

# DALLAS WATER UTILITIES WATER/WASTEWATER COVENANT

Procedure for obtaining a water and wastewater covenant, water covenant, or wastewater covenant;

Required for initial submittal:

1. One letter from the owner requesting a covenant agreement on the property
2. One copy of the subject Plat being processed
3. One copy of current owner's recorded warranty deed or deeds
4. Three sets of field notes that follow the Survey Plat Review Group's Legal Description Preparation Guideline and Checklist

## CITY PROCEDURE

### Engineering Division:

- Officially submit the above stated information to Engineering Division, Water Engineering, 320 E. Jefferson Blvd., Room 200, Dallas, Texas 75203.
- The field notes are then routed to the Survey Plat Review Group for a review and approval process.
- After the field notes are approved by Survey, the field notes and warranty deed or deeds are forwarded to the Real Estate Division office.

Time frame:

This process has an approximate one to two-week time frame per review iteration. An average review process (approved field notes) is approximately 4-6 weeks. This time for completion is dependent upon field notes correction requests and timely response.

### Real Estate Division

- Real Estate Division contacts the property owner for necessary information and documents for preparation of the covenant agreement.
- Once the required information is received by the Real Estate Division, documents are prepared and submitted to the City Attorney for review and approval.
- Following City Attorney approval, Real Estate Division sends original covenant agreement to the property owner for proper signature.
- Once the signed covenant agreement is returned to the Real Estate Division, the signed covenant agreement and other required City documents are packaged for final approval and signatures by the City Attorney and Assistant City Manager.
- The Real Estate Division then sends the covenant agreement document to the appropriate County Records office to be recorded.

Time frame:

The Real Estate Division has a process time of approximately 6 weeks for completion. This time frame is exclusive of any time allocated by Engineering Services, and is subject to timely responses from the property owner, as well as workload within the City Attorney's Office. **It is strongly advised that the owner proactively gathers the necessary ownership documents as soon as the need for a covenant agreement is identified.**



**Sustainable Development & Construction  
Engineering; Survey Plat Review Group  
“SPRG”**

**CITY OF DALLAS**

RE: City Plan File No. S \_\_\_\_\_ - \_\_\_\_\_ Addition Name: \_\_\_\_\_  
(If Applicable)

Owner Name \_\_\_\_\_ Owner Email \_\_\_\_\_  
(Required) (Required)

**LEGAL DESCRIPTION PREPARATION GUIDELINE AND CHECKLIST**

The following guideline and checklist are provided to assist in the preparation of real property descriptions for fee title conveyances, rights-of-way, easements, lease agreements, license agreements, etc., either for or on behalf of the City of Dallas. Legal Descriptions will be reviewed by the Sustainable Development & Construction, Engineering Division, Survey Plat Review Group (SPRG) staff to insure substantial compliance with both the form and content outlined in these guidelines. Legal Descriptions and Parcel Sketches must comply with both the rules of the Texas Board of Professional Land Surveying and the Professional Land Surveying Practices Act.

Legal Descriptions, for the purposes previously described, are defined as a written metes and bounds description of the boundary of the subject tract. A Parcel Sketch or map is a graphic depiction of the area described by the metes and bounds description. Both documents are prepared from data collected during an on the ground survey. All Legal Descriptions must include a reference to recorded monumentation (Corners of parent tract, platted subdivision, adjoining tract, etc.). The following checklist is provided for your assistance in preparing Legal Descriptions and Parcel Sketches for submittal to the Survey Plat Review Group (SPRG).

SPRG NO.: \_\_\_\_\_

**ALL DOCUMENTATION REFERENCED IN THE  
LEGAL DESCRIPTION & PARCEL SKETCH MUST BE SUBMITTED**

**GENERAL REQUIREMENTS**

APPLI- CITY  
CANT STAFF

1. \_\_\_\_\_ ADD “SPRG REVIEW BOX” TO EACH SHEET/PAGE OF LEGAL DESCRIPTION & PARCEL SKETCH.

**SPRG REVIEW BOX**

(For SPRG use only)
Reviewed by: _____
Date: _____
SPRG No. _____

2. \_\_\_\_\_ SUBMIT **3 ORIGINALS** OF THE LEGAL DESCRIPTION AND PARCEL SKETCH ON 8-1/2” X 11” PLAIN WHITE BOND, SIGNED (IN BLUE INK), SEALED, AND DATED BY THE REGISTERED PROFESSIONAL LAND SURVEYOR.

