing said south right-of-way line, over and across said Comstock Street and with the prolongation of said west right-of-way line, a total distance of 119.32 feet to the north right-of-way line of said Comstock Street and the south line of Block 3405 of a Subdivision of Lots 1 and 2, Block 3405, Beckley's Industrial District, an addition to the City of Dallas, as shown on map or plat thereof recorded in Volume 25, Page 67, D.R.D.C.T.;

THENCE North 89 degrees 03 minutes 26 seconds East, with said north right-of-way line and with said south line of Block 3405, a distance of 58.47 feet to a found 1/2-inch iron rod on the southeast corner of Block 3405 of said Subdivision, said corner being the intersection of said north right-of-way line and the east right-of-way line of said Donovsky Street;

THENCE North 13 degrees 40 minutes 36 seconds West, departing said north right-of-way and with the east line of said Block 3405, a distance of 471.70 feet to the northeast corner of said Block 3405 and the southeast corner of Lot 2, Block 3404 of Clark Addition to the City of Dallas, as shown on plat thereof recorded in Volume 84082, Page 2521, D.R.D.C.T., and from which a found 1/2-inch iron rod bears South 89 degrees 00 minutes 44 seconds West, a distance of 186.00 feet;

THENCE North 13 degrees 57 minutes 34 seconds West, with the east line of said Lot 2, Block 3404, a distance of 192.70 feet to a found 5/8-inch iron rod for the northeast corner of said Lot 2, Block 3404, said iron rod being on the south line of Lot 3, Block 3404 of Watkins Addition to the City of Dallas, as shown on plat thereof recorded in Volume 2002013, Page 31, D.R.D.C.T.;
THENCE South 89 degrees 55 minutes 36 seconds East, with said south line, a distance of 122.98 feet to the southeast corner of said Lot 2, Block 3404;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 16 degrees 07 minutes 50 seconds West, with the east line of said Lot 2, Block 3404, passing at a distance of 92.75 feet a found 5/8-inch iron rod with illegible cap for the northeast corner of said Lot 2, Block 3404, and the southeast corner of that tract of land described in Special Warranty Deed with Vendor's Line to B. David Dearing, as recorded in Volume 2001021, Page 3738, continuing with said course and with the east line of said Dearing tract, passing at a distance of 155.06 feet the northeast corner of said Dearing tract and the southeast corner of that tract of land described in General Warranty Deed to William Gene Ellis, as recorded in Instrument Number 200600439985, D.R.D.C.T., continuing with said course and with the east line of said Ellis tract, passing at a distance of 266.26 feet the northeast corner of said Ellis tract and the southeast corner of that tract of land described in Special Cash Warranty Deed to Beckley Properties, Ltd., as recorded in Volume 2004213, Page 7378, D.R.D.C.T., and from which a found 1/2-inch iron rod bears South 89 degrees 33 minutes 10 seconds West, a distance of 198.99 feet, continuing with said course and with the east line of said Beckley tract, a distance of 275.46 feet to an ell corner on the east line of said Beckley tract;

THENCE North 88 degrees 45 minutes 10 seconds East, with said east line of Beckley tract, a distance of 10.40 feet to a corner;

THENCE North 15 degrees 51 minutes 48 seconds West, continuing with said east line, a distance of 321.00 feet to a corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 739.30 feet, chord that bears North 05 degrees 33 minutes 21 seconds West, a distance of 264.57 feet;

THENCE Northerly, continuing with said east line, and with said curve, through a central angle of 20 degrees 36 minutes 54 seconds, an arc distance of 266.00 feet to a corner;

THENCE North 04 degrees 45 minutes 06 seconds East, continuing with said east line, a distance of 12.70 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the right having a radius of 505.55 feet, chord that bears North 03 degrees 08 minutes 06 seconds East, a distance of 28.52 feet;

THENCE Northerly, continuing with said east line, and with said curve, through a central angle of 03 degrees 13 minutes 58 seconds, an arc distance of 28.52 feet to a corner, said corner being the north corner of said Beckley tract, said corner being an angle point on the east line of that tract of land described in Deed to the County of Dallas, as recorded in Volume 1973, Page 363, D.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 11 degrees 19 minutes 11 seconds East, with the east line of said County tract, a distance of 25.23 feet to a corner;

THENCE North 17 degrees 46 minutes 25 seconds East, continuing with the east line of said County tract, a distance of 114.82 feet to a found 4-inch brass disk monument stamped "DALLAS 1947 GEODETIC SURVEY";

THENCE North 29 degrees 33 minutes 25 seconds East, continuing with the east line of said County tract, a distance of 66.42 feet to the northeast corner of said County tract, said corner being on the south right-of-way line of Commerce Street (a 100-foot wide right-of-way Volume R, Page 444);

THENCE South 74 degrees 51 minutes 17 seconds West, with said south right-of-way line, a distance of 136.71 feet to a corner;

THENCE North 21 degrees 59 minutes 03 seconds West, departing said south right-of-way line, over and across said Commerce Street, passing at a distance of 100.72 feet the north right-of-way line of said Commerce Street and the southeast corner of that tract of land described in Warranty Deed to Scott Robert Walstad, as recorded in Volume 96210, Page 364, D.R.D.C.T., continuing with said course and the east line of said Walstad tract,a total distance of 320.62 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 839.46 feet, chord that bears North 23 degrees 15 minutes 54 seconds West, a distance of 37.53 feet;

THENCE Northerly, with said east line of Walstad tract and with said curve, through a central angle of 02 degrees 33 minutes 42 seconds, an arc distance of 37.53 feet to north corner of said Walstad tract and the point of compound curvature of a non-tangent circular curve to the left having a radius of 816.47 feet, chord that bears North 38 degrees 06 minutes 30 seconds West, a distance of 325.58 feet to a corner, said corner also being the east corner of that tract of land described in Warranty Deed to Jack W. Frost, as recorded in Volume 2000246, Page 1241, D.R.D.C.T.;

THENCE Northwesterly, with the east line of said Frost tract and with said curve, through a central angle of 23 degrees 00 minutes 06 seconds, passing at an arc distance of 232.39 feet the northeast corner of said Frost tract and the southeast corner of that tract of land described in General Warranty Deed to Larry B. McGregor, as recorded in Instrument Number 20070288515, O.P.R.D.C.T., continuing with said curve and with the east line of said McGregor tract, a total arc distance of 327.78 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 49 degrees 36 minutes 33 seconds West, continuing with said east line, a distance of 10.70 feet to the point of curvature of a tangent circular curve to the right having a radius of 1,020.37 feet, chord that bears North 44 degrees 18 minutes 31 seconds West, a distance of 188.53 feet;

THENCE Northwesterly, continuing with said east line and with said curve, through a central angle of 10 degrees 36 minutes 05 seconds, an arc distance of 188.80 feet to the northeast corner of said McGregor tract, said corner being on the south right-of-way line of the Union Pacific Railroad Company (a 200 foot wide right-of-way; Volume S, Page 373, D.R.D.C.T.);

THENCE North 37 degrees 39 minutes 04 seconds West, departing said south right-of-way line, over and across said Union Pacific right-of-way tract, a distance of 216.38 feet to the intersection of the north right-of-way line of said Union Pacific tract and east right-of-way line of Beckley Avenue (a variable width right-of-way) by use and occupation;

THENCE South 74 degrees 47 minutes 08 seconds West, departing said east right-of-way line and with said north right-of-way line of Union Pacific tract, over and across said Beckley Avenue, a distance of 78.62 feet to the intersection of the west right-of-way line of said Beckley Avenue and said north right of way line, and being the point of curvature of a non-tangent circular curve to the left having a radius of 277.58 feet, chord that bears North 34 degrees 53 minutes 33 seconds West, a distance of 133.17 feet to a corner, said corner also being on the east line Lot 1, Block 7084 of Gifford-Hill Batch Plant, as recorded in Volume 72223, Page 259, D.R.D.C.T.;

THENCE Northerly, departing said north right-of-way line, and with said west right-of-way line of Beckley Avenue and said east line of lot 1, Block 7084, and with said curve, through a central angle of 27 degrees 45 minutes 30 seconds, passing at an arc distance of 15.29 feet the easterly northeast corner of said Lot 1, Block 7084, and the southeast corner of Lot 2, Block 7084 (Official City of Dallas Block Number) of the West Levee Substation, an addition to the City of Dallas, as shown on plat thereof recorded in Volume 90106, Page 3529, D.R.D.C.T., continuing with said west right-of-way line, and with the east line of said Lot 2, Block 7084, and with said curve for a total arc distance of 134.48 feet to a corner, said corner being the point of reverse curvature of a tangent circular curve to the right having a radius of 609.69 feet, chord that bears North 40 degrees 07 minutes 18 seconds West, a distance of 183.39 feet;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE Northwesterly, continuing with said west right-of-way line and the east line of said Lot 2, Block 7084, and with said curve, through a central angle of 17 degrees 18 minutes 00 seconds, an arc distance of 184.09 feet to a corner;

THENCE North 31 degrees 28 minutes 18 seconds West, continuing with said west right-of-way line and the east line of said Lot 2, Block 7084, a distance of 11.41 feet to the point of curvature of a tangent circular curve to the left having a radius of 353.05 feet, chord that bears North 61 degrees 06 minutes 48 seconds West, a distance of 349.22 feet;

THENCE Northwesterly, continuing with said west right-of-way line and the east line of said Lot 2, Block 7084, and with said curve, through a central angle of 59 degrees 17 minutes 00 seconds, an arc distance of 365.30 feet to end of said curve and being on the south right-of-way line of Singleton Boulevard (a variable width right-of-way) by use and occupation;

THENCE South 89 degrees 14 minutes 42 seconds West, with the south right-of-way of said Singleton Boulevard and with the north line of said Lot 2, Block 7084, a distance of 45.39 feet;

THENCE North 00 degrees 45 minutes 18 seconds West, departing said south right-of-way line and said north line, over and across said Singleton Boulevard, a distance of 83.56 feet to a corner for the southwest corner of that tract of land described in deed to the County of Dallas, as recorded in Volume 3570, Page 38, D.R.D.C.T.;

THENCE North 88 degrees 39 minutes 43 seconds East, continuing over and across said Singleton Boulevard and with the south line of said County of Dallas tract, a distance of 357.65 feet to a corner, said corner being the southeast corner of said County of Dallas tract;
THENCE North 33 degrees 11 minutes 18 seconds West, with the northeast line of said County of Dallas tract, passing a distance of 216.12 feet the northwest corner of said County of Dallas tract, said corner being on the southeast right-of-way line of Continental Avenue (called 100-foot wide right-of-way), recorded in Volume 1556, Page 344, D.R.D.C.T., continuing over and across said Continental Avenue, passing a cumulative distance of 316.12 feet the southeast corner of that tract of land described as Parcel in agreed judgment deed to State of Texas, as recorded in Instrument Number 201100173004, O.P.R.D.C.T., said corner being on the northwest right-of-way line of northwest line of said Continental Avenue, continuing with the northeast line of said State of Texas tract, in all a total accumulated distance of 755.92 feet to a 3-inch found aluminum disk for the northwest corner of said State of Texas tract;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE South 88 degrees 13 minutes 42 seconds West, with the north line of said State of Texas tract, passing a distance of 58.59 feet the 1/2-inch found iron rod with cap for the northwest corner of said State of Texas tract and the northeast corner of that tract of land described in deed to County of Dallas, as recorded in Volume 3586, Page 2, D.R.D.C.T., continuing with the north line of said County of Dallas tract, in all a total distance of 62.05 feet to a corner, said corner being an "ell" corner of said Count of Dallas tract;

THENCE South 00 degrees 39 minutes 19 seconds West, with the west line of said County of Dallas tract and the east line of El Hogar Mexicana Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 2609, page 138, M.R.D.C.T., a distance of 67.44 feet to a corner;

THENCE North 32 degrees 10 minutes 41 seconds West, departing said west line of County of Dallas tract and said east of El Hogar Mexicana Addition and with the north line of said El Hogar Mexicana Addition, a distance of 50.00 feet to a corner, said corner being the point of curvature of a non-tangent circular curve to the left having a radius of 3,140.36 feet, chord that bears North 41 degrees 17 minutes 46 seconds West, a distance of 905.36 feet;

THENCE Northwesterly, continuing with said north line of El Hogar Mexicana Addition and with said curve, through a central angle of 16 degrees 34 minutes 34 seconds, an arc distance of 908.53 feet to a corner, said corner being the northwest corner of said El Hogar Mexicana Addition and the northeast corner of Macarthur Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 7, Page 405, M.R.D.C.T.;

THENCE South 00 degrees 35 minutes 24 seconds East, with the east line of said Macarthur Heights Addition and the west line of said El Hogar Mexicana Addition, a distance of 66.97 feet to a corner, said corner being on the south right-of-way line of Beckley Avenue (a variable width right-of-way) of said Macarthur Heights Addition, said corner also being the point of curvature of a non-tangent circular curve to the left having a radius of 2,910.36 feet, chord that bears North 55 degrees 16 minutes 24 seconds West, a distance of 658.83 feet;

THENCE Northwesterly, departing said east line of Macarthur Heights Addition and said west line of El Hogar Mexicana Addition and with the south right-of-way line of said Beckley Avenue and with said curve, through a central angle of 12 degrees 59 minutes 54 seconds, an arc distance of 660.25 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 61 degrees 46 minutes 21 seconds West, continuing with said south right-of-way line of Beckley Avenue, a distance of 497.83 feet to a corner on the most westerly southwest corner of said Beckley Avenue and on the most northerly west line of said Macarthur Heights Addition;

THENCE South 28 degrees 04 minutes 25 seconds West, departing said south right-of-way line of Beckley Avenue and with said most northerly west line of Macarthur Heights Addition, a distance of 74.31 feet to a found monument stamped "PAVAHOADDN" for corner, said corner being an "ell" corner of said Macarthur Heights Addition, said corner being on the southwest line of said City of Dallas tract recorded in Volume 74029, Page 777;

THENCE North 61 degrees 57 minutes 55 seconds West, with said southwest line of City of Dallas tract, with the north line of said Macarthur Heights Addition, over and across said 25-foot old County Road, by use and occupation, with the north line of that tract of land described in deed to Dallas County Flood Control District, as recorded in Volume 3752, Page 606, D.R.D.C.T., over and across 100-foot Easement to City & County Levee Improvement District, as recorded in Volume 1638, Page 382, D.R.D.C.T. and over and across Brantley's Junior Addition, an addition to the City of Dallas, Dallas, County, Texas, as recorded in Volume 12, Page 13, M.R.D.C.T., a distance of 546.84 feet to a found monument stamped "PAVAHOADDN" for corner;

THENCE North 20 degrees 54 minutes 29 seconds East, with an interior line of said City of Dallas Tract and over and across said Lots 4 and 5 of said Brantley's Junior Addition, a distance of 65.57 feet to a corner on the north line of said Brantley's Junior Addition;

THENCE North 61 degrees 44 minutes 55 seconds West, with said north line of Brantley's Junior Addition and with said southwest line of City of Dallas tract, a distance of 395.58 feet to a corner, said corner being the northwest corner of said Brantley's Junior Addition and on the east right-of-way line of Pavaho Avenue (a 50-foot wide right-of-way) of said Brantley's Junior Addition;

THENCE South 01 degree 03 minutes 09 seconds East, with the east line of said Brantley's Junior Addition, with said southwest line of City of Dallas tract and with said east right-of-way line of Pavaho Avenue, a distance of 22.79 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 88 degrees 56 minutes 51 seconds West, departing said east line of Brantley's Junior Addition and said east right-of-way line of Pavaho Avenue and over and across said Pavaho Avenue and with said southwest line of City of Dallas tract, a distance of 50.26 feet to a corner, said corner being the northeast corner of Oncor West Levee Norwood Transition Addition, an addition to the City of Dallas, Dallas, County, Texas, as recorded in Instrument Number 201000332165, O.P.R.D.C.T. and on the west right-of-way line of said Pavaho Avenue;

THENCE North 61 degrees 34 minutes 56 seconds West, with the north line of said Oncor West Levee Norwood Transition Addition and with said southwest line of City of Dallas tract, passing a distance of 286.12 feet the northwest corner of said Oncor West Levee Norwood Transition Addition, continuing over and across Sylvan Avenue (a variable width right-of-way) by use and occupation, and with said southwest line of City of Dallas tract, a distance of 401.02 feet to a corner on the south line of that tract of land described n deed to Lazard I. Razo and Wife Rosalia L. Razo, as recorded in Volume 85236, Page 3189, D.R.D.C.T. and on the north right-of-way line of Shaw Street (a 50-foot wide right-of-way, Volume 20, Page 43, M.R.D.C.T.);

THENCE North 89 degrees 07 minutes 41 seconds East, with said south line of said Razo tract and with said north right-of-way line of Shaw Street and with said southwest line of City of Dallas tract, a distance of 28.89 feet to a corner, said corner being the southeast corner of said Razo tract;

THENCE North 61 degrees 16 minutes 24 seconds West, with the north line of said Razo tract and with said southwest line of City of Dallas tract, a distance of 261.60 feet to a corner, said corner being the northwest corner of said Razo tract and on the east line of WM Saffer Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 20, Page 43, M.R.D.C.T.;

THENCE North 00 degrees 43 minutes 19 seconds West, with said east line of WM Saffer Addition and with said southwest line of City of Dallas tract, a distance of 2.73 feet to a corner, said corner being the northeast corner of said WM Saffer Addition;

THENCE North 61 degrees 14 minutes 19 seconds West, continuing with said southwest line of City of Dallas tract and with the north line of said WM Saffer Addition, a distance of 190.01 feet to a corner, said corner being on the eat line of Casa Rio Addition Phase II, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 95185, Page 2547, D.R.D.C.T.;

**Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company**

THENCE North 00 degrees 43 minutes 19 seconds West, continuing with said southwest line of City of Dallas tract and with said east line of Casa Rio Addition Phase II, a distance of 3.28 feet to a corner, said corner being the northeast corner of said Casa Rio Addition Phase II;

THENCE North 61 degrees 23 minutes 19 seconds West, continuing with said southwest line of City of Dallas tract and with the north line of said Casa Rio Addition Phase II, a distance of 868.96 feet to a corner, said corner being the northwest corner of said Casa Rio Addition Phase II and on the east right-of-way line of Winnetka Avenue (a variable width right-of-way) by use and occupation;

THENCE North 67 degrees 17 minutes 39 seconds West, continuing with said southwest line of City of Dallas tract and over and across said Winnetka Avenue, a distance of 53.22 feet to a corner, said corner being the northeast corner of that tract of land described in deed to Antonio Ortiz, as recorded in Volume 93076, Page 2971, D.R.D.C.T. and on the west right-of-way line of said Winnetka Avenue and on the west line of L. H. Bomar's Subdivision, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 1, page 161, M.R.D.C.T.;

THENCE North 61 degrees 42 minutes 46 seconds West, continuing with said southwest line of City of Dallas tract and with the north line of said Ortiz tract and with the southwest right-of-way line of southwest levee of the City and County of Dallas Levee Improvement District and over and across Lot 5, Block 3 of said L. H. Bomar's Subdivision, a distance of 165.72 feet to a corner, said corner being the northwest corner of said Ortiz tract and on the common line of said Lots 4 and 5;

THENCE North 60 degrees 27 minutes 57 seconds West, continuing with said southwest line of City of Dallas tract and with said southwest right-of-way line of southwest levee of the City and County of Dallas Levee Improvement District and over and across Lots 4, 9, 8, 7 and 6 of Block 3/7119 of said L. H. Bomar's Subdivision and over and across Bayside Street (40-foot right-of-way) of said L. H. Bomar's Subdivision abandoned to Dallas County flood Control District ordinance No. 6496 and Borger Avenue (40-foot right-of-way) of said L. H. Bomar's Subdivision abandoned to Dallas County flood Control District ordinance No. 6492, a distance of 736.31 feet to a corner, said corner on the north right-of-way line of said Bayside Street;

THENCE North 61 degrees 08 minutes 22 seconds West, continuing with said southwest line of City of Dallas tract and with said southwest right-of-way line of southwest levee of the City and County of Dallas Levee Improvement District and over and across Lots 4, 3, 2 and 1 of Block 1/7119 of said L. H. Bomar's Subdivision a distance of 591.54 feet to a corner, said corner being on the west line of said L. H. Bomar's Subdivision;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 22 minutes 42 seconds West, continuing with said southwest line of City of Dallas tract and with said west line of L. H. Bomar's Subdivision, a distance of 14.02 feet to a corner;

THENCE North 62 degrees 32 minutes 48 seconds West, departing said west line of L. H. Bomar's Subdivision and over and across Weldon Road (variable width right-of-way) by use and occupation, and with the southwest line of 15-foot alley of Weisenberger's Lucky Seven Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 6, Page 237, M.R.D.C.T. and over and across Vilbig Road (a variable width right-of-way) by use and occupation, a distance of 1,355.56 feet to a corner, said corner being on said Vilbig Road and on the approximate survey line between John C. Read Survey, Abstract No. 1187 and John P. Cole Survey, Abstract No. 242;

THENCE North 00 degrees 21 minutes 57 seconds West, with said approximate survey line, a distance of 144.79 feet to a corner, said corner being the southeast corner of that tract of land described in deed to City of Dallas, as recorded in Volume 74005, Page 3274, D.R.D.C.T. and the northeast corner of that tract of land described in deed to Richard B. Eason, as recorded in Volume 93146, Page 3620, D.R.D.C.T.;

THENCE North 61 degrees 50 minutes 04 seconds West, departing said approximate survey line and with the northeast line of said Eason tract and the southwest line of said City of Dallas tract, a distance of 723.28 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 3,012.50 feet, chord that bears North 67 degrees 31 minutes 52 seconds West, a distance of 598.05 feet;

THENCE Northwesterly, with said northeast line of Eason tract and said southwest line of City of Dallas tract and with said curve, through a central angle of 11 degrees 23 minutes 36 seconds, an arc distance of 599.04 feet to a corner, said corner being the northwest corner of said City of Dallas tract and the northeast corner of said Eason tract and on the common survey line of John P. Cole Survey, Abstract No. 242 and the G. W. Dooley Survey, Abstract No. 390;

THENCE South 89 degrees 17 minutes 03 seconds West, with said common survey line, and with the north line of Roosevelt Manor Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 8, Page 178, M.R.D.C.T. and over and across Hampton Road (100-foot wide right-of-way), recorded in Volume 3573, Page 641, D.R.D.C.T., a distance of 1,450.15 feet to a corner, said corner being on the common survey line of said John P. Cole Survey and the Leven G. Coombs Survey, Abstract No. 289;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 00 minutes 00 seconds East, continuing over and across said Hampton Road and with said common survey line, a distance of 37.21 feet to a corner, said corner on the common survey line of said Leven G. Coombs Survey and the E. Durbin Survey, Abstract No. 384 and on the south line of said City and County of Dallas Levee Improvement District tract (hereinafter referred to as "CCDLID" tract) recorded in Volume 1502, Page 202, D.R.D.C.T.;

THENCE North 89 degrees 42 minutes 05 seconds West, departing said common survey line and continuing over and across said Hampton Road, with said south line of CCDLID tract and with said common survey line, passing a distance of 50.56 feet a 1/2-inch found iron rod for the northeast corner of Weisenberger's Garden of Eden, an addition to the City of Dallas, Dallas County. Texas, as recorded in Volume 6, Page 113, M.R.D.C.T. and on the west right-of-way line of said Hampton Road, continuing with said common survey line, with the north line of said Weisenberger's Garden of Eden addition and with the north line of Lot 6B, Block 19/7133, West Dallas Community Ministries Addition, in addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 200600472478, O.P.R.D.C.T., in all a total distance of 861.56 feet to a corner, said corner being the northwest corner of said Lot 6B, Block 19/7133, West Dallas Community Ministries Addition;

THENCE South 59 degrees 12 minutes 47 seconds West, departing said common survey line and continuing with said south line of CCDLID tract and with the west line of said Lot 6B, Block 19/7133, West Dallas Community Ministries Addition, a distance of 445.82 feet to a 1/2-inch found bent iron rod for the southwest corner of said Lot 6B, Block 19/7133, West Dallas Community Ministries Addition, said corner also being on the north right-of-way line of Canada Drive (variable width right-of-way) by use and occupation;

THENCE South 00 degrees 51 minutes 07 seconds East, over and across said Canada Drive, a distance of 94.60 feet to a corner, said corner being on the south right-of-way line of said Canada Drive;

THENCE South 89 degrees 08 minutes 53 seconds West, with said south right-of-way line of said Canada Drive, passing a distance of 23.48 feet a 1/2-inch found iron rod for the most northerly northeast corner of Greenleaf Village Subdivision, Phase 1, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 2002144, Page 1586, DR.D.C.T. and the north line of Lot 66A, Block JJ/7135 Uplift Education West Dallas Campus Phase 2, an addition to the City of Dallas, Dallas County Texas, as recorded in Instrument Number 201300195758, O.P.R.D.C.T., a distance of 1,841.37 feet to a corner, said corner being the northwest corner of said Lot 66A, Block JJ/7135;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 35 degrees 35 minutes 27 seconds East, continuing with said south right-of-way line of Canada Drive and with the west line of said Lot 66A, Block JJ/7135, a distance of 15.34 feet to a corner, said corner being on the north line of Homestead Terrace Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 8, Page 157, M.R.D.C.T.;

THENCE South 89 degrees 21 minutes 47 seconds West, departing said west line of said Lot 66A, Block JJ/135 and continuing with said south right-of-way line of Canada Drive and with the north line of said Homestead Terrance Addition, a distance of 397.03 feet to a corner, said corner being the northwest corner of said Homestead Terrace Addition and the northeast corner of Colonia Weisenberger, and addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 6, Page 87, M.R.D.C.T.;

THENCE North 00 degrees 38 minutes 13 seconds West, departing said south right-of-way line of Canada Drive and over and across said Canada Drive, passing a distance of 100.00 feet the southwest corner of that tract of land described in deed to Dallas County Flood Control District, as recorded in Volume 67012, Page 695, D.R.D.C.T. and on the north right-of-way line of said Canada Drive, continuing with the east line of said Colonia Weisenberger addition, and the west line of said Dallas County Flood Control District tract, a distance of 341.00 feet to a corner, said corner being the northeast corner of said Colonia Weisenberger addition and the northwest corner of said Dallas County Flood Control District tract and on the south line of said City of Dallas Tract 2, recorded in Volume 73066, Page 1073, D.R.D.C.T.;

THENCE South 89 degrees 21 minutes 47 seconds West, with the north line of said Colonia Weisenberger addition and with said south line of City of Dallas Tract 2, a distance of 1,316.88 feet to a corner, said corner being the northwest corner of said Colonia Weisenberger addition and on the east line of Colonia Weisenberger Addition No. 2, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 8, Page 333, from which a 5/8-inch found iron rod bears South 61 degrees East a distance of 0.5 of a foot;
THENCE North 00 degrees 35 minutes 25 seconds West, continuing with said south line of City of Dallas Tract 2 and with said east line of Colonia Weisenberger Addition No. 2, a distance of 5.70 feet to a corner, said corner being the common corner of 20-foot Alley and Lot 9, Block 1/7139 of said Colonia Weisenberger Addition No. 2 addition;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 89 degrees 03 minutes 00 seconds West, departing said east line of Colonia Weisenberger Addition No. 2, and with the common line of said 20-foot Alley, of said Block 1/7139 and with said south line of City of Dallas Tract 2, a distance of 478.01 feet to a 5/8-inch found iron rod for corner, said corner being the common corner of said 20-foot Alley and Lot 1 of said Block 1/7139 and on the west line of said Colonia Weisenberger Addition No. 2 and on the east right-of-way line of Westmorland Drive (a variable width right-of-way) by use and occupation;

THENCE South 00 degrees 35 minutes 25 seconds East, with said west line of Colonia Weisenberger Addition No. 2 and said east right-of-way line of Westmorland Drive, a distance of 39.82 feet to a corner;

THENCE South 89 degrees 24 minutes 35 seconds West, departing said west line of Colonia Weisenberger Addition No. 2 and said east right-of-way line of Westmorland Drive and over and across said Westmorland Drive, a distance of 50.11 feet to a corner, said corner being on the common survey line of the Enoch Horton Survey, Abstract No. 604 and the WM. C. McGowan Survey, Abstract No. 859;

THENCE South 89 degrees 22 minutes 41 seconds West, continuing over and across said Westmorland Drive, a distance of 50.00 feet to a corner, said corner being the northeast corner of Westmoreland Park #3 Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 8, Page 317, M.R.D.C.T., the southeast corner of said City of Dallas Tract 3 and on the west right-of-way line of said Westmorland Drive;

THENCE South 89 degrees 59 minutes 36 seconds West, with the north line of said Westmoreland Park #3 Addition and with the south line of said City of Dallas Tract 3, a distance of 1,335.62 feet to a corner, said corner being the northwest corner of said Westmoreland Park #3 Addition and the northeast corner of Olive-Dale Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 11, Page 461, M.R.D.C.T.;

THENCE South 89 degrees 56 minutes 38 seconds West, continuing with said south line of City of Dallas Tract 3 and with the north line of said Olive-Dale Addition, a distance of 1,368.05 feet to a corner, said corner being the northwest corner of said Olive-Dale Addition;
THENCE South 01 degree 05 minutes 17 seconds East, continuing with said south line of City of Dallas Tract 3 and with the west line of said Olive-Dale Addition, a distance of 43.96 feet to a corner, said corner being the northeast corner of Ledbetter Gardens Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 10, Page 25, M.R.D.C.T.;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 89 degrees 10 minutes 43 seconds West, departing said west line of Olive-Dale Addition and with the north line of said Ledbetter Gardens Addition, with said south line of City of Dallas Tract 3, a distance of 2,296.72 feet for corner, said corner being an "ell" corner of said City of Dallas Tract 3;

THENCE North 69 degrees 51 minutes 56 seconds West, departing said north line of Ledbetter Gardens Addition and with said south line of City of Dallas Tract 3, with the south line of said City of Dallas Tract 4 and with the north line of Colonia Weisenberger No. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 72064, Page 2185, D.R.D.C.T., a distance of 2,275.29 feet to a corner, said corner being the most northerly corner of said north line of Colonia Weisenberger No. 3 addition;

THENCE South 86 degrees 20 minutes 04 seconds West, continuing with said north line of Colonia Weisenberger No. 3 addition and with said south line of City of Dallas Tract 4, a distance of 2,266.48 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 1,010.82 feet, chord that bears South 52 degrees 41 minutes 04 seconds West, a distance of 1,120.23 feet;

THENCE Westerly, continuing with the northwest line of said Colonia Weisenberger No. 3 addition, with said south line of City of Dallas Tract 4, with said curve and with the northwest line of that tract of land described in deed to Tony Garcia Rogers, as recorded in Volume 98226, Page 2666, D.R.D.C.T., through a central angle of 67 degrees 18 minutes 00 seconds, an arc distance of 1,187.32 feet to a corner;

THENCE South 19 degrees 02 minutes 04 seconds West, continuing with said northwest line of Tony Garcia Rogers tract and with said south line of City of Dallas Tract 4, a distance of 11.29 feet to a corner, said corner being the southwest corner of said Garcia Rogers tract and on the common survey line of Radcliff Platt Survey, Abstract No. 1141 and the Edwin Reid Survey, Abstract No. 1212;

THENCE South 89 degrees 16 minutes 56 seconds West, continuing with said south line of City of Dallas Tract 4 and with said common survey line, a distance of 283.71 feet to a corner, said corner being the common corner of said Edwin Reid Survey and the Radcliff Platt Survey, Abstract No. 1141 and on the east line of the J. B. Earhart Survey, Abstract No. 436 and on the east line of Lot 1, Block of Twin Wells Golf Course, an addition to the City of Irving, Dallas County, Texas, as recorded in Volume 87138, Page 4320, D.R.D.C.T., said corner also being the southwest corner of said City of Dallas Tract 4;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 00 degrees 58 minutes 25 seconds West, with the west line of said City of Dallas Tract 4, with the common survey line of said J. B. Earhart Survey and the said Radcliff Platt Survey and with said east line of Lot 1, Block 1, a distance of 124.32 feet to a corner, said corner being the common corner of said J. B. Earhart Survey and the Heirs of Benjamin Keifer Survey, Abstract No. 718, from which a 1/2-inch found bent iron rod bears South 17 degrees West a distance of 0.5 of a foot;

THENCE North 00 degrees 18 minutes 45 seconds West, continuing with said west line of City of Dallas Tract 4, with the common survey line of said Heirs of Benjamin Keifer Survey and said Radcliff Platt Survey and said east line of said Lot 1, Block A, a distance of 987.66 feet to a corner said corner being the southeast corner of that tract of land described in deed to Rosa Marie McPeters, as recorded in Volume 532, Page 1339, D.R.D.C.T.;

THENCE with the westerly line of said City of Dallas Tract 4 and with the easterly line of said McPeters tract, following courses and distances:

North 51 degrees 46 minutes 56 seconds East, a distance of 505.55 feet to a corner;

North 66 degrees 36 minutes 56 seconds East, a distance of 840.00 feet to a corner;

North 88 degrees 22 minutes 59 seconds East, a distance of 1,507.23 feet to a corner;

North 41 degrees 08 minutes 04 seconds West, a distance of 893.00 feet to a corner;

THENCE North 28 degrees 08 minutes 04 seconds West, a distance of 1,829.10 feet to a corner, said corner being the most westerly southwest corner of said City of Dallas Tract 4 and on the southeast right-of-way line of Irving Boulevard (variable width right-of-way) by use and occupation;

THENCE North 42 degrees 23 minutes 19 seconds East, with the west line of said City of Dallas Tract 4 and with said southeast right-of-way line of Irving Boulevard, a distance of 1,019.29 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 4, from which a 5/8-inch found bent iron rod bears North 37 degrees West a distance of 1.1 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 55 degrees 58 minutes 40 seconds West, continuing with said west line of City of Dallas Tract 4 and with said southeast right-of-way line of Irving Boulevard, a distance of 17.25 feet to a corner, said corner being an "ell" corner of said City of Dallas Tract 4, from which a 5/8-inch found iron rod with "BDSTECH" cap bears South 56 degrees East a distance of 0.4 of a foot;

THENCE North 42 degrees 23 minutes 19 seconds East, continuing with said west line of City of Dallas Tract 4 and with said southeast right-of-way line of Irving Boulevard, passing a distance of 236.37 feet the northwest corner of said City of Dallas Tract 4 and the southwest corner of said Dallas County Flood Control District tract, recorded in Volume 4235, Page 19, continuing with said southeast right-of-way line of Irving Boulevard and with the west line of said Dallas County Flood Control District tract, in all a total distance of 240.97 feet to 5/8-inch found iron rod with "BDSTECH" cap for corner

THENCE North 41 degrees 48 minutes 53 seconds East, continuing with said southeast right-of-way line of Irving Boulevard and with said west line of Dallas County Flood Control District tract, a distance of 132.83 feet to the POINT OF BEGINNING AND CONTAINING 2,945.5 acres (128,303,919 square feet) of land, more or less.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

SAVE AND EXCEPT THE FOLLWING FOUR PARTS:

PART 1

BEING a 9,541 square foot (0.2190 acre) tract of land situated in the John Neely Bryant Survey, Abstract Number 149, in the City and County of Dallas, Texas, and in Block 2/146 (Official City of Dallas Block number), said tract being part of tract of land described in Quitclaim Deed to the County of Dallas, as recorded in Volume 1715, Page 11, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of the herein described tract on the west line of said County of Dallas tract and on the intersection of the east right-of-way line of Houston Street (an 80 foot wide right-of-way) and the southwest right-of-way line of Riverfront Boulevard (a variable width right-of-way), from which a 1/2-inch found iron rod with cap stamped "GLD" bears North 31 degrees 54 minutes 52 seconds East, a distance of 5.85 feet;

THENCE South 62 degrees 51 minutes 22 seconds East, departing said east right-of-way line of Houston Street and the west line of said County of Dallas tract, and with said southwest right-of-way line of Riverfront Boulevard, over and across said County of Dallas tract, a distance of 256.68 feet to the intersection of said southwest right-of-way line of Riverfront Boulevard and the west right-of-way line of Jefferson Street Viaduct (a 150 foot wide right-of-way), and being on the east line of said County of Dallas tract;

THENCE South 27 degrees 37 minutes 56 seconds West, departing said southwest right-of-way line of Riverfront Boulevard, and with the east line of said County of Dallas tract and said west right-of-way line of Jefferson Street Viaduct, a distance of 13.75 feet to the southeast corner of the herein described tract of land and on the northeasterly line or bank of the old Trinity River channel conveyed to the City of Dallas in State of Texas Senate Bill No. 44, dated March 30, 1925;

THENCE North 89 degrees 20 minutes 22 seconds West, departing said west right-of-way line of Jefferson Street Viaduct and with the south line of said County of Dallas tract and with said northeasterly line or bank of the old Trinity River channel, a distance of 33.88 feet to an angle point of the herein described tract of land;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 67 degrees 52 minutes 22 seconds West, continuing with the south line of said County of Dallas tract and with said northeasterly line or bank of the old Trinity River channel, a distance of 231.99 feet to the southwest corner of the herein described tract of land and on the aforementioned east right-of-way line of Houston Street;

THENCE North 32 degrees 47 minutes 38 seconds East, with the aforementioned west line of said County of Dallas tract and said east right-of-way line of Houston Street; a distance of 49.39 feet to the POINT OF BEGINNING AND CONTAINING 0.2190 acres (9,541 square feet) of land, more or less.

