

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE 21 February 2014

TO Transportation and Trinity River Project Committee Members: Lee Kleinman (Vice Chair), Monica Alonzo, Tennell Atkins, Sandy Greyson, and Sheffie Kadane

SUBJECT Transportation and Trinity River Project Committee Meeting Agenda

Monday, 24 February 2014, at 1:00 P.M. until 3:00 P.M.
Dallas City Hall – 6ES, 1500 Marilla Street, Dallas, TX 75201

The agenda for the meeting is as follows:

1. Approval of the 10 February 2014 Meeting Minutes
[Estimated 2 Minutes] Vonciel Jones Hill, Chair
2. Status of Street Condition and Repair Work
[Estimated 75 Minutes] Rick Galceran, Director, Public Works and
Dennis Ware, (I) Director, Street Services
3. Upcoming Council Agenda Item(s)
[Estimated 15 Minutes]
 - Authorize a professional services contract with Huitt-Zollars, Inc. for engineering design services associated with the Trinity Parkway Borrow Area/Phase I Lakes Project - Not to exceed \$737,000 - Financing: Stormwater Drainage Management Capital Construction Funds (\$147,000) and 1998 Bond Funds (\$590,000)
 - Authorize **(1)** the acceptance of a private donation from the Trinity Trust Foundation in the amount of \$105,000; **(2)** the establishment of appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund; and **(3)** a professional services contract with Wallace Roberts & Todd, LLC for review of the proposed phasing plans for consistency with the original Balanced Vision Plan, visioning, renderings and basic cost estimates for donor packages - Not to exceed \$105,000 – Financing: Private Funds
 - Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the County of Dallas, of an unimproved tract of land containing approximately 9,517 square feet located on South Riverfront Boulevard near its intersection with Old Zang Road for the Able Pump Station Project - Not to exceed \$5,707 (\$3,807 plus closing costs and title expenses not to exceed \$1,900) – Financing: 2006 Bond Funds

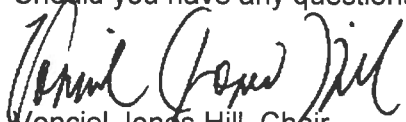
“A quorum of the Dallas City Council may attend this Council Committee meeting.”

- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Greyhound Lines, Inc., of two tracts of improved land containing a total of approximately 4,526 square feet located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue – Not to exceed \$181,782 (\$177,282 plus closing costs and title expenses not to exceed \$4,500) – Financing: General Obligation Commercial Paper Funds
- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Prescott Interests, Ltd., of an unimproved tract of land containing approximately 15,352 square feet located on Beckley Avenue at its intersection with Interstate Highway 30 for the IH-30 Bike and Pedestrian Facility Improvements – Not to exceed \$288,012 (\$284,012 plus closing costs and title expenses not to exceed \$4,000) – Financing: General Obligation Commercial Paper Fund

Addendum

- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from BNSF Railway Company, of a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet located near the intersection of Morrell Avenue and Sargent Road for the Trinity River Corridor Project – Upper Chain of Wetlands - Not to exceed \$5,445 (\$3,545 plus closing costs and title expenses not to exceed \$1,900) – Financing: 1998 Bond Funds
 - A resolution authorizing the conveyance of an easement and right-of-way containing approximately 20,881 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Pemberton Hill Road near its intersection with Jeane Street – Financing: No cost consideration to the City
4. DART Board Appointment Update Vonciel Jones Hill, Chair
[Estimated 5 Minutes]
5. Adjourn

Should you have any questions, please do not hesitate to contact me.



Vonciel Jones Hill, Chair
Transportation and Trinity River Project Committee

C: The Honorable Mayor and Members of the Dallas City Council
A.C. Gonzalez, City Manager
Warren M. S. Ernst, City Attorney
Judge Daniel F. Solis, Administrative Judge
Rosa A. Rios, City Secretary
Craig D. Kinton, City Auditor
Ryan S. Evans, (I) First Assistant City Manager
Jill A. Jordan, P. E., Assistant City Manager

Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, (I) Assistant City Manager
Theresa O'Donnell, (I) Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council

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 is 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.

Transportation and Trinity River Project Council Committee Meeting

Meeting Minutes

Meeting Date: 10 February 2014 **Convened:** 1:03 p.m. **Adjourned:** 2:18 p.m.

Councilmembers:	Presenter(s):
Vonciel Jones Hill, Chair	Jill A. Jordan, P.E., Assistant City Manager
Mayor Pro Tem Tennell Atkins	Rosa A. Rios, City Secretary
Deputy Mayor Pro Tem Monica Alonzo	Liz Fernandez, Director, Trinity Watershed Management
Sandy Greyson	Gail Thomas, Ph.D., President and Executive Officer, The Trinity Trust
Sheffie Kadane	Keith Manoy, Assistant Director, Public Works
Councilmembers Absent:	
Lee Kleinman, Vice Chair	
Other Councilmembers Present:	
Scott Griggs	Philip T. Kingston
Staff Present:	Staff Present:
Sarah Standifer, Assistant Director, TWM	Auro Majumdar, City Traffic Engineer, Street Services

AGENDA:

1. **Approval of the 27 January 2014 Meeting Minutes**

Presenter(s): Vonciel Jones Hill, Chair

Action Taken/Committee Recommendation(s): Motion was made to approve the 27 January 2014 Transportation and Trinity River Project Council Committee meeting minutes.

Motion made by: Atkins

Item passed unanimously:

Item failed unanimously: _____

Motion seconded by: Kadane

Item passed on a divided vote: _____

Item failed on a divided vote: _____

2. **D/FW International Airport Board - DART Board Appointment Recommendation**

Presenter(s): Rosa A. Rios, City Secretary

Action Taken/Committee Recommendation(s): Motion was made to move forward to full council, with approval, that Mr. William Tsao begin his service on the D/FW International Airport Board on 12 February 2014, after the council vote and that on 26 February 2014, the council will vote on a new appointee to the DART Board, if the committee and council have coalesced around a single name.

Motion made by: Kadane

Item passed unanimously:

Item failed unanimously: _____

Motion seconded by: Atkins

Item passed on a divided vote: _____

Item failed on a divided vote: _____

3. **Update of Design of Trinity Borrow Area/Lakes Phase 1**

Presenter(s): Jill A. Jordan, P.E., Assistant City Manager, Liz Fernandez, Director, Trinity Watershed Management and Gail Thomas, Ph.D., President and Executive Officer, The Trinity Trust

Action Taken/Committee Recommendation(s): Motion was made to recommend approval of the next steps as proposed by staff and move the item forward for full council consideration.

Motion made by: Greyson
Item passed unanimously: X
Item failed unanimously: _____

Motion seconded by: Kadane
Item passed on a divided vote: _____
Item failed on a divided vote: _____

4. **Collin County 2007 Bond Discretionary Funding Call for Projects Submittal**

Presenter(s): Keith Manoy, Assistant Director, Public Works

Action Taken/Committee Recommendation(s): Motion was made to endorse the project list as submitted and move the item forward for full council consideration.

Motion made by: Greyson
Item passed unanimously: X
Item failed unanimously: _____

Motion seconded by: Kadane
Item passed on a divided vote: _____
Item failed on a divided vote: _____

5. **Upcoming Agenda Item**

Presenter(s): Liz Fernandez, Director, Trinity Watershed Management

- Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC (Oncor) to relocate an existing 138 kilovolt electric transmission tower on Oncor's East Levee-West Industrial line for the Able Pump Station Improvement Project in an amount - Not to exceed \$273,174 – Financing: 2006 Bond Funds

Action Taken/Committee Recommendation(s): Motion was made to recommend approval and move the item forward for full council consideration.

Motion made by: Alonzo
Item passed unanimously: X
Item failed unanimously: _____

Motion seconded by: Greyson
Item passed on a divided vote: _____
Item failed on a divided vote: _____

Adjourn
(2:18 p.m.)

Vonciel Jones Hill, Chair
Transportation and Trinity River Project Council Committee

Memorandum



CITY OF DALLAS

DATE 21 February 2014

TO Honorable Members of the Transportation and Trinity River Project Committee:
Vonciel Jones Hill (Chair), Lee M. Kleinman (Vice Chair), Monica R. Alonzo,
Tennell Atkins, Sheffie Kadane, Sandy Greyson

SUBJECT Status of Street Condition and Repair Work

On Monday, 24 February 2014, you will be briefed on the Status of Street Condition and Repair Work. The briefing materials are attached for your review.

Please let me know if you have any questions or need additional information.

A handwritten signature in blue ink, appearing to read 'Jill Jordan'.

Jill A. Jordan, P.E.
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M. S. Ernst, City Attorney
Rosa A. Rios, City Secretary
Judge Daniel F. Solis, Administrative Judge
Craig D. Kinton, City Auditor
Ryan S. Evans, Interim First Assistant City Manager
Forest E. Turner, Assistant City Manager
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Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager- Mayor and Council Office

Status of Street Condition and Repair Work

Presented to the
Transportation and Trinity River Project Committee
24 February 2014



Purpose

Demonstrate the way streets are rated, the departments that work on streets, the streets condition and what is needed to maintain them

Outline

- Life cycle of streets
- Rating streets condition
- Condition of streets and the City's goals
- Work plan for maintaining and improving streets
- Requirements to maintain and/or improve our streets

Life Cycle of a Street

- Typical life of street - 20 to 50 plus years depending on:
 - Pavement design
 - Traffic loads
 - Soil conditions
 - Weather/precipitation patterns
 - Maintenance schedule
- National records reveal that streets without a proactive and major maintenance programs degrade annually at the following rates:
 - Satisfactory streets 2.5% - 5.5%
 - Unsatisfactory streets 5.5% - 10%


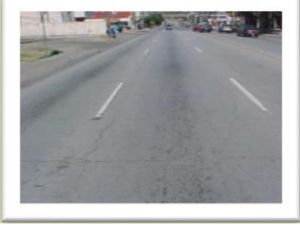

Note: Work is underway to confirm these rates on Dallas' streets


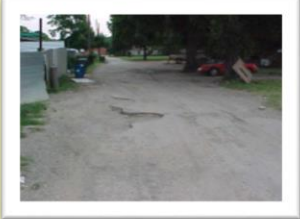
How Streets Are Graded

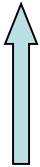
- Visual inspections started in 1975
 - Ratings were subject to judgment by staff
- Since 2007 streets and alleys are reviewed every two (2) years using the street analysis vehicle
- Ground penetration testing, radar, cameras used to inspect
- Technical rating of streets based on extent and severity of distress (roughness, cracking, etc.) = Pavement Condition Index [PCI] measuring roughness, cracking and distress
- For decades PCI ratings have been assigned letter grades: A (best) to E (worst)



Street Condition Ratings

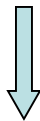
Rating	Description	PCI
A 	Excellent Pavements that have no distress (mostly new or newly rehabilitated surfaces)	100-85
B 	Good Very good ride quality - requires preventive maintenance (slurry seal or similar) if any	85-70
C 	Fair Acceptable ride quality, though road surfaces are becoming worn – slurry, microsurfacing, partial reconstruction or similar is needed to prevent rapid deterioration	70-45

D 	Poor Marginally acceptable ride quality – microsurfacing, chip sealing, or partial reconstruction, resurfacing or rehabilitation is needed to prevent rapid deterioration	45-35
E 	Very Poor Pavements that have extensive amounts of distress and requires partial or full reconstruction or restoration	>35



Satisfactory

Unsatisfactory



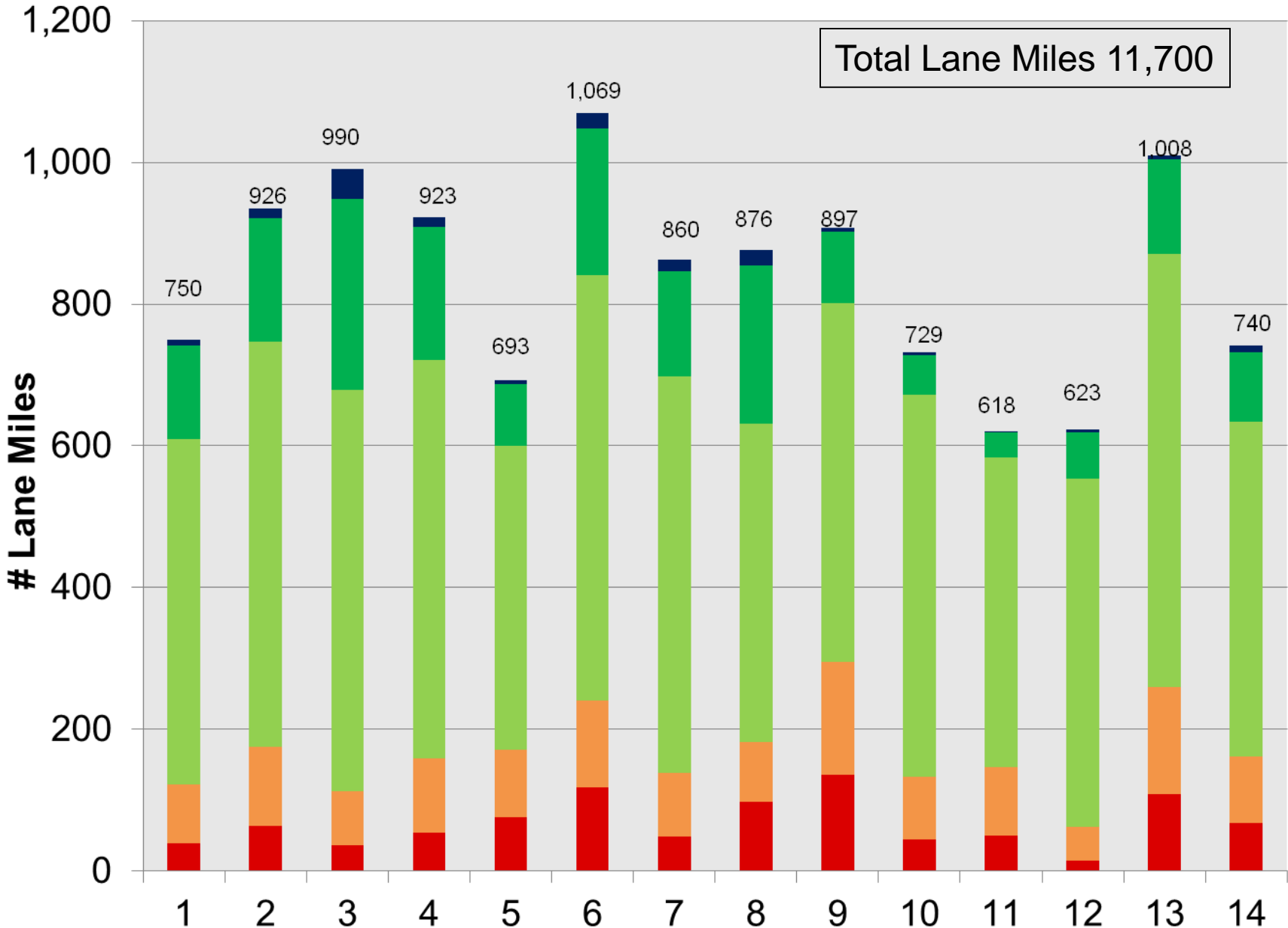
Street Condition Goals and Background

- Street condition goals - revised and adopted by City Council in 2006:
 - 87% satisfactory Citywide (Satisfactory = A's, B's, and C's)
 - Minimum 80% satisfactory in each Council District
 - Goals were to be achieved by completion of 2006 Bond Program in conjunction with an enhanced O&M program
- Reaching the Council's 2006 goal of 87% overall satisfaction rating requires additional funding of over \$900 million in the next four (4) years
 - Regular Bond Programs (infrastructure improvements)
 - Annual street maintenance

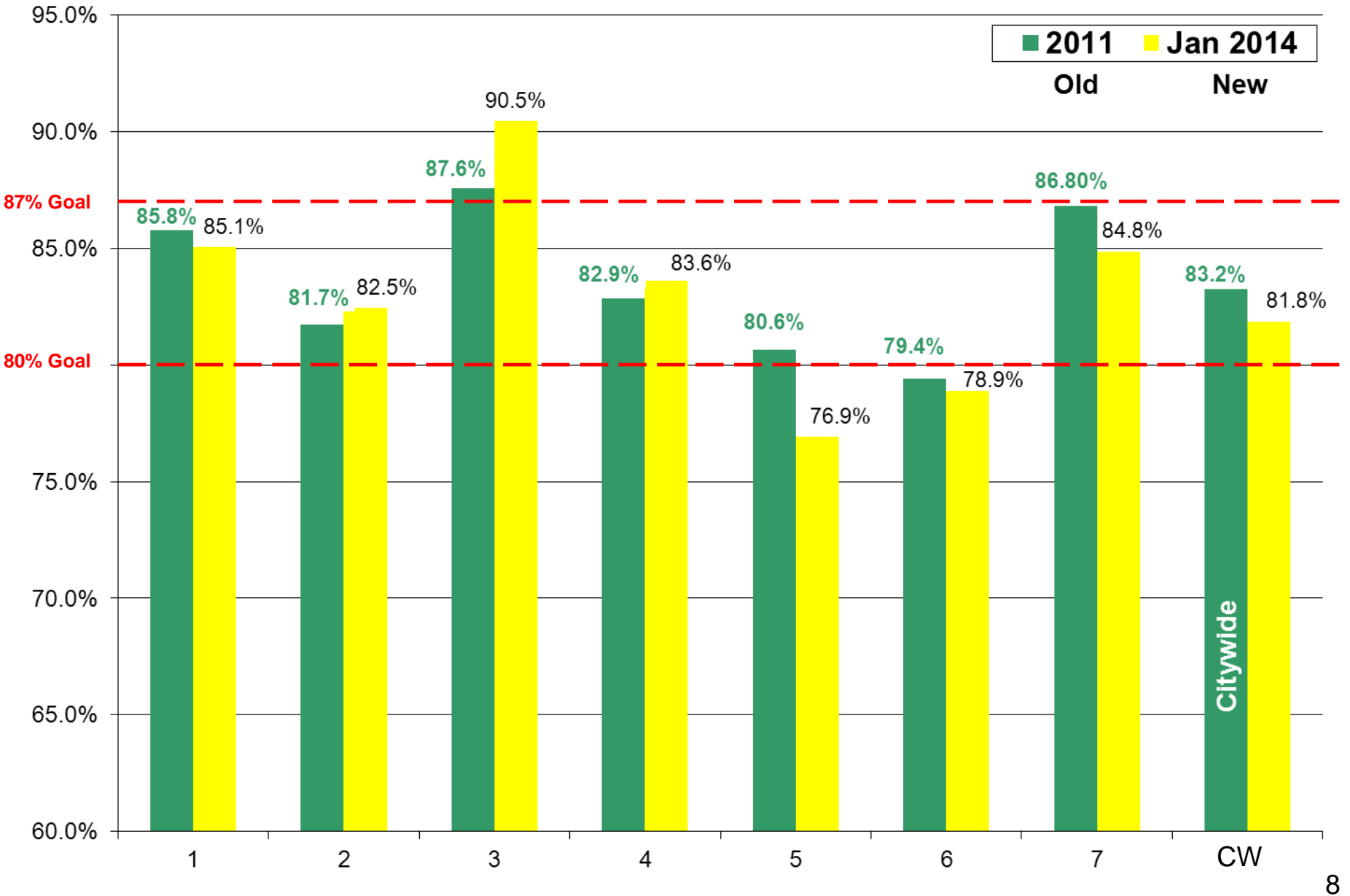
Lane Miles of Streets by Council District (Jan 2014)