**HEADER REQUIREMENTS**

3. \_\_\_\_\_ **HEADER (USE THE ORDER THAT FOLLOWS) – SEE APPENDIX (SHEET 5) FOR EXAMPLES**
- a.) TYPE OF CONVEYANCE (I.E. WATER EASEMENT, WASTEWATER EASEMENT, STREET ABANDONMENT, DRAINAGE EASEMENT, ETC.).
  - b.) SUBDIVISION NAME, OR PARENT ACREAGE, OR (IF IN STREET) STREET NAME.
  - c.) LOT No. (IF APPLICABLE), CITY OF DALLAS BLOCK No. OR (IF IN STREET) ADJACENT BLOCK No.s.
  - d.) ORIGINAL LAND SURVEY GRANTEE NAME, ABSTRACT No.
  - e.) “CITY OF DALLAS, (FILL IN COUNTY NAME) COUNTY, TEXAS”
4. \_\_\_\_\_ **HEADER MUST BE SHOWN AND MATCH ON ALL SHEETS OF LEGAL DESCRIPTION & PARCEL SKETCH.**
5. \_\_\_\_\_ **DO NOT PLACE OR ASSIGN EXHIBIT LABELS (I.E. “EXHIBIT A”, “EXHIBIT “B”, ETC.).**

**LEGAL DESCRIPTION; PREAMBLE REQUIREMENTS**

6. \_\_\_\_\_ **DESCRIBE AREA,            UNDER AN ACRE= (1234 SQ. FT., 0.0283 ACRES)  
   AN ACRE AND ABOVE = (1.234 ACRES)**
7. \_\_\_\_\_ **ORIGINAL LAND SURVEY GRANTEE NAME, ABSTRACT No.**
8. \_\_\_\_\_ **CITY OF DALLAS BLOCK No.(S).**
9. \_\_\_\_\_ **PARENT TRACT ACREAGE OR LOT, BLOCK, SUBDIVISION NAME, AND RECORDING INFORMATION AS IT APPEARS IN INSTRUMENT OF CONVEYANCE.**
10. \_\_\_\_\_ **CURRENT OWNER’S NAME(S).**
11. \_\_\_\_\_ **TYPE OF CONVEYANCE (I.E. WARRANTY DEED, SPECIAL WARRANTY DEED, etc.)  
(DEED OF TRUST IS NOT ACCEPTABLE.)**
12. \_\_\_\_\_ **CURRENT OWNER’S DEED RECORDING INFORMATION (VOLUME AND PAGE, OR INSTRUMENT No. WITH COUNTY AND STATE.)**

**LEGAL DESCRIPTION; SPECIFIC METES AND BOUNDS REQUIREMENTS**

13. \_\_\_\_\_ **POINT OF COMMENCING (IF APPLICABLE).**
14. \_\_\_\_\_ **POINT OF BEGINNING. (COMMENCE OR BEGIN AT A STREET INTERSECTION, RECORDED ADDITION CORNER, OR LOT CORNER OF A RECORDED ADDITION.)**
15. \_\_\_\_\_ **BEARINGS AND DISTANCES.**
16. \_\_\_\_\_ **CURVE DATA (IF APPLICABLE), TO INCLUDE:**
- a. WHETHER CURVE IS TANGENT OR NON-TANGENT
  - b. DIRECTION TO THE RIGHT OR LEFT
  - c. ARC LENGTH
  - d. RADIUS
  - e. DELTA ANGLE
  - f. CHORD BEARING FROM THE BEGINNING OF THE CURVE
  - g. CHORD LENGTH

17. \_\_\_\_\_ LIST CALLS TO ADJOINING PROPERTIES WITH RECORDING INFORMATION.  
(THIS INCLUDES CURRENT RIGHT(S)-OF-WAY.)
18. \_\_\_\_\_ MUST TIE INTO A MINIMUM OF 2 CORNERS OF RECORD RELATED TO BOUNDARY  
General Rules of Procedures and Practices § 663.17. MONUMENTATION (b) & (c)
19. \_\_\_\_\_ MONUMENTATION; FOUND OR SET WITH SIZE AND IDENTIFYING  
FEATURES (I.E. YELLOW PLASTIC CAP STAMPED "JONES SURVEY").
20. \_\_\_\_\_ STATE A BASIS OF BEARING;  
SAMPLE STATEMENT; BASIS OF BEARING IS THE NORTH LINE OF  
FRENZY ROAD (INSERT RECORDED BEARING, I.E. BEING  
NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST) AS RECORDED  
IN VOLUME 88327, PAGE 0235, DEED RECORDS OF DALLAS COUNTY,  
TEXAS. STATE PLANE STATEMENT; STATE PLANE COORDINATE  
SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN  
DATUM OF 1983. ADJUSTMENT REALIZATION \_\_\_\_\_ 1986, 1993,  
CORS96, 2007 OR 2011.
21. \_\_\_\_\_ LEGAL; SIGNED (IN BLUE INK), SEALED, AND DATED BY THE REGISTERED  
PROFESSIONAL LAND SURVEYOR.
22. \_\_\_\_\_ SHEET/PAGE No.s (I.E. SHEET/PAGE 1 OF 2, etc.).