PART 2

BEING an 11.62 acre (506,350 square feet) tract of land situated in the W. P. Overton Survey, Abstract Number 1106, and the John Beeman Survey, Abstract Number 209, in the City of Dallas, Dallas County, Texas, and being parts of those tracts of land described in deeds to The Texas & Pacific Railway Company (now Union Pacific Railroad Company, hereinafter referred to as "UPRR"), as recorded in Volume S, Page 373 and Page 412, and Volume 50, Page 99, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at the northeast corner of that tract of land described in General Warranty Deed to Larry B. McGregor, as recorded in Instrument Number 20070288515 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said corner being on the south right-of-way line of said UPRR tract (a 200 foot wide right-of-way), from which a found concrete monument bears South 74 degrees 47 minutes 08 seconds West, a distance of 50.33 feet;

THENCE North 37 degrees 39 minutes 04 seconds West, departing said south right-of-way line, over and across said UPRR tract, a distance of 216.38 feet to the intersection of the north right-of-way line of said UPRR tract and the east right-of-way line of Beckley Avenue (a variable width right-of-way);

THENCE North 74 degrees 47 minutes 08 seconds East, departing said east right-of-way line of Beckley Avenue, and with said north right-of-way line of UPRR tract, a distance of 481.52 feet;

THENCE North 00 degrees 00 minutes 00 seconds East, continuing with said north right-of-way line, a distance of 15.54 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE North 74 degrees 47 minutes 08 seconds East, continuing with said north right-of-way line (a 230 foot wide right-of-way at this point), a distance of 1,786.44 feet to the west line of that tract of land described in Special Warranty Deed to 505 Riverfront, LTD, as recorded in Instrument Number 201200355763, O.P.R.D.C.T. and being the point of curvature of a non-tangent circular curve to the right having a radius of 5,819.60 feet, chord that bears South 28 degrees 51 minutes 05 seconds East, a distance of 44.42 feet;

THENCE Southeasterly, with said west line of 505 Riverfront tract and with said curve, through a central angle of 00 degrees 26 minutes 15 seconds, an arc distance of 44.42 feet to the southwest corner of said 505 Riverfront tract;

THENCE South 26 degrees 28 minutes 56 seconds East, departing said north right-of-way line, over and across said UPRR tract, a distance of 158.14 feet to a found 1/2-inch found iron rod (controlling monument) for the northwest corner of Lot 1, Block 6826 (Official City of Dallas Block number) of Dallas Criminal Courts Facility, an addition to the City of Dallas as shown on plat thereof recorded in Volume 89122, Page 663, D.R.D.C.T., said iron rod being on the south right-of-way of said UPRR tract, said corner also being the point of curvature of a non-tangent circular curve to the right having a radius of 5,819.65 feet, chord that bears South 27 degrees 15 minutes 52 seconds East, a distance of 32.46 feet;

THENCE Southeasterly, with the south right-of-way of said UPRR tract and with the west line of said Lot 1, Block 6826, and with said curve, through a central angle of 00 degrees 19 minutes 10 seconds, an arc distance of 32.46 feet to an ell corner on said south right-of-way line;

THENCE South 74 degrees 47 minutes 08 seconds West, departing the west line of said Lot 1, Block 6826, and with the couth right-of-way line said UPRR tract a distance of 1,897.14 feet;

THENCE North 00 degrees 00 minutes 00 seconds West, continuing with said south right-of-way line, a distance of 15.54 feet to an ell corner of said south right-of-way line (reverting to a 200 foot wide right-of-way at this point);

THENCE South 74 degrees 47 minutes 08 seconds West, continuing with said south right-of-way line, a distance of 344.54 feet to the POINT OF BEGINNING AND CONTAINING 11.62 acres (506,350 square feet) of land, more or less.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

PART 3A

BEING an 8.388 acre (365,362 square feet) tract of land situated in the Henry C. Long Survey, Abstract Number 762, and in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Deed without Warranty to Dallas Area Rapid Transit (DART), as recorded in Volume 95201, Page 3378, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a found 1/2-inch iron rod with cap stamped "HALFF" on the west right-of-way line of said DART tract (a variable width right-of-way, 200 foot wide at this point), said iron rod being the northeast corner of that tract of land described as a Right-of-Way Easement in deed to the City of Dallas, as recorded in Volume 67229, Page 1096, D.R.D.C.T., said iron rod also being on the east line of that tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 67194, Page 1050, D.R.D.C.T.;

THENCE South 65 degrees 30 minutes 46 seconds East, over and across said DART tract, a distance of 200.00 feet to the northeast corner of the herein described tract, said corner being on the east right-of-way line of said DART tract and the west line of a called 4.63 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3391, page 533, D.R.D.C.T.;

THENCE South 24 degrees 29 minutes 39 seconds West, with the east right-of-way line of said DART tract, with the west line of said called 4.63 acre tract, and with the west line of a called 1.03 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3430, Page 397, D.R.D.C.T., a distance of 1,863.38 feet to the approximate east or northeast bank of the channel of the Trinity River, said river being part of a tract of land conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925;

THENCE North 45 degrees 25 minutes 21 seconds West, departing said east right-of-way line and said west lines, and generally with said bank, a distance of 212.95 feet to a corner, said corner being on the west right-of-way line of said DART tract;

THENCE North 24 degrees 29 minutes 39 seconds East, departing said bank and with said west right-of-way line, a distance of 1,790.24 feet to the POINT OF BEGINNING AND CONTAINING 8.388 acres (365,362 square feet) of land, more or less.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

PART 3B

BEING an 6.638 acre (289,168 square feet) tract of land situated in the W. S. Beatty Survey, Abstract Number 57, and in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Deed without Warranty to Dallas Area Rapid Transit (DART), as recorded in Volume 95201, Page 3378, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a found 1/2-inch iron rod with cap stamped "HALFF" on the west right-of-way line of said DART tract (a variable width right-of-way, 200 foot wide at this point), said iron rod being the northeast corner of that tract of land described as a Right-of-Way Easement in deed to the City of Dallas, as recorded in Volume 67229, Page 1096, D.R.D.C.T., said iron rod also being on the east line of that tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 67194, Page 1050, D.R.D.C.T.;

THENCE South 24 degrees 29 minutes 39 seconds West, with the west right-of-way line of said DART tract, passing at a distance of 1,790.34 feet the approximate east or northeast bank of the channel of the Trinity River, said river being part of a tract of land conveyed to the City of Dallas by Texas Senate Bill 44 dated March 30, 1925, continuing with the prolongation of the west right-of-way line of said DART tract, over and across said channel, a total distance of 2,057.54 feet to the approximate west or southwest bank of said channel of the Trinity River and the POINT OF BEGINNING of the herein described tract, and being on the west right-of-way line of said DART tract (a 175 foot wide right-of-way at this point);

THENCE South 53 degrees 16 minutes 21 seconds East, generally with said bank, a distance of 179.07 feet to a corner, said corner being on the east right-of-way line of said DART tract and on the east line of a called 3.25 acre tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 3385, Page 85, D.R.D.C.T.;

THENCE South 24 degrees 29 minutes 39 seconds West, departing said bank, and with said east right-of-way line and with the west line of said called 3.25 acre tract, a distance of 22.20 feet to a corner, said corner being the point of curvature of a tangent circular curve to the right having a radius of 1,403.81 feet, chord that bears South 35 degrees 03 minutes 39 seconds West, a distance of 514.86 feet;

THENCE Southwesterly, continuing with said east right-of-way line and said west line, and with said curve, through a central angle of 21 degrees 08 minutes 00 seconds, an arc distance of 517.79 feet to a corner;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE South 45 degrees 37 minutes 39 seconds West, continuing with said east right-of-way line and said west line, passing the southwest corner of said called 3.25 acre tract at a distance of 876.04 feet, continuing with said east right-of-way line, in all a total distance of 1,106.37 feet to the south corner of the herein described tract;

THENCE North 44 degrees 18 minutes 09 seconds West, departing said east line, over and across said DART tract, a distance of 194.11 feet to a corner on the west right-of-way line of said DART tract, said corner being on the east right-of-way line of Santa Fe Street (a variable width right-of-way);

THENCE North 57 degrees 45 minutes 11 seconds West, departing the east right-of-way line of said Santa Fe Street, and with said west right-of-way line of DART tract, over and across said Santa Fe Street, a distance of 7.68 feet to the southwest corner of the herein described tract and the point of curvature of a non-tangent circular curve to the left having a radius of 2,864.79 feet, chord that bears North 49 degrees 31 minutes 58 seconds East, a distance of 390.21 feet;

THENCE Northeasterly, with said west right-of-way line, and with said curve, through a central angle of 07 degrees 48 minutes 37 seconds, an arc distance of 390.51 feet to a found 5/8-inch iron rod with cap stamped "HALFF" for corner;

THENCE North 45 degrees 37 minutes 39 seconds East, continuing with said west right-of-way line, a distance of 718.60 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left having a radius of 1,228.81 feet, chord that bears North 35 degrees 03 minutes 39 seconds East, a distance of 450.68 feet;

THENCE Northeasterly, continuing with said west right-of-way line, and with said curve, through a central angle of 21 degrees 08 minutes 00 seconds, an arc distance of 453.24 feet to a corner;

THENCE North 24 degrees 29 minutes 39 seconds East, continuing with said west right-of-way line, a distance of 60.14 feet to the POINT OF BEGINNING AND CONTAINING 6.638 acres (289,168 square feet) of land, more or less.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

PART 4

BEING an 0.1839 acre (8,011 square foot) tract of land situated in the John N. Bryan Survey, Abstract Number 149, in the City of Dallas, Dallas County, Texas, and in City of Dallas Block Number 1/416, said tract being all of that tract of land described in Warranty Deed to John M. Fouts, as recorded in Volume 3786, Page 54, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch found iron rod with plastic cap stamped "GLD" for the east corner of said Fouts tract, said point being at the intersection of the southwesterly right-of-way line of Riverfront Boulevard (formerly known as Industrial Boulevard; a 130 foot wide right-of-way) and the northwesterly right-of-way line of Houston Street (an 80 foot wide right-of-way);

THENCE South 32 degrees 47 minutes 38 seconds West, with the southeasterly line of said Fouts tract and the northwesterly right-of-way line of said Houston Street, a distance of 68.56 feet to a 1/2 inch found iron rod with cap stamped "GLD" for the south corner of said Fouts tract;

THENCE North 66 degrees 41 minutes 53 seconds West, departing said northwesterly right-of-way line of said Houston Street and with the southwesterly line of said Fouts tract and with, a distance of 107.90 feet to a corner, said corner being the west corner of said Fouts tract, said point also being on the southeasterly right-of-way line of Zang Boulevard (an 80 foot wide right-of-way), from which a 1 inch found iron rod bears South 53 degrees East, a distance of 1.8 feet;

THENCE North 38 degrees 21 minutes 22 seconds East, with the northwesterly line of said Fouts tract and the southeasterly right-of-way line of said Zang Boulevard, a distance of 90.76 feet to a 1/2 inch found iron rod with plastic cap stamped "GLD" for the north corner of said Fouts tract, said point being at the intersection of said southeasterly right-of-way line of said Zang Boulevard and said southwesterly right-of-way line of Riverfront Boulevard, said point also being the point of curvature of a non-tangent circular curve to the left having a radius of 1,211.28 feet and chord that bears South 54 degrees 52 minutes 20 seconds East, a distance of 97.70 feet;

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

THENCE Southeasterly, departing said southeasterly right-of-way line of Zang Boulevard and with said curve and said southwesterly right-of-way line of Riverfront Boulevard, through a central angle of 04 degrees 37 minutes 22 seconds, and an arc distance of 97.73 feet to the POINT OF BEGINNING AND CONTAINING 0.1839 acres (8,011 square feet) of land, more or less.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

AREA SUMMARY:

Gross Phase II MSD Boundary	: 2,945.5 acres
Save and Except Part 1	: 0.2190 acres
Save and Except Part 2	: 11.62 acres
Save and Except Part 3A	: 8.388 acres
Save and Except Part 3B	: 6.638 acres
Save and Except Part 4	: 0.1839 acres
Net Phase II MSD Boundary	: 2,918.4 acres

NOTES:

There was no deed of record found for the following right-of-way within the MSD boundary:

- Westmoreland Road / Mockingbird Lane (by use and occupation)
- Canada Drive (by use and occupation)
- Sylvan Street (by use and occupation)
- Woodall Rogers Freeway (by use and occupation)
- Old Zang Boulevard (by use and occupation)

This property description is accompanied by a parcel plat of even date.

This survey was prepared without the benefit of a title commitment. Easement may exist where none are shown.

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,2/8656 , 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

The Basis of Bearing of this survey are based on the Texas Coordinate System of 1983, North Central Zone and tied to TXDOT GPS monuments: R0570127, R0570130, R0570157, RE570834 and Trinity Lakes Monuments: GPS01, GPS05, GPS09, GPS16, GPS17, GPS19, GPS20, GPS28, GPS32, GPS33, GPS34, GPS35, GPS37, GPS39, GPS40, GPS41, GPS42, GPS43, GPS44, GPS45, GPS50, GPS53, GPS55, GPS56, GPS58, GPS60, GPS62, GPS65, and GPS66. Coordinates shown are grid values and may be converted to surface by multiplying by the published Dallas County TXDOT scale factor of 1.000136506. Distances shown are reported in U.S. survey feet.

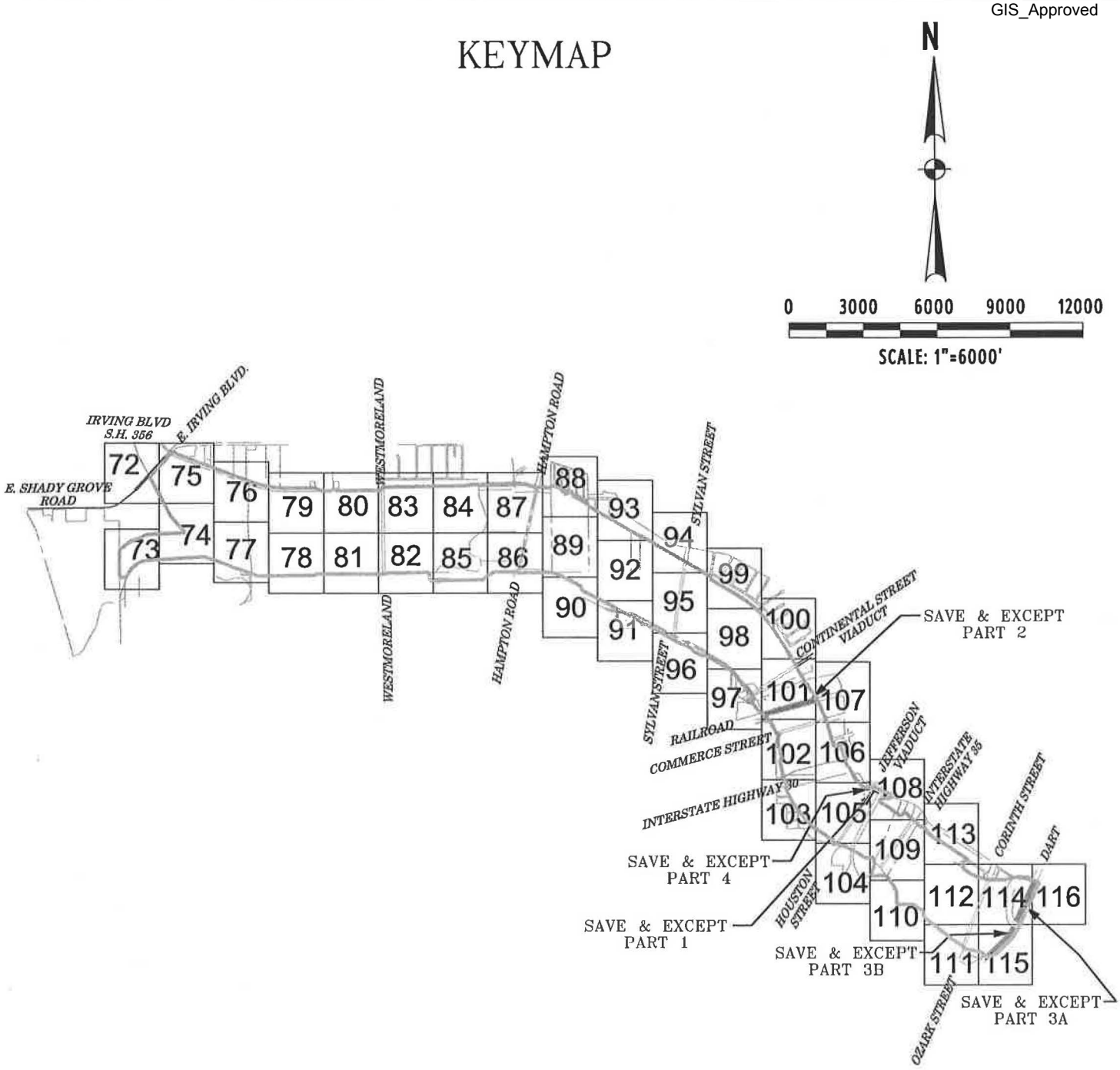
I, Getsy J. Suthan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that "This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation of reconfiguration of the boundary of the political subdivision for which it was prepared."

Getsy J. Suthan
Registered Professional Land Surveyor
Texas No. 6449
Halff Associates, Inc.
1201 North Bowser Road.
Richardson, Texas 75081
(214) 217-6418
TBPLS Firm #10029600



GIS_Approved

KEYMAP



LEGEND

- PAGE OUTLINE & MATCHLINE
- MSD BOUNDARY
- SAVE & EXCEPT PARTS

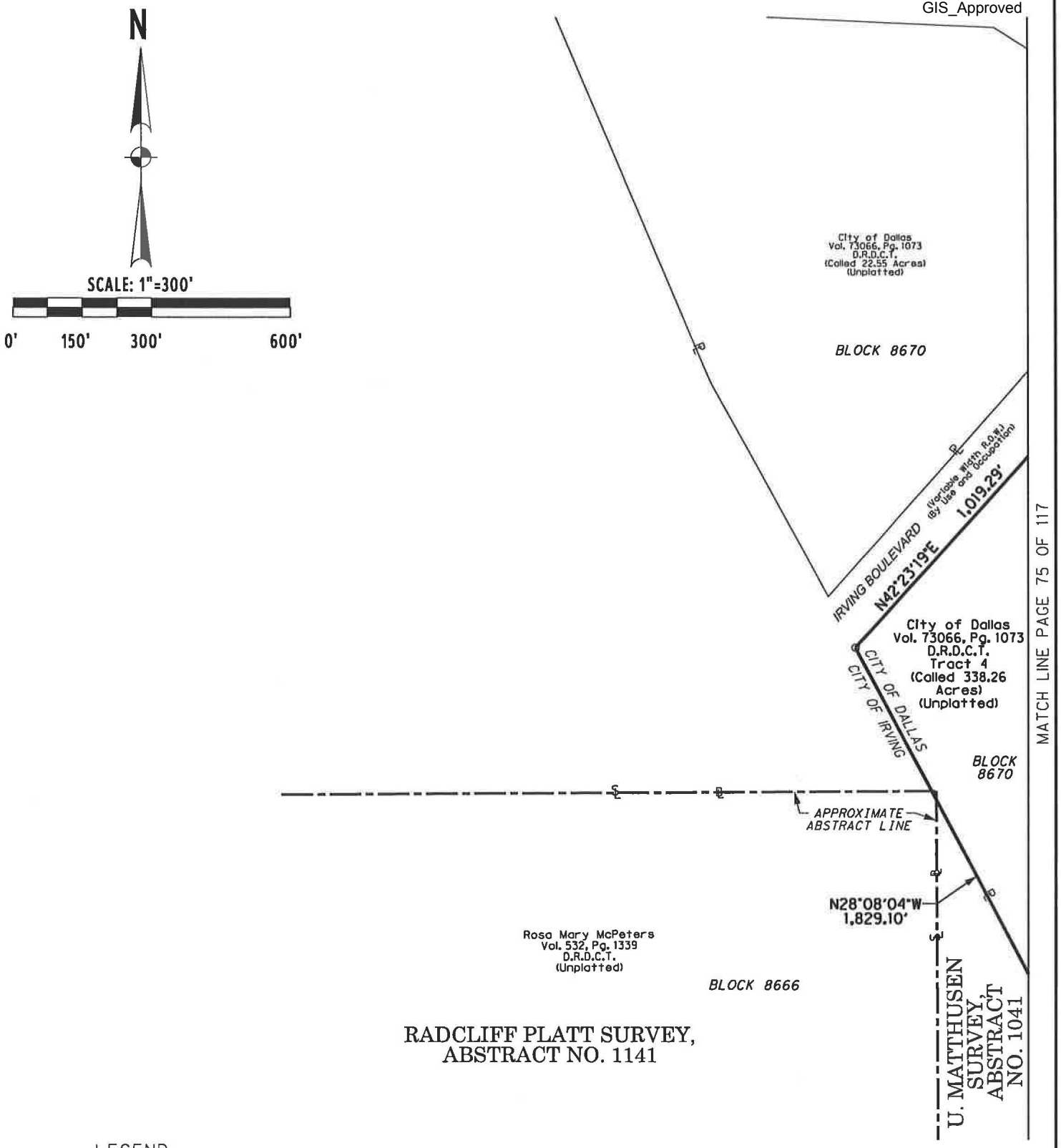
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 71 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-71.dgn
12/12/2014 7:29:47 AM

GIS_Approved



LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 72 OF 117

I:\30000s\30083\CADD\Sheets\EXH-BS-WO01-30083-72.dgn
12/12/2014 7:29:40 AM

NO.	BEARING	DISTANCE
L1	N60°37'11"W	82.70'
L2	N83°51'11"W	195.00'
L3	S70°03'49"W	202.10'
L4	S23°36'13"W	205.00'
L5	S35°17'13"W	179.00'
L6	S53°01'13"W	173.00'
L7	S67°48'13"W	203.15'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

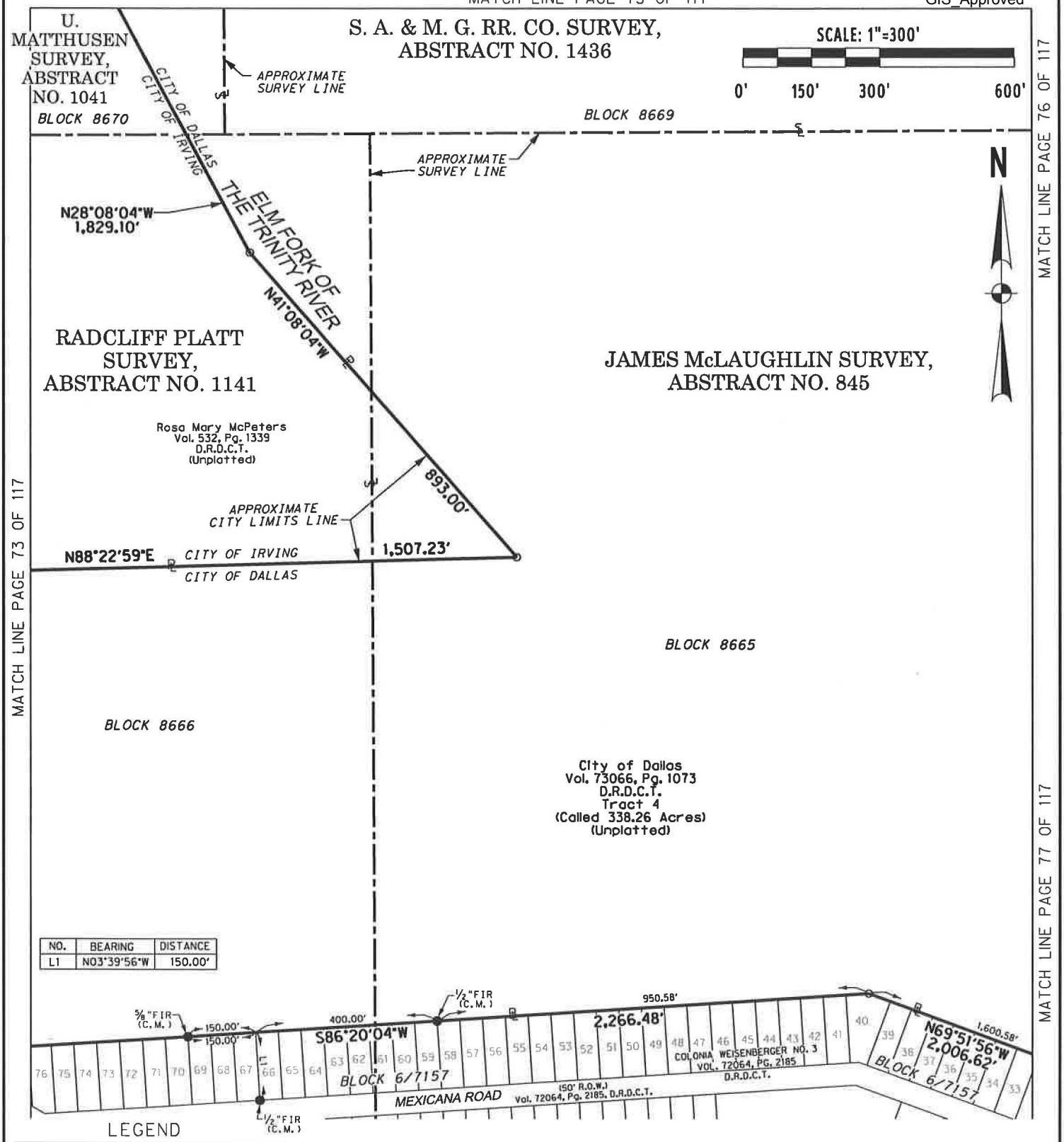
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 73 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-73.dgn
12/12/2014 7:29:33 AM

GIS_Approved



LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

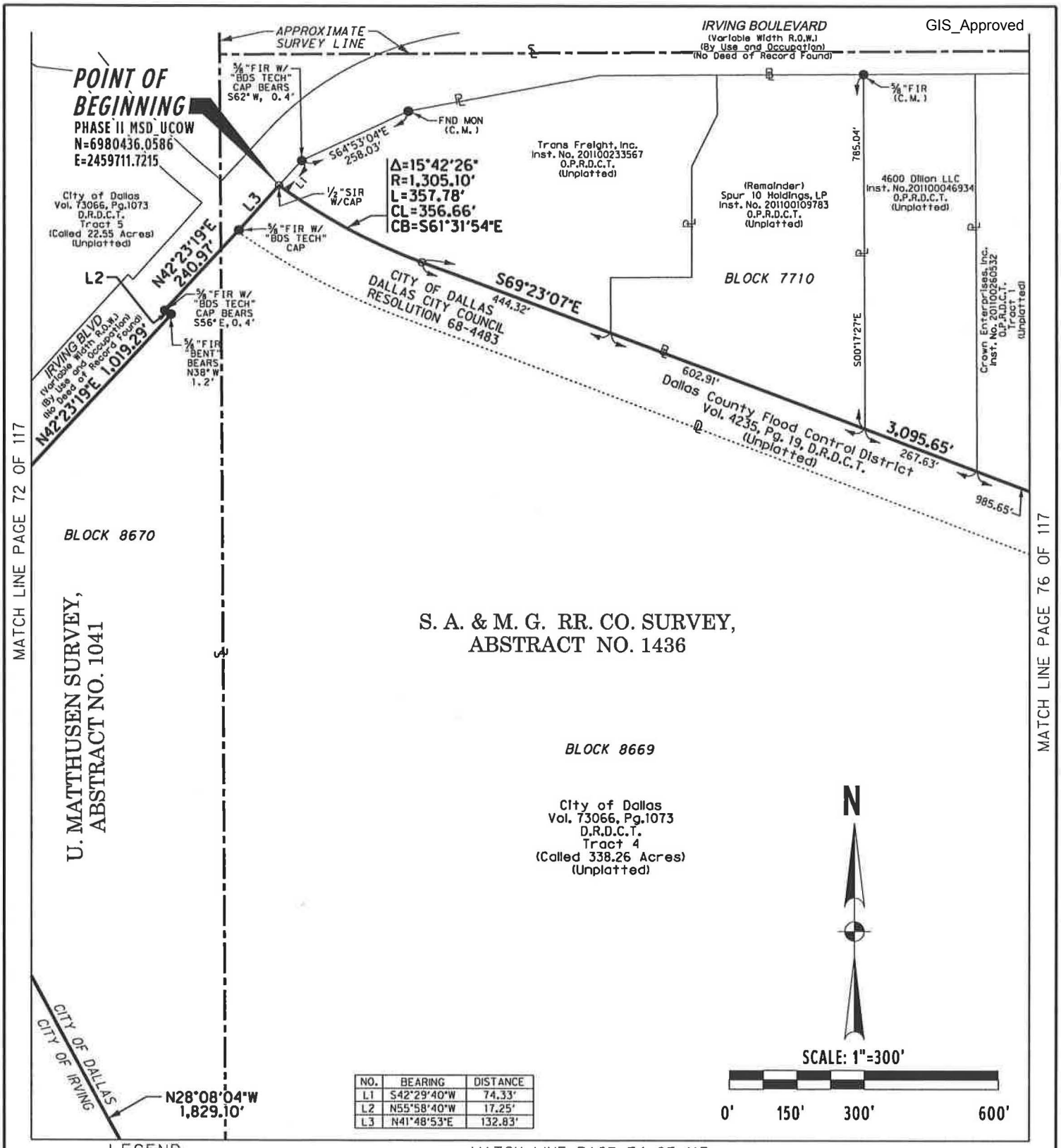
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 74 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-74.dgn
12/12/2014 7:29:24 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	S42°29'40"W	74.33'
L2	N55°58'40"W	17.25'
L3	N41°48'53"E	132.83'

LEGEND

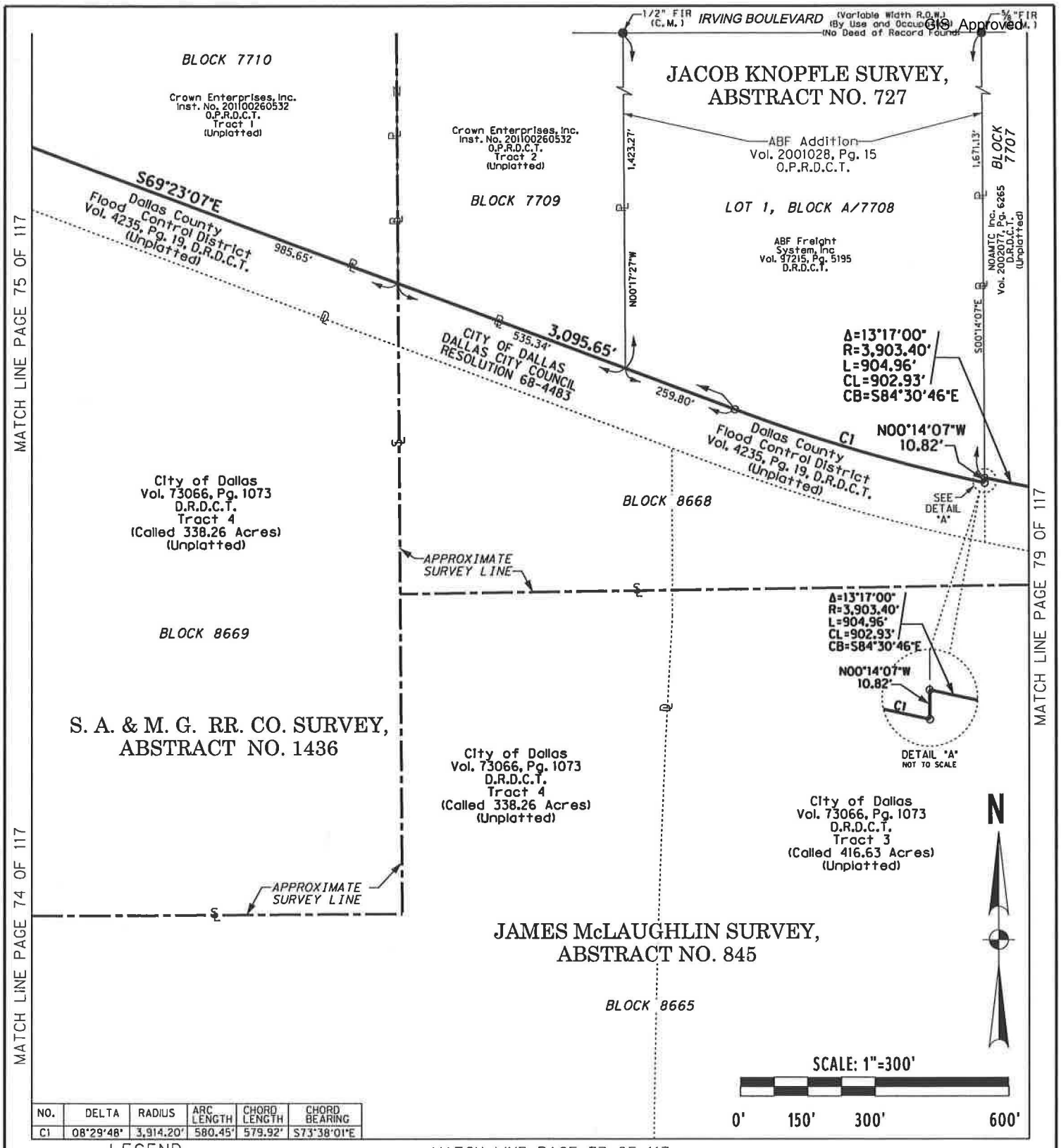
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 75 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-75.dgn
12/12/2014 7:29:16 AM



NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	08°29'48"	3,914.20'	580.45'	579.92'	S73°38'01"E