Total Lane Miles 11,700

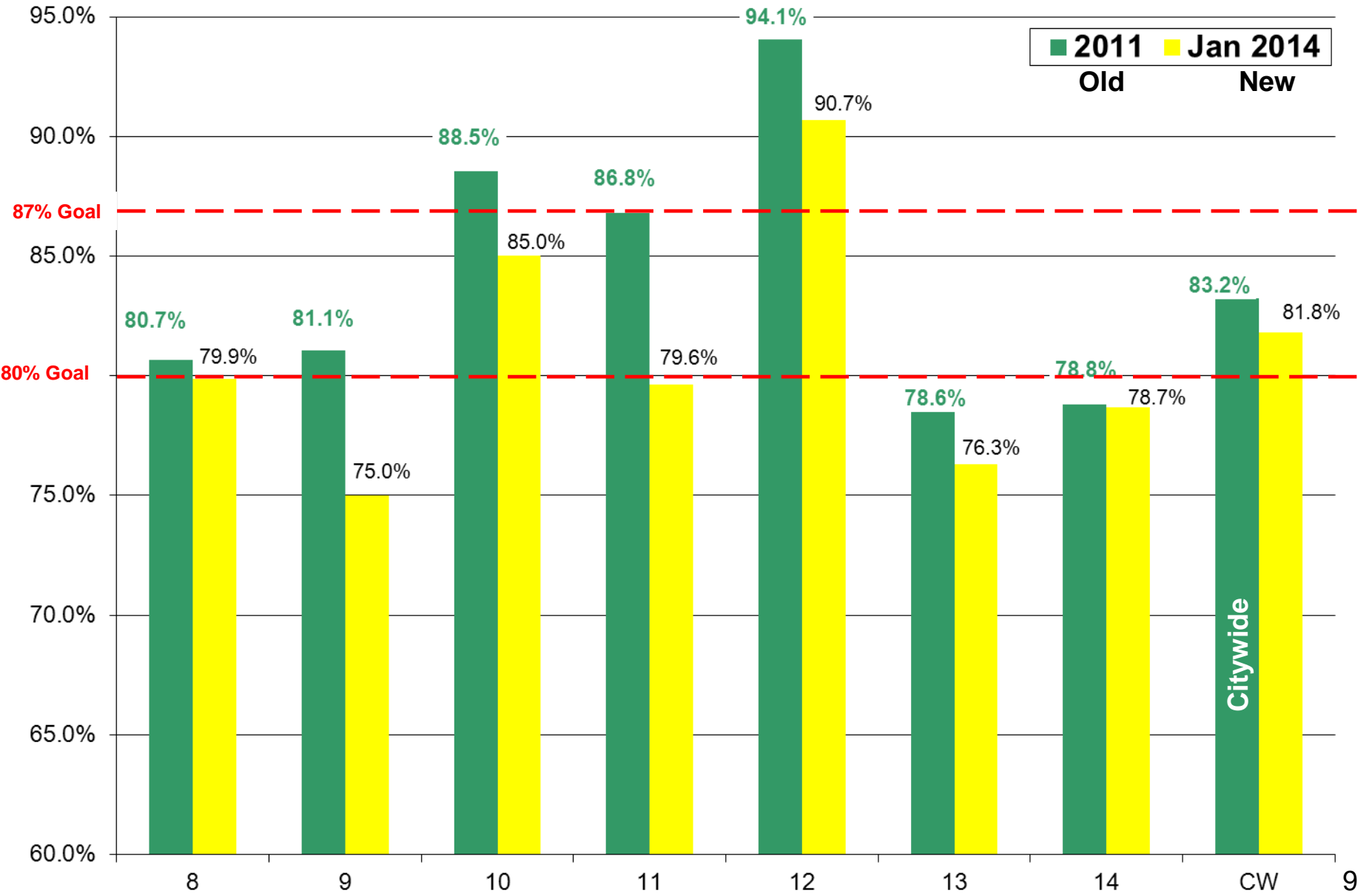
- Excellent
- Good
- Fair
- Poor
- Very Poor



2011 and 2014 Street Condition Ratings



2011 and 2014 Street Condition Ratings



Departments that Construct and Maintain Streets

Street Services

- **Responsible for Streets, Alleys & Bridges through:**
 - **Maintenance & Repair**
 - **Major maintenance**
 - **Restoration & Rehabilitation of “unimproved” asphalt streets**
 - **Performs own construction**
 - **Selects contractors to perform overflow construction**
- Funding: General fund**

Note: Larger projects are referred to Public Works

Public Works

- **Responsible for Streets, Alleys and Bridges through:**
 - **New construction**
 - **Reconstruction**
 - **Resurfacing**
 - **Selection of design consultants**
 - **Bidding projects for construction**
 - **Managing, inspecting design and construction projects**
- Funding: Bond program**

Water Department

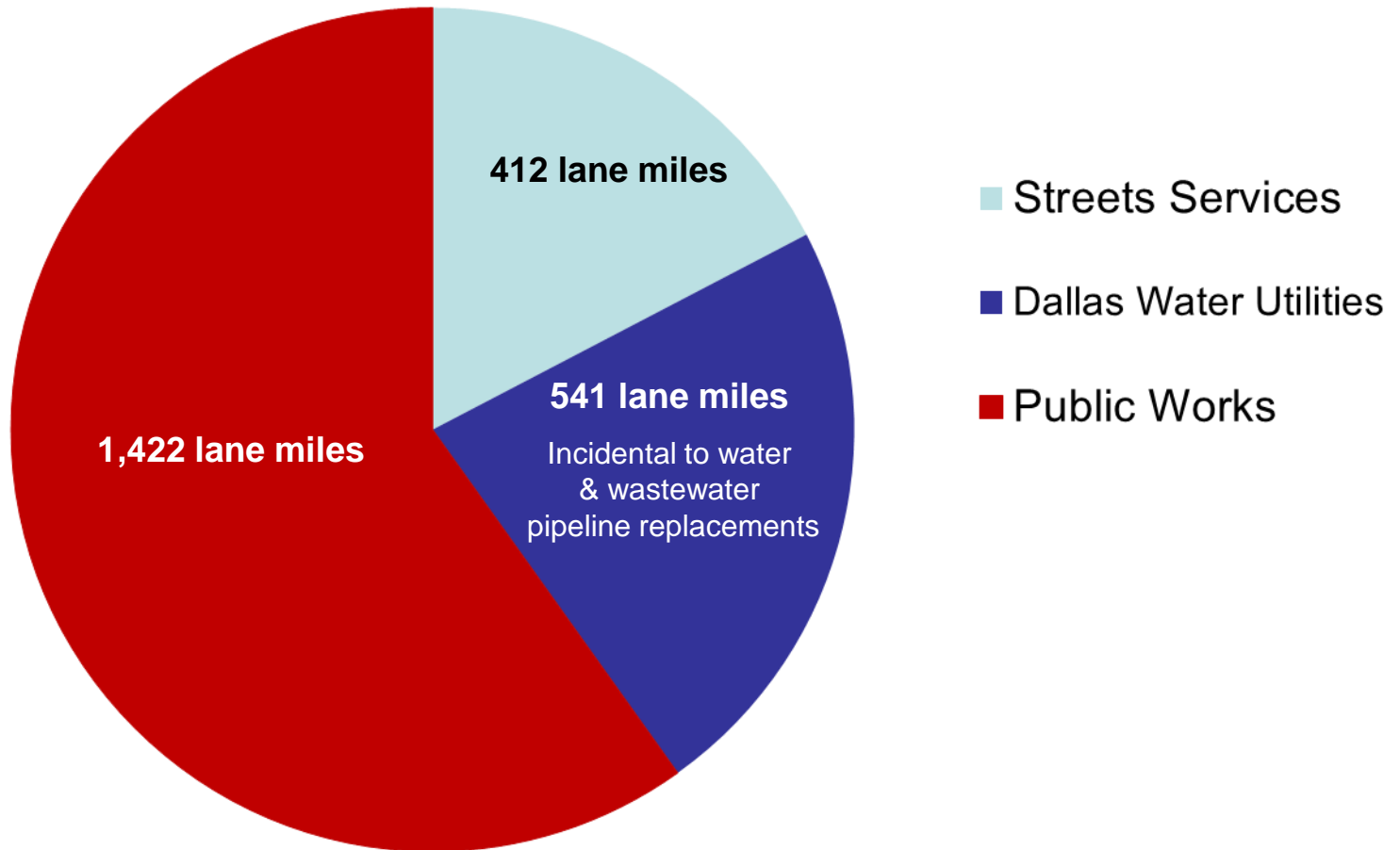
- **Street reconstruction as a result of water and wastewater replacement**
 - **Selection of design consultants**
 - **Bidding projects for construction**
 - **Managing, inspecting design and construction**
- Funding: Enterprise funding**

- Bond Program investment is for construction, reconstruction & resurfacing
- Maintenance extends the life of these infrastructure items

Street Replacements

2,375 Lane Miles

Resurfaced/Reconstructed/Rehabilitated/Restored 2004-2013



Departments & private utilities collectively develop multi-year work plans to avoid conflicts and duplication of efforts as well as adding to and expanding projects

Street Services Department

- \$62M Budget with 588 employees
- Maintains over 11,700 lane miles of streets
- Organized into four business units:
 - Street Repair Division
 - Service Maintenance Areas (4 plus night operations)
 - Contracts, Finance & Inspections
 - Transportation Operations

Street Services

- Streets & Alleys
 - Pothole repair
 - Street & alley repair
 - Litter removal
 - Response to roadway hazards
 - Roadside drainage
 - Guard rail repair
 - Inlet cleaning
 - Severe weather response
- Contracted Services
 - Street sweeping (major thoroughfares)
 - Mowing of medians/ TXDOT rights-of-way
 - Sealing of streets (prevent water infiltration)
 - Lane line and crosswalk
- Transportation Operations
 - Traffic Studies
 - Traffic Signals
 - Street Stripping
 - Traffic Signs
 - Street Lighting
 - Congestion Management
 - Lane Closure Permits

Treatments Performed / Contracted by Streets Services

Contracted Treatments

Slurry Seal

\$13K per lane mile and last from 5-7 years

Micro Surfacing

\$19K per lane mile and last from 5-7 years



Partial Reconstruction (both in-house and contracted)

\$67.50 per square yard (including curb & gutter repair)
and last from 10-12 years



Treatments Performed / Contracted by Streets Services

In-House Treatments

Full-Depth Repair

\$20.50 per square yard for asphalt street
\$69 per square yard for concrete street
and last from 5-7 years



Asphalt Street Rehabilitation

\$160K per lane mile and last from 10-12 years

Asphalt Street Restoration

\$180K per lane mile and last from 18-20 years



Partial Reconstruction (both in-house and contracted)

\$73 per square yard (including curb & gutter repair)
and last from 10-12 years

*Cost is within 7.5% of the contracted cost for similar work



Impacts of Maintenance on Street Condition Ratings

- Proactive maintenance effectively extends life expectancy of streets
- Maintenance work is planned or service request-driven
 - Preventive Maintenance (primarily Full-depth Asphalt/Concrete, Micro Surfacing and Slurry Sealing)
 - Major Maintenance (primarily Rehabilitation, Restoration, and Partial Reconstruction)
- Since most preventive maintenance is performed on satisfactory streets, the overall rating does not increase. Preventive maintenance prevents deterioration that decreases ratings
- Major maintenance on unsatisfactory streets increases the satisfactory overall ratings

Public Works Department

- \$16.6M annual operating budget with 173 employees
 - Engineers, Surveyors, Inspectors & Support staff
- \$331M capital budget for street and thoroughfare improvements
- \$18M capital budget for aviation and city facilities
- Organized into three (3) main work units
 - Street and paving infrastructure and surveying
 - New facilities and facility major maintenance
 - Air Quality, Parking Adjudication, and Finance

Public Works

- Street and Paving Infrastructure – Design and Construction
 - Street and alley reconstruction and street resurfacing
 - New street and alley petitions
 - Complete streets
 - Thoroughfares and urban design / streetscaping
 - Intergovernmental partnerships and bridge repairs
 - Pavement management and life cycle analysis

Program Development and Street Selection Process For Capital Programs and Annual Work Plans

- Develop a preliminary criteria for candidate streets for each treatment type/maintenance program
- Allocate funding among street improvement/maintenance programs
- Obtain Council input on street needs
- Evaluate candidate streets (includes field verification)
- Coordinate with utility owners and City departments
- Select projects

Street Treatments Managed by Public Works



Resurfacing

\$200K per lane mile, includes curb and gutter and base repairs
Last from 15-20 years with maintenance



Reconstruction

\$1M per lane mile, includes curb and gutter, base replacement and drainage
Last from 20-50 years with maintenance

Work is performed by contractors and managed by staff engineers and inspectors

Street Treatments Managed by Dallas Water Utilities



Street and alley repairs by the Dallas Water Utilities are associated with pipeline replacement. For asphalt streets the City policy requires that an entire lane be reconstructed at the location for where the pipeline is replaced. From joint to joint for concrete streets.

Four Year Work Plan For Repairing and Replacing Unsatisfactory Streets By Department

	2013/14	2014/15	2015/16	2016/17
Street Services E's & D's into C's	42	42	42	42
Public Works E's & D's into A's & B's	59	89	78	56
DWU E's & D's into B's & C's	48	58	65	67
Total Lane Miles Improved	149	189	185	165

Note: The total lane miles in unsatisfactory condition today is 2,361

How Streets Degrade

- Streets degrade for the following reasons:

- Shifting soil
- Harsh weather
- Age
- Usage
- Under-designed streets

These events cause streets to crack, allowing for water infiltration that undermines the base material

- Streets degrade at different rates

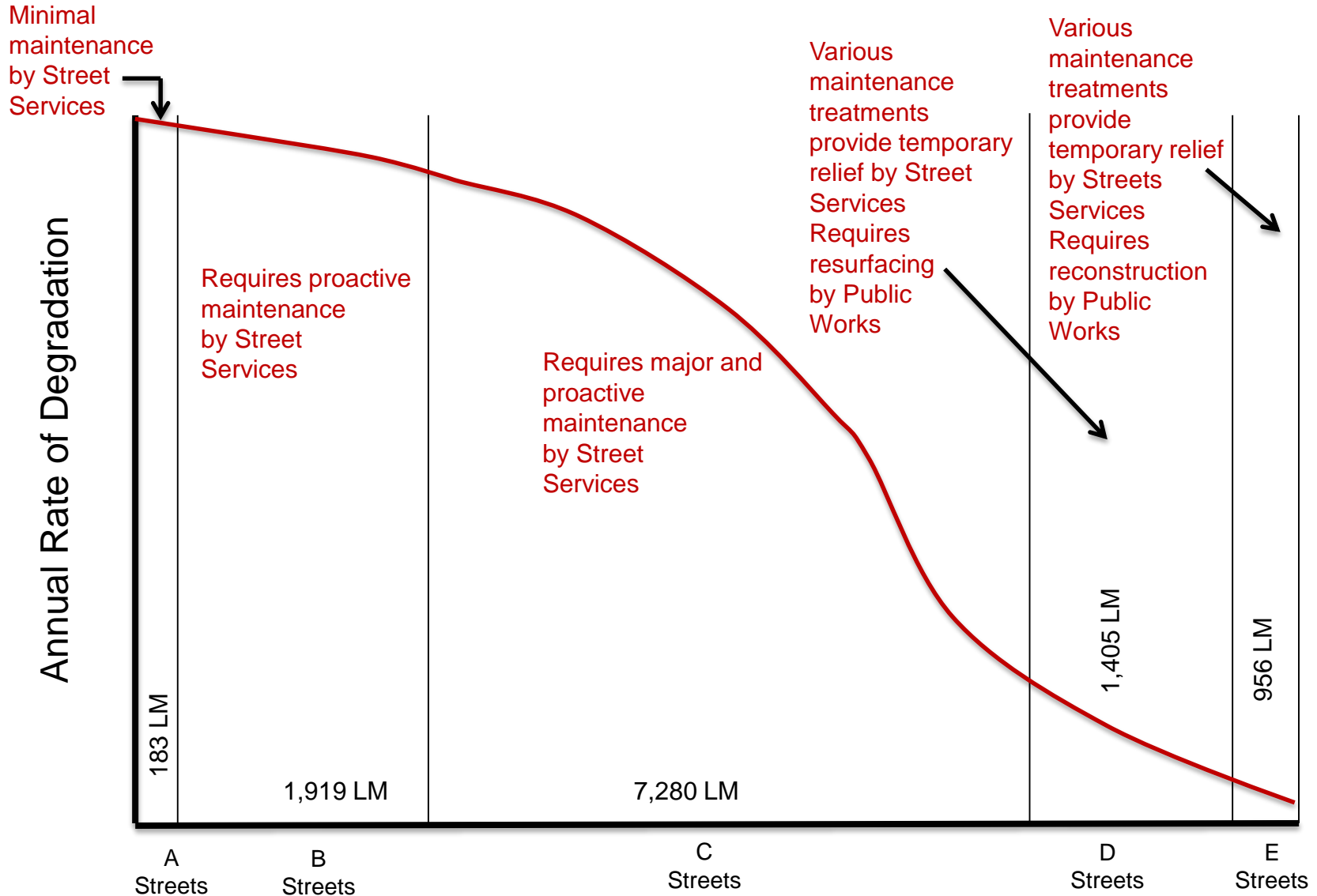
- A, B and E streets degrade the slowest
- C and D streets degrade the fastest

- 62% of our streets are in C condition

- A at 1.5%, B at 16.4%, C at 62%, D at 12% and E at 8.1%

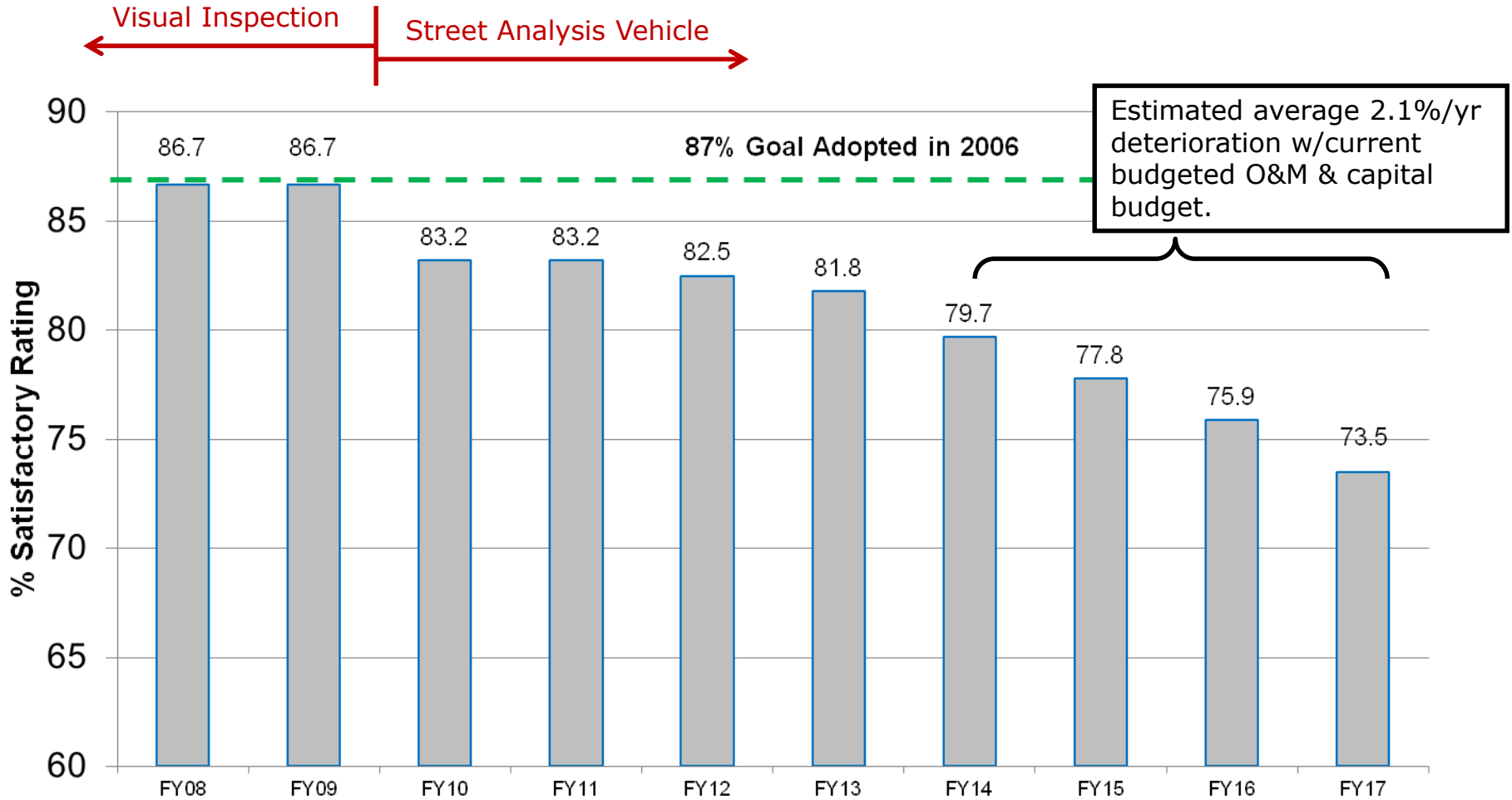
Street Degradation Curve

Streets degrade at a rate from 0.3% to over 10% yearly



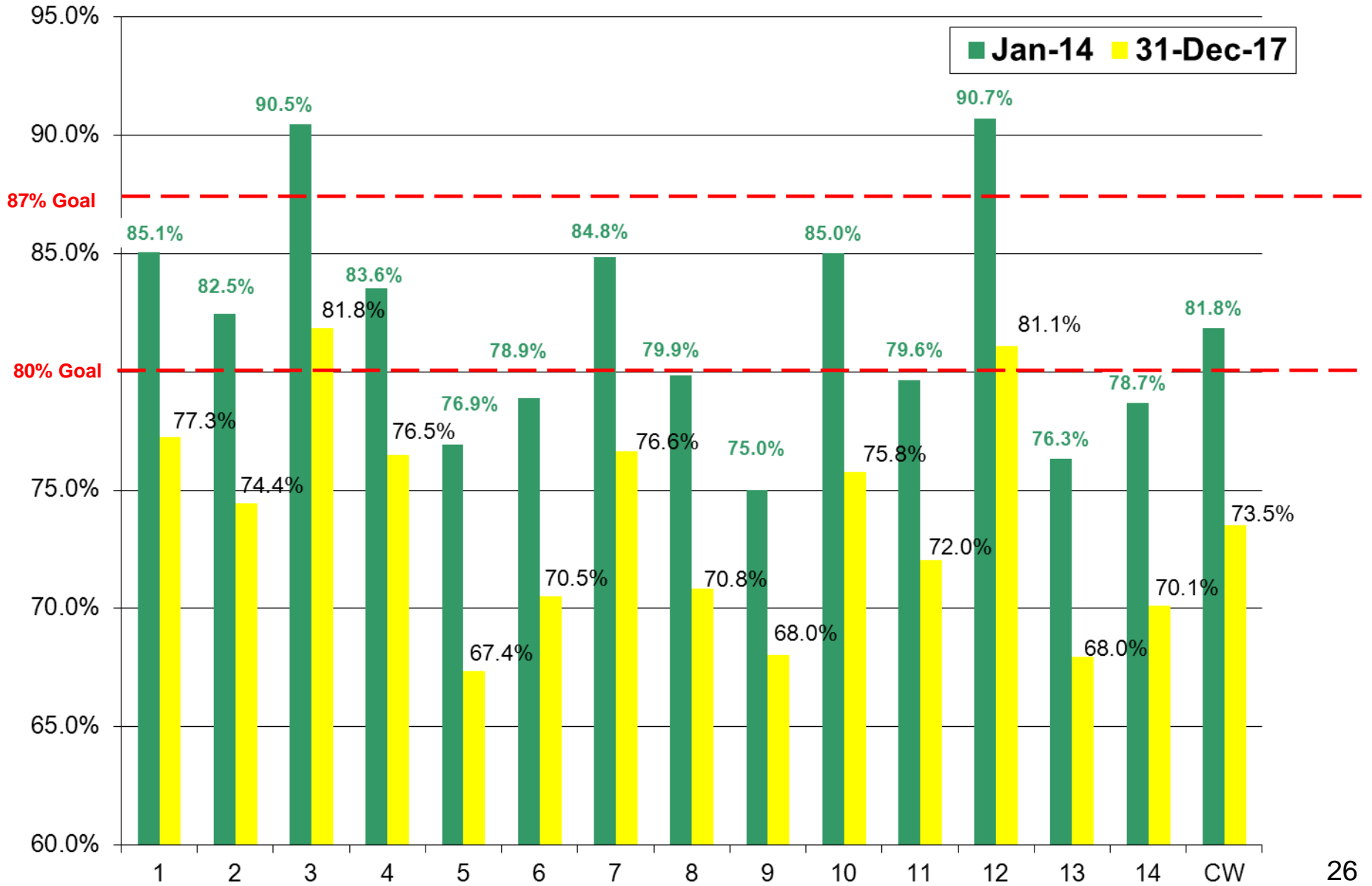
Condition Of Streets – Expected Deterioration

Street Condition Ratings - 2008-2017



Citywide rating decreased from 86.7% to 83.2% in FY10 due to deferred maintenance and development of a more precise condition rating system. Continued analysis of local degradation rates will cause refinement of these projections.

