

AGENDA ITEM # 9

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Equipment and Building Services
Department of Convention and Event Services

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

MAPSCO: 45P

SUBJECT

Authorize a professional services contract with Simmons Design Associates, LLC to provide graphic design services for the design and development of a new wayfinding system at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$449,750 - Financing: Convention Center Capital Construction Funds

BACKGROUND

This action will authorize a professional services contract with Simmons Design Associates, LLC to provide graphic design services for the design and development of a new wayfinding system at the Kay Bailey Hutchison Convention Center Dallas. The services will consist of analysis and programming, masterplan, design, construction documentation, bidding, and construction administration for the developed improvements to implement the new wayfinding system. A separate future construction contract will be authorized for the performance of the actual wayfinding activities to be performed.

The Convention Center was built in 1957 and has seen major expansions in 1974, 1984, 1994 and 2002 to include exhibition space, parking garage, meeting rooms, ballrooms and pre-function lobbies. The center encompasses two million square feet, was constructed over the course of over 60 years, and has had multiple additions. The design and development of a new wayfinding strategy and experiential graphic design masterplan, consisting of a mix of static and digital/electronic signage, will bring cohesiveness to the Convention Center.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	June 2018
Complete Design	December 2018
Begin Construction	March 2019
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Convention Center Capital Construction Funds - \$449,750.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<u>Contract Amount</u>	<u>Category</u>	<u>M/WBE Goal</u>	<u>M/WBE %</u>	<u>M/WBE \$</u>
\$449,750.00	Professional	36.30%	37.80%	\$170,000.00

- This contract exceeds the M/WBE Goal of 36.30%

PROPOSAL INFORMATION

In July 2017, the Department of Equipment and Building Services began the first of a two-step (Request for Qualifications (RFQ)/Request for Proposals) process to procure professional graphic design services from firms who submitted qualifications to develop a dynamic wayfinding system. The respondent firms were evaluated and short-listed based on their qualifications listed in their Statement of Qualifications for RFQ CIZ1678.

On September 25, 2017 the Department of Equipment and Building Services notified the following short-listed firms and issued a Request for Proposals for the Wayfinding Project at Kay Bailey Hutchison Convention Center Dallas to the following firms: Corgan Associates, Inc., FD2S Inc., and Simmons Design Associates, LLC.

PROPOSAL INFORMATION (continued)

On October 9, 2017, the Department of Equipment and Building Services received three proposals from short-listed firms and ranked as follows:

<u>Proposers</u>	<u>Rank</u>
Simmons Design Associates, LLC	1
Corgan Associates, Inc.	2
FD2S Inc.	3

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

Criteria 1 - Qualification & Experience	25 points
Criteria 2 - Key Personnel	30 points
Criteria 3 - Understanding and Approach	15 points
Criteria 4 - Schedules and Budgets	15 points
Criteria 5 - Past performance and history of complying with M/WBE goals	15 points

OWNER

Simmons Design Associates, LLC

Armando D. Simmons, Managing Partner, Creative Director

MAP

Attached



June 13, 2018

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

WHEREAS, the need to design a wayfinding strategy and experiential graphic design masterplan which will bring a cohesiveness to the two million square feet that is the Convention Center today was identified and requires professional graphic design services for analysis and programming, masterplan, design, construction documents, bidding and construction administration at the Kay Bailey Hutchison Convention Center Dallas; and

WHEREAS, a solicitation for professional graphic design services was developed and publicly advertised by the Department of Equipment and Building Services; and

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

WHEREAS, the short-listed firms submitted proposals to provide professional graphic design services for the Kay Bailey Hutchison Convention Center Dallas Wayfinding System; and

WHEREAS, Simmons Design Associates, LLC was scored and ranked by the selection committee as the most qualified proposer as a result of a qualifications based selection process in accordance with City of Dallas procurement guidelines; and

WHEREAS, it is now desirable to authorize a professional services contract with Simmons Design Associates, LLC to provide graphic design services for the design and development of a new wayfinding system at the Kay Bailey Hutchison Convention Center Dallas, in an amount not to exceed \$449,750.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Simmons Design Associates, LLC, approved as to form by the City Attorney, to provide graphic design services for the design and development of a new wayfinding system at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street, in an amount not to exceed \$449,750.

June 13, 2018

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$449,750 to Simmons Design Associates, LLC, in accordance with the terms and conditions of the contract from Convention Center Capital Construction Fund, Fund 0082, Department CCT, Unit W102, Object 4112, Program EB18085, Encumbrance/Contract No. CX-EBS-2018-00006073, Vendor 333559.

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

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Equipment and Building Services
Public Affairs and Outreach
Department of Communication and Information Services
Office of Cultural Affairs

CMO: Jody Puckett, 670-3390
Kimberly Bizer Tolbert, 670-3302
Joey Zapata, 670-3009

MAPSCO: 46Q

SUBJECT

Authorize **(1)** an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for construction modifications and corrective actions for concealed conditions discovered during construction for the Dallas City News Studio in Fair Park located at 1620 First Avenue; and **(2)** an increase in appropriations in an amount not to exceed to \$222,395 in the Public Educational and Governmental Access Fund - Not to exceed \$880,672, from \$5,146,800 to \$6,027,472 - Financing: Public Educational and Governmental Access Funds (\$711,507) and WRR Capital Construction Funds (\$169,165)

BACKGROUND

On December 14, 2016, City Council authorized a construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the Dallas City News Studio by Resolution No. 16-1985, which included a contingency line in the amount of \$490,000. The funds for this contingency were encumbered to be utilized for deficiencies, unknown, and unforeseen conditions that may be discovered during the interior demolition phase of the 80 year-old building. Encumbering this contingency assured that funding would be available and designated for necessary construction, and would not be reallocated to equipment or furniture; the contract amount was not affected.

BACKGROUND (continued)

On November 8, 2017, City Council authorized Change Order No. 1 for additional scope of work to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park, which was funded by that contingency line in the amount of \$400,755.96, leaving a balance of \$89,244.04, by Resolution No. 17-1729. The total amount of Change Order No. 2 is \$969,915.40. The remaining contingency balance of \$89,244.04, is being utilized to partially fund this change order, resulting in the construction services contract being increased \$880,671.36, to complete the funding for Change Order No. 2.

This action will authorize Change Order No. 2 to increase the scope and amount of the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for construction modifications and corrective actions for concealed conditions discovered during construction for the Dallas City News Studio in Fair Park located at 1620 First Avenue.

Since Change Order No. 1, there have been construction modifications and construction has revealed additional deficiencies and concealed conditions which have required corrective actions:

Construction modifications:

- Modifications to door hardware
- Miscellaneous interior modifications: countertops, storefronts, mechanical system ducts and conduit, electrical, plumbing, interior walls, blocking
- Increased cost of fabric for walls
- Upgrade markerboards to Glassboards
- Modify cyclorama wall in the studio
- Electrical credit for reducing scope

Deficiencies:

- Install taller exterior double doors at delivery entrance
- Floor leveling compound in studio
- New exterior entry door at alley
- Emergency generator shared by the news studio and WRR
- Security system with cameras and card readers
- New glazing and security film on exterior windows

BACKGROUND (continued)

Unforeseen conditions:

- Concrete curb at deteriorated exterior wall
- Clean, prime and paint original metal windows
- Replace original wooden wall paneling due to termite damage
- Repair original stained glass windows
- Replace missing original wainscot and chair rail
- Structural steel modifications
- Replace missing original plaster grills
- Re-caulk coping stones

ESTIMATED SCHEDULE OF PROJECTS

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

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

On December 14, 2016, City Council authorized a construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the Dallas City News Studio by Resolution No. 16-1985.

On November 8, 2017, City Council authorized Change Order No. 1 for additional scope of work to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio in Fair Park by Resolution No. 17-1729.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Public Educational and Governmental Access Fund - \$711,506.36
WRR Capital Construction Funds - \$169,165.00

Construction Award	\$5,146,800.00
Change Order No. 1	\$ 0.00
Change Order No. 2 (this action)	<u>\$ 880,671.36</u>
Total	\$6,027,471.36

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<u>Contract Amount</u>	<u>Category</u>	<u>M/WBE Goal</u>	<u>M/WBE %</u>	<u>M/WBE \$</u>
\$880,671.36	Construction	25.00%	33.53%	\$298,045.73

- Change Order No. 2 has a 33.53% M/WBE participation
- This contract exceeds the M/WBE Goal of 25.00% and has a 30.34% Overall M/WBE participation

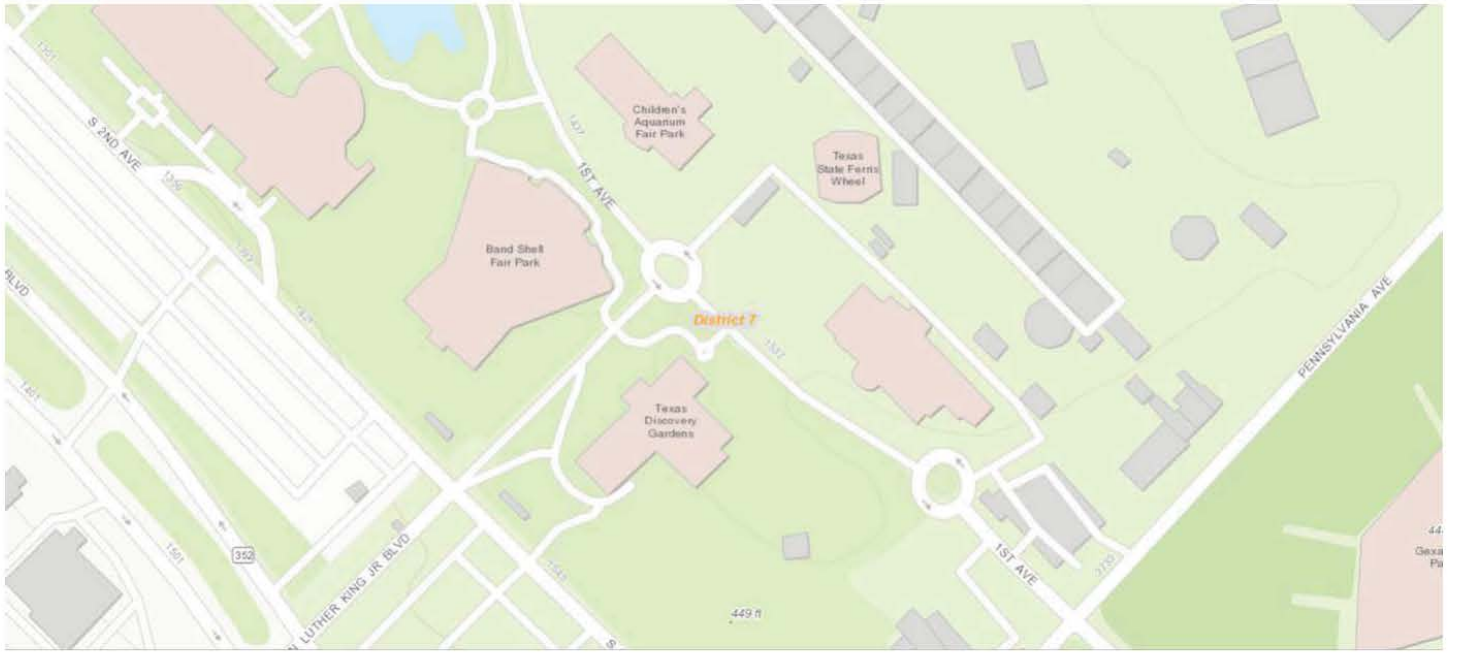
OWNER

Phoenix 1 Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached



June 13, 2018

WHEREAS, on June 17, 2015, City Council authorized a professional services contract with the Russ Berger Design Group, Inc. for renovation of the Science Place II Building at Fair Park for the Dallas City News Network, in an amount not to exceed \$301,000.00, by Resolution No. 15-1159; and

WHEREAS, on December 14, 2016, City Council authorized a construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the Dallas City News Studio located in Fair Park, in an amount not to exceed \$5,146,800.00, by Resolution No. 16-1985; and

WHEREAS, on February 16, 2017, Administrative Action No. 17-0316 authorized Supplemental Agreement No. 1 to increase the professional services contract with the Russ Berger Design Group, Inc. for special services to the architect's contract for interior design services to add exterior renovation, in an amount not to exceed \$39,000.00, from \$301,000.00 to \$340,000.00; and

WHEREAS, on July 24, 2017, Administrative Action No. 17-0894 authorized Supplemental Agreement No. 2 to the professional services contract with the Russ Berger Design Group, Inc. to provide design of the new outdoor equipment pads, design of the new emergency generator system and support services of exterior electrical and building modifications, in an amount not to exceed \$34,380.00, increasing the contract amount from \$340,000.00 to \$374,380.00; and

WHEREAS, on November 8, 2017, City Council authorized Change Order No. 1 for additional scope of work to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for program changes, design improvements and corrective actions for concealed conditions discovered during demolition for the Dallas City News Studio, with no cost consideration to the City; and

WHEREAS, it is now necessary to authorize Change Order No. 2 to increase the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for construction modifications and corrective actions for concealed conditions discovered during construction for the Dallas City News Studio in Fair Park located at 1620 First Avenue, in an amount not to exceed \$880,671.36, increasing the contract amount from \$5,146,800.00 to \$6,027,471.36.

June 13, 2018

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. (Change Order No. 2) is authorized for construction modifications and corrective actions for concealed conditions discovered during construction for the Dallas News Studio in Fair Park located at 1620 First Avenue, in an amount not to exceed \$880,671.36, increasing the contract amount from \$5,146,800.00 to \$6,027,471.36.

SECTION 2. That the construction services contract with Phoenix 1 Restoration and Construction, Ltd., construction contingency balance amount of \$89,244.04 is utilized to fund a portion of Change Order No. 2, in the amount of \$969,915.40, reducing the new funding required for Change Order No. 2 from \$969,915.40 to \$880,671.36.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$222,395.00 in the Public Education and Governmental Access Fund, Fund 0560, Department DSV, Unit 4817, Object 4310.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$880,671.36 to Phoenix 1 Restoration and Construction, Ltd., as follows:

Public Education and Governmental Access Fund Fund 0560, Department DSV, Unit 4817, Activity OF01 Object 4310, Program PBWCNNS, Major Program DSVMJR Encumbrance CTEBSCNNSSG002, Vendor VC0000003594	\$711,506.36
WRR Capital Construction Fund Fund 0152, Department OCA, Unit 6125, Activity WRR1 Object 4720, Program WRR61257, Major Program WRR7 Encumbrance CTEBSCNNSSG002, Vendor VC0000003594	<u>\$169,165.00</u>
Total amount not to exceed	\$880,671.36

SECTION 5. That this contract is designated as Contract No. EBS-2016-00001487.

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

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Equipment and Building Services

CMO: Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction extending the contract term for an additional six months - Not to exceed \$1,578,675, from \$6,314,700 to \$7,893,375 - Financing: Various Funds (subject to annual appropriations)

BACKGROUND

The purpose of a job order service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

The current contract has been in effect for twenty-three months and has expended \$3,368,964.00, as of May 11, 2018. Remaining major maintenance projects, along with other major repairs and replacements of infrastructure, roofs, and interior improvements to multiple City facilities will require additional funding to be available.

Job Order Contracting (JOC) is provided for in Texas Local Government Code § 271 as a means to address building maintenance and construction associated with the care, operation and upkeep of City-owned facilities when the work is of a recurring nature, but delivery times, type and quantities of work are indefinite. This contract was competitively selected from The Cooperative Purchasing Network (TCPN).

BACKGROUND (continued)

Through TCPN, thirty-six firms submitted responses to a TCPN solicitation for building maintenance and construction services. TCPN evaluation criteria included: the ability to provide and perform the required services for contract, marketing plan, price (coefficient), Historically Underutilized Business (HUB)/Minority/Women Business Enterprise (MWBE) designation, and value-added products/services. TCPN found twenty-three firms to be the most advantageous to TCPN members. These twenty-three were awarded contracts in part or in full by TCPN based on competitive pricing and a strong history providing specified products and services.

The Department of Equipment and Building Services used the list of twenty-three TCPN awarded vendors to select five firms for interviews based on their capability of performing the requested facility-related services for a twenty-four month period. Each of the five firms made presentations to a panel of City staff including information about their firm, ability to provide services, experience, qualifications, coefficient, and HUB/MWBE designation or subcontracting relationships. The selected vendor was deemed as the most advantageous for the City based on their presentation.

This action will authorize a six-month extension to the Job Order Services contract with Restoration Specialists, dba RS Construction Commercial.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized a twenty-four month service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction by Resolution No. 16-1063.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Various Funds - \$1,578,675.00 (subject to annual appropriations)

Upon approval of a job order, the funds for services will be encumbered from project funds, operating funds of a project, or funds from the department receiving services.

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<u>Contract Amount</u>	<u>Category</u>	<u>M/WBE Goal</u>	<u>M/WBE %</u>	<u>M/WBE \$</u>
\$1,578,675.00	Construction	25.00%	0.00%	\$0.00

- M/WBE participation will be added on each job ordering contract
- The Overall M/WBE participation percentage is 26.46%

OWNER

Restoration Specialists, dba RS Commercial Construction

Mark DeMattia, President
David DeMattia, Vice President

June 13, 2018

WHEREAS, the State of Texas Local Government Code, Section §271.113 provides for Job Order Contracting by local municipalities; and

WHEREAS, Job Order Contracting is desirable and necessary to perform construction, repair, rehabilitation, and alterations at City facilities; and

WHEREAS, it is desirable for the Department of Equipment and Building Services to continue to provide job order contracting services to its client departments; and

WHEREAS, on June 22, 2016, City Council authorized a twenty-four-month service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction, in an amount not to exceed \$6,314,700, by Resolution No. 16-1063; and

WHEREAS, it is now desirable to authorize Supplemental Agreement No. 1 to the service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction extending the contract term for an additional six months, in an amount not to exceed \$1,578,675, increasing the contract amount from \$6,314,700 to \$7,893,375.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to the service contract for job order contracting services at City facilities with Restoration Specialists, dba RS Commercial Construction, approved as to form by the City Attorney, extending the contract term for an additional six months, in an amount not to exceed \$1,578,675, increasing the contract amount from \$6,314,700 to \$7,893,375.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,578,675 (subject to annual appropriations) to Restoration Specialist dba RS Construction (VS0000044823) in accordance with the terms and conditions of the contract from the applicable project fund for the individual construction for which the services are being performed.

SECTION 3. That the department director or his designee is authorized to request services as needed with the authorized firm in accordance with the accepted pricing.

SECTION 4. That each contract shall provide for termination by the City Manager, without liability, in the event of non-appropriation of funding available for these contracts by the City Council.

June 13, 2018

SECTION 5. That this contract is designated as Contract No. EBS-2016-00001039.

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

AGENDA ITEM # 14

**STRATEGIC
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

11

DEPARTMENT:

Department of Public Works
Water Utilities Department

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

16J K N

SUBJECT

Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Spring Grove Avenue from Alpha Road to Coit Road - Jeske Construction Company, lowest responsible bidder of ten - Not to exceed \$2,698,710 - Financing: 2012 Bond Funds (\$2,006,560), Water Utilities Capital Improvement Funds (\$624,510) and Water Utilities Capital Construction Funds (\$67,640)

BACKGROUND

On September 10, 2014, City Council authorized a professional services contract with Criado & Associates, Inc. for engineering design services for the reconstruction of Spring Grove Avenue from Alpha Road to Coit Road to include new concrete sidewalks, ramps at intersections, retaining wall, replacing the existing pavement street with new reinforced concrete pavement, curb and gutter, storm drainage, water and wastewater main improvements, in an amount not to exceed \$294,578.29, by Resolution No. 14-1467.

This action will authorize a contract with Jeske Construction Company, for the reconstruction of Spring Grove Avenue from Alpha Road to Coit Road to include street paving, storm drainage, water and wastewater main improvements, in an amount not to exceed \$2,698,710.00.

The scope of the project on Spring Grove Avenue from Alpha Road to Coit Road entails street reconstruction, storm drainage, sidewalks, driveway approaches, barrier-free ramps, road humps, water and wastewater main improvements.

BACKGROUND (continued)

The following chart illustrates Jeske Construction Company's contractual activities with the City of Dallas for the past three years.

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TWM</u>
Projects Completed	5	0	0	1
Change Orders	9	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2014
Completed Design	February 2018
Begin Construction	July 2018
Complete Construction	July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 10, 2014, City Council authorized a professional services contract with Criado & Associates, Inc. for the engineering design services for the reconstruction of Spring Grove Avenue from Alpha Road to Coit Road by Resolution No. 14-1467.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

2012 Bond Funds - \$2,006,560.00

Water Utilities Capital Improvement Funds - \$624,510.00

Water Utilities Capital Construction Funds - \$67,640.00

Design - PBW	\$ 240,819.29
Design - DWU	\$ 53,759.00
Construction (this action)	
Paving & Drainage - PBW	\$2,006,560.00
Water & Wastewater - DWU	<u>\$ 692,150.00</u>
Total	\$2,993,288.29

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<u>Contract Amount</u>	<u>Category</u>	<u>M/WBE Goal</u>	<u>M/WBE %</u>	<u>M/WBE \$</u>
\$2,698,710.00	Construction	25.00%	28.22%	\$761,627.00

- This contract exceeds the M/WBE goal of 25.00%

BID INFORMATION

The following ten bids with quotes were received and opened on April 6, 2018:

*Denotes successful bidder

<u>Bidders</u>	<u>Bid Amount</u>
*Jeske Construction Company 2456 Merrell Road, Suite 106 Dallas, Texas 75229	\$2,698,710.00
RKM Utility Services, Inc.	\$2,728,091.00
Tiseo Paving Company	\$2,732,207.00
Ed Bell Construction Company	\$2,749,501.00
Camino Construction, LP	\$2,890,044.00
Vescorp Construction, LLC	\$2,927,983.50
CIDRAX Texas, LLC	\$2,986,400.00
SYB Construction Co. Inc.	\$2,998,805.50
MACVAL Associates, LLC	\$3,245,901.00
Texas Standard Construction, Ltd.	\$3,285,043.25

Original estimate: PBW - \$2,255,500.00
DWU - \$ 615,000.00

Total \$2,870,500.00

OWNER

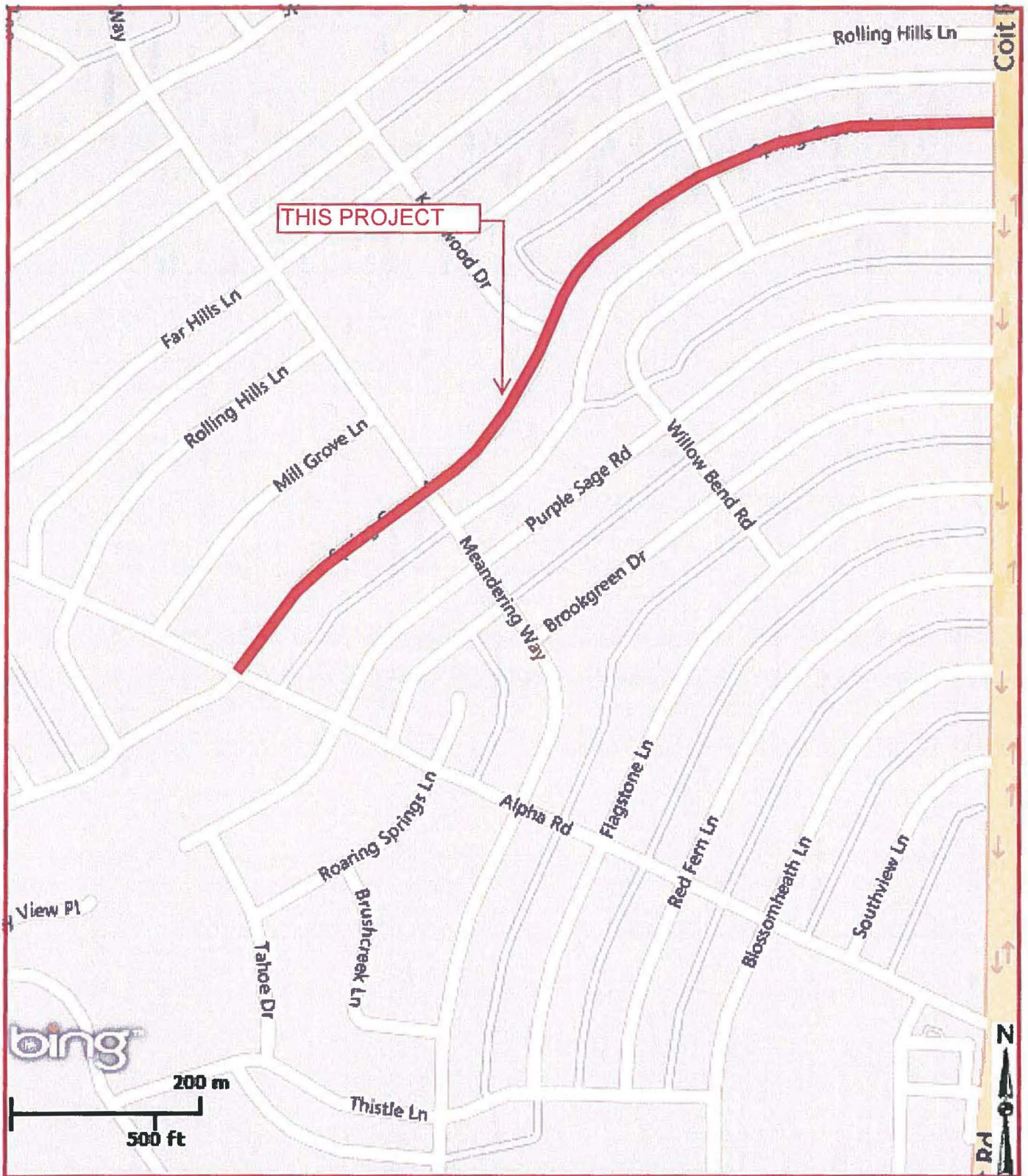
Jeske Construction Company

Steve Jeske, President

MAP

Attached

SPRING GROVE AVENUE FROM ALPHA ROAD TO COIT ROAD



MAPSCO 16J, K & N

June 13, 2018

WHEREAS, on September 10, 2014, City Council authorized a professional services contract with Criado & Associates, Inc. for the engineering design services for the reconstruction of Spring Grove Avenue from Alpha Road to Coit Road, in an amount not to exceed \$294,578.29, by Resolution No. 14-1467; and

WHEREAS, on April 6, 2018, ten bids were received for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Spring Grove Avenue from Alpha Road to Coit Road, as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Jeske Construction Company	\$2,698,710.00
RKM Utility Services, Inc.	\$2,728,091.00
Tiseo Paving Company	\$2,732,207.00
Ed Bell Construction Company	\$2,749,501.00
Camino Construction, LP	\$2,890,044.00
Vescorp Construction, LLC	\$2,927,983.50
CIDRAX Texas, LLC	\$2,986,400.00
SYB Construction Co. Inc.	\$2,998,805.50
MACVAL Associates, LLC	\$3,245,901.00
Texas Standard Construction, Ltd.	\$3,285,043.25

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a contract with Jeske Construction Company, approved as to form by the City Attorney, for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Spring Grove Avenue from Alpha Road to Coit Road, in an amount not to exceed \$2,698,710.00, this being the lowest responsive bid received as indicated by the tabulation of bids.

June 13, 2018

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,698,710.00 to Jeske Construction Company, in accordance with the terms and conditions of the contract, as follows:

Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S443 Activity SREC, Object 4510, Program PB12S443 Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	\$ 80,714.38
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S443 Activity SREC, Object 4510, Program PB12S443 Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	\$1,925,845.62
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Object 4550, Program 718157 Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	\$ 495,420.00
Water Capital Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3221, Program 718157X Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	\$ 58,310.00
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42 Object 4560, Program 718158 Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	\$ 129,090.00
Wastewater Capital Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 718158X Encumbrance/Contract No. CX-PBW-2018-00006135 Vendor 083791	<u>\$ 9,330.00</u>
Total amount not to exceed	\$2,698,710.00

June 13, 2018

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

NOTES

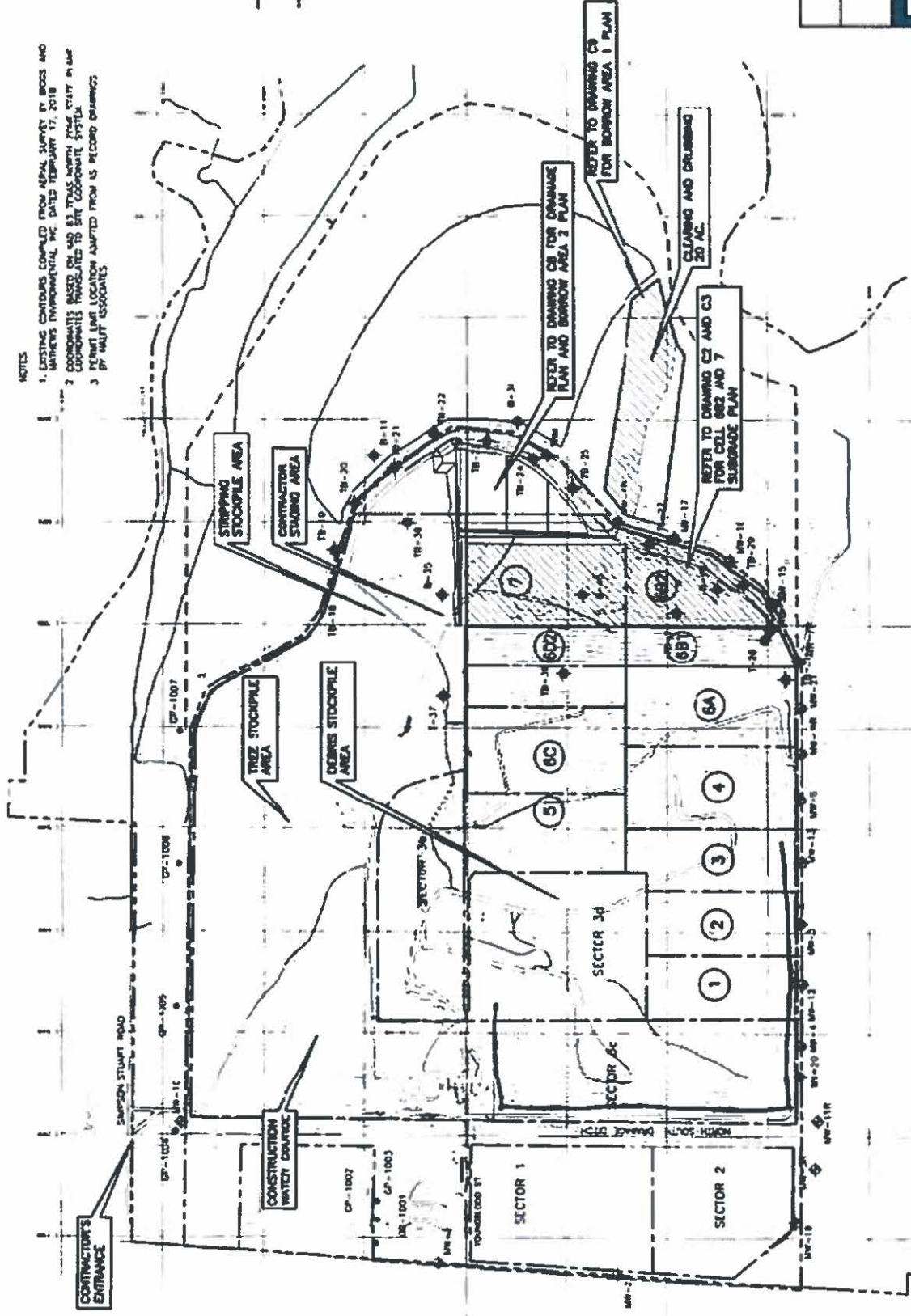
- EXISTING CONTOURS COMPILED FROM AERIAL SURVEY BY BIGGS AND MATHEWS ENVIRONMENTAL, INC. DATED FEBRUARY 17, 2018
- CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITY RECORDS AND SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
- PROPERTY LINE LOCATION ADAPTED FROM AS-RECORDED DRAWINGS BY WALSH ASSOCIATES



- LEGEND
- PROPERTY LINE
 - UTILITY DIVISIONARY
 - SUP. LIMIT
 - W-2 WELDER WELLS
 - CP-1001 CAT PAVEMENT
 - 9-35 SOIL BORING
 - SITE GRID
 - CELL NUMBER



SITE PLAN	
CITY OF DALLAS MCCOMBS BLUFF LANDFILL CELLS 6B2 AND 7	
BME BIGGS & MATHEWS ENVIRONMENTAL ENGINEERS & ARCHITECTS, P.C. 1111 S. W. 11th St., Suite 1000 Fort Worth, Texas 76104	
DATE: 04/02/2018	SCALE: AS SHOWN
PROJECT NO: 18-022	DATE: 04/02/2018
DRAWING: C1	



ISSUED FOR BIDDING

DATE: 04/02/2018	SCALE: AS SHOWN
PROJECT NO: 18-022	DATE: 04/02/2018
DRAWING: C1	

AGENDA ITEM # 16

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction
Water Utilities Department

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 46,684 square feet from Casey Owen Averitt and Robin Eliene Averitt located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$12,661, increased from \$32,075 (\$29,075, plus closing costs and title expenses not to exceed \$3,000) to \$44,736 (\$41,736, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes a settlement for the acquisition of a tract of land containing approximately 46,684 square feet located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Pipeline Project. This settlement will allow acquisition of the property without further condemnation proceedings.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands. The consideration is based on an independent appraisal. There are no relocation benefits associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kellie Erdman, of a tract of land containing approximately 46,684 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project by Resolution No. 15-1421.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$12,661

Resolution No. 15-1421	\$32,075
Additional Amount (this action)	<u>\$12,661</u>
Total Authorized Amount	\$44,736

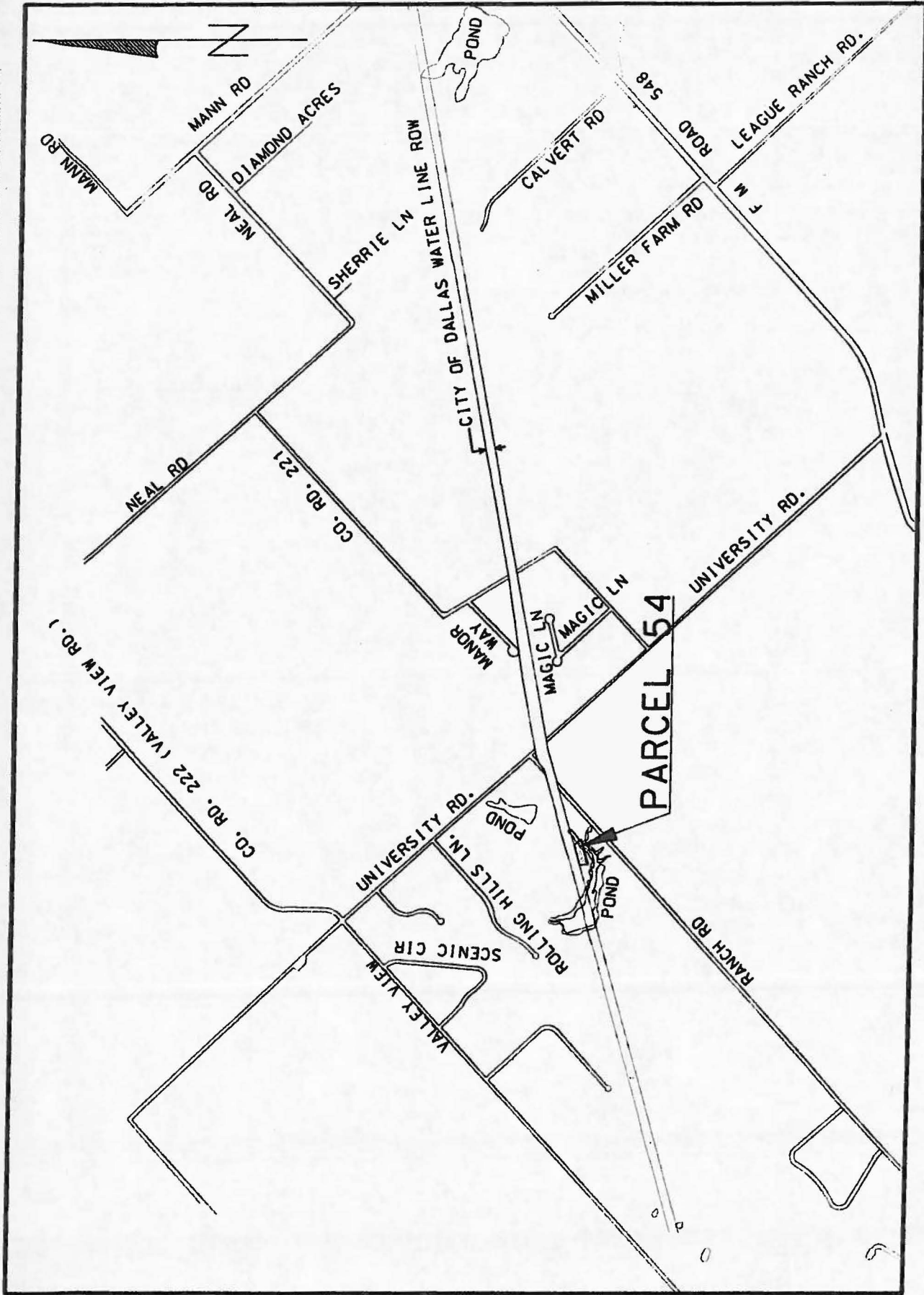
OWNERS

Casey Owen Averitt

Robin Eliene Averitt

MAP

Attached



VICINITY MAP
 APPROXIMATE SCALE 1" = 2000'

June 13, 2018

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR A NEGOTIATED PRICE HIGHER THAN THE AUTHORIZED PURCHASE AMOUNT.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the PROPERTY INTERESTS in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

WHEREAS, OWNER refused the FIRST RESOLUTION PURCHASE AMOUNT, but has agreed to the SETTLEMENT AMOUNT stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the PROPERTY INTERESTS in the PROPERTY for the negotiated SETTLEMENT AMOUNT stated herein.