MATCH LINE PAGE 77 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

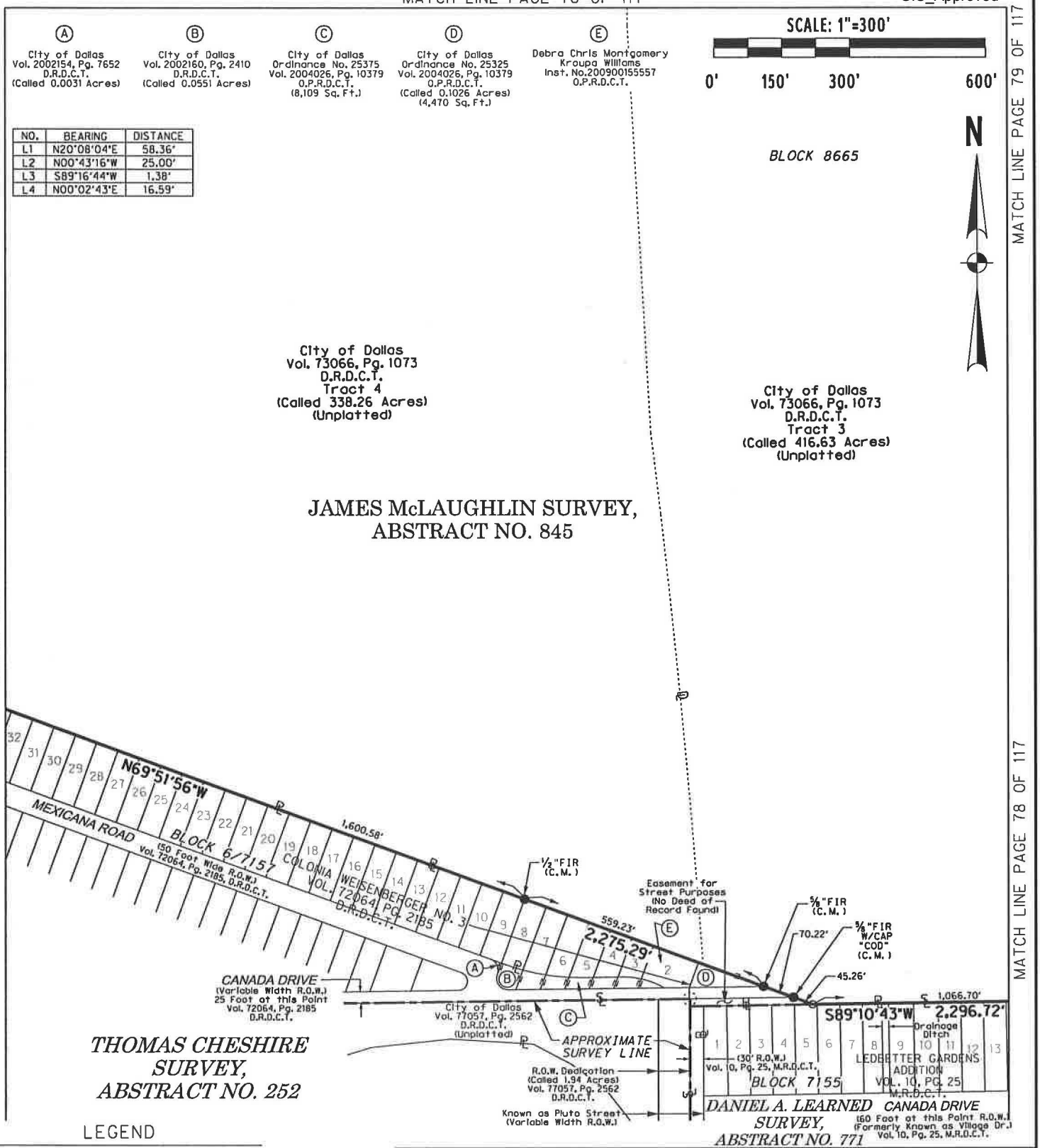
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 76 OF 117

I:\30000s\30083\CADD\Sheets\EXH-BS-WO01-30083-76.dgn
12/12/2014 7:29:09 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	N20°08'04"E	58.36'
L2	N00°43'16"W	25.00'
L3	S89°16'44"W	1.38'
L4	N00°02'43"E	16.59'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

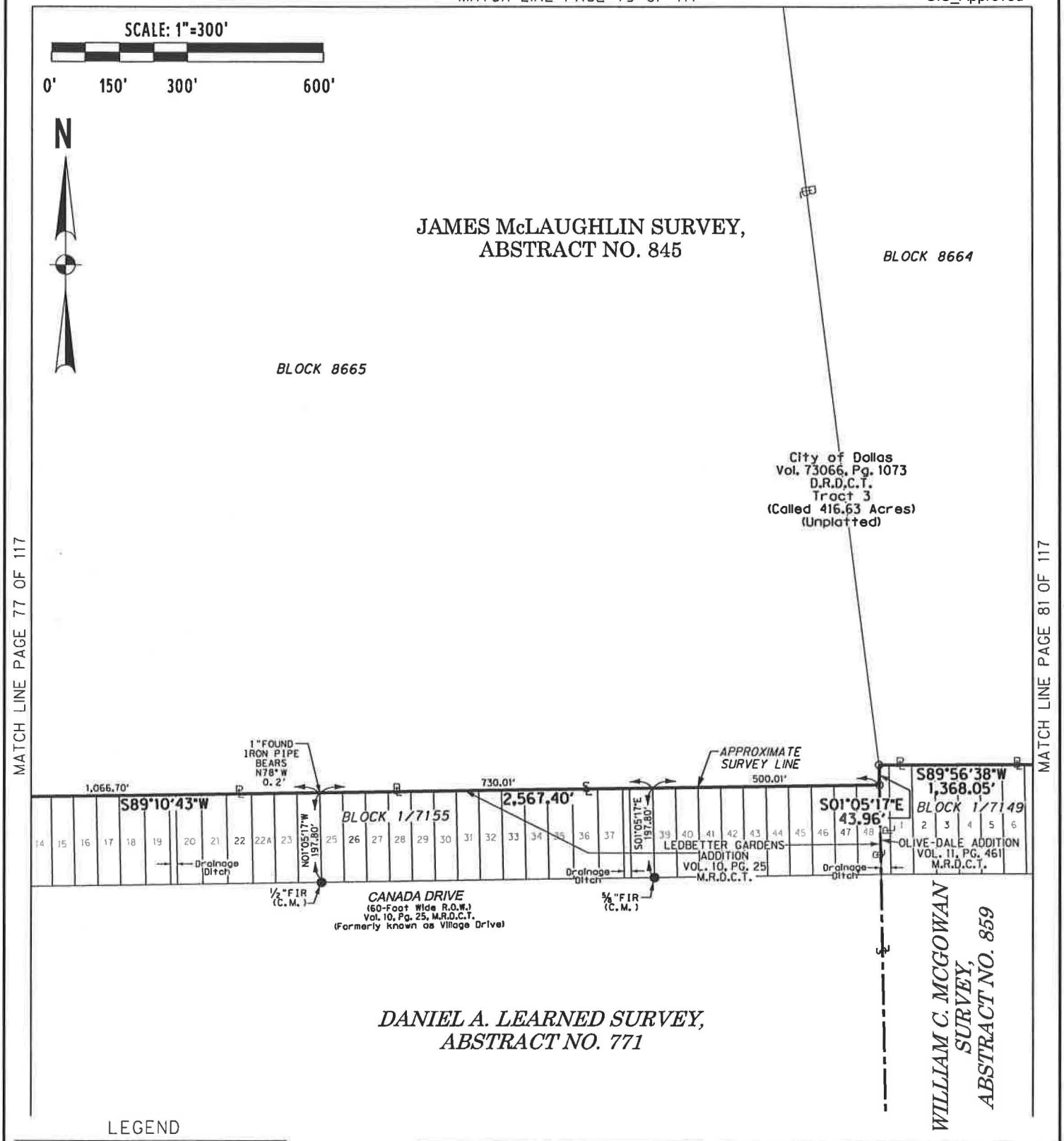
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 77 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-77.dgn
12/12/2014 7:29:00 AM

GIS_Approved



LEGEND

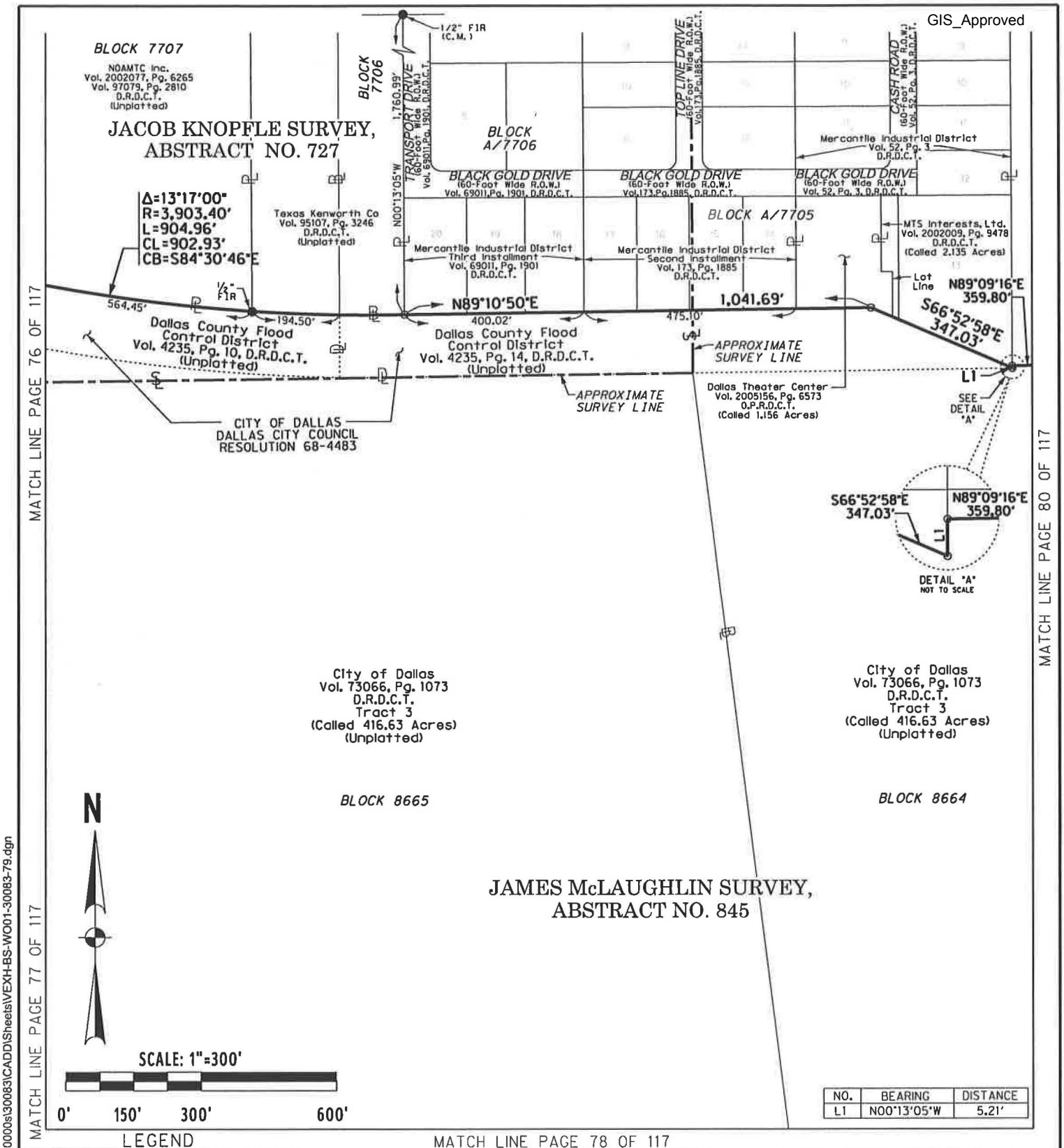
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 78 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-78.dgn
12/12/2014 7:28:52 AM



NO.	BEARING	DISTANCE
L1	N00°13'05"W	5.21'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

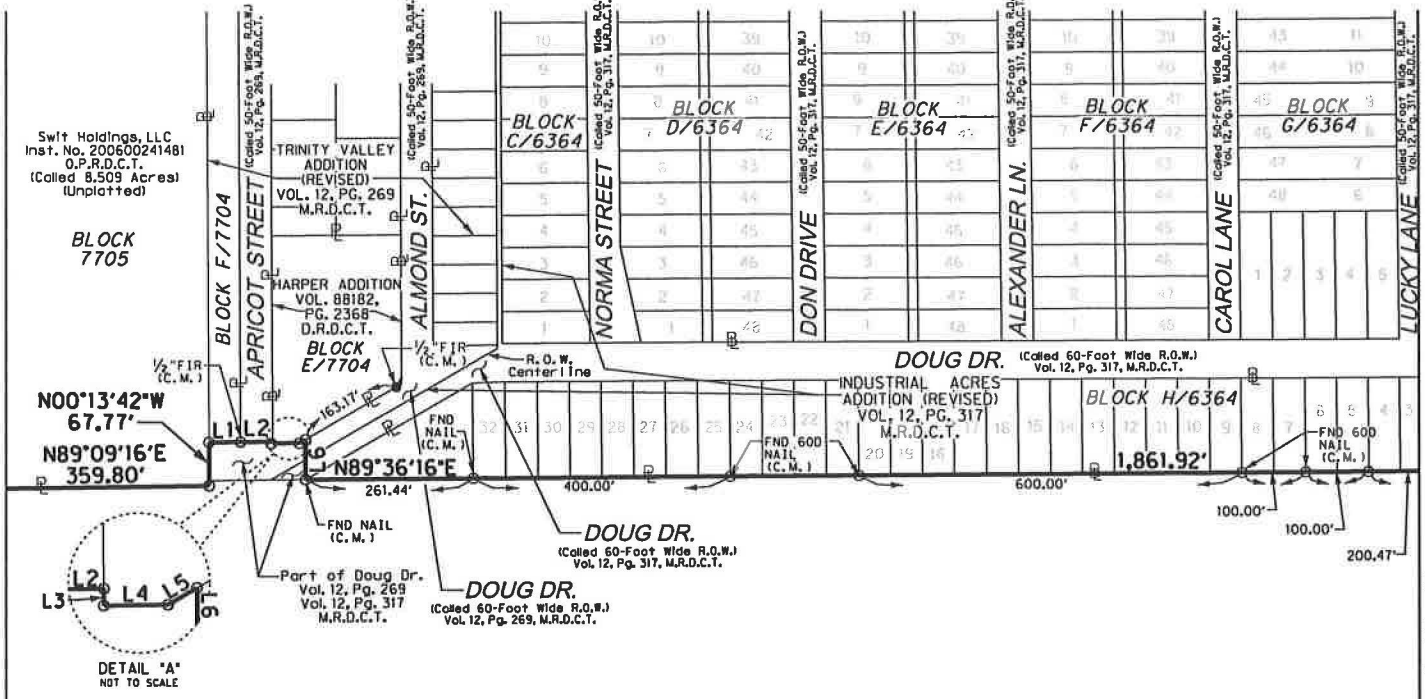
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 79 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-79.dgn
12/12/2014 7:28:44 AM

GIS_Approved



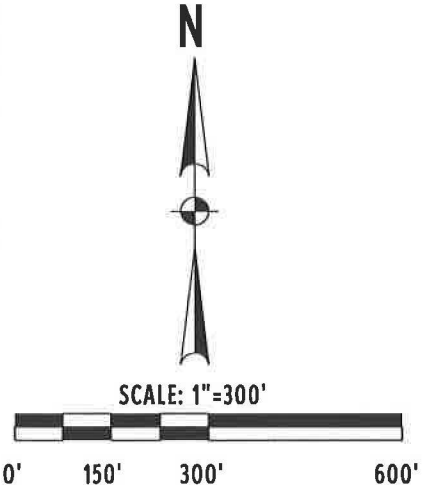
MATCH LINE PAGE 79 OF 117

MATCH LINE PAGE 83 OF 117

City of Dallas
Vol. 73066, Pg. 1073
D.R.D.C.T.
Tract 3
(Called 416.63 Acres)
(Unplatted)

JAMES McLAUGHLIN SURVEY,
ABSTRACT NO. 845

BLOCK 8664



NO.	BEARING	DISTANCE
L1	N89°11'07"E	49.13'
L2	N89°11'07"E	50.00'
L3	S00°13'37"E	2.91'
L4	N89°09'23"E	40.89'
L5	N59°49'23"E	10.79'
L6	S00°23'44"E	62.79'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

MATCH LINE PAGE 81 OF 117

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 80 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-80.DGN
12/12/2014 7:28:12 AM

GIS_Approved

SCALE: 1"=300'

0' 150' 300' 600'

N

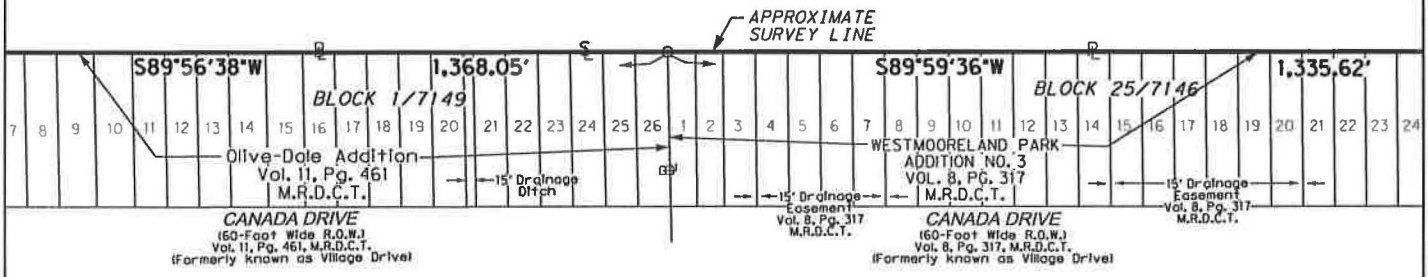
BLOCK 8664

JAMES McLAUGHLIN SURVEY,
ABSTRACT NO. 845

City of Dallas
Vol. 73066, Pg. 1073
D.R.D.C.T.
Tract 3
(Called 416.63 Acres)
(Unplatted)

MATCH LINE PAGE 78 OF 117

MATCH LINE PAGE 82 OF 117



WILLIAM C. MCGOWAN SURVEY,
ABSTRACT NO. 859

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

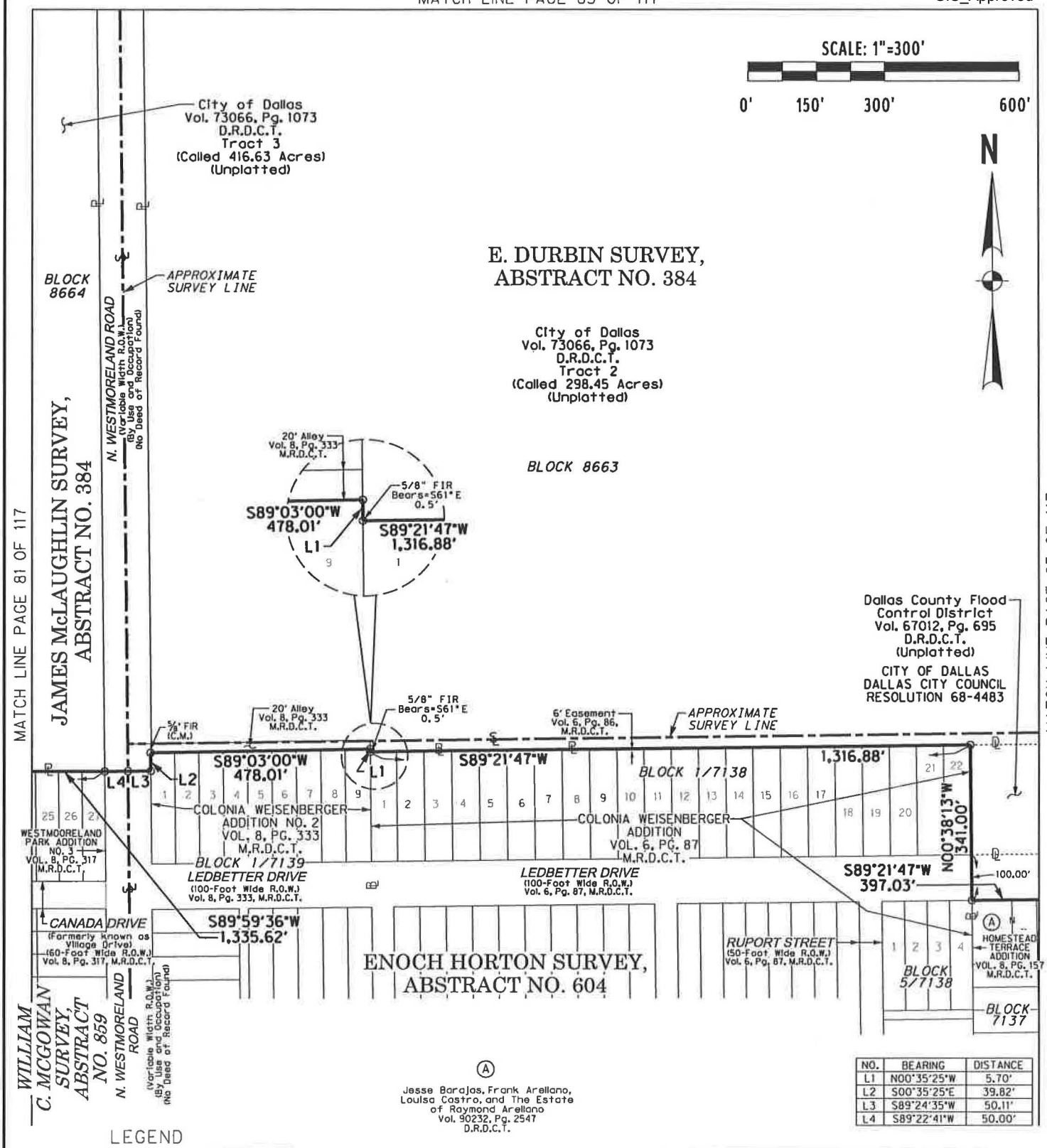
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 81 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-81.DGN
12/12/2014 7:28:05 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	N00°35'25"W	5.70'
L2	S00°35'25"E	39.82'
L3	S89°24'35"W	50.11'
L4	S89°22'41"W	50.00'

MATCH LINE PAGE 81 OF 117

MATCH LINE PAGE 85 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

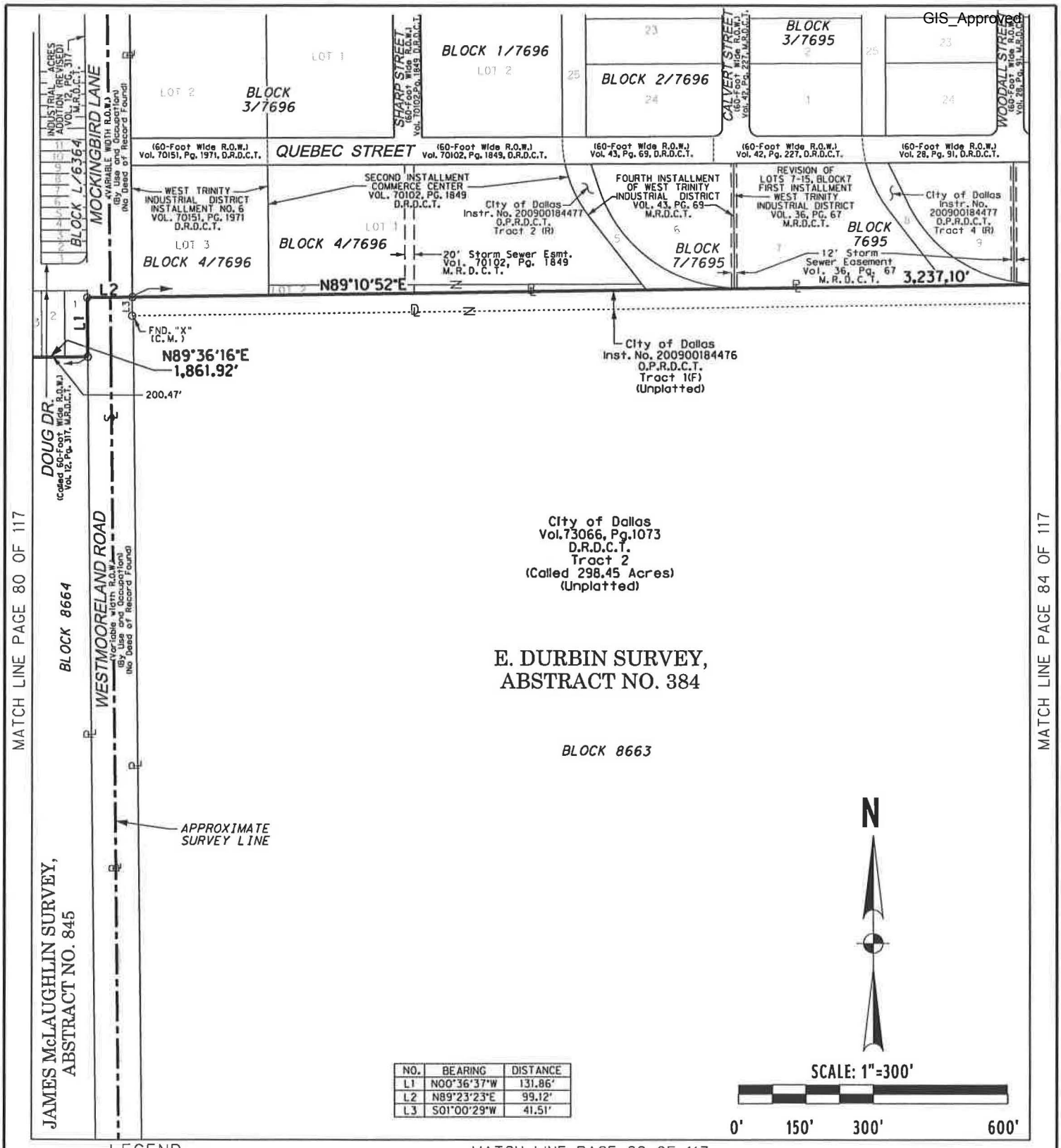
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 82 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-82.DGN
12/12/2014 7:27:56 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	N00°36'37"W	131.86'
L2	N89°23'23"E	99.12'
L3	S01°00'29"W	41.51'

MATCH LINE PAGE 82 OF 117

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

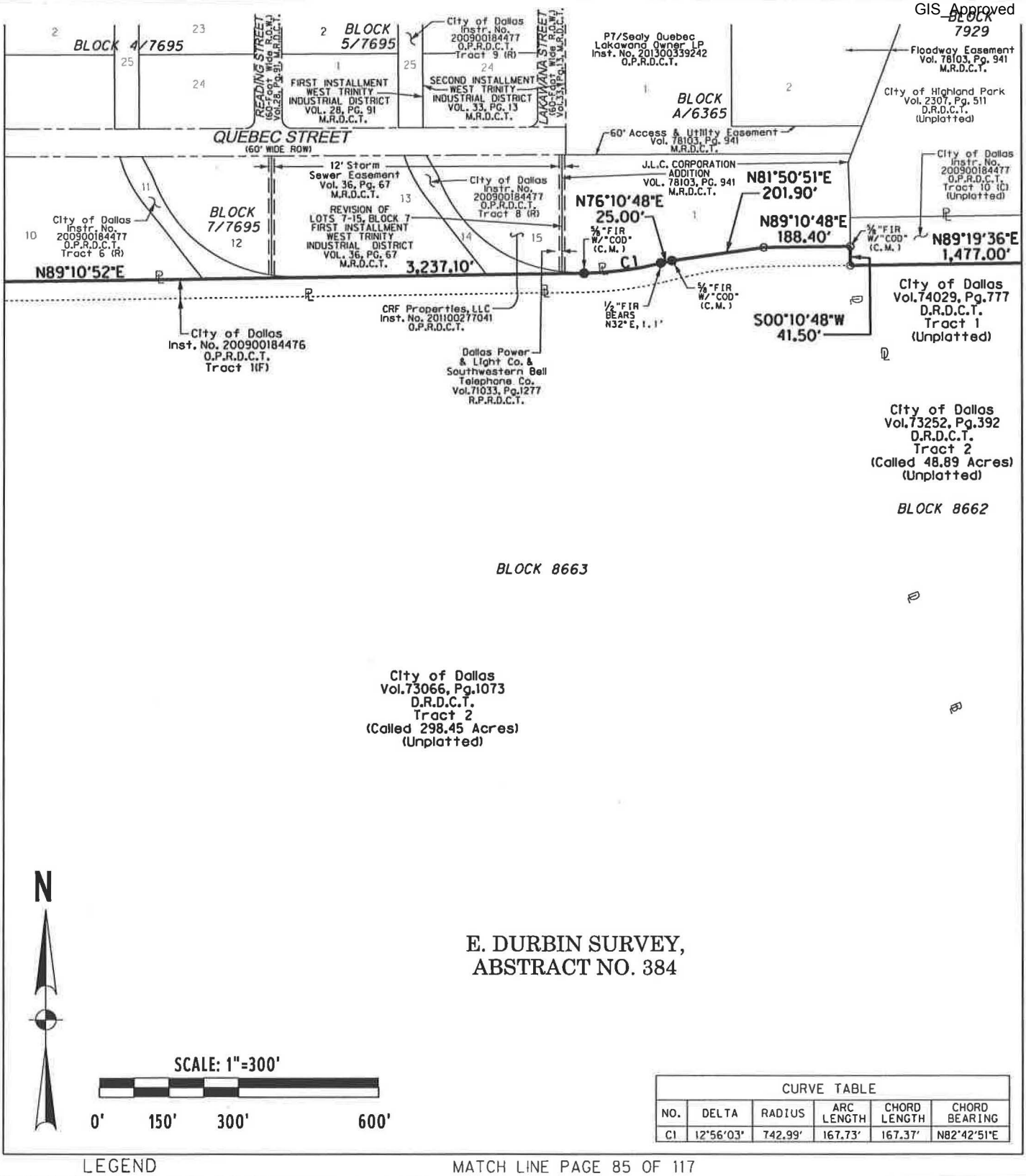
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 83 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-83.DGN
12/12/2014 7:27:46 AM

GIS Approved



N

SCALE: 1"=300'

0' 150' 300' 600'

E. DURBIN SURVEY,
ABSTRACT NO. 384

CURVE TABLE					
NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	12°56'03"	742.99'	167.73'	167.37'	N82°42'51"E

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

MATCH LINE PAGE 85 OF 117

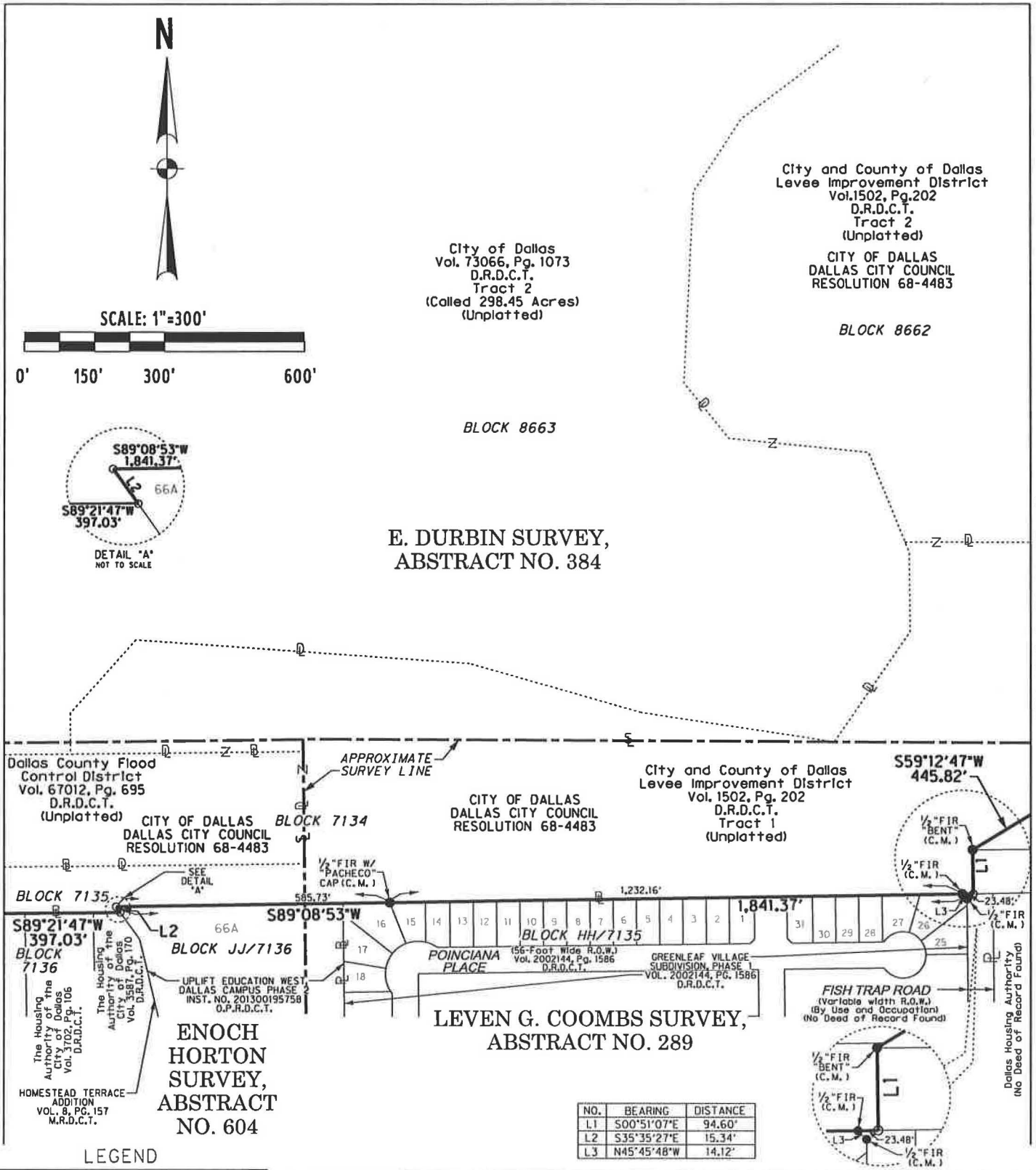
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 84 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-84.DGN
12/12/2014 7:26:02 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	S00°51'07"E	94.60'
L2	S35°35'27"E	15.34'
L3	N45°45'48"W	14.12'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

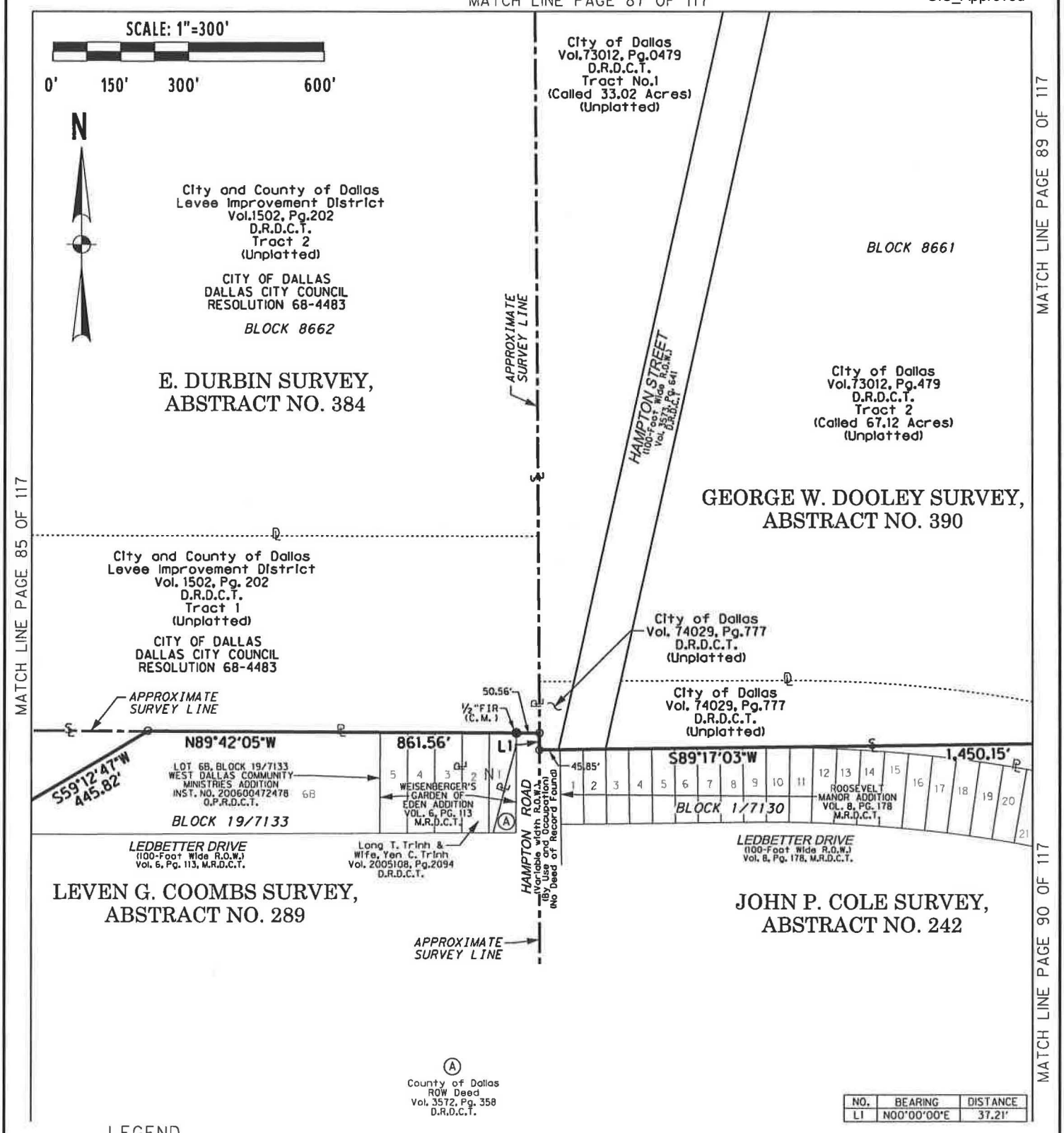
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 85 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-85.DGN
12/12/2014 7:25:53 AM