**PARCEL SKETCH REQUIREMENTS**

23. \_\_\_\_\_ NORTH ARROW AND GRAPHIC SCALE MUST BE SHOWN.
24. \_\_\_\_\_ ORIGINAL LAND SURVEY GRANTEE NAME, ABSTRACT No.
25. \_\_\_\_\_ POINT OF COMMENCING (IF APPLICABLE).
26. \_\_\_\_\_ POINT OF BEGINNING.
27. \_\_\_\_\_ BEARINGS AND DISTANCES.
28. \_\_\_\_\_ CURVE DATA (IF APPLICABLE), TO INCLUDE;  
a. ARC LENGTH  
b. RADIUS  
c. DELTA ANGLE  
d. CHORD BEARING FROM THE BEGINNING OF THE CURVE  
e. CHORD LENGTH
29. \_\_\_\_\_ IF APPLICABLE; SHOW LEGEND WITH SYMBOLS FOR REFERENCE TO PARCEL  
SKETCH (I.E. MONUMENTS, ABBREVIATIONS, ETC.).
30. \_\_\_\_\_ MONUMENTATION; FOUND OR SET WITH SIZE AND IDENTIFYING FEATURES  
(I.E. YELLOW PLASTIC CAP STAMPED "JONES SURVEY").
31. \_\_\_\_\_ SHOW CURRENT OWNER WITH ALL RECORDING INFORMATION AS LISTED IN  
PREAMBLE OF LEGAL DESCRIPTION (MUST MATCH).
32. \_\_\_\_\_ SHOW ADJOINING PROPERTIES WITH RECORDING INFORMATION AS DESCRIBED  
IN METES AND BOUNDS. (THIS INCLUDES CURRENT RIGHT(S)-OF-WAY.)
33. \_\_\_\_\_ LABEL AREA, IF UNDER AN ACRE = (1234 SQ. FT., 0.0283 ACRES)  
ONE ACRE AND ABOVE = (1.234 ACRES)

34. \_\_\_\_\_ SHOW AREA WITHIN IMMEDIATE PERIMETER OF PARCEL BOUNDARY MUST BE DETAILED:
- a. SHOW ADDITION NAME(S)
  - b. PROPERTY OWNER NAME(S)
  - c. LABEL APPROPRIATE NUMBERS FOR LOTS, BLOCKS, OR TRACTS,
  - d. SHOW VOLUME AND PAGE, AND SOURCE OF RECORD (D.R.D.C.TX., ETC.).
  - e. SHOW WIDTHS OF STREETS, ALLEYS, AND EXISTING EASEMENTS LEGIBLY. LABEL VOLUME AND PAGE AND SOURCE OF RECORD. ADD DISTANCE TIES ACROSS R.O.W. AT VARIABLE WIDTH R.O.W.
  - f. OTHER PERTINENT DATA
35. \_\_\_\_\_ SUBMIT DOCUMENTATION TO SUPPORT EXISTING STREET RIGHT-OF-WAY WIDTH (I.E. FILE RESEARCH; SEPARATE INSTRUMENT, PLAT, COUNTY R.O.W. MAP). THE SURVEY RECORDS VAULT AT 320 E. JEFFERSON, ROOM 314, DALLAS, TEXAS, OAKCLIFF MUNICIPAL CENTER IS A VALUABLE SOURCE OF THIS DATA.
36. \_\_\_\_\_ STATE THE BASIS OF BEARING ON PARCEL SKETCH, (FROM AN IDENTIFIABLE SOURCE, **I.E. TWO CONTROLLING MONUMENTS**).
- SAMPLE STATEMENT; *BASIS OF BEARING IS THE NORTH LINE OF FRENZY ROAD (INSERT RECORDED BEARING, I.E. BEING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST) AS RECORDED IN VOLUME 88327, PAGE 0235, DEED RECORDS OF DALLAS COUNTY, TEXAS.*
- STATE PLANE STATEMENT; STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION \_\_\_\_\_
- 1986, 1993, CORS96, 2007 OR 2011
37. \_\_\_\_\_ PARCEL SKETCH; SIGNED (IN BLUE INK), SEALED, AND DATED BY THE REGISTERED PROFESSIONAL LAND SURVEYOR.
38. \_\_\_\_\_ SHEET/PAGE No.s (I.E. SHEET/PAGE 1 OF 2, ETC.)
39. \_\_\_\_\_ SUBMIT A GEOMETRIC CLOSURE FOR THE BOUNDARY OF THE PARCELS (THIS IS REQUIRED IN THE PROJECT FILE PRIOR TO RELEASE, ATTACH TO SUBMITTAL):
- a. INCLUDE BEARINGS AND DISTANCES
  - b. CURVE DATA TO INCLUDE:
    1. DIRECTION TO THE RIGHT OR LEFT
    2. ARC LENGTH
    3. RADIUS
    4. DELTA ANGLE
    5. RADIUS
    6. CHORD BEARING FROM THE BEGINNING OF THE CURVE
    7. CHORD LENGTH
  - c. PRECISION OF BOUNDARY CLOSURE (MINIMUM 1:15000)