Street Condition Ratings Projections – Present through December 2017



Alternatives for Reducing the Deterioration Rate

- Repair C streets to avoid them from becoming D streets
62% of streets are C streets and have the highest deterioration rate
 - Requires additional investment of \$245 million for four (4) years to reach a degradation rate of 0%
 - Disadvantage is that many repairs have a short term effect 3-10 years
- Resurfacing D streets at the rate that C's become D's to achieve 0% degradation
 - Requires an additional investment of \$728 million over four (4) years
 - Makes D streets into A & B streets which last longer
- Resurface and reconstruct thoroughfares, collector and arterial streets – most used by the public
 - 444 LM of thoroughfares, collector and arterial streets are in unsatisfactory condition
 - Requires an investment of \$187 million for four years to replace 444 LM
 - Will not address residential streets
 - Overall deterioration rate continues to climb

Future Policy Considerations

- In future bond programs, focus on projects that improve street conditions
 - Only 55% of the Proposition 1 (Street and Thoroughfare Improvements) in the 2012 Bond Program improved street conditions
- Allow for unequal street repair funding among Council Districts
- Re-evaluate the 2006 Council goal for overall street satisfaction of 87% with no Council District under 80%
 - Reduce the requirements to reflect affordability
- Set aside additional funds in future bond programs to allocate to Dallas Water Utilities for replacing the remaining portion of streets not addressed in a pipeline replacement project

Questions & Comments

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): All
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: N/A

SUBJECT

Authorize a professional services contract with Huitt-Zollars, Inc. for engineering design services associated with the Trinity Parkway Borrow Area/Phase I Lakes Project - Not to exceed \$737,000 - Financing: Stormwater Drainage Management Capital Construction Funds (\$147,000) and 1998 Bond Funds (\$590,000)

BACKGROUND

In the mid-1990s, voters met to shape the vision and plan for the Trinity River Corridor Project flood control, recreation, transportation, environmental mitigation and economic development. In 1998, the voters approved \$246M in bond funds for the Trinity River Corridor Project. The City Council adopted the Balanced Vision Plan on December 8, 2003 and amended the Plan on April 14, 2004 which addressed the planning efforts for all initiatives and outlined a phasing plan for implementation of features.

In the fall of 2012, the City Council directed staff to pursue advancing the Trinity Lakes ahead of the Corps' schedule for construction. The current estimate, assuming funding was made available in future budget cycles, would not likely begin construction until at least mid-2017. To accelerate this schedule, a maximum budget of \$44M was developed based on remaining 1998 Bond Funds for the Trinity Lakes (\$8M) and Trinity Parkway(\$28M) for the Urban Lake, and Stormwater Management Funds (\$8M) for the West Dallas Lake and Levee improvements. In order to minimize costs and maximize schedule opportunities, the design team for this downtown section of the Trinity Parkway, Huitt- Zollars, was selected to complete the detailed design plans.

This contract will provide engineering design plans for excavation of the borrow area to create the Trinity Lakes, placement of fill dirt on the levee to create the bench, groundwater well(s) and connectivity between lakes to replenish evaporated water, and clay liners to ensure integrity of soils. Additionally, this contract will provide excavation plans for the West Dallas Lake. The soil excavated from the West Dallas Lake will restore the height and flatten the slopes of the levees.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2014
Complete Design	September 2014
Begin Construction	December 2014
Complete Construction	August 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized adoption of the Balanced Vision Plan for the Dallas Floodway on April 8, 2003, by Resolution No. 03-3391.

Authorized adoption of refinements to the Balanced Vision Plan for the Dallas Floodway on April 14, 2004, by Resolution No. 04-1252.

Authorized Trinity Lakes design contract on November 8, 2006, by Resolution No. 06-3121.

Authorized Trinity Lakes design contract to extend design for portions of the Balanced Vision Plan for the Dallas Floodway on February 13, 2008, by Resolution No. 08-1902.

FISCAL INFORMATION

1998 Bond Funds (Trinity Parkway) - \$590,000.00
Stormwater Drainage Management Capital Construction Funds - \$147,000.00

Engineering Design Cost	\$737,000.00
Estimated Construction Cost	<u>\$33,000,000.00</u>
Total Project Cost	\$33,737,000.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Huitt-Zollars, Inc.

Hispanic Female	3	Hispanic Male	15
African-American Female	0	African-American Male	1
Other Female	2	Other Male	2
White Female	9	White Male	56

OWNER

Huitt-Zollars, Inc.

Charles E. Quade, P.E., Vice President

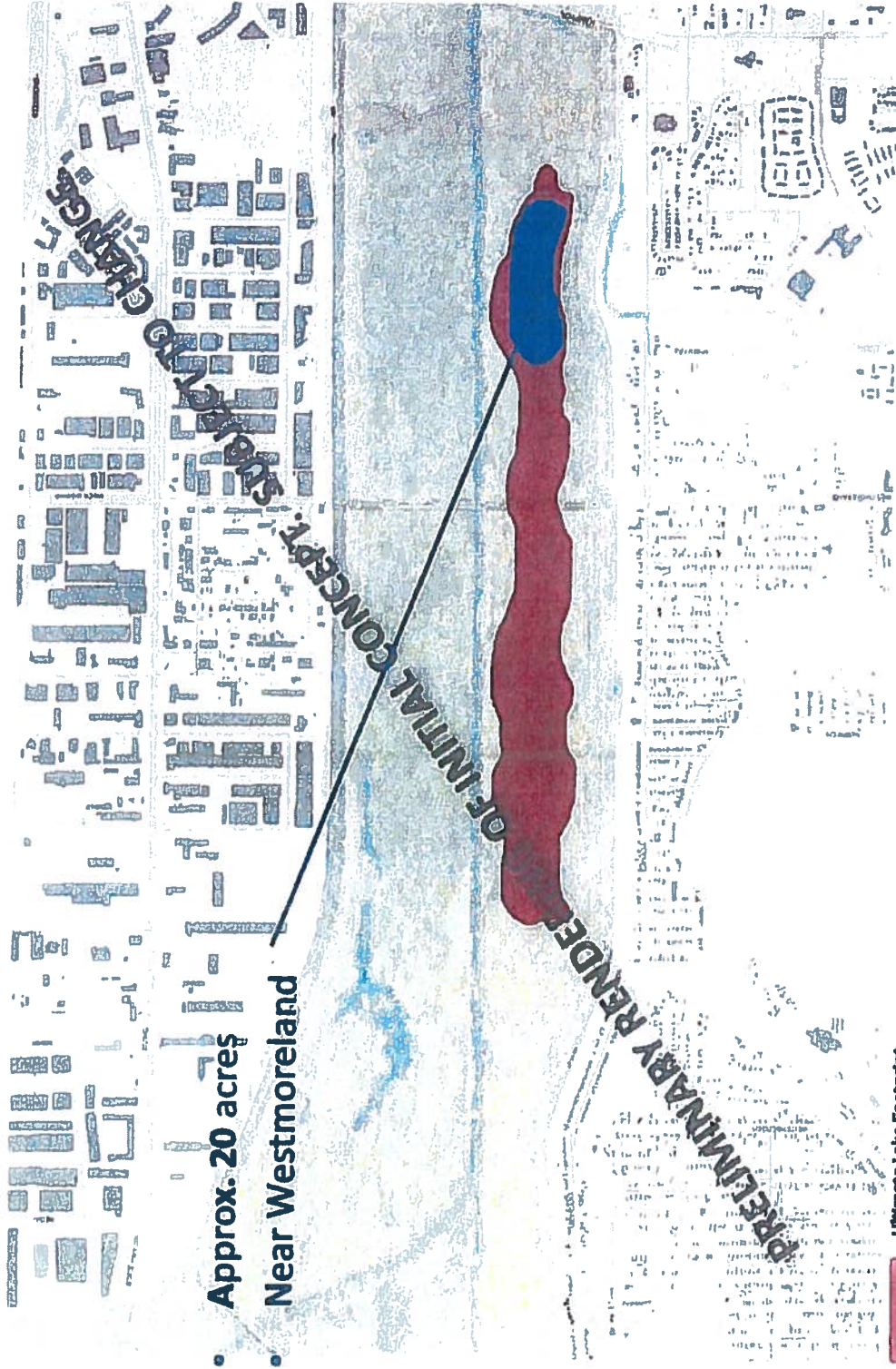
MAP

Attached

Trinity Lakes Proposed Phasing Plan



Proposed Phase I West Dallas Lake



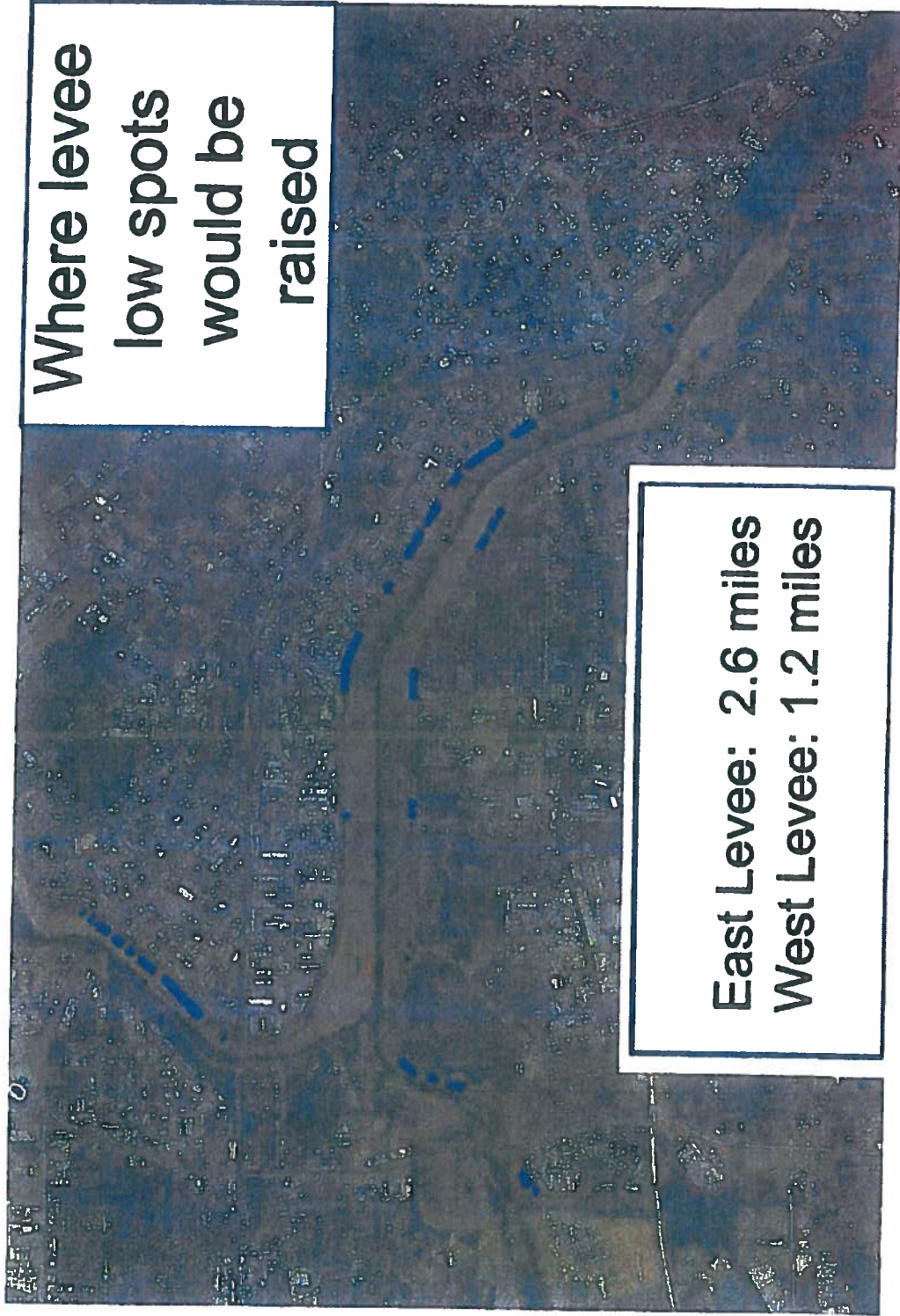
- Approx. 20 acres
- Near Westmoreland

Ultimate Lake Footprint
Proposed Phase I West Dallas Lake



For reference, Lake Cliff is approximately 13 acres
and Bachman Lake is approximately 120 acres

Levee Raise



Where levee
low spots
would be
raised

East Levee: 2.6 miles
West Levee: 1.2 miles

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Huitt-Zollars, Inc. for engineering design services associated with the Trinity Parkway Borrow Area/Phase I Lakes Project - Not to exceed \$737,000 - Financing: Stormwater Drainage Management Capital Construction Funds (\$147,000) and 1998 Bond Funds (\$590,000)

Huitt-Zollars, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$725,000.00	98.31%
Total non-local contracts	\$12,500.00	1.69%
TOTAL CONTRACT	\$737,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
B & A Laboratories, Inc. dba XENCO Lab	HMMB59377Y1114	\$17,500.00	2.41%
Lina T. Ramey and Associates, Inc.	IFDB58615Y0914	\$162,000.00	22.34%
Total Minority - Local		\$179,500.00	24.76%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
MagnaCore Drilling & Environmental Services, Inc.	HMDB59819Y0115	\$12,500.00	100.00%
Total Minority - Non-local		\$12,500.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$17,500.00	2.41%	\$30,000.00	4.07%
Asian American	\$162,000.00	22.34%	\$162,000.00	21.97%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$179,500.00	24.76%	\$192,000.00	26.03%

February 26, 2014

WHEREAS, the 1998 Bond Program authorized funding to implement flood control, lake development, environmental, transportation, and recreation projects within the Dallas Floodway; and,

WHEREAS, City Council adopted the Balanced Vision Plan on December 8, 2003, by Resolution No. 03-3391, and further adopted refinements on April 14, 2004, by Resolution No. 04-1252; and,

WHEREAS, City Council authorized the Trinity Lakes design contract to initiate design for portion of the Balanced Vision Plan for the Dallas Floodway, Trinity River Corridor Project design guidelines, and Trinity Parkway design guidelines on November 8, 2006, by Resolution No. 06-3121; and

WHEREAS, City Council approved the Trinity Lakes design contract to extend design for portions of the Balanced Vision Plan for the Dallas Floodway on February 13, 2008, by Resolution No. 08-1902; and

WHEREAS, to move forward on the approved Trinity Parkway and Trinity Lakes components of the Project, it is necessary to conduct the engineering design of the Trinity Parkway Borrow Area/Phase I Lakes;

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 an engineering design contract with Huitt-Zollars, Inc. for improvements associated with the Trinity Parkway Borrow Area/Phase I Lakes in an amount not to exceed \$737,000.

Section 2. That the City Manager or designee be and is hereby authorized to execute this contract after it has been approved as to form by the City Attorney.

Section 3. The City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

1998 Bond Funds
Fund 6P14, Dept. TWM, Unit P963, Act. TRPP
Object 4111, Program #PB98N963, CT PBW98P963E1
Vendor #090025, in an amount not to exceed \$ 59,000.00

1998 Bond Funds
Fund 6P14, Dept. TWM, Unit P965, Act. TRPP
Object 4111, Program #PB98N965, CT PBWP963E1
Vendor #090025, in an amount not to exceed \$531,000.00

February 26, 2014

Stormwater Drainage Management Capital Construction Funds	
Fund 0063, Department SDM, Unit P875, Act. SD01	
Obj. 4599, Program # SDM0004, CT SDMP875BM01	
Vendor #090025, in an amount not to exceed	<u>\$147,000.00</u>
 Total not to exceed	 \$737,000.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): All
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: N/A

SUBJECT

Authorize (1) the acceptance of a private donation from the Trinity Trust Foundation in the amount of \$105,000; (2) the establishment of appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund; and (3) a professional services contract with Wallace Roberts & Todd, LLC for review of the proposed phasing plans for consistency with the original Balanced Vision Plan, visioning, renderings and basic cost estimates for donor packages - Not to exceed \$105,000 – Financing: Private Funds

BACKGROUND

In the mid-1990s, voters met to shape the vision and plan for the Trinity River Corridor Project flood control, recreation, transportation, environmental mitigation and economic development. In 1998, the voters approved \$246M in bond funds for the Trinity River Corridor Project. The City Council adopted the Balanced Vision Plan on December 8, 2003 and amended the Plan on April 14, 2004 which addressed the planning efforts for all initiatives and outlined a phasing plan for implementation of features.

In the fall of 2012, the City Council directed staff to pursue advancement of the Trinity Lakes ahead of the Corps' schedule for construction. The current estimate, assuming funding will be made available in future budget cycles, would not likely begin construction until at least mid-2017. To accelerate this schedule, a maximum budget of \$44M was developed based on remaining 1998 Bond Funds for the Trinity Lakes (\$8M), Trinity Parkway (\$28M) for the Urban Lake, and Stormwater Management Funds (\$8M) for the West Dallas Lake and Levee improvements. This budget does not include funding for amenities.

The Trinity Trust has provided a donation to develop and recommend potential amenities for which the Trinity Trust can fundraise. The landscape and amenities consultant for the Balanced Vision Plan, Ignacio Bunster of Wallace Roberts Todd (WRT), maximizes the use of the donation while ensuring consistency with the original Balanced Vision Plan landscape and amenities. Should donor funding be made available in the future, design work will be required.

BACKGROUND (Continued)

This action will provide for the acceptance of a private donation from the Trinity Trust Foundation in the amount of \$105,000, establish appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund and authorize a professional services contract with Wallace Roberts & Todd, LLC to include review of the proposed phasing plans for consistency with the original Balanced Vision Plan, visioning, renderings and basic cost estimates for donor packages.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized adoption of the Balanced Vision Plan for the Dallas Floodway on April 8, 2003, by Resolution No. 03-3391.

Authorized adoption of refinements to the Balanced Vision Plan for the Dallas Floodway on April 14, 2004, by Resolution No. 04-1252.

Authorized Trinity Lakes design contract on November 8, 2006, by Resolution No. 06-3121.