Now, Therefore,

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

SECTION 1. That the following definitions shall apply to this resolution:

“CITY”: The City of Dallas

“FIRST RESOLUTION”: Resolution No. 15-1421 approved by the Dallas City Council on August 12, 2015, to authorize the purchase and/or eminent domain for a purchase amount of \$29,075, plus closing costs and title expenses not to exceed \$3,000.

“PROJECT”: Lake Tawakoni 144-inch Pipeline Project

“USE”: The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

“OWNER”: Casey Owen Averitt and Robin Eliene Averitt, 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.

“PROPERTY INTEREST”: Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any provided in the conveyance instrument approved as to form by the City Attorney.

June 13, 2018

SECTION 1. (continued)

“PROPERTY”: Approximately 46,684 square feet of land located in Kaufman County, Texas, and being the same property more particularly described in “Exhibit A”, attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining hereto.

“FIRST RESOLUTION PURCHASE AMOUNT”: \$29,075

“SETTLEMENT AMOUNT”: \$41,736

“CLOSING COSTS AND TITLE EXPENSES”: Not to exceed \$3,000

“REVISED AUTHORIZED AMOUNT”: \$44,736

SECTION 2. That the City Manager, and/or the City Manager’s designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to the CITY of the PROPERTY INTERESTS in and to the PROPERTY pursuant to the conveyance instrument approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating the transaction.

SECTION 3. 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 4. That OWNER has been provided with a copy of the Landowner’s Bill of Rights as contemplated by applicable state statute.

SECTION 5. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the SETTLEMENT AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2018-00005402. The SETTLEMENT AMOUNT and the CLOSING COSTS and TITLE EXPENSES together shall not exceed the REVISED AUTHORIZED AMOUNT.

SECTION 6. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

June 13, 2018

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 54

BEING a 1.072 acre tract of land in the Juan Lopez Survey, Abstract No. 286, in Kaufman County, Texas, and being part of Lot 13C, of the Lakeview Estates Addition, an addition to Kaufman County (unrecorded plat), also being a part of a tract of land described in Warranty Deed with Vendor's Lien to Kent Erdman, a single person, dated March 14, 2008, as recorded in Document No. 200800006191 of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), being more particularly described as follows:

BEGINNING at a 3/8-inch iron rod found at the northwest corner of said Lot 13C, being the northernmost corner of Lot 12C of said Lakeview Estates Addition, also being on the south line of a City of Dallas Water Line Right-of-Way (variable width at this point) as recorded in Volume 508, Page 526, D.R.K.C.T.;

THENCE North 70 degrees 11 minutes 16 seconds East, with the south line of said City of Dallas Water Line Right-of-Way and the north line of said Lot 13C, a distance of 319.08 feet to a 5/8-inch iron rod found at the northernmost corner of said Lot 13C and the westernmost corner of Lot 14C of said Lakeview Estates Addition;

THENCE South 43 degrees 42 minutes 47 seconds East, departing the south line of said City of Dallas Right-of-Way and with the east line of said Lot 13C and the west line of said Lot 14C, a distance of 142.19 feet (unable to set);

THENCE South 70 degrees 11 minutes 16 seconds West, departing said lines, a distance of 399.13 feet to a 1/2-inch set iron rod with a red plastic cap stamped "DTE" in the west line of said Lot 13C, being in the east line of said Lot 12C;

THENCE North 10 degrees 01 minute 15 seconds West, with the west line of said Lot 13C and the east line of said Lot 12C, a distance of 131.92 feet to the POINT OF BEGINNING and containing 46,684 square feet or 1.072 acres of land, more or less.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

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

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

By: *Patrick J. Baldasaro* Date: 6-26-13

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



FIELD NOTES APPROVED:
PKB 7/5/13

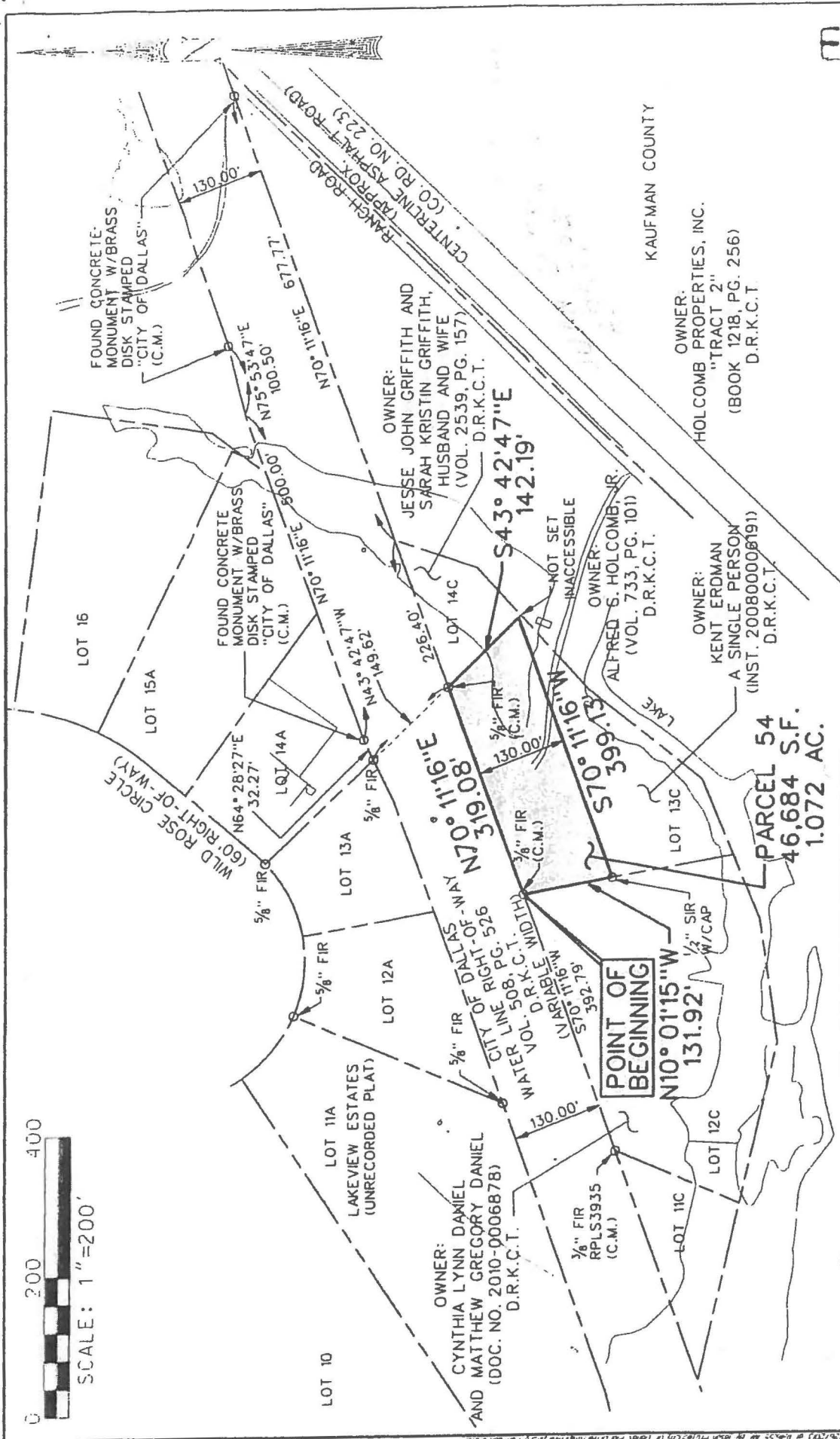


EXHIBIT A

EXHIBIT
OF A

RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
JUAN LOPEZ SURVEY, ABSTRACT NO 286
KAUFMAN COUNTY, TEXAS

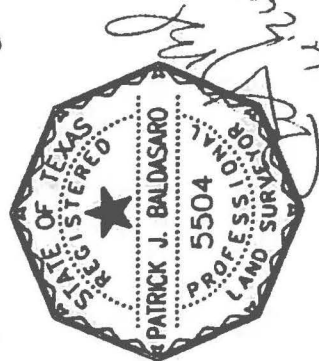
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY SUITE 110
DALLAS, TEXAS 75287 TEL (972)250-2727 FAX (972)250-4774

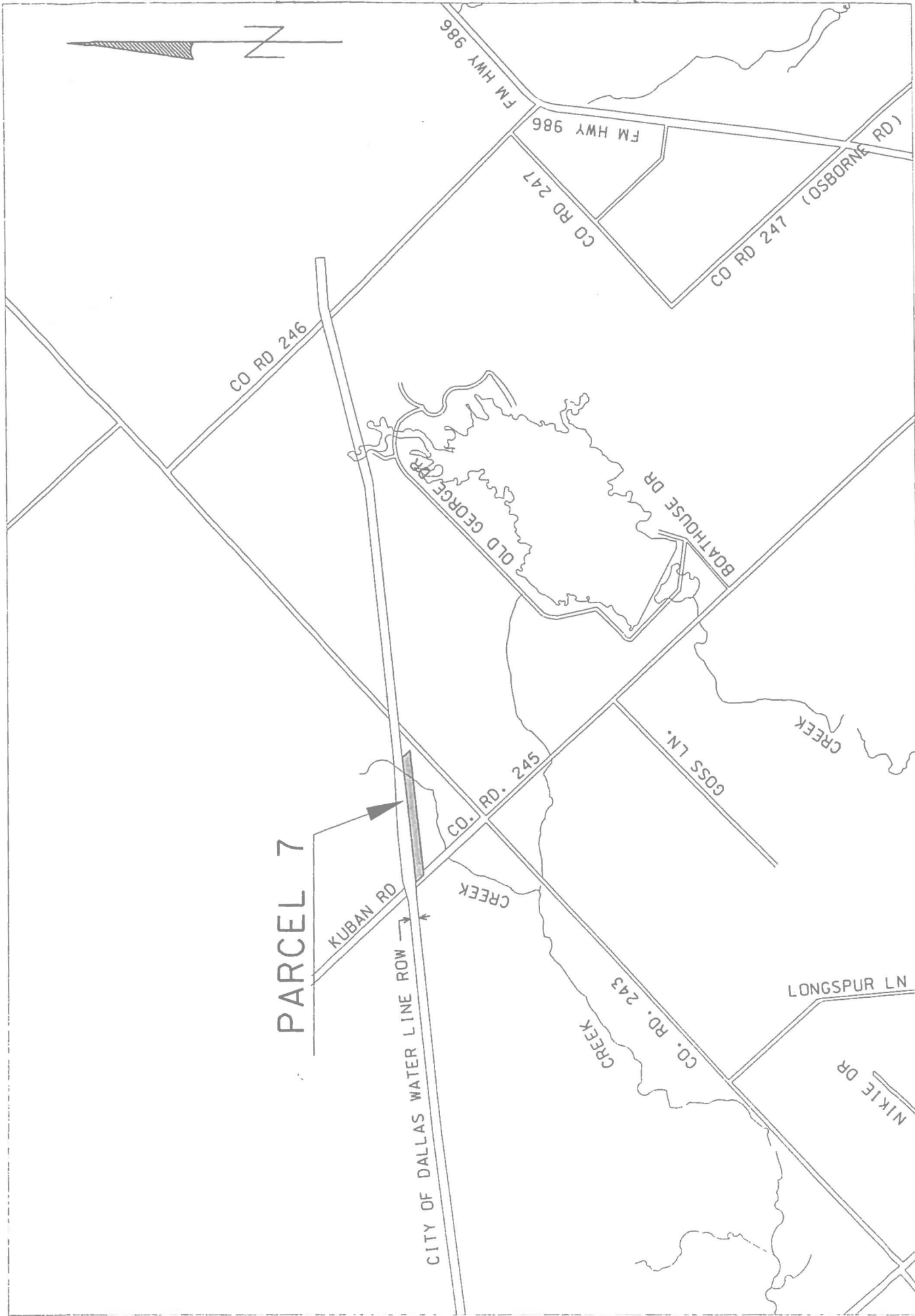
NOTE: THIS SURVEY WAS PERFORMED BASE UPON
RECORD DATA PROVIDED UNDER OLD REPUBLICAN NATIONAL TITLE
INSURANCE COMPANY COMMITMENT G.F. NUMBER
22857-KFOT, WITH AN EFFECTIVE DATE OF JANUARY 3, 2011

- LEGEND:
- S.F. SQUARE FEET
 - C.M. CONTROL MONUMENT
 - FIR FOUND IRON ROD
 - FIP FOUND IRON PIPE
 - 1/2" SIR 1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
 - SX "DAL-TECH" OR "DTE"
 - FPK SET "X" CUT IN CONCRETE
 - SPK SET PK. NAIL

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

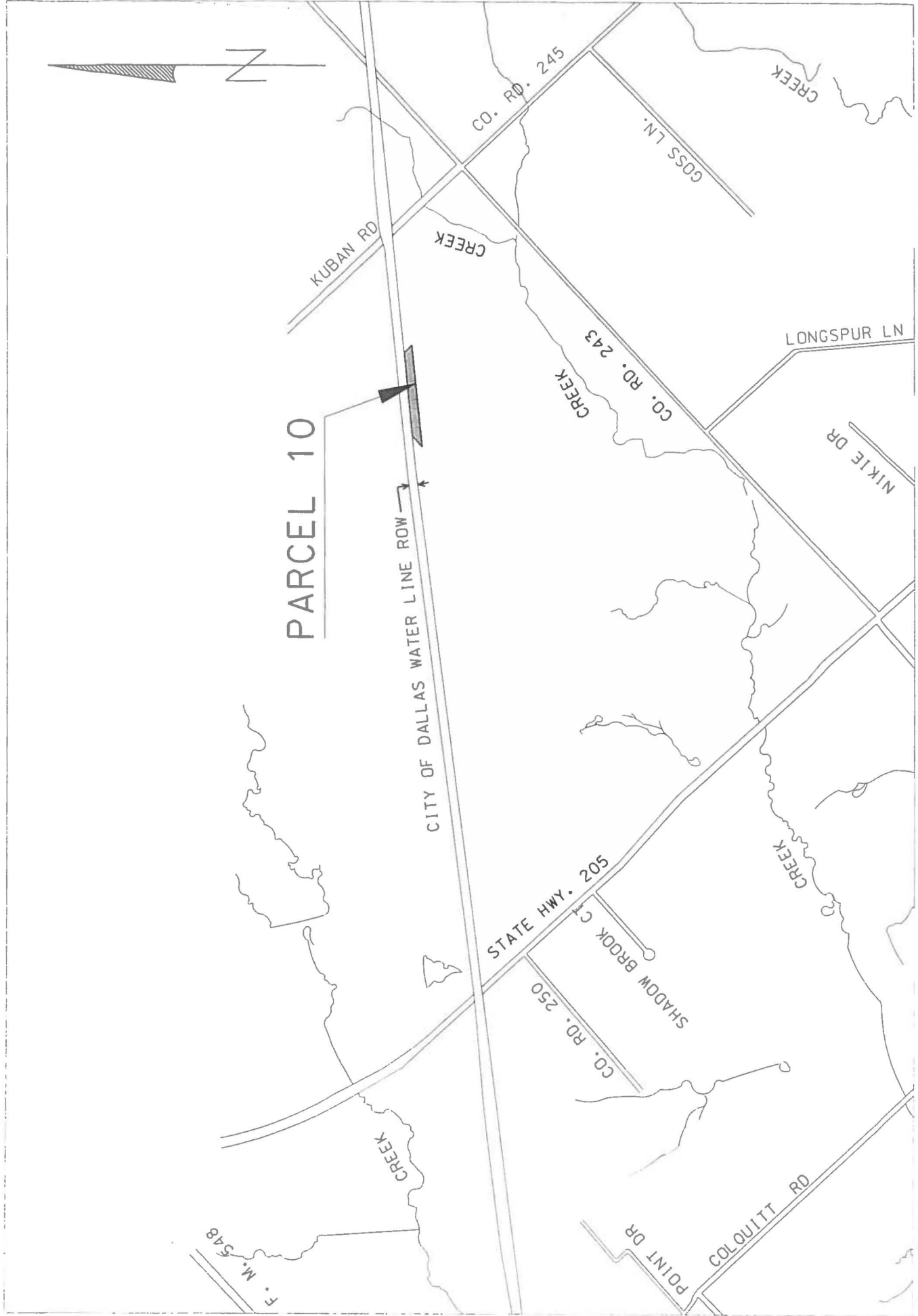


DATE: 08.10.2011 SCALE: 1"=200'



VICINITY MAP

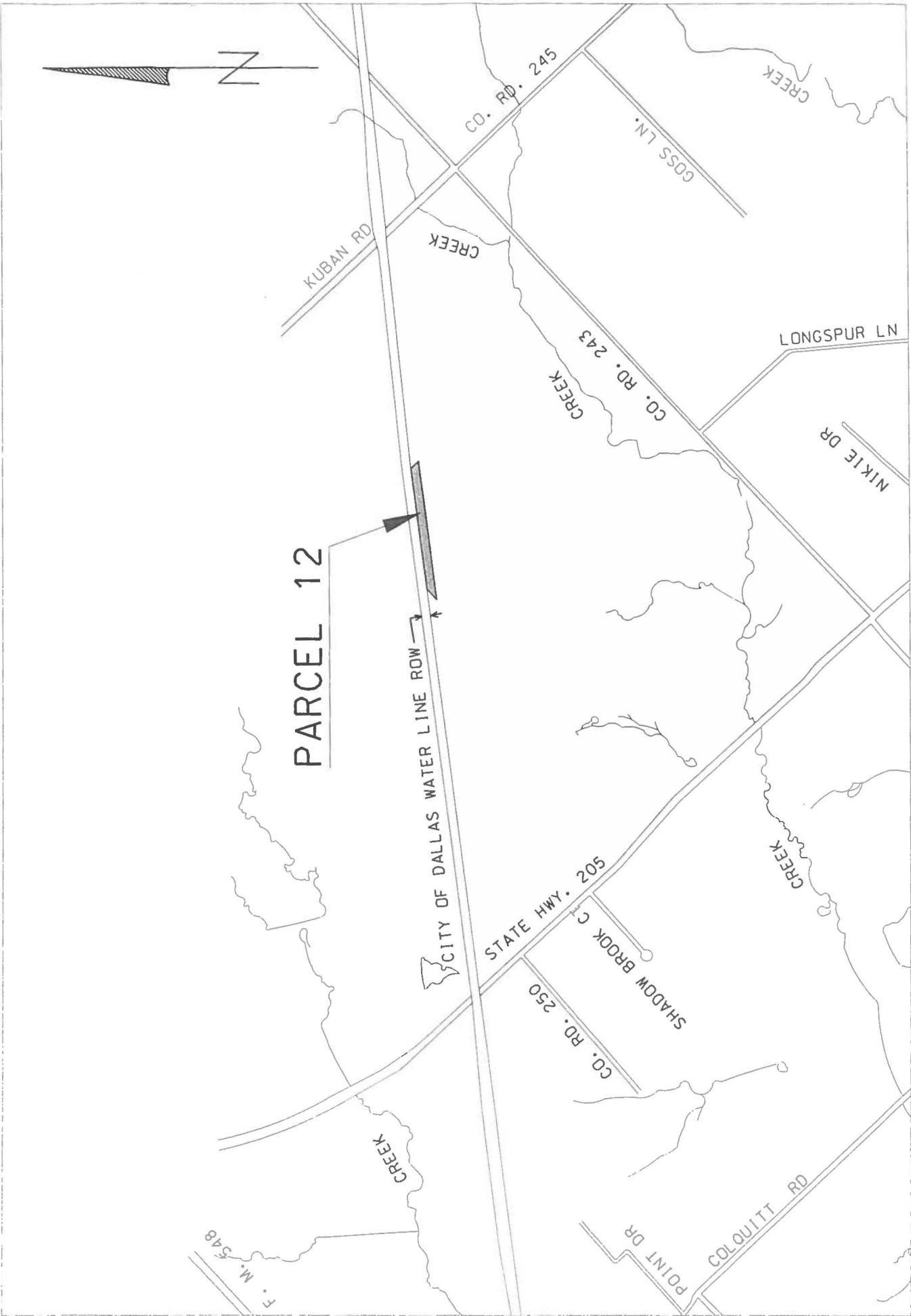
APPROXIMATE SCALE 1" = 2000'



PARCEL 10

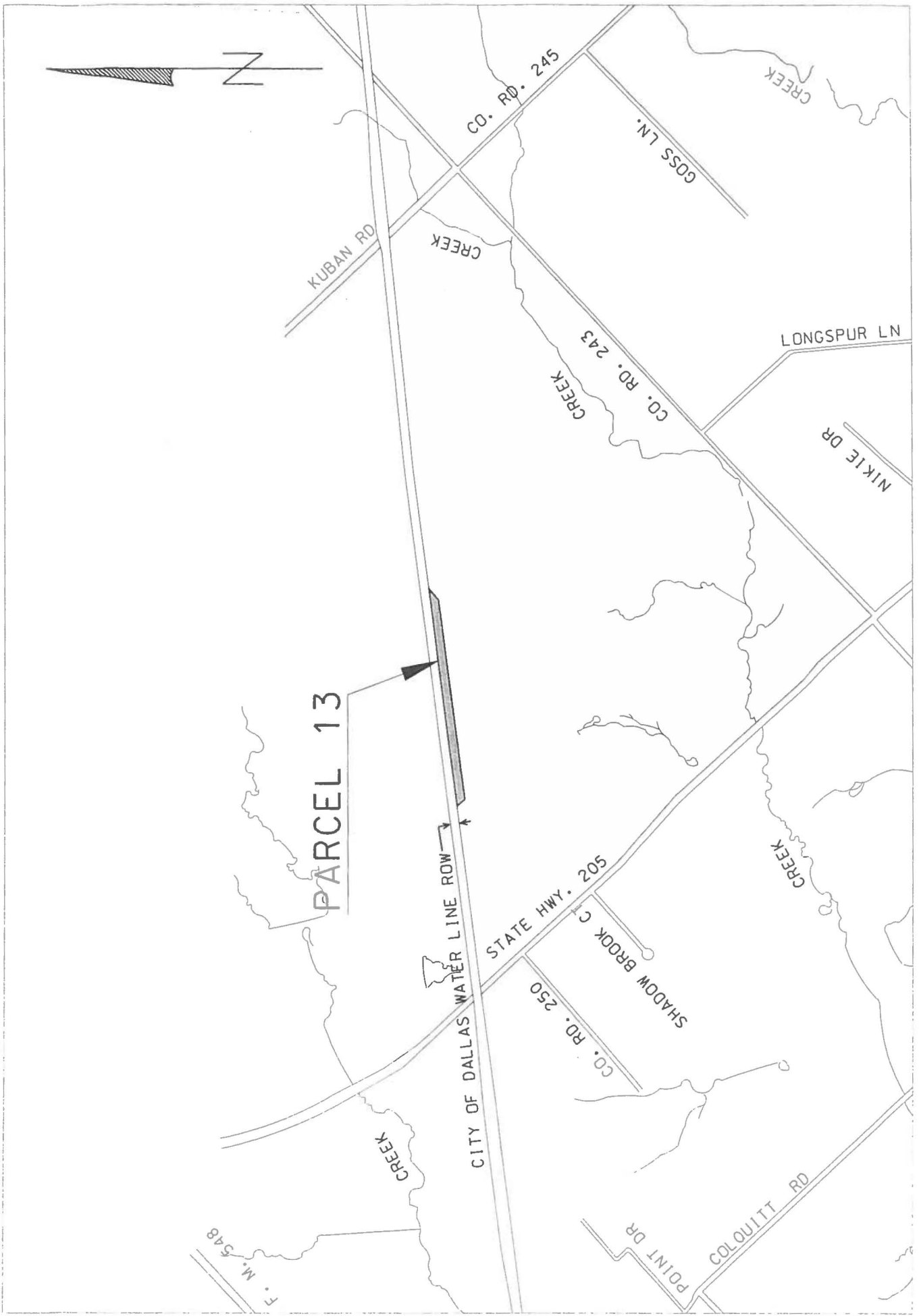
VICINITY MAP

APPROXIMATE SCALE 1" = 2000'



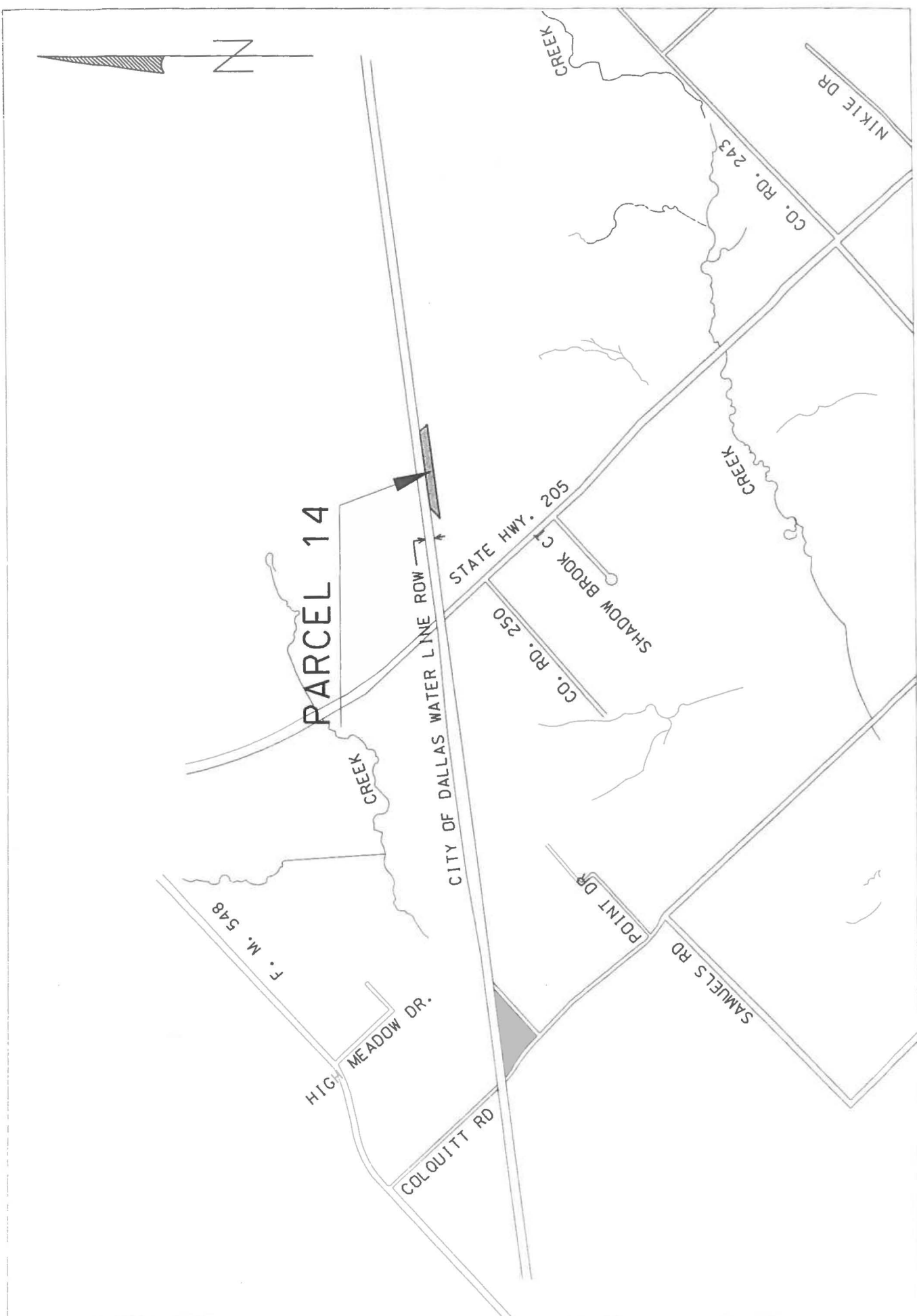
VICINITY MAP
APPROXIMATE SCALE 1" = 2000'

F. M. 548



F. M. 548

VICINITY MAP
APPROXIMATE SCALE 1" = 2000'



VICINITY MAP
APPROXIMATE SCALE 1" = 2000'



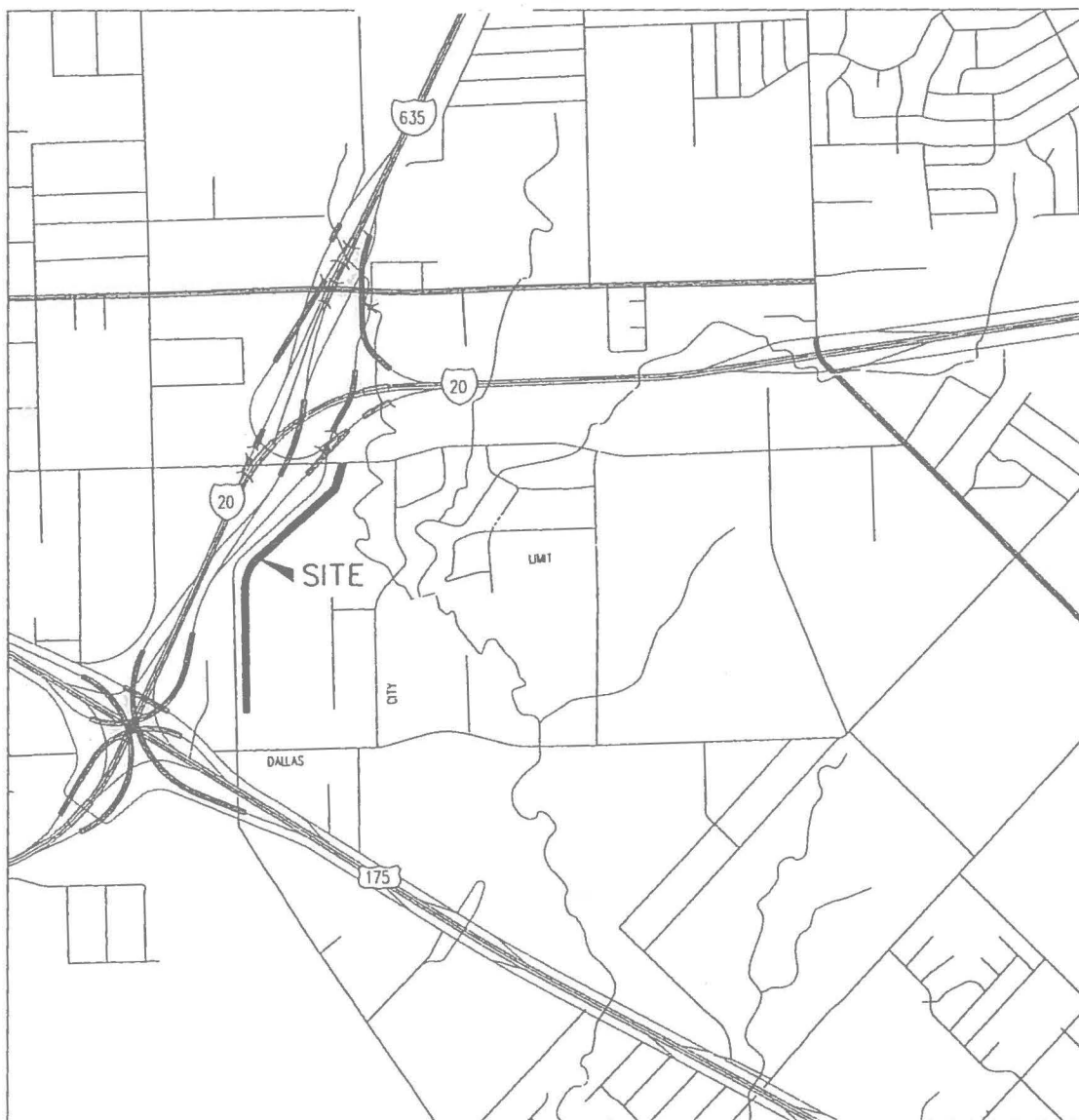
VICINITY MAP
APPROXIMATE SCALE 1" = 2000'

June 13, 2018

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney



VICINITY MAP - NOT TO SCALE

June 13, 2018

SECTION 4. That if the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the ADDITIONAL AMOUNT, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the ADDITIONAL AMOUNT, made payable to the County Clerk of Dallas County, Texas, which is to be deposited into the registry of the Court. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The ADDITIONAL AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney



VICINITY MAP
 APPROXIMATE SCALE 1" = 2000'

June 13, 2018**SECTION 5.** (continued)

AMOUNT, the City Attorney is hereby authorized to acquire the PROPERTY INTEREST in and to the PROPERTY by instrument, or judgment, for the Special Commissioners' Award Amount. If the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTEREST in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The Special Commissioners' Award Amount and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 265

BEING a 6.034 acre tract of land in the J. McCarty Survey, Abstract No. 333, in Kaufman County, Texas, being part of a 21.54 acre tract of land described in Special Warranty Deed to Freddie Kasper, dated March 26, 2014, as recorded in Volume 4534, Page 133, in the Deed Records Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a concrete monument with cap stamped "City of Dallas" found at the northeast corner of said 21.54 acre tract, same being the southeast corner of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way), as recorded in Volume 437, Page 525, D.R.K.C.T. and the northwest corner of a tract of land described as "Tract One" in a deed to Justin Scott, as recorded in Volume 3667, Page 105, D.R.K.C.T.;

THENCE South 00 degrees 17 minutes 25 seconds East, with the east line of said 21.54 acre tract and the west line of said "Tract One", a distance of 131.33 feet to a 1/2-inch iron rod with red cap stamped. "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 81 degrees 32 minutes 24 seconds West, departing the east line of said 21.54 acre tract and west line of said "Tract One", a distance of 1,316.96 feet to a 1/2-inch iron rod with cap set at the point of curvature of a curve to the right, having a radius of 2,008.46 feet and a central angle of 17 degrees 41 minutes 00 seconds;

THENCE with said curve to the right, an arc distance of 619.87 feet (Chord Bearing North 89 degrees 37 minutes 06 seconds West – 617.41 feet), to a 1/2-inch iron rod with cap set at the point of tangency;

THENCE North 80 degrees 46 minutes 36 seconds West, a distance of 81.23 feet to a 1/2-inch iron rod set in the east line of F.M. 429 (120 foot right-of-way), being the west line of said 21.54 acre tract;

THENCE North 03 degrees 15 minutes 43 seconds West, with the east line of said F.M. 429 and the west line of said 21.54 acre tract, a distance of 133.15 feet to a 1/2-inch iron rod with cap stamped "STOVALL" found at the northwest corner of said 21.54 acre tract, being in the south line of said City of Dallas Water Line Right-of-Way;

THENCE South 80 degrees 46 minutes 36 seconds East, departing the east line of said F.M. 429 and with the north line of said 21.54 acre tract and south line of said City of Dallas Water Line Right-of-Way, a distance of 110.01 feet to a concrete monument with cap stamped "City of Dallas" found at the point of curvature of a curve to the left, having a radius of 1,878.46 feet and a central angle of 17 degrees 41 minutes 00 seconds;

THENCE with said curve to the left and continuing with said north and south lines, an arc distance of 579.75 feet (Chord Bearing South 89 degrees 37 minutes 06 seconds East – 577.45 feet), to a concrete monument with cap stamped "City of Dallas" found at the point of tangency;

THENCE North 81 degrees 32 minutes 24 seconds East, continuing with said north and south lines, a distance of 1,335.62 feet to the POINT OF BEGINNING and containing 262,824 square feet (6.034 acres) of land.

FIELD NOTES APPROVED:

Doc 3/25/16



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 265

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

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

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

By:  Date: 3-15-14

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





DELTA	17° 41'00" (LT)
RADIUS	1,878.46'
LENGTH	579.75'
TANGENT	292.20'
CHORD	577.45'
CH. BEARING	S89° 37'06"E

*J. MCCARTY SURVEY
ABSTRACT NO. 333*

FOUND CONCRETE
TxDOT MONUMENT

F.M. 429
(120' R.O.W.)
VOL. 458, PG. 171

CITY OF DALLAS
WATER LINE
RIGHT-OF-WAY
VOL. 437, PG. 525
D.R.K.C.T.
(130' ROW)

APPROXIMATE
SURVEY LINE

*Z. MOORE
SURVEY
ABSTRACT
NO. 332*

STATE OF TEXAS
ROADWAY
EASEMENT
VOL. 458, PG. 166
D.R.K.C.T.

CITY OF DALLAS
WATER LINE
RIGHT-OF-WAY
VOL. 437, PG. 525
D.R.K.C.T.

STOVALL
S80° 46'36"E
110.01'

FOUND CONCRETE
MONUMENT W/BRASS
DISK STAMPED
"CITY OF DALLAS"
(C.M.)

N03° 15'43"W
133.15'

FOUND CONCRETE
TxDOT MONUMENT

OWNER:
L.R. LAND CO., LLC
(A PARTNERSHIP)
VOL. 4495, PG. 101
"TRACT 3-A"
D.R.K.C.T.

N80° 46'36"W
81.23'

OWNER:
FREDDIE KASPER
VOL. 4534, PG. 133
D.R.K.C.T.

130.00'

N81° 32'24"E
1,335.62'

S81° 32'24"W
1,316.96'

PARCEL 265
262,824 S.F.
6.034 AC.

MATCH LINE SEE SHEET 3 OF 4

DELTA	17° 41'00" (RT)
RADIUS	2,008.46'
LENGTH	619.87'
TANGENT	312.42'
CHORD	617.41'
CH. BEARING	N89° 37'06"W

NOTE: THIS SURVEY WAS PERFORMED BASED UPON
RECORD DATA PROVIDED UNDER TIGOR TITLE
INSURANCE COMPANY COMMITMENT G.F. NUMBER 21961-KF07,
WITH AN EFFECTIVE DATE OF AUGUST 30, 2007.

LEGEND:
S.F. SQUARE FEET
C.M. CONTROL MONUMENT
O FIP FOUND IRON ROD
O FIP FOUND IRON PIPE
O W/CAP SET IRON ROD WITH A
RED PLASTIC CAP STAMPED
"DAL-TECH" OR "DTE"
O SX SET "X" CUT IN CONCRETE
O FPK FOUND PK. NAIL
O SPK SET PK. NAIL



EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. MCCARTY SURVEY, ABSTRACT NO. 333
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS

DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPUS FIRM NO. 10123500



POINT OF BEGINNING

FOUND CONCRETE MONUMENT W/ BRASS DISK STAMPED "CITY OF DALLAS" (C.M.)