**VICINITY MAP**

VICINITY MAPS ARE **NO LONGER REQUIRED** TO BE SUBMITTED.

**THIS COMPLETED AND SIGNED LIST MUST ACCOMPANY THE THREE (3) EXECUTED ORIGINAL COPIES OF THE LEGAL DESCRIPTION AND PARCEL SKETCH EXHIBIT SUBMITTAL. COMPLETE ALL APPLICABLE ITEMS. PLACE A CHECKMARK IN THE SPACE LABELED "APPLICANT". ITEMS THAT ARE NOT APPLICABLE TO YOUR SITUATION SHOULD BE LABELED "N/A".**

**ADDITIONAL COMMENTS:**

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I, the Surveyor of Record, understand and agree that the City Staff Surveyor will require that the exhibits be resubmitted for review and approval if it is determined that this checklist contained incorrect information.

By review of the submitted separate instrument(s), this Department does not assume any liability for the separate instrument(s), nor does this review release the surveyor of record from her/his responsibilities as a surveyor as set forth by the Texas Board of Professional Land Surveying.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

## **APPENDIX**

### **HEADER EXAMPLES**

LICENSE AGREEMENT  
THOMAS JEFFERSON AVENUE  
ADJACENT TO BLOCK A/1234 & B/5678  
STEPHEN F. AUSTIN SURVEY, ABSTRACT No. 567  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

#### **IN PLATED SUBDIVISION**

WATER EASEMENT  
GEORGE WASHINGTON ADDITION  
LOT 1, BLOCK A/234  
STEPHEN F. AUSTIN SURVEY, ABSTRACT No. 567  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

#### **IN ACREAGE**

WATER EASEMENT  
BEING IN 89.5 ACRES  
BLOCK A/234  
STEPHEN F. AUSTIN SURVEY, ABSTRACT No. 567  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



**COVENANT AGREEMENT  
PAVING AND/OR STORM DRAINAGE**

*SAMPLE PL*

STATE OF TEXAS )  
 )  
COUNTY OF DALLAS )

**KNOW ALL MEN BY THESE PRESENTS:**

**WHEREAS** RCC Dallas Transportation, Ltd., a Texas limited partnership acting by and through Realty Capital Partners II Inc., a Texas corporation, its general partner, hereinafter referred to as "Owner" owns the property described in the attached Exhibit "A", which is incorporated by reference and is hereinafter referred to as "the Property"; and

**WHEREAS** Owner desires to file a subdivision plat (replat) of the Property with the County Clerk for the county where the Property is located, which subdivision is to be known as Bonnie View Truck Addition, an addition to the City of Dallas; and

**WHEREAS**, Owner has requested that the City of Dallas, hereinafter referred to as "City", recommend its approval of the subdivision Final Plat of the Property to the Dallas City Plan Commission;

**NOW, THEREFORE:**

Owner, its successors and assigns, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree and covenant in accordance with Section 51A-8.613 of the Dallas City Code as follows:

1. Prior to application for a building permit for any structure on the Property, Owner, its successors and assigns, shall prepare and submit engineering plans for all paving and/or storm drainage infrastructure, including but not limited to grading and drainage outfall improvements, required for the portion of the Property being developed, to the satisfaction of the Director of the Department of Development Services of the City of Dallas or designee, hereinafter referred to as "Director".
2. Furthermore, prior to application for a building permit for construction of any structure on the Property, and as a condition for issuance of same, Owner, its successors and assigns, shall, at no cost to City: (a) execute a private development contract for construction of paving and/or storm drainage infrastructure, as described in Paragraph 1, as applicable; (b) provide Director with City-approved payment and performance bonds for such construction of these improvements within City-owned easements, with a corporate surety licensed to do business in the State of Texas, with City named as an additional obligee; (c) fully construct and complete such required paving and/or storm drainage infrastructure in accordance with the engineering plans approved by

Director; (d) upon completion, obtain the acceptance of same by Director; and (e) secure or dedicate easements and rights-of-way necessary to serve the development at Owner's cost.