FISCAL INFORMATION

Private Funds - \$105,000

OWNER

Wallace Roberts & Todd, LLC

Ignacio F. Bunster-Ossa, FASLA, LEED AP, Principal

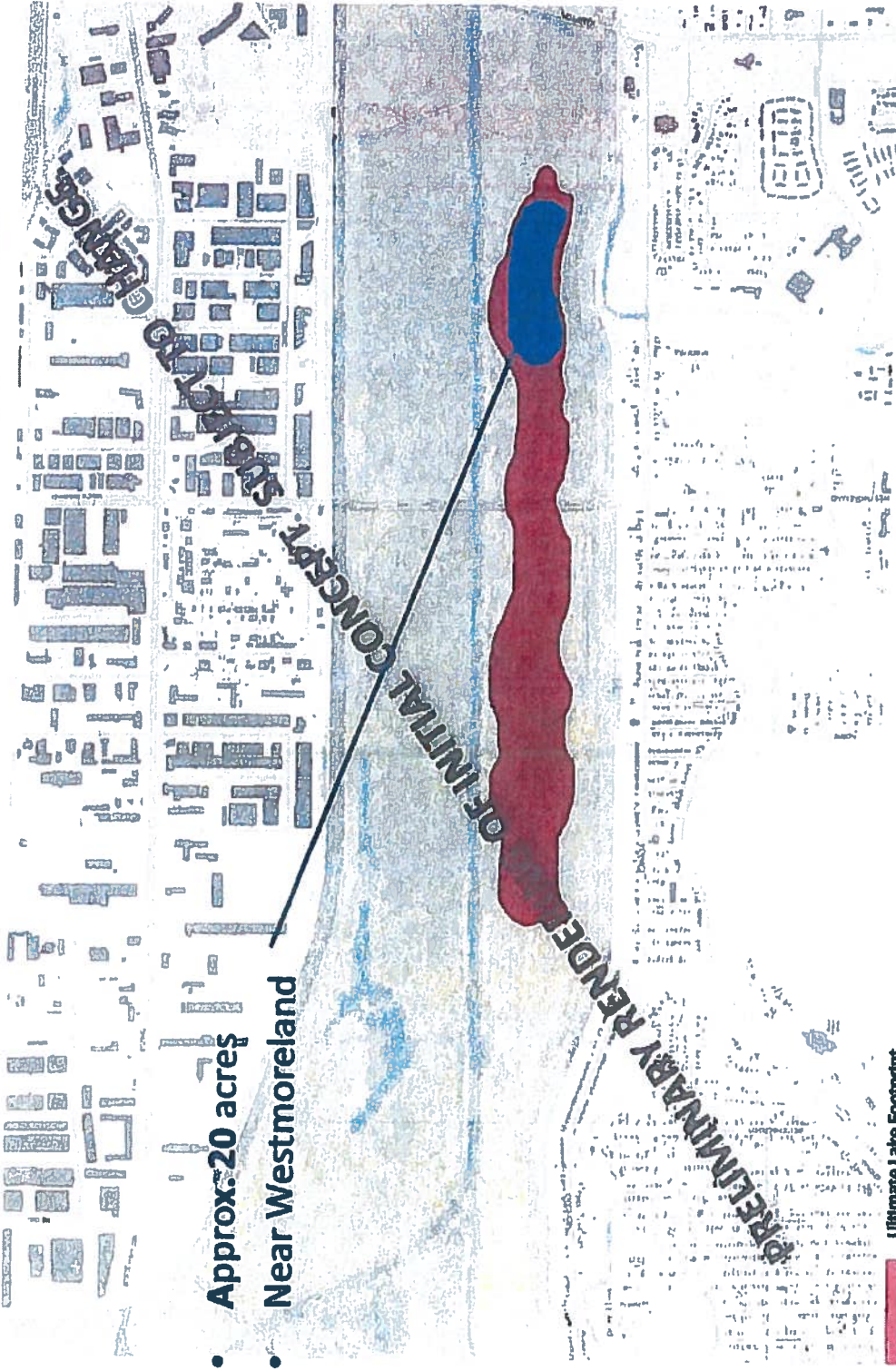
MAP

Attached

Trinity Lakes Proposed Phasing Plan



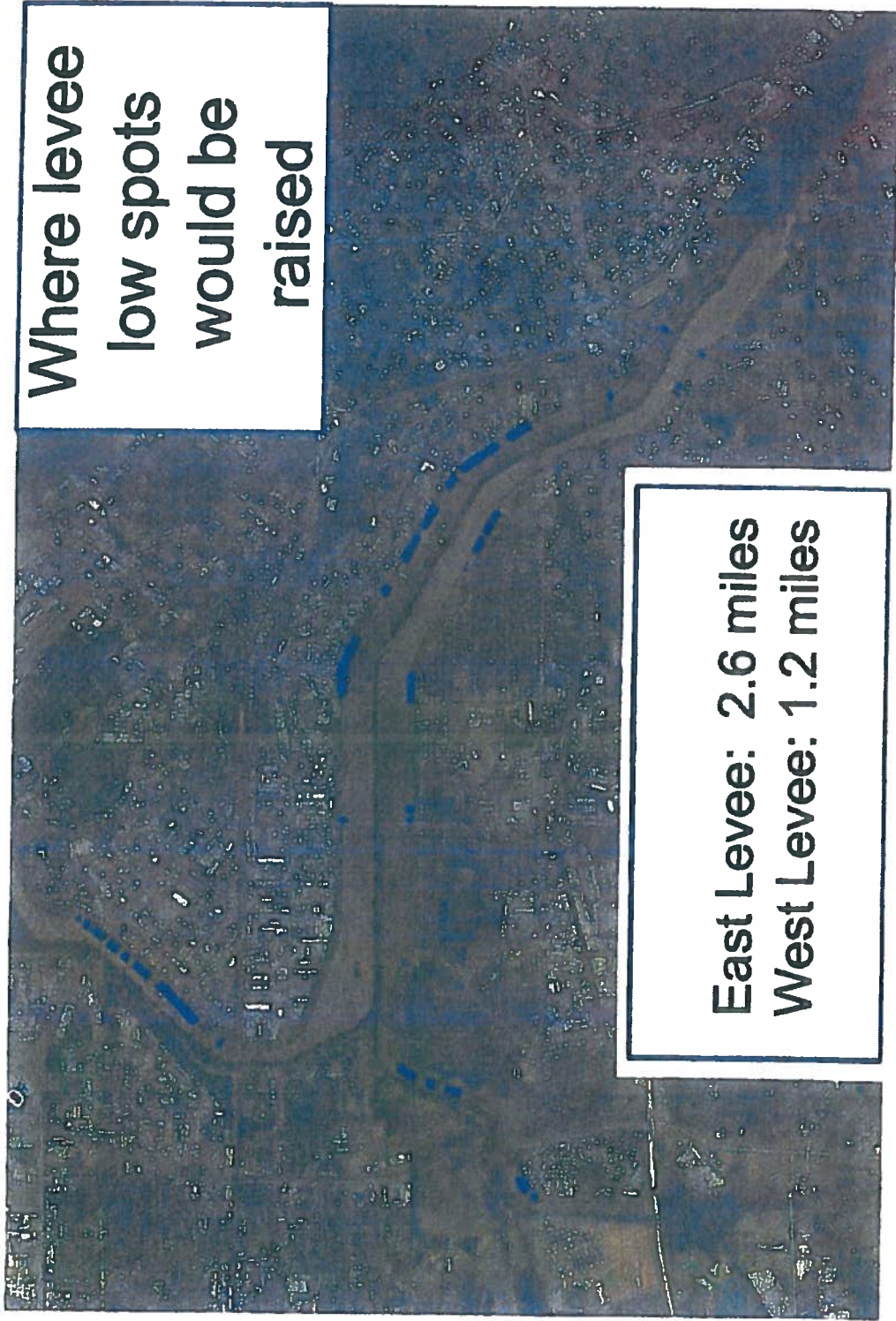
Proposed Phase I West Dallas Lake



- Approx. 20 acres
- Near Westmoreland

For reference, Lake Cliff is approximately 13 acres
and Bachman Lake is approximately 120 acres

Levee Raise



BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize (1) the acceptance of a private donation from the Trinity Trust Foundation in the amount of \$105,000; (2) the establishment of appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund; and (3) a professional services contract with Wallace Roberts & Todd, LLC for review of the proposed phasing plans for consistency with the original Balanced Vision Plan, visioning, renderings and basic cost estimates for donor packages - Not to exceed \$105,000 – Financing: Private Funds

Wallace Roberts & Todd, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$10,000.00	9.52%
Total non-local contracts	\$95,000.00	90.48%
TOTAL CONTRACT	\$105,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
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%

February 26, 2014

WHEREAS, City Council adopted the Balanced Vision Plan on December 8, 2003, by Resolution No. 03-3391, and further adopted refinements on April 14, 2004, by Resolution No. 04-1252; and

WHEREAS, City Council authorized the Trinity Lakes design contract to initiate design for portions of the Balanced Vision Plan for the Dallas Floodway, Trinity River Corridor Project design guidelines, and Trinity Parkway design guidelines on November 8, 2006, by Resolution No. 06-3121; and

WHEREAS, City Council approved the Trinity Lakes design contract to extend design for portions of the Balanced Vision Plan for the Dallas Floodway on February 13, 2008, by Resolution No. 08-1902; and

WHEREAS, the Trinity Trust desires to donate \$105,000 to the City of Dallas in exchange for a contract with WRT, the original Lakes Design landscape architecture team, to 1) review the Trinity River Parkway Borrow Area/Phase I Lakes for compliance with the Balanced Vision Plan and to suggest modifications related to the potential amenities and 2) the development of design proposals that advance public use of the floodway in the context of the Phase I lakes and floodway trails;

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 professional services contract with Wallace Roberts & Todd, LLC ("WRT") for the review of the Trinity River Parkway Borrow Area/Phase I Lakes for compliance with the Balanced Vision Plan and the creation of a complimentary amenities package, in the amount of \$105,000.

Section 2. That the City Manager or designee be and is hereby authorized to execute this contract after it has been approved as to form by the City Attorney.

Section 3. That the City Manager is hereby authorized to receive and deposit from the Trinity Trust Foundation in the amount of \$105,000, in the Trinity Trust Phase I Lakes Amenities Fund, Agency TWM, Fund 0272, Unit P874, Revenue Source 8411.

February 26, 2014

Section 4. That the City Manager be and is hereby authorized to establish appropriations in the amount of \$105,000 in the Trinity Trust Phase I Lakes Amenities Fund, Agency TWM, Fund 0272, Unit P874, Object 3070.

Section 5. The City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Trinity Trust Phase I Lakes Amenities Fund
Fund 0272, Dept. TWM, Unit P874, Act. TRPP
Object 3070, Program #PB98N963, CT PBW98N963E2
Vendor #331687, in an amount not to exceed \$105,000

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): 1
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 45 S

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the County of Dallas, of an unimproved tract of land containing approximately 9,517 square feet located on South Riverfront Boulevard near its intersection with Old Zang Road for the Able Pump Station Project - Not to exceed \$5,707 (\$3,807 plus closing costs and title expenses not to exceed \$1,900) – Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 9,517 square feet from the County of Dallas. This property is located on South Riverfront Boulevard near its intersection with Old Zang Road and will be used for the Able Pump Station Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

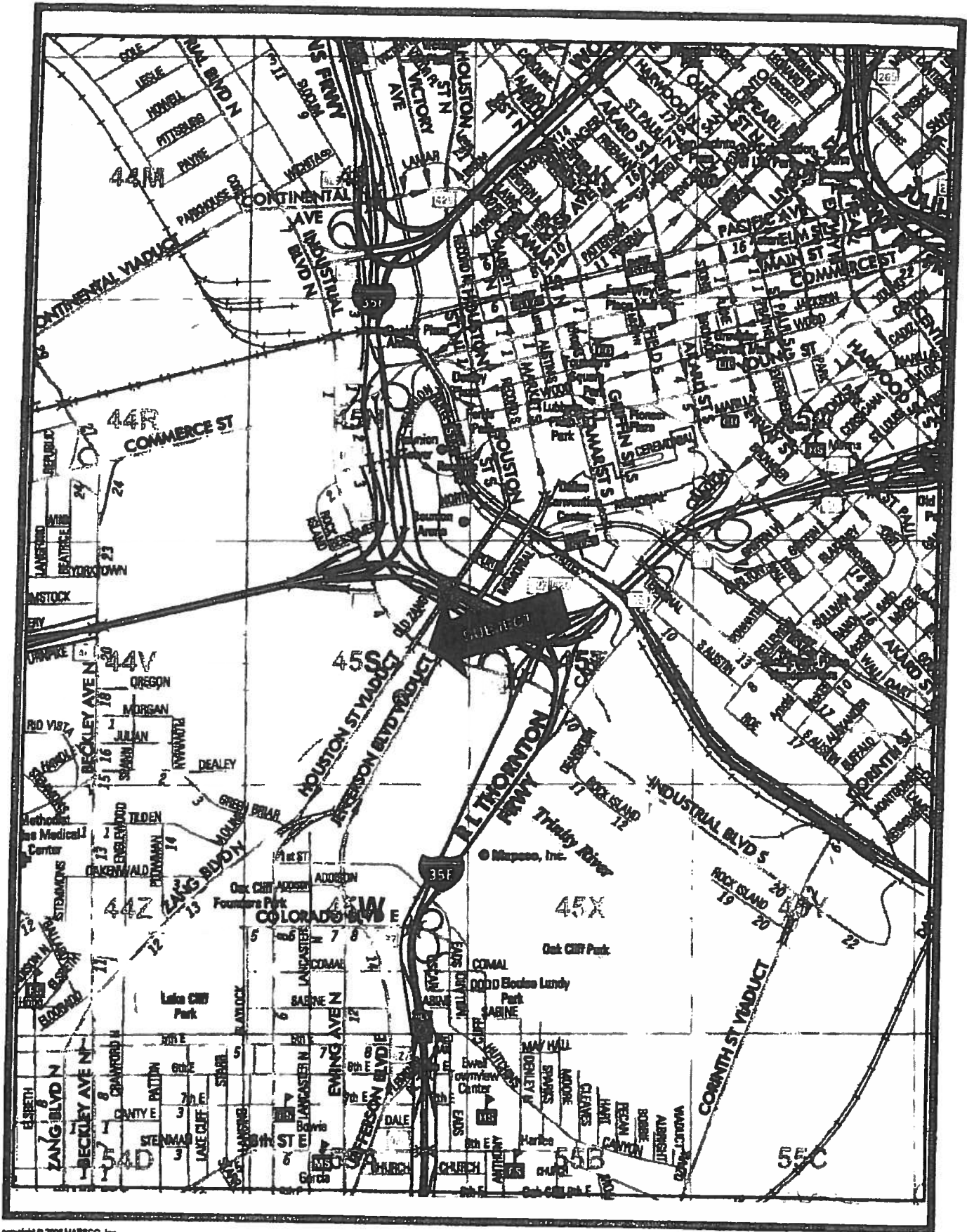
2006 Bond Funds - \$5,707 (\$3,807 plus closing costs and title expenses not to exceed \$1,900)

OWNER

County of Dallas

MAPS

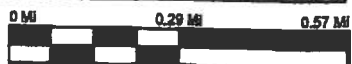
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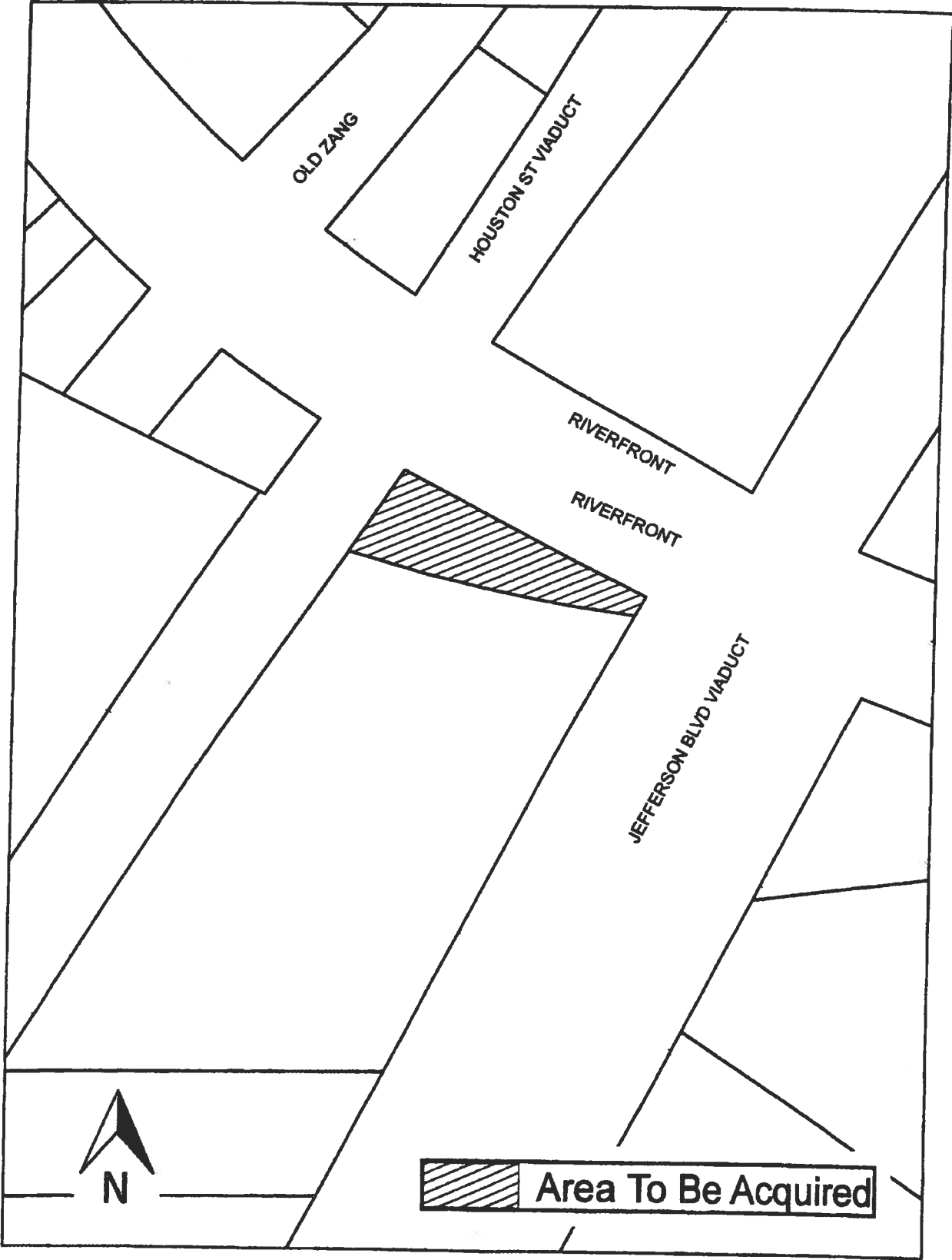
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45S



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February 26, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": Approximately 9,517 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Able Pump Station Project

"USE": The construction, installation, use, and maintenance of the Able Pump Station, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": County of Dallas, 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.

"OFFER AMOUNT": \$3,807.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$1,900.00

"AUTHORIZED AMOUNT": \$5,707.00

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 the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

February 26, 2014

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Flood Protection and Storm Drainage Improvement Fund, Fund No. BT23, Department TWM, Unit T513, Activity FLDM, Program No. PB06T513, Object 4210, Encumbrance No. CT-PBW06T513E1. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

February 26, 2014

SECTION 11. 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 Christopher C. Hunter
Assistant City Attorney

**Field Notes Describing a 9,517 Square Foot (0.218 Acre)
Tract of Land in City Block 2/416
To Be Acquired from the
County of Dallas**

Being a 9,517 Square Foot (0.218 Acre) tract of unplatted land lying in the City of Dallas, Dallas County, Texas, being a part of Block 2/416 (Official City of Dallas Block Numbers), and a part of the John Neely Bryan Survey, Abstract No. 149, and being a portion of the property conveyed to the County of Dallas by deed dated September 14, 1931 and recorded in Volume 1715, Page 11 of the Deed Records of Dallas County, Texas, and being all of the property owned by said County of Dallas lying between the Southeast Right-of-Way line of the Houston Street Viaduct (formerly the "Dallas-Oak Cliff Highway Viaduct"), the Northwest Right-of-Way line of the Jefferson Street Viaduct (formerly the "Northern Texas Traction Company Street Railway Viaduct"), North of the Northeasterly bank of the old channel of the Trinity River, and South of the Right-of-Way of Riverfront Boulevard (formerly "Industrial Boulevard") as dedicated by the above said deed into the County of Dallas, and being more particularly described as follows:

BEGINNING at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD Cap") set at most Westerly corner of said County of Dallas property, at the intersection of the above referenced Northeasterly bank of the old channel of the Trinity River (conveyed to the City of Dallas from the State of Texas by Senate Bill 44, dated March 30, 1925), and in the above said Southeast Right-of-Way line of the Houston Street Viaduct (an 80-foot wide Right-of-Way) at "...42.1 feet Northeasterly from the Northeasterly face of the first pier of said Viaduct Northeast of said old channel of the Trinity River" (Controlling Monument), as called in the above referenced deed into the County of Dallas, from which a 1/2 inch diameter Iron Rod (Controlling Monument) found on the Northwest line of the said Houston Street Viaduct at the South corner of a tract of land conveyed to John Fouts by deed recorded in Volume 3786, Page 54 of the Deed Records of Dallas County, Texas bears North 68°32'06" West, over and across said Houston Street Viaduct a distance of 81.57 feet:

THENCE North 32°42'26 East, departing the last said Northeasterly bank of the old channel of the Trinity River and with the common line between said County of Dallas tract and the Houston Street Viaduct a distance of 49.39 feet to a 5/8" I.R. w/COD Cap set at the intersection with the Southwest Right-of-Way line of Riverfront Boulevard (a Variable Width Right-of-Way), at a point 130 feet measured perpendicularly from the Northeast line of said County of Dallas tract:

Field Notes Describing a 9,517 Square Foot (0.218 Acre)
Tract of Land in City Block 2/416
To Be Acquired from the
County of Dallas