J. McCarty Survey Abstract No. 333

CITY OF DALLAS WATER LINE RIGHT-OF-WAY VOL. 437, PG. 525 D.R.K.C.T. (VARIABLE WIDTH)

CITY OF DALLAS WATER LINE RIGHT-OF-WAY (VOL. 500, PG. 413) D.R.K.C.T.

S00°17'25"E
131.33'

1,335.62'

N81°32'24"E

130.00'
1,316.96'

S81°32'24"W

PARCEL 265
262,824 S.F.
6.034 AC.

OWNER:
FREDDIE KASPER
VOL. 4534, PG. 133
D.R.K.C.T.

OWNER:
JUSTIN SCOTT
"TRACT ONE"
(VOL. 3667, PG. 105)
D.R.K.C.T.
"TRACT ONE"
(DOC. NO. 2010-000329)
D.R.V.Z.C.T.

SAMUEL E. PYLE
SURVEY
ABSTRACT
NO. 381

APPROX. LOCATION OF SURVEY LINE
N00°17'25"W
464.75'

1/2" FIR STOVALL (C.M.)
3/8" FIR
1/2" FIR STOVALL

MATCH LINE SEE SHEET 4 OF 4

NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TICOR TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 21961-KF07, WITH AN EFFECTIVE DATE OF AUGUST 30, 2007.

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

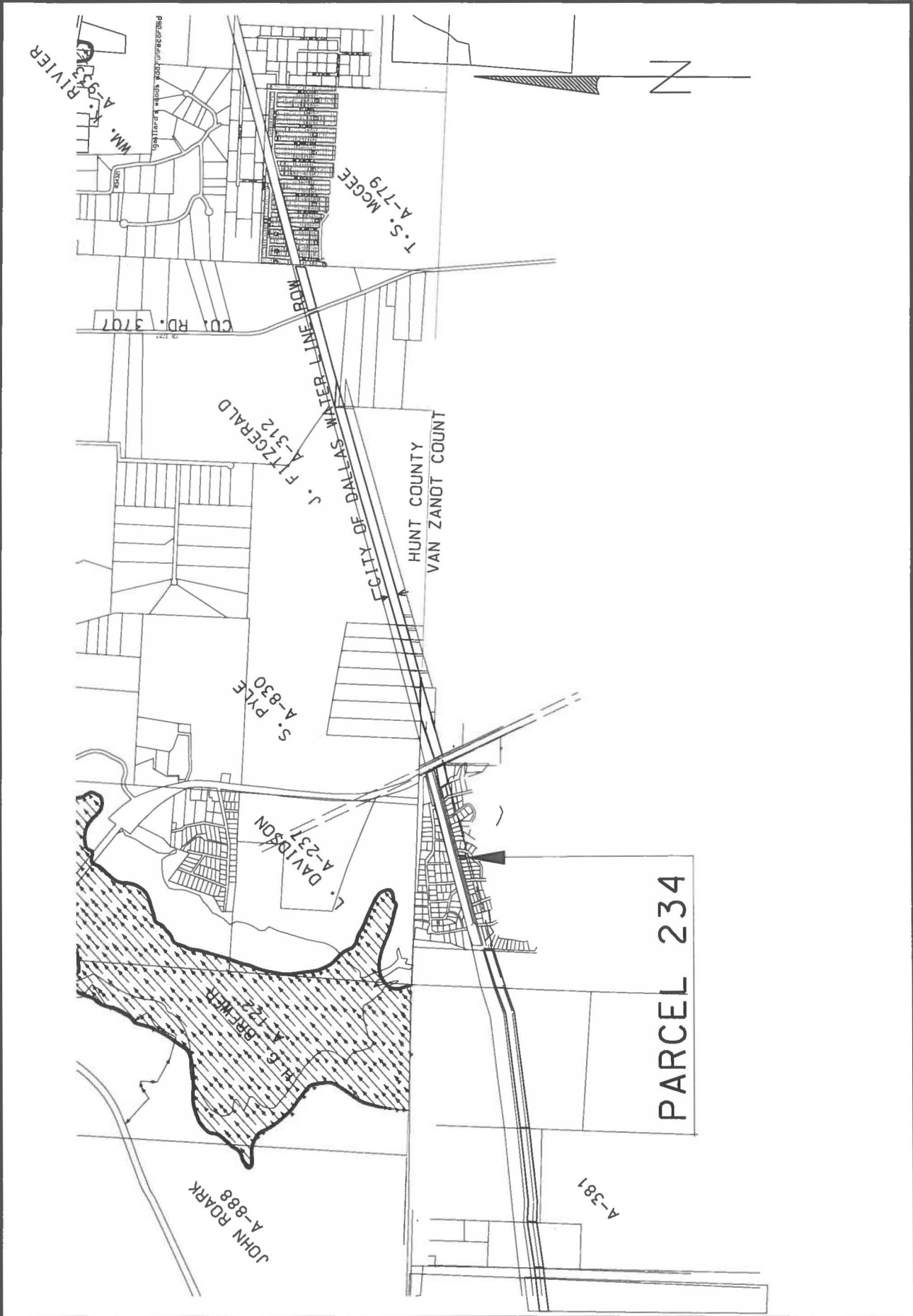
LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2" SIR	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O W/CAP	1/2" SET IRON ROD WITH A W/CAP
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL



EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
SIMEON F. PYLE SURVEY ABSTRACT NO. 830
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4174
TBPLS. FIRM. NO. 10123500
SCALE: 1" = 200'



VICINITY MAP
 APPROXIMATE SCALE 1" = 2000'

June 13, 2018**SECTION 5.** (continued)

in and to the PROPERTY by instrument, or judgment, for the Special Commissioners' Award Amount. If the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTEREST in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The Special Commissioners' Award Amount and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 234

BEING a 5,379 square foot (0.1235 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 198 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lot 198 being described in Warranty Deed to Harold J. Baber, as recorded in Volume 927, Page 943, of the Real Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

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

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

By:  Date: 4.20.15

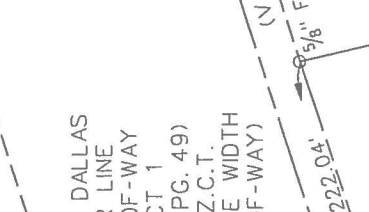
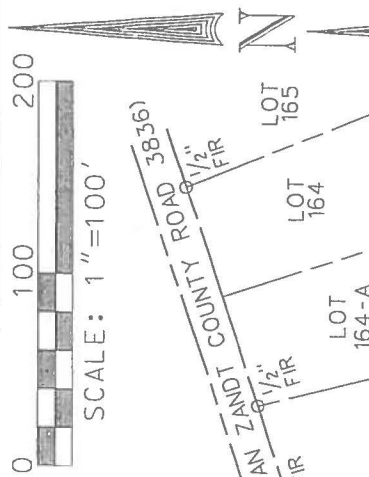
Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



FIELD NOTES APPROVED:

4/22/15



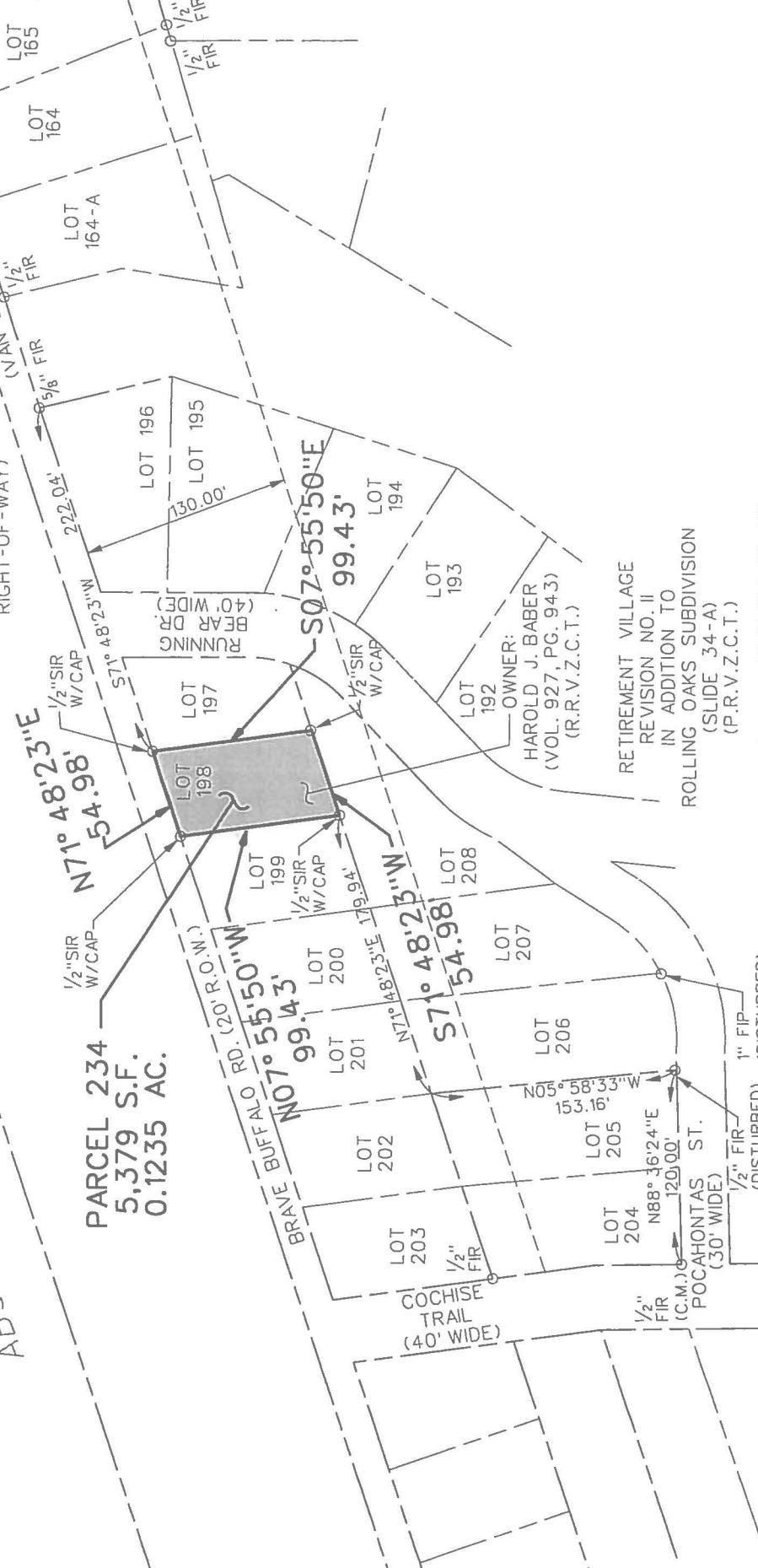


J. MCCOMMUN SURVEY
 ABSTRACT NO. 527

PARCEL 234
 5,379 S.F.
 0.1235 AC.

CITY OF DALLAS
 WATER LINE
 RIGHT-OF-WAY
 TRACT 1
 (VOL. 1, PG. 49)
 D.R.V.Z.C.T.
 (VARIABLE WIDTH
 RIGHT-OF-WAY)

(VAN ZANDT COUNTY ROAD 3836)



NOTE: THIS SURVEY WAS PERFORMED BASE UPON
 RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE
 INSURANCE COMPANY COMMITMENT G.F. NUMBER
 30839-CB11, WITH AN EFFECTIVE DATE OF FEBRUARY 24, 2011

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

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2" SIR	1/2" SET IRON ROD WITH A
W/CAP	RED PLASTIC CAP STAMPED
	"DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

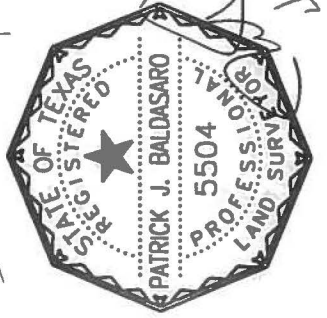


EXHIBIT
 OF A
RIGHT-OF-WAY ACQUISITION
 SITUATED IN THE
 J MCCOMMUN SURVEY, ABSTRACT NO. 527
 VAN ZANDT COUNTY, TEXAS
 FOR THE
CITY OF DALLAS
 BY
 DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
 DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-1774
 TBPLS. FIRM. NO. 10123500
 DATE: APR. 2005 | REVISED | SCALE: 1"=100' | SHEET 2 OF 2

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction
Water Utilities Department

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize moving expense and replacement housing payments for Sandra Witt as a result of an official written offer of just compensation to purchase real property at 369 VZ CR 3843 for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$55,639 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by the City of Dallas in conjunction with its real property acquisition activities.

On August 23, 2017, City Council authorized the acquisition of real property known as 369 VZ CR 3843 for Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1321.

Sandra Witt will be displaced as a direct result of this property acquisition. She qualifies for a moving expense payment of up to \$4,675 and a last resort calculated replacement housing payment of up to \$50,964 pursuant to the Dallas City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 23, 2017, City Council authorized the acquisition by Resolution No. 17-1321.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$55,639

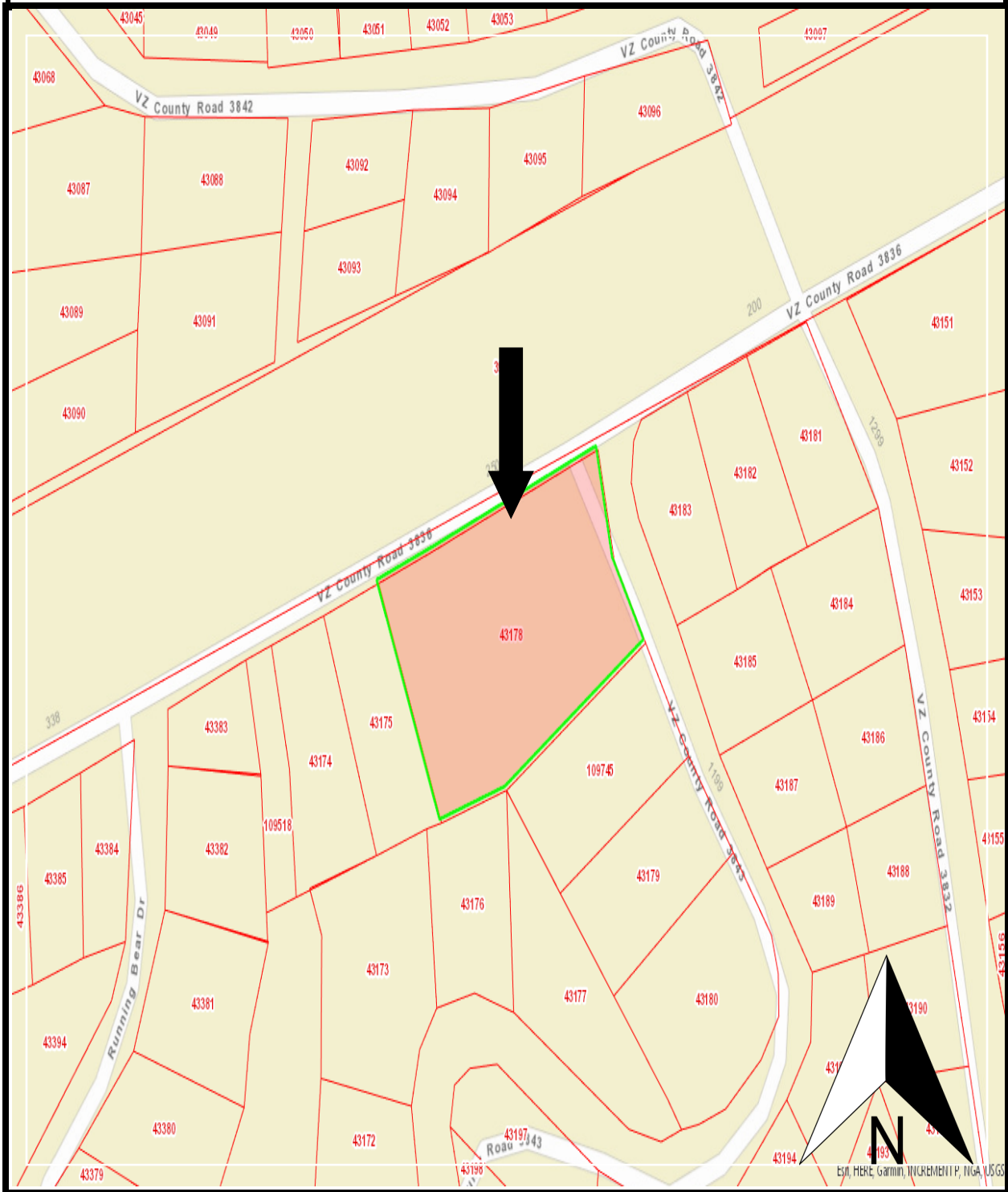
OWNER

Sandra Witt

MAP

Attached

LAKE TAWAKONI PIPELINE PROJECT RELOCATION ASSISTANCE



Parcel 225 Lots 168 & 168-A, – 369 VZ CR 3843

June 13, 2018

WHEREAS, on August 23, 2017, City Council authorized the acquisition of real property known as 369 VZ CR 3843 to be used in conjunction with the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1321; and

WHEREAS, Sandra Witt will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by City of Dallas property acquisition activities.

Now, Therefore,

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

SECTION 1. That Sandra Witt will be displaced in conjunction with the construction of Lake Tawakoni 144-inch Transmission Pipeline Project and is entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Sandra Witt is eligible to receive a moving expense payment in an amount up to \$4,675 and a replacement housing payment in an amount up to \$50,964.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Sandra Witt, in an amount not to exceed \$55,639 for moving expense and replacement housing payments.

These warrants are to be paid as follows:

Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW20 Object 4230, Program 704041 Encumbrance/Contract No. CX-DWU-2018-00002875-1 Vendor VC17725	\$50,964
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW20 Object 4230, Program 704041 Encumbrance/Contract No. CX-DWU-2018-00002875-1 Vendor VC17725	<u>\$ 4,675</u>
Total amount not to exceed	\$55,639

June 13, 2018

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

AGENDA ITEM # 22

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34T

SUBJECT

An ordinance granting a private license to the Board of Regents of The University of Texas System, for the use of approximately 1,001 square feet of subsurface land to occupy, maintain and utilize a subsurface portion of Inwood Road right-of-way located near the intersection of Forest Park Road and Inwood Road – Revenue: \$1,297 annually, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a private license to the Board of Regents of The University of Texas System, for the use of approximately 1,001 square feet of subsurface land to occupy, maintain and utilize a subsurface portion of Inwood Road right-of-way located near the intersection of Forest Park Road and Inwood Road. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Revenue - \$1,297 annually, plus the \$20 ordinance publication fee

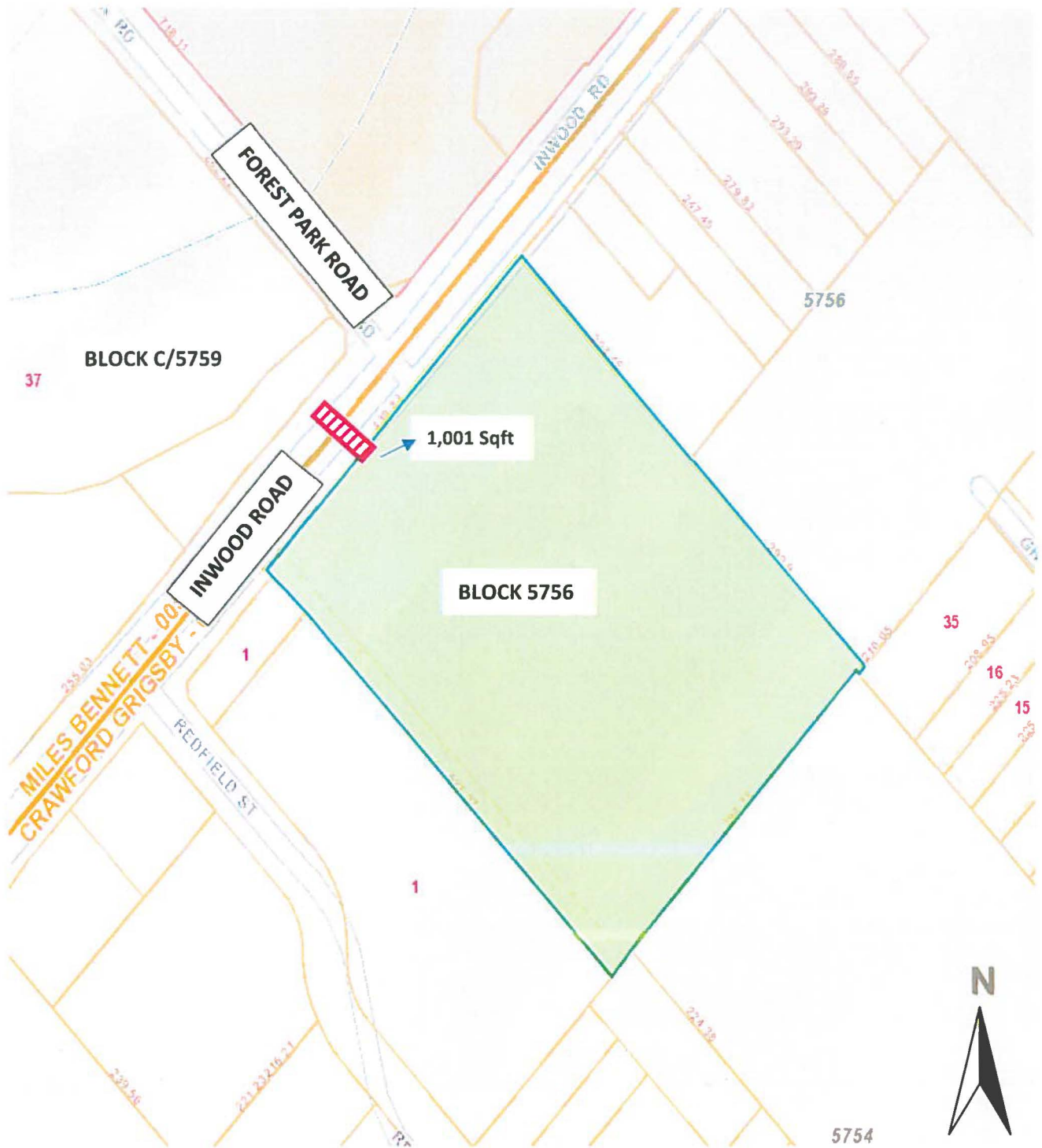
OWNER

Board of Regents of The University of Texas System

Paul L. Foster, Chairman

MAP

Attached



LICENSE AREA

ORDINANCE NO. _____

An ordinance granting a private license to the Board of Regents of The University of Texas System to occupy, maintain and utilize a subsurface portion of Inwood Road right-of-way located near the intersection of Forest Park Road and Inwood Road, adjacent to City Blocks 5756 and C/5759 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing a subsurface communication ductbank that consist of two 4-inch Schedule 40 PVC pipes encased in a 12-inch steel pipe filled with grout; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

SECTION 1. That a private license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to the Board of Regents of The University of Texas System, an agency of the State of Texas, hereinafter referred to as “**GRANTEE**”, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as “licensed area” which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **ONE THOUSAND TWO HUNDRED NINETY SEVEN AND NO/100 DOLLARS (\$1,297.00)** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum **ONE THOUSAND TWO HUNDRED NINETY SEVEN AND NO/100 DOLLARS (\$1,297.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2018. Such consideration shall be in addition to and exclusive of any other taxes or special

SECTION 3. (continued)

assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Sustainable Development may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in the General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: to occupy, maintain and utilize a subsurface communication ductbank that consist of two 4-inch Schedule 40 PVC pipes encased in a 12-inch steel pipe filled with grout.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by Resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any

SECTION 6. (continued)

rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- (a) **GRANTEE** acknowledges the City of Dallas Thoroughfare Plan, Section 51A-9, which requires Inwood Road to remain a 100 feet right-of-way.
- (b) **GRANTEE** shall obtain building permits and a right-of-way permit must be applied for and issued prior to any work in the right-of-way.
- (c) **GRANTEE** shall maintain the right-of-way for government access in order to facilitate emergency response and water supply during and after completion of the project.
- (d) **GRANTEE** acknowledges ATMOS has active facilities in the area including a large diameter distribution line and a high pressure line. If conflicts exist, the **GRANTEE** will be responsible for the cost to relocate said facilities otherwise Exhibit B would apply.
- (e) **GRANTEE** shall locate all AT&T fiber and copper cable below Inwood Road from Harry Hines Boulevard left to Forest Park Road.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That in lieu of the insurance requirements specified in Exhibit B, Subsection (c), **GRANTEE** may self-insure to the extent permitted by applicable law under any plan of self-insurance, maintained in accordance with sound accounting practices, against the risks described in this Subsection (c) and shall not be required to maintain insurance hereunder provided that **GRANTEE** furnishes the City satisfactory evidence of the existence of an insurance reserve adequate for the risks covered by such plan of self-insurance, evidence of which shall be provided to the City prior to issuance of a certified copy of the ordinance to **GRANTEE**.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to

SECTION 12. (continued)

GRANTEE the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance is designated for City purposes as Contract No. DEV-2018-00005011.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: 
Assistant City Attorney

BY: 
SOK Assistant Director

Passed _____.

LICENSE AGREEMENT
INWOOD ROAD
ADJACENT TO CITY BLOCKS 5756 AND C/5759
OUT OF THE MILES BENNETT SURVEY, ABST. NO. 52
AND THE CRAWFORD GRIGSBY, ABST. NO. 533,
IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,001 square foot or 0.0230 acre tract of land situated in the Miles Bennett Survey, Abstract Number 52, and the Crawford Grigsby Survey, Abstract Number 533, and being part of Inwood Road (formerly County Road 79; formerly Park Avenue; a variable width right-of-way) adjacent to City Blocks 5756 and C/5759, and being more particularly described as follows:

COMMENCING at an "X" cut found in concrete for the northwest corner of that tract of land in City Block 5756 described in Special Warranty Deed to The Board of Regents of the University of Texas System, as recorded in Volume 2004155, Page 601, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said corner being the northeast corner of Lot 1, City Block A/5757, M.C.D. Inwood No. 4 Addition in the City of Dallas as shown on plat thereof recorded in Volume 85161, Page 3418, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said corner also being on the southeast right-of-way line of said Inwood Road;

THENCE North 43 degrees 53 minutes 45 seconds East, with the northwest line of said University of Texas tract in City Block 5756 and the southeast right-of-way line of said Inwood Road, a distance of 159.06 feet to a point for corner and the **POINT OF BEGINNING** of the herein described tract of land;

THENCE North 46 degrees 42 minutes 28 seconds West, departing the northwest line of said University of Texas tract and the southeast right-of-way line of said Inwood Road, over and across said Inwood Road, a distance of 100.08 feet to a point for corner; said point being on the northwest right-of-way line of said Inwood Road and the southeast line of that tract of land described in Special Warranty Deed to the Board of Regents of the University of Texas System for and on behalf of the University of Texas Southwestern Medical Center at Dallas, as recorded in Volume 92146, Page 4605, D.R.D.C.T. and the southeast line of City Block C/5759 of Forest Park, an addition to the City of Dallas as shown on plat thereof recorded in Volume 241, Page 41, D.R.D.C.T.;

THENCE North 43 degrees 33 minutes 04 seconds East, with the northwest right-of-way line of said Inwood Road and with the southeast line of said Medical Center tract and City Block C/5759, a distance of 10.00 feet to a point for corner;

(For SPRG use only)	
Reviewed by:	<u>A. Rodriguez</u>
Date:	<u>1/24/18</u>
SPRG NO.:	<u>4386</u>

LICENSE AGREEMENT
INWOOD ROAD
ADJACENT TO CITY BLOCKS 5756 AND C/5759
OUT OF THE MILES BENNETT SURVEY, ABST. NO. 52
AND THE CRAWFORD GRIGSBY, ABST. NO. 533,
IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 46 degrees 42 minutes 28 seconds East, departing the northwest right-of-way line of said Inwood Road and the southeast line of said Medical Center tract and City Block C/5759, over and across said Inwood Road, a distance of 100.14 feet to a point for corner, said point being on the aforementioned northwest line of said University of Texas tract in City Block 5756 and the southeast right-of-way line of said Inwood Road, and from which an "X" cut found in concrete for the northeast corner of said tract of land in City Block 5756 described in Special Warranty Deed to The Board of Regents of the University of Texas System, as recorded in Volume 2004155, Page 601, O.P.R.D.C.T., bears North 43 degrees 53 minutes 45 seconds East, a distance of 111.01 feet;

THENCE South 43 degrees 53 minutes 45 seconds West, with the northwest line of said University of Texas tract in City Block 5756 and the southeast right-of-way line of said Inwood Road, a distance of 10.00 feet to the **POINT OF BEGINNING** and **CONTAINING** 1,001 square feet or 0.0230 acres of land, more or less.

BASIS OF BEARING: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet; Surface Adjustment Scale Factor (SF) = 1.0001365060 (TxDOT Dallas Co. SF).

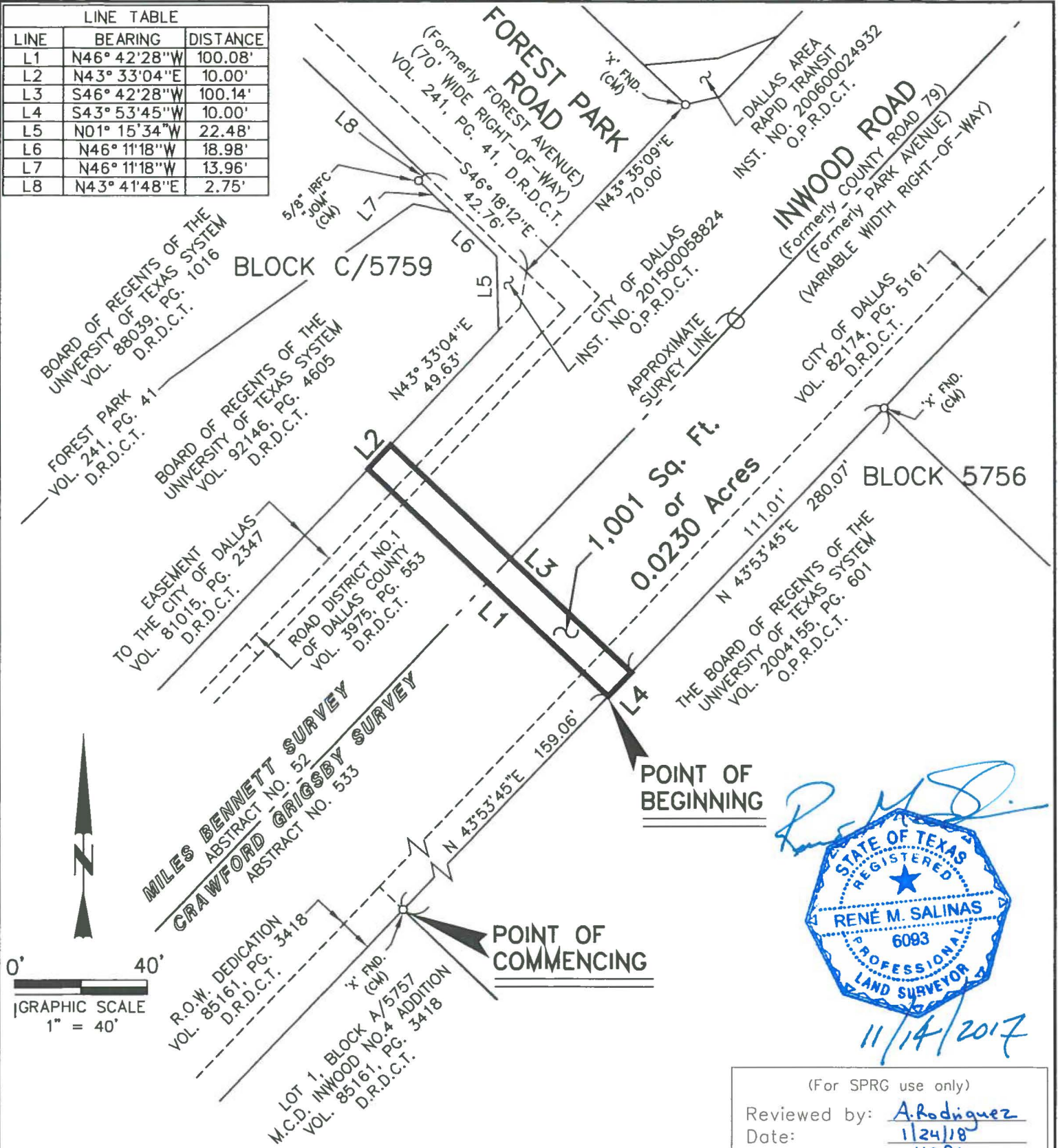
René M. Salinas
Registered Professional Land Surveyor
Texas No. 6093



11/14/2017

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 1/24/18
SPRG NO.: 4386

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N46° 42' 28" W	100.08'
L2	N43° 33' 04" E	10.00'
L3	S46° 42' 28" W	100.14'
L4	S43° 53' 45" W	10.00'
L5	N01° 15' 34" W	22.48'
L6	N46° 11' 18" W	18.98'
L7	N46° 11' 18" W	13.96'
L8	N43° 41' 48" E	2.75'



LEGEND:

(CM)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS
FND.	FOUND
IRF	IRON ROD FOUND
IRFC	IRON ROD FND. WITH CAP
INST. NO.	INSTRUMENT NUMBER
MON.	MONUMENT
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME
PG.	PAGE

BASIS OF BEARING: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet; Surface Adjustment Scale Factor (SF) = 1.0001365060 (TxDOT Dallas Co. SF).

**LICENSE AGREEMENT
INWOOD ROAD**

ADJACENT TO CITY BLOCKS 5756 AND C/5759
OUT OF THE MILES BENNETT SURVEY, ABST. NO. 52
AND THE CRAWFORD GRIGSBY, ABST. NO. 533,
IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS



Garcia Land Data, Inc.
T 214-987-0149 6210 Campbell Rd., Ste. 110
F 214-987-1026 Dallas, TX 75248-1388
TBPLS Firm No. 10136500

DATE: JAN. 16, 2018
PROJ: 5657
PAGE 3 OF 3

(For SPRG use only)

Reviewed by: A. Rodriguez
Date: 1/24/18
SPRG NO.: 4386

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
 2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

- (f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

- (h)** This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 23

**STRATEGIC
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

8

DEPARTMENT:

Department of Sustainable Development and Construction

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

70N

SUBJECT

An ordinance abandoning Lariat Drive to LGI Homes-Texas, LLC, the abutting owner, containing approximately 4,674 square feet of land, located near the intersection of Greenhaw Lane and Woody Road; and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of Lariat Drive to LGI Homes-Texas, LLC, the abutting owner. The area will be included with the property of the abutting owner for a single-family development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

Notices were sent to 4 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Revenue - \$5,400, plus the \$20 ordinance publication fee

OWNER

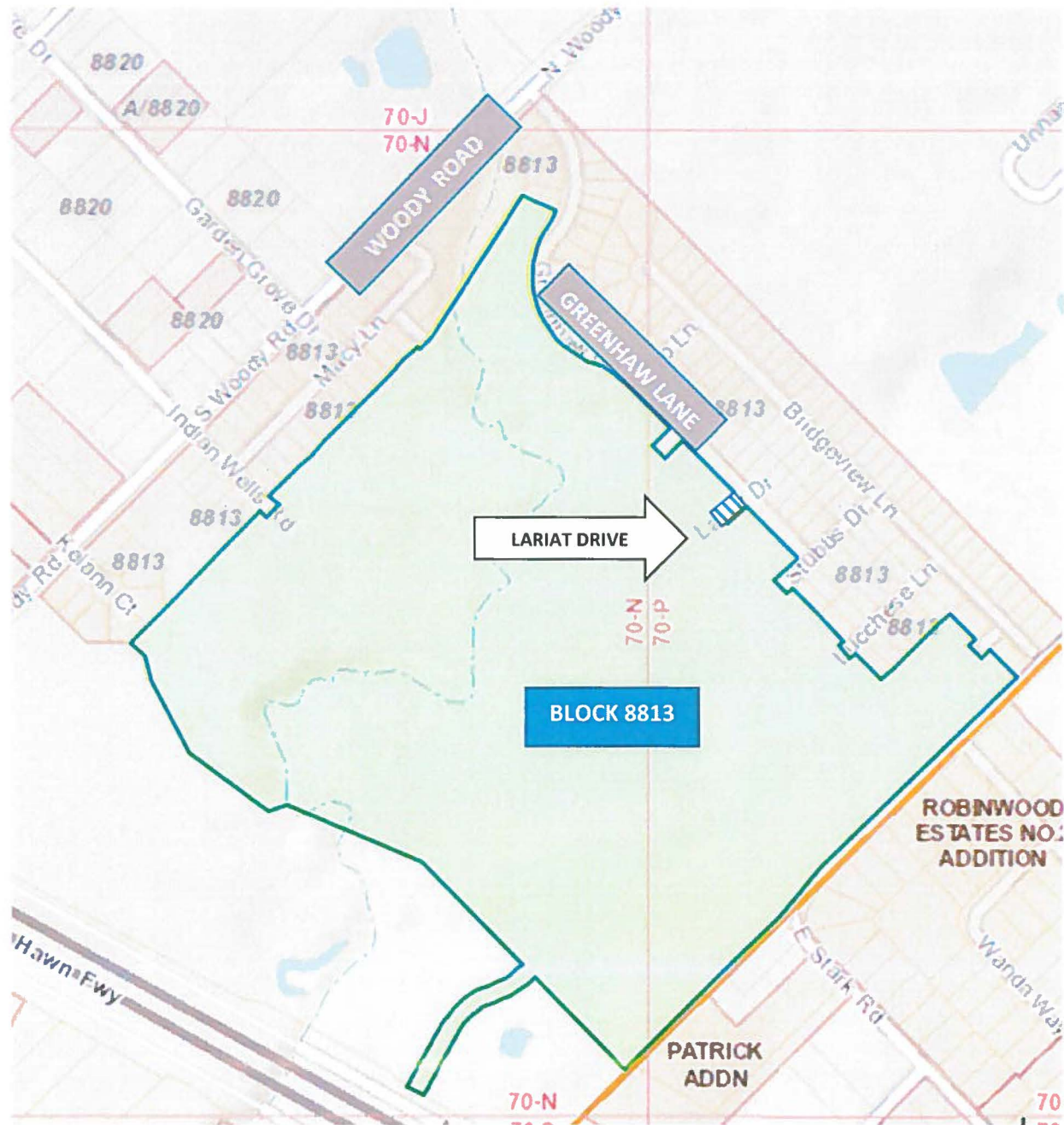
LGI Homes-Texas, LLC



LGI Homes Inc.