3. This Covenant Agreement shall not become binding and in effect until such time as the subdivision Final Plat is approved by City and filed of record in the real property records for the county where the Property is located.

4. In the event of sale or conveyance of any interest in the Property or of any portion of the Property to a third party, Owner, its successors and assigns shall promptly notify Director, supplying the name, address and interest of the new owner, as well as a copy of the conveyance instrument.

5. SPECIAL PROVISIONS: NONE.

6. It is the intention of Owner that the terms and conditions of this Covenant Agreement shall extend to and be binding upon Owner and its successors and assigns of any and all of the Property, and that this instrument shall be recorded in the real property records for the county where the Property is located and shall be a covenant running with the land described in Exhibit "A".

Executed this 9<sup>th</sup> day of September 2008.

RCC Dallas Transportation, Ltd., a Texas limited partnership

By: Realty Capital Partners II Inc., a Texas Corporation  
Its general partner

By: James W. Archie, II  
James W. Archie, II, Senior Vice President

Approved As To Form:  
THOMAS P. PERKINS, JR.,  
City Attorney

By: Julie K. Jones  
Assistant City Attorney



\* \* \* \* \*  
STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on September 9, 2008 by James W. Archie, Jr., senior vice president of Realty Capital Partners II Inc., a Texas corporation, general partner of RCC Dallas Transportation, Ltd., a Texas limited partnership, on behalf of said limited partnership.



*[Signature]*  
Notary Public, State of Texas

\* \* \* \* \*  
After recording return to:  
City of Dallas, Department of Development Services  
Real Estate Division  
320 East Jefferson Boulevard, Room 203  
Dallas, Texas 75203  
attn: Hector Reynoso

Re: Plan No. SPRG 1459 / Ref. Job No. 311T-7543. Ref. Plat No. S-067-172.

Log No. 33515

DATE: 09/04/08  
JOB NO. 08-09-022  
SHEET 1 OF 3

**COVENANT AGREEMENT—PAVING & DRAINAGE EXHIBIT A**  
5.607 ACRE TRACT SITUATED IN CITY BLOCK NUMBERS  
8291 AND 8292, CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 5.607 ACRE TRACT OF LAND SITUATED IN THE LEVI DIXON SURVEY, ABSTRACT NO. 380, CITY BLOCK NUMBERS 8291 AND 8292, CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING A PART OF A CALLED 10.606 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RCC DALLAS TRANSPORTATION, LTD., A TEXAS LIMITED PARTNERSHIP, OF RECORD IN COUNTY CLERK'S FILE NUMBER 20070395989, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND PART OF A CALLED 1.142 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RCC DALLAS TRANSPORTATION, LTD., A TEXAS LIMITED PARTNERSHIP, OF RECORD IN COUNTY CLERK'S FILE NUMBER 20080018252, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND FOR CORNER IN THE NORTHWEST RIGHT-OF-WAY LINE OF L.B.J. FREEWAY (INTERSTATE HIGHWAY 20), A VARIABLE WIDTH RIGHT-OF-WAY, AT THE SOUTHEAST CORNER OF SAID 10.606 ACRE TRACT OF LAND;

THENCE SOUTH 71°16'36" WEST ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF SAID L.B.J. FREEWAY, A DISTANCE OF 95.45 FEET TO A POINT FOR CORNER, FROM WHICH A 5/8" IRON ROD FOUND FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID 10.606 ACRE TRACT BEARS SOUTH 71°16'36" WEST, A DISTANCE OF 506.77 FEET, SAID POINT BEING AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF 22°16'38", AND A CHORD WHICH BEARS NORTH 38°04'04" WEST, A DISTANCE OF 11.40 FEET;

THENCE DEPARTING THE NORTHWEST RIGHT-OF-WAY LINE OF SAID L.B.J. FREEWAY, TRAVERSING THROUGH AND ACROSS SAID 10.606 ACRE TRACT THE FOLLOWING TEN (10) COURSES AND DISTANCES:

- 1) ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 11.47 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A NON-RADIAL CURVE TO THE RIGHT HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF 73°31'31" AND A CHORD WHICH BEARS NORTH 23°20'30" EAST, A DISTANCE OF 35.31 FEET;
- 2) ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 37.86 FEET TO A POINT FOR CORNER;
- 3) NORTH 30°28'07" WEST, A DISTANCE OF 46.26 FEET TO A POINT FOR CORNER;
- 4) SOUTH 59°31'53" WEST, A DISTANCE OF 92.54 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS NORTH 75°28'07" WEST, A DISTANCE OF 41.72 FEET;
- 5) ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 46.34 FEET TO A POINT FOR CORNER;
- 6) NORTH 30°28'07" WEST, A DISTANCE OF 339.80 FEET TO A POINT FOR CORNER;
- 7) SOUTH 59°31'53" WEST, A DISTANCE OF 127.37 FEET TO A POINT FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°08'23", AND A CHORD WHICH BEARS NORTH 75°23'55" WEST, A DISTANCE OF 42.48 FEET;
- 8) ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 47.20 FEET TO A POINT FOR CORNER;
- 9) NORTH 30°19'44" WEST, A DISTANCE OF 204.15 FEET TO A POINT FOR CORNER;
- 10) SOUTH 59°57'11" WEST, A DISTANCE OF 246.41 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT AN ANGLE POINT IN THE SOUTHWEST LINE OF SAID 10.606 ACRE TRACT AT THE COMMON EAST CORNER OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN DEEDS TO DALLAS POWER AND LIGHT COMPANY, OF RECORD IN VOLUME 70038, PAGE 1468 (SOUTH), AND VOLUME 70191, PAGE 1032 (NORTH), DEED RECORDS, DALLAS COUNTY, TEXAS, FROM WHICH A 5/8" IRON ROD FOUND FOR REFERENCE BEARS SOUTH 30°06'18" EAST, A DISTANCE OF 518.25 FEET.

BEARINGS ARE BASED ON THE NORTHWEST LINE OF L.B.J. FREEWAY, SOUTH 71°16'36" WEST, PER DEED RECORDED IN DOCUMENT NO. 20070395989, DEED RECORDS, DALLAS COUNTY, TEXAS.

REVIEWED BY *R.M.*  
09/11/08  
1459



*Peter Hine*

PETER R. HINE, R.P.L.S. 5574

PREPARED BY:  
PETER R. HINE, R.P.L.S. NO. 5574  
GLOBAL LAND SURVEYING, INC.  
704 CENTRAL PARKWAY EAST, SUITE 4214  
PLANO, TEXAS, 75074  
OFFICE: (972) 881-1700  
FAX: (972) 423-1083  
E-MAIL: phine@glsl-inc.com

DATE: 09/04/08  
 JOB NO. 08-09-022  
 SHEET 2 OF 3

**COVENANT AGREEMENT—PAVING & DRAINAGE EXHIBIT A**  
 5.607 ACRE TRACT SITUATED IN CITY BLOCK NUMBERS  
 8291 AND 8292, CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE NORTH 29°45'06" WEST ALONG A SOUTHWEST LINE OF SAID 10.606 ACRE TRACT OF LAND AND A NORTHEASTERLY LINE OF SAID DALLAS POWER & LIGHT COMPANY TRACT (VOLUME 70191, PAGE 1032), A DISTANCE OF 273.25 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE NORTHWEST CORNER OF SAID 10.606 ACRE TRACT OF LAND COMMON TO THE SOUTHWEST CORNER OF SAID 1.142 ACRE TRACT OF LAND;

THENCE NORTH 59°57'11" EAST ALONG THE MOST NORTHERN NORTHWEST LINE OF SAID 10.606 ACRE TRACT OF LAND AND THE SOUTHEAST LINE OF SAID 1.142 ACRE TRACT OF LAND, A DISTANCE OF 266.60 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 30°11'28" WEST, A DISTANCE OF 143.67 FEET TO A 5/8" IRON ROD FOUND FOR CORNER IN A SOUTHEAST LINE OF CEDAR CREEK RANCH, PHASE TWO, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NUMBER 20070288052, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 70°36'10" EAST ALONG SAID SOUTHEAST LINE OF CEDAR CREEK RANCH, PHASE TWO, A DISTANCE OF 35.63 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE NORTHWEST CORNER OF A CALLED 24.766 ACRE TRACT OF LAND DESCRIBED IN A DEED TO H-M TEXAS REAL ESTATE, L.P., A KANSAS LIMITED PARTNERSHIP, OF RECORD IN VOLUME 99162, PAGE 5318, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING AT THE NORTHEAST CORNER OF SAID 1.142 ACRE TRACT OF LAND;