THENCE South 62°56'34" East, departing the last said Southeast line of the Houston Street Viaduct and with the said Southwest line of Riverfront Boulevard, being at all times 130 feet measured perpendicularly from and parallel with the Northeast line of said County of Dallas tract, over and across a portion of said County of Dallas tract a distance of 255.07 feet to a 5/8" I.R. w/COD Cap set at the intersection with the above said Northwest line of the Jefferson Street Viaduct (a 150-foot wide Right-of-Way), being also the Southeast line of said County of Dallas tract:

THENCE South 28°15'00" West, departing the last said Southwest line of Riverfront Boulevard and with the common line between said County of Dallas tract and the Northwest line of the Jefferson Street Viaduct a distance of 14.65 feet to a 5/8" I.R. w/COD Cap set at the intersection with the above referenced Northeasterly bank of the old channel of the Trinity River, being also the Southwest line of said County of Dallas tract:

THENCE North 89°25'34" West, departing the last said Northwest line of the Jefferson Street Viaduct and with the common line between said County of Dallas tract and the Northeasterly bank of the old channel of the Trinity River a distance of 31.87 feet to a 5/8" I.R. w/COD Cap set at an outside corner of the herein described tract of land:

THENCE North 67°57'34" West, continuing with the said Northeasterly bank of the old channel of the Trinity River and Southwest line of said County of Dallas tract a distance of 231.99 feet to the **POINT OF BEGINNING**, containing 9,517 Square Feet, or 0.218 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
7/31/2013

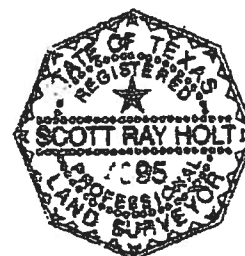
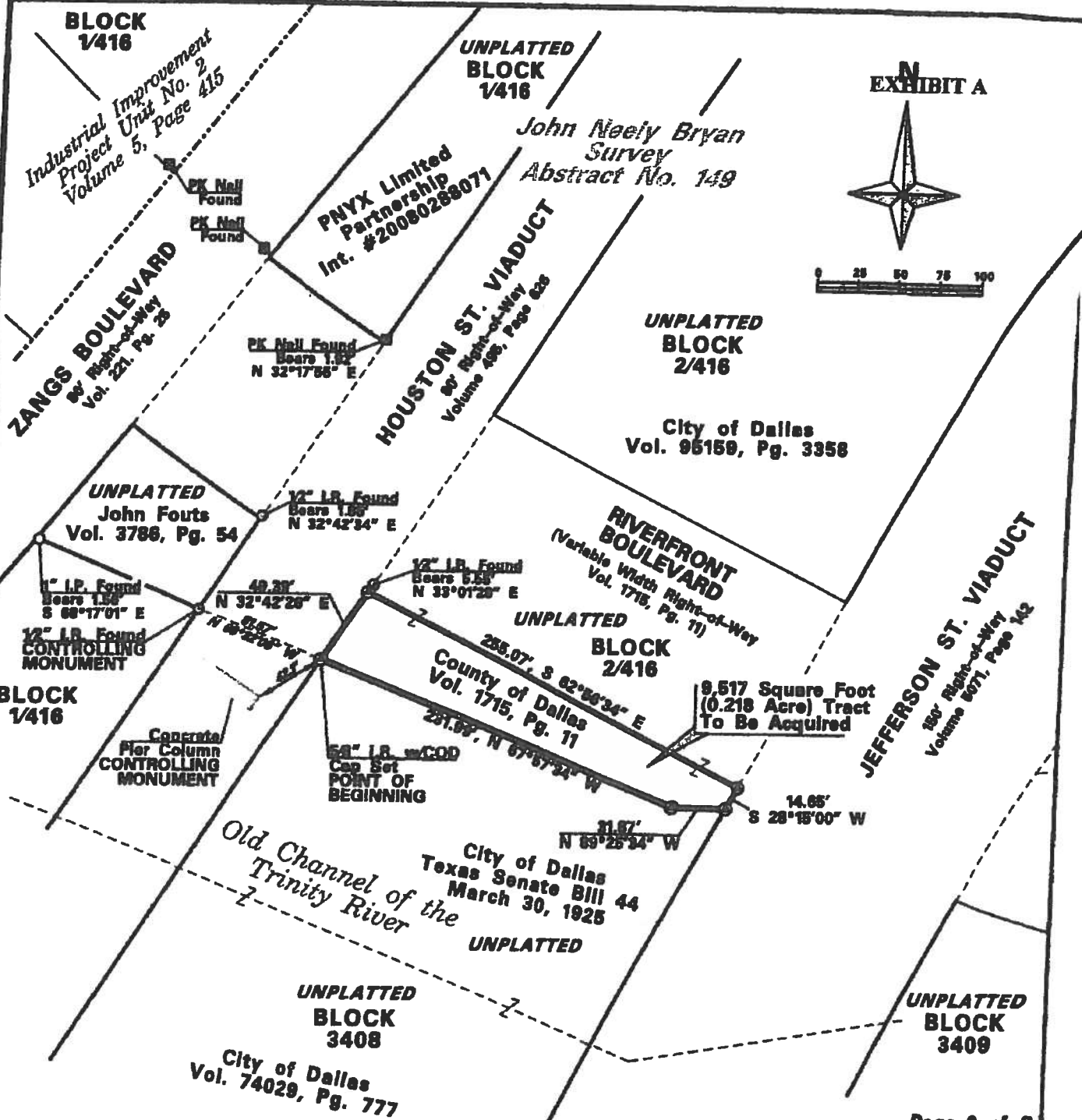


EXHIBIT A



- LEGEND:**
- Iron Pipe Found, Size As Noted
 - Iron Rod Found, Size As Noted
 - ⊙ 56" I.R. w/COD Cap Set
 - PK Nail Found

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

ABLE PUMP STATION			
Trinity Watershed Management			
Property Acquisition; Block 2/416			
PUBLIC WORKS DEPARTMENT			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
Holt	W:\DESIGN\SURVEY\HOLT\Trinity Able Pump Station.dwg	AS Noted	7-19-13
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	Holt	Block 3418	041D-71

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): 6
DEPARTMENT: Trinity Watershed Management
Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 45J

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Greyhound Lines, Inc., of two tracts of improved land containing a total of approximately 4,526 square feet located on Continental Avenue at its intersection with Dragon Street for the reconstruction of Continental Avenue – Not to exceed \$181,782 (\$177,282 plus closing costs and title expenses not to exceed \$4,500) – Financing: General Obligation Commercial Paper Funds

BACKGROUND

This item authorizes the acquisition of two tracts of land containing approximately 4,526 square feet located on Continental Avenue at its intersection with Dragon Street from Greyhound Lines, Inc. The property is improved with concrete curbing, paving, fencing, walkway/stairs, brick retaining wall and landscaping. This property will be used for the reconstruction of Continental Avenue. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$181,782 (\$177,282 plus closing costs and title expenses not to exceed \$4,500)

OWNER

Greyhound Lines Inc.

David Leach, President

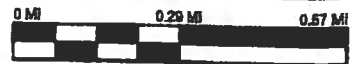
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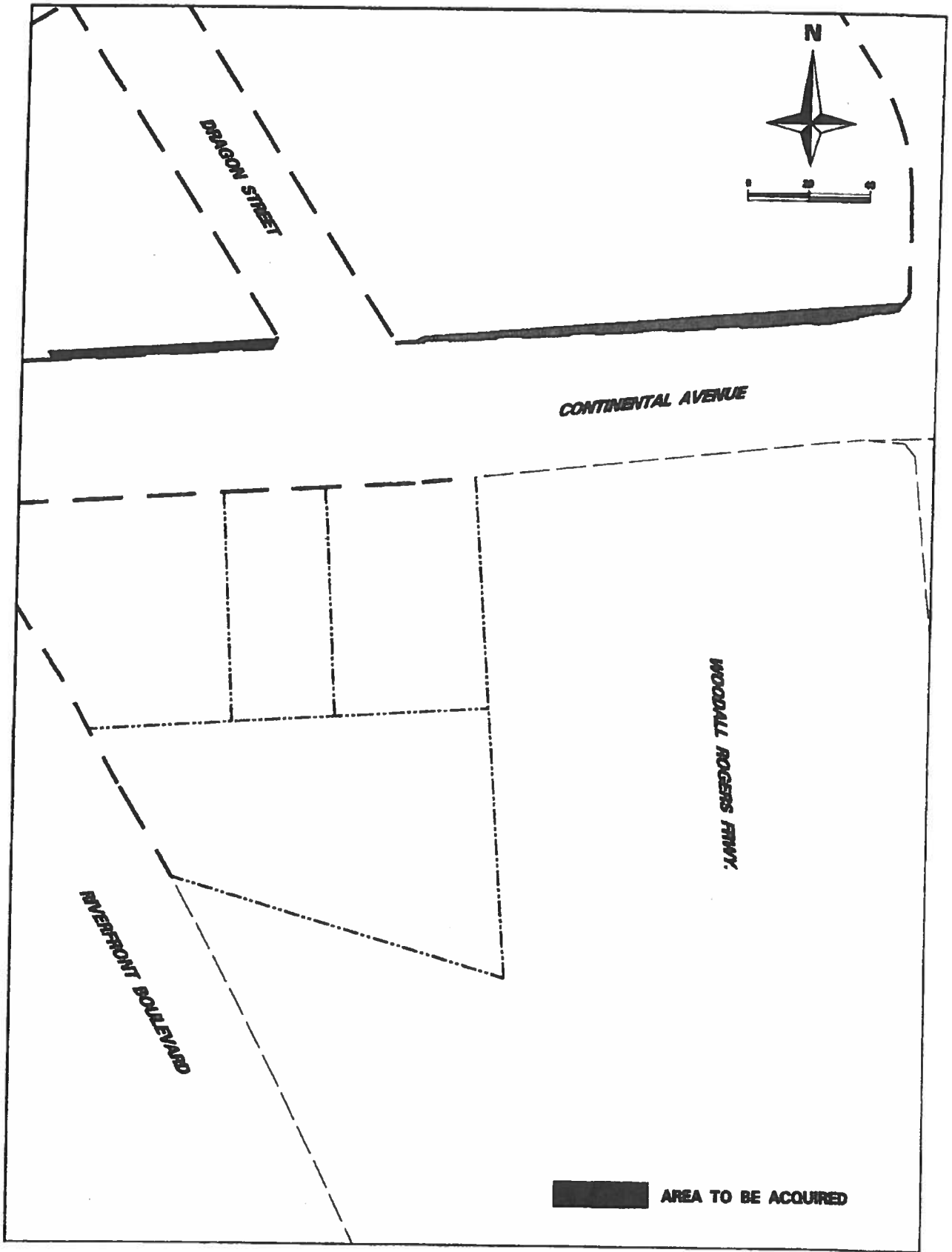
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Mapco 45J



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February 26, 2014

SECTION 11. 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

February 26, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": Two tracts containing a total of approximately 4,526 square feet of property located in Dallas County, and being the same property more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes.

"PROJECT": Street Reconstruction Group 06-618

"USE": The reconstruction, installation, use, and maintenance of Continental Avenue, together with such appurtenant facilities as may be necessarily provided.

"PROPERTY INTEREST": Fee Simple

"OWNER": Greyhound Lines, Inc., 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.

"OFFER AMOUNT": \$177,282.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$4,500.00

"AUTHORIZED AMOUNT": \$181,782.00

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 the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

February 26, 2014

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit U783, Activity THRF, Program No. PB06U783, Object 4210, Encumbrance No. CT-PBW06U783E1. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

Exhibit A

**Parcel 2 – Continental Avenue
Field Notes Describing a 1,281 Square Foot (0.0294 Acre)
Right of Way to be Acquired In Block 1/409
From "GREYHOUND LINES, INC., A DELAWARE CORPORATION"**

BEING 1,281 square feet (0.0294 acre) of land situated in the Garrett Fox Survey, Abstract No. 1679, in the City of Dallas, Dallas County, Texas, (Official City of Dallas Block No. 1/409) and being part of a called 1.117 acre tract of land conveyed to "Greyhound Lines, Inc., a Delaware corporation" by Special Warranty Deed recorded in Volume, 2000074, Page 06004 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being further described as part of Block 1 of "Trinity Industrial District, Installment No. 1", an addition to the City of Dallas, Texas as recorded in Volume 10, Page 93 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a PK Nail with washer (controlling monument) found at the most westerly corner of said Greyhound Lines, Inc. 1.117 acre tract and the most northerly corner of a called 0.642 acre tract of land conveyed to PNYX, LTD., a Texas limited partnership by deed recorded in Instrument No. 20080146905 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and located in the common northwesterly line of said Block 1/409 and the existing southeasterly right of way line of Wichita Street (a called 70.00 foot R.O.W.);

THENCE South 32°39'06" East, departing the common northwesterly line of said Block 1/409 and the existing southeasterly right of way line of said Wichita Street and along the common northeasterly line of said PNYX, LTD. 0.642 acre tract and the southwesterly line of said Greyhound Lines, Inc. 1.117 acre tract, a distance of 240.94 feet to a Magnetic Nail set at the **POINT OF BEGINNING**;

THENCE North 86°32'21" East, departing the common northeasterly line of said PNYX, LTD. 0.642 acre tract and the southwesterly line of said Greyhound Lines, Inc. 1.117 acre tract, a distance of 187.01 feet to a set 5/8" iron rod with cap marked "LTRA" (hereafter referred to as set 5/8" iron rod) in the northeasterly line of said 1.117 acre tract, same being the northeasterly line of said Block 1/409, and located in the existing southwesterly right of way line of Dragon Street (a called 80.00 foot R.O.W.);

THENCE South 26°54'39" West, along the common northeasterly line of said Greyhound Lines, Inc. 1.117 acre tract and the existing southwesterly right of way line of said Dragon Street, a distance of 8.11 feet to a set 5/8" iron rod at the most southerly southeast corner of said 1.117 acre tract, same being the most southerly southeast corner of said Block 1/409, and located in the existing northerly right of way line of Continental Avenue (variable width R.O.W.);



FIELD NOTES APPROVED:

John C. [Signature]

**Parcel 2 – Continental Avenue
Field Notes Describing a 1,281 Square Foot (0.0294 Acre)
Right of Way to be Acquired In Block 1/409
From "GREYHOUND LINES, INC., A DELAWARE CORPORATION"**

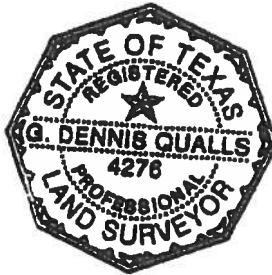
THENCE South 86°32'21" West, departing the existing southwesterly right of way line of said Dragon Street and along the common southerly line of said Block 1/409, same being the southerly line of said Greyhound Lines, Inc. 1.117 acre tract, and the existing northerly right of way line of said Continental Avenue, a distance of 178.99 feet to a set 5/8" iron rod at the southwesterly corner of said 1.117 acre tract and the most easterly corner of said PNYX, LTD. 0.642 acre tract;

THENCE North 32°39'06" West, departing the common southerly line of said Block 1/409 and the existing northerly right of way line of said Continental Avenue and along the common northeasterly line of said PNYX, LTD. 0.642 acre tract and the southwesterly line of said Greyhound Lines, Inc. 1.117 acre tract, a distance of 8.02 feet to the **POINT OF BEGINNING** and containing approximately 1,281 square feet or 0.0294 acre of land more or less.

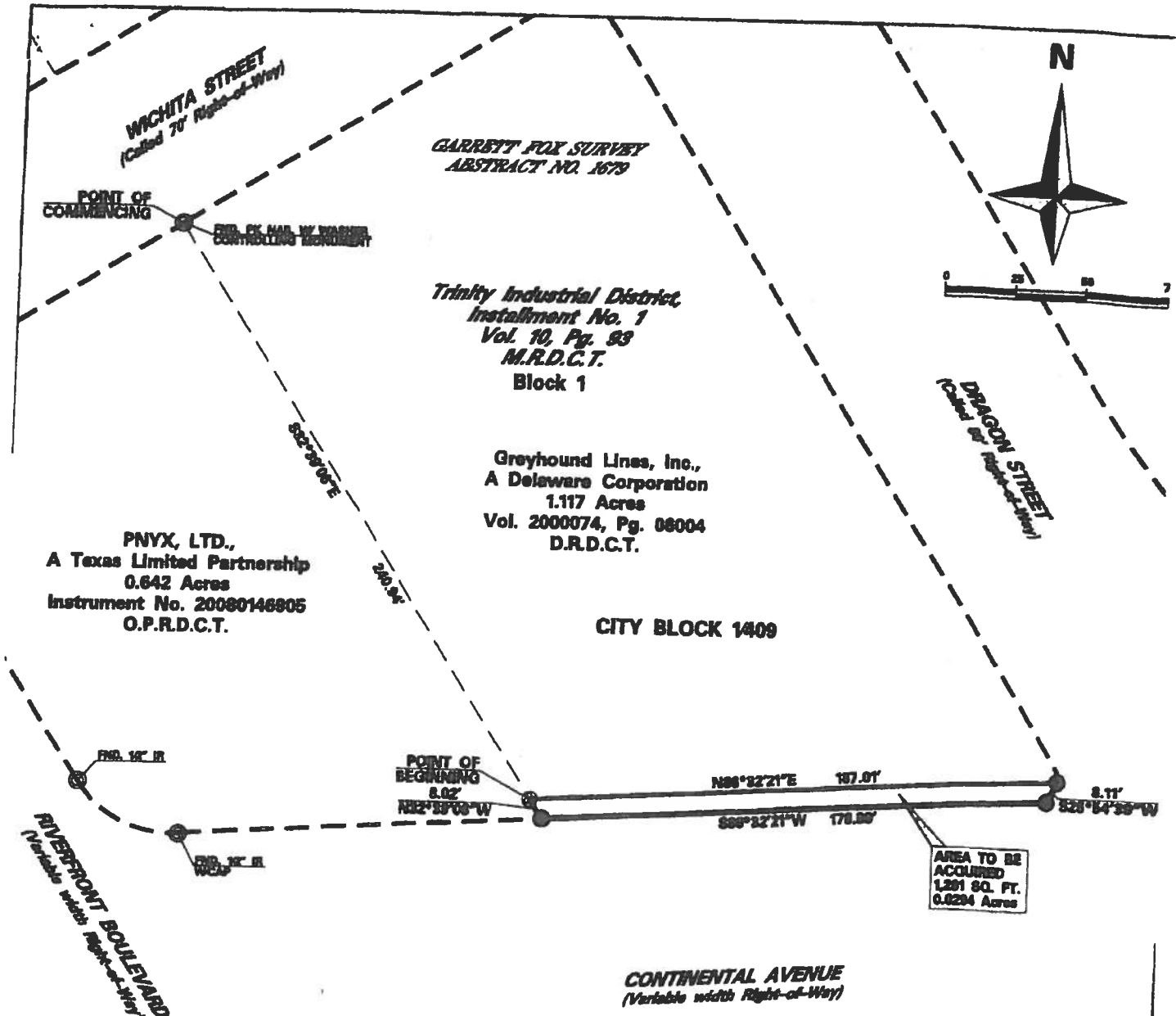
A Survey Plat of even date accompanies this property description.

BASIS OF BEARING: Texas State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum of 1983.

G. Dennis Qualls 8/25/2012
 _____ Date
 G. Dennis Qualls
 Registered Professional Land Surveyor
 Texas No. 4276



Lina T. Ramey & Associates, Inc.
 1349 Empire Central, Suite 900
 Dallas, Texas 75247
 Ph. 214-979-1144



- Set 5/8" I.R. with "LTRA" Cap (Unless Otherwise Noted)
- ⊙ Set Magnetic Nail
- ⊙ Found Monument (As Noted)
- ⊗ Set "X" Cut
- Right of Way To Be Acquired
- Z Common Ownership

- M.R.D.C.T. = Map Records Dallas County Texas
- D.R.D.C.T. = Deed Records Dallas County Texas
- O.P.R.D.C.T. = Official Public Records Dallas County Texas
- INST. NO. = Instrument Number

ADDITION LINE = - - - - -
R.O.W. LINE = - - - - -

BASIS OF BEARING: Bearings are based upon Texas State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum 1983 (NAD83).