Michael Snider, President

MAP

Attached



  **ABANDONMENT AREA**

ORDINANCE NO. _____

An ordinance providing for the abandonment of Lariat Drive located in City Block 8813 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to LGI Homes-Texas, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of LGI Homes-Texas, LLC, a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said Lariat Drive is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 and 10 the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, the reverter, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. Provided however, that if **GRANTEE**, its successors and assigns, fails to file a final replat of the adjoining properties as required in Section 9 of this ordinance by the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

“(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator’s action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005”;

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001,

SECTION 4. (continued)

Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby

SECTION 8. (continued)

agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by

SECTION 10. (continued)

GRANTEE, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this ordinance is also designated for City purposes as Contract No. DEV- 2018-00005846.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: 
Assistant Director
SOR

Passed _____

EXHIBIT A

**RIGHT-OF-WAY ABANDONMENT
LARIAT DRIVE
ADJACENT TO BLOCK 8813
SHADY OAKS ESTATES, PHASE 1
ROBERT KLEBURG SURVEY, ABSTRACT No. 716
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 4,674 SQUARE FEET (0.107 ACRE) TRACT OF LAND, SITUATED IN THE ROBERT KLEBURG SURVEY, ABSTRACT 716, ADJACENT TO CITY BLOCK 8813, CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING LARIAT DRIVE (A 56-FOOT WIDE RIGHT-OF-WAY) DEDICATED BY SHADY OAKS ESTATES, PHASE 1, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN INSTRUMENT NO. 200600403943, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "CARTER BURGESS" FOUND AT THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STUBBS DRIVE (A 56-FOOT WIDE RIGHT-OF-WAY) AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF GREENHAW LANE (A 56-FOOT WIDE RIGHT-OF-WAY) BOTH STREETS DEDICATED BY SAID SHADY OAKS ESTATES, PHASE 1 COMMON WITH THE NORTHEASTERLY LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO LGI HOMES - TEXAS, LLC, BY DEED RECORDED IN INSTRUMENT NO. 201600280940, SAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH 45 DEGREES 31 MINUTES 12 SECONDS WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF GREENHAW LANE AND SAID NORTHEASTERLY LINE OF SAID LGI HOMES - TEXAS TRACT, A DISTANCE OF 224.02 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "CARTER BURGESS" FOUND (CONTROLLING MONUMENT (CM)) AT THE EAST END OF A CORNER CLIP AT THE INTERSECTION OF SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF GREENHAW LANE AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID LARIAT DRIVE BEING THE **POINT OF BEGINNING**;

THENCE SOUTH 89 DEGREES 50 MINUTES 47 SECONDS WEST ALONG SAID CORNER CLIP AND SOUTHERLY RIGHT-OF-WAY OF LARIAT DRIVE, A DISTANCE OF 4.27 FEET TO A FOUND 5/8 INCH IRON ROD WITH CAP STAMPED "CARTER BURGESS" (CM);

THENCE SOUTH 45 DEGREES 12 MINUTES 46 SECONDS WEST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 80.66 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "TXHS" FOUND (CM) FOR THE SOUTHERLY CORNER OF SAID LARIAT DRIVE;

THENCE NORTH 44 DEGREES 47 MINUTES 14 SECONDS WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID LARIAT DRIVE, A DISTANCE OF 56.00 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "TXHS" FOUND (CM) FOR THE WESTERLY CORNER OF SAID LARIAT DRIVE;

THENCE NORTH 45 DEGREES 12 MINUTES 46 SECONDS EAST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LARIAT DRIVE, A DISTANCE OF 79.94 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "CARTER BURGESS" FOUND (CM) AT THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF LARIAT DRIVE AND THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF GREENHAW LANE;

THENCE NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST ALONG SAID CORNER CLIP, A DISTANCE OF 4.22 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "CARTER BURGESS" FOUND (CM) AT THE NORTH END OF SAID CORNER CLIP AT THE INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF LARIAT DRIVE AND SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF GREENHAW LANE;

THENCE SOUTH 45 DEGREES 31 MINUTES 14 SECONDS EAST, A DISTANCE OF 62.01 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 4,674 SQUARE FEET OR 0.107 ACRE OF LAND.

(FOR SPRG USE ONLY)
REVIEWED BY: <u>A. Rodriguez</u>
DATE: <u>3/6/18</u>
SPRG NO: <u>4038</u>

EXHIBIT A

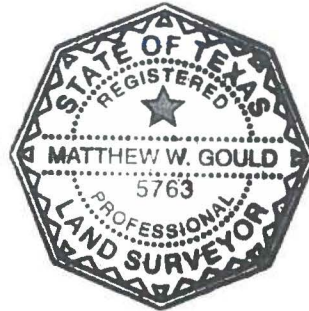
**RIGHT-OF-WAY ABANDONMENT
LARIAT DRIVE
ADJACENT TO BLOCK 8813
SHADY OAKS ESTATES, PHASE 1
ROBERT KLEBURG SURVEY, ABSTRACT No. 716
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

A PLAT OF EQUAL DATE ACCOMPANIES THIS LEGAL DESCRIPTION AND MADE A PART THEREOF.

BEARINGS SYSTEM BASED ON THE STATE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (2011).



MATTHEW W. GOULD
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5763

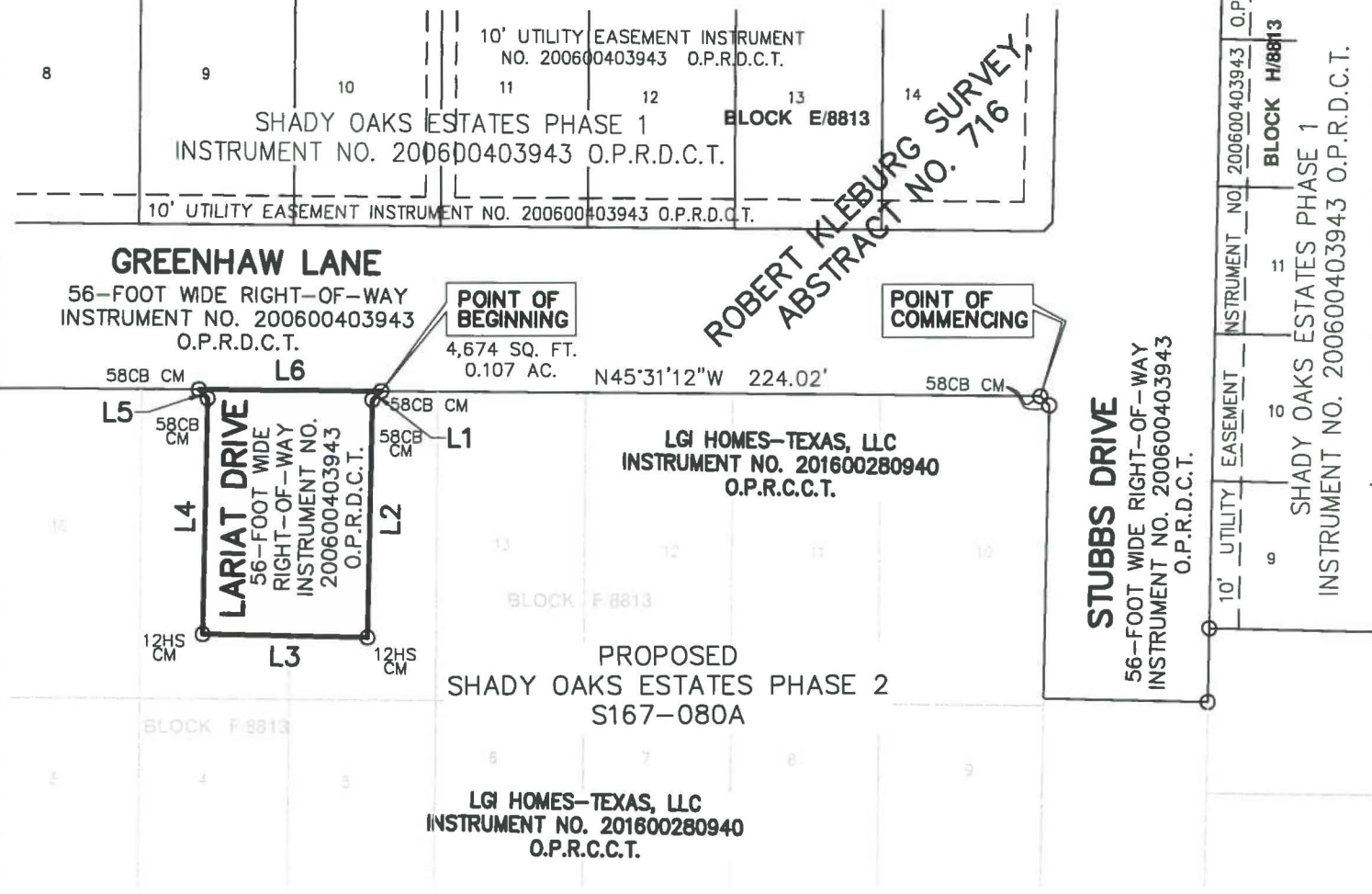


DATED: FEBRUARY 28, 2018

PAPE-DAWSON ENGINEERS, INC.
5700 W. PLANO PKWY, SUITE 2500
PLANO, TEXAS 75093
TEL: 214.420.8494
TBPLS FIRM # 10194390

(FOR SPRG USE ONLY)
REVIEWED BY: <u>A. Rodriguez</u>
DATE: <u>3/6/18</u>
SPRG NO: <u>4038</u>

**RIGHT-OF-WAY ABANDONMENT
LARIAT DRIVE
ADJACENT TO BLOCK 8813
SHADY OAKS ESTATES, PHASE 1
ROBERT KLEBURG SURVEY, ABSTRACT NO. 716
CITY OF DALLAS, DALLAS COUNTY, TEXAS**



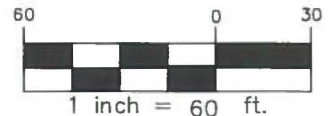
NOTES:
1) BEARINGS SYSTEM BASED ON THE STATE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (2011).

2) O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS; D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS; M.R.D.C.T. = MAP RECORD, DALLAS COUNTY, TEXAS; 12HS = 1/2-INCH IRON ROD FOUND WITH CAP STAMPED "TXHS"; 58CB = 5/8-INCH IRON ROD FOUND WITH CAP STAMPED "CARTER BURGESS" CM= CONTROLLING MONUMENT;

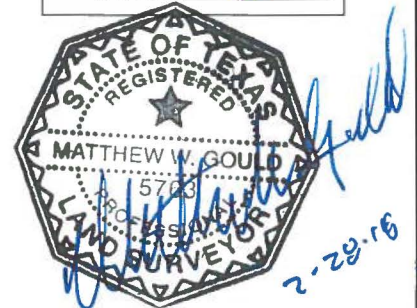
3) METES AND BOUNDS DESCRIPTIONS OF EQUAL DATE ACCOMPANIES THIS EXHIBIT.

4) SURVEY NAMES SHOWN HEREON ARE FROM THE GLO'S GIS INTERACTIVE WEBSITE (2017-07).

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°50'47"W	4.27'
L2	S45°12'46"W	80.66'
L3	N44°47'14"W	56.00'
L4	N45°12'46"E	79.94'
L5	N00°09'13"W	4.22'
L6	S45°31'14"E	62.01'



(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 2/6/18
SPRG NO: 4038



PAPE-DAWSON ENGINEERS

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
5700 W PLANO PKWY, STE 2500 PLANO, TX 75093 214.420.8494
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION #470
TBPES FIRM REGISTRATION #1019490

PROJECT # : 07192-0001
PROJ. SVYR : MG
DRAWN BY : RDJ
FIELD BK. : N\
COMP. FILE :
SHEET # : 03 OF 03
DWG. # : 071950001_ExVac

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 24

STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

13

DEPARTMENT:

Department of Sustainable Development and Construction

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

14Z

SUBJECT

An ordinance abandoning a portion of a sanitary sewer easement to Daniel Brothers, L.L.P., the abutting owner, containing approximately 2,010 square feet of land, located near the intersection of Forest Lane and Inwood Road - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a sanitary sewer easement to Daniel Brothers, L.L.P., the abutting owner. The area will be included with the property of the abutting owner for a new multi-family development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Revenue - \$5,400, plus the \$20 ordinance publication fee

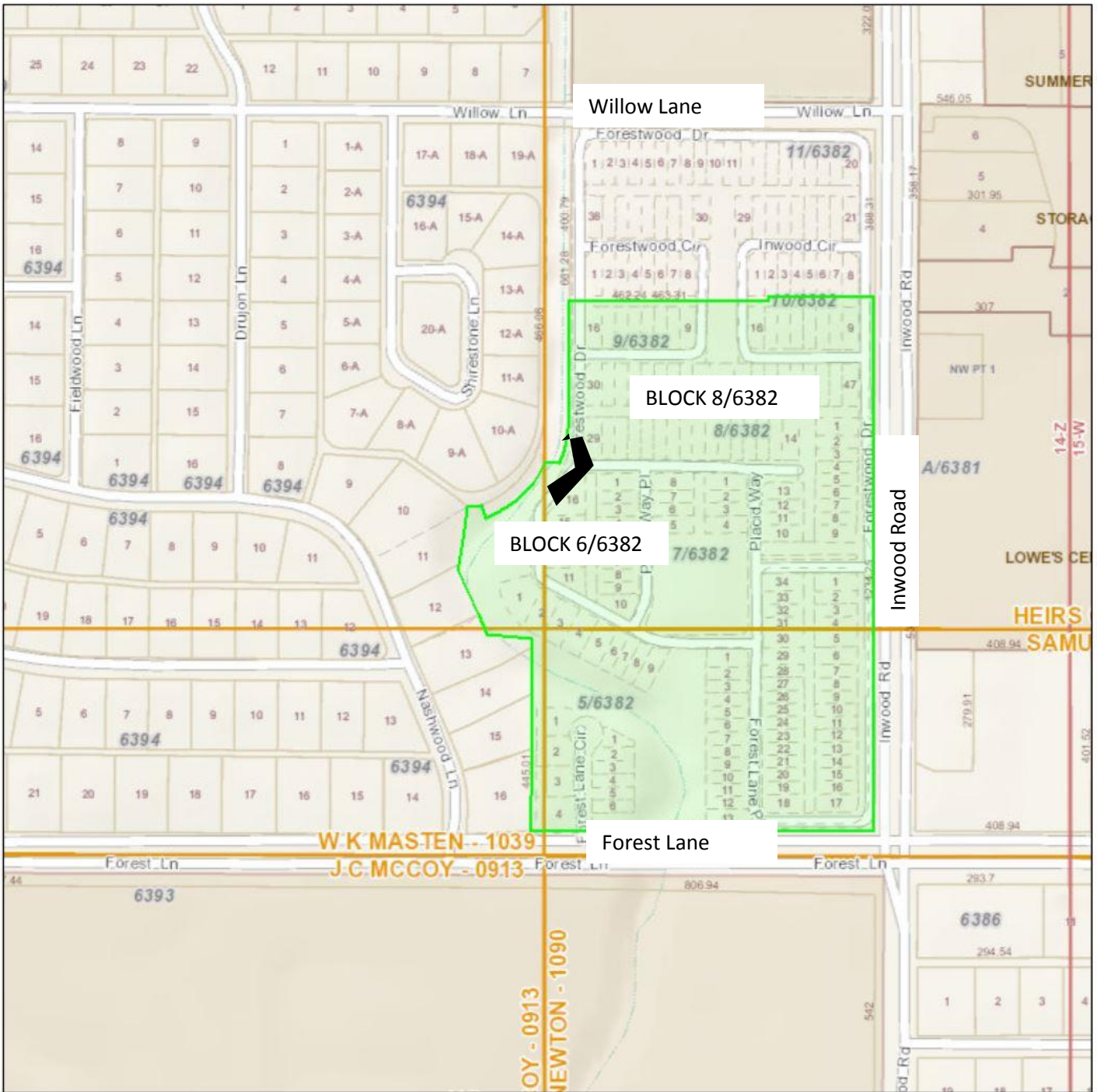
OWNER

Daniel Brothers, L.L.P

John A. Daniel, Member

MAP

Attached



ABANDONMENT AREA



ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a sanitary sewer easement, located in City Blocks 6/6382 and 8/6382 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Daniel Brothers, L.L.P.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Daniel Brothers, L.L.P., a Texas limited liability partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of sanitary sewer easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.


SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00005135.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: 
Assistant City Attorney

BY: 
SOR Assistant Director

Passed _____.

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 16 AND OPEN SPACE IN BLOCK 6/6382
PART OF LOT 29, IN BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,010 square foot (0.0461 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No. 1144, City of Dallas, Dallas County, Texas and being part of Lot 16 and Open Space in Block 6/6382, part of Lot 29, Block 8/6382, and in the same area of a utility and fire lane easement adjacent to Blocks 6/6382 and 8/6382 in First Installment Forestwood Townhouse Community an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2450, Deed Records, Dallas County, Texas, being part of a 15-foot wide sanitary sewer easement to the City of Dallas, recorded in Volume 5302, Page 538, Deed Records of Dallas County, Texas, part of a 15-foot wide sanitary sewer easement to the City of Dallas, recorded in Volume 72079, Page 2450, Deed Records of Dallas County, Texas and part of a 15-foot wide sanitary sewer easement to the City of Dallas, recorded in Volume 69223, Page 788, Deed Records of Dallas County, Texas and being part a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community; from which a 1/2" iron rod found at the southwest corner of said First Installment Forestwood Townhouse Community bears South 89°15'39" West, a distance of 795.97 feet and a 5/8" iron rod with plastic cap stamped "KHA" found bears North 0°42'01" West, a distance of 5.00 feet;

THENCE with said east right-of-way line of Inwood Road and the east line of said First Installment Forestwood Townhouse Community, North 0°42'01" West, a distance of 822.06 feet to a point for corner;

THENCE departing said east right-of-way line, over and across said Forestwood Townhouse Community, South 89°17'59" West, a distance of 650.68 feet to a point in the south line of said 15-foot wide sanitary sewer easement (Volume 5302, Page 538, D.R.D.C.T.) at the southernmost corner of a 441.45-foot long tract of land described in Release, recorded in Volume 70231, Page 1083, Deed Records of Dallas County, Texas for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 6°47'23", a radius of 293.98 feet, a chord bearing and distance of South 56°10'18" West, 34.82 feet;

DANA BROWN
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dana.brown@kimley-horn.com



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 4/5/18
SPRG NO: 4410

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Mar 2018	067771641	1 OF 5

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 16 AND OPEN SPACE IN BLOCK 6/6382
PART OF LOT 29, IN BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with the south line of said 15-foot wide sanitary sewer easement (Volume 5302, Page 538, D.R.D.C.T.), over and across said First Installment Forestwood Townhouse Community, the following courses and distances to wit:

In a southwesterly direction, with said curve to the right, an arc distance of 34.84 feet to a point for corner;

South 59°34'00" West, a distance of 64.59 feet to a point for corner;

THENCE departing said south line of said 15-foot wide sanitary sewer easement (Volume 5302, Page 538), continuing over and across said First Installment Forestwood Townhouse Community, North 27°59'38" East, a distance of 28.65 feet to a point for corner in the north line of said 15-foot wide sanitary sewer easement (Volume 5302, Page 538, D.R.D.C.T.);

THENCE with said north line of the 15-foot wide sanitary sewer easement (Volume 5302, Page 538, D.R.D.C.T.), continuing over and across said First Installment Forestwood Townhouse Community, the following courses and distances to wit:

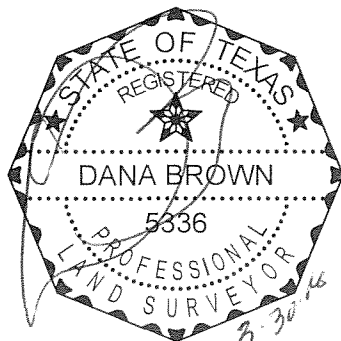
North 59°34'00" East, a distance of 40.18 feet to a point at the beginning of a tangent curve to the left having a central angle of 5°02'23", a radius of 278.98 feet, a chord bearing and distance of North 57°02'48" East, 24.53 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 24.54 feet to a point at the intersection of said north line and the west line of said 15-foot wide sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.) and at the beginning of a non-tangent curve to the right having a central angle of 25°36'30", a radius of 87.50 feet, a chord bearing and distance of North 30°10'13" West, 38.78 feet;

THENCE with the west line of said 15-foot sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.) continuing over and across said First Installment Forestwood Townhouse Community, in a northwesterly direction, with said curve to the right, an arc distance of 39.11 feet to a point for corner;

THENCE departing said west line of the 15-foot sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.) continuing over and across said First Installment Forestwood Townhouse Community, North 27°59'38" East, a distance of 23.84 feet to a point in the east line of said 15-foot sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.), at the beginning of a non-tangent curve to the left having a central angle of 44°50'00", a radius of 72.50 feet, a chord bearing and distance of South 26°25'30" East, 55.29 feet;

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Reviewed By: A. Rodriguez
Date: 4/5/18
SPRG NO: 4410

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Mar 2018	067771641	2 OF 5

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 16 AND OPEN SPACE IN BLOCK 6/6382
PART OF LOT 29, IN BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with said east line of the 15-foot wide sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.), continuing over and across said First Installment Forestwood Townhouse Community, in a southeasterly direction, with said curve to the left, an arc distance of 56.73 feet to a point for corner at the southeast corner of said 15-foot wide sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.);

THENCE with the south line of said 15-foot wide sanitary sewer easement (Volume 69223, Page 788, D.R.D.C.T.) continuing over and across said First Installment Forestwood Townhouse Community, South 41°09'30" West, a distance of 7.68 feet to a point for corner at the intersection of said south line and the west line of said 441.45-foot tract;

THENCE departing said south line and with said west line of the 441.45-foot tract, continuing over and across said First Installment Forestwood Townhouse Community, South 37°13'23" East, a distance of 7.75 feet to the **POINT OF BEGINNING** and containing 2,010 square feet or 0.046 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

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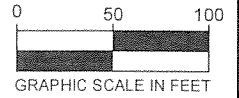
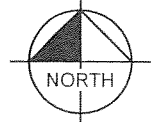
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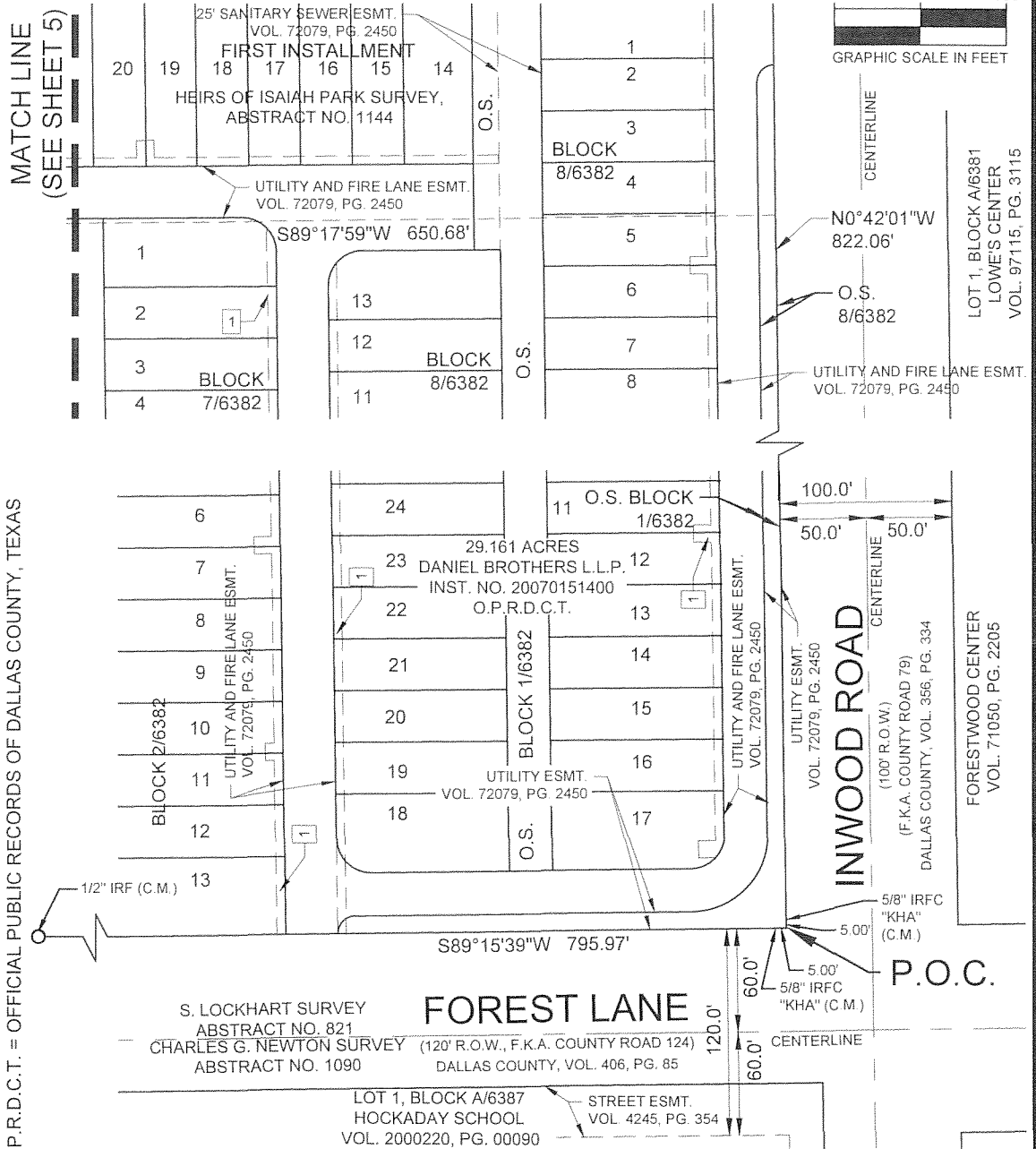
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Mar 2018	067771641	3 OF 5

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 16 AND OPEN SPACE IN BLOCK 6/6382
PART OF LOT 29, IN BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

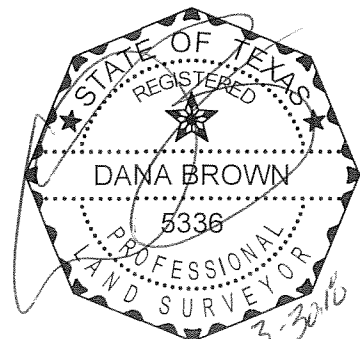


NOTES
 All deed and plat references are recorded in the Deed Records of Dallas County, Texas unless otherwise noted.
 Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
 [1] Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702

LEGEND
 Δ = CENTRAL ANGLE
 ESMT. = EASEMENT
 S.E. = SAVE AND EXCEPT
 PG. = PAGE
 F.K.A. = FORMERLY KNOWN AS
 P.O.C. = POINT OF COMMENCING
 P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRFC = IRON ROD W/CAP FOUND
 M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS



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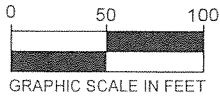
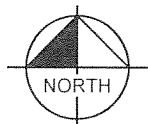
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	Mar 2018	067771641	4 OF 5

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT PART OF LOT 16 AND OPEN SPACE IN BLOCK 6/6382 PART OF LOT 29, IN BLOCK 8/6382 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS

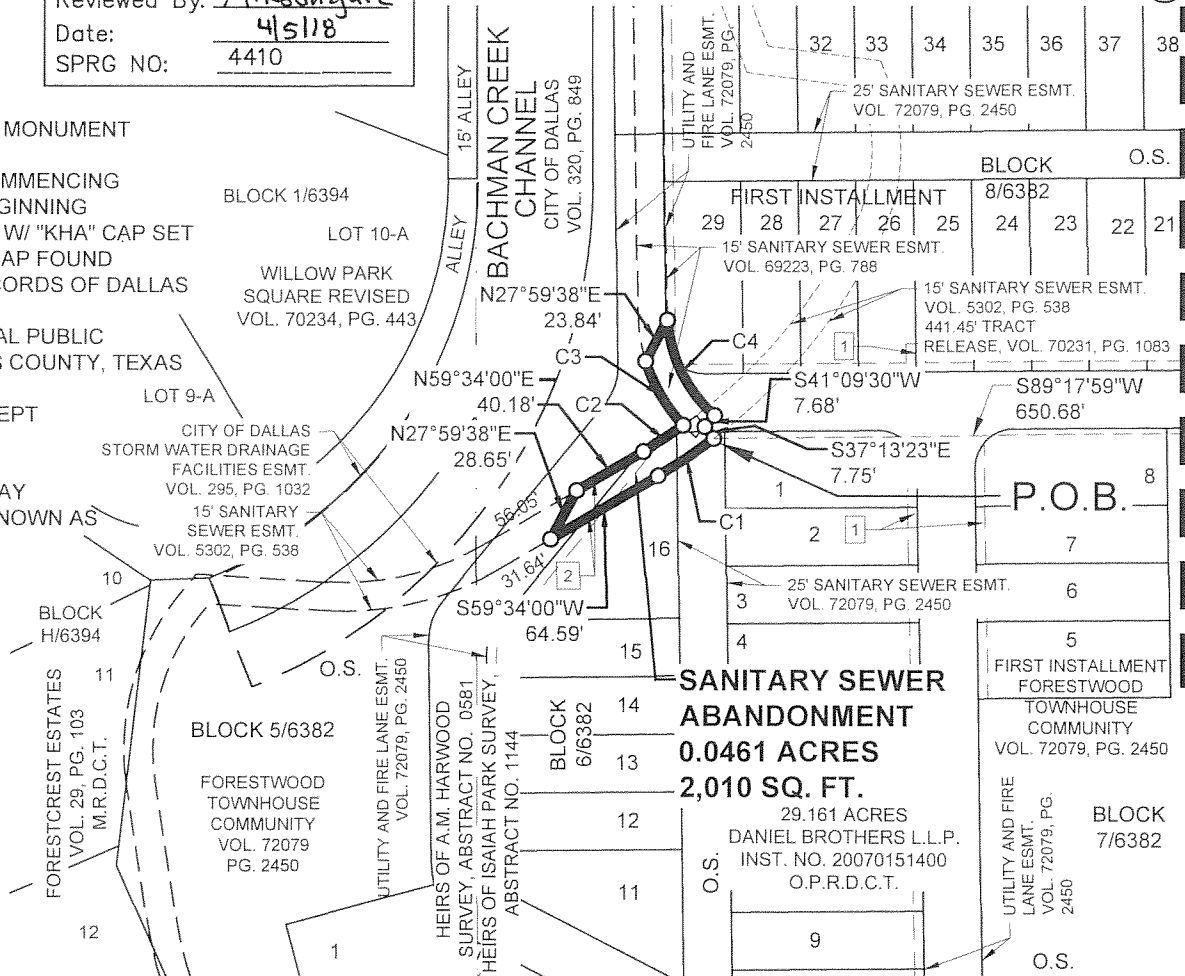
MATCH LINE
(SEE SHEET 4)



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 4/5/18
SPRG NO: 4410

LEGEND

- Δ = CENTRAL ANGLE
- C.M. = CONTROLLING MONUMENT
- ESMT. = EASEMENT
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- O.S. = OPEN SPACE
- S.E. = SAVE AND EXCEPT
- VOL. = VOLUME
- PG. = PAGE
- R.O.W. = RIGHT-OF-WAY
- F.K.A. = FORMERLY KNOWN AS



NOTES

All deed and plat references are recorded in the Deed Records of Dallas County, Texas unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

1 Dallas Power and Light Company & Southwestern Bell Telephone Company Esmt., VOL. 72197, PG. 702

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CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	6°47'23"	293.98'	34.84'	S56°10'18"W	34.82'
C2	5°02'23"	278.98'	24.54'	N57°02'48"E	24.53'
C3	25°36'30"	87.50'	39.11'	N30°10'13"W	38.78'
C4	44°50'00"	72.50'	56.73'	S26°25'30"E	55.29'

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1" = 100'	SRD	DAB	Mar 2018	067771641	5 OF 5

AGENDA ITEM # 25

STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

13

DEPARTMENT:

Department of Sustainable Development and Construction

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

14Z

SUBJECT

An ordinance abandoning six sanitary sewer easements, two utility easements, and two utility and fire lane easements to Daniel Brothers, L.L.P., the abutting owner, containing a total of approximately 296,609 square feet of land, located near the intersection of Forest Lane and Inwood Road - Revenue: \$10,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of six sanitary sewer easements, two utility easements, and two utility and fire lane easements to Daniel Brothers, L.L.P., the abutting owner. The area will be included with the property of the abutting owner for the construction of a new multi-family development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Revenue - \$10,400, plus the \$20 ordinance publication fee

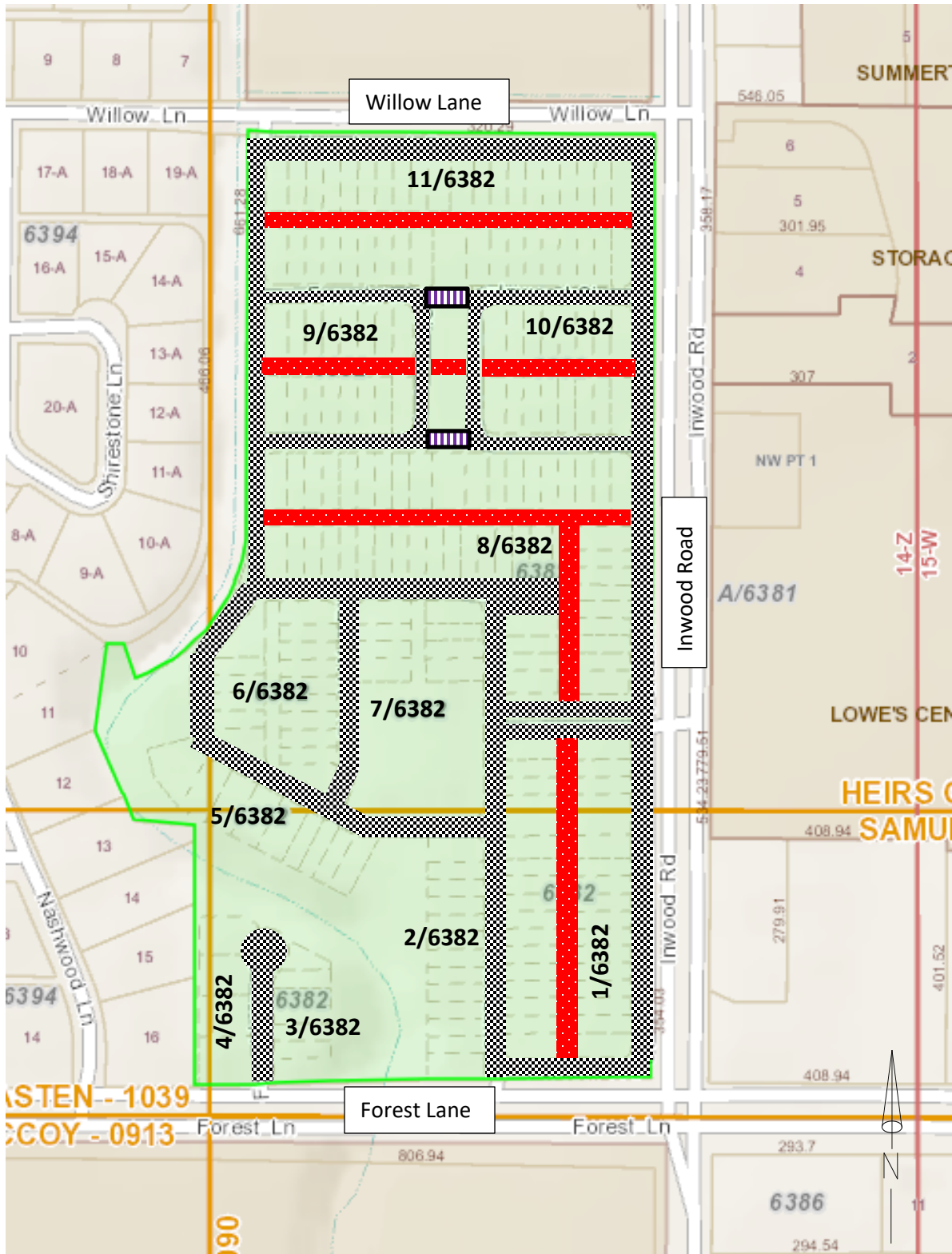
OWNER

Daniel Brothers, L.L.P.


John A. Daniel, Member


MAP

Attached



Utility & Fire Lane Easement Abandonment areas = 

Utility Easement Abandonment Area = 

Sanitary Sewer Easement Abandonment Area = 

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of six sanitary sewer easements, two utility easements, and two utility and fire lane easements, located in City Blocks 1/6382, 2/6382, 3/6382, 4/6382, 5/6382, 6/6382, 7/6382, 8/6382, 9/6382, 10/6382, and 11/6382 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Daniel Brothers, L.L.P.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Daniel Brothers, L.L.P., a Texas limited liability partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TEN THOUSAND FOUR HUNDRED AND NO/100 (\$10,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall maintain open ingress and egress access to a public right-of-way to facilitate emergency response and water supply during and after completion of the project.