MATCH LINE PAGE 87 OF 117



NO.	BEARING	DISTANCE
L1	N00°00'00"E	37.21'

LEGEND

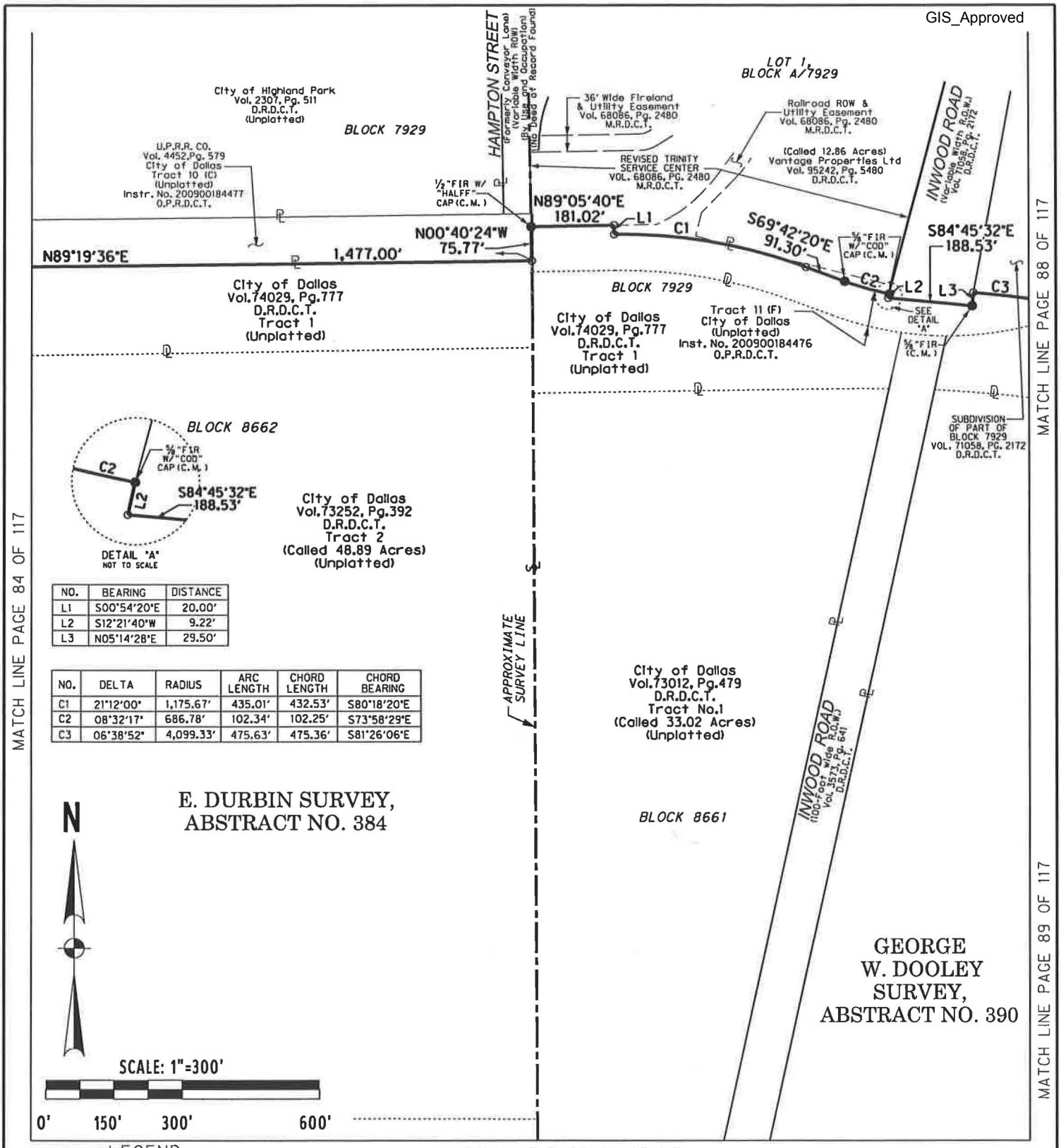
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 86 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-86.DGN
12/12/2014 7:25:46 AM



NO.	BEARING	DISTANCE
L1	S00°54'20"E	20.00'
L2	S12°21'40"W	9.22'
L3	N05°14'28"E	29.50'

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	21°12'00"	1,175.67'	435.01'	432.53'	S80°18'20"E
C2	08°32'17"	686.78'	102.34'	102.25'	S73°58'29"E
C3	06°38'52"	4,099.33'	475.63'	475.36'	S81°26'06"E

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: 12/12/2014
AVO.: 30083 W001
PAGE 87 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-87.DGN
12/12/2014 7:25:38 AM

GIS_Approved

NO.	BEARING	DISTANCE
L1	N00°44'30"W	118.13'
L2	S17°17'15"W	117.01'
L3	S72°25'51"E	51.16'
L4	S70°31'05"E	102.33'
L5	S19°26'10"W	53.00'
L6	N20°52'06"E	51.50'
L7	S66°15'22"E	102.32'
L8	N22°18'03"E	121.51'
L9	S23°43'59"W	124.96'
L10	S61°42'53"E	153.61'
L11	N26°20'53"E	132.99'
L12	S26°40'38"W	136.05'
L13	S59°12'47"E	51.02'
L14	S59°03'23"E	50.95'
L15	S58°54'04"E	50.90'
L16	S59°24'31"E	101.19'
L17	S60°04'30"E	100.00'
L18	S60°04'40"E	190.34'
L19	S00°44'30"E	18.05'
L20	S00°44'30"E	65.97'
L21	N26°20'53"W	82.99'

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	06°14'05"	4,214.83'	458.63'	458.41'	S75°21'33"E
C2	01°25'50"	4,044.83'	101.00'	101.00'	S69°21'39"E
C3	01°25'51"	4,214.83'	105.25'	105.25'	S66°31'08"E
C4	00°41'51"	4,214.83'	51.31'	51.31'	S63°17'24"E

SCALE: 1"=300'

0' 150' 300' 600'

N

Ⓐ Prescott Interests, LTD Inst. No. 201100337934 O.P.R.D.C.T.

Ⓑ Bates Joint Venture II Vol. 98253, Pg. 495 D.R.D.C.T.

Ⓒ Two Rivers Properties, LLC Inst. No. 201200364179 O.P.R.D.C.T. Lot 14-A, Block 1/8570 Replat of Part of Lots 14-15 City Block 1/8570 of Hampton & Industrial Addition Vol. 8525, Pg. 5404 D.R.D.C.T.

Ⓓ City of Dallas Instr. No. 200900184477 O.P.R.D.C.T. Tract 15 (C)

Ⓔ Ladera Investments,LLC Inst. No. 200800036620 O.P.R.D.C.T.

Ⓕ Dallas Power & Light Vol. 72184, Pg. 1272 D.R.D.C.T.

Ⓖ Machinists Tools & Supplies Inc. Vol. 78175, Pg. 3179 D.R.D.C.T.

Ⓗ Jewmore Holdings Limited Liability Company Inst. No. 201100138849 O.P.R.D.C.T.

SUBDIVISION OF PART OF BLOCK 7929 VOL. 71058, PG. 2172 D.R.D.C.T.

Vantage Properties Ltd. Instr. No. 201100189328 D.R.D.C.T. (Called 12.86 Acres)

LOT 3

BLOCK 7929

Δ=06°38'52"
R=4,099.33'
L=475.63'
CL=475.36'
CB=S81°26'06"E

MATCH LINE PAGE 87 OF 117

MATCH LINE PAGE 93 OF 117

MEMPHIS STREET (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

VICKSBURG STREET (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

GRETNA STREET (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

ALGIERS STREET (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

IBERIA STREET (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

MISSISSIPPI AVENUE (50-Foot Wide ROW) Vol. 8, Pg. 185, M.R.D.C.T.

BLOCK 2/8570

BLOCK 4/8570

BLOCK 1/8570

BLOCK 7/8570

BLOCK 10/8570

BLOCK 12/8570

BLOCK 14/8570

HAMPTON & INDUSTRIAL ADDITION VOL. 8, PG. 185 M.R.D.C.T.

TRINIDAD INDUSTRIAL DISTRICT INSTALLMENT NO. 20 VOL. 50, PG. 21 M.R.D.C.T.

⅝"FIR W/"COD" BEARS N78°W, 1.0'

66.95'

⅝"FIR W/"COD" (C.M.)

50.00'

C1

C2

C3

C4

L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13 L14 L15 L16 L17 L18 L19 L20

⅝"FIR (C.M.)

50.00' r1,56

½"FIR W/"SURVEYIN" BEARS N47°E 0.8'

52.00'

⅝"FIR W/"COD" BEARS S71°E, 0.6'

50.00'

½"FIR BEARS N08°W, 1.0'

⅝"FIR W/"COD" BEARS N56°W, 1.1'

S59°34'10"E 2,431.16'

City of Dallas Vol.74029, Pg.777 D.R.D.C.T. Tract 1 (Unplatted)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 11 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 13 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 14 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 16 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 17 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 18 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 19 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 20 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 21 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 22 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 23 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 24 (F)

City of Dallas Inst. No. 200900184476 O.P.R.D.C.T. Tract 25 (F)

City of Dallas Instr. No. 200900184477 O.P.R.D.C.T. Tract 26 (R)

City of Dallas Vol.74029, Pg.777 D.R.D.C.T. Tract 3 (Unplatted)

City of Dallas Vol.73012, Pg.479 D.R.D.C.T. Tract 2 (Called 33.02 Acres) (Unplatted)

City of Dallas Vol.73066, Pg.1073 D.R.D.C.T. Tract 1 (Called 103.34 Acres) (Unplatted)

BLOCK 8661

BLOCK 8660

BLOCK 8659

BLOCK 66/7903

GEORGE W. DOOLEY SURVEY, ABSTRACT NO. 390

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

MATCH LINE PAGE 89 OF 117

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 88 OF 117

i:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-88.dgn
12/12/2014 7:25:31 AM

GIS_Approved

MATCH LINE PAGE 88 OF 117

MATCH LINE PAGE 87 OF 117

MATCH LINE PAGE 86 OF 117

MATCH LINE PAGE 93 OF 117

MATCH LINE PAGE 92 OF 117

SCALE: 1"=300'

0' 150' 300' 600'

N

BLOCK 8661

City of Dallas
Vol.73012, Pg.479
D.R.D.C.T.
Tract 2
(Called 67.12 Acres)
(Unplatted)

BLOCK 8660

City of Dallas
Vol.73066, Pg.1073
D.R.D.C.T.
Tract 1
(Called 103.34 Acres)
(Unplatted)

BLOCK 8659

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
Tract 3
(Unplatted)

GEORGE W. DOOLEY SURVEY,
ABSTRACT NO. 390

Δ=11°23'36"
R=3,012.50'
L=599.04'
CL=598.05'
CB=N67°31'52"W

APPROXIMATE SURVEY LINE

S89°17'03"W
1,450.15'

ROOSEVELT MANOR ADDITION
VOL. 8, PG. 178
M.R.D.C.T.

BLOCK 1/7130

Richard B. Eason
Vol.93146, Pg.3620
D.R.D.C.T.

City of Dallas
Vol. 74005, Pg. 3274
Cause No. CC-73-2837-A
D.R.D.C.T.
(Unplatted)

APPROXIMATE SURVEY LINE

BLOCK 8658

JOHN P. COLE SURVEY,
ABSTRACT NO. 242

JOHN C. READ
SURVEY,
ABSTRACT NO. 1187

MATCH LINE PAGE 90 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 89 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-89.dgn
12/12/2014 7:25:22 AM

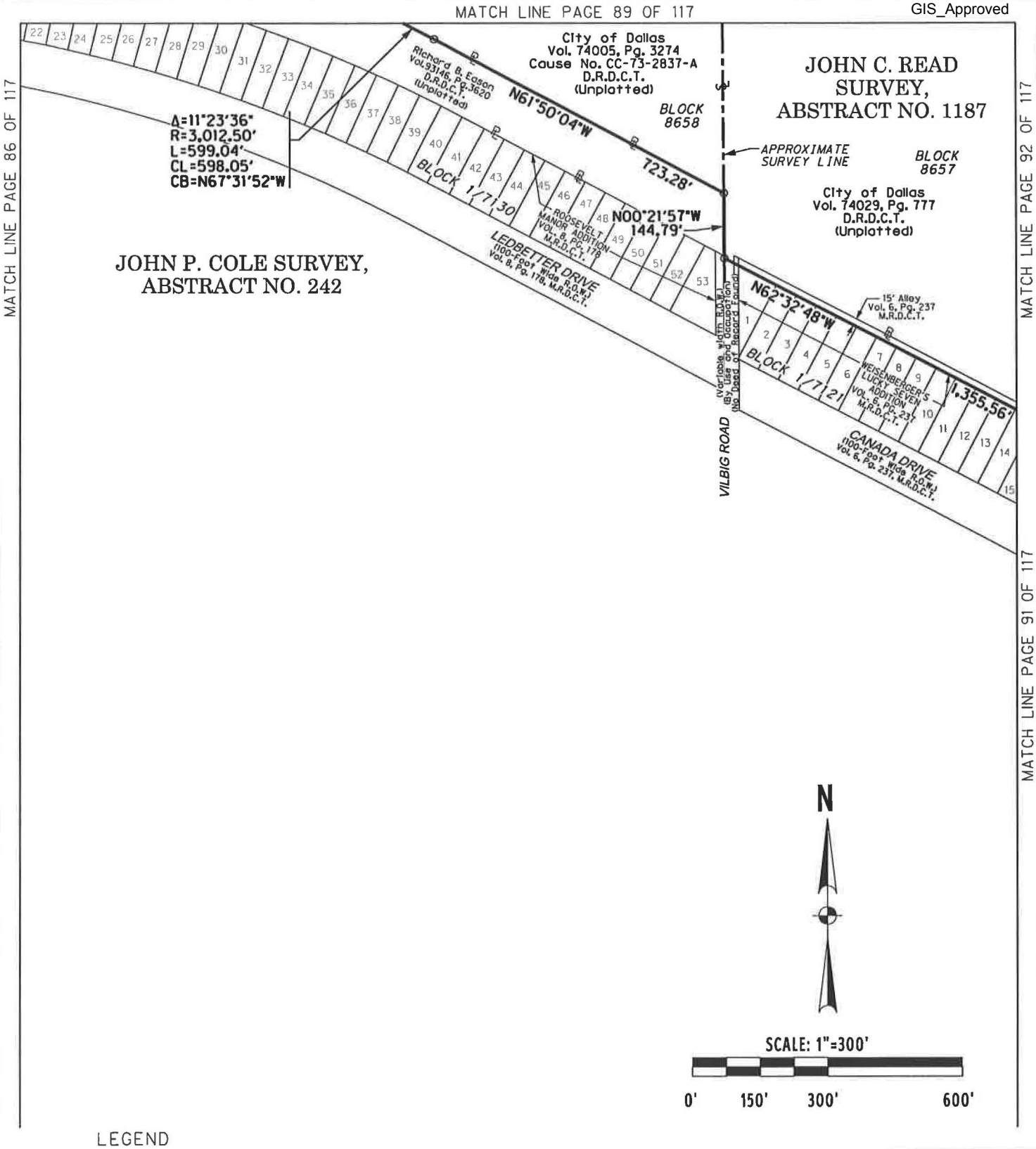
GIS_Approved

MATCH LINE PAGE 89 OF 117

MATCH LINE PAGE 86 OF 117

MATCH LINE PAGE 92 OF 117

MATCH LINE PAGE 91 OF 117



LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

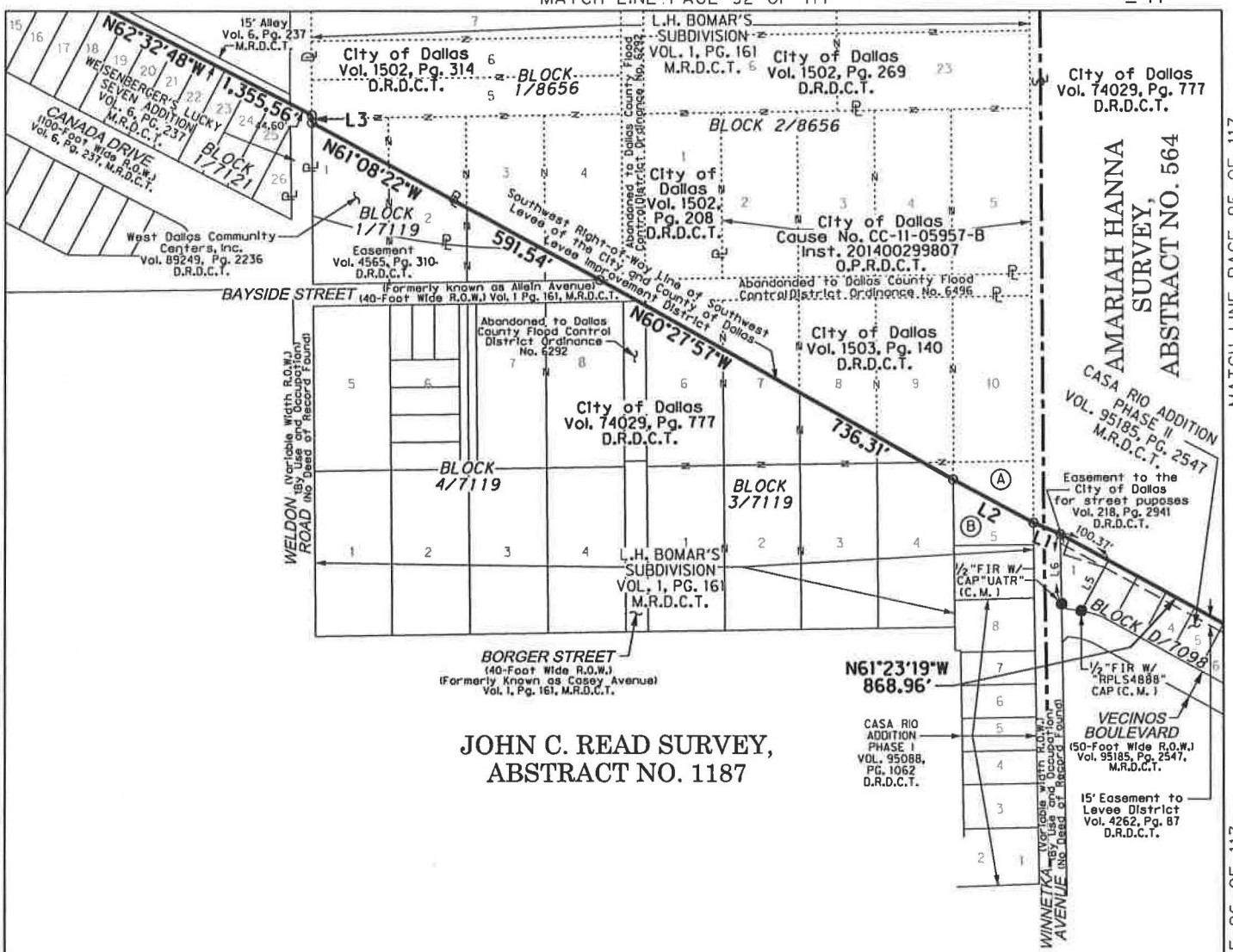
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 90 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-90.dgn
12/12/2014 7:25:14 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	N67°17'39"W	53.22'
L2	N61°42'46"W	165.72'
L3	N00°22'42"W	14.02'

LEGEND

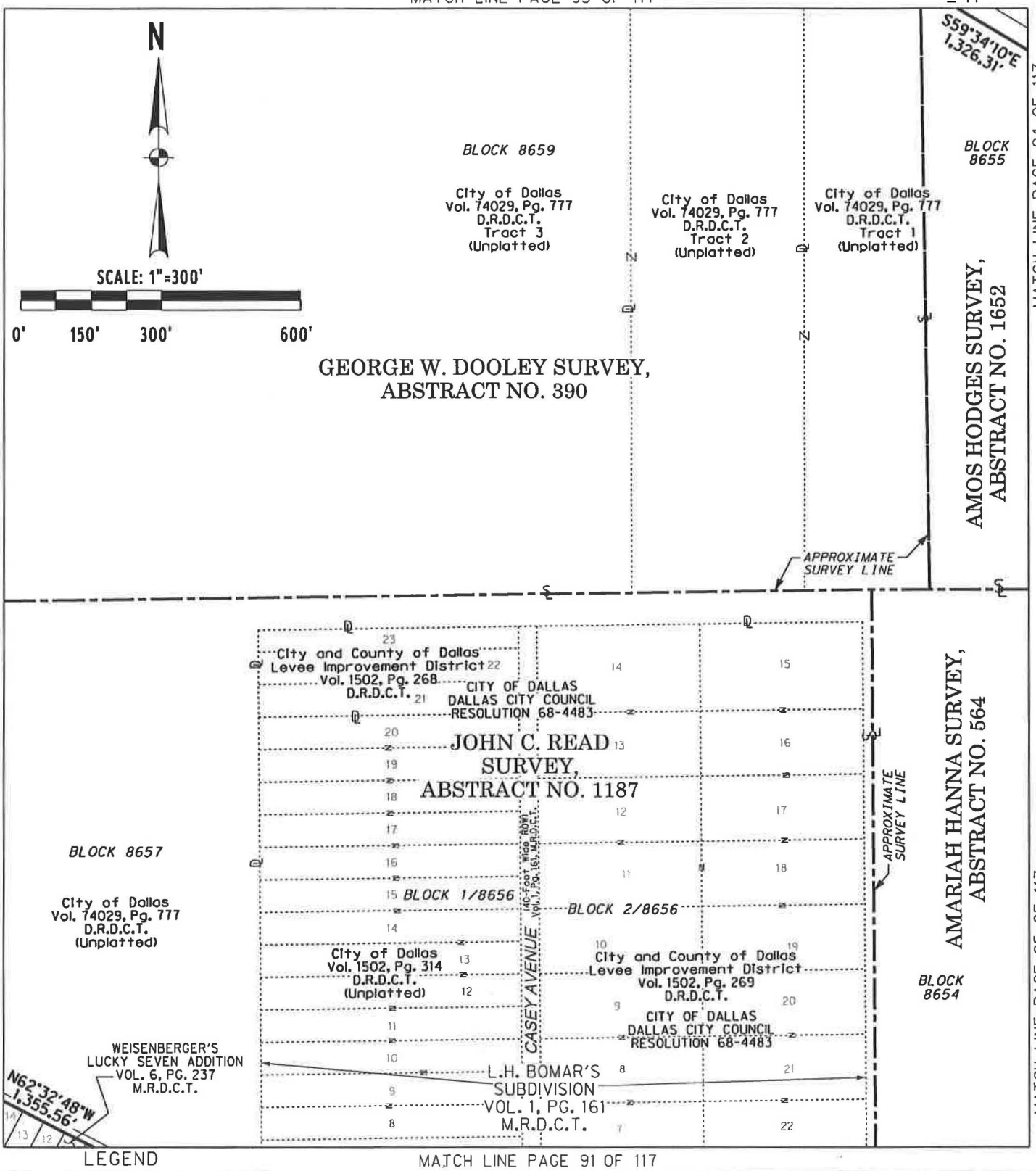
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 91 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-91.dgn
12/12/2014 7:25:05 AM



LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
⅊	PROPERTY LINE
⅊	CITY OF DALLAS BLOCK LINE
⅊	DEED LINE

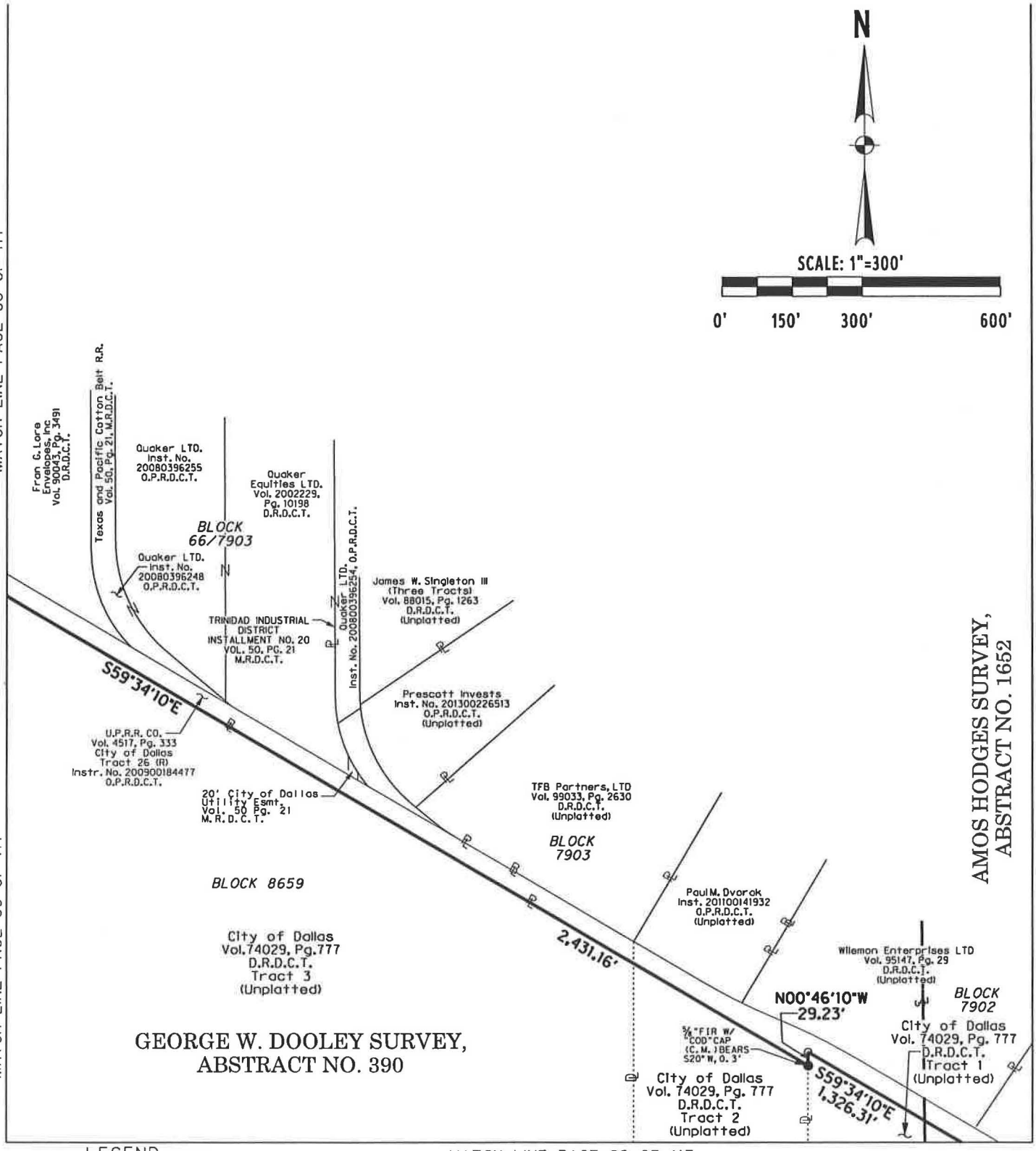
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 92 OF117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-92.dgn
12/12/2014 7:24:57 AM

GIS_Approved



MATCH LINE PAGE 92 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

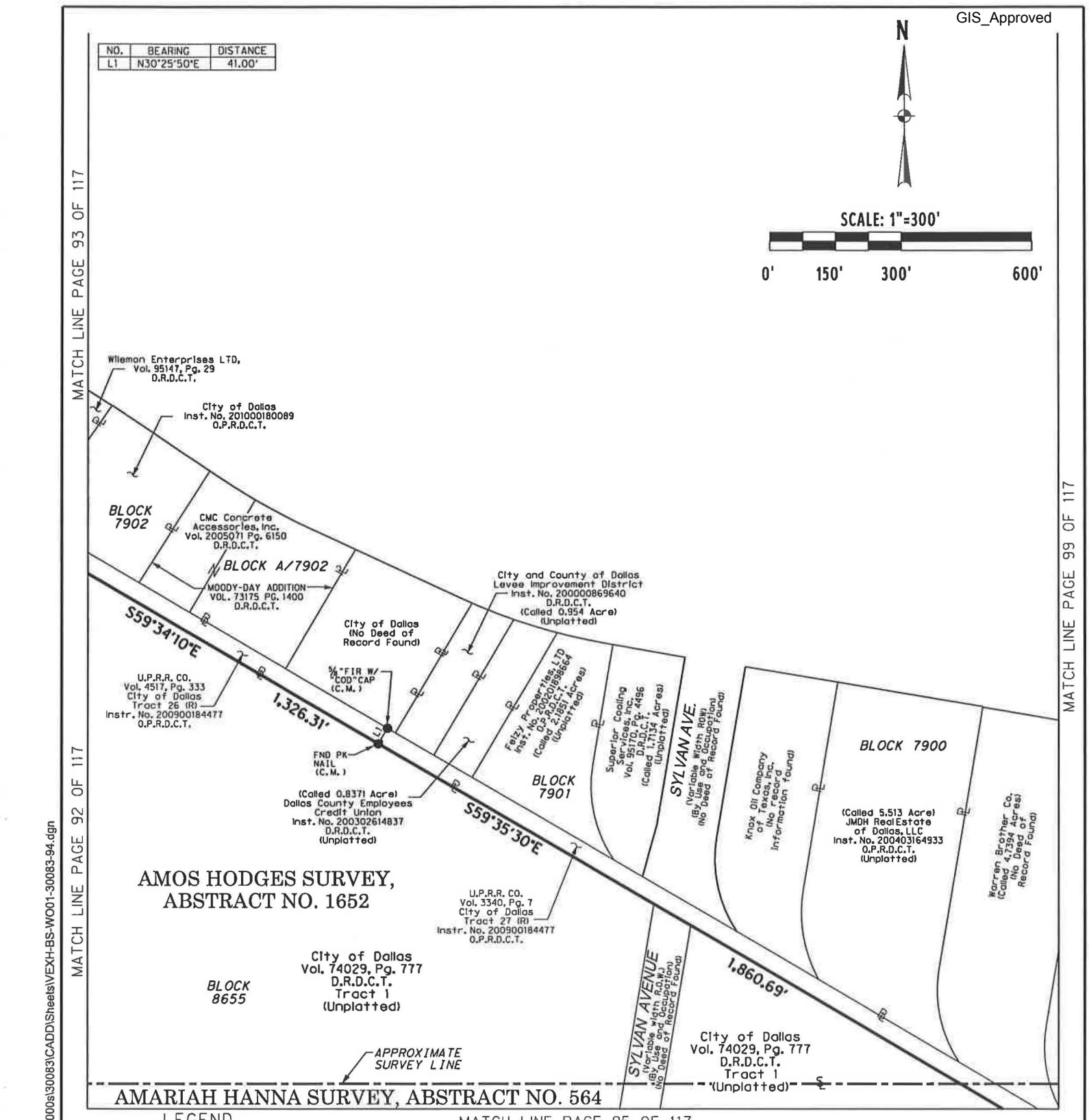
HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 93 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-93.dgn
12/12/2014 7:24:50 AM

GIS_Approved

NO.	BEARING	DISTANCE
L1	N30°25'50"E	41.00'



LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 94 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-94.dgn
12/12/2014 7:24:43 AM

GIS_Approved

MATCH LINE PAGE 94 OF 117

MATCH LINE PAGE 92 OF 117

MATCH LINE PAGE 91 OF 117

MATCH LINE PAGE 99 OF 117

MATCH LINE PAGE 98 OF 117

MATCH LINE PAGE 96 OF 117

S59°35'30"E
1,860.69'

U.P.R.R. CO.
Vol. 3340, Pg. 7
City of Dallas
Tract 27 (R)
Instr. No. 200900184477
O.P.R.D.C.T.

BLOCK 8654

SYLVAN AVENUE
(Variable width R.O.W.)
(By Use and Occupation)
(No Deed of Record Found)

AMARIAH HANNA SURVEY,
ABSTRACT NO. 564

BLOCK 8654

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
Tract 1
(Unplatted)

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
Tract 1
(Unplatted)

VECINOS
BOULEVARD
(50-Foot Wide R.O.W.)
Vol. 95185, Pg. 2547,
M.R.D.C.T.

N61°23'19"W
868.96'

CASA RIO ADDITION
PHASE II
VOL. 95185, PG. 2547
M.R.D.C.T.