THENCE SOUTH 30°11'28" EAST ALONG THE NORTHEAST LINE OF SAID 1.142 ACRE TRACT OF LAND AND THE SOUTHWEST LINE OF SAID 24.766 ACRE TRACT OF LAND AT A DISTANCE OF 137.09 FEET PASSING A 5/8" IRON ROD FOUND ON LINE FOR REFERENCE AT THE MOST NORTHERN NORTHEAST CORNER OF SAID 10.606 ACRE TRACT OF LAND AND CONTINUING ALONG THE MOST NORTHERN NORTHEAST LINE OF SAID 10.606 ACRE TRACT OF LAND FOR A TOTAL DISTANCE OF 410.34 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT AN INTERIOR "ELL" CORNER THEREOF;

THENCE NORTH 59°57'11" EAST ALONG THE MOST EASTERN NORTHWEST LINE OF SAID 10.606 ACRE TRACT OF LAND, A DISTANCE OF 288.10 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE MOST EASTERN NORTHEAST CORNER THEREOF;

THENCE SOUTH 30°28'07" EAST ALONG THE MOST EASTERN NORTHEAST LINE OF SAID 10.606 ACRE TRACT OF LAND, A DISTANCE OF 698.81 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.607 ACRES OF LAND.

BEARINGS ARE BASED ON THE NORTHWEST LINE OF L.B.J. FREEWAY, SOUTH 71°16'36" WEST, PER DEED RECORDED IN DOCUMENT NO. 20070395989, DEED RECORDS, DALLAS COUNTY TEXAS.

**REVIEWED BY** *[Signature]*  
 09/10/08  
 1459

LINE	BEARING	DISTANCE
1	S 71°16'36" W	95.45'
2	N 30°28'07" W	46.26'
3	S 59°31'53" W	92.54'
4	S 59°31'53" W	127.37'
5	N 30°11'28" W	143.67'
6	N 70°36'10" E	35.63'

CURVE	RADIUS	DELTA	CHORD BRNG/DIST	ARC LENGTH
1	29.50'	22°16'38"	N 38°04'04" W 11.40'	11.47'
2	29.50'	73°31'31"	N 23°20'30" E 35.31'	37.86'
3	29.50'	90°00'00"	N 75°28'07" W 41.72'	46.34'
4	30.00'	90°08'23"	N 75°23'55" W 42.48'	47.20'



*[Signature of Peter R. Hine]*

PETER R. HINE, R.P.L.S. 5574

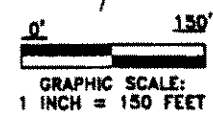
PREPARED BY:  
 PETER R. HINE, R.P.L.S. NO. 5574  
 GLOBAL LAND SURVEYING, INC.  
 704 CENTRAL PARKWAY EAST, SUITE T214  
 PLANO, TEXAS, 75074  
 OFFICE: (972) 881-1700  
 FAX: (972) 423-1083  
 E-MAIL: phine@glsl-inc.com

DATE: 09/04/08  
 JOB NO. 08-09-022  
 SHEET 3 OF 3

**COVENANT AGREEMENT—PAVING & DRAINAGE**  
 5.607 ACRE TRACT SITUATED IN CITY BLOCK NUMBERS  
 8291 AND 8292, CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A**

CEDAR CREEK RANCH PHASE 2  
 CC#20070288052 D.R.D.C.T.  
 (FLOODWAY MANAGEMENT AREA)  
 BLOCK S/8292



CEDAR CREEK RANCH PHASE 1  
 VOLUME 2004215, PAGE 00031  
 M.R.D.C.T.  
 BLOCK L/8292

LOT 1  
 LOT 2  
 LOT 3  
 LOT 4  
 LOT 5  
 LOT 6  
 LOT 7  
 LOT 8

REMAINDER OF  
 RCC DALLAS  
 TRANSPORTATION, LTD.  
 CC#20080018252  
 D.R.D.C.T.

PT: RCC DALLAS TRANSPORTATION, LTD.  
 CC#20080018252  
 D.R.D.C.T.

25' DRAINAGE &  
 UTILITY EASEMENT  
 CC#20070250290  
 D.R.D.C.T.

H-M TEXAS REAL ESTATE, L.P.  
 VOLUME 99162, PAGE 5318  
 D.R.D.C.T.  
 BLOCK 8292

DALLAS POWER AND LIGHT CO.  
 VOLUME 70058, PAGE 1468  
 D.R.D.C.T.