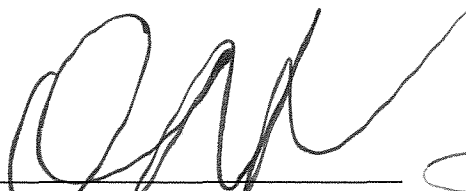
SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

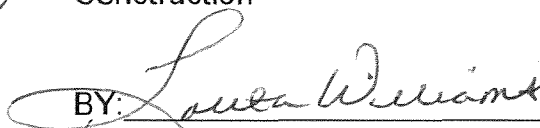
SECTION 11. That this ordinance is designated for City purposes as Contract No. DEV-2018-00005134.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: 
Assistant City Attorney

BY: 
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 11/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 16,000 square foot (0.3673 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, City of Dallas, Dallas County, Texas, and being in City Block 11/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, and all of a 25-foot wide sanitary sewer easement in Block 11/6382, Second Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

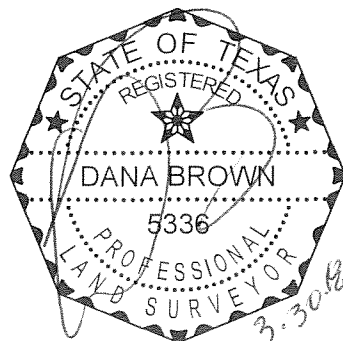
COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

THENCE with said west right-of-way line and the east line of said Open Space, Block 11/6382, South 0°42'01" East, a distance of 134.88 feet, to a point for corner;

THENCE departing said west right-of-way line and said east line of Open Space, Block 11/6382, over and across said Second Installment Forestwood Townhouse Community, South 89°17'59" West, a distance of 35.00 feet to a point in the west line of a utility and fire lane easement created by said Second Installment Forestwood Townhouse Community plat, at the northeast corner of Open Space, Block 11/6382, the southeast corner of Lot 20, Block 11/6382 and the northeast corner of said 25-foot wide sanitary sewer easement for the **POINT OF BEGINNING**;

THENCE with said west line of the utility and fire lane easement, the east line of said Open Space, Block 11/6382 and the east line of said 25-foot wide sanitary sewer easement, South 0°42'01" East, a distance of 25.00 feet to the northeast corner of Lot 21, Block 11/6382, the southeast corner of Open Space, Block 11/6382 and the southeast corner of said 25-foot wide sanitary sewer easement;

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
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dana.brown@kimley-horn.com



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 4/5/18
SPRG NO: 4392

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No (972) 770-1300 Fax No. (972) 239-3820

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EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 11/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing said west line of the utility and fire lane easement, with the south line of said Open Space, Block 11/6382, the south line of said 25-foot wide sanitary sewer easement and the north line of Lots 21 through 38, Block 11/6382, South 89°29'57" West, a distance of 640.00 feet to a point in the east line of said utility and fire lane easement at the southwest corner of said Open Space, Block 11/6382, the southwest corner of said 25-foot wide sanitary sewer easement, and the northwest corner of said Lot 38, Block 11/6382;

THENCE with the east line of said utility and fire lane easement, the west line of said Open Space, Block 11/6382, and the west line of said 25-foot wide sanitary sewer easement, North 0°42'01" West, a distance of 25.00 feet to the southwest corner of Lot 1, Block 11/6382, the northwest corner of said Open Space, 11/6382 and the northwest corner of said 25-foot wide sanitary sewer easement;

THENCE departing said east line of said utility and fire lane easement, with the south line of Lots 1 through 20, Block 11/6382, the north line of said Open Space, Block 11/6382 and the north line of said 25-foot wide sanitary sewer easement, North 89°29'57" East, a distance of 640.00 feet to the **POINT OF BEGINNING** and containing 16,000 square feet or 0.3673 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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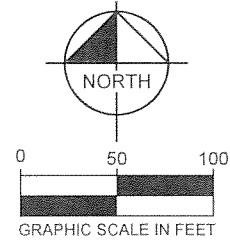
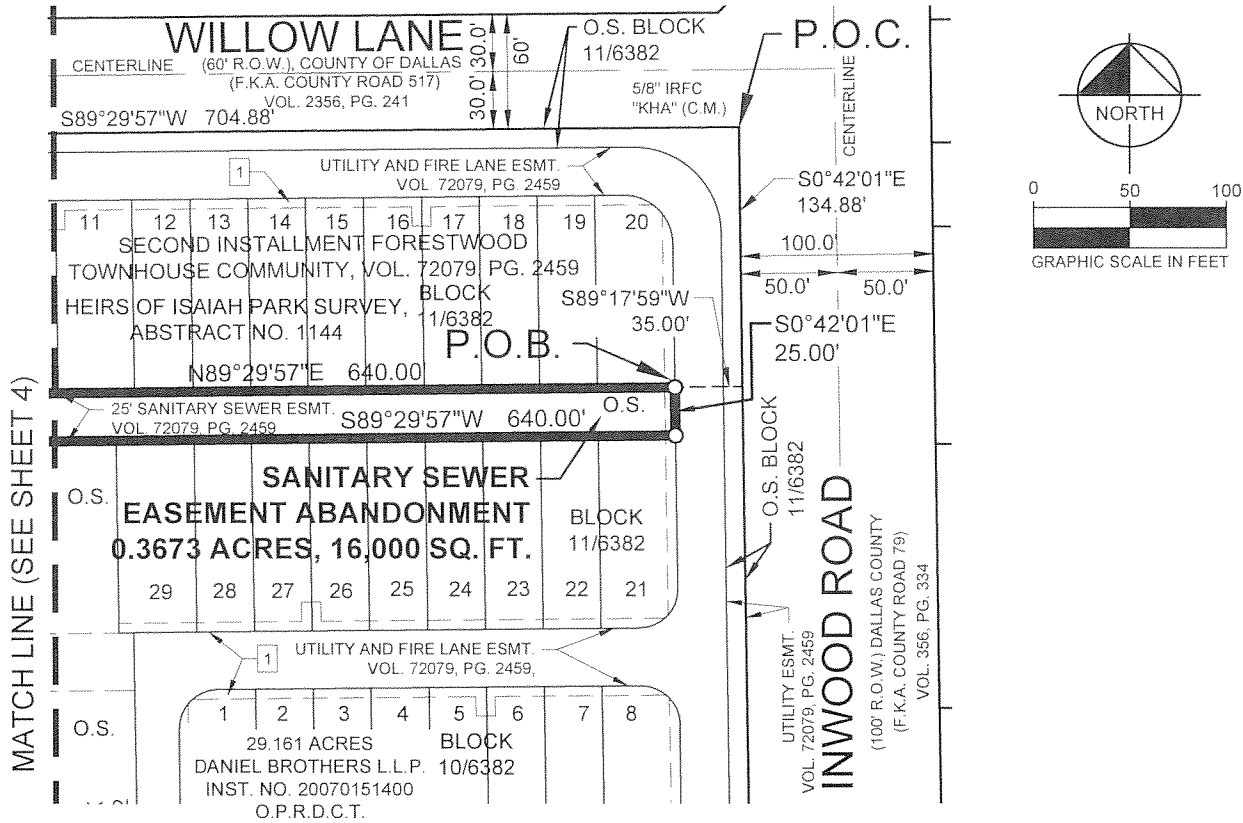


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CITY OF DALLAS, DALLAS COUNTY, TEXAS



NOTES

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Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
- 2 15' sewer esmt., VOL. 5302, PG. 538

LEGEND

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- C.M. = CONTROLLING MONUMENT
- ESMT. = EASEMENT
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- O.S. = OPEN SPACE
- S.E. = SAVE AND EXCEPT
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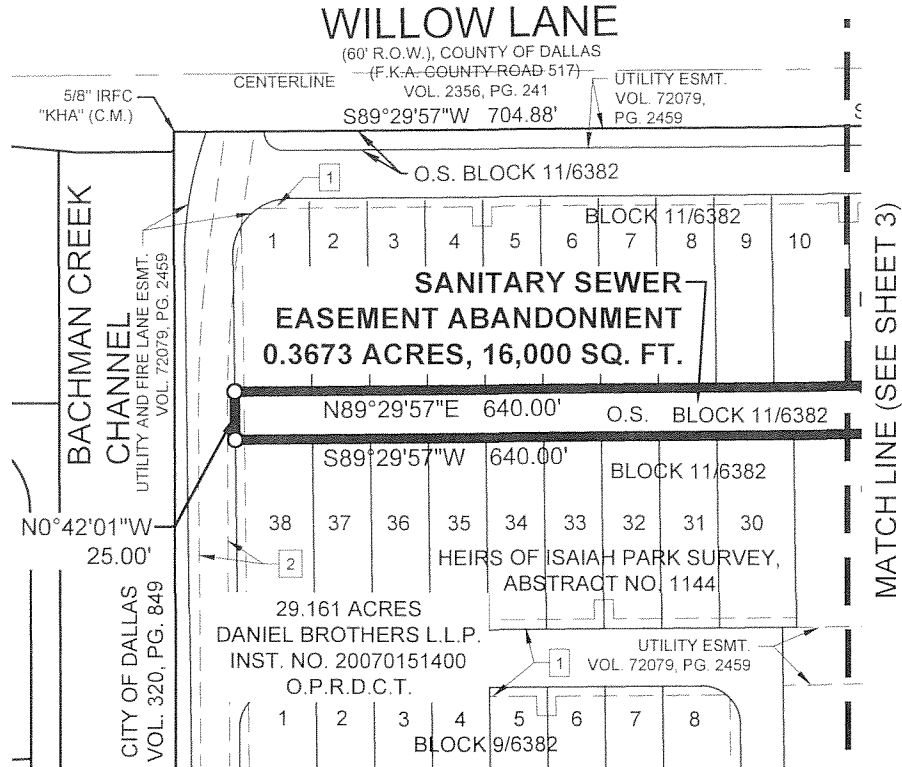
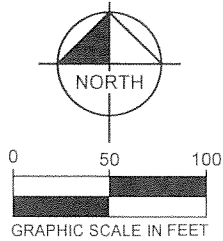
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SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 11/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS



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EXHIBIT A-TRACT 2

SANITARY SEWER EASEMENT ABANDONMENT

CITY BLOCK 9/6382

SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 6,500 square foot (0.1492 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, City of Dallas, Dallas County, Texas, and being in City Block 9/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, all of a 25-foot wide sanitary sewer easement in Block 9/6382, Second Installment Forestwood Townhouse Community an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

THENCE with said west right-of-way line of Inwood Road and with the east line of said Block 11/6382, South 0°42'01" East, a distance of 388.56 feet to a point for corner;

THENCE departing said west right-of-way line of Inwood Road and said east line of Block 11/6382, over and across said Second Installment Forestwood Townhouse Community, South 89°17'59" West, a distance of 415.00 feet to a point in the west line of a utility and fire lane easement per said Second Installment Forestwood Townhouse Community plat, at the southeast corner of Lot 8, Block 9/6382, the northeast corner of Open Space, Block 9/6382 and the northeast corner of said 25-foot wide sanitary sewer easement for the **POINT OF BEGINNING**;

THENCE with the east line of said Open Space, Block 9/6382, the east line of said 25-foot wide sanitary sewer easement and the west line of said utility and fire lane easement, South 0°42'01" East, a distance of 25.00 feet to the southeast corner of said Open Space, Block 9/6382, the southeast corner of said 25-foot wide sanitary sewer easement and the northeast corner of Lot 9, Block 9/6382;

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SANITARY SEWER EASEMENT ABANDONMENT
 CITY BLOCK 9/6382
 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing said west line of the utility and fire lane easement, with the south line of said Open Space, Block 9/6382, the south line of said 25-foot wide sanitary sewer easement, and the north line of Lots 9 through 16, Block 9/6382, South 89°29'57" West, a distance of 260.00 feet to a point in the east line of said utility and fire lane easement at the southwest corner of said Open Space, Block 9/6382, the southwest corner of said 25-foot wide sanitary sewer easement and the northwest corner of Lot 16, Block 9/6382;

THENCE with the west line of said Open Space, Block 9/6382, the west line of said 25-foot wide sanitary sewer easement, and the east line of said utility and fire lane easement, North 0°42'01" West, a distance of 25.00 feet to the northwest corner of said Open Space, Block 9/6382, the northwest corner of said 25-foot wide sanitary sewer easement, and the southwest corner of Lot 1, Block 9/6382;

THENCE departing said east line of the utility and fire lane easement with the north line of said Open Space, Block 9/6382, the north line of said 25-foot wide sanitary sewer easement and the south line of Lots 1 through 8, Block 9/6382, North 89°29'57" East, a distance of 260.00 feet to the **POINT OF BEGINNING** and containing 6,500 square feet or 0.1492 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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EXHIBIT A-TRACT 2

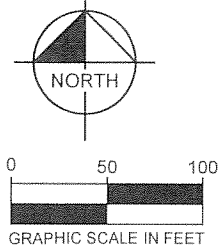
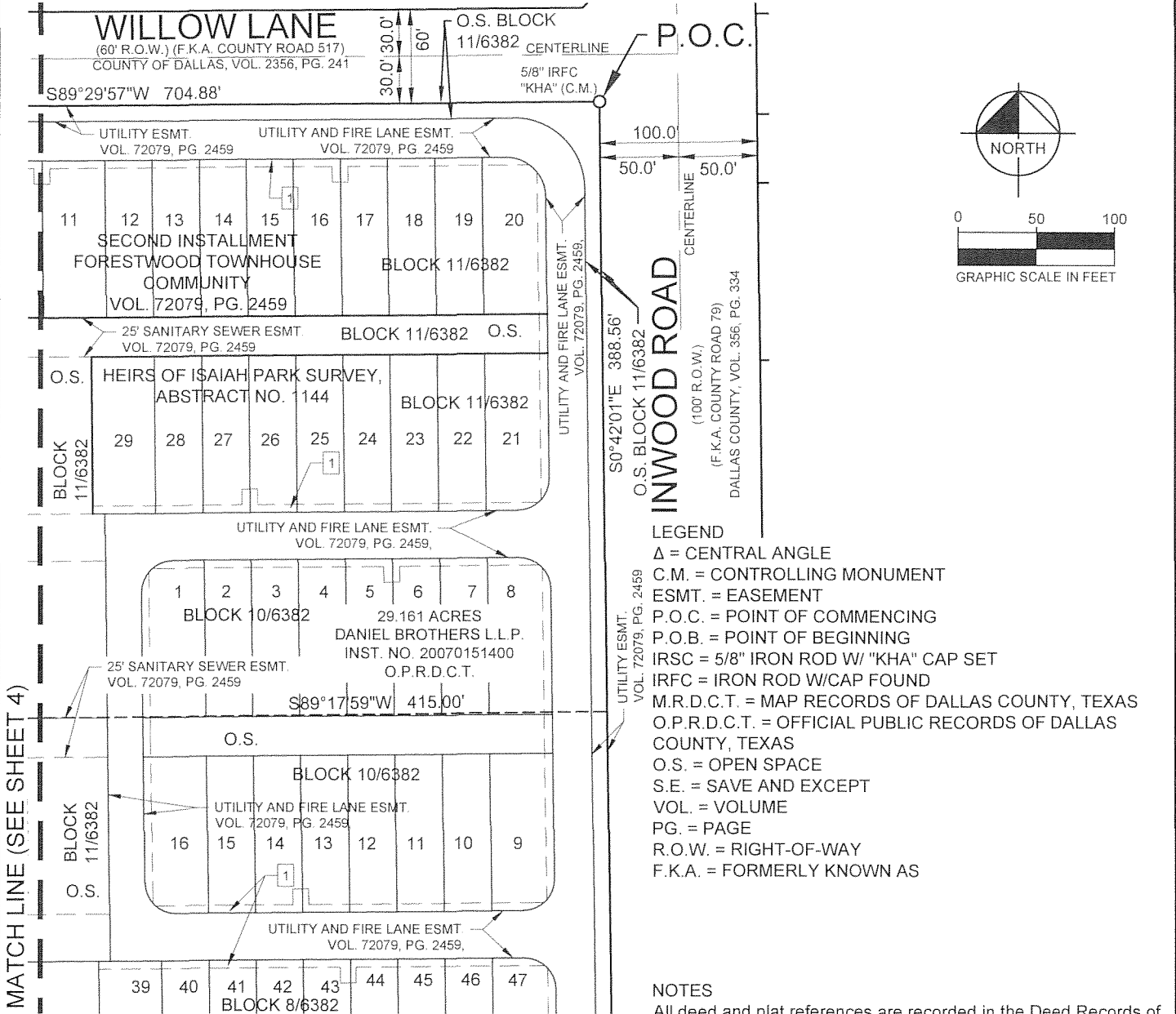
SANITARY SEWER EASEMENT ABANDONMENT

CITY BLOCK 9/6382

SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS



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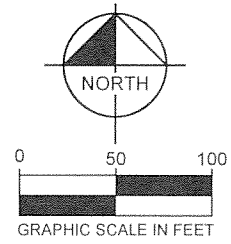
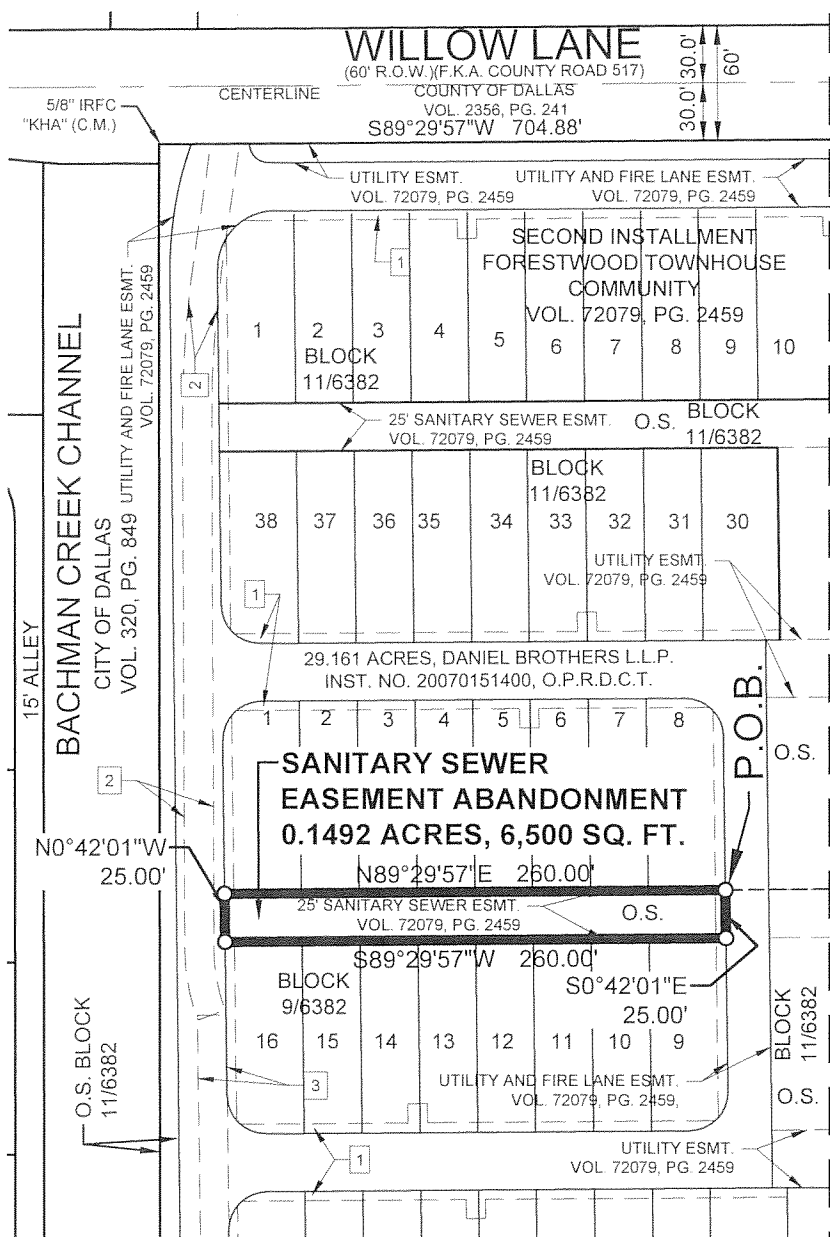
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	3 OF 4

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 9/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS



- LEGEND**
- Δ = CENTRAL ANGLE
 - C.M. = CONTROLLING MONUMENT
 - ESMT. = EASEMENT
 - P.O.C. = POINT OF COMMENCING
 - P.O.B. = POINT OF BEGINNING
 - IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 - IRFC = IRON ROD W/CAP FOUND
 - M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
 - O.S. = OPEN SPACE
 - S.E. = SAVE AND EXCEPT
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 - PG. = PAGE
 - R.O.W. = RIGHT-OF-WAY
 - F.K.A. = FORMERLY KNOWN AS

NOTES

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Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702

2 15' sewer esmt., VOL. 5302, PG. 538

3 15' sewer esmt., VOL. 69223, PG. 788

MATCH LINE (SEE SHEET 3)

DANA BROWN
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Reviewed By: A. Rodriguez

Date: 4/5/18

SPRG NO: 4393

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	4 OF 4

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 11/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,875 square foot (0.0430 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, City of Dallas, Dallas County, Texas, and being in City Block 11/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, all of a 25-foot wide sanitary sewer easement in Block 11/6382, Second Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

THENCE with said west right-of-way line of Inwood Road and with the east line of said Block 11/6382, South 0°42'01" East, a distance of 413.90 feet to a point for corner;

THENCE departing said west right-of-way line of Inwood Road and said east line of Block 11/6382, South 89°17'59" West, a distance of 317.50 feet to a point in the west line of a utility and fire lane easement per said Second Installment Forestwood Townhouse Community plat and the east line of Open Space, Block 11/6382, at the southeast corner of said 25-foot wide sanitary sewer easement for the **POINT OF BEGINNING**, from which the southeast corner of said Open Space, Block 11/6382 bears South 0°42'01" East, a distance of 130.00 feet;

THENCE departing the west line of said utility and fire lane easement, the east line of said Open Space, Block 11/6382 and with the south line of said 25-foot wide sanitary sewer easement, South 89°29'57" West, a distance of 75.00 feet to a point in the east line of said Open Space, Block 11/6382, and the east line of said utility and fire lane easement at the southwest corner of said 25-foot wide sanitary sewer easement;

THENCE with the east line of said utility and fire lane easement and the west line of said Open Space, Block 11/6382, and the west line of said 25-foot wide sanitary sewer easement, North 0°42'01" West, a distance of 25.00 feet to the northwest corner of said 25-foot wide sanitary sewer easement;

THENCE departing said east line of the utility and fire lane easement and the west line of said Open Space, Block 11/6382 and with the north line of said 25-foot wide sanitary sewer easement, North 89°29'57" East, a distance of 75.00 feet to a point in said west line of said utility and fire lane easement and said east line of the Open Space, Block 11/6382, at the northeast corner of said 25-foot wide sanitary sewer easement;

THENCE with said west line of the utility and fire lane easement, said east line of the Open Space, Block 11/6382, and the east line of said 25-foot wide sanitary sewer easement, South 0°42'01" East, a distance of 25.00 feet to the **POINT OF BEGINNING** and containing 1,875 square feet or 0.0430 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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 Date: 4/5/18
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N/A	SRD	DAB	March 2018	067771641	1 OF 2

EXHIBIT A-TRACT 3

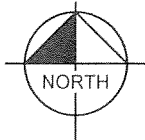
SANITARY SEWER EASEMENT ABANDONMENT

CITY BLOCK 11/6382

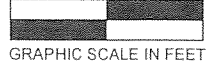
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS



0 50 100



5/8" IRFC "KHA" (C.M.)

S89°29'57"W 704.88'

WILLOW LANE

(60' R.O.W.)

(F.K.A. COUNTY ROAD 517)
COUNTY OF DALLAS, VOL. 2356, PG. 241

UTILITY ESMT. VOL. 72079, PG. 2459
UTILITY AND FIRE LANE ESMT. VOL. 72079, PG. 2459

O.S. BLOCK 11/6382

P.O.C.

5/8" IRFC "KHA" (C.M.)

SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
VOL. 72079, PG. 2459

BLOCK 11/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
VOL. 72079, PG. 2459

BLOCK 11/6382
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

BLOCK 11/6382
VOL. 72079, PG. 2459

25' SANITARY SEWER ESMT. VOL. 72079, PG. 2459

25' SANITARY SEWER ESMT. VOL. 72079, PG. 2459

BLOCK 11/6382
VOL. 72079, PG. 2459

BLOCK 11/6382
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

BLOCK 11/6382
VOL. 72079, PG. 2459

UTILITY AND FIRE LANE ESMT. VOL. 72079, PG. 2459

O.S. BLOCK 11/6382

INWOOD ROAD
(100' R.O.W.)
(F.K.A. COUNTY ROAD 79)
DALLAS COUNTY, VOL. 356, PG. 334

SANITARY SEWER EASEMENT ABANDONMENT
0.0430 ACRES, 1,875 SQ. FT.

29.161 ACRES
DANIEL BROTHERS L.L.P.
INST. NO. 20070151400
O.P.R.D.C.T.

25' SANITARY SEWER ESMT. VOL. 72079, PG. 2459

25' SANITARY SEWER ESMT. VOL. 72079, PG. 2459

BLOCK 9/6382
VOL. 72079, PG. 2459

BLOCK 10/6382
VOL. 72079, PG. 2459

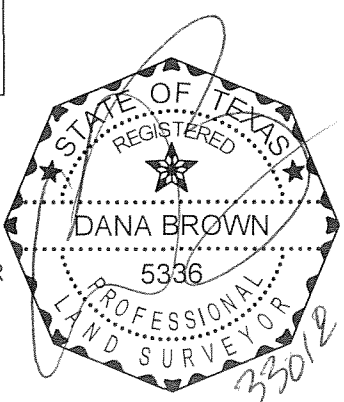
BLOCK 8/6382
VOL. 72079, PG. 2459

NOTES
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Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702

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1" = 100'	SRD	DAB	March 2018	067771641	2 OF 2

EXHIBIT A-TRACT 4

SANITARY SEWER EASEMENT ABANDONMENT CITY BLOCK 10/6382 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 6,500 square foot (0.1492 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, City of Dallas, Dallas County, Texas, and being in City Block 10/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, all of a 25-foot wide sanitary sewer easement in Block 10/6382, Second Installment Forestwood Townhouse Community an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

THENCE with said west right-of-way line of Inwood Road and with the east line of said Block 11/6382, South 0°42'01" East, a distance of 389.88 feet to a point for corner;

THENCE departing said west right-of-way line of Inwood Road and said east line of Block 11/6382, over and across said Second Installment Forestwood Townhouse Community, South 89°17'59" West, a distance of 35.00 feet to a point in the west line of a utility and fire lane easement at the southeast corner of Lot 8, Block 10/6382, the northeast corner of Open Space, Block 10/6382 and the northeast corner of said 25-foot wide sanitary sewer easement for the POINT OF BEGINNING;

THENCE with the east line of said Open Space, Block 10/6382, the east line of said 25-foot wide sanitary sewer easement and the west line of said utility and fire lane easement, South 0°42'01" East, a distance of 25.00 feet to the southeast corner of said Open Space, Block 10/6382, the southeast corner of said 25-foot wide sanitary sewer easement and the northeast corner of Lot 9, Block 10/6382;

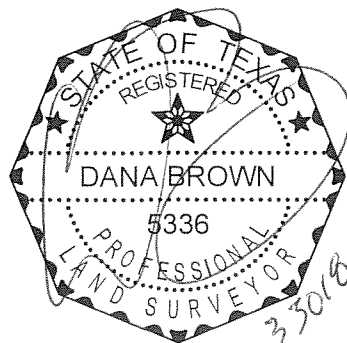
THENCE departing said west line of the utility and fire lane easement, with the south line of said Open Space, Block 10/6382, the south line of said 25-foot wide sanitary sewer easement, and the north line of Lots 9 through 16, Block 10/6382, South 89°29'57" West, a distance of 260.00 feet to a point in the east line of a utility and fire lane easement at the southwest corner of said Open Space, Block 10/6382, the southwest corner of said 25-foot wide sanitary sewer easement and the northwest corner of Lot 16, Block 10/6382;

THENCE with the west line of said Open Space, Block 10/6382, the west line of said 25-foot wide sanitary sewer easement, and the east line of said utility and fire lane easement, North 0°42'01" West, a distance of 25.00 feet to the northwest corner of said Open Space, Block 10/6382, the northwest corner of said 25-foot wide sanitary sewer easement, and the southwest corner of Lot 1, Block 10/6382;

THENCE departing said east line of the utility and fire lane easement with the north line of said Open Space, Block 10/6382, the north line of said 25-foot wide sanitary sewer easement and the south line of Lots 1 through 8, Block 10/6382, North 89°29'57" East, a distance of 260.00 feet to the POINT OF BEGINNING and containing 6,500 square feet or 0.1492 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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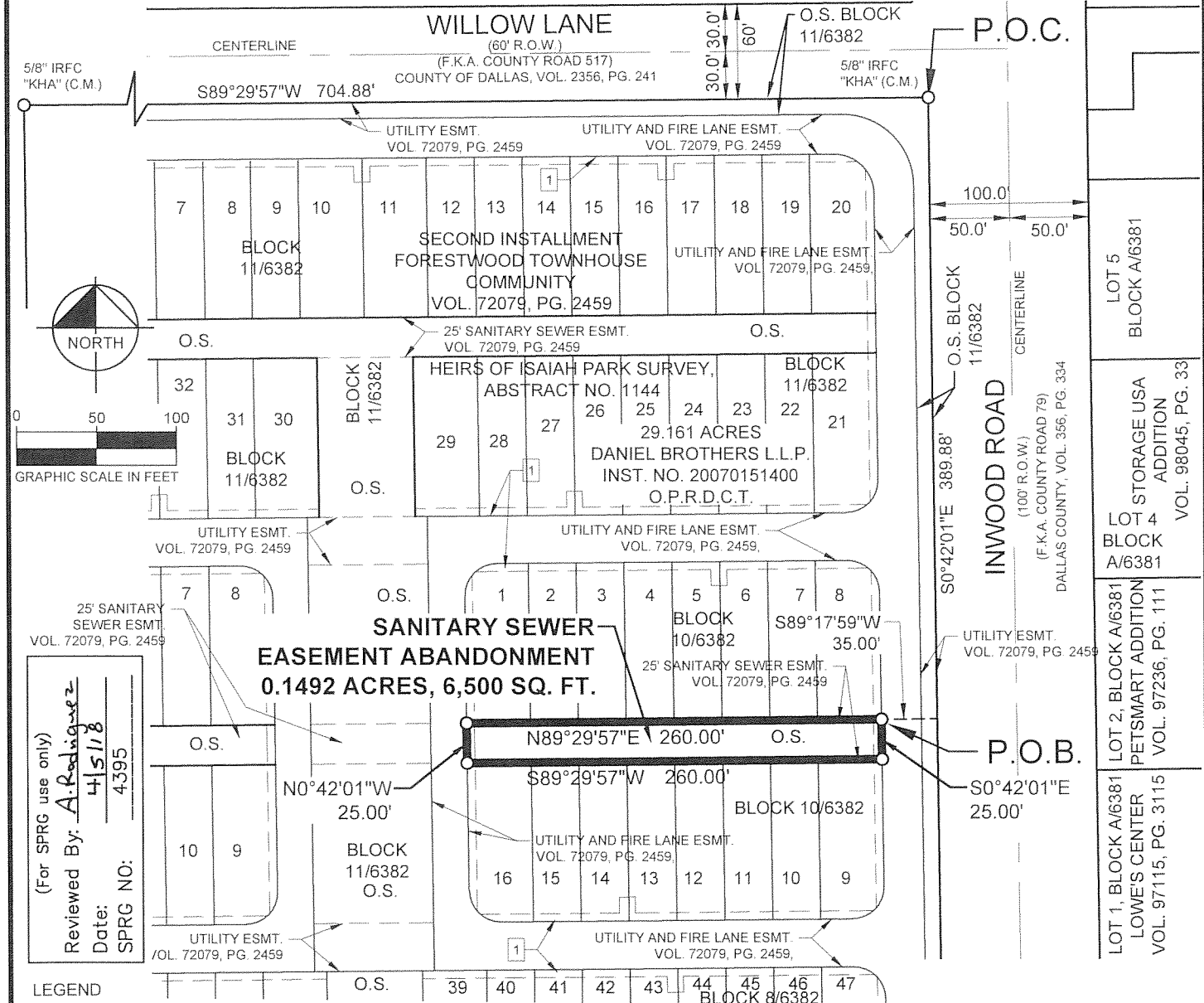
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Reviewed By: A. Rodriguez
Date: 4/5/18
SPRG NO: 4395

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12750 Merit Drive, Suite 1000
Dallas, Texas 75251 FIRM # 10115500 Tel. No. (972) 770-1300
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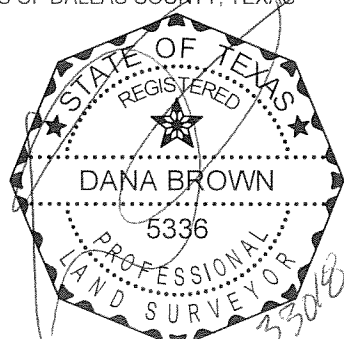
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	1 OF 2

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 10/6382
SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
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 - DANA BROWN
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**SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 23,250 square foot (0.5337 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, City of Dallas, Dallas County, Texas, and being in City Block 8/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, and all of a 25-foot wide sanitary sewer easement in Block 8/6382, First Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2450, Deed Records, Dallas County, Texas, and all of a sanitary sewer easement in Block 8/6382, Second Installment Forestwood Townhouse Community, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, formerly County Road 124, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community, from which a 1/2" iron rod found at the southwest corner of said First Installment Forestwood Townhouse Community bears South 89°15'39" West, a distance of 795.97 feet;

THENCE with said west right-of-way line of Inwood Road and the east line of said Open Space, Block 1/6382, North 0°42'01" West, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 663.44 feet, to a point in the east line of Open Space, Block 8/6382, First Installment Forestwood Townhouse Community;

THENCE departing said west right-of-way line of Inwood Road and the east line of said Open Space Block 8/6382, over and across said First Installment Forestwood Townhouse Community, South 89°29'57" West, a distance of 135.00 feet to an interior corner Open Space, Block 8/6382 and the southwest corner of Lot 9, Block 8/6382 and at the southernmost southeast corner of said 25-foot wide sanitary sewer easement for the **POINT OF BEGINNING**;

THENCE with the south line of said 25-foot wide sanitary sewer easement, South 89°29'57" West, a distance of 25.00 feet to the southernmost southwest corner of said 25-foot wide sanitary sewer easement and the southeast corner of Lot 10, Block 8/6382;

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Date: 4/15/18
SPRG NO: 4397

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SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with the west line of said 25' sanitary sewer easement and the east lines of Lots 10 through 13, Block 8/6382 and Open Space, Block 8/6382, North 0°42'01" West, a distance of 290.00 feet to an interior corner of said 25-foot wide sanitary sewer easement;

THENCE with a southerly line of said 25-foot wide sanitary sewer easement a southerly line of said Open Space, Block 8/6382 and the north lines of Lots 14 through 29, Block 8/6382, South 89°29'57" West, a distance of 515.00 feet to a point in the east line of said utility and fire lane easement at the westernmost southwest corner of said 25-foot wide sanitary sewer easement, the westernmost southwest corner of said Open Space, Block 8/6382 and northwest corner of Lot 29, Block 8/6382;

THENCE with said east line of the utility and fire lane easement, the west line of said Open Space, Block 8/6382 and the west line of said 25-foot wide sanitary sewer easement, North 0°42'01" West, a distance of 25.00 feet to the northwest corner of said 25-foot wide sanitary sewer easement, the northwest corner of said Open Space, Block 8/6382 and the southwest corner of Lot 30, Block 8/6382;

THENCE departing said utility and fire lane easement and with the north line of said 25-foot wide sanitary sewer easement, the north line of said Open Space, Block 8/6382, the south lines of Lots 30 through 47, Block 8/6382, North 89°29'57" East, a distance of 640.00 feet to a point in the west line of a utility and fire lane easement at the northeast corner of said 25-foot wide sanitary sewer easement, the northeast corner of said Open Space, Block 8/6382 and the southeast corner of said Lot 47, Block 8/6382;

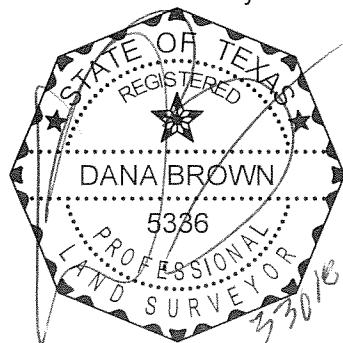
THENCE with the east line of said 25-foot wide sanitary sewer easement, the east line of said Open Space, Block 8/6382 and said west line of the utility and fire lane easement, South 0°42'01" East, a distance of 25.00 feet to the easternmost southeast corner of said 25-foot wide sanitary sewer easement, the easternmost southeast corner of said Open Space, Block 8/6382 and the northeast corner of Lot 1, Block 8/6382;

THENCE departing said utility and fire lane easement, with a south line of said 25-foot wide sanitary sewer easement, the south line of said Open Space, Block 8/6382 and the north line of said Lot 1, Block 8/6382, South 89°29'57" West, a distance of 100.00 feet to an interior corner of said 25-foot wide sanitary sewer easement, the northwest corner of said Lot 1, Block 8/6382 and an interior corner of said Open Space, Block 8/6382;