N

SCALE: 1"=300'

0' 150' 300' 600'

LEGEND

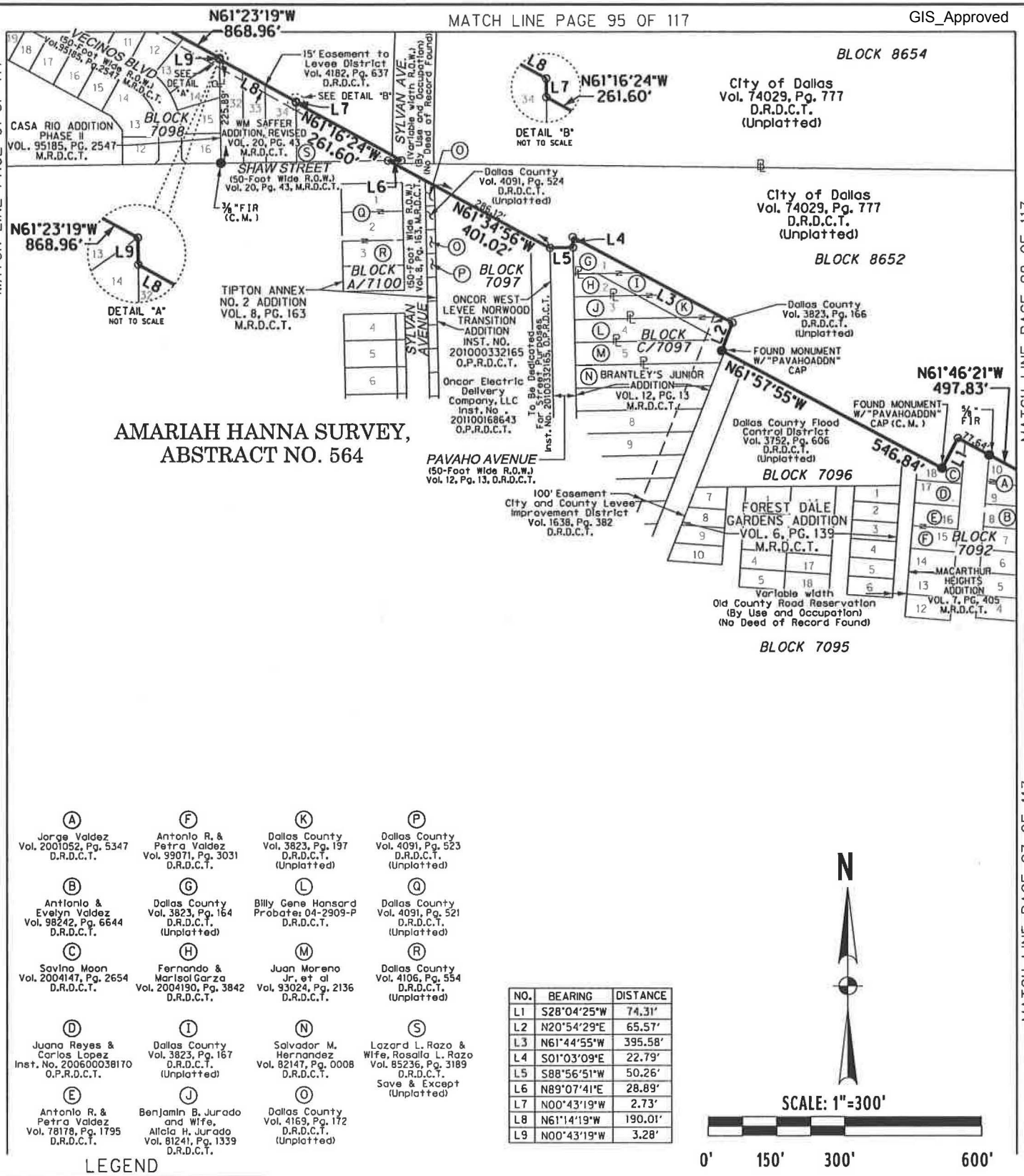
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 95 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-95.dgn
12/12/2014 7:24:34 AM



(A) Jorge Valdez Vol. 2001052, Pg. 5347 D.R.D.C.T.	(F) Antonio R. & Petra Valdez Vol. 99071, Pg. 3031 D.R.D.C.T.	(K) Dallas County Vol. 3823, Pg. 197 D.R.D.C.T. (Unplatted)	(P) Dallas County Vol. 4091, Pg. 523 D.R.D.C.T. (Unplatted)
(B) Antlanio & Evelyn Valdez Vol. 98242, Pg. 6644 D.R.D.C.T.	(G) Dallas County Vol. 3823, Pg. 164 D.R.D.C.T. (Unplatted)	(L) Billy Gene Hansard Probate: 04-2909-P D.R.D.C.T.	(Q) Dallas County Vol. 4091, Pg. 521 D.R.D.C.T. (Unplatted)
(C) Savino Moon Vol. 2004147, Pg. 2654 D.R.D.C.T.	(H) Fernando & Marisol Garza Vol. 2004190, Pg. 3842 D.R.D.C.T.	(M) Juan Moreno Jr. et al Vol. 93024, Pg. 2136 D.R.D.C.T.	(R) Dallas County Vol. 4106, Pg. 554 D.R.D.C.T. (Unplatted)
(D) Juana Reyes & Carlos Lopez Inst. No. 200600038170 O.P.R.D.C.T.	(I) Dallas County Vol. 3823, Pg. 167 D.R.D.C.T. (Unplatted)	(N) Salvador M. Hernandez Vol. 82147, Pg. 0008 D.R.D.C.T.	(S) Lazard L. Razo & Wife, Rosalia L. Razo Vol. 85236, Pg. 3189 D.R.D.C.T. Save & Except (Unplatted)
(E) Antonio R. & Petra Valdez Vol. 78178, Pg. 1795 D.R.D.C.T.	(J) Benjamin B. Jurado and Wife, Alicia H. Jurado Vol. 81241, Pg. 1339 D.R.D.C.T.	(O) Dallas County Vol. 4169, Pg. 172 D.R.D.C.T. (Unplatted)	

NO.	BEARING	DISTANCE
L1	S28°04'25"W	74.31'
L2	N20°54'29"E	65.57'
L3	N61°44'55"W	395.58'
L4	S01°03'09"E	22.79'
L5	S88°56'51"W	50.26'
L6	N89°07'41"E	28.89'
L7	N00°43'19"W	2.73'
L8	N61°14'19"W	190.01'
L9	N00°43'19"W	3.28'

N

SCALE: 1"=300'

0' 150' 300' 600'

LEGEND

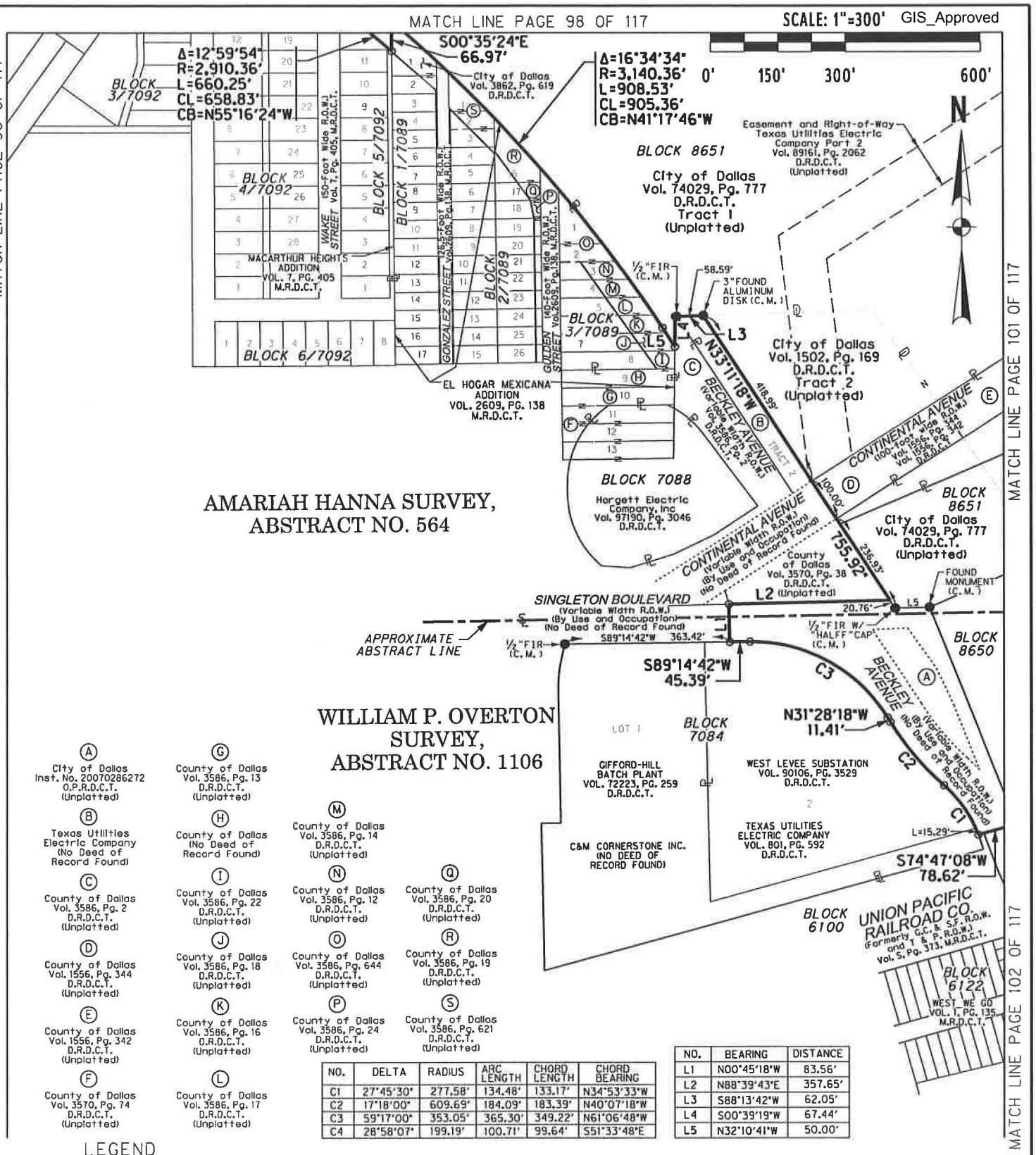
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 96 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-96.dgn
12/12/2014 7:24:26 AM



NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	27°45'30"	277.58'	134.48'	133.17'	N34°53'33"W
C2	17°18'00"	609.69'	184.09'	183.39'	N40°07'18"W
C3	59°17'00"	353.05'	365.30'	349.22'	N61°06'48"W
C4	28°58'07"	199.19'	100.71'	99.64'	S51°33'48"E

NO.	BEARING	DISTANCE
L1	N00°45'18"W	83.56'
L2	N88°39'43"E	357.65'
L3	S88°13'42"W	62.05'
L4	S00°39'19"W	67.44'
L5	N32°10'41"W	50.00'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 97 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-97.dgn
12/12/2014 7:24:16 AM

GIS_Approved

MATCH LINE PAGE 99 OF 117

MATCH LINE PAGE 95 OF 117

MATCH LINE PAGE 96 OF 117

MATCH LINE PAGE 100 OF 117

MATCH LINE PAGE 101 OF 117

MATCH LINE PAGE 97 OF 117

NO.	BEARING	DISTANCE
L1	S00°35'24"E	66.97'

Δ=18°50'37"
R=4,708.70'
L=1,548.62'
CL=1,541.65'
CB=S50°07'38"E

TRINITY INDUSTRIAL DISTRICT INSTALLMENT NO 6 VOL. 15, PG. 291, D.R.D.C.T.

TRACT 28(F) CITY OF DALLAS INST. NO. 20090018476 O.P.R.D.C.T.

BLOCK 8654

BLOCK 8653

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
(Unplatted)

AMARIAH HANNA SURVEY,
ABSTRACT NO. 564

BLOCK 8652

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
Tract 1
(Unplatted)

BLOCK 8651

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
Tract 1
(Unplatted)

Δ=12°59'54"
R=2,910.36'
L=660.25'
CL=658.83'
CB=N55°16'24"W

N61°46'21"W
497.83'

L=512.51'

BECKLEY AVENUE
(50-Foot Wide ROW)
Vol. 7, Pg. 405, M.R.D.C.T.

TURTLE CREEK BLVD.
(Variable Width ROW)
Vol. 7, Pg. 405, M.R.D.C.T.

BLOCK 2/7092

MACARTHUR HEIGHTS ADDITION
VOL. 7, PG. 405
M.R.D.C.T.

BLOCK 3/7092

BLOCK 4/7092

½" FIR (C.M.)

WAKE STREET
(50-Foot Wide ROW)
Vol. 7, Pg. 405, M.R.D.C.T.

L=147.74'

HERBERT STREET
(50-Foot Wide ROW)
Vol. 7, Pg. 405, M.R.D.C.T.

L1

Δ=16°34'34"
R=3,140.36'
L=908.53'
CL=905.36'
CB=N41°17'46"W

N

SCALE: 1"=300'

0' 150' 300' 600'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 98 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-98.dgn
12/12/2014 7:24:06 AM

GIS_Approved

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	22°32'56"	440.28'	173.27'	172.16'	S48°19'02"E

NO.	BEARING	DISTANCE
L1	S30°38'34"W	67.09'

SCALE: 1"=300'

0' 150' 300' 600'

N

MATCH LINE PAGE 94 OF 117

MATCH LINE PAGE 95 OF 117

MATCH LINE PAGE 100 OF 117

AMOS HODGES SURVEY,
ABSTRACT NO. 1652

S59°35'30"E
1,860.69'

U.P.R.R. CO.
Vol. 3340, Pg. 7
City of Dallas
Tract 27 (R)
Instr. No. 200900184477
O.P.R.D.C.T.

C1

L1

5/8" FIR W/ "COD" CAP (C.M.)

324.07'

S59°32'56"E

5/8" FIR W/ "COD" CAP BEARS S29°E, 1.2'

TRINITY INDUSTRIAL DISTRICT
INSTALLMENT NO. 8 & INSTALLMENT NO. 9
VOL. 16, PG. 331
M.R.D.C.T.

BLOCK 25/7890

BLOCK 22/7890

1,216.00'

TRINITY INDUSTRIAL DISTRICT
INSTALLMENT NO. 10
VOL. 16, PG. 259
M.R.D.C.T.

BLOCK 22/6850

TRACT 28(F)
CITY OF DALLAS
INST. NO. 200900184476
O.P.R.D.C.T.

AMARIAH HANNA SURVEY,
ABSTRACT NO. 564

BLOCK 8654

BLOCK 8653

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
(Unplatted)

Δ=18°50'37"
R=4,708.70'
L=1,548.62'
CL=1,541.65'
CB=S50°07'38"E

BLOCK 19/6849

TRINITY INDUSTRIAL DISTRICT
INSTALLMENT NO. 6
VOL. 15, PG. 297
M.R.D.C.T.

MATCH LINE PAGE 98 OF 117

LEGEND

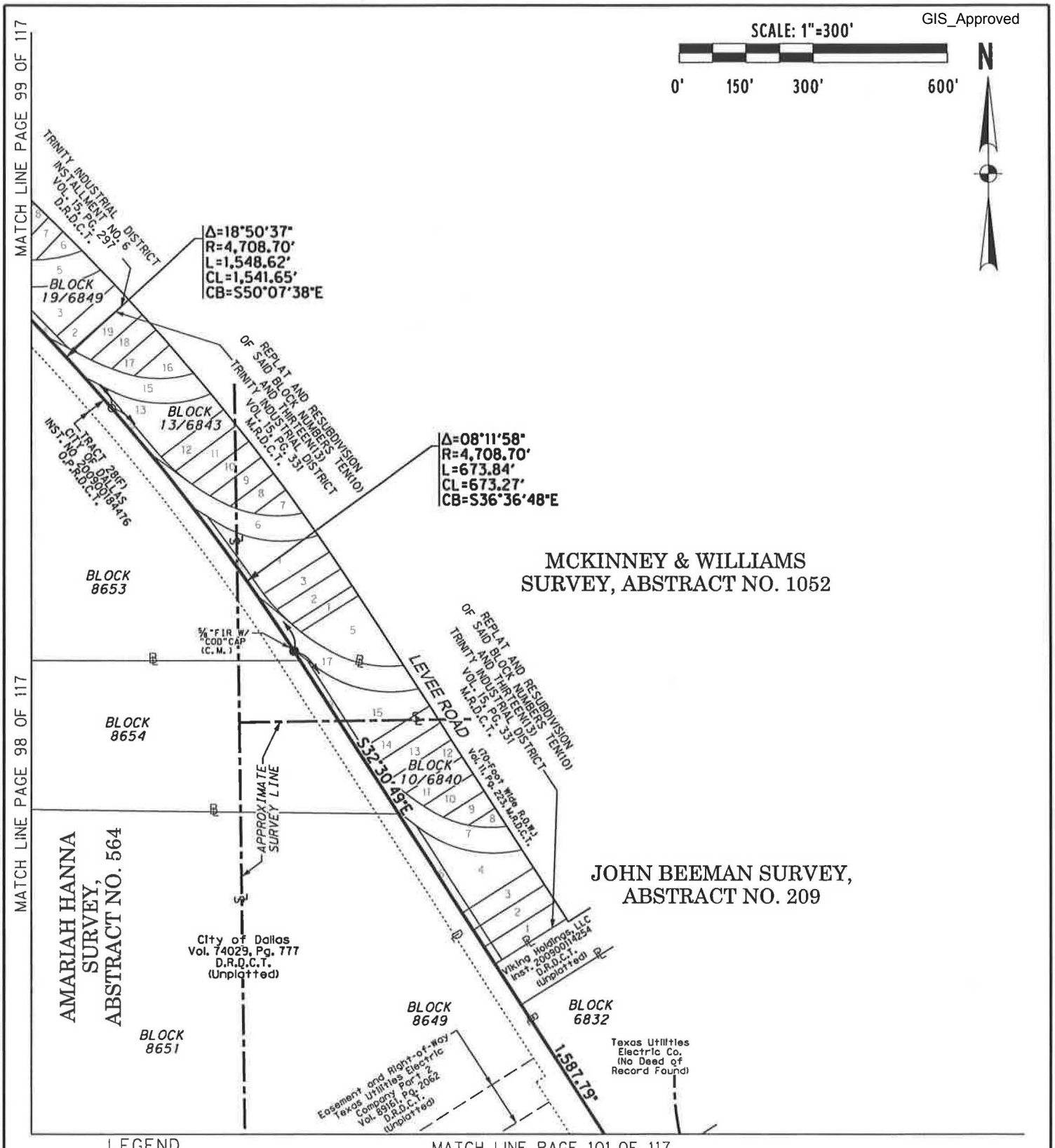
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 99 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-99.dgn
12/12/2014 7:23:57 AM



LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

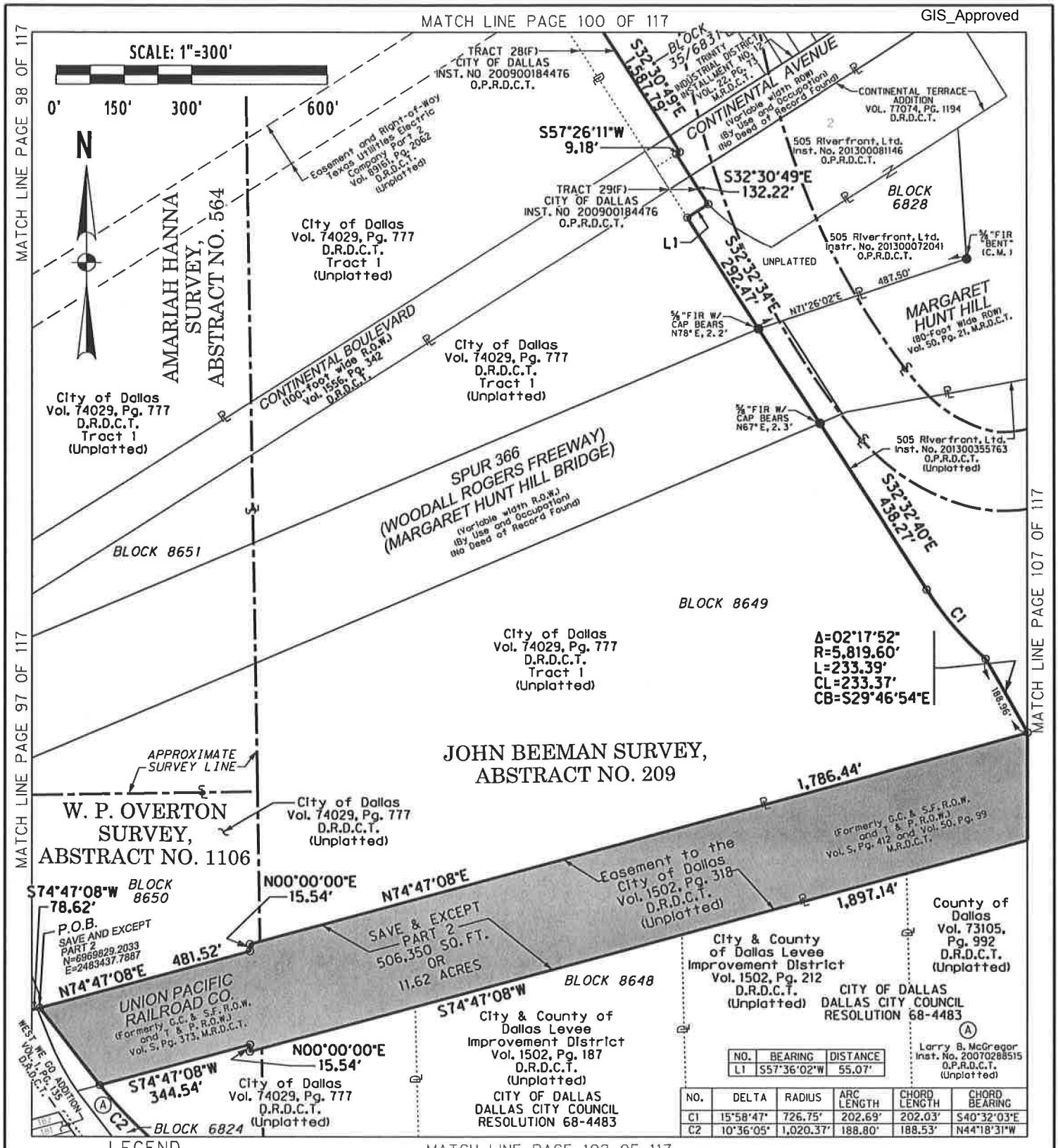
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: 12/12/2014
AVO.: 30083 W001
PAGE 100 OF 117

12/12/2014 7:23:48 AM I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-100.dgn

GIS_Approved



LEGEND

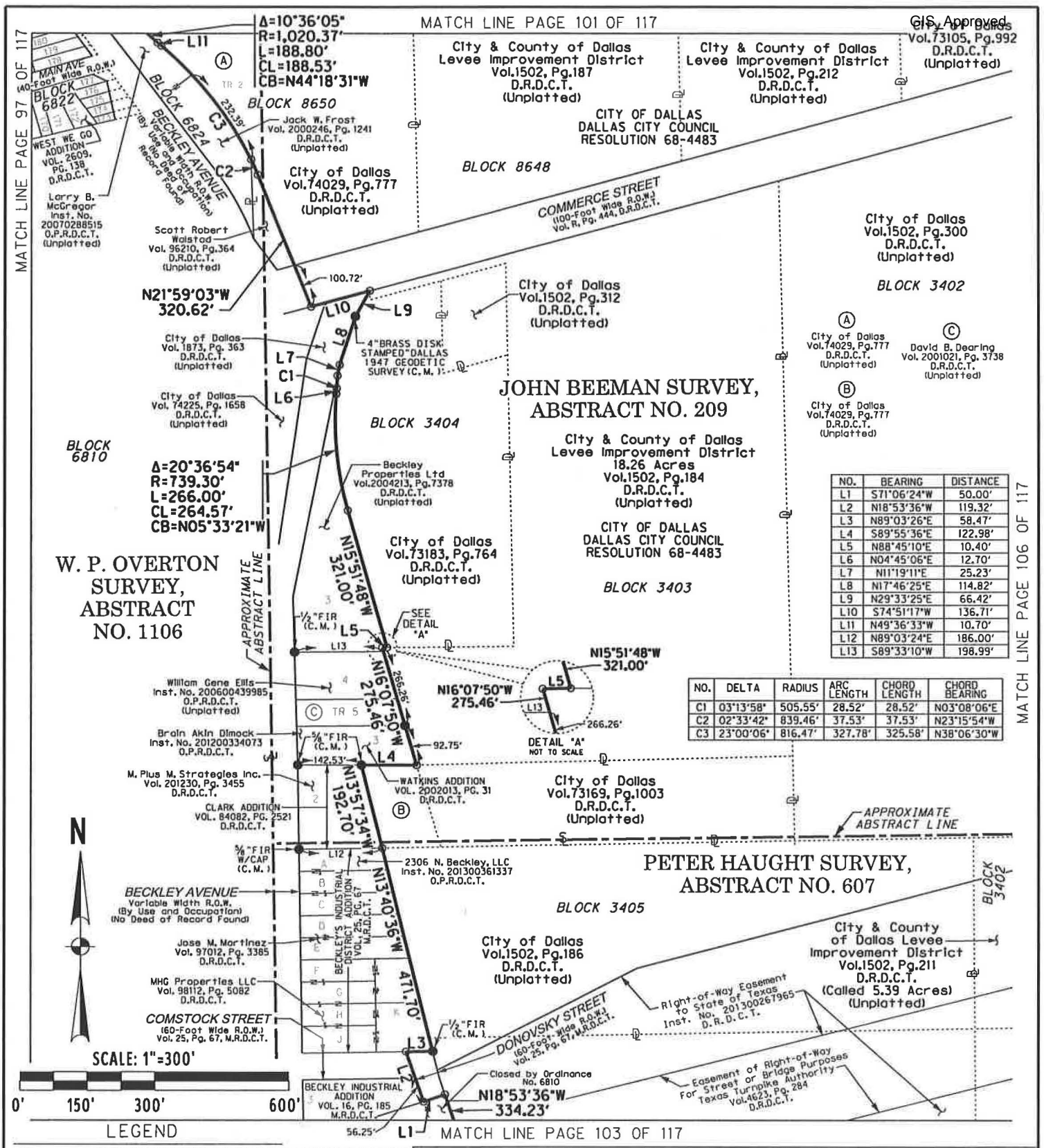
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 101 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-101.dgn
12/12/2014 7:23:39 AM



NO.	BEARING	DISTANCE
L1	S71°06'24"W	50.00'
L2	N18°53'36"W	119.32'
L3	N89°03'26"E	58.47'
L4	S89°55'36"E	122.98'
L5	N88°45'10"E	10.40'
L6	N04°45'06"E	12.70'
L7	N11°19'11"E	25.23'
L8	N17°46'25"E	114.82'
L9	N29°33'25"E	66.42'
L10	S74°51'17"W	136.71'
L11	N49°36'33"W	10.70'
L12	N89°03'24"E	186.00'
L13	S89°33'10"W	198.99'

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	03°13'58"	505.55'	28.52'	28.52'	N03°08'06"E
C2	02°33'42"	839.46'	37.53'	37.53'	N23°15'54"W
C3	23°00'06"	816.47'	327.78'	325.58'	N38°06'30"W

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

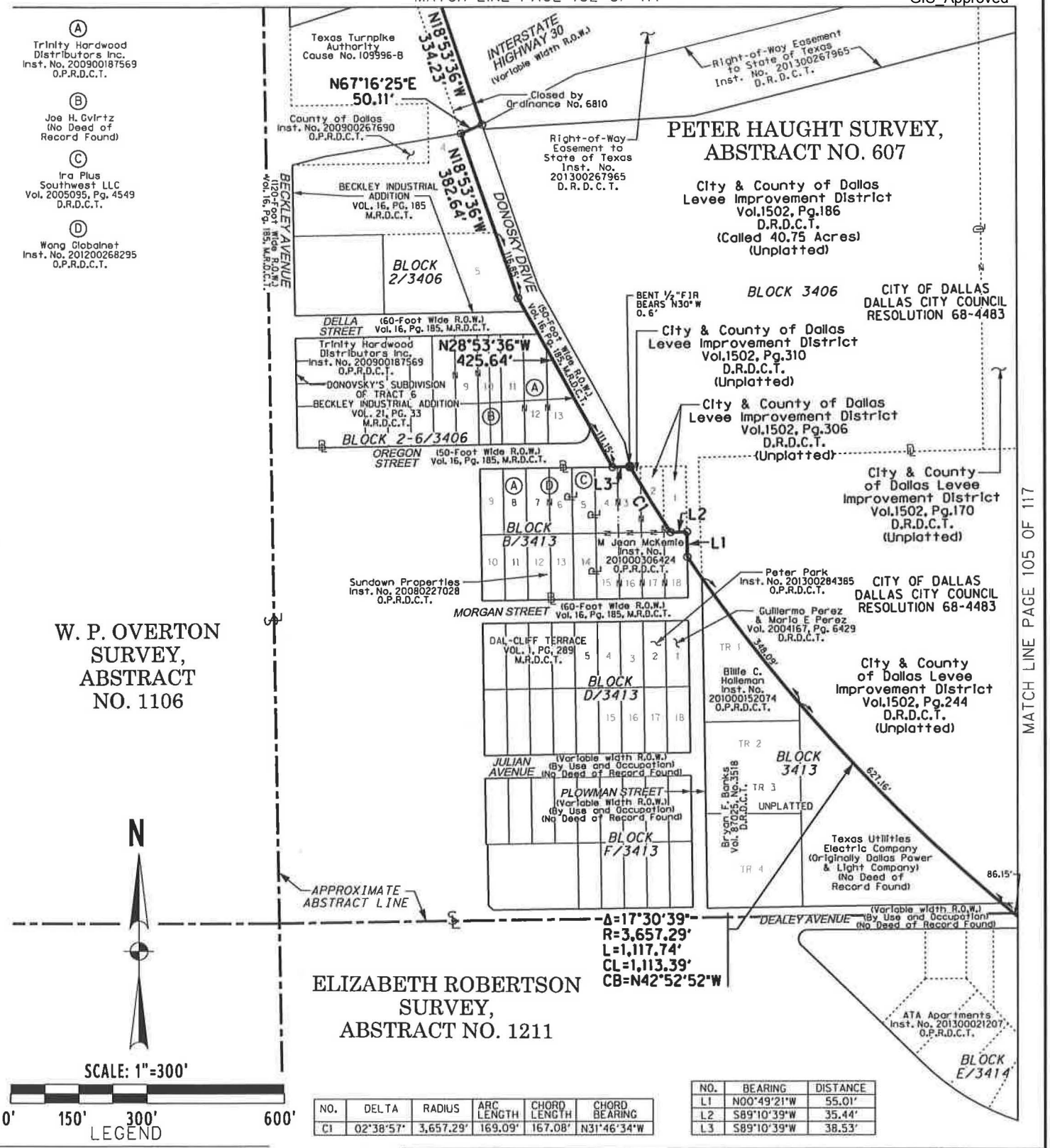
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE102 OF117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-102.dgn
12/12/2014 7:23:29 AM

GIS_Approved



NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	02°38'57"	3,657.29'	169.09'	167.08'	N31°46'34"W

NO.	BEARING	DISTANCE
L1	N00°49'21"W	55.01'
L2	S89°10'39"W	35.44'
L3	S89°10'39"W	38.53'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

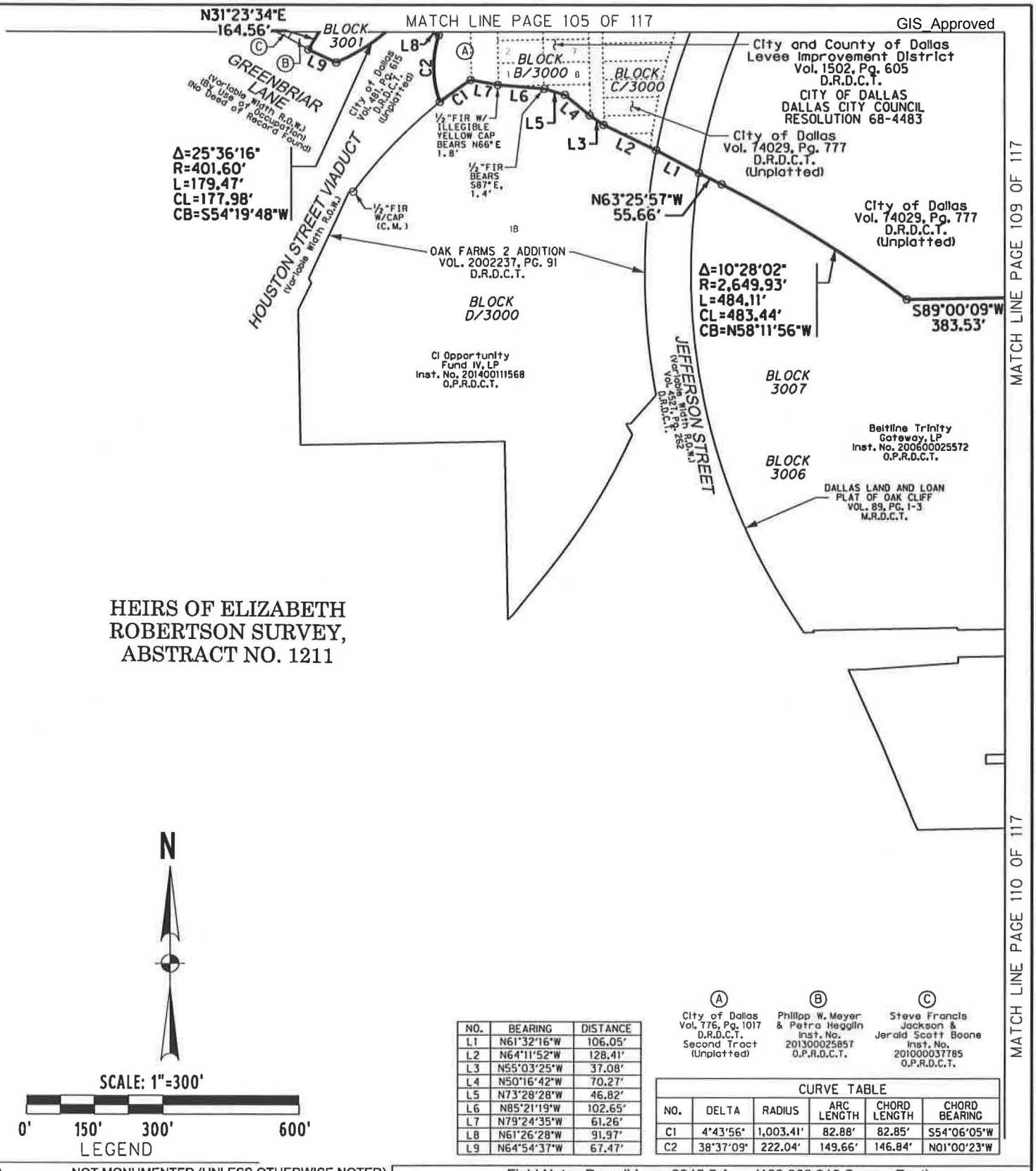
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 103 OF 117

MATCH LINE PAGE 105 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-103.dgn
12/12/2014 7:23:20 AM



NO.	BEARING	DISTANCE
L1	N61°32'16"W	106.05'
L2	N64°11'52"W	128.41'
L3	N55°03'25"W	37.08'
L4	N50°16'42"W	70.27'
L5	N73°28'28"W	46.82'
L6	N85°21'19"W	102.65'
L7	N79°24'35"W	61.26'
L8	N61°26'28"W	91.97'
L9	N64°54'37"W	67.47'

Ⓐ City of Dallas Vol. 776, Pg. 1017 D.R.D.C.T. Second Tract (Unplatted)

Ⓑ Philipp W. Meyer & Petra Heggiin Inst. No. 201300025857 O.P.R.D.C.T.

Ⓒ Steve Francis Jackson & Jerald Scott Boone Inst. No. 201000037785 O.P.R.D.C.T.