G. Dennis Qualls
G. DENNIS QUALLS, R.P.L.S. NO. 4276 DATE

LTRA			
LINA T. RAMEY & ASSOCIATES, INC. 1349 Empire Central, Suite 900 Dallas, Texas 75247 FIRM REGISTRATION NO. F-782			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
Parcel 2 - Block 1409			
CONTINENTAL AVENUE			
OWNER: Greyhound Lines, Inc., A Delaware Corp.			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
M. Pindahl	RiverfrontParcel2.dgn	1" = 80'	4-18-2012
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
N. Clark	M. King		

Exhibit A

**Parcel 3 – Continental Avenue
Field Notes Describing a 3,245 Square Foot (0.0744 Acre)
Right of Way to be Acquired In Block 2/409
From "GLI ACQUISITION COMPANY, A DELAWARE CORPORATION"**

BEING 3,245 square feet (0.0744 acre) of land situated in the Garrett Fox Survey, Abstract No. 1679, in the City of Dallas, Dallas County, Texas, (Official City of Dallas Block No. 2/409) and being part of a called 5.124 acre tract of land conveyed to "GLI Acquisition Company, a Delaware Corporation" by Special Warranty Deed recorded in Volume, 89001, Page 7233 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being further described as part of Block 2 of "Trinity Industrial District, Installment No. 1", an addition to the City of Dallas, Texas as recorded in Volume 10, Page 93 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at an Axle (controlling monument) found at the most westerly corner of said GLI Acquisition Company 5.124 acre tract, same being the most westerly corner of said Block 2/409, and located at the intersection of the existing southeasterly right of way line of Wichita Street (a called 70.00 foot R.O.W.) with the existing northeasterly right of way line of Dragon Street (a called 80.00 foot R.O.W.);

THENCE South 32°35'21" East, departing the existing southeasterly right of way line of said Wichita Street and along the common southwesterly line of said GLI Acquisition Company 5.124 acre tract, same being the southwesterly line of said Block 2/409, and the existing northeasterly right of way line of said Dragon Street, a distance of 386.34 feet to the southwest corner of said 5.124 acre tract, same being the southwest corner of said Block 2/409, and located in the existing northerly right of way line of Continental Avenue (variable width R.O.W.);

THENCE North 86°35'07" East, departing the existing northeasterly right of way line of said Dragon Street and along the common southerly line of said GLI Acquisition Company 5.124 acre tract, same being the southerly line of said Block 2/409, and the existing northerly right of way line of said Continental Avenue, a distance of 16.40 feet to a set 5/8" iron rod with cap marked "LTRA" (hereafter referred to as set 5/8" iron rod) at the **POINT OF BEGINNING**;

THENCE North 55°12'25" East, departing the common southerly line of said GLI Acquisition Company 5.124 acre tract, same being the southerly line of said Block 2/409, and the existing northerly right of way line of said Continental Avenue, a distance of 7.92 feet to a set 5/8" iron rod;

THENCE North 85°12'25" East, a distance of 395.29 feet to a set 5/8" iron rod in the easterly line of said GLI Acquisition Company 5.124 acre tract, same being the easterly line of said Block 2/409, and located in the existing westerly right of way line of Interstate Highway 35-E (a variable width R.O.W.);



FIELD NOTES APPROVED:

ABC 6/14/12

**Parcel 3 – Continental Avenue
Field Notes Describing a 3,245 Square Foot (0.0744 Acre)
Right of Way to be Acquired In Block 2/409
From "GLI ACQUISITION COMPANY, A DELAWARE CORPORATION"**


THENCE South 37°26'08" West, along the common easterly line of said GLI Acquisition Company 5.124 acre tract, same being the easterly line of said Block 2/409, and the existing westerly right of way line of said Interstate Highway 35-E, a distance of 7.44 feet to a ½" capped iron rod found at the southeast corner of said 5.124 acre tract, same being the southeast corner of said Block 2/409 and located in the existing northerly right of way line of Continental Avenue (a variable width R.O.W.);

THENCE South 78°29'09" West, departing the existing westerly right of way line of said Interstate Highway 35-E and along the southerly line of said GLI Acquisition Company 5.124 acre tract, same being the southerly line of said Block 2/409, and the existing northerly right of way line of said Continental Avenue, a distance of 56.83 feet to an "X" Cut set in concrete;

THENCE South 86°35'07" West, continuing along the common southerly line of said GLI Acquisition Company 5.124 acre tract, same being the southerly line of said Block 2/409, and the existing northerly right of way line of said Continental Avenue, a distance of 340.82 feet to the **POINT OF BEGINNING** and containing approximately 3,245 square feet or 0.0744 acre of land more or less.

A Survey Plat of even date accompanies this property description.

BASIS OF BEARING: Texas State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum of 1983.


G. Dennis Qualls Date
Registered Professional Land Surveyor
Texas No. 4276

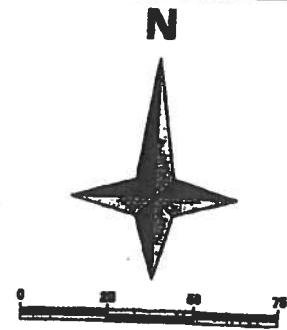


Lina T. Ramey & Associates, Inc.
1349 Empire Central, Suite 900
Dallas, Texas 75247
Ph. 214-979-1144

WICHITA ST.
(Called to Right-of-Way)
POINT OF COMMENCING

IRVING CORNER MONUMENT

GARRETT POX SURVEY
ABSTRACT NO. 1679



Trinity Industrial District
Installation No. 1
Vol. 10, Pg. 93
M.R.D.C.T.
Block 2

CITY BLOCK 2409

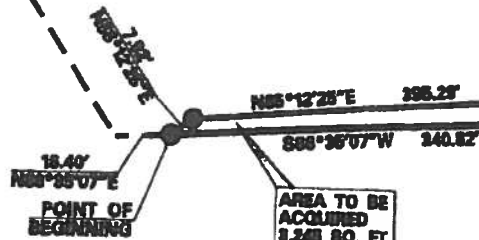
GLI Acquisition Company,
A Delaware Corporation
5.124 Acres
Vol. 89001, Pg. 7233
D.R.D.C.T.

CITY BLOCK 1409

Greyhound Lines, Inc.,
A Delaware Corporation
1.117 Acres
Vol. 2000074, Pg. 08004
D.R.D.C.T.

Trinity Industrial District
Installation No. 1
Vol. 10, Pg. 93
M.R.D.C.T.
Block 1

DRAGON STREET
(Called to Right-of-Way)



CONTINENTAL AVENUE
(Variable width Right-of-Way)

MATCHLINE PAGE 4 OF 4

- Set 5/8" I.R. with "LTRA" Cap (Unless Otherwise Noted)
- ⊙ Set Magnetic Nail
- ⊙ Found Monument (As Noted)
- ⊗ Set "X" Cut

□ Right of Way To Be Acquired

Z Common Ownership

- M.R.D.C.T. = Map Records Dallas County Texas
- D.R.D.C.T. = Deed Records Dallas County Texas
- O.P.R.D.C.T. = Official Public Records Dallas County Texas
- INST. NO. = Instrument Number

ADDITION LINE = - - - - -
R.O.W. LINE = - - - - -

BASIS OF BEARING: Bearings are based upon Texas State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum 1983 (NAD83).

Sheet 3 of 4

LTRA LINA T. RAMEY & ASSOCIATES, INC.
1349 Empire Central, Suite 900
Dallas, Texas 75247
FIRM REGISTRATION NO. F-782

DEPT. OF PUBLIC WORKS & TRANSPORTATION

Parcel 3 - Block 2409

CONTINENTAL AVENUE

OWNER: GLI Acquisition Company, A Delaware Corp.

OPERNAME	DESIGN FILE NAME	SCALE	DATE
M. Rindahl	RiverfrontParcel3A.dgn	1"=50'	4-18-2012
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
N. Clark	M. King		

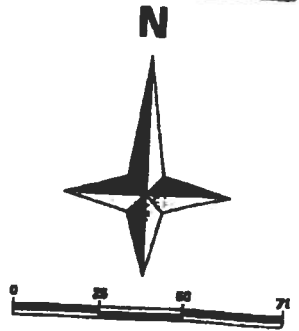
GARRETT FOX SURVEY
ABSTRACT NO. 1679

CITY BLOCK 2409

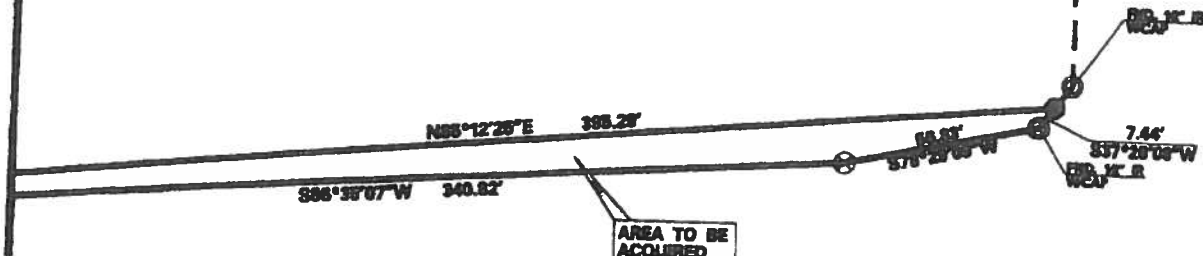
Trinity Industrial District
Installation No. 1
Vol. 10, Pg. 99
M.R.D.C.T.
Block 2

GLJ Acquisition Company,
A Delaware Corporation
5.124 Acres
Vol. 89001, Pg. 7233
D.R.D.C.T.

MATCHLINE PAGE 3 OF 4



INTERSTATE HIGHWAY 35-E
(Variable width Right-of-Way)



AREA TO BE ACQUIRED
3.245 SQ. FT.
0.0744 Acres

CONTINENTAL AVENUE
(Variable width Right-of-Way)

- Set 60" LR. with "LTRA" Cap (Unless Otherwise Noted)
- ⊙ Set Magnetic Nail
- ⊙ Found Monument (As Noted)
- ⊗ Set "X" Cut

- Right of Way To Be Acquired
- Z Common Ownership

- M.R.D.C.T. = Map Records Dallas County Texas
- D.R.D.C.T. = Deed Records Dallas County Texas
- O.P.R.D.C.T. = Official Public Records Dallas County Texas
- INST. NO. = Instrument Number

ADDITION LINE = - - - - -
R.O.W. LINE = - - - - -

BASIS OF BEARING: Bearings are based upon Texas State Plane Coordinate System, Texas, North Central Zone 4202, North American Datum 1983 (NAD83).



G. Dennis Qualls
G. DENNIS QUALLS, R.P.L.S. NO. 4276 DATE 4-13-2012

Sheet 4 of 4

LTRA		LINA T. RAMEY & ASSOCIATES, INC. 1349 Empire Central, Suite 900 Dallas, Texas 75247 FIRM REGISTRATION NO. F-782	
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
Parcel 3 - Block 2409			
CONTINENTAL AVENUE			
OWNER: GLJ Acquisition Company, A Delaware Corp.			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
M. Rindahl	RiverfrontParcel2409.dgn	1" = 50'	4-13-2012
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
N. Clark	M. King		

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): 6
DEPARTMENT: Trinity Watershed Management
Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 44V

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Prescott Interests, Ltd., of an unimproved tract of land containing approximately 15,352 square feet located on Beckley Avenue at its intersection with Interstate Highway 30 for the IH-30 Bike and Pedestrian Facility Improvements – Not to exceed \$288,012 (\$284,012 plus closing costs and title expenses not to exceed \$4,000) – Financing: General Obligation Commercial Paper Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 15,352 square feet located on Beckley Avenue at its intersection with IH-30 from Prescott Interests, Ltd. This property will be used for the IH-30 Bike and Pedestrian Facility Improvements. The consideration is based upon independent appraisals.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$288,012 (\$284,012 plus closing costs and title expenses not to exceed \$4,000)

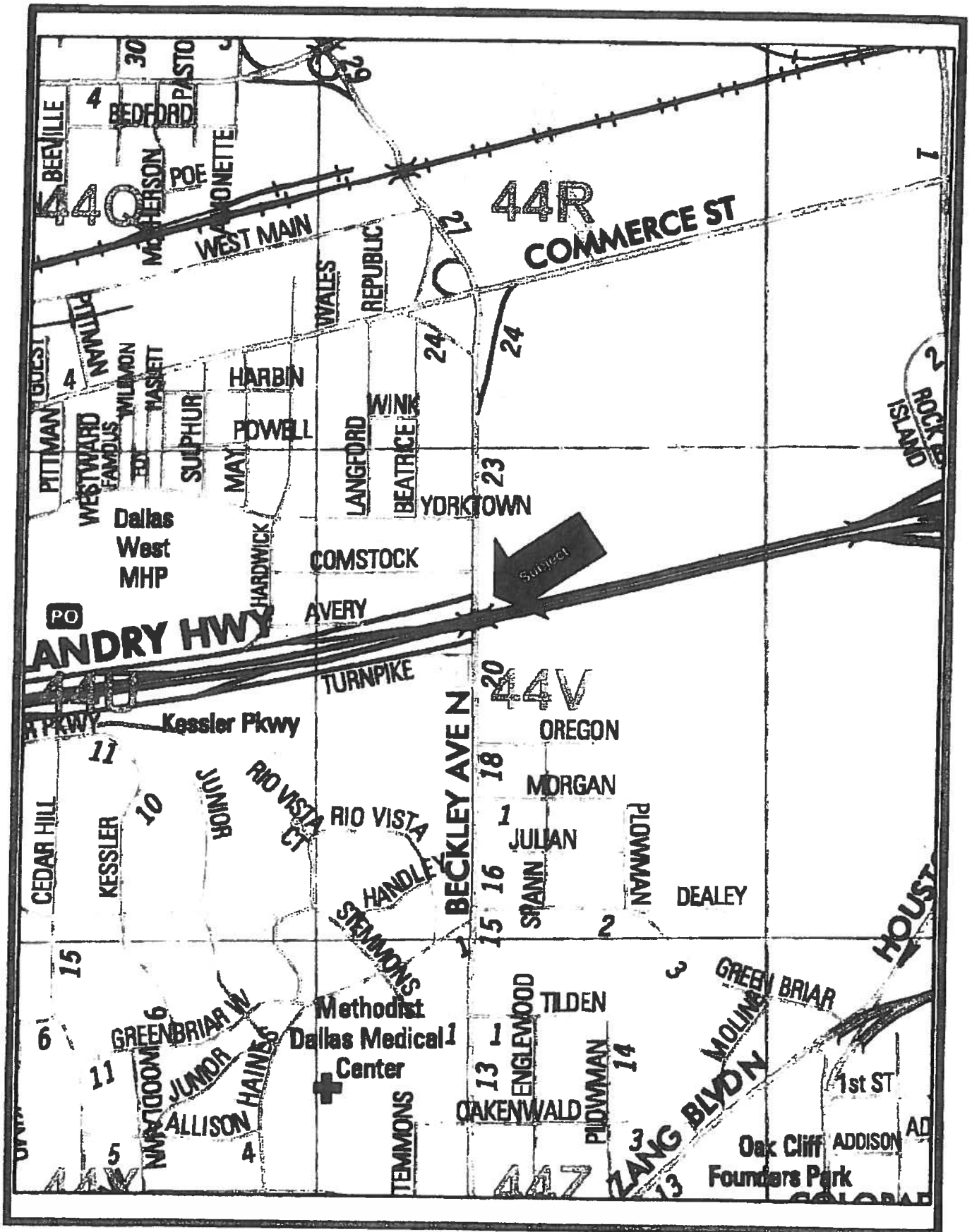
OWNER

Prescott Interests, Ltd.
Carlisle Interests, Inc., General Partner

John K. Percy, President

MAPS

Attached



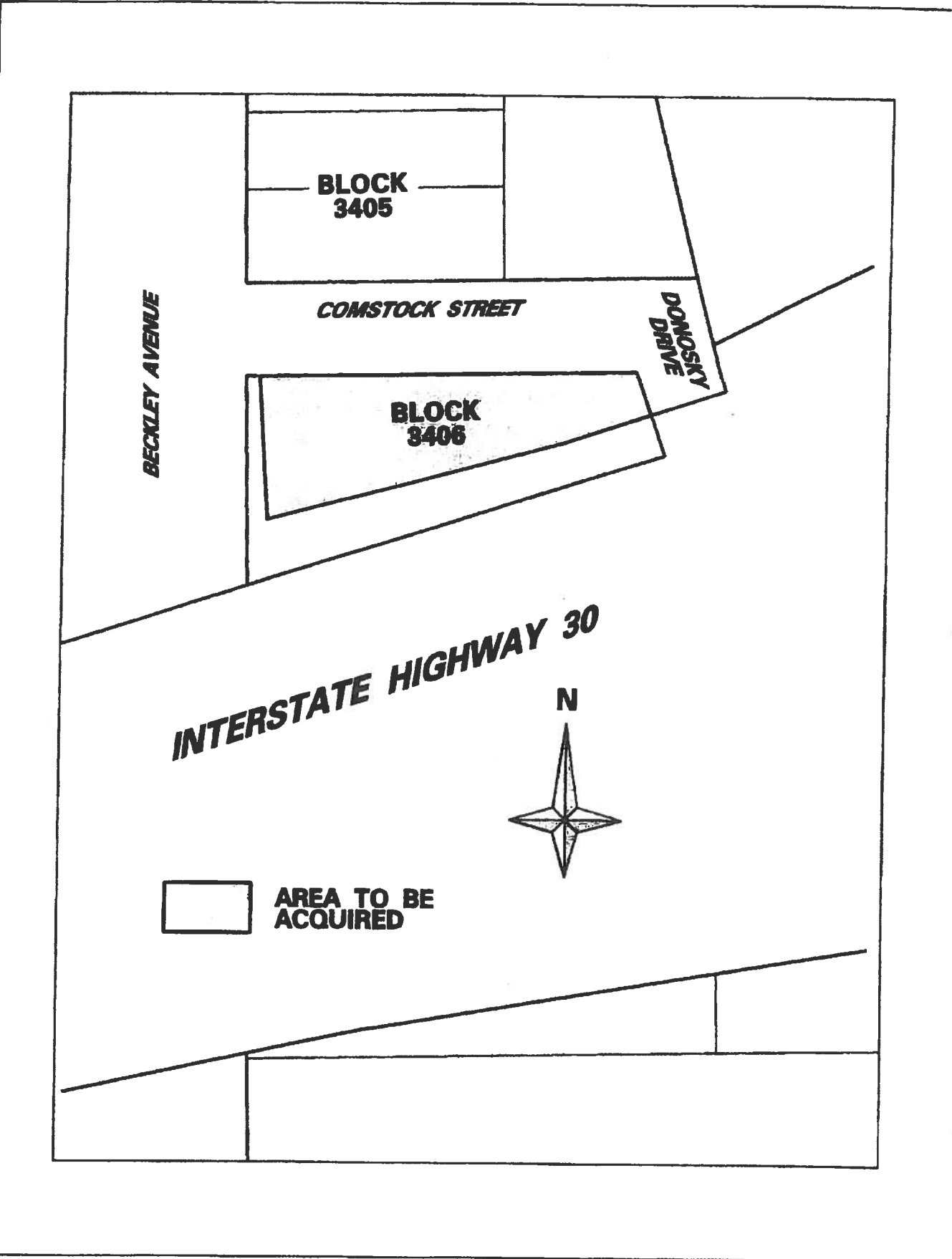
copyright © 2008 MAPSCO, Inc.



44V



Scale 1 : 9 198



February 26, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": Approximately 15,352 square feet of property located in Dallas County, and being the same property more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes.

"PROJECT": IH-30 Bike and Pedestrian Facility Improvements

"USE": The construction, use and maintenance of an IH-30 bicycle and pedestrian facility between Riverfront Boulevard and Beckley Avenue, together with such appurtenant facilities as may be necessarily provided.

"PROPERTY INTEREST": Fee Simple

"OWNER": Prescott Interests, Ltd., 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.

"OFFER AMOUNT": \$284,012.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$4,000.00

"AUTHORIZED AMOUNT": \$288,012.00

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 the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

February 26, 2014

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit P658, Activity INGV, Program No. PB06P658, Object 4210, Encumbrance No. CT-PBW06P658E1. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

February 26, 2014

SECTION 11. 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

Field Notes Describing a 15,352 Square Foot (0.352 Acre) Tract of Land To Be Acquired in Block 3406 From Prescott Interests, L.C.

Being a 15,352 Square Foot, or 0.352 Acre tract of land situated in the Peter Haught Survey, Abstract No. 607, Dallas County, City of Dallas, Texas, and being a part of Tract 3, (Block 3406, Official City of Dallas Block Numbers) of the Beckley Industrial District Addition, an addition to the City of Dallas, Texas recorded in Volume 16, Page 185 of the Map Records of Dallas County, Texas, and being a portion of the property conveyed to Prescott Interests, L.C. by Deed dated January 1, 1994 and recorded in Volume 94025, Page 4760 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch diameter Iron Rod found at the Northeast corner of said Tract 3, at the intersection of the South Right-of-Way line of Comstock Street (a 60-foot wide Right-of-Way) with the Southwest Right-of-Way line of Donosky Drive (a 50-foot wide Right-of-Way), being also the Northeast corner of said Tract 3 of the Beckley Industrial District Addition:

THENCE South 19°00'31" East, departing the last said South line of Comstock Street and with the common line between Donosky Drive and said Tract 3 a distance of 29.42 feet to a 5/8 inch diameter Iron Rod with an Aluminum Disc cap marked "TxDOT" (hereinafter referred to as a "5/8" I.R. w/TxDOT Cap") found at the Northeast corner of a tract of land conveyed to the State of Texas, dated February 3, 2011 and recorded in Instrument Number 201100078482 of the Official Public Records of Dallas County, Texas, and being also the Southeast corner of the herein described tract of land:

THENCE South 71°33'19" West, departing the last said Southwest line of Donosky Drive and with the Northwest line of said TxDOT tract a distance of 58.98 feet to a 5/8" I.R. w/TxDOT Cap found at an outside corner of the herein described tract of land:

THENCE South 75°02'21" West, continuing with the Northwest line of said TxDOT tract a distance of 195.73 feet to a 5/8" I.R. w/TxDOT Cap found at an outside corner, being also the Southwest corner of the herein described tract of land:

THENCE North 03°59'39" West, with the most Westerly East line of said TxDOT tract a distance of 93.20 feet to a 5/8" I.R. w/TxDOT Cap found at the intersection with the above referenced South line of Comstock Street, being also the northeast corner of the herein described tract of land:

EXHIBIT A

Field Notes Describing a 15,352 Square Foot
(0.352 Acre) Tract of Land
To Be Acquired in Block 3406
From Prescott Interests, L.C.