THENCE with the east line of said 25-foot wide sanitary sewer easement, the east line of said Open Space, Block 8/6382 and the west lines of Lots 1 through 9, Block 8/6382, South 0°42'01" East, a distance of 290.00 feet to the **POINT OF BEGINNING** and containing 23,250 square feet or 0.5337 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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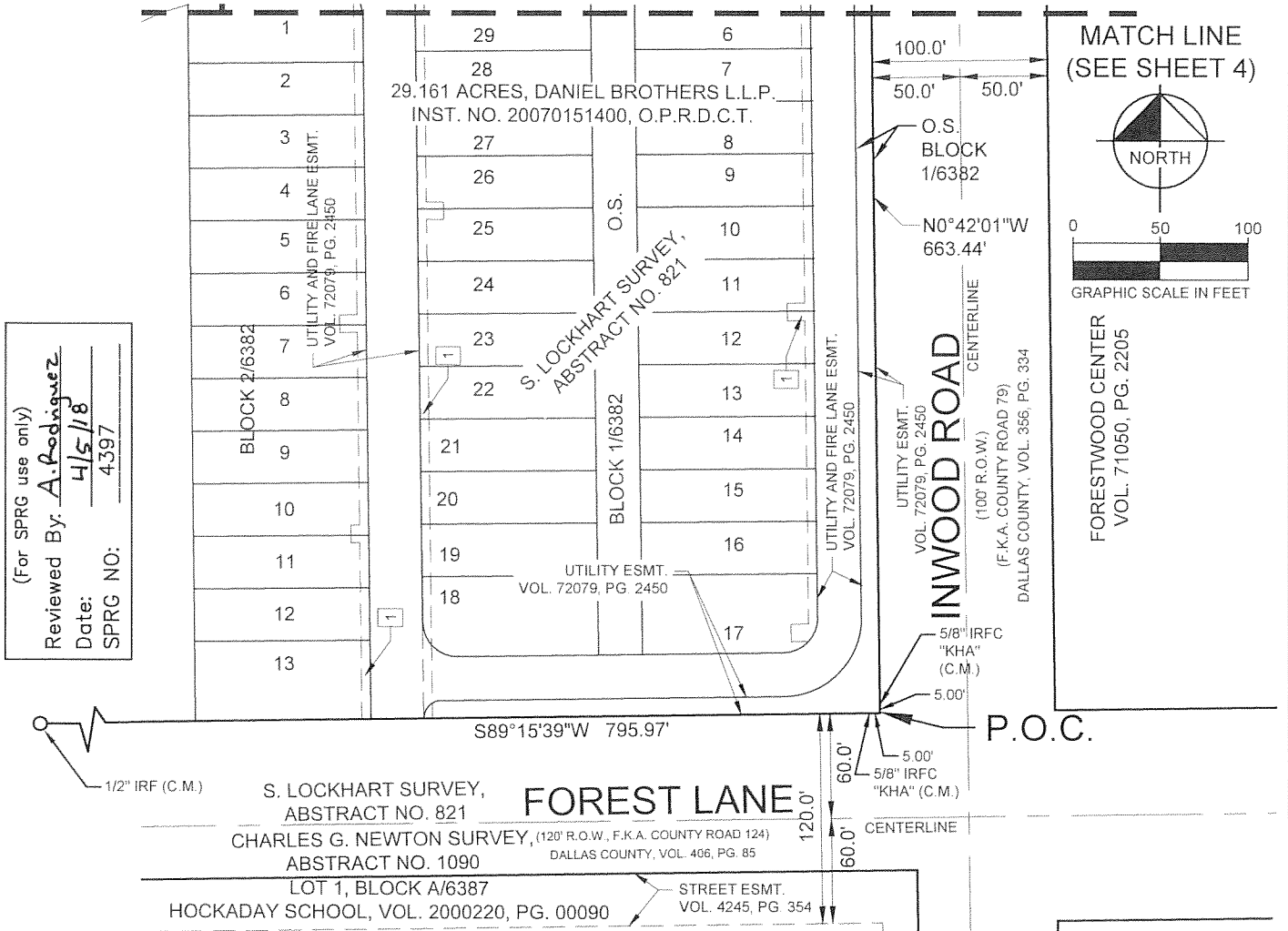
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SANITARY SEWER EASEMENT ABANDONMENT
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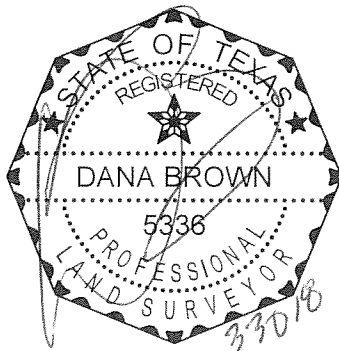
Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
- 2 15' sewer esmt., VOL. 5302, PG. 538
- 3 15' sewer esmt., VOL. 69223, PG. 788

LEGEND

- Δ = CENTRAL ANGLE
- C.M. = CONTROLLING MONUMENT
- ESMT. = EASEMENT
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 13455 NOEL ROAD
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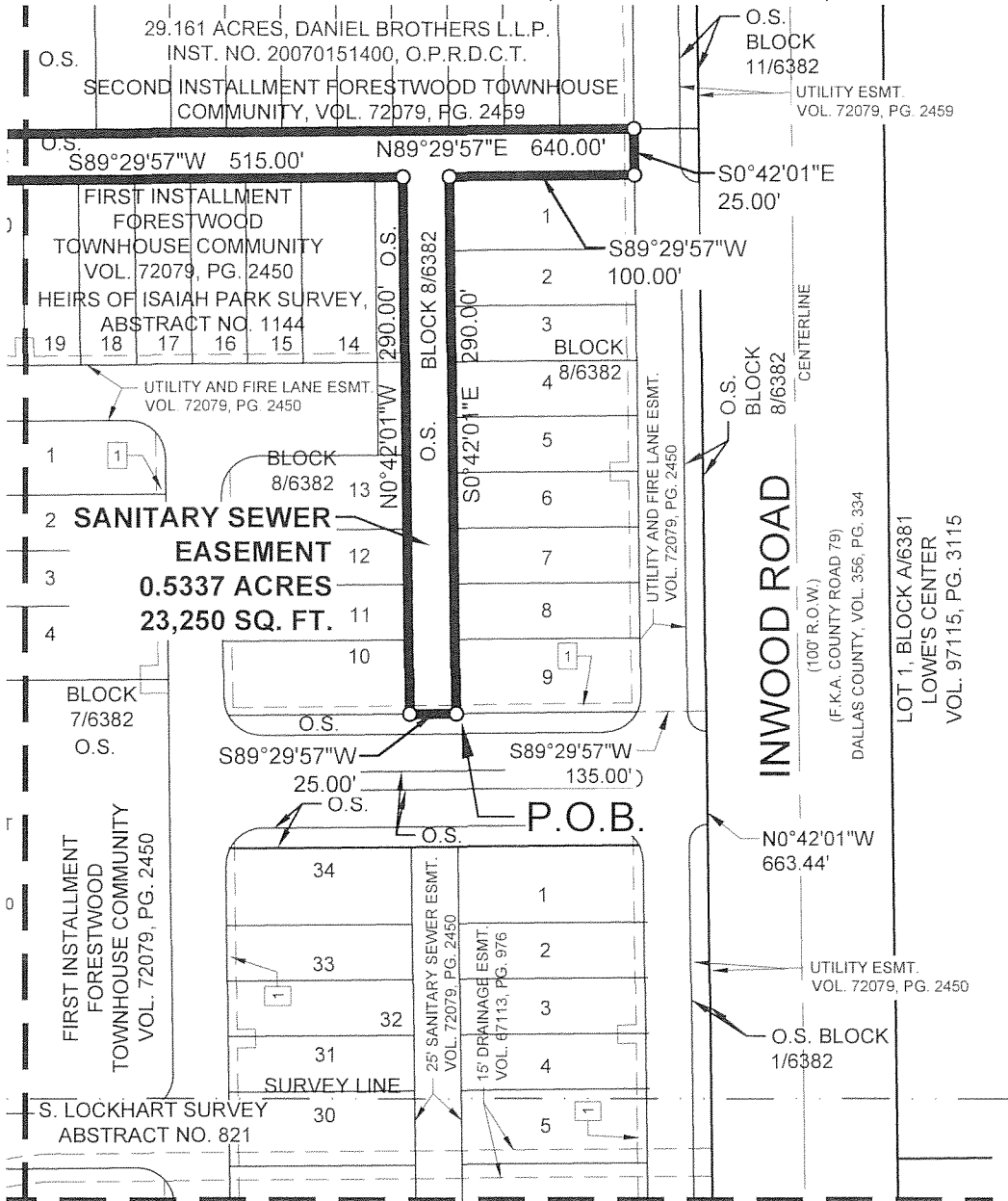
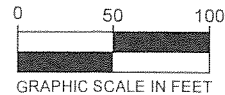
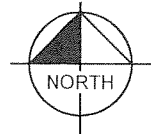


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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	3 OF 5

SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 8/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS



SANITARY SEWER EASEMENT
0.5337 ACRES
23,250 SQ. FT.

INWOOD ROAD
 (100' R.O.W.)
 (F.K.A. COUNTY ROAD 79)
 DALLAS COUNTY, VOL. 356, PG. 334

(For SPRG use only)
 Reviewed By: A. Rodriguez
 Date: 4/5/18
 SPRG NO: 4397

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Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

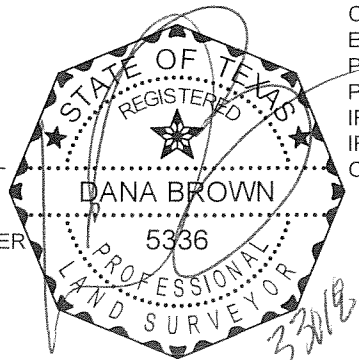
- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
- 2 15' sewer esmt., VOL. 5302, PG. 538
- 3 15' sewer esmt., VOL. 69223, PG. 788

MATCH LINE
 (SEE SHEET 5)

MATCH LINE
 (SEE SHEET 3)

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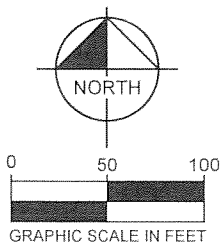
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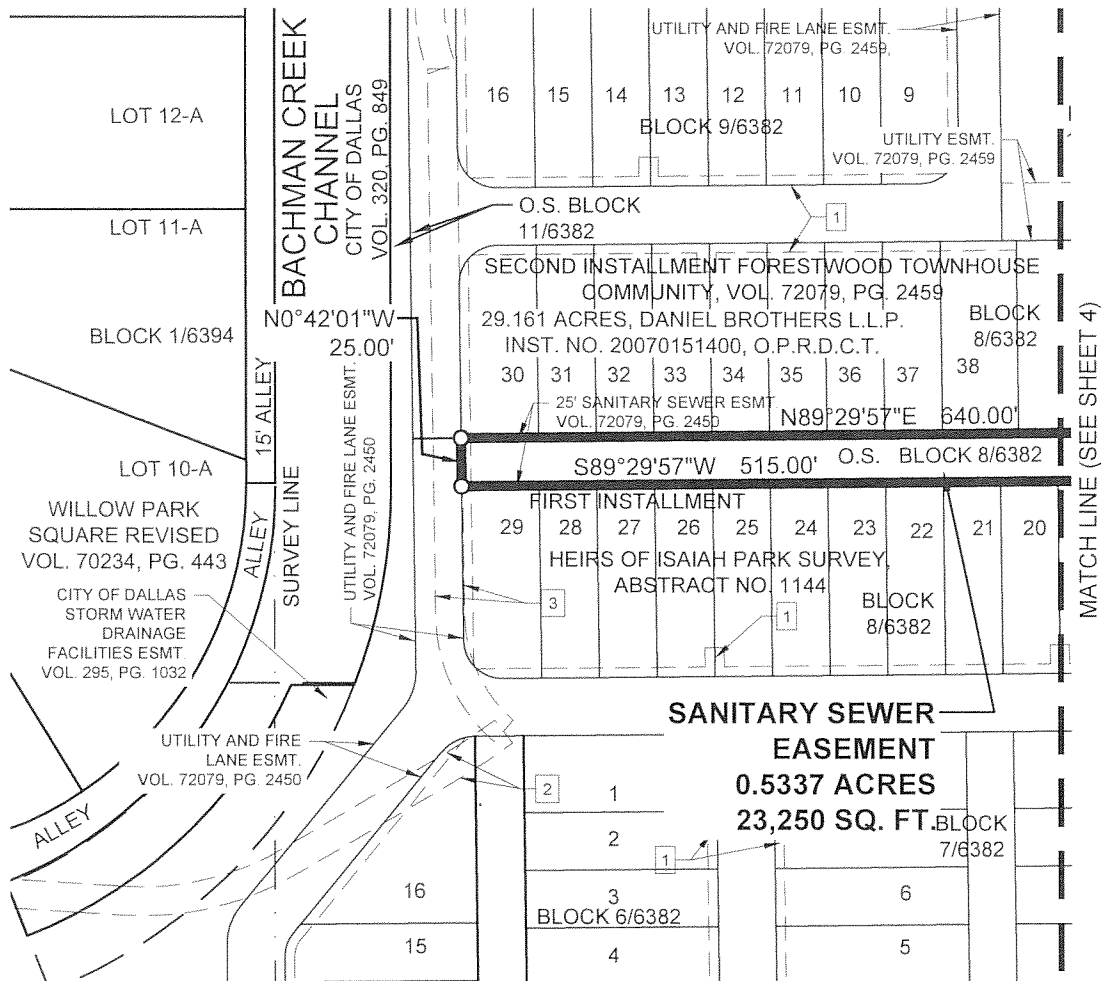
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1" = 100'	SRD	DAB	March 2018	067771641	4 OF 5

EXHIBIT A-TRACT 5

SANITARY SEWER EASEMENT ABANDONMENT CITY BLOCK 8/6382 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS



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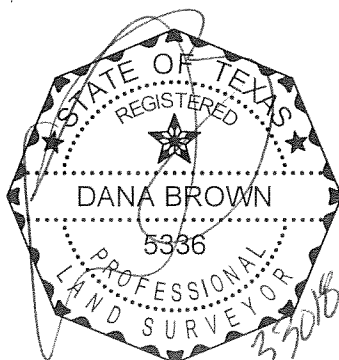
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SANITARY SEWER EASEMENT ABANDONMENT
CITY BLOCK 1/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF THE ISAIAH PARK SURVEY, ABSTRACT NO. 1144
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 13,902 square foot (0.3192 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144 and the S. Lockhart Survey, Abstract No. 821, City of Dallas, Dallas County, Texas, and being in to City Block 1/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, and being all of a 25-foot wide sanitary sewer easement located in Block 1/6382 per plat of First Installment Forestwood Townhouse Community, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 72079, Page 2450, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, formerly County Road 124, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community, from which a 1/2" iron rod found at the southwest corner of said First Installment Forestwood Townhouse Community bears South 89°15'39" West, a distance of 795.97 feet;

THENCE with said north right-of-way line of Forest Lane and the south line of said Open Space, Block 1/6382, South 89°15'39" West, a distance of 135.00 feet to a point for corner;

THENCE departing said north right-of-way line of Forest Lane and said south line of Open Space, Block 1/6382, over and across said First Installment Forestwood Townhouse Community, North 0°42'01" West, a distance of 35.00 feet to the southwest corner of Lot 17, Block 1/6382 and at the southeast corner of Open Space, Block 1/6382 for the **POINT OF BEGINNING**;

THENCE with the south line of said Open Space, Block 1/6382, South 89°15'39" West, a distance of 25.00 feet to the southwest corner of said Open Space, Block 1/6382 and the southeast corner of Lot 18, Block 1/6382;

THENCE with the west line of said Open Space, Block 1/6382, North 0°42'01" West, a distance of 556.15 feet to the northeast corner of Lot 34, Block 1/6382 and an interior corner of said Open Space, Block 1/6382;

THENCE with the north line of said 25-foot wide sanitary sewer easement, North 89°29'24" East, a distance of 25.00 feet to the northwest corner of Lot 1, Block 1/6382 and an interior corner of said Open Space, Block 1/6382;

THENCE with the east line of said Open Space, Block 1/6382, South 0°42'01" East, a distance of 556.05 feet to the **POINT OF BEGINNING** and containing 13,902 square feet or 0.3192 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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 Date: 4/5/18
 SPRG NO: 4396

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	1 OF 3

EXHIBIT A-TRACT

SANITARY SEWER EASEMENT ABANDONMENT

CITY BLOCK 1/6382

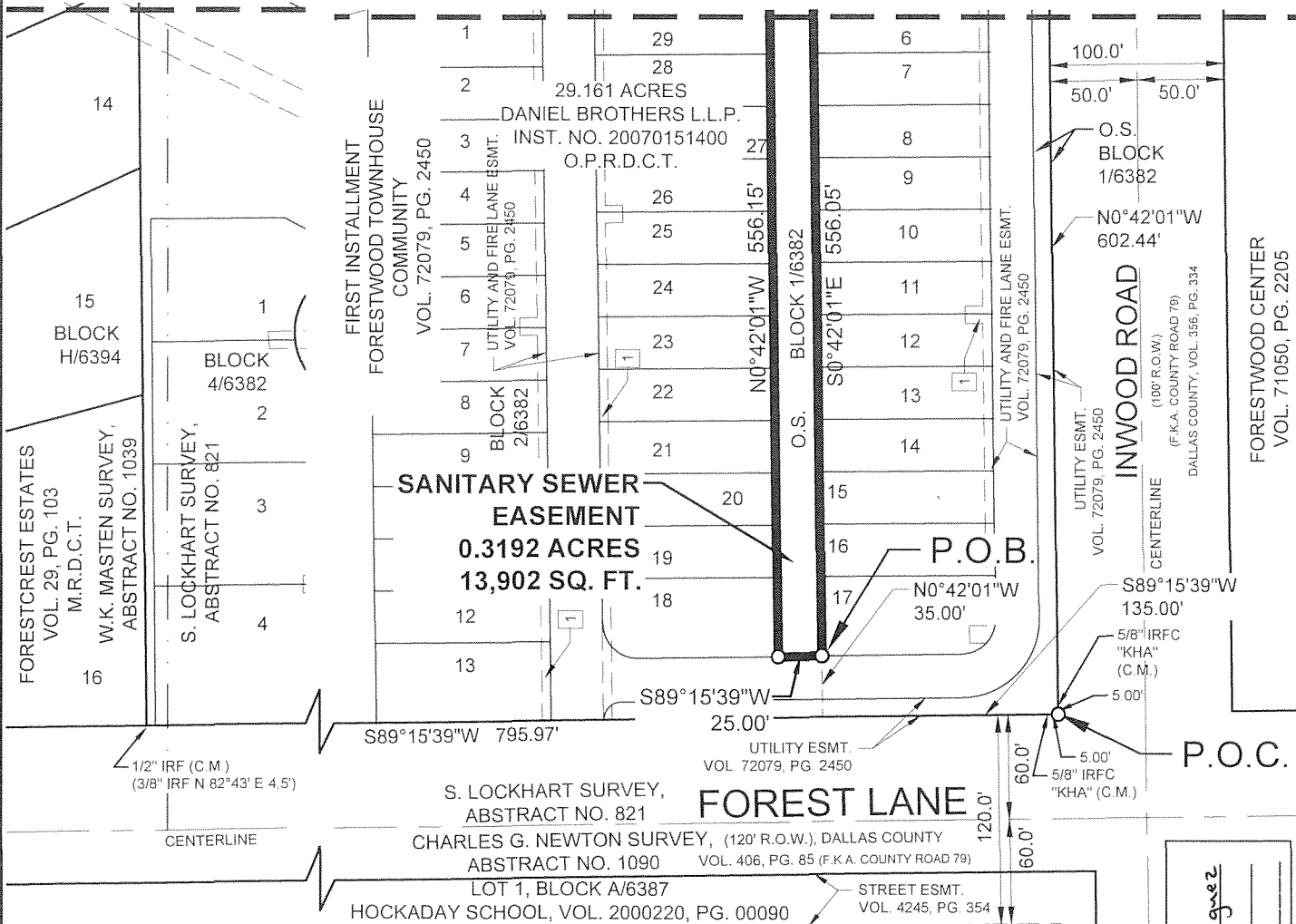
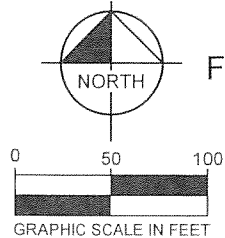
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

S. LOCKHART SURVEY, ABSTRACT NO. 821

HEIRS OF THE ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS

MATCH LINE
(SEE SHEET 3)



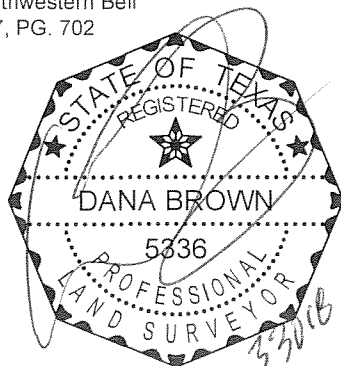
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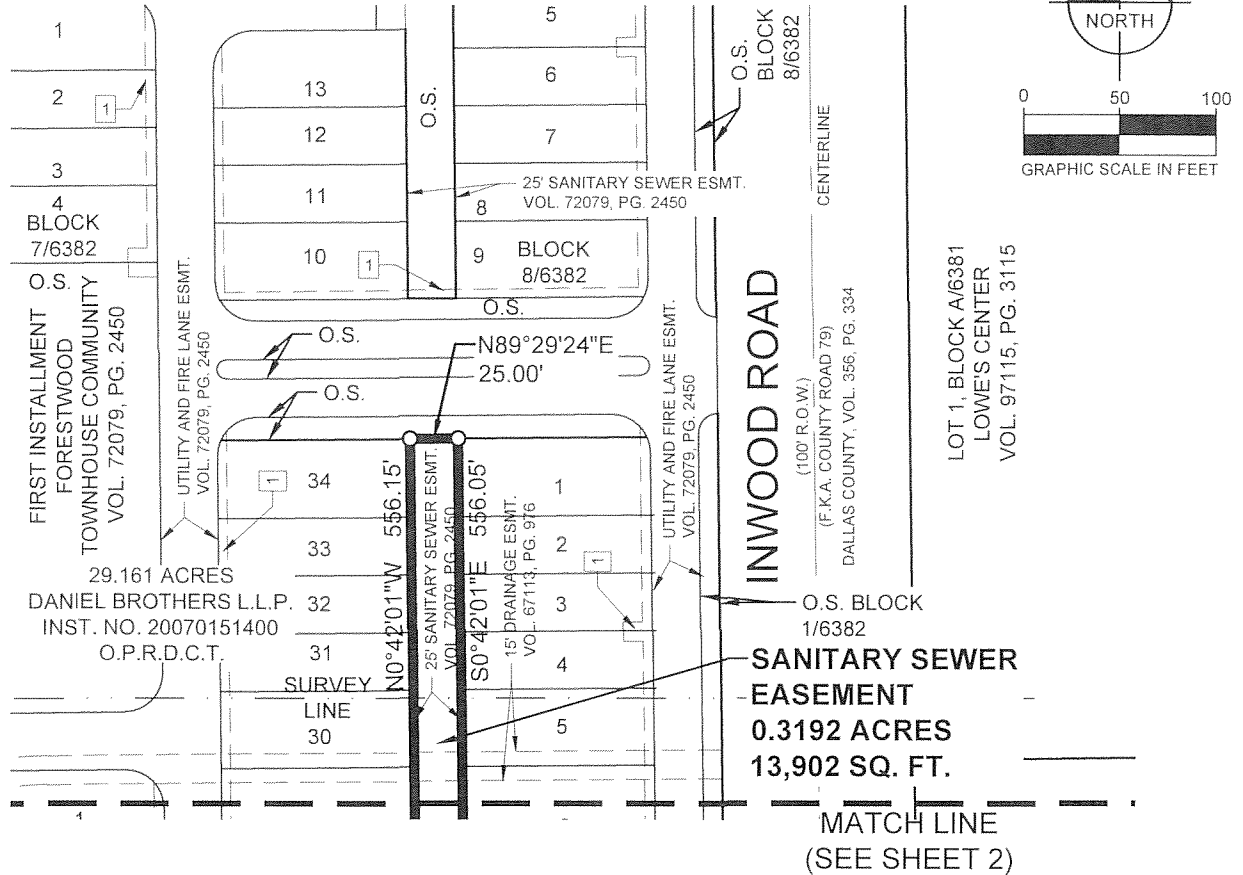
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1" = 100'	SRD	DAB	March 2018	067771641	2 OF 3

EXHIBIT A-TRACT 6

SANITARY SEWER EASEMENT ABANDONMENT CITY BLOCK 1/6382 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY S. LOCKHART SURVEY, ABSTRACT NO. 821 HEIRS OF THE ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS



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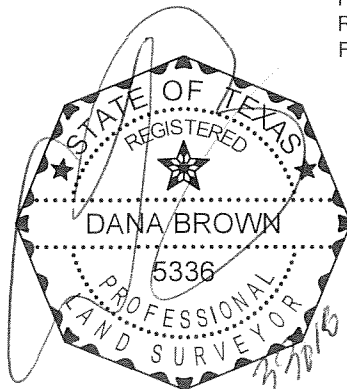
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
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UTILITY EASEMENT ABANDONMENT
 CITY BLOCK 11/6382
 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,250 square foot (0.0517 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No. 1144, City of Dallas, Dallas County, Texas, and being in City Block 11/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, all of a utility easement in Block 11/6382, Second Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

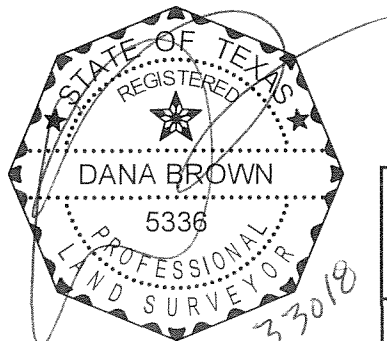
THENCE with said west right-of-way line of Inwood Road and the east line of said Second Installment Forestwood Townhouse Community, South 0°42'01" East, a distance of 260.00 feet to a point for corner;

THENCE departing said west right-of-way line of Inwood Road and said east line of Second Installment Forestwood Townhouse Community, over and across said Second Installment Forestwood Townhouse Community, South 89°29'57" West, a distance of 317.50 feet to a point in the south line of Lot 29, Block 11/6382 at the northwest corner of a utility and fire lane easement per said Second Installment Forestwood Townhouse Community plat, an easterly corner of Open Space, Block 11/6382 and at the northeast corner of said utility easement for the **POINT OF BEGINNING**;

THENCE with the west line of said utility and fire lane easement, the east line of said Open Space, Block 11/6382 and the east line of said utility easement, South 0°42'01" East, a distance of 30.00 feet to the southeast corner of said utility easement;

THENCE departing the west line of said utility and fire lane easement, the east line of said Open Space, Block 11/6382, and with the south line of said utility easement, South 89°29'57" West, a distance of 75.00 feet to a point in the east line of said utility and fire lane easement and the west line of said Open Space, Block 11/6382 at the southwest corner of said utility easement;

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UTILITY EASEMENT ABANDONMENT
 CITY BLOCK 11/6382
 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with the east line of said utility and fire lane easement, the west line of said Open Space, Block 11/6382 and the west line of said utility easement, North 0°42'01" West, a distance of 30.00 feet to a point in the south line of Lot 30, Block 11/6382, at the northeast corner of said utility and fire lane easement and the northwest corner of said utility easement;

THENCE with the south line of said Lot 30, Block 11/6382, the west line of said Open Space, Block 11/6382 and the north line of said utility easement, North 89°29'57" East, at a distance of 7.5 feet passing the southeast corner of said Lot 30, Block 11/6382, and a westerly corner of said Open Space, Block 11/6382, continuing with the north line of said utility easement, at a distance of 67.5 feet, passing the southwest corner of said Lot 29, Block 11/6382 and an easterly corner of said Open Space, Block 11/6382, continuing with the south line of said Lot 29, Block 11/6382, the easterly line of said Open Space, Block 11/6382 and the north line of said utility easement, in all a total distance of 75.00 feet to the **POINT OF BEGINNING** and containing 2,250 square feet or 0.0517 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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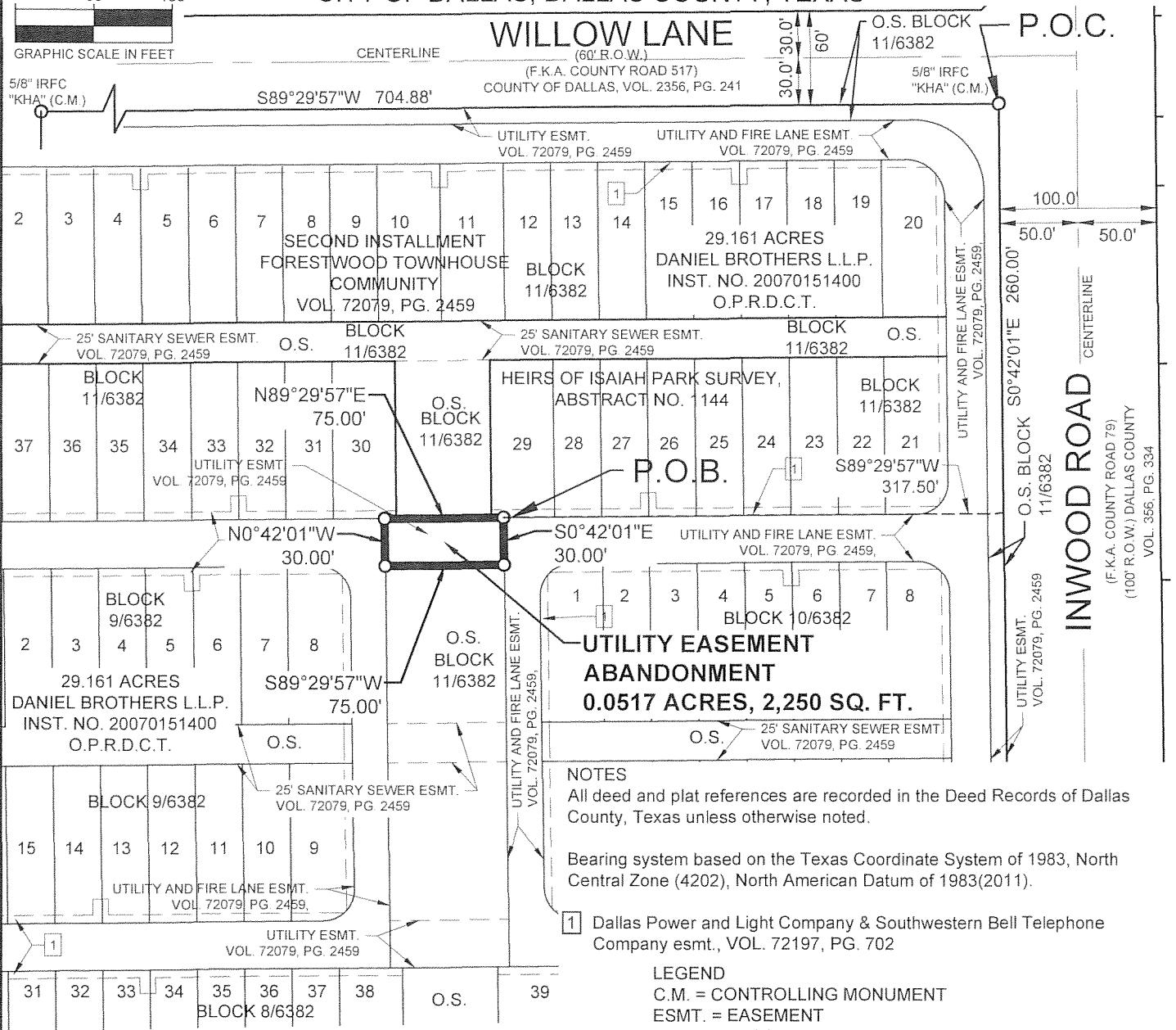
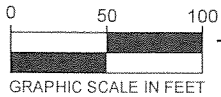
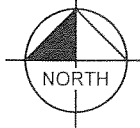
UTILITY EASEMENT ABANDONMENT

CITY BLOCK 11/6382

SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS



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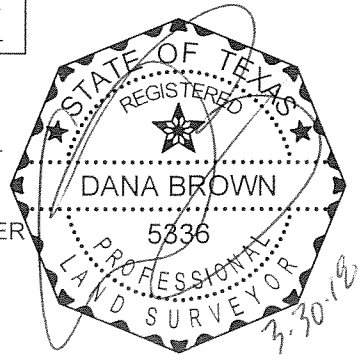
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	3 OF 3

EXHIBIT A-TRACT 8

UTILITY EASEMENT ABANDONMENT CITY BLOCK 11/6382 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,250 square foot (0.0517 acre) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No. 1144, City of Dallas, Dallas County, Texas, and being in City Block 11/6382 and being part of a tract of land described in Warranty Deed to Daniel Brothers L.L.P. recorded in Instrument No. 20070151400, Official Records, Dallas County, Texas, all of a utility easement in Block 11/6382, Second Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly known as County Road 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly known as County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment Forestwood Townhouse Community bears South 89°29'57" West, a distance of 704.88 feet;

THENCE with said west right-of-way line of Inwood Road and the east line of said Second Installment Forestwood Townhouse Community, South 0°42'01" East, a distance of 545.00 feet to a point for corner;

THENCE departing said west right-of-way line of Inwood Road and said east line of Second Installment Forestwood Townhouse Community, over and across said Second Installment Forestwood Townhouse Community, South 89°29'57" West, a distance of 317.50 feet to a point in the north line of Lot 39, Block 8/6382 at the southwest corner of a utility and fire lane easement per said Second Installment Forestwood Townhouse Community plat, the southeast corner of Open Space, Block 11/6382 and at the southeast corner of said utility easement for the **POINT OF BEGINNING**;

THENCE with the north line of said Lot 39, Block 8/6382, the south line of Open Space, Block 11/6382 and the south line of said utility easement, South 89°29'57" West, at a distance of 7.5 feet, passing the northwest corner of said Lot 39, Block 8/6382, the northeast corner of Open Space, Block 8/6382, continuing with the south line of said utility easement, the south line of said Open Space, Block 11/6382 and the north line of said Open Space, Block 8/6382, at a distance of 67.5 feet, passing the northeast corner of Lot 38, Block 8/6382, continuing with the north line of said Lot 38, Block 8/6382, the south line of said Open Space, Block 11/6382, and the south line of said utility easement, in all a total distance of 75.00 feet to the southwest corner of said Open Space, Block 11/6382 and the southeast corner of a utility and fire lane easement;

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Date: 4/5/18
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EXHIBIT A-TRACT 8

UTILITY EASEMENT ABANDONMENT CITY BLOCK 11/6382 SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 CITY OF DALLAS, DALLAS COUNTY, TEXAS

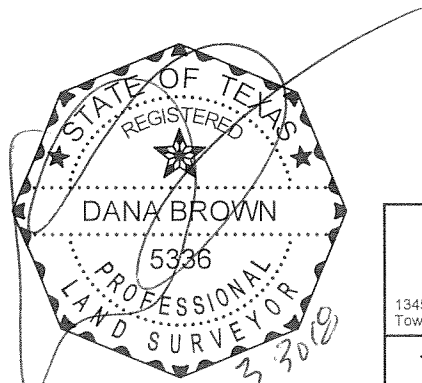
THENCE departing the north line of said Lot 38, Block 8/6382, with the west line of said Open Space, Block 11/6382, the east line of said utility and fire lane easement, and the west line of said utility easement, North 0°42'01" West, a distance of 30.00 feet to the northwest corner of said utility easement;

THENCE departing the east line of said utility and fire lane easement and the west line of said Open Space, Block 11/6382 and with the north line of said utility easement, North 89°29'57" East, a distance of 75.00 feet to a point in the west line of said utility and fire lane easement and the east line of said Open Space, Block 11/6382, at the northeast corner of said utility easement;

THENCE with said west line of the utility and fire lane easement and said east line of the Open Space, Block 11/6382 and the east line of said utility easement, South 0°42'01" East, a distance of 30.00 feet to the **POINT OF BEGINNING** and containing 2,250 square feet or 0.052 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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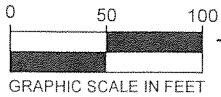
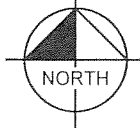
UTILITY EASEMENT ABANDONMENT

CITY BLOCK 11/6382

SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY

HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144

CITY OF DALLAS, DALLAS COUNTY, TEXAS



WILLOW LANE
CENTERLINE (60' R.O.W.)
(F.K.A. COUNTY ROAD 517)
COUNTY OF DALLAS, VOL. 2356, PG. 241

5/8" IRFC
"KHA" (C.M.)

S89°29'57"W 704.88'

P.O.C.

5/8" IRFC
"KHA" (C.M.)