CURVE TABLE					
NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	4°43'56"	1,003.41'	82.88'	82.85'	S54°06'05"W
C2	38°37'09"	222.04'	149.66'	146.84'	N01°00'23"W

LEGEND

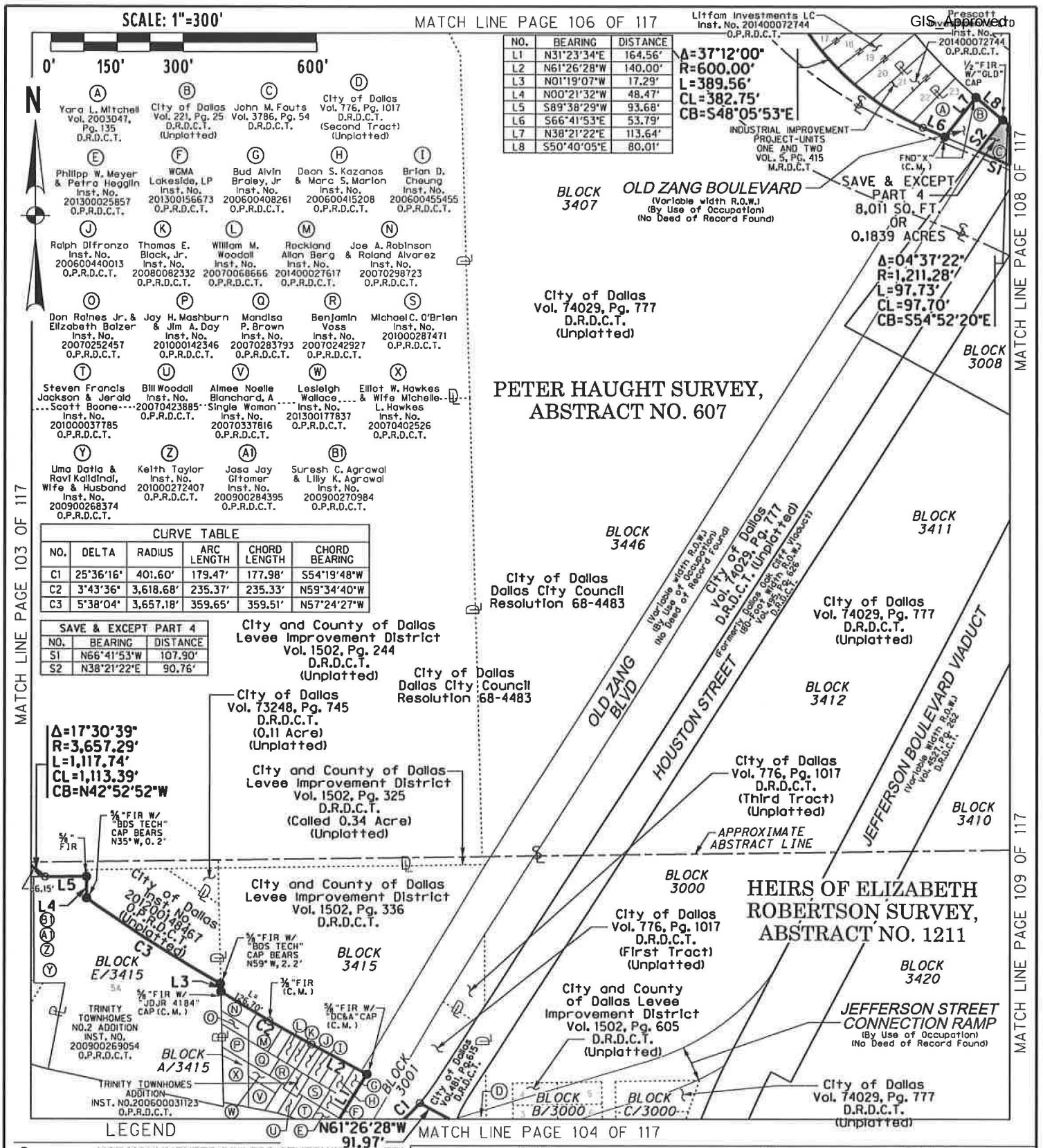
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 104 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-104.dgn
12/12/2014 7:23:08 AM



LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

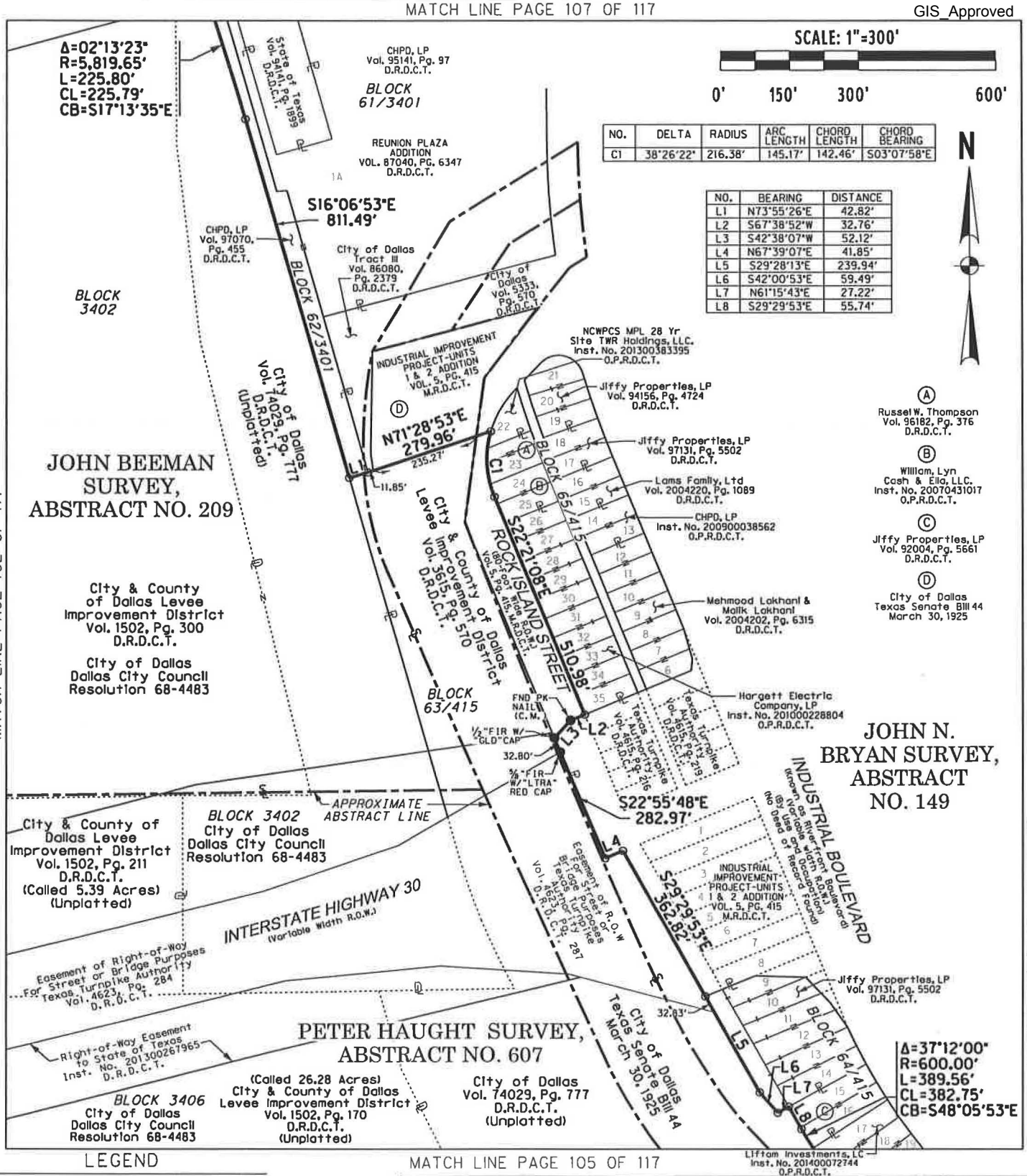
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 105 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-105.dgn
12/12/2014 7:22:59 AM

GIS_Approved



NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	38°26'22"	216.38'	145.17'	142.46'	S03°07'58"E

NO.	BEARING	DISTANCE
L1	N73°55'26"E	42.82'
L2	S67°38'52"W	32.76'
L3	S42°38'07"W	52.12'
L4	N67°39'07"E	41.85'
L5	S29°28'13"E	239.94'
L6	S42°00'53"E	59.49'
L7	N61°15'43"E	27.22'
L8	S29°29'53"E	55.74'

MATCH LINE PAGE 102 OF 117

MATCH LINE PAGE 108 OF 117

MATCH LINE PAGE 105 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: 12/12/2014

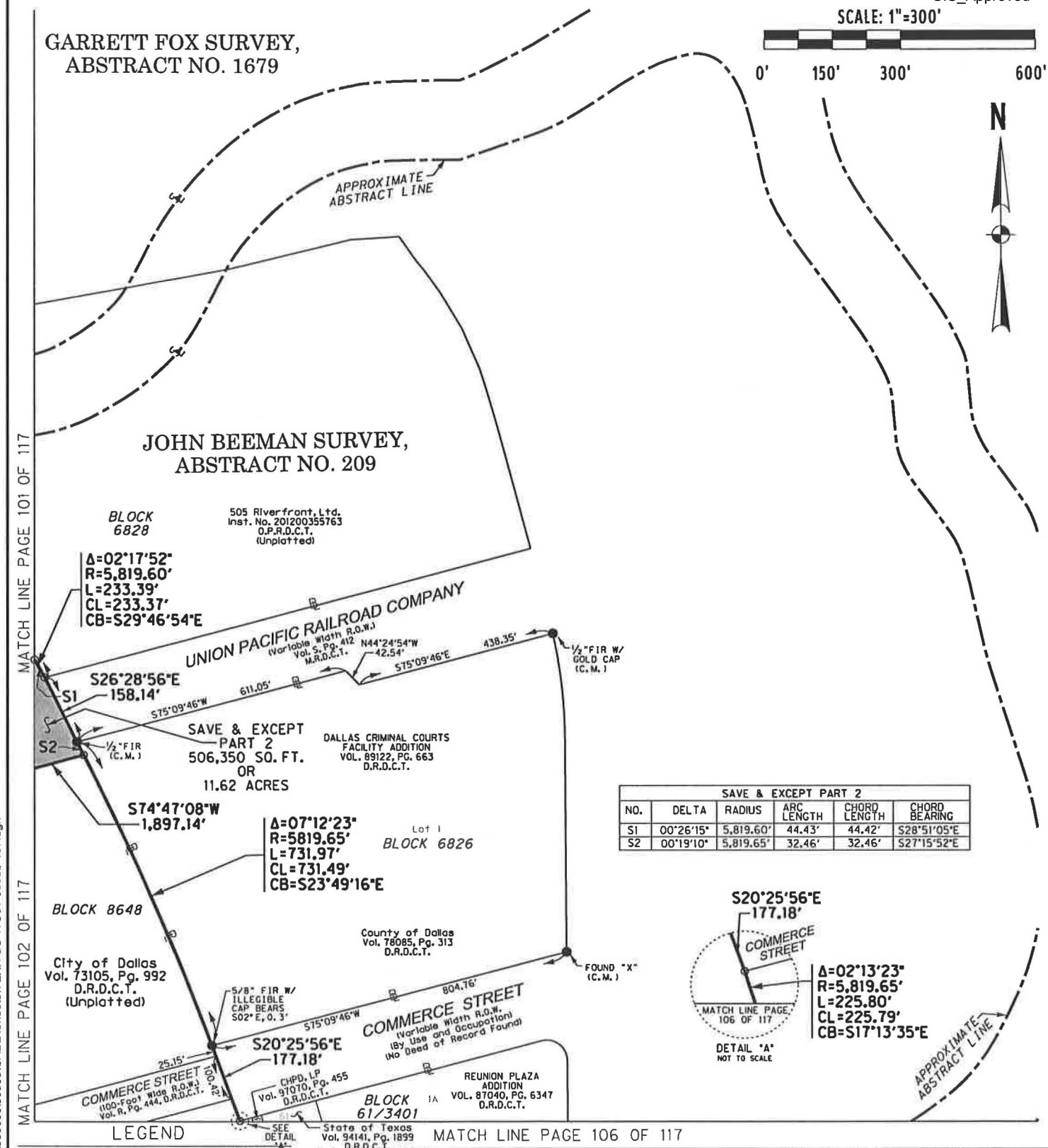
AVO.: 30083 WO01

PAGE 106 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-106.dgn

12/12/2014 7:22:48 AM

GIS_Approved



SAVE & EXCEPT PART 2					
NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
S1	00°26'15"	5,819.60'	44.43'	44.42'	S28°51'05"E
S2	00°19'10"	5,819.65'	32.46'	32.46'	S27°15'52"E

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

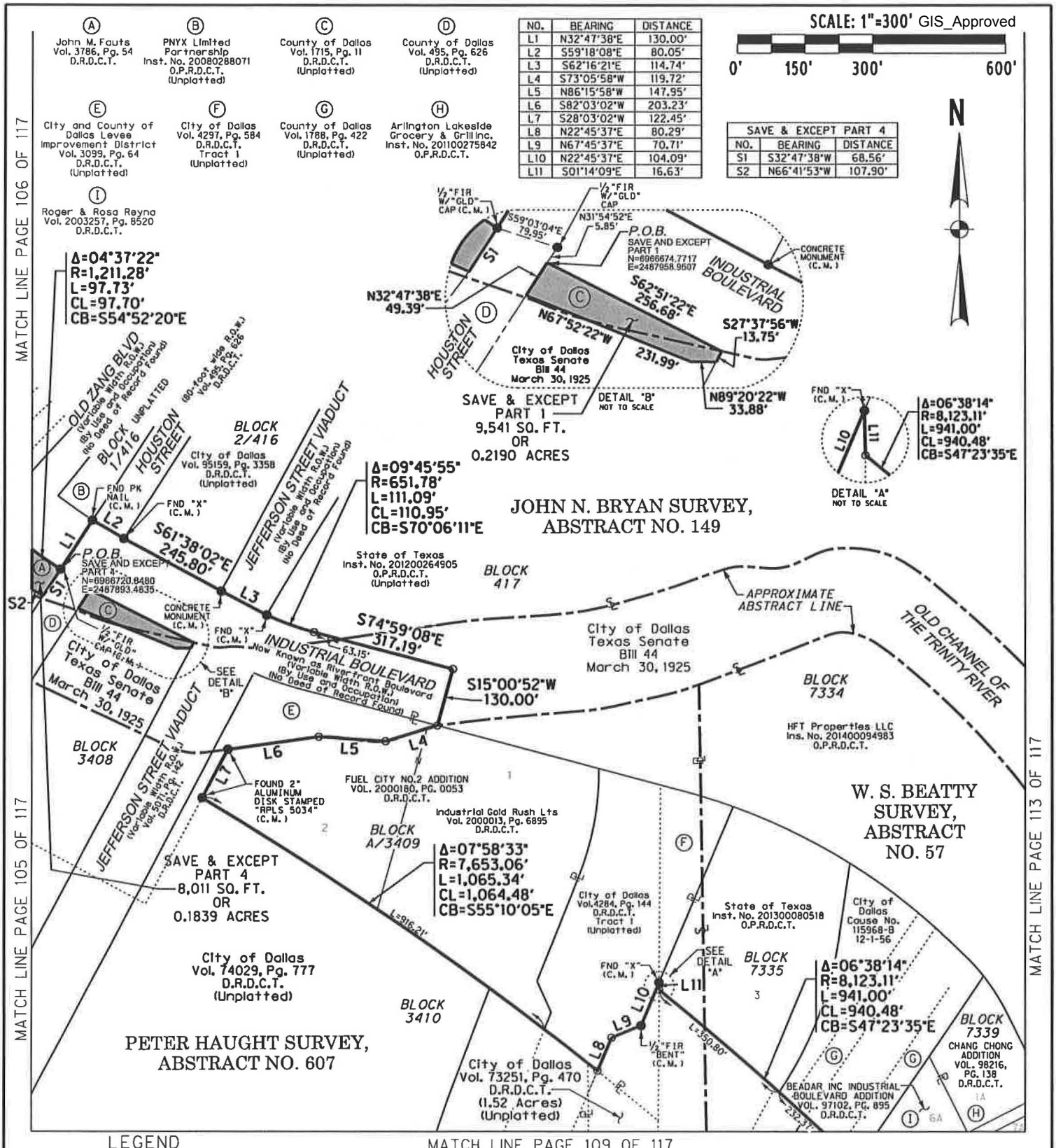
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 107 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-107.dgn
12/12/2014 7:22:37 AM



LEGEND

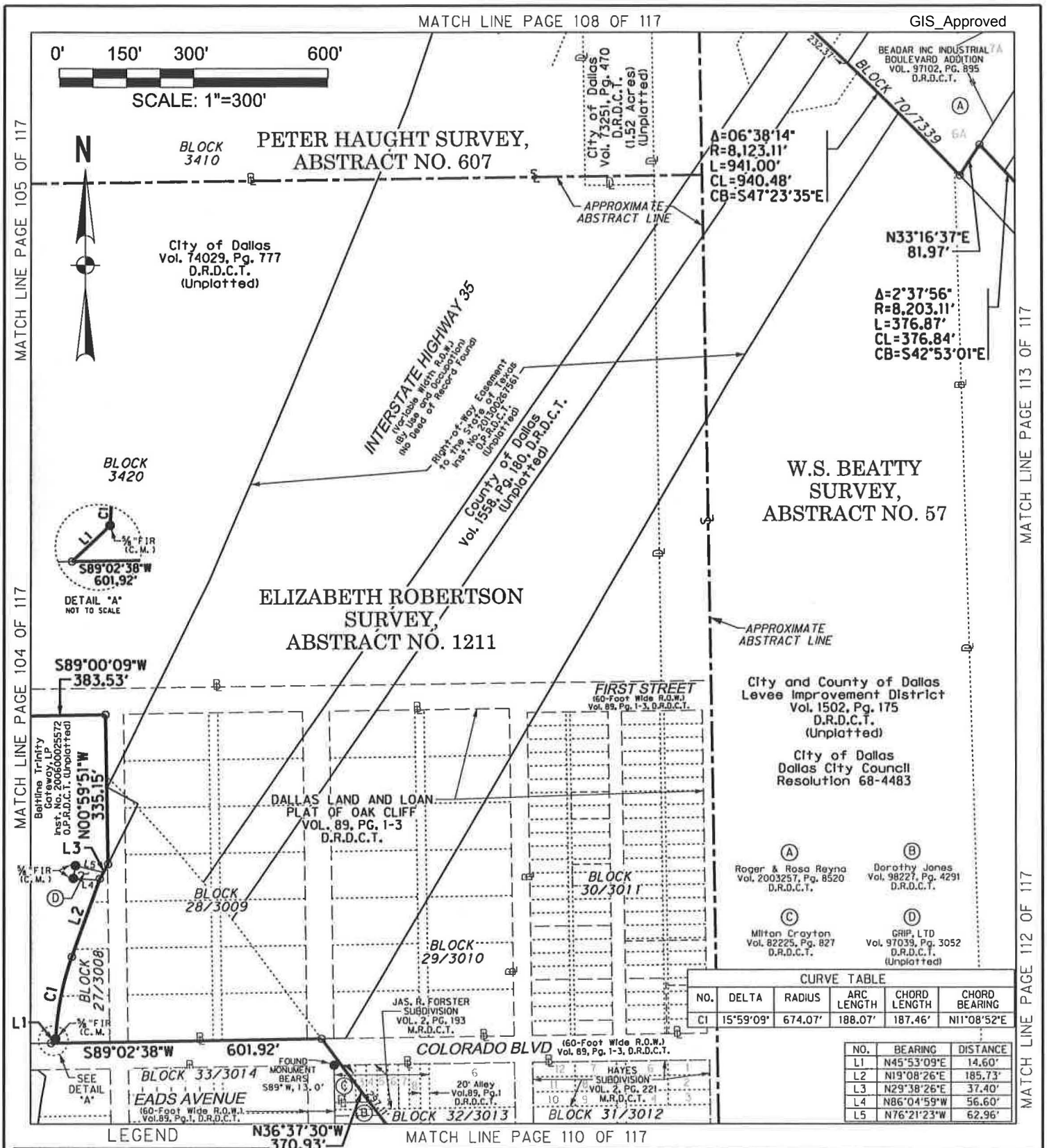
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: 12/12/2014
AVO.: 30083 WO01
PAGE 108 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-108.dgn
12/12/2014 7:22:28 AM



CURVE TABLE					
NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	15°59'09"	674.07'	188.07'	187.46'	N11°08'52"E

NO.	BEARING	DISTANCE
L1	N45°53'09"E	14.60'
L2	N19°08'26"E	185.73'
L3	N29°38'26"E	37.40'
L4	N86°04'59"W	56.60'
L5	N76°21'23"W	62.96'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

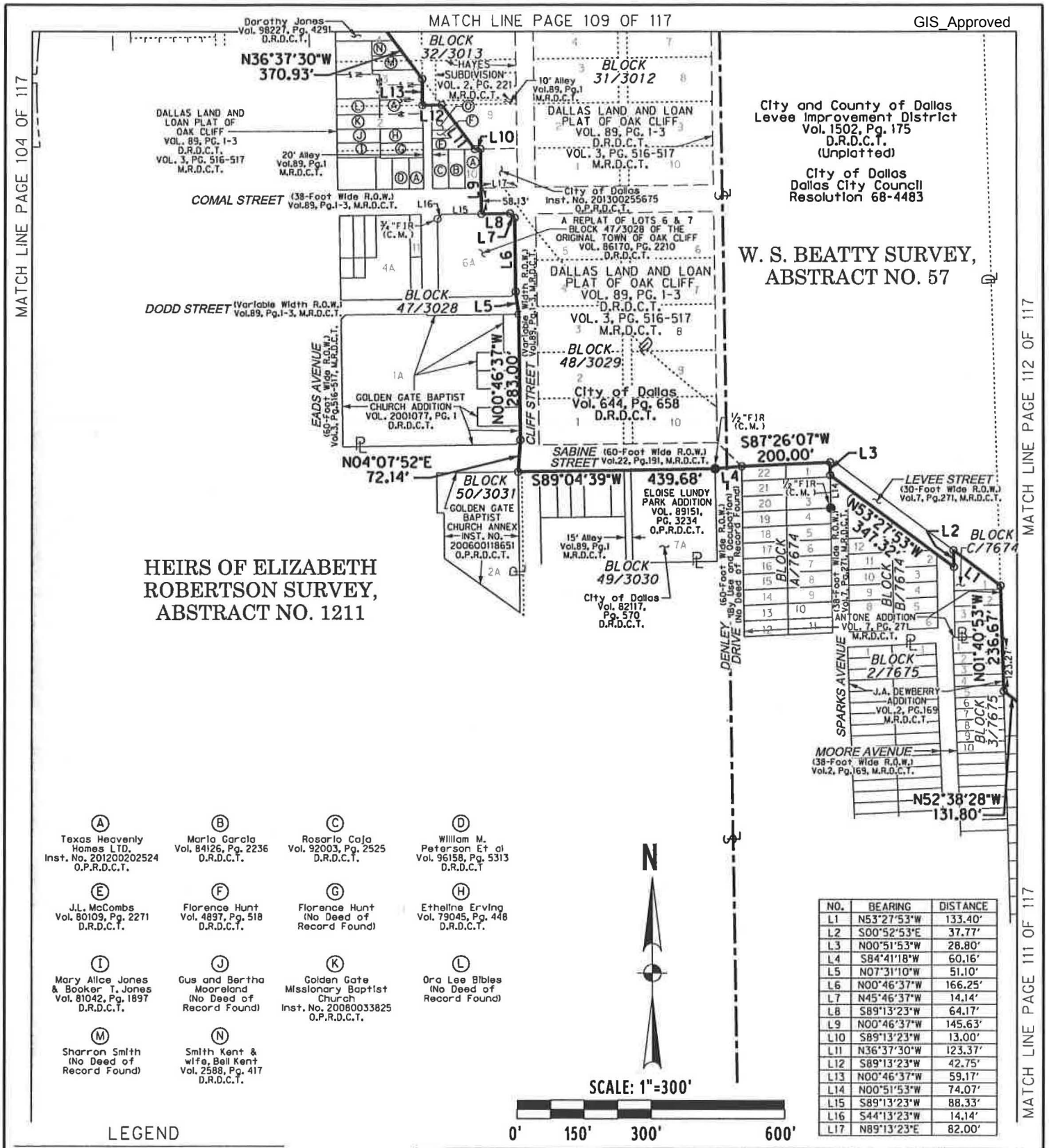
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 109 OF 114

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-109.dgn
12/12/2014 7:38:46 AM



NO.	BEARING	DISTANCE
L1	N53°27'53"W	133.40'
L2	S00°52'53"E	37.77'
L3	N00°51'53"W	28.80'
L4	S84°41'18"W	60.16'
L5	N07°31'10"W	51.10'
L6	N00°46'37"W	166.25'
L7	N45°46'37"W	14.14'
L8	S89°13'23"W	64.17'
L9	N00°46'37"W	145.63'
L10	S89°13'23"W	13.00'
L11	N36°37'30"W	123.37'
L12	S89°13'23"W	42.75'
L13	N00°46'37"W	59.17'
L14	N00°51'53"W	74.07'
L15	S89°13'23"W	88.33'
L16	S44°13'23"W	14.14'
L17	N89°13'23"E	82.00'

LEGEND

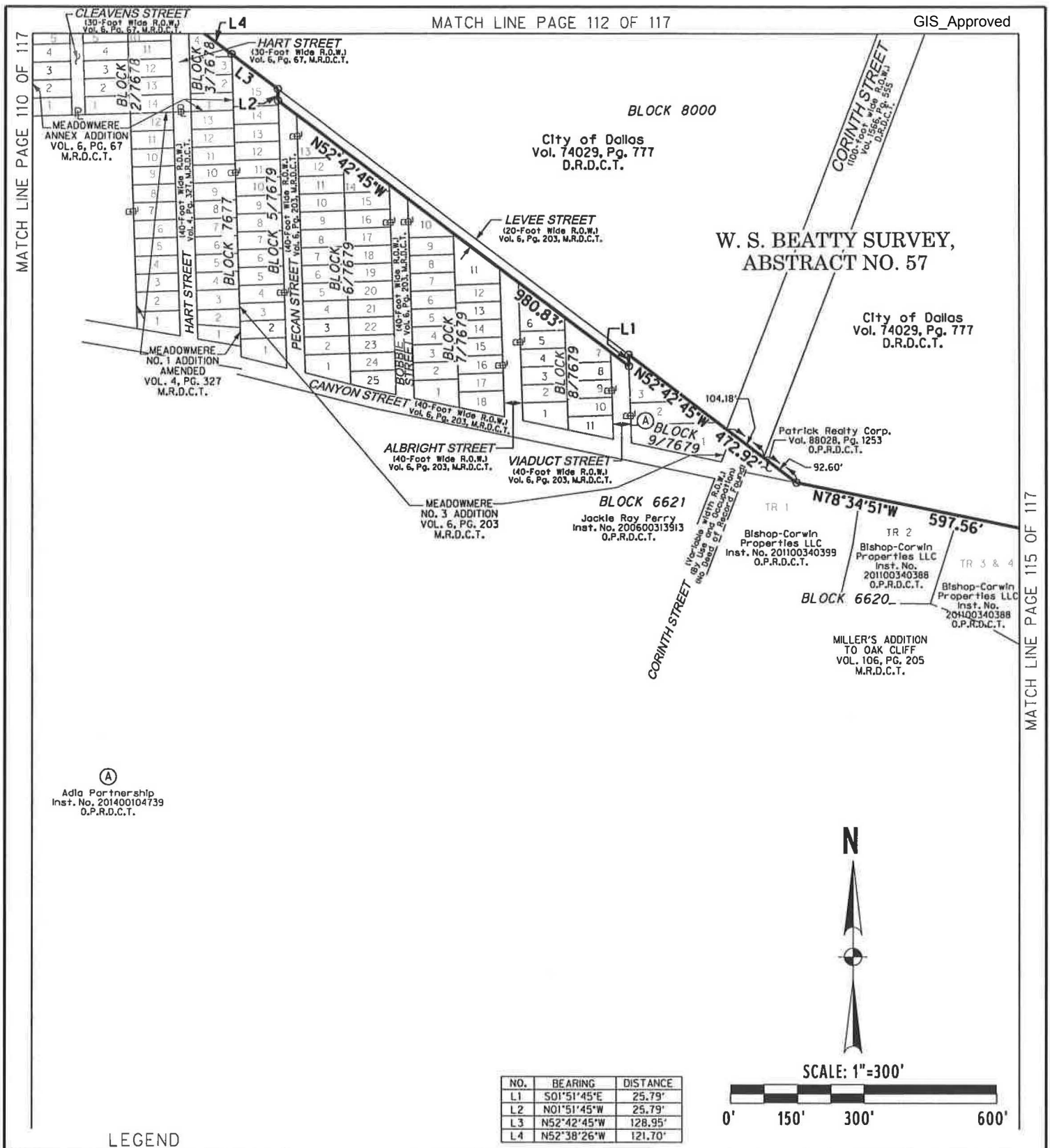
o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE: 12/12/2014
AVO.: 30083 W001
PAGE 110 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-110.dgn
12/12/2014 7:36:51 AM



NO.	BEARING	DISTANCE
L1	S01°51'45"E	25.79'
L2	N01°51'45"W	25.79'
L3	N52°42'45"W	128.95'
L4	N52°38'26"W	121.70'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
@	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 111 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-111.dgn
12/12/2014 7:22:00 AM

GIS_Approved

SCALE: 1"=300'

0' 150' 300' 600'

N

Ⓐ Buckley Oil Co.
Vol. 93218, Pg. 7305
D.R.D.C.T.

Ⓑ Delmo Leon Johnson
Vol. 96230, Pg. 1684
D.R.D.C.T.

Ⓒ John Hargrove
Investments Inc.
Vol. 94182, Pg. 1129
D.R.D.C.T.

Dallas County Flood Control District
Vol. 3758, Pg. 428
D.R.D.C.T.
(Unplatted)

City of Dallas
Dallas City Council
Resolution 68-4483

Dallas County Flood Control District
Vol. 3841, Pg. 550
D.R.D.C.T.
(Unplatted)

Dallas County Flood Control District
Vol. 3782, Pg. 23
D.R.D.C.T.
(Unplatted)

City and County of Dallas Levee Improvement District
Vol. 3751, Pg. 225
D.R.D.C.T.
(Unplatted)

City of Dallas
Dallas City Council
Resolution 68-4483

S56°43'23"E, 158.45'

S52°45'53"E
174.37'

Buckley Oil Co. Vol. 93218, Pg. 7291 D.R.D.C.T.

Rosebud Holdings, LLC Vol. 97058, Pg. 3768 D.R.D.C.T.

Johnson Realty Co. No Deed of Record Found

INDUSTRIAL IMPROVEMENT PROJECT-UNITS 1 & 2
VOL. 5, PG. 415
M.R.D.C.T.

ROCK ISLAND ST
(80'-Foot Wide R.O.W.)
Vol. 5, Pg. 415, M.R.D.C.T.

Snider Bldg. Corp. Vol. 84001, Pg. 1726 D.R.D.C.T.

BLOCK 73/7342

899.72'

Δ=37°30'00"
R=1,807.79'
L=1,183.20'
CL=1,162.19'
CB=S71°30'53"E

Jerry Lynn Brock
Vol. 95075, Pg. 2270
D.R.D.C.T.

BLOCK 8000

W. S. BEATTY SURVEY,
ABSTRACT NO. 57

City of Dallas
Vol. 74029, Pg. 777
D.R.D.C.T.
(Unplatted)

MATCH LINE PAGE 109 OF 117

MATCH LINE PAGE 110 OF 117

MATCH LINE PAGE 114 OF 117

N52°38'28"W
131.80'

L3

CLEAVES STREET
(50-Foot Wide R.O.W.)
Vol. 6, Pg. 67
M.R.D.C.T.

LEVEE STREET
(20-Foot Wide R.O.W.)
Vol. 6, Pg. 67
M.R.D.C.T.

N52°38'28"W
341.54'

N52°38'26"W
121.70'

Meadowmere Annex Addition
Vol. 6, Pg. 67
M.R.D.C.T.

BLOCK 1/7678

BLOCK 2/7678

L2

CORINTH STREET
(100-Foot Wide R.O.W.)
Vol. 1566, Pg. 555
D.R.D.C.T.

NO.	BEARING	DISTANCE
L1	S33°16'37"W	140.76'
L2	S01°47'28"E	25.79'
L3	N01°47'28"W	25.79'

MATCH LINE PAGE 111 OF 117

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 112 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-112.dgn
12/12/2014 7:21:51 AM

GIS_Approved

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2°37'56"	8,203.11'	376.87'	376.84'	S42°53'01"E
C2	15°09'21"	726.20'	192.09'	191.53'	S49°08'43"E

NO.	BEARING	DISTANCE
L1	S59°57'07"W	141.15'
L2	S83°15'07"W	100.26'
L3	S33°16'37"W	88.76'

Ⓐ Rodney and Rosa Reyna, Vol. 2003257, Pg. 8520 D.R.D.C.T.

Ⓑ Unified Texas Properties, LLC Inst. No. 201100248128 O.P.R.D.C.T.

Ⓒ Hurt & Hardie Inc. No Deed of Record Found

Ⓓ 1130 Rock Island LLC John Benda Pres. Inst. No. 201300369334 O.P.R.D.C.T.

Ⓔ M. E. Schepps No Deed of Records Found

Ⓕ 1219 S. Industrial, LLC Inst. No. 20080075810 O.P.R.D.C.T.

Ⓖ Rockalong LLC Vol. 2004022, Pg. 9348 D.R.D.C.T.

Ⓗ HML Holdings LLC Inst. No. 20070181185 O.P.R.D.C.T.

Ⓘ Milligan Sherard Vol. 2002056, Pg. 8699 D.R.D.C.T.

Ⓙ Milligan F. Sherard & Marcelle Mount Vol. 2001221, Pg. 5194 D.R.D.C.T.

Ⓚ Scott T. Sherard Vol. 83102, Pg. 4322 D.R.D.C.T.

Ⓛ Martha M. Sherard Vol. 83102, Pg. 4334 D.R.D.C.T.

Ⓜ Buckley Oil Co. Vol. 93218, Pg. 7305 D.R.D.C.T.

SCALE: 1"=300'

0' 150' 300' 600'

N

MATCH LINE PAGE 108 OF 117

MATCH LINE PAGE 109 OF 117

BEDAR INC INDUSTRIAL BOULEVARD ADDITION VOL. 97102, PG. 895 M.R.D.C.T.

DEARBORN STREET (80-Foot Wide R.O.W.) Vol. 5, Pg. 415, M.R.D.C.T.

INDUSTRIAL IMPROVEMENT PROJECT-UNITS 1 & 2 VOL. 5, PG. 415 M.R.D.C.T.

BLOCK 71/7340

ROCK ISLAND STREET (80-Foot Wide R.O.W.) Vol. 5, Pg. 415, M.R.D.C.T.

INDUSTRIAL BOULEVARD (130-Foot Wide R.O.W.) Vol. 5, Pg. 415, M.R.D.C.T.

HENRY LONG SURVEY, ABSTRACT NO. 762

M. E. Schepps No Deed of Records Found

508.50'

S56°43'23"E 270.86'

Cadiz Riverfront, LP Inst. No. 201200085208 O.P.R.D.C.T.

BLOCK 72/7341

Lots 1-5 & Part of Lot 6 Dallas County Flood Control District Vol. 3779, Pg. 138 D.R.D.C.T.

Lots 7-15 & Part of Lot 6 Dallas County Flood Control District Vol. 3779, Pg. 142 D.R.D.C.T.

City of Dallas Vol. 74029, Pg. 777 D.R.D.C.T. (Unplatted)

WILLIAM S. BEATTY SURVEY, ABSTRACT NO. 57

OLD CHANNEL OF THE TRINITY RIVER

BLOCK 1083

Dallas County Flood Control District Vol. 3788, Pg. 153 D.R.D.C.T. (Unplatted)

694.00'

City of Dallas Dallas City Council Resolution 68-4483

1,739.33'

⅜" FIR (C.M.)

½" FIR W/ "DC&A" CAP BEARS N12°E 1.1'

½" FIR BEARS N09°W 2.1'

264.97'

89.53'

½" FIR W/ "DC&A" CAP BEARS N15°E 0.9'

BLOCK 8000

City and County of Dallas Levee Improvement District Vol. 3809, Pg. 220 D.R.D.C.T. (Unplatted)

City of Dallas Dallas City Council Resolution 68-4483

Dallas County Flood Control District Vol. 3841, Pg. 550 D.R.D.C.T. (Unplatted)

Dallas County Flood Control District Vol. 3758, Pg. 428 D.R.D.C.T. (Unplatted)

City of Dallas Texas Senate Bill 44 March 30, 1925 (Unplatted)

S56°43'23"E 158.45'

L1 L2 L3

BLOCK 73/7342

BLOCK 74/7343

ROCK ISLAND STREET (80-Foot Wide R.O.W.) Vol. 5, Pg. 415, M.R.D.C.T.

INDUSTRIAL IMPROVEMENT PROJECT-UNITS 1 & 2 VOL. 5, PG. 415 M.R.D.C.T.

Buckley Oil Co. Vol. 93218, Pg. 7291 D.R.D.C.T.