THENCE North 89°02'42" East, departing the East line of said TxDOT tract and with the said South line of Comstock Street, being also the North line of said Tract 3 a distance of 241.99 feet to the **POINT OF BEGINNING**, containing 15,352 Square Feet, or 0.352 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 (2011).

Scott Holt
1/6/2014



EXHIBIT A

BLOCK 3405

BECKLEY INDUSTRIAL DISTRICT ADDITION
(Donosky Revision No. 2)
Vol. 25, Pg. 67

COMSTOCK STREET
(60-Foot Right-of-Way)

BECKLEY AVENUE
(120-Foot Right-of-Way)

DONOSKY DRIVE
(50-Foot Right-of-Way)

BECKLEY INDUSTRIAL DISTRICT ADDITION
Vol. 16, Pg. 185

INTERSTATE HIGHWAY 30
(Variable Right-of-Way)

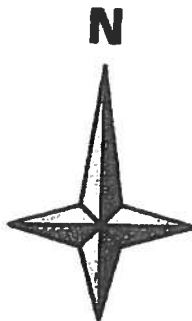
PETER HAUGHT SURVEY
ABSTRACT NO. 607

TRACT 3 BLOCK 3406

Prescott Interests, L.C.
Vol. 64025, Pg. 4760


State of Texas
Int. #201100078492

15,352 Sq. Ft.
(0.352 Acre)
Tract to be Acquired



BASIS OF BEARINGS: Bearings are Based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

⊙ Denotes a 5/8" Iron Rod Found with Aluminum Disc Cap Marked "TxDOT."

			
TRINITY WATERSHED MANAGEMENT			
I-30 Bicycle & Pedestrian Trail			
PRESCOTT INTERESTS: I-30 @ Beckley Avenue			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	R-ENGR/SURVEY/HOLT/Beckley/Field Notes	As Noted	1-6-2013
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	S. Holt	BLOCK 3406	044D-50

DRAFT

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): 4
DEPARTMENT: Trinity Watershed Management
Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56 E

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from BNSF Railway Company, of a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet located near the intersection of Morrell Avenue and Sargent Road for the Trinity River Corridor Project – Upper Chain of Wetlands - Not to exceed \$5,445 (\$3,545 plus closing costs and title expenses not to exceed \$1,900) – Financing: 1998 Bond Funds

BACKGROUND

This item authorizes the acquisition of a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet from BNSF Railway Company. This property is located near the intersection of Morrell Avenue and Sargent Road and will be used for the Trinity River Corridor Project – Upper Chain of Wetlands. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

1998 Bond Funds - \$5,445 (\$3,545 plus closing costs and title expenses not to exceed \$1,900)

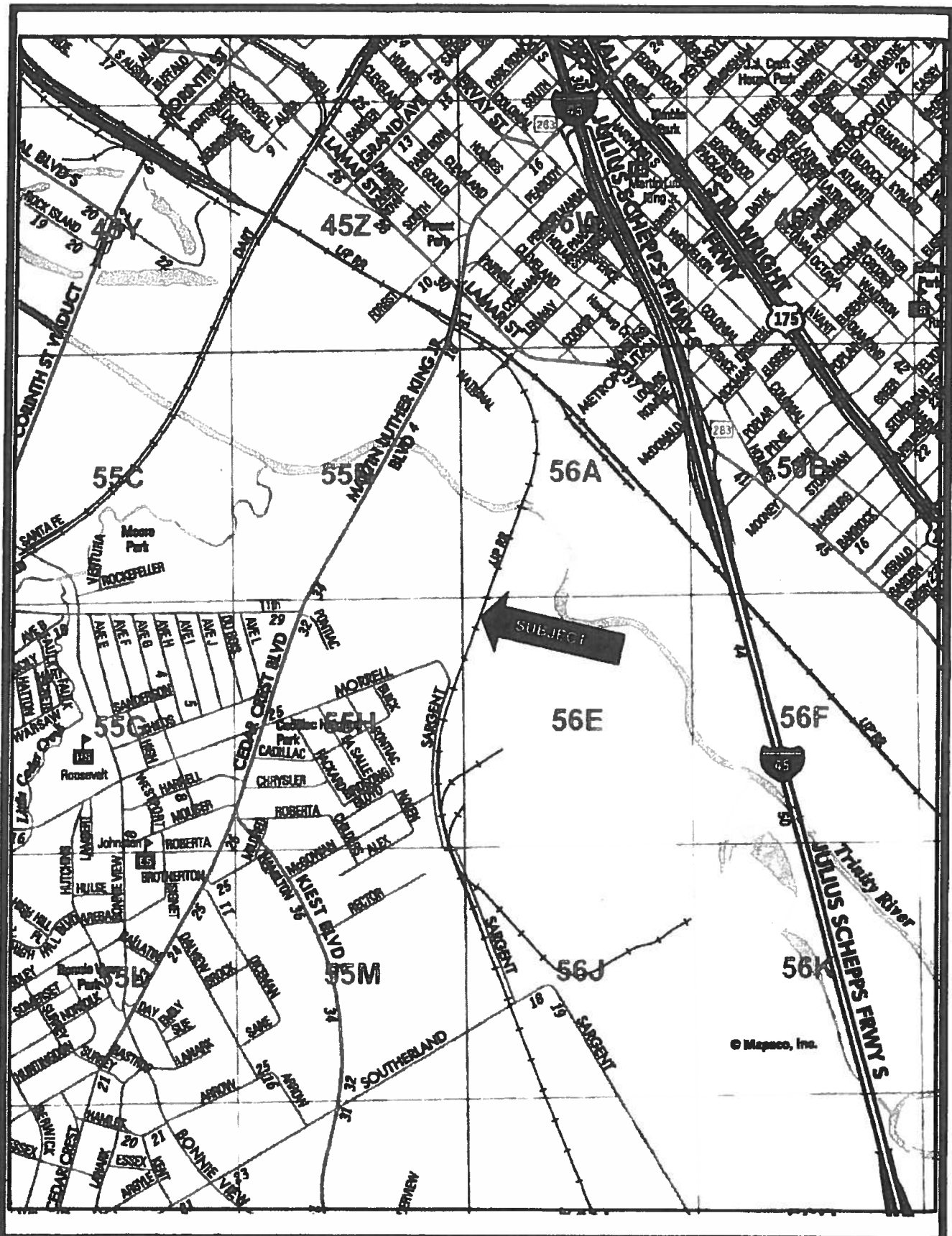
OWNER

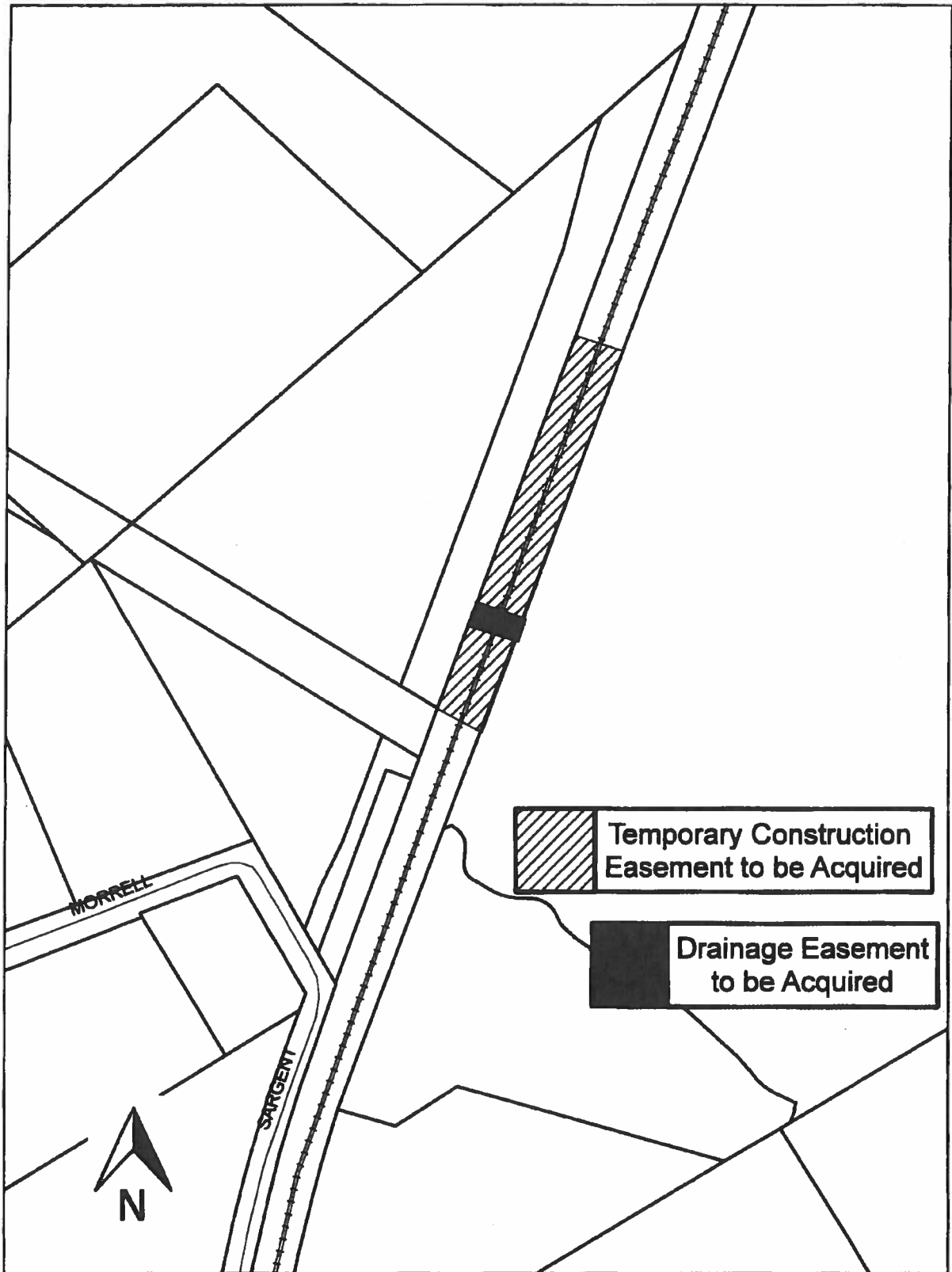
BNSF Railway Company

Carl Rice, President

MAPS

Attached





February 26, 2014

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": Two tracts containing a total of approximately 64,812 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Trinity River Corridor Project – Upper Chain of Wetlands.

"USE": Tract I - The installation, use and maintenance of a pipeline for the transmission of surface water, together with such appurtenant facilities as may be necessary. Tract II – Adequate working space to provide for the construction of the project, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Tract I: Drainage Easement, Tract II: Temporary Working Space Easement

"OWNER": BNSF Railway Company, 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.

"OFFER AMOUNT": \$3,545.00

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$1,900.00

"AUTHORIZED AMOUNT": \$5,445.00

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 the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

February 26, 2014

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, 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 OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Trinity River Corridor Project Fund, Fund No. 9P14, Department PBW, Unit N962, Activity TRPP, Program No. PB98N962, Object 4250, Encumbrance No. CT-PBW98N962E1. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. 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 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

February 26, 2014

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. 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

**BOUNDARY DESCRIPTION
OF A 3,000 SQUARE FOOT (0.069 ACRE)
DRAINAGE EASEMENT
TO BE ACQUIRED FROM THE
BURLINGTON NORTHERN / SANTA FE RAILROAD COMPANY**

BEING a 3,000 Square Foot, or 0.069 Acre tract of unplatted land situated in the City of Dallas, Dallas County, Texas, and lying in the William J. Elliott Survey, Abstract Number 448, between City of Dallas Blocks 7718 and 7719, and being a part of the property conveyed to the M.K. & T Railway Company (predecessor in title to the Burlington Northern / Santa Fe (B.N.S.F.) Railroad Company) by deed dated November 18, 1891 and recorded in Volume 156, Page 153 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8 Inch diameter Iron rod found at the Southeast corner of a tract of land conveyed to the City of Dallas by deed recorded in Instrument Number 201000031431 of the Official Public Records of Dallas County, Texas, being also the Southwest corner of a parcel of land conveyed to the City of Dallas by deed recorded in Volume 88197, Page 2250 Tract No. 1) of the Deed Records of Dallas County, Texas, and also lying on the Northeast Right-of-Way line of Sargent Road (a 50-foot wide Right-of-Way):

THENCE South 30°11'38" East with the common line between the said City of Dallas tract and Sargent Road a distance of 117.14 feet to the intersection with the Northwest line of the above reference B.N.S.F. Railroad (not monumented):

THENCE North 20°07'05" East, departing the last said Northeast line of Sargent Road and with the said Northwest line of the B.N.S.F. Railroad, being also the Southeast line of said City of Dallas tract, pass at 556.30 feet the Northeast corner of a tract of land conveyed to the Dallas Power and Light Company (predecessor in title to the ONCOR Electric Delivery Company), being also the Southeast corner of a parcel of land conveyed to the City of Dallas by deed recorded in Volume 88197, Page 2250 (Tract No. 2) of the Deed Records of Dallas County, Texas, and continuing for a total distance of 732.46 feet to the Southwest corner and **POINT OF BEGINNING** of the herein described tract of land (Note: due to inundation by the waters of the Trinity River, none of the corners of this easement could be monumented):

THENCE North 20°07'05" East, continuing with the said common property line a distance of 30.00 feet to the Northwest corner of the herein described tract of land:

Exhibit A

**BOUNDARY DESCRIPTION
OF A 3,000 SQUARE FOOT (0.069 ACRE)
DRAINAGE EASEMENT
TO BE ACQUIRED FROM THE
BURLINGTON NORTHERN / SANTA FE RAILROAD COMPANY**

THENCE South 69°52'55" East, departing the said common property line, over and across said B.N.S.F. Railroad property a distance of 100.00 feet to the intersection with the Southeast line of said B.N.S.F. Railroad property, being also the Northwest property line of a tract of land conveyed to the City of Dallas, as recorded in Instrument Number 201200073935 of the Official Public Records of Dallas County, Texas, and being also the Northeast corner of the herein described tract of land:

THENCE South 20°07'05" West with the common line between said B.N.S.F. Railroad and City of Dallas properties a distance of 30.00 feet to the Southeast corner of the herein described tract of land:

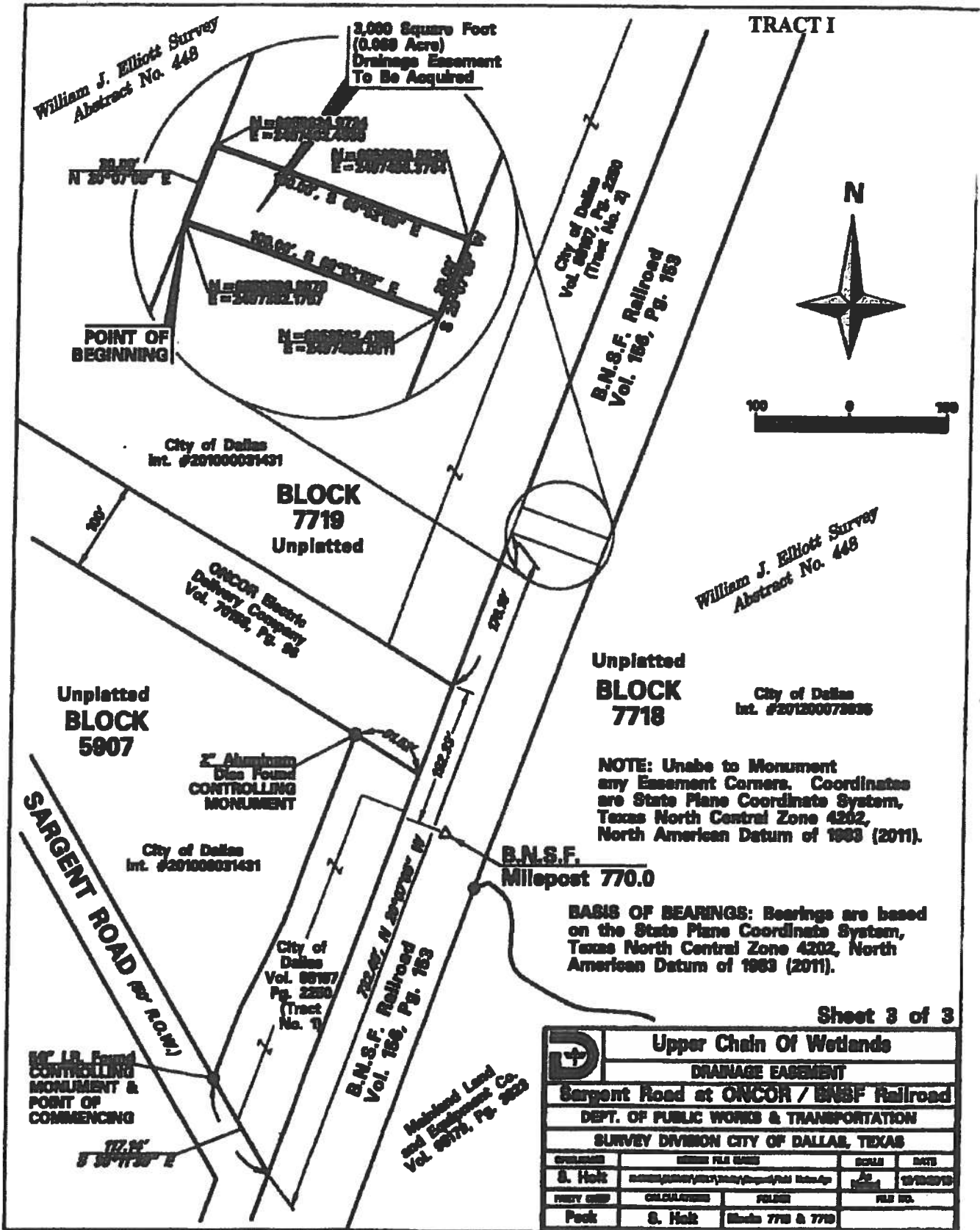
THENCE North 69°52'55" West, departing the said common property line, over and across said B.N.S.F. Railroad property a distance of 100.00 feet to the **POINT OF BEGINNING**, containing 3,000 Square Feet, or 0.069 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

Scott Holt

12/17/2013





Sheet 3 of 3

Upper Chain Of Wetlands			
DRAINAGE EASEMENT			
Sargent Road at ONCOR / BNSF Railroad			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OWNER	OWNER FILE NAME	SCALE	DATE
S. Holt		AS SHOWN	12/16/2013
DRAWN BY	CALCULATED	PLotted	FILE NO.
Peck	S. Holt		Blocks 7718 & 7719

Exhibit A

**BOUNDARY DESCRIPTION
OF A 61,812 SQUARE FOOT (1.419 ACRE)
TEMPORARY WORKING SPACE EASEMENT
TO BE ACQUIRED FROM THE
BURLINGTON NORTHERN / SANTA FE RAILROAD COMPANY**

BEING a 61,812 Square Foot, or 1.419 Acre tract of unplatted land situated in the City of Dallas, Dallas County, Texas, and lying in the William J. Elliott Survey, Abstract Number 448, between City of Dallas Blocks 7718 and 7719, and being a part of the property conveyed to the M.K. & T Railway Company (predecessor in title to the Burlington Northern / Santa Fe (B.N.S.F.) Railroad Company) by deed dated November 18, 1891 and recorded in Volume 156, Page 153 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod found at the Southeast corner of a tract of land conveyed to the City of Dallas by deed recorded in Instrument Number 201000031431 of the Official Public Records of Dallas County, Texas, being also the Southwest corner of a parcel of land conveyed to the City of Dallas by deed recorded in Volume 88197, Page 2250 (Tract No. 1) of the Deed Records of Dallas County, Texas, and also lying on the Northeast Right-of-Way line of Sargent Road (a 50-foot wide Right-of-Way):

THENCE South 30°11'38" East with the common line between the said City of Dallas tract and Sargent Road a distance of 117.14 feet to the Intersection with the Northwest line of the above reference B.N.S.F. Railroad (not monumented):

THENCE North 20°07'05" East, departing the last said Northeast line of Sargent Road and with the said Northwest line of the B.N.S.F. Railroad, being also the Southeast line of said City of Dallas tract, a distance of 556.30 feet to the Northeast corner of a tract of land conveyed to the Dallas Power and Light Company (predecessor in title to the ONCOR Electric Delivery Company), being also the Southeast corner of a parcel of land conveyed to the City of Dallas by deed recorded in Volume 88197, Page 2250 (Tract No. 2) of the Deed Records of Dallas County, Texas, and the Southwest corner and **POINT OF BEGINNING** of the herein described tract of land (Note: due to inundation by the waters of the Trinity River, none of the corners of this easement could be monumented):

THENCE North 20°07'05" East, continuing with the common line between said City of Dallas property and the B.N.S.F. Railroad a distance of 608.27 feet to the Northwest corner of the herein described tract of land:

Exhibit A

**BOUNDARY DESCRIPTION
OF A 61,812 SQUARE FOOT (1.419 ACRE)
TEMPORARY WORKING SPACE EASEMENT
TO BE ACQUIRED FROM THE
BURLINGTON NORTHERN / SANTA FE RAILROAD COMPANY**

THENCE South 69°52'55" East, departing the said common line, over and across said B.N.S.F. Railroad property a distance of 100.00 feet to the intersection with the Southeast line of said B.N.S.F. Railroad property, being also the Northwest line of a tract of land conveyed to the City of Dallas by deed recorded in Instrument Number 201200073935 of the Official Public Records of Dallas County, Texas, at the Northeast corner of the herein described tract of land:

THENCE South 20°07'05" West with the common line between said B.N.S.F. Railroad and City of Dallas property a distance of 627.97 feet to the Southeast corner of the herein described tract of land:

THENCE North 58°44'23" West, departing the said common property line, over and across said B.N.S.F. Railroad property a distance of 101.92 feet to the **POINT OF BEGINNING**, containing 61,812 Square Feet, or 1.419 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 (2011).