NOTES

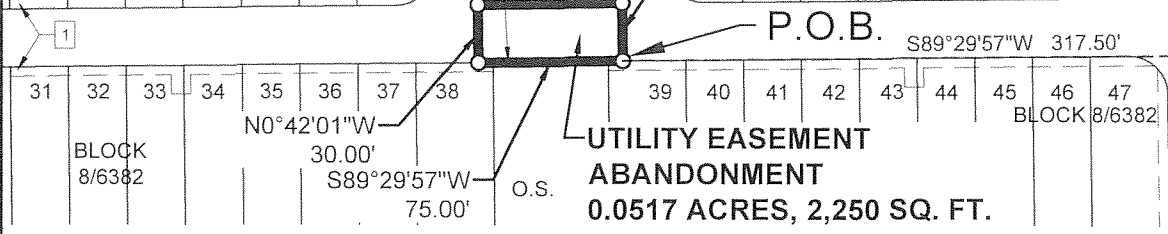
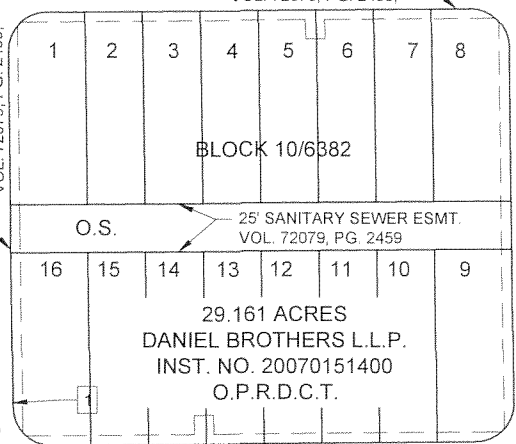
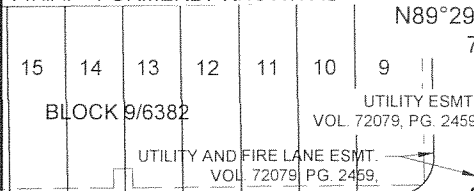
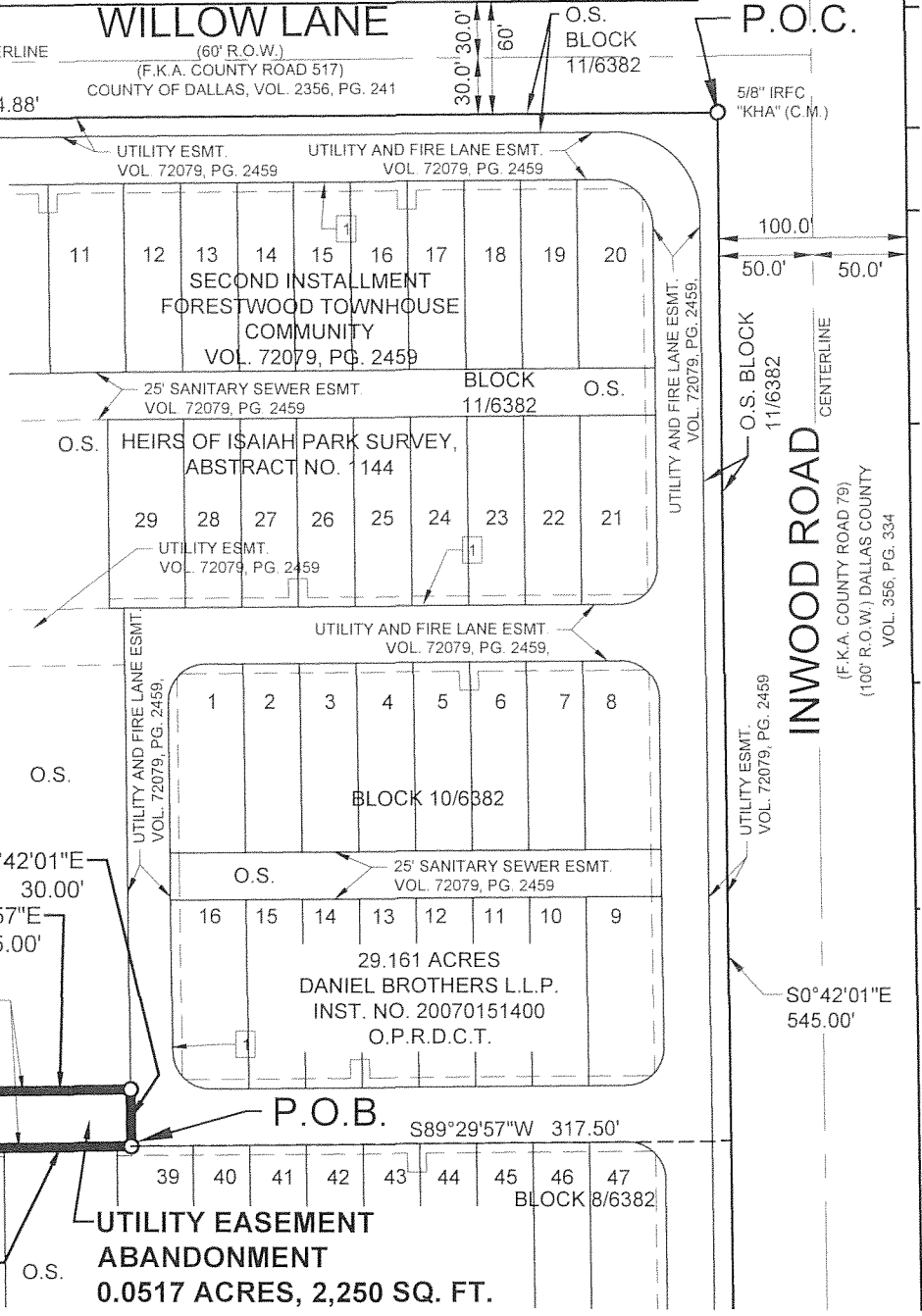
All deed and plat references are recorded in the Deed Records of Dallas County, Texas unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

1 Dallas Power and Light Company & Southwestern Bell Telephone Company Esmt., VOL. 72197, PG. 702

LEGEND

- C.M. = CONTROLLING MONUMENT
- ESMT. = EASEMENT
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- O.S. = OPEN SPACE
- VOL. = VOLUME, PG. = PAGE
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EXHIBIT A-TRACT Q

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 3/6382, 4/6382 AND 5/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
S. LOCKHART SURVEY, ABSTRACT NO. 821
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 10,284 square foot (0.2361 acre) tract of land situated in the S. Lockhart Survey, Abstract No. 821, City of Dallas, Dallas County, Texas, and being all of a utility and fire lane easement adjacent to City Blocks 3/6382, 4/6382 and 5/6382 according to the plat of First Installment Forestwood Townhouse Community, an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2450, Deed Records, Dallas County, Texas, being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, formerly County Road 124, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE with said north right-of-way line of Forest Lane and the south line of said First Installment Forestwood Townhouse Community, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 660.97 feet to the southwest corner of Lot 7, Block 3/6382 for the **POINT OF BEGINNING**;

THENCE continuing with said north right-of-way line and the south line of said First Installment Forestwood Townhouse Community, South 89°15'39" West, a distance of 30.00 feet to the southeast corner of Lot 4, Block 4/6382, from which a 1/2" iron rod found at the southwest corner of said First Installment Forestwood Townhouse Community bears South 89°15'39" West, a distance of 105.00 feet;

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UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 3/6382, 4/6382 AND 5/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing said north right-of-way line and said south line and the west line of said utility and fire lane easement and with the east line of Block 4/6382, the following courses and distances to wit:

North 0°29'27" West, a distance of 180.83 feet to a point at the beginning of a tangent curve to the left having a central angle of 46°51'42", a radius of 20.00 feet, a chord bearing and distance of North 23°55'18" West, 15.91 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 16.36 feet to a point in the east line of Lot 2, Block 4/6382 and at the beginning of a reverse curve to the right having a central angle of 286°00'36", a radius of 38.50 feet, a chord bearing and distance of South 84°20'51" East, 46.33 feet;

THENCE with said east line of Block 4/6382, the south line of Block 5/6382, the west line of said utility and fire lane easement and the west line of said Block 3/6382, in a southeasterly direction, with said curve to the right, an arc distance of 192.18 feet to a point in the west line of Lot 1, Block 3/6382 and at the beginning of a reverse curve to the left having a central angle of 59°08'53", a radius of 20.00 feet, a chord bearing and distance of South 29°05'00" West, 19.74 feet;

THENCE with said west line of Block 3/6382 and the west line of said utility and fire lane easement, the following courses and distances to wit:

In a southwesterly direction, with said curve to the left, an arc distance of 20.65 feet to a point for corner;

South 0°29'27" East, a distance of 173.17 feet to the **POINT OF BEGINNING** and containing 10,284 square feet or 0.2361 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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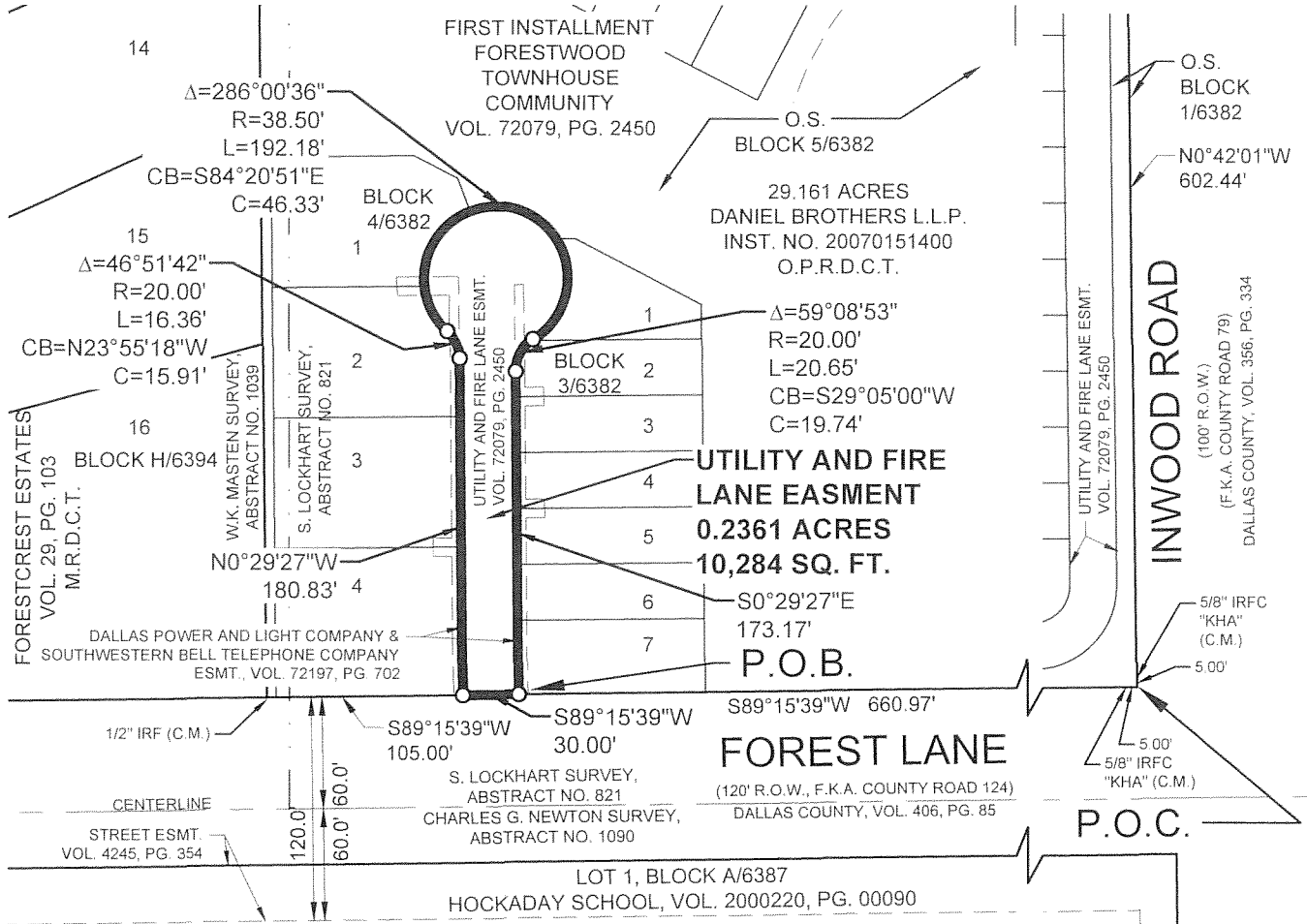
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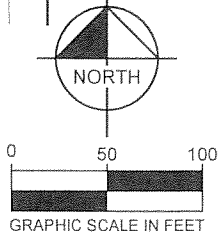
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N/A	SRD	DAB	March 2018	067771641	2 OF 3

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 3/6382, 4/6382 AND 5/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



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EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 4.9081 acre (213,798 square foot) tract of land situated in the Heirs of the Isaiah Park Survey, Abstract No.1144, the Heirs of the A.M. Harwood Survey, Abstract No. 581, and the S. Lockhart Survey, Abstract No. 821, City of Dallas, Dallas County, Texas, and being adjacent to City Blocks 1/6382, 2/6382, 5/6382, 6/6382, 7/6382, 8/6382, 9/6382, 10/6382 and 11/6382 and being part of a 29.161 acre tract of land described in Affidavit of Ownership and Confirmation and Ratification of Conveyance to Partnership to Daniel Brothers L.L.P., recorded in Instrument No. 20070151400, Official Public Records of Dallas County, Texas, and being all of a utility and fire lane easement per the plat of First Installment Forestwood Townhouse Community an addition to the City of Dallas, according to the plat thereof recorded in Volume 72079, Page 2450, Deed Records, Dallas County, Texas, and being all of a utility and fire lane easement per the plat of Second Installment Forestwood Townhouse Community according to the plat thereof recorded in Volume 72079, Page 2459, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, formerly County Road 79, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, formerly County Road 124, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE with said north right-of-way line of Forest Lane and the south line of Open Space, Block 1/6382, South 89°15'39" West, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 260.00 feet to the intersection of said north right-of-way line and the east line of said fire lane and utility easement and being the southwest corner of said Open Space, Block 1/6382 for the **POINT OF BEGINNING**;

THENCE continuing with said north right-of-way line of Forest Lane, South 89°15'39" West, a distance of 30.00 feet to intersection of said north right-of-way line of said Forest Lane and the west line of said utility and fire lane easement and being the southeast corner of Lot 13, Block 2/6382, of said First Installment Forestwood Townhouse Community;

THENCE departing said north right-of-way line of Forest Lane and with the west line of said utility and fire lane easement and the east line of Lots 1 through 13, Block 2/6382, North 0°42'01" West, a distance of 401.00 feet to the easternmost northeast corner of said Lot 1, Block 2/6382 and at the beginning of a tangent curve to the left having a central angle of 90°00'41", a radius of 20.00 feet, a chord bearing and distance of North 45°42'22" West, 28.29 feet;

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EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE in a northwesterly direction, with said curve to the left, an arc distance of 31.42 feet to the northernmost northeast corner of said Lot 1, Block 2/6382;

THENCE with the south and west lines of said utility and fire lane easement and the northeast line of Blocks 5/6382 and 11/6382, the following courses and distances to wit:

South 89°17'17" West, a distance of 189.14 feet to a point at the beginning of a tangent curve to the right having a central angle of 28°00'10", a radius of 50.00 feet, a chord bearing and distance of North 76°42'38" West, 24.19 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 24.44 feet to a point for corner;
North 62°42'33" West, a distance of 284.07 feet to a point at the beginning of a tangent curve to the right having a central angle of 62°00'31", a radius of 50.00 feet, a chord bearing and distance of North 31°42'17" West, 51.51 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 54.11 feet to a point for corner;
North 0°42'01" West, a distance of 115.17 feet to a point at the beginning of a tangent curve to the right having a central angle of 39°59'29", a radius of 30.00 feet, a chord bearing and distance of North 19°17'43" East, 20.52 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 20.94 feet to a point for corner;
North 39°17'27" East, a distance of 133.77 feet to a point at the beginning of a tangent curve to the left having a central angle of 39°59'29", a radius of 30.00 feet, a chord bearing and distance of North 19°17'43" East, 20.52 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 20.94 feet to a point for corner;
North 0°42'01" West, a distance of 697.39 feet to a point at the beginning of a tangent curve to the right having a central angle of 20°10'57", a radius of 197.50 feet, a chord bearing and distance of North 9°23'27" East, 69.21 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 69.57 feet to the intersection of the west line of said utility and fire lane easement and the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, formerly County Road. 517, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas), from which a 5/8" iron rod with plastic cap stamped "KHA" found at the northwest corner of said Second Installment, Forestwood Townhouse Community bears South 89°29'57" West, a distance of 17.01 feet;

THENCE with said south right-of-way line of Willow Lane and the north line of said Second Installment, Forestwood Townhouse Community, North 89°29'57" East, a distance of 30.00 feet to the intersection of said south right-of-way line and the east line of said utility and fire lane easement, at the northwest corner of Open Space Block 11/6382, and at the beginning of a non-tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 45°30'03" East, 14.14 feet;

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UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing said south right-of-way line and with the northerly line of said utility and fire lane easement and the south and west lines of said Open Space, Block 11/6382, the following courses and distances to wit:

- In a southeasterly direction, with said curve to the left, an arc distance of 15.71 feet to a point for corner;
 North 89°29'57" East, a distance of 593.07 feet to the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 45.00 feet, a chord bearing and distance of South 45°36'02" East, 63.53 feet;
- In a southeasterly direction, with said curve to the right, an arc distance of 70.53 feet to a point for corner;
 South 0°42'01" East, a distance of 609.46 feet to a point at the beginning of a tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 45°42'01" East, 14.14 feet;
- In a southeasterly direction, with said curve to the left, an arc distance of 15.71 feet to a point in the west right-of-way line of said Inwood Road;

THENCE with said west right-of-way line and the east line of said First Installment Forestwood Townhouse Community, South 0°42'01" East, a distance of 40.00 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 44°17'59" West, 14.14 feet;

THENCE departing said west right-of-way line and continuing with the east line of said utility and fire lane easement, the following courses and distances to wit:

- In a southwesterly direction, with said curve to the left, an arc distance of 15.71 feet to a point for corner;
 South 0°42'01" East, a distance of 236.72 feet to a point at the beginning of a tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 45°42'01" East, 14.14 feet;
- In a southeasterly direction, with said curve to the left, an arc distance of 15.71 feet to a point in the west right-of-way line of said Inwood Road;

THENCE with said west right-of-way line and the east line of said First Installment Forestwood Townhouse Community, South 0°42'01" East, a distance of 50.00 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 44°17'59" West, 14.14 feet;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	3 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing with said west right-of-way line and the east line of said First Installment Forestwood Townhouse Community, the following courses and distances to wit:

- In a southwesterly direction, with said curve to the left, an arc distance of 15.71 feet to a point for corner; South 0°42'01" East, a distance of 537.48 feet to a point at the beginning of a tangent curve to the right having a central angle of 89°57'40", a radius of 45.00 feet, a chord bearing and distance of South 44°16'49" West, 63.62 feet;
- In a southwesterly direction, with said curve to the right, an arc distance of 70.66 feet to a point for corner; South 89°15'39" West, a distance of 195.04 feet to a point at the beginning of a tangent curve to the left having a central angle of 90°00'00", a radius of 10.00 feet, a chord bearing and distance of South 44°15'39" West, 14.14 feet;
- In a southwesterly direction with said curve to the left, an arc distance of 15.71 feet to the **POINT OF BEGINNING** and containing a gross area of 21.9047 acres or 954,169 square feet of land.

SAVE AND EXCEPT the following seven tracts of land:

SAVE AND EXCEPT #1

(Lots 1 through 34 and Open Space in Block 1/6382, First Installment Forestwood Townhouse Community)

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE over and across said First Installment Forestwood Townhouse Community, North 58°15'02" West, a distance of 65.16 feet to a point in a utility and fire lane easement at the southernmost southeast corner of Lot 17, Block 1/6382, said First Installment Forestwood Townhouse Community for the **POINT OF BEGINNING**;

THENCE with the north line of said utility and fire lane and the south line of said Block 1/6382, South 89°15'39" West, a distance of 185.00 feet to the southernmost southwest corner of Lot 18, Block 1/6382 and at beginning of a tangent curve to the right having a central angle of 90°02'20", a radius of 20.00 feet, a chord bearing and distance of North 45°43'11" West, 28.29 feet;

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UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with in a northwesterly direction, with said curve to the right, an arc distance of 31.43 feet to the westernmost southwest corner of said Lot 18, Block 1/6382;

THENCE with the east line of said utility and fire lane easement and the west line of said Block 1/6382, North 0°42'01" West, a distance of 528.44 feet to the westernmost northwest corner of Lot 34, Block 1/6382 and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet;

THENCE in a northeasterly direction, with said curve to the right, an arc distance of 31.49 feet to the northwest corner of Open Space, Block 1/6382;

THENCE with the south line of said utility and fire lane easement and with north line of said Open Space, Block 1/6382, North 89°29'57" East, a distance of 185.00 feet to the northeast corner of said Open Space, Block 1/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

THENCE in a southeasterly direction, with said curve to the right, an arc distance of 31.35 feet to the easternmost northeast corner of Lot 1, Block 1/6382;

THENCE with the west line of said utility and fire lane easement and the east line of said Block 1/6382, South 0°42'01" East, a distance of 527.67 feet to the easternmost southeast corner of Lot 17, Block 1/6382 and at the beginning of a tangent curve to the right having a central angle of 89°57'40", a radius of 20.00 feet, a chord bearing and distance of South 44°16'49" West, 28.27 feet;

THENCE in a southwesterly direction with said curve to the right, an arc distance of 31.40 feet to the **POINT OF BEGINNING** and containing 2.9263 acres or 127,469 square feet of land.

SAVE AND EXCEPT #2

(Open Space between Blocks 1/6382 and 8/6382, First Installment Forestwood Townhouse Community)

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the

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EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS

north right-of-way line of Forest Lane (a 120-foot wide right-of-way, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE with said west right-of-way line of Inwood Road and the east line of said Open Space, Block 1/6382, North 0°42'01" West, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 602.44 feet, to the northeast corner of said Open Space, Block 1/6382, First Installment Forestwood Townhouse Community;

THENCE departing said west right-of-way line of Inwood Road, over and across said First Installment Forestwood Townhouse Community, North 63°59'08" West, a distance of 44.80 feet to the southeast corner of an Open Space for the **POINT OF BEGINNING**;

THENCE with the south line of said Open Space, South 89°29'57" West, a distance of 215.00 feet to the southwest corner of said Open Space and at the beginning of a tangent curve to the right having a central angle of 180°00'00", a radius of 5.00 feet, a chord bearing and distance of North 0°30'03" West, 10.00 feet;

THENCE with the west line of said Open Space, in a northwesterly direction, with said curve to the right, an arc distance of 15.71 feet to the northwest corner of said Open Space;

THENCE with the north line of said Open Space, North 89°29'57" East, a distance of 215.00 feet to the northeast corner of said Open Space and at the beginning of a tangent curve to the right having a central angle of 180°00'00", a radius of 5.00 feet, a chord bearing and distance of South 0°30'03" East, 10.00 feet;

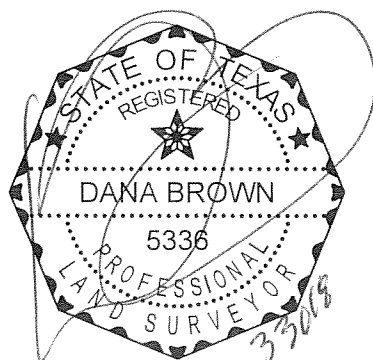
THENCE with the east line of said Open Space, in a southeasterly direction with said curve to the right, an arc distance of 15.71 feet to the **POINT OF BEGINNING** and containing 2,229 square feet or 0.0512 acres of land.

SAVE AND EXCEPT #3

(Lots 1 through 8 and Open Space in Block 7/6382, First Installment Forestwood Townhouse Community)

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, Dallas County, Volume 406, Page 85, Deed

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**UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE with said west right-of-way line of Inwood Road and the east line of said Open Space, Block 1/6382, North 0°42'01" West, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 602.44 feet, to the northeast corner of said Open Space, Block 1/6382, First Installment Forestwood Townhouse Community;

THENCE departing said west right-of-way line of Inwood Road, over and across said First Installment Forestwood Townhouse Community, South 64°53'07" West, a distance of 318.48 feet to a point in the west line of a utility and fire lane easement and at the easternmost southeast corner of Open Space, Block 7/6382, First Installment Forestwood Townhouse Community for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 89°59'19", a radius of 20.00 feet, a chord bearing and distance of South 44°17'38" West, 28.28 feet;

THENCE in a southwesterly direction with said utility and fire lane easement and with said curve to the right, an arc distance of 31.41 feet to southernmost southeast corner of said Open Space, Block 7/6382;

THENCE with the north line of said utility and fire lane easement and the south line of said Open Space Block 7/6382, the following courses and distances to wit:

South 89°17'17" West, a distance of 189.16 feet to a point at the beginning of a tangent curve to the right having a central angle of 28°00'10", a radius of 20.00 feet, a chord bearing and distance of North 76°42'38" West, 9.68 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 9.77 feet to a point for corner; North 62°42'33" West, a distance of 13.18 feet to the southernmost southwest corner of said Open Space, Block 7/6382 and at the beginning of a tangent curve to the right having a central angle of 90°00'15", a radius of 20.00 feet, a chord bearing and distance of North 17°42'25" West, 28.29 feet;

THENCE in a northwesterly direction with said utility and fire lane easement and with said curve to the right, an arc distance of 31.42 feet to the westernmost southwest corner of said Open Space Block 7/6382 and at the beginning of a reverse curve to the left having a central angle of 27°59'44", a radius of 115.00 feet, a chord bearing and distance of North 13°17'51" East, 55.63 feet;

THENCE with said east line, said utility and fire lane easement and the west line of said Open Space, Block 7/6382, the following courses and distances to wit:

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UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

In a northeasterly direction, with said curve to the left, an arc distance of 56.19 feet to a point for corner; North 0°42'01" West, a distance of 264.85 feet to the westernmost northwest corner of Lot 8, Block 7/6382 and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet;

THENCE in a northeasterly direction, with said curve to the right, an arc distance of 31.49 feet to the northernmost northwest corner of said Lot 8, Block 7/6382;

THENCE with the south line of said utility and fire lane easement and the north line of said Block 7/6382, North 89°29'57" East, a distance of 185.00 feet to the northernmost northeast corner of Lot 1, Block 7/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

THENCE in a southeasterly direction, with said curve to the right, an arc distance of 31.35 feet to the easternmost northeast corner of said Lot 1, Block 7/6382;

THENCE with the west line of said utility and fire lane easement and the east line of said Block 7/6382, South 0°42'01" East, a distance of 333.72 feet to the **POINT OF BEGINNING** and containing 1.9394 acres or 84,482 square feet of land.

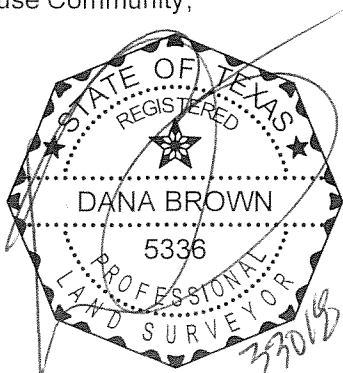
SAVE AND EXCEPT #4

(Lots 1 through 16 and Open Space in Block 6/6382, First Installment Forestwood Townhouse Community)

COMMENCING at a point in a utility vault at the intersection of the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) with the north right-of-way line of Forest Lane (a 120-foot wide right-of-way, Dallas County, Volume 406, Page 85, Deed Records of Dallas County, Texas), at the southeast corner of Open Space, Block 1/6382 of said First Installment Forestwood Townhouse Community;

THENCE with said west right-of-way line of Inwood Road and the east line of said Open Space, Block 1/6382, North 0°42'01" West, at a distance of 5.00 feet, passing a 5/8" iron rod with plastic cap stamped "KHA" found, continuing in all a total distance of 602.44 feet, to the northeast corner of said Open Space, Block 1/6382, First Installment Forestwood Townhouse Community;

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EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE departing said west right-of-way line of Inwood Road, over and across said First Installment Forestwood Townhouse Community, South 78°52'57" West, a distance of 564.25 feet to a point in a utility and fire lane easement, at the easternmost southeast corner of Lot 10, Block 6/6382 for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 90°03'24", a radius of 20.00 feet, a chord bearing and distance of South 72°19'41" West, 28.30 feet;

THENCE in a southwesterly direction with said utility and fire lane easement and said curve to the right, an arc distance of 31.44 feet to the southernmost southeast corner of said Lot 10, Block 6/6382;

THENCE with the north and east lines of said utility and fire lane easement and the south and west lines of said Block 6/6382, the following courses and distances to wit:

North 62°42'33" West, a distance of 200.87 feet to a point at the beginning of a tangent curve to the right having a central angle of 62°00'31", a radius of 20.00 feet, a chord bearing and distance of North 31°42'17" West, 20.60 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 21.65 feet to a point for corner;

North 0°42'01" West, a distance of 107.89 feet to a point at the beginning of a tangent curve to the right having a central angle of 39°59'29", a radius of 20.00 feet, a chord bearing and distance of North 19°17'43" East, 13.68 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 13.96 feet to a point for corner;

North 39°17'27" East, a distance of 121.28 feet to westernmost northwest corner of Lot 16, Block 6/6382 and at the beginning of a tangent curve to the right having a central angle of 50°12'30", a radius of 22.47 feet, a chord bearing and distance of North 64°23'42" East, 19.07 feet;

THENCE in a northeasterly direction with said utility and fire lane easement and said curve to the right, an arc distance of 19.69 feet to a northerly corner of said Lot 16, Block 6/6382;

THENCE with the south line of said utility and fire lane easement and the north line of said Block 6/6382, North 89°29'57" East, a distance of 105.16 feet to the northernmost northeast corner of Lot 1, Block 6/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

THENCE with the west line of said utility and fire lane easement and the east line of said Block 6/6382, the following courses and distances to wit:

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EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 S. LOCKHART SURVEY, ABSTRACT NO. 821 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581 CITY OF DALLAS, DALLAS COUNTY, TEXAS

In a southeasterly direction, with said curve to the right, an arc distance of 31.35 feet to the easternmost northeast corner of said Lot 1, Block 6/6382;
South 0°42'01" East, a distance of 265.09 feet to a point at the beginning of a tangent curve to the right having a central angle of 28°00'00", a radius of 85.00 feet, a chord bearing and distance of South 13°17'59" West, 41.13 feet;
In a southwesterly direction with said curve to the right, an arc distance of 41.54 feet to the **POINT OF BEGINNING** and containing 1.3900 acres or 60,548 square feet of land.

SAVE AND EXCEPT #5

(Lots 1 through 47 and Open Space in Block 8/6382 , First Installment Forestwood Townhouse Community and Second Installment Forestwood Townhouse Community and Lots 1 through 38 and Open Space in Block 11/6382, Second Installment Forestwood Townhouse Community)

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, Second Installment Forestwood Townhome Community;

THENCE over and across said Second Installment Forestwood Townhome Community, South 59°09'21" West, a distance of 69.28 feet to a point in a utility and fire lane easement and at the northernmost northeast corner of Lot 20, Block 11/6382, Second Installment Forestwood Townhome Community for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 89°48'01", a radius of 25.00 feet, a chord bearing and distance of South 45°36'02" East, 35.29 feet;

THENCE with the east line of said Block 11/6382 and the west line of said utility and fire lane easement, the following courses and distances to wit:

In a southeasterly direction, with said curve to the right, an arc distance of 39.18 feet to a point for corner;
South 0°42'01" East, a distance of 180.02 feet to the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of South 44°23'58" West, 28.33 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 31.49 feet to a point for corner;
South 89°29'57" West, a distance of 262.43 feet to a point for corner;
South 0°42'01" East, a distance of 285.00 feet to a point for corner in the north line of Lot 39, Block 8/6382 at the southeast corner of Open Space, Block 11/6382;

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Date: 4/4/18
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	10 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE with the north line of said Block 8/6382 and said utility and fire lane easement, North 89°29'57" East, a distance of 262.57 feet to the northernmost northeast corner of Lot 47, Block 8/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

THENCE with the westerly line of said utility and fire lane easement and the easterly line of said Block 8/6382, the following courses and distances to wit:

- In a southeasterly direction, with said curve to the right, an arc distance of 31.35 feet to the northeast corner of said Lot 47, Block 8/6382;
- South 0°42'01" East, a distance of 385.99 feet to the easternmost southeast corner of Lot 9, Block 8/6382, First Installment Forestwood Townhouse Community and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of South 44°23'58" West, 28.33 feet;
- In a southwesterly direction, with said curve to the right, an arc distance of 31.49 feet to the southeast corner of Open Space, Block 8/6382;

THENCE with the north line of a utility and fire lane easement and the south line of said Open Space, Block 8/6382, South 89°29'57" West, a distance of 185.00 feet to the southwest corner of said Open Space, Block 8/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of North 45°36'02" West, 28.23 feet;

THENCE in a northwesterly direction with said utility and fire lane easement and said curve to the right, an arc distance of 31.35 feet to the westernmost southwest corner of Lot 10, Block 8/6382;

THENCE with said east line of said utility and fire lane easement and the west line of said Block 8/6382, the following courses and distances to wit:

- North 0°42'01" West, a distance of 111.00 feet to the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet;
- In a northeasterly direction, with said curve to the right, an arc distance of 31.49 feet to a point for corner;
- North 89°29'57" East, a distance of 64.93 feet to a point for corner;
- North 0°42'01" West, a distance of 50.00 feet to a point for corner;
- South 89°29'57" West, a distance of 480.07 feet to the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of North 45°36'02" West, 28.23 feet;

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N/A	SRD	DAB	March 2018	067771641	11 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

In a northwesterly direction, with said curve to the right, an arc distance of 31.35 feet to a point for corner; North 0°42'01" West, a distance of 184.99 feet to the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet; In a northeasterly direction, with said curve to the right, an arc distance of 31.49 feet to a point for corner; North 89°29'57" East, a distance of 262.43 feet to a point for corner in the north line of Lot 38, Block 8/6382, Second Installment Forestwood Townhouse Community at the southwest corner of Open Space Block 11/6382;

THENCE with the east line of said utility and fire lane easement and the west line of said Block 11/6382, the following courses and distances to wit:

North 0°42'01" West, a distance of 285.00 feet to a point for corner;
 South 89°29'57" West, a distance of 262.57 feet to the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of North 45°36'02" West, 28.23 feet;
 In a northwesterly direction, with said curve to the right, an arc distance of 31.35 feet to a point for corner; North 0°42'01" West, a distance of 174.97 feet to the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 30.00 feet, a chord bearing and distance of North 44°23'58" East, 42.50 feet;
 In a northeasterly direction, with said curve to the right, an arc distance of 47.23 feet to the northernmost northwest corner of Lot 1, Block 11/6382;

THENCE with said south right-of-way line and the north line of said Block 11/6382, North 89°29'57" East, a distance of 584.99 feet to the **POINT OF BEGINNING** and containing 8.0195 acres or 349,329 square feet of land.

SAVE AND EXCEPT #6

(Lots 1 through 16 and Open Space in Block 9/6382, Second Installment Forestwood Townhouse Community)

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, Second Installment Forestwood Townhome Community;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	12 OF 23

EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
S. LOCKHART SURVEY, ABSTRACT NO. 821
HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE over and across said Second Installment Forestwood Townhome Community, South 64°47'32" West, a distance of 741.83 feet to a point in the east line of said utility and fire lane easement and at the westernmost northwest corner of Lot 1, Block 9/6382 for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet;

THENCE in a northeasterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.49 feet to the northernmost northwest corner of said Lot 1, Block 9/6382;

THENCE with a south line of said utility and fire lane easement and the north line of said Block 9/6382, North 89°29'57" East, a distance of 220.00 feet to the northernmost northeast corner of Lot 8, Block 9/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

THENCE in a southeasterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.35 feet to the easternmost northeast corner of said Lot 8, Block 9/6382;

THENCE with the west line of said utility and fire lane easement and the east line of said Block 9/6382, South 0°42'01" East, a distance of 185.00 feet to the easternmost southeast corner of Lot 9, Block 9/6382 and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of South 44°23'58" West, 28.33 feet;

THENCE in a southwesterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.49 feet to the southernmost southeast corner of said Lot 9, Block 9/6382;

THENCE with the north line of said utility and fire lane easement and the south line of said Block 9/6382, South 89°29'57" West, a distance of 220.00 feet to the southernmost southwest corner of Lot 16, Block 9/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of North 45°36'02" West, 28.23 feet;

THENCE in a northwesterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.35 feet to the westernmost southwest corner of said Lot 16, Block 9/6382;

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	13 OF 23

**UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
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 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE with the east line of said utility and fire lane easement and the west line of said Block 9/6382, North 0°42'01" West, a distance of 185.00 feet to the **POINT OF BEGINNING** and containing 1.3351 acres or 58,157 square feet of land.

SAVE AND EXCEPT #7

(Lots 1 through 16 and Open Space in Block 10/6382, Second Installment Forestwood Townhouse Community.)