Rosebud Holdings LLC Vol. 97058, Pg. 3768 D.R.D.C.T.

MATCH LINE PAGE 112 OF 117

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot) Dallas Floodway Extension-Phase II MSD-UCOW

To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656, 1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670

From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

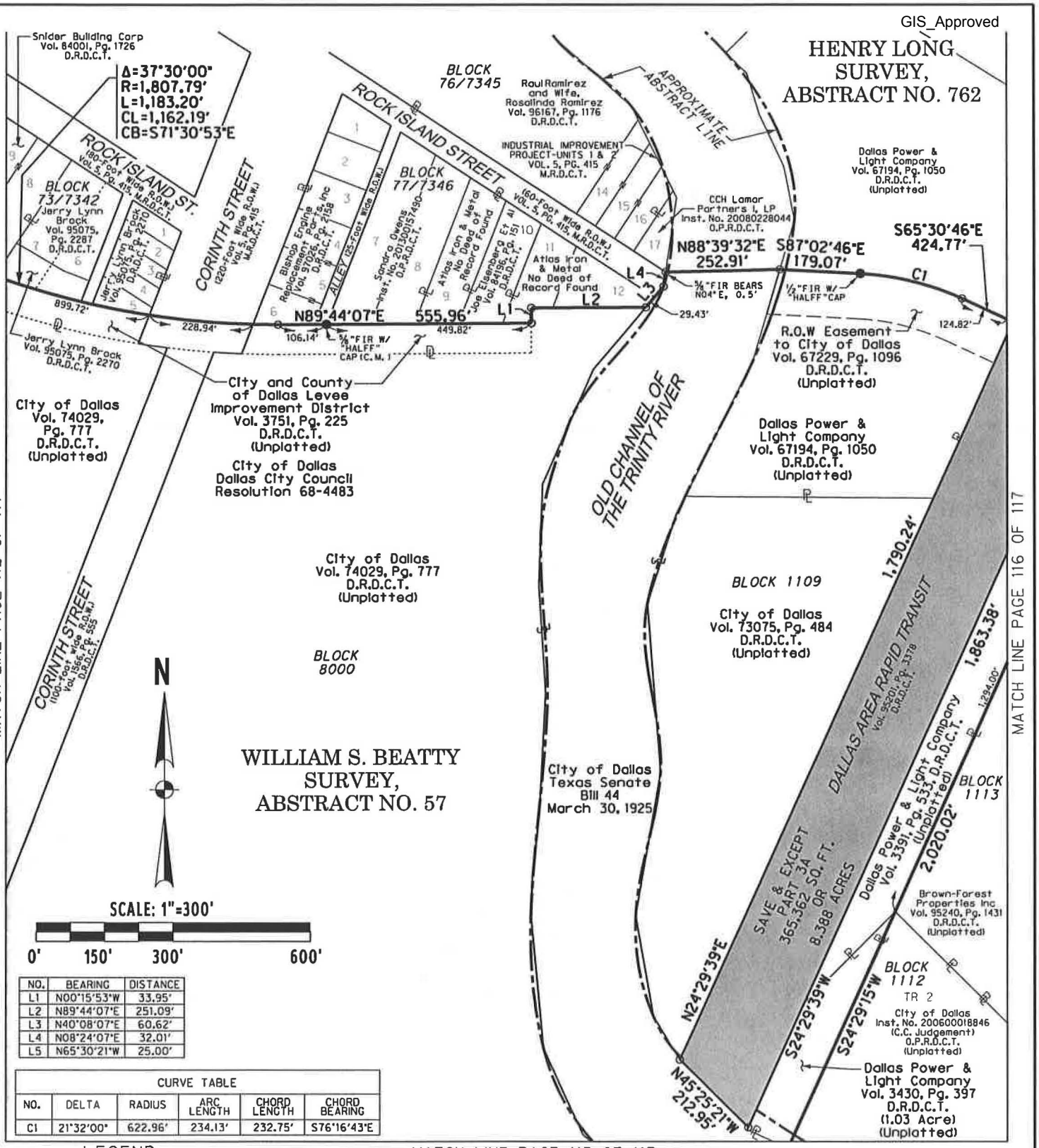
DATE: 12/12/2014

AVO.: 30083 W001

PAGE 113 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-113.dgn

12/12/2014 7:21:42 AM



NO.	BEARING	DISTANCE
L1	N00°15'53"W	33.95'
L2	N89°44'07"E	251.09'
L3	N40°08'07"E	60.62'
L4	N08°24'07"E	32.01'
L5	N65°30'21"W	25.00'

CURVE TABLE					
NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	21°32'00"	622.96'	234.13'	232.75'	S76°16'43"E

LEGEND

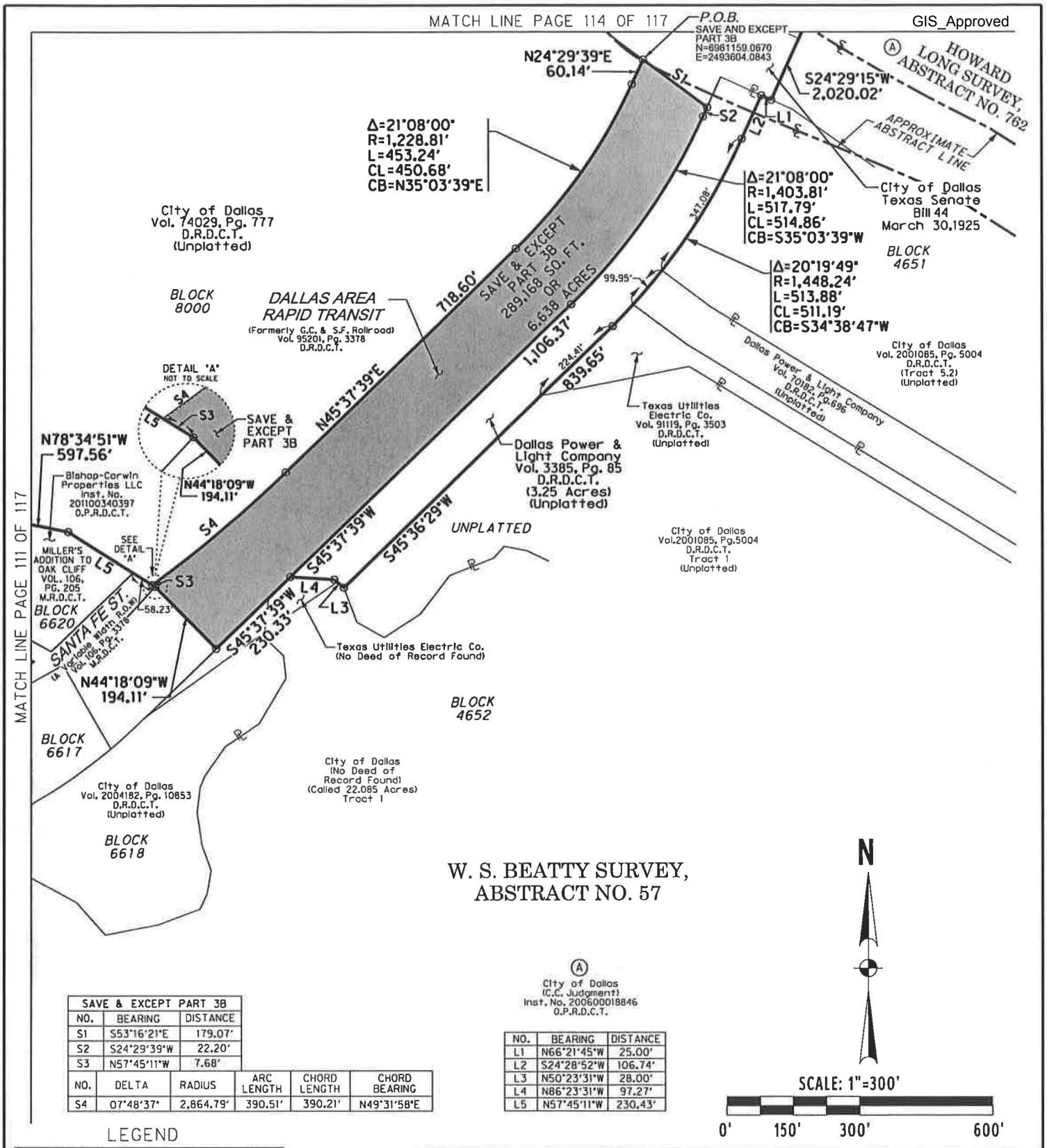
○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 114 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-114.dgn
12/12/2014 7:21:29 AM



SAVE & EXCEPT PART 3B		
NO.	BEARING	DISTANCE
S1	S53°16'21"E	179.07'
S2	S24°29'39"W	22.20'
S3	N57°45'11"W	7.68'

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
S4	07°48'37"	2,864.79'	390.51'	390.21'	N49°31'58"E

NO.	BEARING	DISTANCE
L1	N66°21'45"W	25.00'
L2	S24°28'52"W	106.74'
L3	N50°23'31"W	28.00'
L4	N86°23'31"W	97.27'
L5	N57°45'11"W	230.43'

LEGEND

○	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

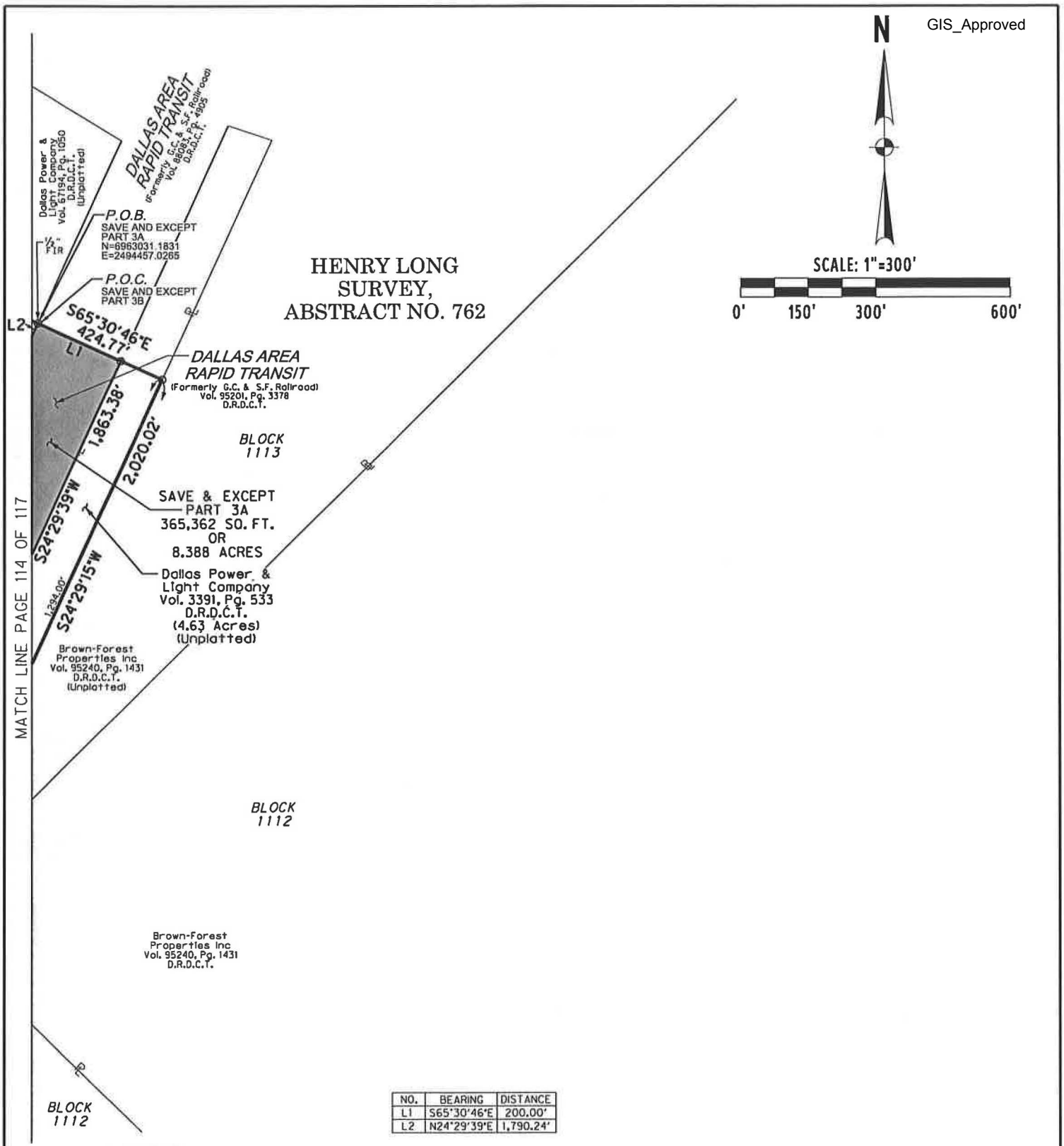
Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF
TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 115 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-115.dgn
12/12/2014 7:20:58 AM

GIS_Approved



NO.	BEARING	DISTANCE
L1	S65°30'46"E	200.00'
L2	N24°29'39"E	1,790.24'

LEGEND

o	NOT MONUMENTED (UNLESS OTHERWISE NOTED)
●	FOUND MONUMENT (AS NOTED)
FIR	FOUND IRON ROD (AS NOTED)
W/ "COD"	WITH CITY OF DALLAS CAP
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
INST. NO.	INSTRUMENT NUMBER
VOLUME	VOLUME
PAGE	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
U.P.R.R. CO.	UNION PACIFIC RAILROAD COMPANY
℄	SURVEY LINE
	PROPERTY LINE
	CITY OF DALLAS BLOCK LINE
	DEED LINE

Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE:12/12/2014
AVO.: 30083 W001
PAGE 116 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-W001-30083-116.dgn
12/12/2014 7:20:35 AM

AREA SUMMARY TABLE		
CALCULATED AREA	ACRES	SQUARE FEET
Gross Phase II MSD Boundary	2,945.5	128,303,919
Save and Except Part 1	0.2190	9,541
Save and Except Part 2	11.62	506,350
Save and Except Part 3A	8.388	365,362
Save and Except Part 3B	6.638	289,168
Save and Except Part 4	0.1839	8,011
Net Phase II MSD Boundary	2,918.4	127,125,487

NOTES:

There was no deed of record found for the following right-of-way within the MSD boundary:

- Westmoreland Road / Mockingbird Lane (by use and occupation)
- Canada Drive (by use and occupation)
- Sylvan Street (by use and occupation)
- Woodall Rogers Freeway (by use and occupation)
- Old Zang Boulevard (by use and occupation)

This parcel plat is accompanied by a property description of even date.

This survey was prepared without the benefit of a title commitment. Easement may exist where none are shown.

The Basis of Bearing of this survey are based on the Texas Coordinate System of 1983, North Central Zone and tied to TXDOT GPS monuments: R0570127, R0570130, R0570157, RE570834 and Trinity Lakes Monuments: GPS01, GPS05, GPS09, GPS16, GPS17, GPS19, GPS20, GPS28, GPS32, GPS33, GPS34, GPS35, GPS37, GPS39, GPS40, GPS41, GPS42, GPS43, GPS44, GPS45, GPS50, GPS53, GPS55, GPS56, GPS58, GPS60, GPS62, GPS65, and GPS66. Coordinates shown are grid values and may be converted to surface by multiplying by the published Dallas County TXDOT scale factor of 1.000136506. Distances shown are reported in U.S. survey feet.

I, Getsy J. Suthan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that "This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation of reconfiguration of the boundary of the political subdivision for which it was prepared."

Getsy J. Suthan
Registered Professional Land Surveyor
Texas No. 6449
Halff Associates, Inc.
1201 North Bowser Road.
Richardson, Texas 75081
(214) 217-6418
TBPLS Firm #10029600

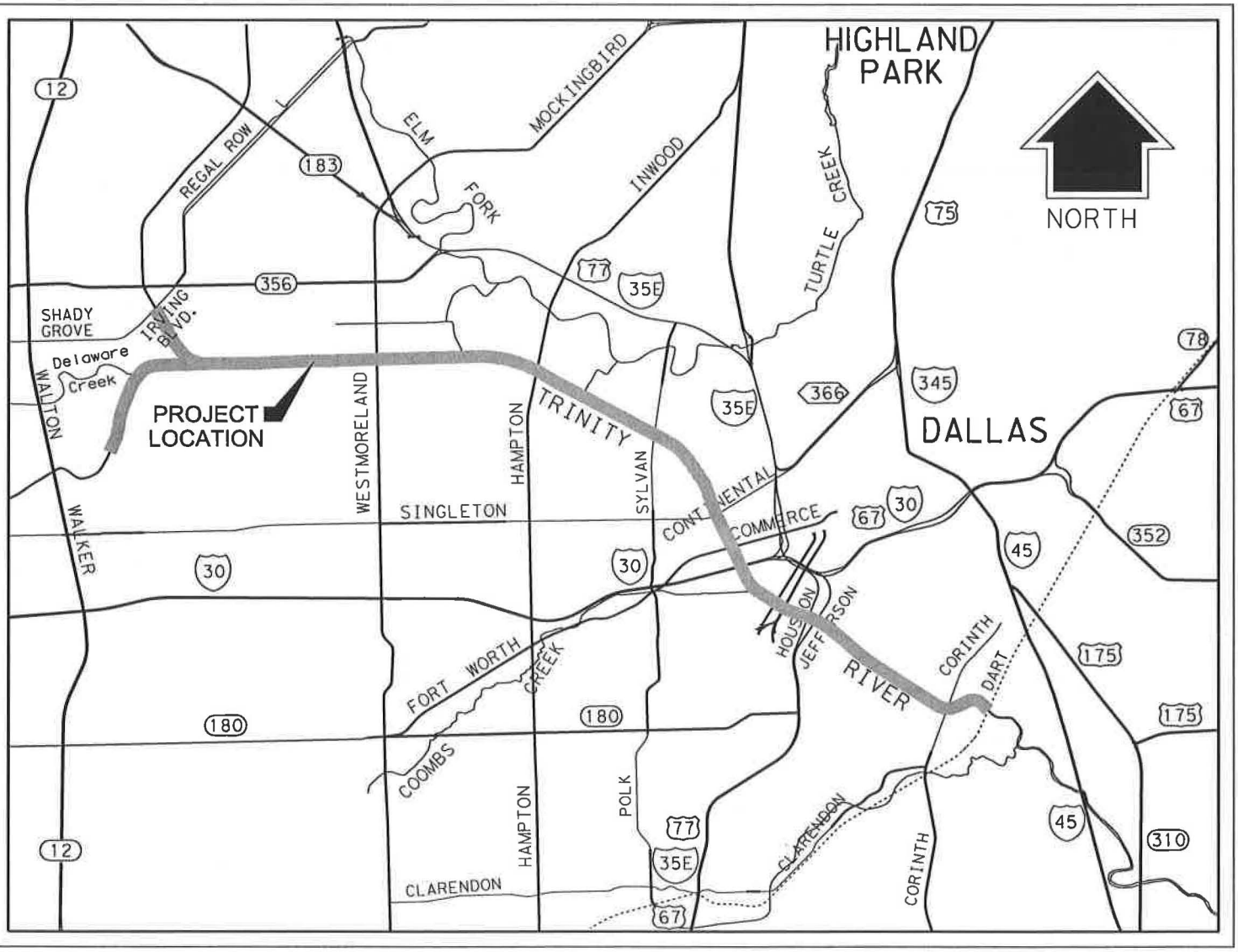


Field Notes Describing a 2945.5 Acre (128,303,919 Square Foot)
Dallas Floodway Extension-Phase II MSD-UCOW
To Be Acquired in City of Dallas Block Numbers 415, 1109, 1112, 1113, B/3000, C/3000, 3001, 28/3009, 29/3010, 30/3011, 31/3012, 32/3013, 48/3029, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3410, 3411, 3412, B/3413, 3414, 3415, 3420, 3446, 4651, 6364, 7092, 1/7119, 3/7119, 4/7119, 7121, 7133, 7134, 7135, 7139, 7157, 72/7341, 73/7342, 7346, 7695, 7674, 7677, 7678, 7679, 7704, 7743, 7899, 7929, 7996, 8000, 1/8570, 8648, 8649, 8650, 8651, 8652, 8653, 8654, 8655, 1/8656,1/8656, 8657, 8658, 8659, 8660, 8661, 8662, 8663, 8664, 8665, 8666, 8668, 8669, 8670
From the City of Dallas and Dallas Power and Light Company

HALFF TBPLS FIRM #10029600
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214) 346-6200 FAX (214) 739-0095

DATE:12/12/2014
AVO.: 30083 WO01
PAGE 117 OF 117

I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-117.dgn
12/12/2014 7:18:10 AM



LOCATOR MAP

N.T.S.

12/12/2014 7:17:44 AM I:\30000s\30083\CADD\Sheets\VEXH-BS-WO01-30083-COVER.dgn

AGENDA ITEM # 59

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	January 28, 2015
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Office of Management Services Office of Environmental Quality
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299
MAPSCO:	45F

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by a perched shallow groundwater unit that is encountered at depths ranging from approximately 28 to 30 feet below ground surface (bgs) and appears to be confined above the Austin Chalk Formation. The Austin Chalk is encountered at a depth of approximately 31 to 33 feet bgs and is composed primarily of light gray limestone chalk and marl, and has an estimated thickness of 300 to 500 feet in the area. The Austin Chalk is underlain by the Eagle Ford Shale which is composed primarily of shale, limestone, clay and marl, and has an estimated thickness of 300 to 700 feet in the area. Both formations typically have low permeability and are considered regional aquitards. Groundwater flow beneath the Designated Property is generally towards the south. A portion of the groundwater has been affected by benzene at concentrations above the groundwater ingestion standards. The probable offsite source of this petroleum-related compound is a historical release from the tank system of a filling station located south of the property.

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in May 2014. The site is designated as VCP Facility ID No. 2659.

BACKGROUND (Continued)

The applicant has requested that the City support its application for a MSD designation. A public meeting is scheduled for December 29, 2014 to receive comments and concerns. Notices of the meeting were sent to 1870 property owners within 2,500 feet of the property and 65 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of McKinney Avenue and Fairmount Street including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently the designated property is developed with two commercial buildings utilized for general retail purposes, which include studios, a hair salon, a fly-fishing outfitter, vacant suites, and asphalt paved parking. The anticipated future use of the property is expected to generally remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

OWNER

McKinney OH LLC

Onyx Holdings, LLC, Manager
Robin L. Wilkins, Manager

MAPS

Attached



CITY OF DALLAS

Municipal Setting Designation

Designated Property Boundary Map

Applicant – McKinney OH LLC

2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, & 2416 McKinney Avenue

Dallas, TX 75219

December 31, 2014

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, and 2416 McKinney Avenue and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Cleanup Program No. 2659 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than January 28, 2017.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than January 28, 2017. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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:

WARREN M.S. ERNST, City Attorney

By_____
Assistant City Attorney

Passed _____

GIS_Approved

EXHIBIT "A"

MUNICIPAL SETTING DESIGNATION SURVEY

ALL OF LOTS 1 AND 2, BLOCK B/548, THOMAS ADDITION
A PORTION OF McKINNEY AVENUE, FAIRMOUNT STREET, AND LEONARD STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 1.330 ACRE (57,920 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, SAME BEING ALL OF LOTS 1 AND 2, BLOCK B/548, OF THOMAS ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 69, PAGE 560, DEED RECORDS, DALLAS COUNTY, TEXAS, BEING ALL OF AN ALLEY (15 FEET WIDE) ALONG AND ADJACENT TO THE SOUTHEAST LINE OF LOTS 1 AND 2, BLOCK B/548, OF THOMAS ADDITION, BEING A PORTION OF McKINNEY AVENUE (A 60 FOOT RIGHT-OF-WAY), BEING A PORTION OF FAIRMOUNT STREET (A 50 FOOT RIGHT-OF-WAY), AND BEING A PORTION OF LEONARD STREET (A 50 FOOT RIGHT-OF-WAY), AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" CUT FOUND AT THE EAST CUTBACK CORNER AT THE INTERSECTION OF THE SOUTHEAST LINE OF SAID McKINNEY AVENUE WITH THE SOUTHWEST LINE OF SAID LEONARD STREET AS DEDICATED BY THE PLAT OF HIGHLAND PARK LAND CO. NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 98011, PAGE 13, PLAT RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, CROSSING SAID McKINNEY AVENUE, A DISTANCE OF 80.39 FEET TO A POINT IN THE NORTHWEST LINE OF SAID McKINNEY AVENUE, SAME BEING THE SOUTHEAST LINE OF LOT 1A, BLOCK 1/949, OF THE JAMES P. LEAKE ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 94089, PAGE 4675, PLAT RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 14 DEGREES 26 MINUTES 07 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID McKINNEY AVENUE, A DISTANCE OF 300.79 FEET TO A POINT;

THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, CROSSING SAID McKINNEY AVENUE, AT A DISTANCE OF 69.68 FEET PASS THE INTERSECTION OF THE SOUTHEAST LINE OF SAID McKINNEY AVENUE WITH THE NORTHEAST LINE OF FAIRMOUNT STREET (A 50 FOOT RIGHT-OF-WAY), SAME INTERSECTION BEING THE WEST CORNER OF LOT 1, BLOCK C/549, OF THOMAS ADDITION, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 69, PAGE 560, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING A TOTAL DISTANCE OF 300.31 FEET TO A POINT;

THENCE SOUTH 45 DEGREES 05 MINUTES 21 SECONDS WEST, CROSSING SAID FAIRMOUNT STREET, AT A DISTANCE OF 50.00 FEET PASS AN "X" CUT FOUND AT THE NORTH CORNER OF LOT 3C, BLOCK B/548, OF METRO CLUB I, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2004067, PAGE 34, PLAT RECORDS, DALLAS COUNTY, TEXAS, AT A DISTANCE OF 209.14 FEET PASS AN "X" CUT FOUND AT THE WEST CORNER OF SAID LOT 3C, SAME CORNER LYING IN THE NORTHEAST LINE OF AFORESAID LEONARD STREET, AND CONTINUING A TOTAL DISTANCE OF 259.00 FEET TO A POINT IN THE SOUTHWEST LINE OF SAID LEONARD STREET, SAME BEING THE NORTHEAST LINE OF AFORESAID HIGHLAND PARK LAND CO. NO. 1 ADDITION;

THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID LEONARD STREET COMMON WITH THE NORTHEAST LINE OF SAID HIGHLAND PARK LAND CO. NO. 1 ADDITION, A DISTANCE OF 66.55 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.330 ACRES OR 57,920 SQUARE FEET OF LAND.

GIS_Approved

EXHIBIT "A"

MUNICIPAL SETTING DESIGNATION SURVEY

ALL OF LOTS 1 AND 2, BLOCK B/548, THOMAS ADDITION
A PORTION OF McKINNEY AVENUE, FAIRMOUNT STREET, AND LEONARD STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEARINGS ARE BASED ON THE NORTHEAST LINE OF LEONARD STREET, HAVING A BEARING OF SOUTH 45 DEGREES 00 MINUTES 25 SECONDS EAST, ACCORDING TO THE FINAL PLAT OF METRO CLUB I, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2004067, PAGE 34, PLAT RECORDS, DALLAS COUNTY, TEXAS.

COMPANY NAME: EBG ENGINEERING, LLC.

CHRISTOPHER MAMAN
REGISTERED PROFESSIONAL LAND SURVEYOR, TEXAS NO. 5532
MARCH 14, 2014



GIS_Approved

METES AND BOUNDS DESCRIPTION

BEING A 1.330 ACRE (57,920 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, SAME BEING ALL OF LOTS 1 AND 2, BLOCK B/548, OF THOMAS ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 69, PAGE 560, DEED RECORDS, DALLAS COUNTY, TEXAS, BEING ALL OF AN ALLEY (15 FEET WIDE) ALONG AND ADJACENT TO THE SOUTHEAST LINE OF LOTS 1 AND 2, BLOCK B/548, OF THOMAS ADDITION, BEING A PORTION OF McKINNEY AVENUE (A 60 FOOT RIGHT-OF-WAY), BEING A PORTION OF FAIRMOUNT STREET (A 50 FOOT RIGHT-OF-WAY), AND BEING A PORTION OF LEONARD STREET (A 50 FOOT RIGHT-OF-WAY), AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" CUT FOUND AT THE EAST CUTBACK CORNER AT THE INTERSECTION OF THE SOUTHEAST LINE OF SAID McKINNEY AVENUE WITH THE SOUTHWEST LINE OF SAID LEONARD STREET AS DEDICATED BY THE PLAT OF HIGHLAND PARK LAND CO. NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 98011, PAGE 13, PLAT RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, CROSSING SAID McKINNEY AVENUE, A DISTANCE OF 80.39 FEET TO A POINT IN THE NORTHWEST LINE OF SAID McKINNEY AVENUE, SAME BEING THE SOUTHEAST LINE OF LOT 1A, BLOCK 1/7445, OF THE JAMES P. LEAKE ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 94089, PAGE 4675, PLAT RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 14 DEGREES 26 MINUTES 07 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID McKINNEY AVENUE, A DISTANCE OF 300.79 FEET TO A POINT;

THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, CROSSING SAID McKINNEY AVENUE, AT A DISTANCE OF 80.68 FEET PASS THE INTERSECTION OF THE SOUTHEAST LINE OF SAID McKINNEY AVENUE WITH THE NORTHEAST LINE OF FAIRMOUNT STREET (A 50 FOOT RIGHT-OF-WAY), SAME INTERSECTION BEING THE WEST CORNER OF LOT 1, BLOCK C/549, OF THOMAS ADDITION, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 69, PAGE 560, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING A TOTAL DISTANCE OF 300.31 FEET TO A POINT;

THENCE SOUTH 45 DEGREES 05 MINUTES 21 SECONDS WEST, CROSSING SAID FAIRMOUNT STREET, AT A DISTANCE OF 50.00 FEET PASS AN "X" CUT FOUND AT THE NORTH CORNER OF LOT 3C, BLOCK B/548, OF METRO CLUB I, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2004067, PAGE 34, PLAT RECORDS, DALLAS COUNTY, TEXAS, AT A DISTANCE OF 209.34 FEET PASS AN "X" CUT FOUND AT THE WEST CORNER OF SAID LOT 3C, SAME CORNER LYING IN THE NORTHEAST LINE OF AFORESAID LEONARD STREET, AND CONTINUING A TOTAL DISTANCE OF 259.00 FEET TO A POINT IN THE SOUTHWEST LINE OF SAID LEONARD STREET, SAME BEING THE NORTHEAST LINE OF AFORESAID HIGHLAND PARK LAND CO. NO. 1 ADDITION;

THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID LEONARD STREET COMMON WITH THE NORTHEAST LINE OF SAID HIGHLAND PARK LAND CO. NO. 1 ADDITION, A DISTANCE OF 86.55 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.330 ACRES OR 57,920 SQUARE FEET OF LAND.

GENERAL NOTES:

BEARINGS ARE BASED ON THE NORTHEAST LINE OF LEONARD STREET, HAVING A BEARING OF SOUTH 45°00'25" EAST, ACCORDING TO THE FINAL PLAT OF METRO CLUB I, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2004067, PAGE 34, PLAT RECORDS, DALLAS COUNTY, TEXAS.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND/OR OTHER ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

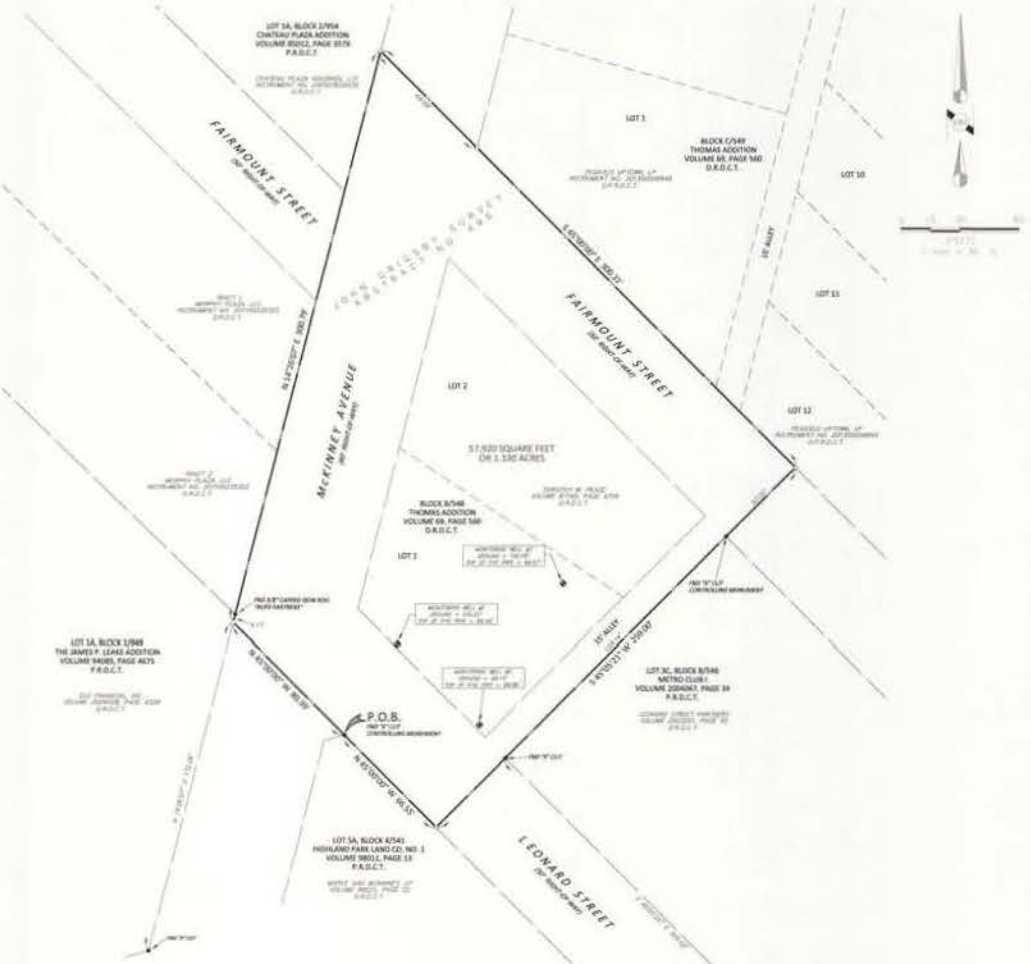
OWNERSHIP FOR THE SUBJECT AND ADJOINING PARCELS WERE OBTAINED FROM THE DALLAS COUNTY APPRAISAL DISTRICT'S WEBSITE. (WWW.DCAD.ORG)

ELEVATIONS FOR EACH OF THE MONITORING WELLS SHOWN HEREON ARE BASED ON A SITE BENCHMARK BEING AN BOX CUT ON THE BACK OF CURB AT THE NORTHEAST CORNER OF THE INTERSECTION OF LEONARD STREET AND McKINNEY AVENUE, 3.6 FEET FROM A FIRE HYDRANT. ASSUMED ELEVATION = 100.00 FEET

SURVEYOR'S CERTIFICATE:

I, CHRISTOPHER MAMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS HEREBY CERTIFY THAT AN ACTUAL ON THE GROUND SURVEY WAS PERFORMED FOR THE SUBJECT TRACT SHOWN HEREON AND UNDER MY DIRECT SUPERVISION AND THAT THIS SURVEY CONFORMS WITH THE ACT AND RULES SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

CHRISTOPHER MAMAN, RPLS #5552
MARCH 14, 2014



LEGEND

○	NOTHING FOUND NOR SET
●	FOUND MONUMENT AS NOTED
◆	MONITORING WELL
———	SUBJECT PROPERTY LINE
———	ADJOINING PROPERTY LINE
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS, DALLAS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

EXHIBIT 'A'

MUNICIPAL SETTING DESIGNATION SURVEY

ALL OF LOTS 1 & 2, BLOCK B/548, THOMAS ADDITION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495

2400 - 2416 McKINNEY AVENUE
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EBG ENGINEERING, LLC
CIVIL ENGINEERING • SURVEYING • PLANNING
8350 N. CENTRAL EXPRESSWAY, SUITE 1625
DALLAS, TEXAS 75206
PHONE: (214) 221-9001 FAX: (214) 739-1720
TEXAS REGISTERED SURVEYING FIRM NO. 10194140

DATE: 03/14/2014
SCALE: 1"=30'
JOB NO.: 14018
DWG NAME: 14018 MCKINNEY AVENUE MSD
DRAWN BY: CTM
CLIENT NAME: TERRACON

MSD No. OBQ0041 (McKinney OH LLC - 2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, 2416 McKinney Avenue)

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Planning and Neighborhood Vitality

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 45 K L N P

SUBJECT

A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational classification of Elm Street from Houston Street to Cesar Chavez Boulevard from a five lane one-way westbound roadway to a four lane one-way westbound roadway, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The Tower Petroleum Building, currently being converted to a boutique hotel, is requesting an amendment to change the operational characteristic of Elm Street from Harwood Street to St. Paul Street from a five lane one-way westbound roadway to a four lane one-way westbound roadway to facilitate proposed redevelopment. The right-of-way will be maintained however, the traffic lane on the north side of Elm Street may be reserved for a valet and/or loading zone parking lane and the sidewalk will be expanded for pedestrians. This change in operation will require the Dallas Area Rapid Transit (DART) bus only lane to be relocated one travel lane over to the south and will improve operations requiring less maneuvering around vehicles that currently stop in the bus lane only for loading and unloading.