5.607 ACRES  
 PT: RCC DALLAS  
 TRANSPORTATION, LTD.  
 CC#20070395989  
 D.R.D.C.T.

S&N DALLAS, L.L.C.  
 VOLUME 99098, PAGE 5586  
 D.R.D.C.T.  
 BLOCK 8291

REMAINDER OF  
 RCC DALLAS TRANSPORTATION, LTD.  
 CC#20070395989  
 D.R.D.C.T.

BEARINGS ARE BASED ON THE  
 NORTHWEST LINE OF L.B.J.  
 FREEWAY, SOUTH 71°16'36"  
 WEST, PER DEED RECORDED  
 IN DOCUMENT NO.  
 20070395989, DEED RECORDS,  
 DALLAS COUNTY, TEXAS.

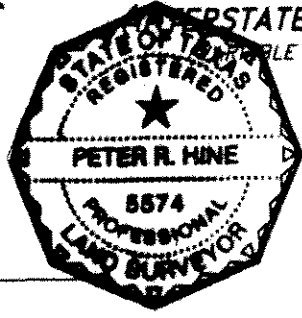
**REVIEWED BY**  
*RMC*  
*09/19/08*  
*L457*

FND 5/8" I.R.  
 (CONTROL MONUMENT)

L.B.J. FREEWAY  
 (STATE HIGHWAY 20)  
 (50' WIDE R.O.W.)

**BEGIN**

\* SEE SHEET 2 FOR  
 LINE AND CURVE DATA \*



*Peter Hine*

PETER R. HINE, R.P.L.S. 5574

PREPARED BY:  
 PETER R. HINE, R.P.L.S. NO. 5574  
 GLOBAL LAND SURVEYING, INC.  
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 PLANO, TEXAS, 75074  
 OFFICE: (972) 881-1700  
 FAX: (972) 423-1083  
 E-MAIL: phine@glis-inc.com

Unofficial Document

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*[Handwritten signature]*

John F. Warren, County Clerk  
Dallas County TEXAS

October 15, 2008 12:46:45

FEE: \$36.00

20080332741

36

**City of Dallas  
Real Estate Division**

**REQUIRED CORPORATE DOCUMENTATION**

**OBJECTIVE:**

The City of Dallas – City Attorney’s Office requires proof of ownership for the requested easement, license, agreement, abandonment, etc. It is imperative that the documents are submitted in a timely manner, as this may delay the release of permits/approvals from other Departments and/or Divisions. Preparing these documents prior to the Real Estate Division’s review is encouraged as a proactive measure. Please be prepared to submit these documents upon request from Real Estate.

The required documents for each type of ownership is listed below:

**Limited Partnership (Ltd., LP)**

- Example of Signature Block
- Limited Partnership Agreement
- Certificate of Limited Partnership
- Consent - For the transfer of real property, the limited partnership agreement may require the consent or ratification of general partners. If not an opinion letter from the partnership’s attorney stating that such ratification is not necessary.
- Certificate of Incumbency (official document that lists the names of incumbent individuals and their respective corporate office within an organization)

**Non-Profit Corporation**

- Example of Signature Block for authorized signing agent
- Certificate of Incorporation
- Articles of Incorporation and Bylaws
- Corporate Resolution
- Certificate of Incumbency
- Good Standing Certificate – a good standing certificate obtained from the state Comptroller of Public Accounts in Texas, confirming the required filings of reports and payments.

### **Limited Liability Company (LLC)**

- Example of Signature Block for authorized signer
- Certificate of Formation
- Entity Regulations (Bylaws)
- Good Standing Certificate – a good standing certificate obtained from the state Comptroller of Public Accounts in Texas, confirming the required filings of reports and payments.
- Authorization Documentation (corporate resolution authorizing the water easement and stating who will be authorized to execute the documents)

### **Incorporated (Inc.)**

- Example of Signature Block for signing officer
- Certificate of Formation
- Bylaws – organizational documents identifying the authority and limitations of authority of officers to enter into the transaction
- Good Standing Certificate
- Corporate Resolution – executed resolution of the shareholders or directors of the Grantor authorizing the proposed transaction and granting authority to the signing officer to act on behalf of the corporation.
- Certificate of Incumbency (official document that lists the names of incumbent individuals and their respective corporate office within an organization)

### **Individuals – (needed for each owner listed if multiple)**

- Completed Marital Affidavit
- No Conflict of Interest Statement
- Homestead/Non-Homestead Affidavit