Scott Holt
2/6/2014

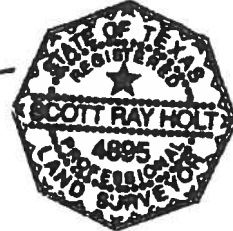


Exhibit A

William J. Elliott Survey
Abstract No. 448



NOTE: Unable to Monument
any Easement Corners. Coordinates
are State Plane Coordinate System,
Texas North Central Zone 4202,
North American Datum of 1983 (2011).

Unplatted
**BLOCK
7719**

TRACT II

N = 898992.988
E = 2487948.788

100.00'
S 68° 52' 58" E

N = 898998.104
E = 2487834.8878

City of Dallas
Vol. 88187, Pg. 2280
(Tract No. 2)

882.87', N 20° 07' 08" E

B.N.S.F. Railroad
Vol. 156, Pg. 153

827.87', S 20° 07' 08" W

Unplatted

William J. Elliott Survey
Abstract No. 448

**BLOCK
7718**

POINT OF
BEGINNING

61,812 Square Foot
(1.419 Acre) Temporary
Working Space Easement
To Be Acquired

N = 898943.418
E = 2487331.588

N = 8989378.524
E = 2487418.708

City of Dallas
Int. #201200079985

101.00'
N 88° 44' 23" W

B.N.S.F.
Milepost 770.0

BASIS OF BEARINGS: Bearings are based
on the State Plane Coordinate System,
Texas North Central Zone 4202, North
American Datum of 1983 (2011).

Unplatted
**BLOCK
5907**

Z. Abujinam
Disc Found
CONTROLLING
MONUMENT

City of Dallas
Int. #201000031431

SARGENT ROAD (60' R.O.W.)

City of Dallas
Vol. 88187
Pg. 2280
(Tract No. 1)

882.87', N 20° 07' 08" W

B.N.S.F. Railroad
Vol. 156, Pg. 153

Matched Land and Equipment Co.
Vol. 88178, Pg. 3022

50" I.B. Found
CONTROLLING
MONUMENT &
POINT OF
COMMENCING

117.14'
S 10° 11' 38" E

Sheet 3 of 3

D	Upper Chain Of Wetlands		
	TEMPORARY WORKING SPACE EASEMENT		
	Sargent Road at ONCOR / BNSF Railroad		
	DEPT. OF PUBLIC WORKS & TRANSPORTATION		
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERATOR	DESIGN FILE NAME	SCALE	DATE
S. Holt	12/10/2013	As Shown	12/10/2013
PROPERTY OWNER	CALCULATIONS	PLANS	FILE NO.
Peck	S. Holt	Blocks 7718 & 7719	

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 26, 2014
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 57Q

DRAFT

SUBJECT

A resolution authorizing the conveyance of an easement and right-of-way containing approximately 20,881 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Pemberton Hill Road near its intersection with Jeane Street – Financing: No cost consideration to the City

BACKGROUND

This item authorizes the conveyance of an easement and right-of-way to Oncor Electric Delivery Company, LLC, located on Pemberton Hill Road near its intersection with Jeane Street. This easement and right-of-way will allow for the construction, use and maintenance of power lines and electric facilities to service the Texas Horse Park.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

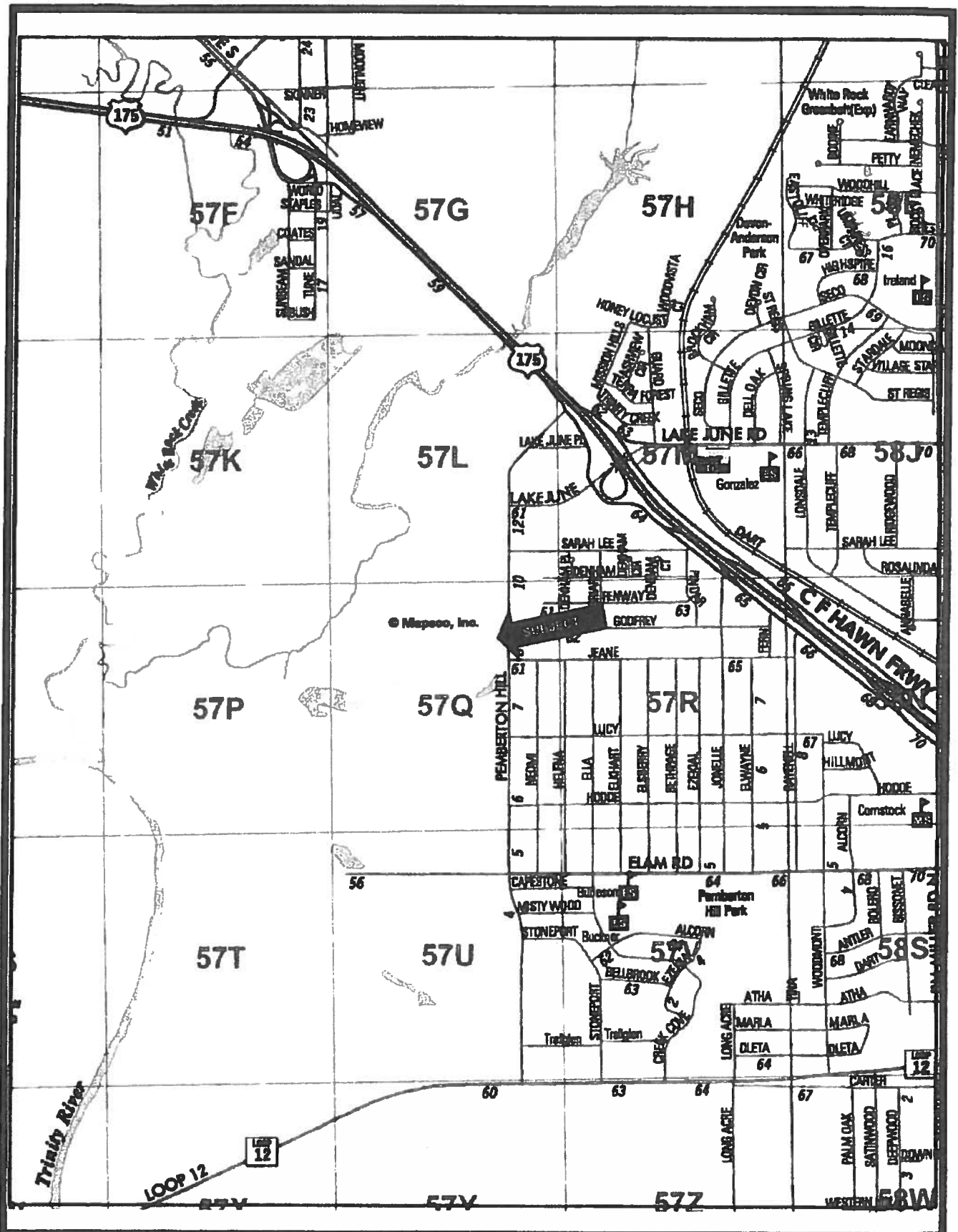
This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

MAPS

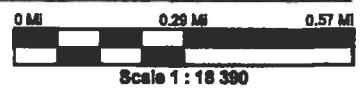
Attached



copyright © 2006 MAPSCO, Inc.



57Q





Block
A6239

CITY OF DALLAS

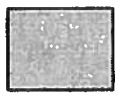
DP&L (ONCOR)

TEXAS HORSE PARK
CITY OF DALLAS

PEMBERTON HILL ROAD

JEANE ST.

BLOCK
C6238



Easement to be Conveyed to the
ONCOR Electric Delivery Company
for Service to The Texas Horse Park

February 26, 2014

WHEREAS, the City of Dallas owns certain land being part of Block C/6238, Dallas, Dallas County, Texas, which is currently being developed for use as the Texas Horse Park, being the same land conveyed to the City of Dallas in two certain instruments recorded as Instruments Numbered 20080250125 and 20080250127, Official Real Property Records of Dallas County Texas; and

WHEREAS, Oncor Electric Delivery Company, LLC has requested an Easement and Right of Way containing approximately 20,881 square feet of land, being more fully described in Exhibit A, attached hereto and incorporated herein for all purposes (the Easement); for the construction, maintenance and use of electric facilities; and

WHEREAS, the City of Dallas needs and desires said utility service to the Texas Horse Park and will be benefitted by the granting of said Easement and Right of Way; **Now Therefore,**

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

SECTION 1. That the City Manager or his designee is authorized to execute and deliver to Oncor Electric Delivery Company, LLC, an Easement and Right of Way to be attested by the City Secretary upon approval as to form by the City Attorney, for the construction, maintenance and use of electric facilities to service the City's facilities, including the Texas Horse Park, as to approximately 20,881 square feet of land described in Exhibit A.

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.

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

BY: 
Assistant City Attorney

Exhibit A

BOUNDARY DESCRIPTION FOR A 20,881 SQUARE FOOT (0.479 ACRE) EASEMENT TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY FOR THE TEXAS HORSE PARK

BEING a 20,881 Square Foot, or 0.479 Acre tract of unplatted land situated in the City of Dallas, Dallas County, Texas, and lying in the John Beeman Survey, Abstract number 97, in City of Dallas Block C/6238 (official City of Dallas Block Numbers), and being a part of the property conveyed to the City of Dallas by deed recorded in Instruments Numbered 20080250125 and 20080250127 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a one-inch diameter Iron Pipe (Controlling Monument) found on the West Right-of-Way line of Pemberton Hill Road (a variable width Right-of-Way), and the intersection of the South line of a tract of land conveyed to the Dallas Power and Light Company (predecessor in title to the ONCOR Electric Delivery Company), as recorded in Volume 5212, Page 435 of the Deed Records of Dallas County, Texas, being also the Northeast corner of the above referenced City of Dallas property:

THENCE South 00°01'29" East with the said West line of Pemberton Hill Road and East line of said City of Dallas property a distance of 303.81 feet to a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as a "5/8" I.R. w/COD Cap") set at the Northeast corner and **POINT OF BEGINNING** of the herein described tract of land:

THENCE South 00°01'29" East, continuing with the said common line between Pemberton Hill Road and City of Dallas property a distance of 54.95 feet to a 5/8" I.R. w/COD Cap set at an outside corner of the herein described tract of land:

THENCE South 89°58'31" West, departing the last said West line of Pemberton Hill Road, over and across a portion of said City of Dallas property a distance of 18.21 feet to a 5/8" I.R. w/COD Cap set at an inside corner of the herein described tract of land:

THENCE South 00°01'29" East, parallel to and at all times 3.21 feet measured perpendicularly to the said West line of Pemberton Hill Road, continuing over and across a portion of said City of Dallas property a distance of 338.63 feet to a 5/8" I.R. w/COD Cap set at an inside corner of the herein described tract of land:

THENCE North 89°58'31" East, continuing over and across a portion of said City of Dallas property a distance of 18.21 feet to a 5/8" I.R. w/COD Cap set at the intersection with the above said common line between Pemberton Hill Road and City of Dallas property:

Exhibit A

**BOUNDARY DESCRIPTION FOR A
20,881 SQUARE FOOT (0.479 ACRE) EASEMENT
TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY
FOR THE TEXAS HORSE PARK**

THENCE South 00°01'29" East with the said common line between Pemberton Hill Road and City of Dallas property a distance of 55.06 feet to a 5/8" I.R. w/COD Cap set at the Southeast corner of the herein described tract of land:

THENCE departing the last said West line of Pemberton Hill Road, over and across a portion of said City of Dallas property the following courses and distances (Note: all corners monumented with a 5/8" I.R. w/COD Cap unless otherwise noted):

South 89°58'31" West a distance of 33.21 feet to an outside corner of the herein described tract of land:

North 00°01'29" West a distance of 279.48 feet to an inside corner of the herein described tract of land:

South 89°58'31" West a distance of 680.68 feet to the Point of Curvature of a Curve to the Left:

Southwesterly along said Curve, having a Radius of 45.00 feet, an Arc Length of 70.69 feet, a Central Angle of 90° and a Chord which bears South 44°58'32" West a distance of 63.64 feet to the Point of Tangency:

South 00°01'29" East a distance of 35.00 feet to an outside corner of the herein described tract of land:

South 89°58'31" West a distance of 20.00 feet to the most Westerly Southwest corner of the herein described tract of land:

North 00°01'29" West a distance of 35.00 feet to the most Northerly Northwest corner of the herein described tract of land:

North 89°58'31" East a distance of 5.00 feet to the non-tangent beginning of a Curve to the Right:

Northeasterly along said Curve, having a Radius of 60.00 feet, an Arc Length of 94.25 feet, a Central Angle of 90° and a Chord which bears North 44°58'32" East a distance of 84.85 feet to the Point of Tangency:

North 89°58'31" East a distance of 680.68 feet to an inside corner of the herein described tract of land:

Exhibit A

**BOUNDARY DESCRIPTION FOR A
20,881 SQUARE FOOT (0.479 ACRE) EASEMENT
TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY
FOR THE TEXAS HORSE PARK**

North 00°01'29" West a distance of 154.16 feet to an outside corner of the herein described tract of land:

THENCE North 89°58'31" East a distance of 33.21 feet to the **POINT OF BEGINNING**, containing 20,881 Square Feet, or 0.479 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 (2011).



Scott Holt
2/12/2014

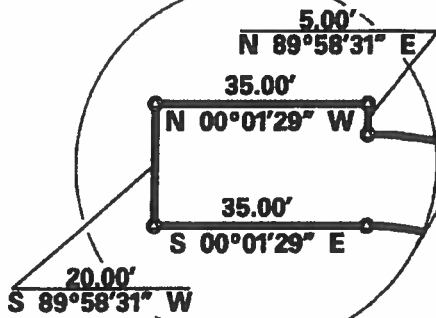
Unplatted
(Preliminary Plat S123-085
"Trinity Horse Park Addition")

Exhibit A

Rad. = 60'
Δ = 90°
Arc = 94.25'
Ch. Brs. 84.85'
N 44°58'32" E

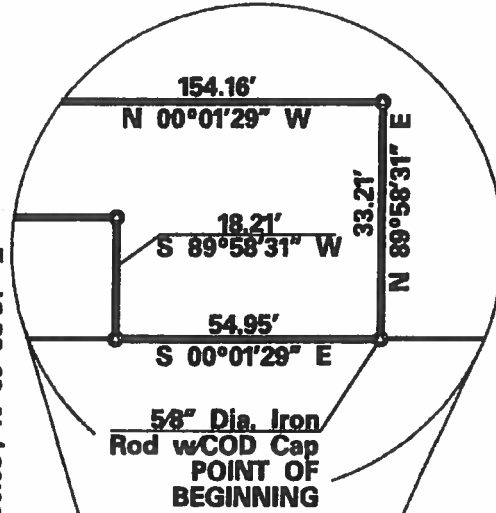
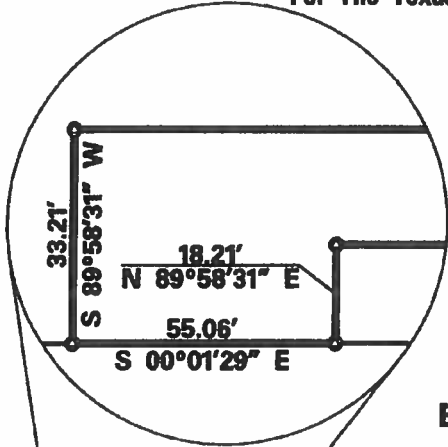


Rad. = 45'
Δ = 90°
Arc = 70.69'
Ch. Brs. 63.64'
S 44°58'32" W



JOHN BEEMAN SURVEY
ABSTRACT NO. 97
City of Dallas
Int. No. 20080250125
& 20080250127

20,881 Sq. Ft. (0.479 Acre)
Easement To Be Conveyed
For The Texas Horse Park



5/8" Dia. Iron
Rod wCOD Cap
POINT OF
BEGINNING

1" Dia. Iron Pipe
CONTROLLING
MONUMENT &
POINT OF
COMMENCING

BLOCK
C6238

279.48', N 00°01'29" W

338.63', S 00°01'29" E

PEMBERTON HILL ROAD
(Variable Width Right-of-Way)

303.81'
S 00°01'29" E

Dallas Power & Light Co. (ONCOR)
VOL. 5212, PG. 435

Sheet 4 of 4

JEANE ST.

BASIS OF BEARINGS: Bearings are Based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011)


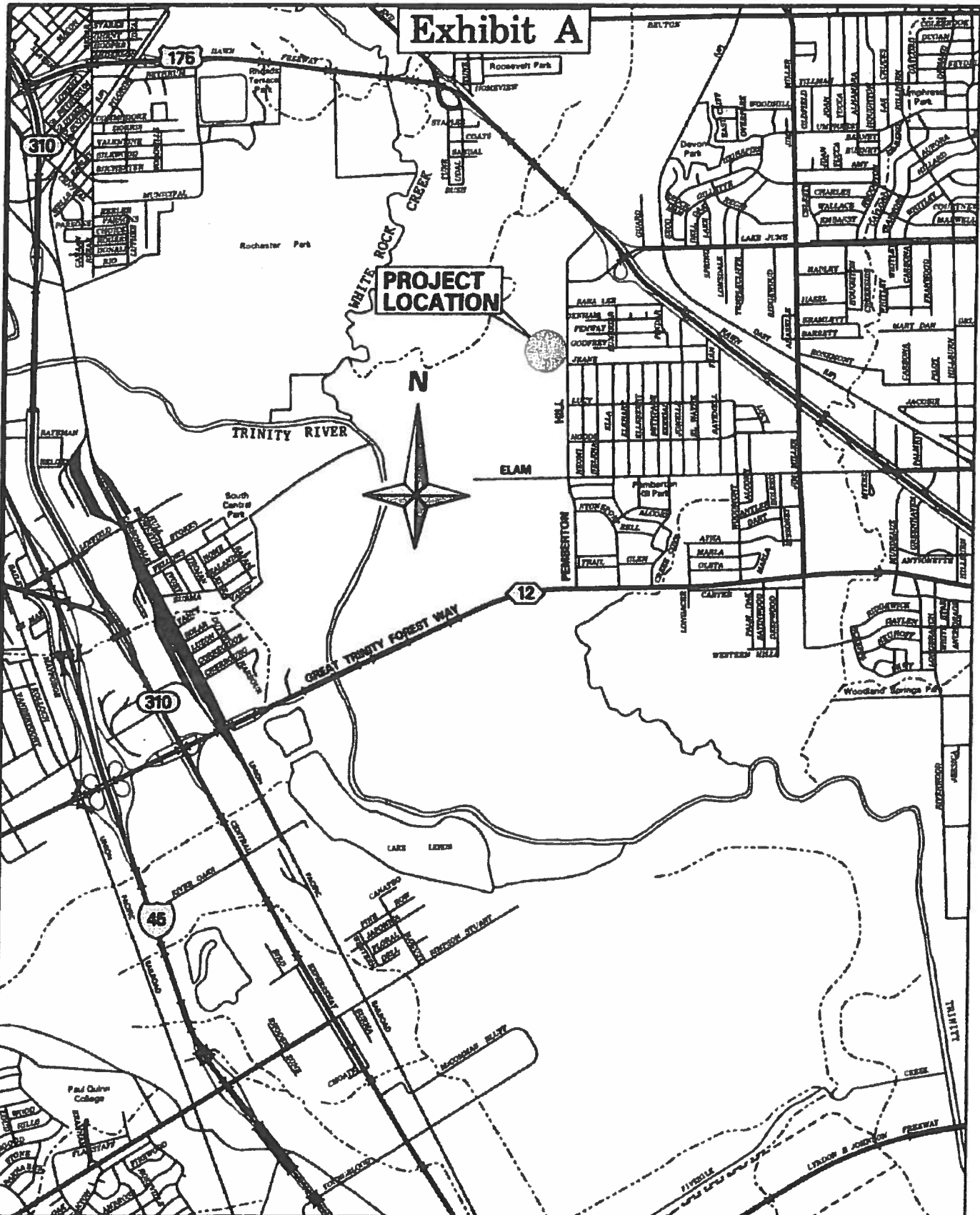
 ELECTRIC SERVICE EASEMENT			
To Be Conveyed To The ONCOR Electric Delivery Company for Service to The Texas Horse Park			
PUBLIC WORKS DEPARTMENT			
CITY OF DALLAS, TEXAS: SURVEY DIVISION			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	N:\SNOV\SURVEY\HOLT\Dumpfire 2012 Project\Trinity Horse Park.dgn	As Noted	12-23-2012
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
B. Peck	S. Holt	Dumpfire	

Exhibit A



ELECTRIC SERVICE EASEMENT TO BE CONVEYED TO THE ONCOR ELECTRIC DELIVERY COMPANY for Service to The TEXAS HORSE PARK