Staff recommends approval of the amendment to the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational classification of Elm Street from Houston Street to Cesar Chavez Boulevard from a five lane one-way westbound roadway to a four lane one-way westbound roadway.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on December 4, 2014, and followed staff recommendation of approval.

The City Plan Commission acted on this item on December 18, 2014, and followed staff recommendation and City Plan Commission Transportation Committee recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

Elm Street

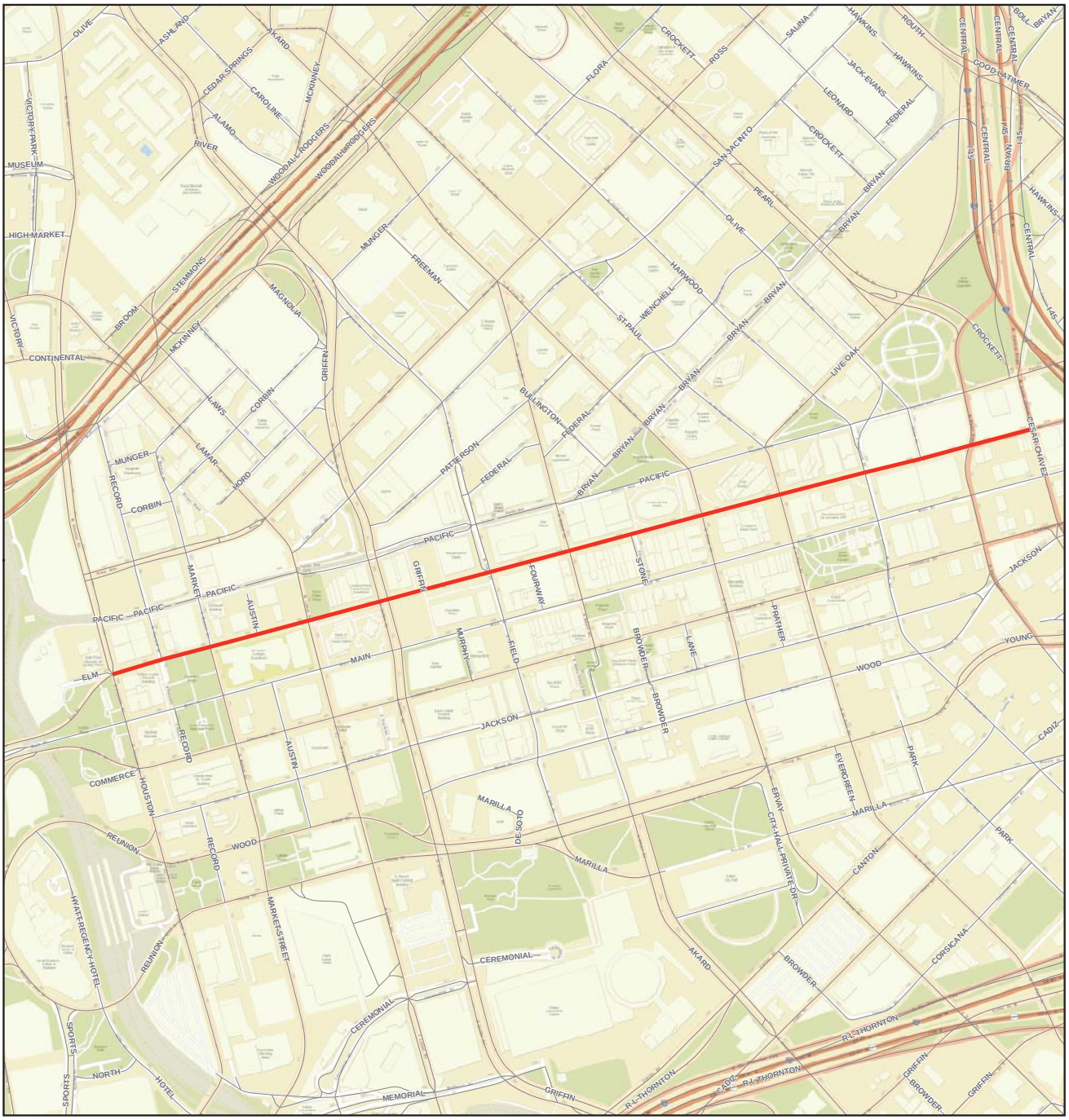
Houston Street to Cesar Chavez Boulevard

Council Districts 14

MAPSCO: 45K,L,N,P

Central Business District Streets and Vehicular Circulation Plan Amendment Map





JANUARY 28, 2015 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated January 28, 2015. 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.

A.C. Gonzalez
City Manager

1/23/15
Date

Grace Schorn for Edward Scott
Edward Scott
City Controller

1/23/15
Date

RECEIVED
2015 JAN 23 PM 3:43
CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, JANUARY 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED 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	
	CLOSED SESSION	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 42
	CONSENT ADDENDUM	Items 1 - 2

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier than 9:15 a.m.		Items 43 - 44 Addendum Item 3

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.	Items 45 - 60

ADDENDUM
CITY COUNCIL MEETING
JANUARY 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

Closed Session
Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues relating to gate accommodations requested by Delta Airlines at Dallas Love Field.
- Paul Heller et al., v. City of Dallas, Civil Action No. 3:13-CV-4000-L; Overpasses for America v. City of Dallas, Civil Action No. 3:14-CV-02910-L.

CONSENT ADDENDUM

Communication and Information Services

1. Authorize **(1)** the acceptance of the 2014 IBM Smarter Cities Challenge Grant for consulting services from International Business Machines Corporation (IBM) for the period February 2, 2015 to February 20, 2015; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

Public Works Department

2. Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for electrical and lighting improvements including additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in the ballroom, additional circuits and rezoning for light fixtures in ballroom, additional keypad lighting controls and fixtures for the men's restroom, redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; mechanical and plumbing improvements including additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms and replacement of damaged sanitary sewer line at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $150,662, from $12,189,630 to $12,340,292 - Financing: 2009 Convention Center Revenue Bonds

ADDENDUM
CITY COUNCIL MEETING
JANUARY 28, 2015

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

3. Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 1, 5 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

CORRECTION:

Aviation

2. Authorize **(1)** the City Manager~~,~~ and the President of the Love Field Airport Modernization Corporation (LFAMC) ~~and the Vice-President of Southwest Airlines~~ to execute the First Amendment to the Program Development Agreement for the Love Field Modernization Program (PDA ~~LFMP~~) with Southwest Airlines Co. and LFAMC to expand the scope of the Love Field Modernization Program (LFMP), allowing for construction and financing of a new permanent public parking garage at Dallas Love Field ~~(Love Field)~~; **(2)** the City Manager to execute the ~~First~~ Second Amendment to the Amended and Restated Lease of Terminal Building Premises (~~Airport~~ Use and Lease Agreement) with the ~~S~~signatory ~~A~~airlines to facilitate the construction and financing of a new permanent public parking garage at Dallas Love Field ~~Airport~~ as part of the LFMP; **(3)** the City Manager to execute the First Amendment to the Ground Lease for Cargo and General Use Buildings (Ground Lease) at Dallas Love Field with Southwest Airlines Co. to facilitate construction of a new permanent public parking garage at Love Field; and **(4)** interim financing by transferring $8,000,000 for initial pre-construction enabling projects from the Aviation Capital Construction Fund to the ~~Love Field Airport Modernization Corporation (~~LFAMC~~)~~; said funds to be reimbursed from the proceeds of the sale of bonds from a projected General Airport Revenue Bond Sale - Not to exceed $8,000,000 - Financing: Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

ADDENDUM
CITY COUNCIL MEETING
JANUARY 28, 2015

DELETIONS:

Office of Management Services

58. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

59. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

ADDENDUM DATE January 28, 2015

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	C	CIS, CCS, CDS, FIR, OEM, POL	NC	NA	NA	Authorize the acceptance of the 2014 IBM Smarter Cities Challenge Grant for consulting services from International Business Machines Corporation (IBM) for the period February 2, 2015 to February 20, 2015; and execution of the grant agreement
2			2	C	PBW, CES	$150,661.46	12.29%	39.07%	Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for electrical and lighting improvements including additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in the ballroom, additional circuits and rezoning for light fixtures in ballroom, additional keypad lighting controls and fixtures for the men's restroom, redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; mechanical and plumbing improvements including additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms and replacement of damaged sanitary sewer line at the Kay Bailey Hutchison Convention Center Dallas
3			All	I	SEC	NC	NA	NA	Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 1, 5 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

TOTAL $150,661.46

ADDENDUM ITEM # 1

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Communication and Information Services
Code Compliance
Court & Detention Services
Fire
Office of Emergency Management
Police

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-3009
Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of the 2014 IBM Smarter Cities Challenge Grant for consulting services from International Business Machines Corporation (IBM) for the period February 2, 2015 to February 20, 2015; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

BACKGROUND

The Smarter Cities Challenge is a competitive grant program that deploys IBM experts to select cities and regions worldwide to provide pro bono consulting services on critical issues faced by those communities. The City of Dallas is one of only sixteen cities worldwide selected during the 2014 review and award process.

Under the Smarter Cities Challenge grant, IBM will provide consulting services to identify ways to help enable the City to predict, prevent and better respond to crime and emergencies. Services will be delivered by five to six IBM executives working full-time in the City for 3 weeks. IBM executives will meet in person with dozens of members of the local government, citizens, businesses, and not-for-profit communities. In doing so, they will gather diverse perspectives about the causes and potential solutions to face the challenge at hand. They will collect and study various types of data from public safety departments such as crime statistics, vacant property ratios, traffic accidents and road hazards. IBM will also review current City information technology (IT) systems and business processes for these departments to determine and recommend ways to help the City become more effective.

BACKGROUND (Continued)

At the conclusion of the engagement, IBM will deliver to the City a roadmap document identifying short and long-term opportunities for improving the delivery of services to the citizens of Dallas. This roadmap will identify solutions that can bridge the gaps in information and operations to enhance collaborations within and across departments, use civic engagements to better drive results, optimize solutions to decrease high crime impacts in neighborhoods and identify investments in IT infrastructure that can introduce long-term efficiencies in public safety.

These consulting services will be provided at no charge to the City. It is an award of services only and the City will not receive funds in connection with this grant.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

January 28, 2015

WHEREAS, IBM through philanthropic donations has made consulting services available to the City under the IBM Smarter Cities Grant Program; and

WHEREAS, the City was awarded this grant on October 7, 2014; and

WHEREAS, it is in the interest of the City to accept IBM's consulting services to deliver a roadmap identifying short and long-term opportunities for improvement within public safety; **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 IBM Smarter Cities Challenge for consulting services to the City of Dallas for the period February 2, 2015 through February 20, 2015.

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.

ADDENDUM ITEM # 2

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 45P

SUBJECT

Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for electrical and lighting improvements including additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in the ballroom, additional circuits and rezoning for light fixtures in ballroom, additional keypad lighting controls and fixtures for the men's restroom, redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; mechanical and plumbing improvements including additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms and replacement of damaged sanitary sewer line at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $150,662, from $12,189,630 to $12,340,292 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

A construction contract with Gilbert May, Inc. dba Phillips/May Corp. to furnish materials and labor for the construction of interior finishes for C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas was authorized by Resolution No. 13-1763 on October 8, 2013.

These improvements are part of the $60 million Convention Center Improvement Project. This project is one of multiple projects identified in the facility assessment within the Convention Center Facility Improvement Program. Construction projects which have been authorized to date are the Upper Level D Meeting Rooms, Chilled Water Loop, Lobby A and A/B Pre-function Areas, Fire Alarm and Emergency Lighting Replacement, Roof Replacement of Exhibit Halls, A, B, lower C, and Administration Building, and the Exterior Waterproofing and Storm Drain Repair.

BACKGROUND (Continued)

On September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with Change Order No. 2 were audio/visual cabling, electrical, alarm strobes, dimmers, mechanical, supply grills, fixtures, and miscellaneous interior finish items.

This action will authorize Change Order No. 4 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: Electrical and Lighting - additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in ballroom, additional circuits and rezoning for light fixtures in ballroom, height adjustment of Type C light fixtures in ballroom, additional keypad lighting controls, and additional C fixtures in men's restrooms; Mechanical and Interior - redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; Mechanical and Plumbing - additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms, and replacement of damaged existing sanitary sewer line.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2012
Completed Design	June 2013
Began Construction	October 2013
Complete Construction	February 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finishout of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Kay Bailey Hutchison Convention Center Dallas on January 27, 2010, by Resolution No. 10-0328.

Authorized Supplemental Agreement No. 1 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on August 25, 2010, by Resolution No. 10-2142.

Authorized Supplemental Agreement No. 2 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on June 22, 2011, by Resolution No. 11-1709.

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

Authorized Supplemental Agreement No. 3 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on December 14, 2011, by Resolution No. 11-3257.

Authorized Supplemental Agreement No. 4 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior design, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on February 22, 2012, by Resolution No. 12-0564.

Authorized Supplemental Agreement No. 5 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on April 25, 2012, by Resolution No. 12-1195.

Authorized Supplemental Agreement No. 7 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on January 23, 2013, by Resolution No. 13-0181.

Authorized a contract with Gilbert May, Inc. dba Phillips May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention center Dallas, on October 8, 2013, by Resolution No. 13-1763.

Authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements on September 10, 2014, by Resolution No. 14-1468.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - $150,661.46

Design	$ 2,616,466.00
Supplemental Agreement No. 1	$ 54,625.00
Supplemental Agreement No. 2	$ 1,437,740.00
Supplemental Agreement No. 3	$ 142,720.00
Supplemental Agreement No. 4	$ 1,217,060.00
Supplemental Agreement No. 5	$ 245,266.00
Supplemental Agreement No. 6	$ 46,500.00
Supplemental Agreement No. 7	$ 488,445.00
Construction Contract	$11,879,291.00
Change Order No. 1	$ 38,518.98
Change Order No. 2	$ 221,899.69
Change Order No. 3	$ 49,920.06
Change Order No. 4 (this action)	$ 150,661.46
Total Project Cost	$18,589,113.19

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corp.

Hispanic Female	8	Hispanic Male	42
African-American Female	0	African-American Male	4
White Female	7	White Male	48
Other Female	0	Other Male	1

OWNER(S)

Gilbert May, Inc. dba Phillips/May Corp.

Gilbert May, President
Chris Escobedo, Managing Director

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for electrical and lighting improvements including additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in the ballroom, additional circuits and rezoning for light fixtures in ballroom, additional keypad lighting controls and fixtures for the men's restroom, redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; mechanical and plumbing improvements including additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms and replacement of damaged sanitary sewer line at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $150,662, from $12,189,630 to $12,340,292 - Financing: 2009 Convention Center Revenue Bonds

Gilbert May, Inc. dba Phillips/May Corporation is a 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$18,512.26	12.29%
Non-local contracts	$132,149.20	87.71%
TOTAL THIS ACTION	$150,661.46	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Gentzler Electric	HFDL09449N0615	$77,870.00	51.68%
Gilbert May dba Phillips/May/Corp.	HMMB63478Y1116	$23,265.26	15.44%
Innovation Mechanical LLC	HMDB63691Y1115	$11,674.00	7.75%
Total Minority - Local		$112,809.26	74.87%

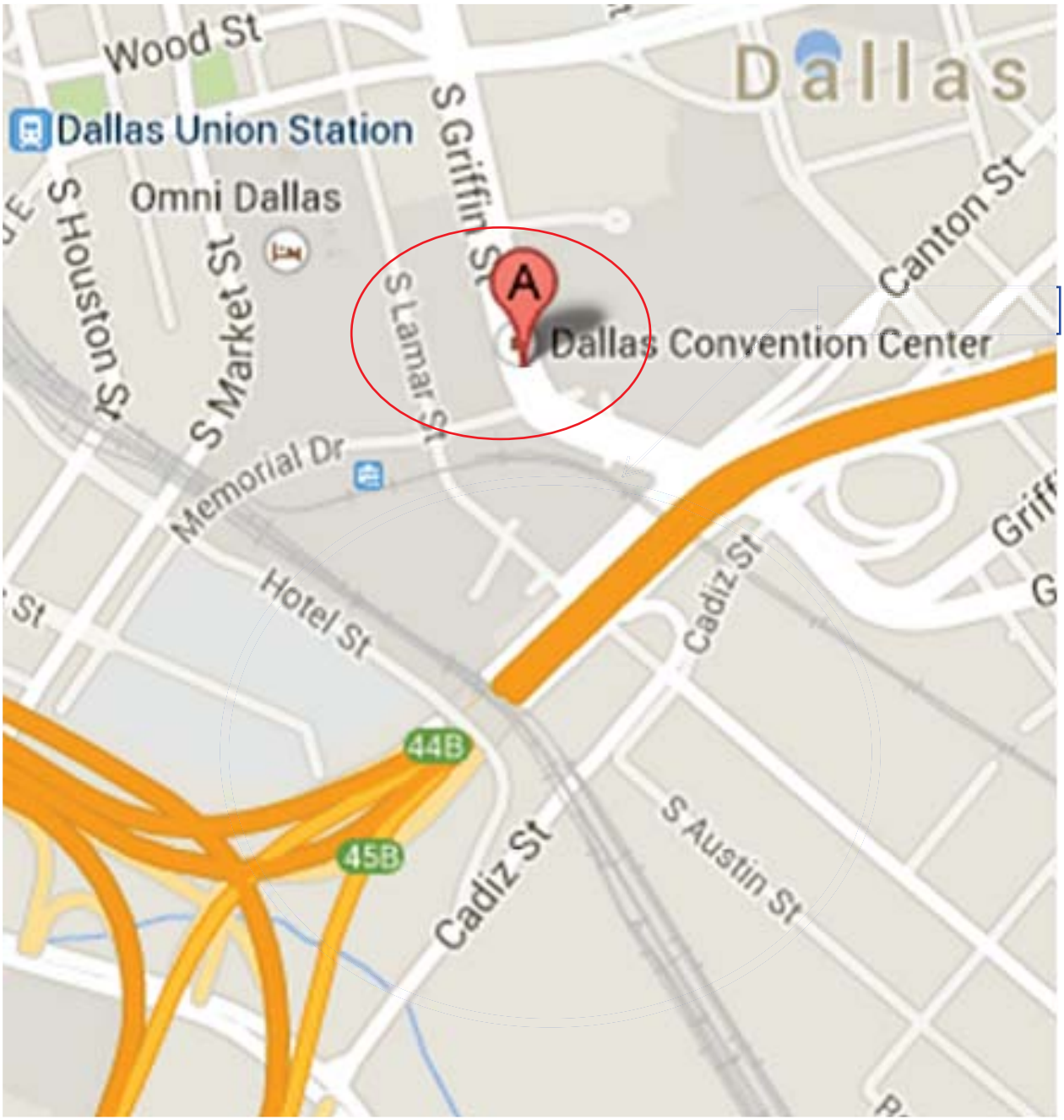
Non-Local Contractors / Sub-Contractors

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	$112,809.26	74.88%	$4,820,794.50	39.07%
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	$112,809.26	74.87%	$4,820,794.50	39.07%

Kay Bailey Hutchison
Convention Center - Dallas



Mapsco 45P

WHEREAS, the Kay Bailey Hutchison Convention Center Dallas initiated a $60 million Facility Improvement Program; and,

WHEREAS, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in the amount of $2,616,466; and,

WHEREAS, the facility assessment has identified numerous projects that will require architectural and engineering design services; and,

WHEREAS, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $54,625, increasing the contract from $2,616,466 to $2,671,091; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $1,437,740, increasing the contract from $2,671,091 to $4,108,831; and,

WHEREAS, on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $142,720, increasing the contract from $4,108,831 to $4,251,551; and,

WHEREAS, on February 22, 2012, Resolution No. 12-0564 authorized Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Facility Improvement Program in the amount of $1,217,060, increasing the contract from $4,251,551 to $5,468,611; and,

WHEREAS, on April 25, 2012, Resolution No. 12-1195 authorized Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering, and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed $245,266, from $5,468,611 to $5,713,877; and,

WHEREAS, on November 5, 2012, Administrative Action No. 12-2814 authorized Supplemental Agreement No. 6 to the professional services contract with HKS, Inc. for additional architectural, engineering and construction administration services for alterations of existing Elevator No. 7, additional rigging points in C Lobby and lounge spaces, design of digital signage systems for the Hall C Ballroom, Hall C Meeting Rooms, Lower Hall D Meeting Rooms and HVAC revisions in the Concourse C, C Ballroom and Lobby A for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed $46,500, from $5,713,877 to $5,760,377; and,

WHEREAS, on January 23, 2013, Resolution No. 13-0181 authorized Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $488,445, from $5,760,377 to $6,248,822; and,

WHEREAS, the design and construction documents were complete and the construction of the next Improvement Program Project was publicly procured; and,

WHEREAS, on October 8, 2013, Resolution No. 13-1763 authorized a contract with Gilbert May, Inc. dba Phillips May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas, not to exceed $11,879,291; and,

WHEREAS, on July 8, 2014, Administrative Change Order No. 14-1108 authorized Change Order No. 1 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include Facilities Performance Associates for Environmental Investigation and abating rust encountered on C-100 Meeting Room's operable partitions in an amount not to exceed $38,518.98, from $11,879,291.00 to $11,917,809.98; and,

January 28, 2015

WHEREAS, on September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas, in an amount not to exceed $221,899.69, from $11,917,809.98 to $12,139,709.67; and,

WHEREAS, on December 1, 2014, Administrative Change Order No. 14-2012 authorized Change Order No. 3 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include installation of Crestron Keypads in Meeting Rooms in lieu of manual dimming switches as requested by the Convention Center, in an amount not to exceed $49,920.06, from $12,139,709.67 to $12,189,629.73; and,

WHEREAS, it is now desirable to authorize Change Order No. 4 to the construction contract with Gilbert May, Inc. dba Phillips/May, Corp. for the mechanical, electrical, audio visual and interior finish changes to the construction of interior improvements to the C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed $150,661.46, from $12,189,629.73 to $12,340,291.19.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 4 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for the mechanical, electrical, audio visual and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed $150,661.46, from $12,189,629.73 to $12,340,291.19, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

2009 Convention Center Revenue Bonds
Fund 0568, Dept. CCT, Unit P505, Act. CCIM
Obj. 4310, Program #PBC00038, CT PBWC00038L1
Vendor # VS0000039750 in an amount not to exceed $150,661.46

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.

ADDENDUM ITEM # 3

KEY FOCUS AREA: E-Gov

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A Rios, 670-3738

MAPSCO: N/A

SUBJECT

Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 1, 5 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

BACKGROUND

This item is on the addendum to provide for the Transportation and Trinity River Project Committee to interview and select the top 3 candidates to recommend to the city council.

The Dallas/Fort Worth (D/FW) International Airport Board was created by agreement between the City of Dallas and the City of Fort Worth. The Dallas City Council is authorized to appoint six (6) members to the Dallas/Fort Worth International Airport Board (Place Nos. 1, 4, 5, 6, 9 and 11). The terms for Places 1, 5 and 11 expire on January 31st of odd-numbered years; and the terms for Places 4, 6 and 9 expire on January 31st of even-numbered years. Per City Council Resolution No. 76-1888, the "duly elected Mayor of the City of Dallas is automatically appointed to fill Place 10."

Previous practice of the City Council has been for City Councilmembers to nominate individuals before terms expire (between October and December), with special attention given to including "persons of all races and ethnicity" (Dallas City Charter, Chapter XXIV, Section 13(d)). Nominees would then undergo conflict of interest/background checks and are interviewed by the Transportation and Trinity River Project Committee (TTRPC), with final recommendations for appointment being presented to the City Council in late-January (terms expire on January 31st of each year).

The City Council has the opportunity to appoint individuals recommended by the TTRPC or make substitute appointments as long as the substitute nominee(s) were interviewed by the TTRPC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 16, 2011, the City Council approved Resolution No. 11-3106 formalizing the selection process for use in appointing members the DFW Board.

At its January 26, 2015 meeting, the TTRPC interviewed all five (5) nominees submitted for possible appointment to the board for positions 1, 5 and 11 and subsequently selected three nominees to recommend to the City Council for appointment. Each nominee is recommended for a two-year term.

FISCAL INFORMATION

No cost consideration to the City.

January 28, 2015

WHEREAS, in 1968, the cities of Dallas and Fort Worth entered into a contract ("Contract") to provide for the construction and operation of the Dallas-Fort Worth International Airport ("DFW Airport"); and pursuant to the terms of the Contract, as amended, the Dallas City Council is authorized to appoint six (6) members to the DFW Airport Board of Directors, such appointments to be evidenced by a resolution on file in the Dallas city records; and

WHEREAS, each Dallas board member shall be appointed to occupy designated Positions Nos. 1, 4, 5, 6, 9, 11 and that Position 10 shall at all times be filled by the duly elected Mayor of the City of Dallas; and

WHEREAS, the terms of office for three of the six Dallas appointed members serving in Positions 1, 5 and 11 will expire on January 31, 2015;

Now, Therefore,

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

Section 1. The following three individuals are hereby (re)appointed to the DFW Airport Board of Directors with terms to begin February 1, 2015, and expire January 31, 2017:

POSITION 00 _
POSITION 00 _
POSITION 00 _

Section 2. That, upon selection of individuals to serve on the DFW Airport Board of Directors, the City Secretary's Office shall assign these individuals to one of the available board positions.

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.

REVISED AGENDA ITEM # 2

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: January 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Aviation

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** the City Manager~~,~~ and the President of the Love Field Airport Modernization Corporation (LFAMC) ~~and the Vice-President of Southwest Airlines~~ to execute the First Amendment to the Program Development Agreement for the Love Field Modernization Program (PDA ~~LFMP~~) with Southwest Airlines Co. and LFAMC to expand the scope of the Love Field Modernization Program (LFMP), allowing for construction and financing of a new permanent public parking garage at Dallas Love Field ~~(Love Field)~~; **(2)** the City Manager to execute the ~~First~~ Second Amendment to the Amended and Restated Lease of Terminal Building Premises (~~Airport~~ Use and Lease Agreement) with the ~~S~~signatory ~~A~~airlines to facilitate the construction and financing of a new permanent public parking garage at Dallas Love Field ~~Airport~~ as part of the LFMP; **(3)** the City Manager to execute the First Amendment to the Ground Lease for Cargo and General Use Buildings (Ground Lease) at Dallas Love Field with Southwest Airlines Co. to facilitate construction of a new permanent public parking garage at Love Field; and **(4)** interim financing by transferring $8,000,000 for initial pre-construction enabling projects from the Aviation Capital Construction Fund to the ~~Love Field Airport Modernization Corporation (~~LFAMC~~)~~; said funds to be reimbursed from the proceeds of the sale of bonds from a projected General Airport Revenue Bond Sale - Not to exceed $8,000,000 - Financing: Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

BACKGROUND

In June 2006, the City executed the Five Party Agreement to repeal the Wright Amendment, obligating the City to undertake the Love Field Modernization Program (LFMP). On June 25, 2008, the City Council approved a Term Sheet with Southwest Airlines Co., authorizing the creation of a local government corporation, the Love Field Airport Modernization Corporation (LFAMC), and negotiation of a Program Development Agreement (PDA) with Southwest Airlines Co. (SWA).

BACKGROUND (Continued)

The original PDA specifically excluded the Design and Construction of additional parking at Dallas Love Field but expressly contemplated possible expenses of the LFMP to include other developments and improvements such as parking facilities. Passenger forecasts developed in 2008 projected 6 million enplanements / 12 million total passengers would occur in 2017 / 2018 and the existing 7,000 public parking spaces was projected to be adequate until that time. The original PDA also contemplated expansion of the LFMP upon agreement of the parties to the PDA.

On October 13, 2014, the Wright Amendment was officially lifted, allowing unrestricted flight activity to and from Love Field. Daily commercial flights at Love Field immediately increased from 112 to 148, with total daily flights planned to increase to 190 by mid-2015. Associated passenger activity levels are also increasing quickly. Pre-Wright Amendment activity included monthly passenger enplanement levels of approximately 345,000 enplanements, equivalent to annual levels of over 4 million enplanements / 8 million total passengers in 2013. Post-Wright Amendment activity has seen an immediate increase to approximately 500,000 monthly enplanements, equivalent to approximately 6 million annual enplanements / 12 million annual passengers. Peak travel times have resulted in a parking shortage at Love Field. All parking garages, valet lot and adjacent parking lots were at capacity during the 2014 holiday period. Based on current projections, Love Field will have additional parking requirements of approximately 1,000 spaces in 2015, 2,400 spaces in 2017 and 3,500 - 4,000 spaces in 2020.

The Love Field Master Plan identified the area for a future ~~P~~parking ~~G~~garage to be located adjacent to the Love Field ticket hall. This location can accommodate a structured parking facility of approximately 4,000 spaces and includes an area for future development, such as a hotel, to serve Dallas Love Field. A portion of this area is currently under lease by SWA for future development and is identified in the Ground Lease.

~~There are two project delivery methods available to construct a new parking garage: the traditional "hard bid" alternative, which would require over four years for procurement, design and construction of the garage; and to utilize the existing LFMP design team and general contractors that are in place, which would reduce the procurement, design and construction of the garage to three years.~~

BACKGROUND (Continued)

The City Council has previously approved the LFMP contracting method and the most efficient delivery method is to utilize the LFMP contracts for the design and general contractor to allow the design and pre-construction to begin immediately. The efficient use of existing teams with knowledge and expertise to "hit the ground running" is economical and reduces the schedule duration. Consolidating the procurement will advance the schedule approximately 12-16 months. The construction of the garage, which is approximately 80% of the project cost, will be bid upon completion of design and will allow opportunities for MWDBE firms. This delivery method ensures parking will be available to meet the future demand.

The ~~F~~future ~~P~~parking ~~D~~development ~~P~~project will include the design and construction of a new multi-story parking garage and other associated improvements to the entire parking system located at Dallas Love Field. The project will have a series of enabling elements, estimated at approximately $8 million, which includes:

- Preliminary planning and implementation plan ($500,000)
- Program definition document (PDD) and project charter ($500,000)
- Underground utility and communication lines relocation requirements ($2,000,000)
- Survey and geo-technical studies ($200,000)
- Valet parking relocation ($200,000)
- Access roadway modifications ($1,500,000)
- Site demolition ($3,100,000)

Utilizing the existing LFMP structure for the parking garage requires amendments to three existing documents: the PDA, Use and Lease Agreement and the Ground Lease in order to encompass the new parking garage project. In addition, City intends to finance the parking garage at Love Field by initially transferring ~~funds~~ $8,000,000 for use as pre-construction project enabling funds from the Aviation Capital Construction Fund to the LFAMC and then reimbursing the Aviation Capital Construction Fund of those pre-construction project enabling funds and financing the rest of the parking garage project from the proceeds of the future sale of the General Airport Revenue Funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, by Resolution No. 08-1877, the City Council approved a Term Sheet with "SWA" which, among other things, established the scope and preliminary budget of the LFMP, and authorized the City to create the "LFAMC"and negotiate a "PDA" with SWA.

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

On August 27, 2008, by Resolution No. 08-2227, City Council approved the Use and Lease Agreement with signatory airlines operating at Dallas Love Field ~~Airport~~.
On November 10, 2008, by Resolution No. 08-3117, City Council approved the execution of the "PDA" with SWA and the LFAMC.

On December 10, 2008, by Resolution No. 08-3403, City Council approved execution of the Grand Lease ~~General Use Building Lease~~ with ~~"~~SWA~~"~~.

Briefed to the Transportation Committee on December 8, 2014 and the committee recommended approval.

FISCAL INFORMATION

$8,000,000 - Aviation Capital Construction Funds (to be reimbursed from the LFAMC bond proceeds)

January 28, 2015

WHEREAS, in June 2006, the City executed the Five Party Agreement which, among other things, obligated the City to undertake the Love Field Modernization Program (LFMP); and

WHEREAS, on June 25, 2008, by Resolution No. 08-1877, the City Council approved and authorized the City to create the Love Field Airport Modernization Corporation (LFAMC) and negotiate a Program Development Agreement (PDA) with Southwest Airlines Co. (SWA) for implementation of the LFMP; and

WHEREAS, the City, LFAMC and SWA desire to amend the PDA for development of a future passenger parking garage at Dallas Love Field as part of the LFMP; and

WHEREAS, the City~~, LFAMC~~ and SWA desire to modify the Ground Lease for Cargo and General Use Building and ~~ground lease~~ by reducing the lease footprint in order to accommodate ~~for~~ the siting and development of a future passenger parking garage at Love Field; and

WHEREAS, the City, ~~LFAMC~~ and SWA desire to amend ~~supplement~~ the Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) to include development of a future passenger parking garage at Dallas Love Field; and

WHEREAS, the City has expressed intent to finance expenditures to be incurred for airport improvements for a future passenger parking garage at Love Field; and hereby authorizes interim financing in the amount of $8,000,000 to be transferred to ~~from~~ the Love Field Modernization Corporation ~~to~~ from the Aviation Capital Construction Fund ~~to~~ in order to provide initial project funds to be used for the permanent public parking garage at Love Field; and, upon receipt of the LFAMC bond proceeds, the LFAMC will repay the interim financing to the Aviation Capital Construction Fund.

NOW, THEREFORE,

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

Section 1. That the proposed ~~First~~ Second Amendment to the Program Development Agreement is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas and the LFAMC President, on behalf of the LFAMC, the PDA amendment after approval as to form by the City Attorney.

Section 2. That the proposed modification to the ~~General~~ Ground Lease for Cargo and General Use Building ~~Lease~~ between the City and SWA is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas after approval as to form by the City Attorney.

Section 3. That the proposed ~~supplementation~~ amendment to the Amended and Restated Lease of Terminal Building Premises between the City of Dallas and the signatory airlines ~~(Airport Use and Lease Agreement~~ is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas, after approval as to form by the City Attorney.

Section 4. That the City Controller is hereby authorized to disburse funds from Aviation Capital Construction Fund to the Love Field Airport Modernization Corporation, Aviation Capital Construction Fund: 0131, Dept: AVI, BSA 0169, in an amount not to exceed $8,000,000.00; said funds intended to be reimbursed from the proceeds of the sale of future General Airport Revenue Bonds.

Section 5. That the City Controller is hereby authorized to deposit the repayment of the interim financing from the LFAMC, to the Aviation Capital Construction Fund 0131, Dept. AVI, BSA 0169.

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.