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the south right-of-way line of Willow Lane (a 60-foot wide right-of-way, County of Dallas, Volume 2356, Page 241, Deed Records of Dallas County, Texas) and the west right-of-way line of Inwood Road (a 100-foot wide right-of-way, Dallas County, Volume 356, Page 334, Deed Records of Dallas County, Texas) and at the northeast corner of Open Space, Block 11/6382, Second Installment Forestwood Townhome Community;

THENCE over and across said Second Installment Forestwood Townhome Community, South 10°01'56" West, a distance of 294.97 feet to a point in the south line of a utility and fire lane easement and at the northernmost northeast corner of Lot 8, Block 10/6382 for the **POINT OF BEGINNING** and at the beginning of a curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of South 45°36'02" East, 28.23 feet;

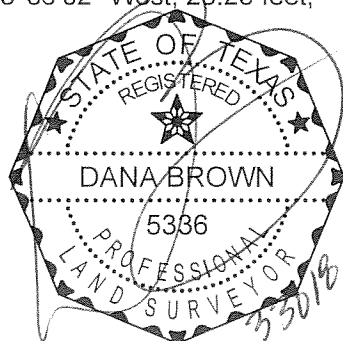
THENCE in a southeasterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.35 feet to the easternmost northeast corner of said Lot 8, Block 10/6382;

THENCE with the west line of said utility and fire lane easement and the east line of said Block 10/6382, South 0°42'01" East, a distance of 185.00 feet to the easternmost southeast corner of Lot 9, Block 10/6382 and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of South 44°23'58" West, 28.33 feet;

THENCE in a southwesterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.49 feet to the southernmost southeast corner of said Lot 9, Block 10/6382;

THENCE with the north line of said utility and fire lane easement and the south line of said Block 10/6382, South 89°29'57" West, a distance of 220.00 feet to the southernmost southwest corner of Lot 16, Block 10/6382 and at the beginning of a tangent curve to the right having a central angle of 89°48'01", a radius of 20.00 feet, a chord bearing and distance of North 45°36'02" West, 28.23 feet;

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N/A	SRD	DAB	March 2018	067771641	14 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
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 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE in a northwesterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.35 feet to the westernmost southwest corner of said Lot 16, Block 10/6382;

THENCE with the east line of said utility and fire lane easement and the west line of said Block 10/6382, North 0°42'01" West, a distance of 185.00 feet to the westernmost northwest corner of Lot 1, Block 10/6382, and at the beginning of a tangent curve to the right having a central angle of 90°11'59", a radius of 20.00 feet, a chord bearing and distance of North 44°23'58" East, 28.33 feet;

THENCE in a northeasterly direction, with said utility and fire lane easement and said curve to the right, an arc distance of 31.49 feet to the northernmost northwest corner of said Lot 1, Block 10/6382;

THENCE with the south line of said utility and fire lane easement and the north line of said Block 10/6382, North 89°29'57" East, a distance of 220.00 feet to the **POINT OF BEGINNING** and containing 1.3351 acres or 58,157 square feet of land resulting in a net area of 4.9081 acres or 213,798 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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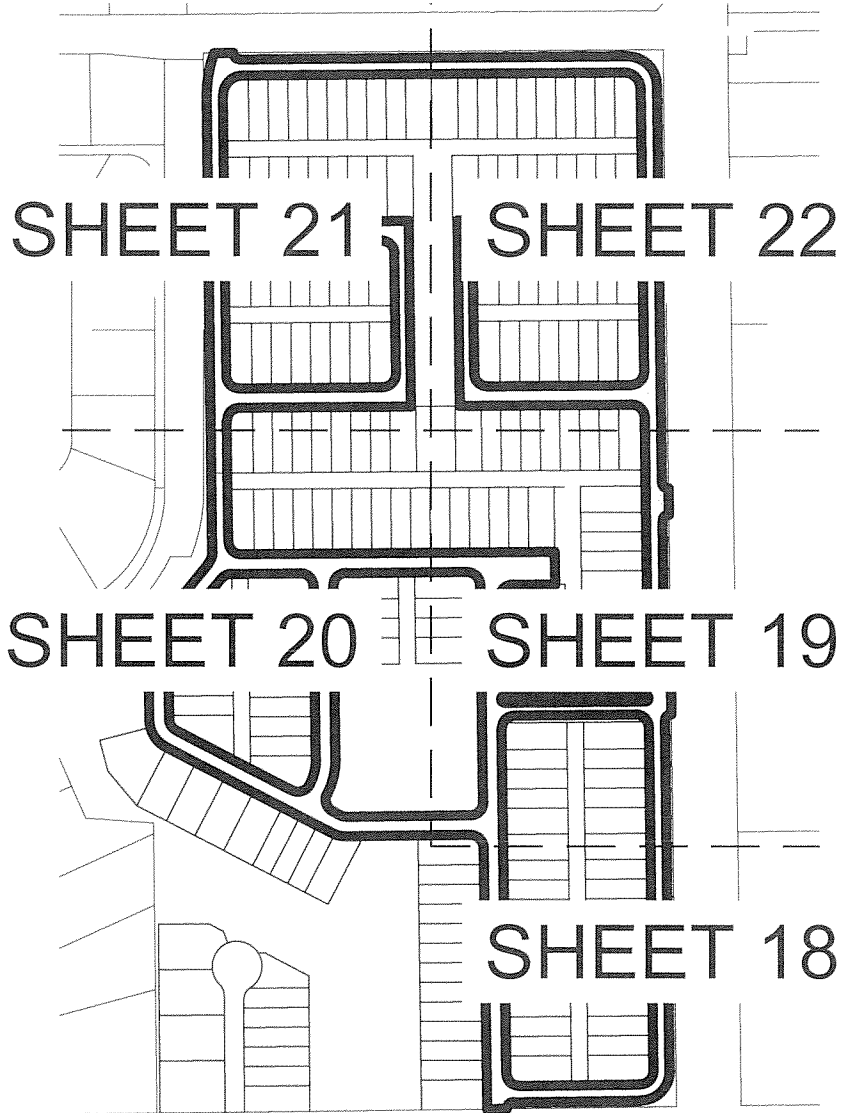
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N/A	SRD	DAB	March 2018	067771641	15 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
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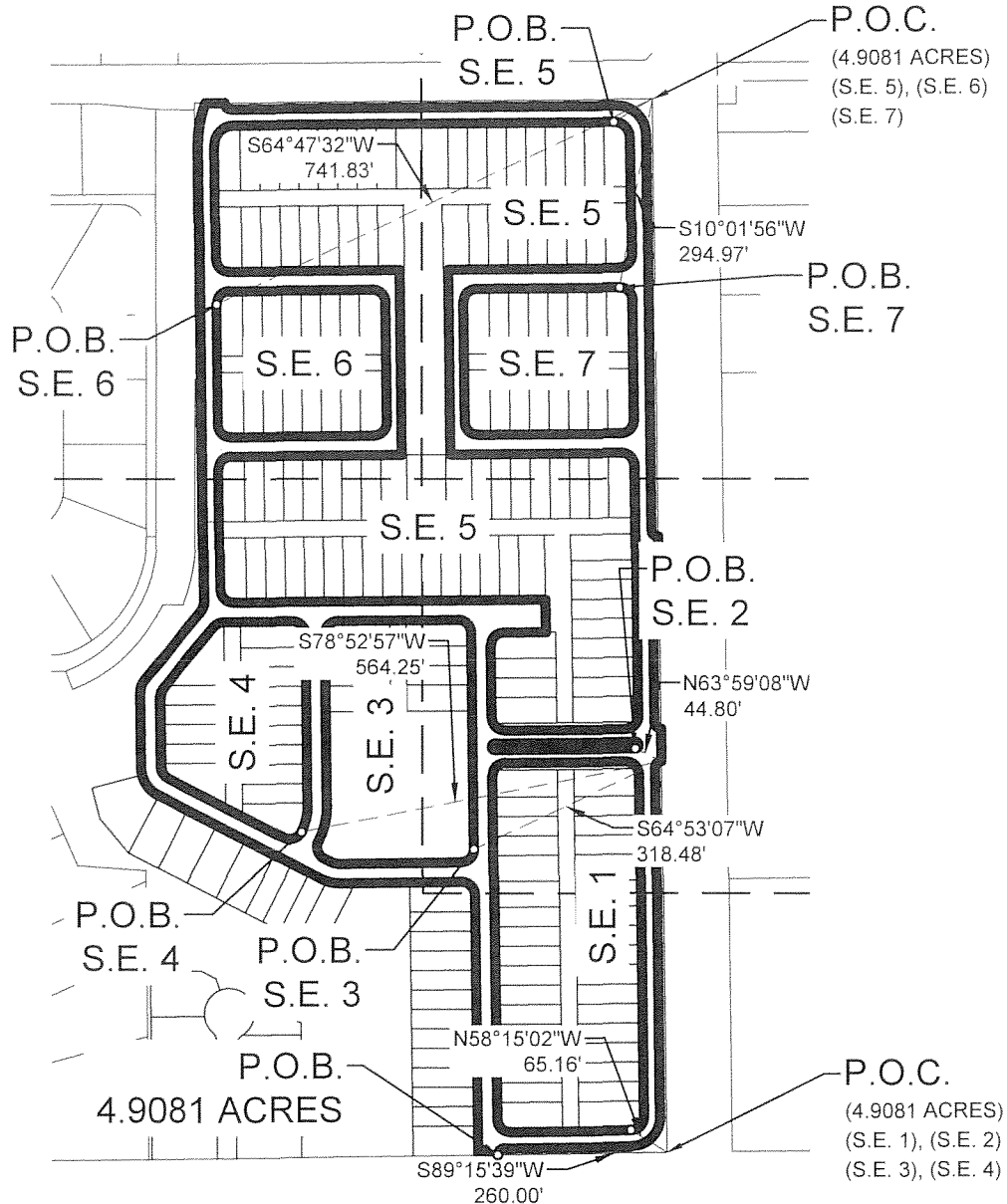
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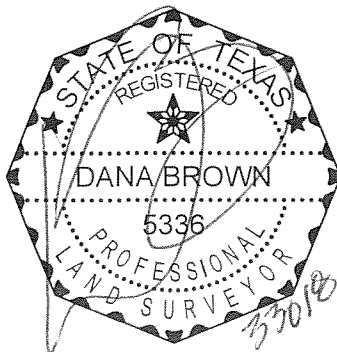
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	16 OF 23

EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
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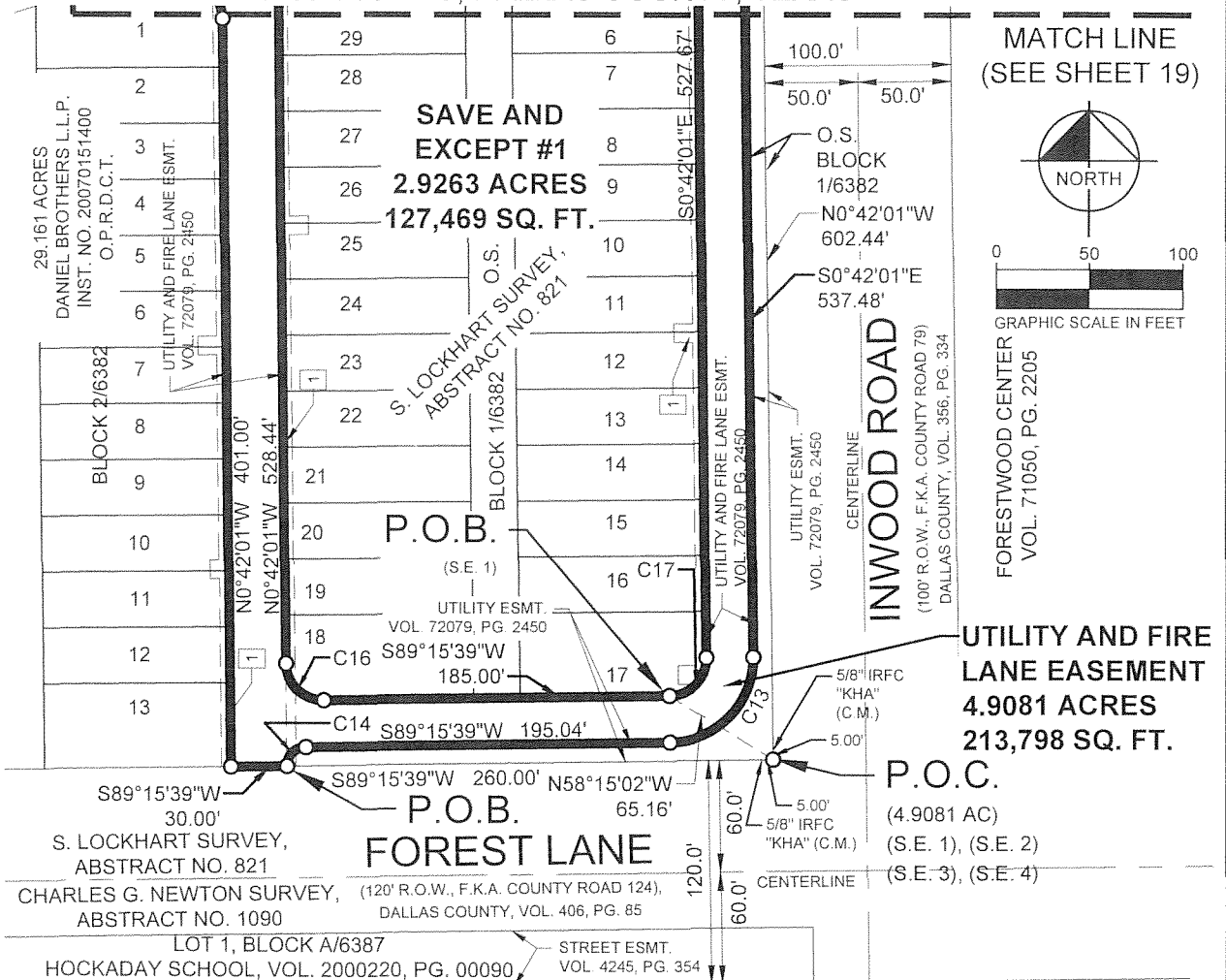
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	17 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
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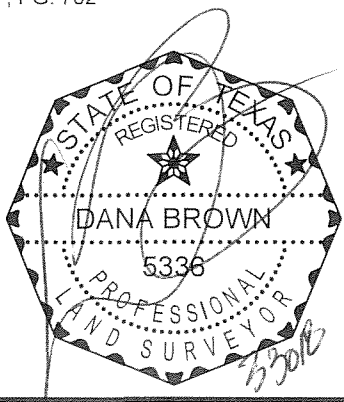


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NOTES
 All deed and plat references are recorded in the Deed Records of Dallas County, Texas unless otherwise noted.
 Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
- 2 15' sewer esmt., VOL. 5302, PG. 538
- 3 15' sewer esmt., VOL. 69223, PG. 788

See sheet 16 for key map.
 See sheet 23 for curve data.
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LEGEND
 Δ = CENTRAL ANGLE
 C.M. = CONTROLLING MONUMENT
 ESMT. = EASEMENT
 P.O.C. = POINT OF COMMENCING
 P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRFC = IRON ROD W/CAP FOUND
 M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
 O.S. = OPEN SPACE
 VOL. = VOLUME, PG. = PAGE
 R.O.W. = RIGHT-OF-WAY
 F.K.A. = FORMERLY KNOWN AS S.E. = SAVE AND EXCEPT

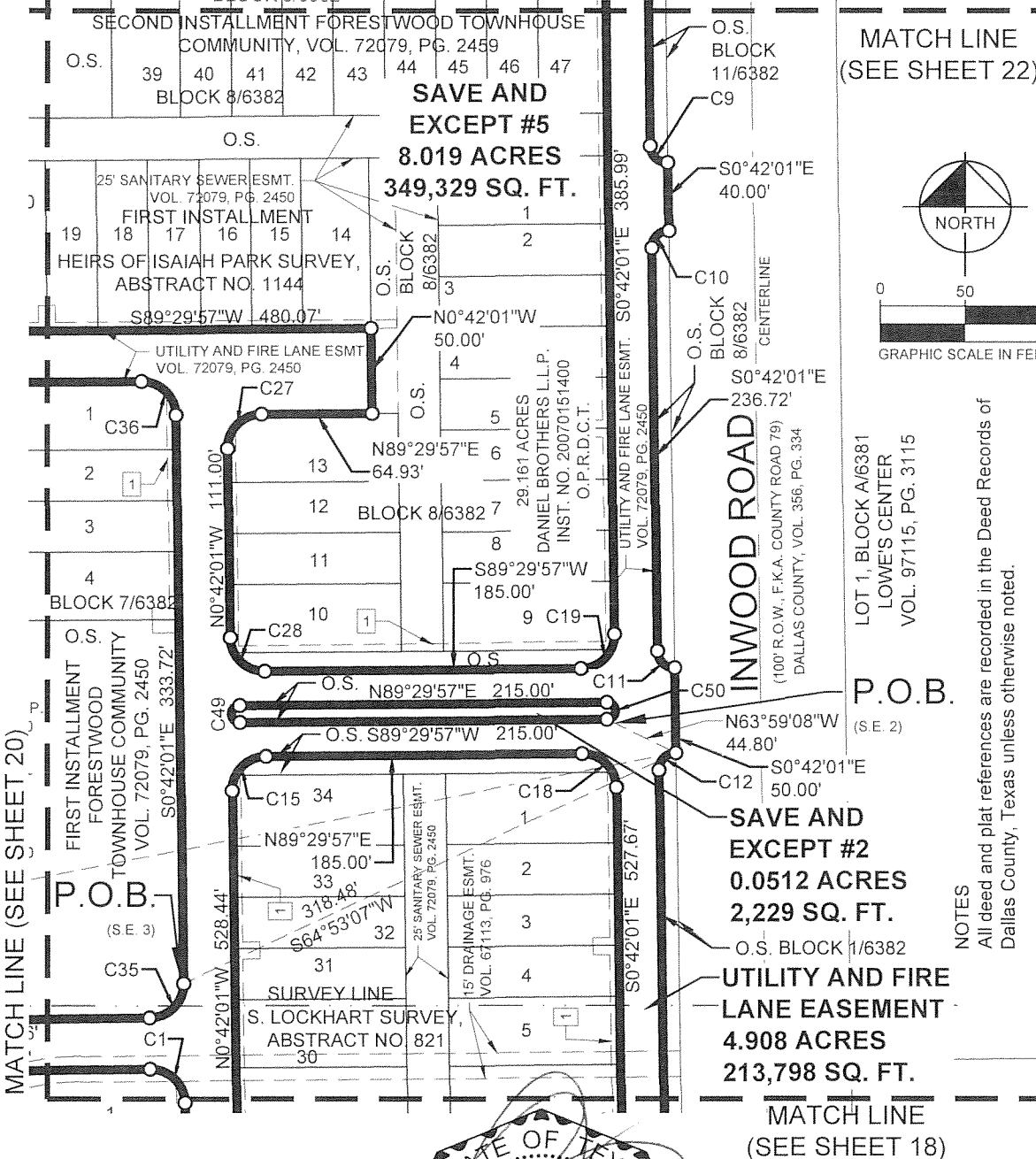
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	18 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
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MATCH LINE
(SEE SHEET 22)

INWOOD ROAD
 (100' R.O.W., F.K.A. COUNTY ROAD 79)
 DALLAS COUNTY, VOL. 386, PG. 334

LOT 1, BLOCK A/6381
 LOWE'S CENTER
 VOL. 97115, PG. 3115

P.O.B.
 (S.E. 2)

SAVE AND EXCEPT #2
 0.0512 ACRES
 2,229 SQ. FT.

UTILITY AND FIRE LANE EASEMENT
 4.908 ACRES
 213,798 SQ. FT.

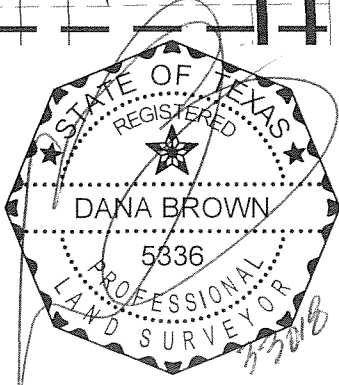
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See sheet 16 for key map.
 See sheet 23 for curve data.

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 REGISTERED PROFESSIONAL
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 TWO GALLERIA OFFICE TOWER
 SUITE 700
 DALLAS, TEXAS 75240
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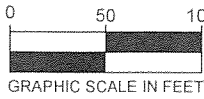
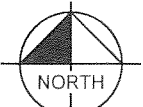
Kimley»Horn

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Scale 1" = 100'	Drawn by SRD	Checked by DAB	Date March 2018	Project No. 067771641	Sheet No. 19 OF 23
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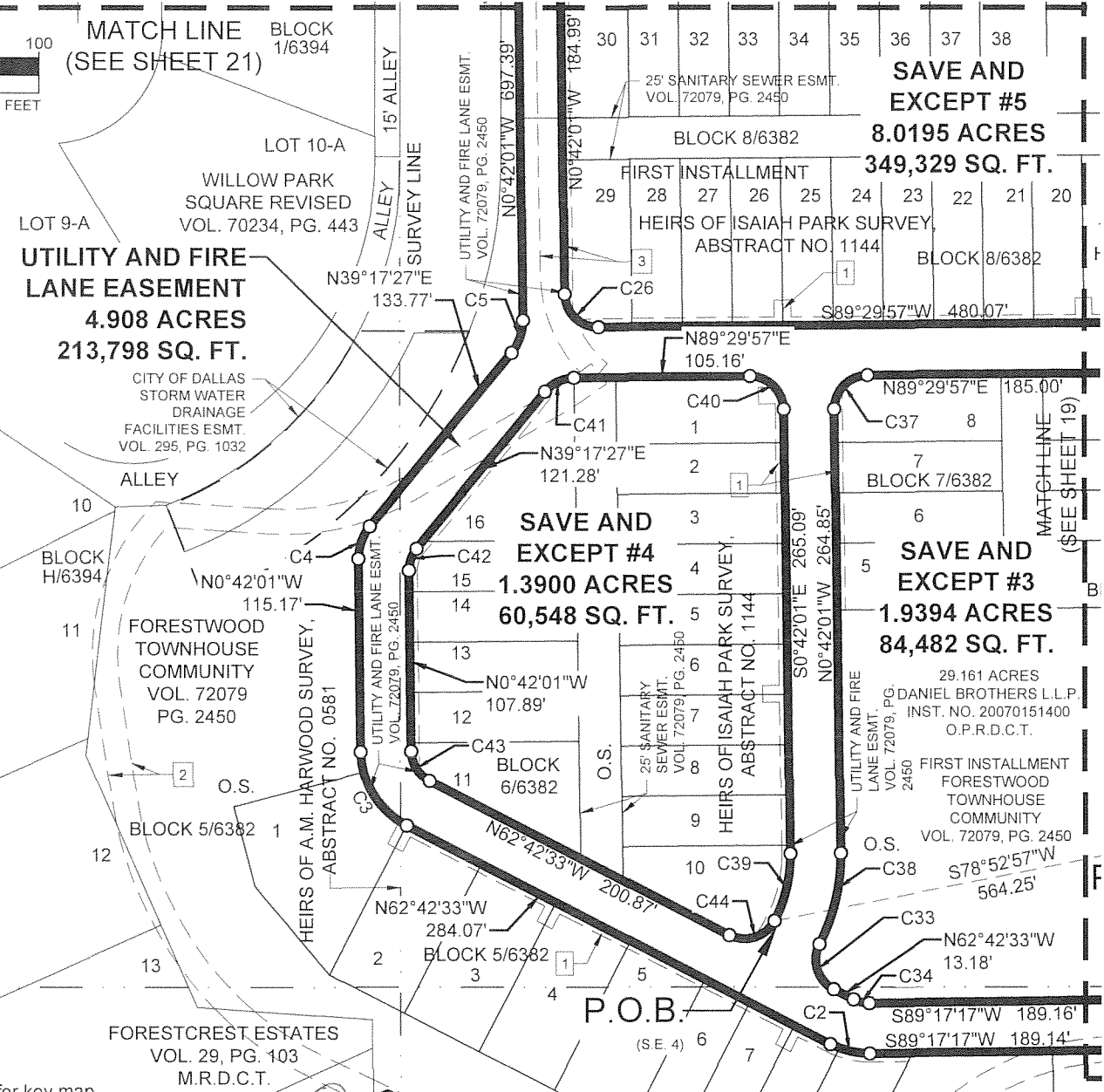
EXHIBIT A-TRACT 10

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
 ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382
 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY
 HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144
 S. LOCKHART SURVEY, ABSTRACT NO. 821
 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
 Reviewed By: A. Rodriguez
 Date: 4/5/18
 SPRG NO: 4391

NOTES
 All deed and plat references are recorded in the Deed Records of Dallas County, Texas unless otherwise noted.
 Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).



See sheet 16 for key map.
 See sheet 23 for curve data.

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- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
- 2 15' sewer esmt., VOL. 5302, PG. 538
- 3 15' sewer esmt., VOL. 69223, PG. 788

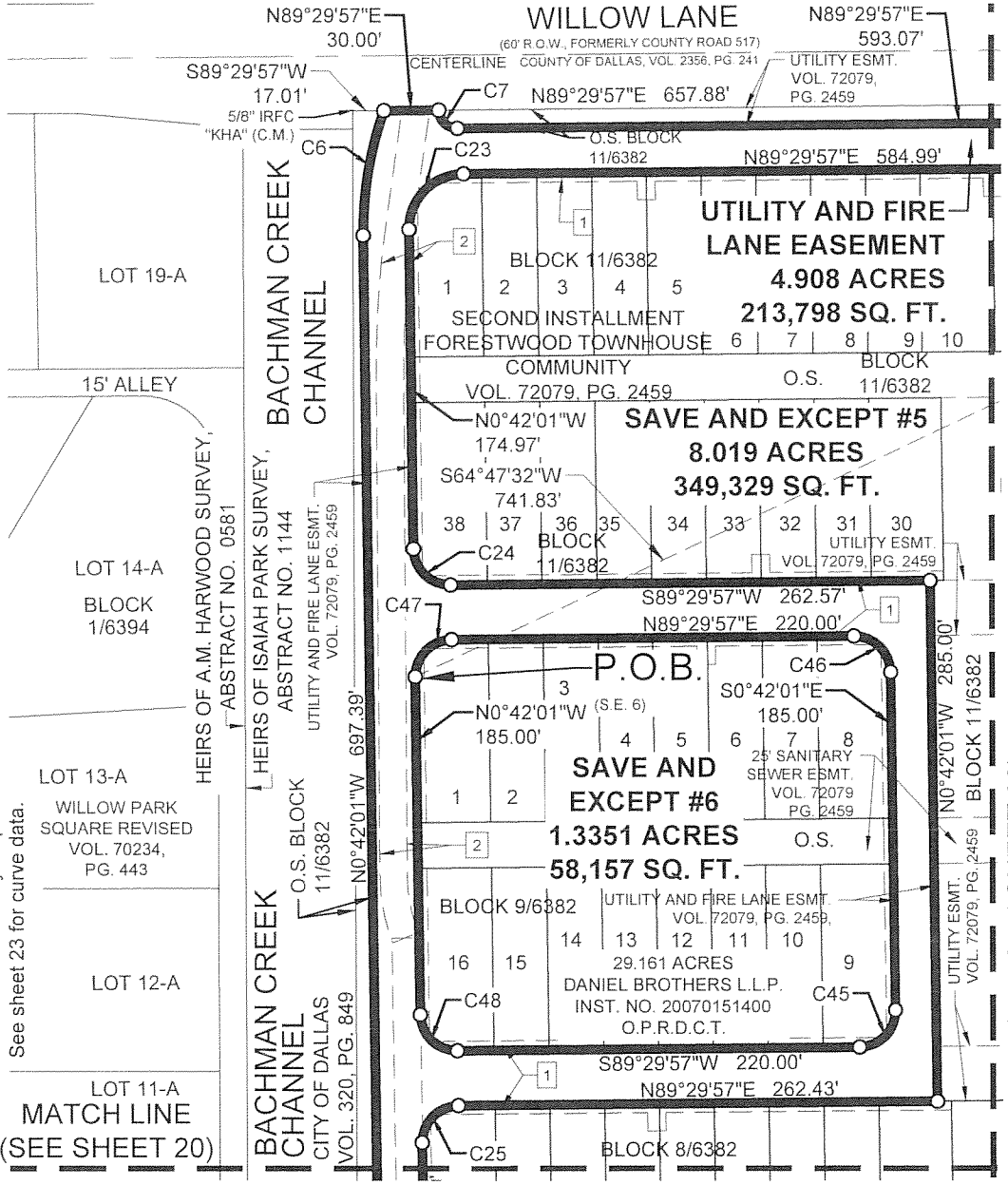
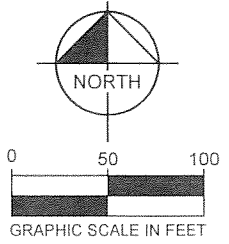
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	20 OF 23

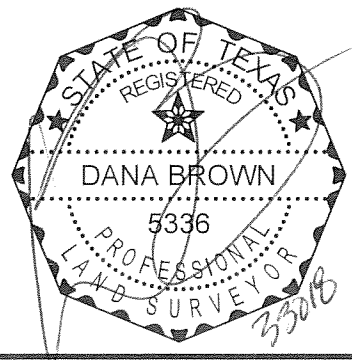
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- NOTES**
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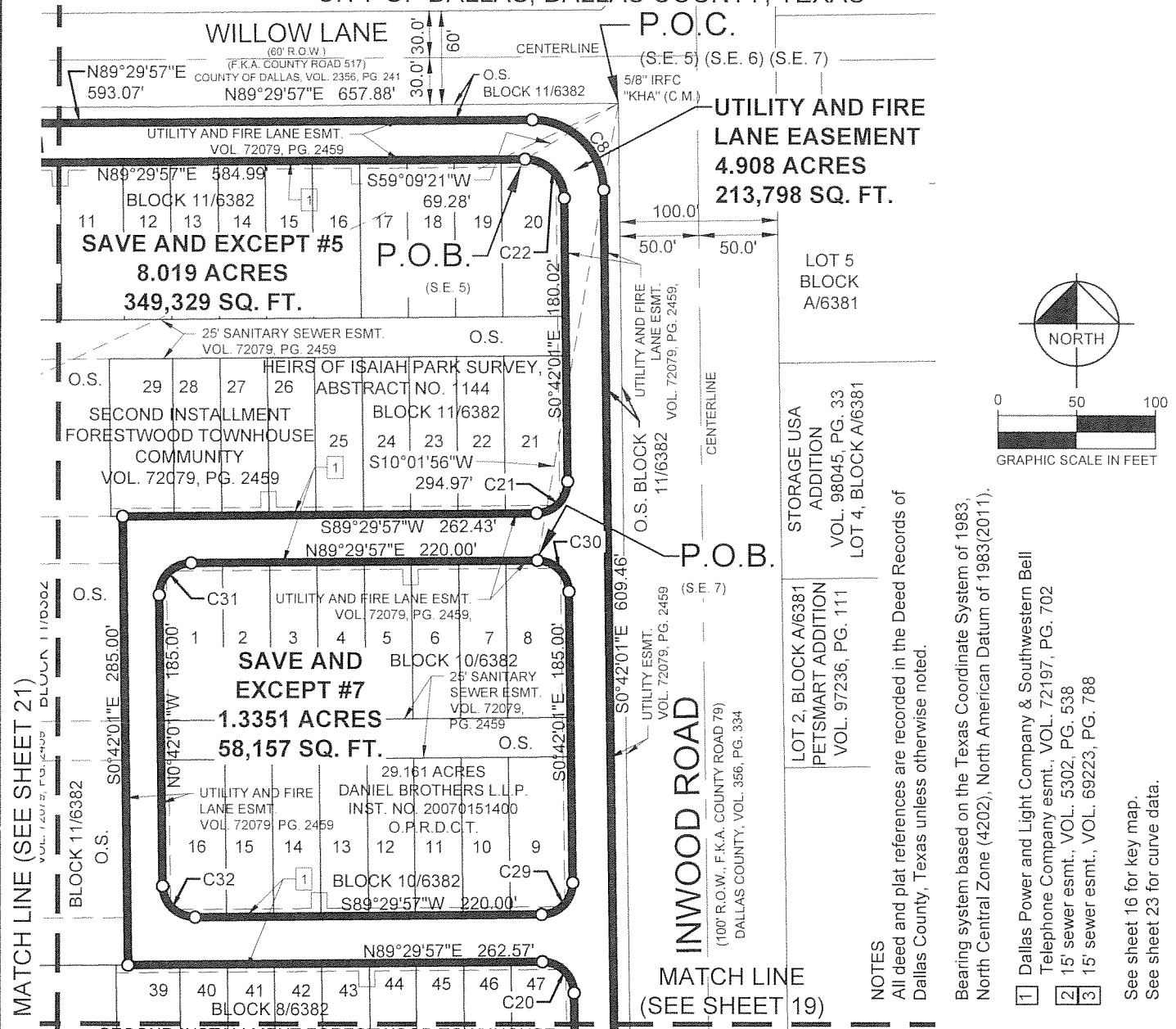
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Date: 4/14/18
SPRG NO: 4391

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	21 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT ADJACENT TO CITY BLOCKS 1/6382, 2/6382 AND 5/6382 THROUGH 11/6382 FIRST INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY AND SECOND INSTALLMENT FORESTWOOD TOWNHOUSE COMMUNITY HEIRS OF ISAIAH PARK SURVEY, ABSTRACT NO. 1144 S. LOCKHART SURVEY, ABSTRACT NO. 821 HEIRS OF A.M. HARWOOD SURVEY, ABSTRACT NO. 581 CITY OF DALLAS, DALLAS COUNTY, TEXAS



UTILITY AND FIRE LANE EASEMENT
4.908 ACRES
213,798 SQ. FT.

SAVE AND EXCEPT #5
8.019 ACRES
349,329 SQ. FT.

SAVE AND EXCEPT #7
1.3351 ACRES
58,157 SQ. FT.

LOT 5
BLOCK
A/6381

STORAGE USA
ADDITION
VOL. 98045, PG. 33
LOT 4, BLOCK A/6381

LOT 2, BLOCK A/6381
PETSMAART ADDITION
VOL. 97236, PG. 111

NOTES
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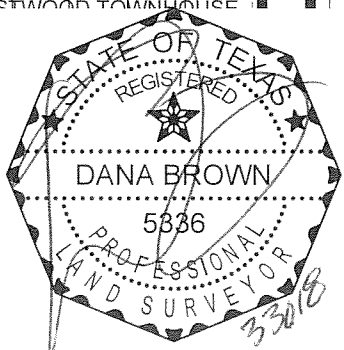
- 1 Dallas Power and Light Company & Southwestern Bell Telephone Company esmt., VOL. 72197, PG. 702
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MATCH LINE (SEE SHEET 21)

MATCH LINE (SEE SHEET 19)

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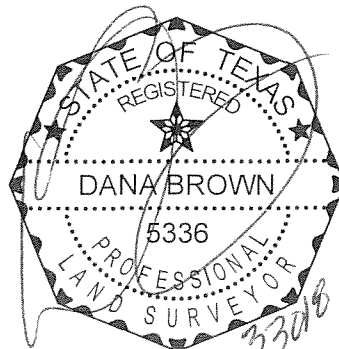
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	March 2018	067771641	22 OF 23

UTILITY AND FIRE LANE EASEMENT ABANDONMENT
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 CITY OF DALLAS, DALLAS COUNTY, TEXAS

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°00'41"	20.00'	31.42'	N45°42'22"W	28.29'
C2	28°00'10"	50.00'	24.44'	N76°42'38"W	24.19'
C3	62°00'31"	50.00'	54.11'	N31°42'17"W	51.51'
C4	39°59'29"	30.00'	20.94'	N19°17'43"E	20.52'
C5	39°59'29"	30.00'	20.94'	N19°17'43"E	20.52'
C6	20°10'57"	197.50'	69.57'	N09°23'27"E	69.21'
C7	90°00'00"	10.00'	15.71'	S45°30'03"E	14.14'
C8	89°48'01"	45.00'	70.53'	S45°36'02"E	63.53'
C9	90°00'00"	10.00'	15.71'	S45°42'01"E	14.14'
C10	90°00'00"	10.00'	15.71'	S44°17'59"W	14.14'
C11	90°00'00"	10.00'	15.71'	S45°42'01"E	14.14'
C12	90°00'00"	10.00'	15.71'	S44°17'59"W	14.14'
C13	89°57'40"	45.00'	70.66'	S44°16'49"W	63.62'
C14	90°00'00"	10.00'	15.71'	S44°15'39"W	14.14'
C15	90°11'59"	20.00'	31.49'	S44°23'58"W	28.33'
C16	90°02'20"	20.00'	31.43'	S45°43'11"E	28.29'
C17	89°57'40"	20.00'	31.40'	N44°16'49"E	28.27'
C18	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C19	90°11'59"	20.00'	31.49'	N44°23'58"E	28.33'
C20	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C21	90°11'59"	20.00'	31.49'	N44°23'58"E	28.33'
C22	89°48'01"	25.00'	39.18'	N45°36'02"W	35.29'
C23	90°11'59"	30.00'	47.23'	N44°23'58"E	42.50'
C24	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C25	90°11'59"	20.00'	31.49'	S44°23'58"W	28.33'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C26	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C27	90°11'59"	20.00'	31.49'	S44°23'58"W	28.33'
C28	89°48'01"	20.00'	31.35'	S45°36'02"E	28.23'
C29	90°11'59"	20.00'	31.49'	S44°23'58"W	28.33'
C30	89°48'01"	20.00'	31.35'	S45°36'02"E	28.23'
C31	90°11'59"	20.00'	31.49'	N44°23'58"E	28.33'
C32	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C33	90°00'15"	20.00'	31.42'	N17°42'25"W	28.29'
C34	28°00'10"	20.00'	9.77'	N76°42'38"W	9.68'
C35	89°59'19"	20.00'	31.41'	S44°17'38"W	28.28'
C36	89°48'01"	20.00'	31.35'	S45°36'02"E	28.23'
C37	90°11'59"	20.00'	31.49'	N44°23'58"E	28.33'
C38	27°59'44"	115.00'	56.19'	N13°17'51"E	55.63'
C39	28°00'00"	85.00'	41.54'	N13°17'59"E	41.13'
C40	89°48'01"	20.00'	31.35'	N45°36'02"W	28.23'
C41	50°12'30"	22.47'	19.69'	S64°23'42"W	19.07'
C42	39°59'29"	20.00'	13.96'	S19°17'43"W	13.68'
C43	62°00'31"	20.00'	21.65'	S31°42'17"E	20.60'
C44	90°03'24"	20.00'	31.44'	N72°19'41"E	28.30'
C45	90°11'59"	20.00'	31.49'	S44°23'58"W	28.33'
C46	89°48'01"	20.00'	31.35'	S45°36'02"E	28.23'
C47	90°11'59"	20.00'	31.49'	N44°23'58"E	28.33'
C48	89°48'01"	20.00'	31.35'	S45°36'02"E	28.23'
C49	180°00'00"	5.00'	15.71'	S00°30'03"E	10.00'
C50	180°00'00"	5.00'	15.71'	N00°30'03"W	10.00'

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	March 2018	067771641	23 OF 23

STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

2

DEPARTMENT:

Department of Transportation

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

34S W

SUBJECT

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$36,043 from the University of Texas (UT) Southwestern Medical Center for certain material and labor costs associated with the upgrade of the traffic signal, signage and roadway striping at the UT Southwestern private driveway in the 1900 block of Inwood Road; and **(2)** an increase in appropriations in an amount not to exceed \$36,043 in the Capital Projects Reimbursement Fund - Not to exceed \$36,043 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

The expansion of UT Southwestern West Campus included the reconstruction of the northwest leg of the intersection in the 1900 block of Inwood Road and the UT Southwestern private driveway just southwest of Harry Hines Boulevard. UT Southwestern has requested upgrades to these traffic signal hardware, intersection signage and striping. Modifications include the modification of the traffic signal phasing, installing new radar vehicle detection for the rebuilt driveway approach, removal of crosswalks on the northwest and southwest legs of the intersection, and refreshing intersection striping. These upgrades would be completed by City forces and an existing master agreement traffic signal contractor.

UT Southwestern Medical Center will be responsible for 100 percent of the cost of the traffic signal upgrades for these two locations. UT Southwestern Medical Center has agreed to reimburse the City of Dallas a sum of \$36,042.11 for certain traffic signal construction materials and for labor costs incurred by the City.

UT Southwestern Medical Center understands that, upon City Council approval of the required funding, in an amount not to exceed \$36,042.11 are to be deposited with the City of Dallas before any City supplied materials can be provided.

BACKGROUND (continued)

It is understood that the final construction costs will be determined by the City upon completion of the project, and that UT Southwestern Medical Center will be refunded any unused funds.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	June 2018
Complete Construction	August 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

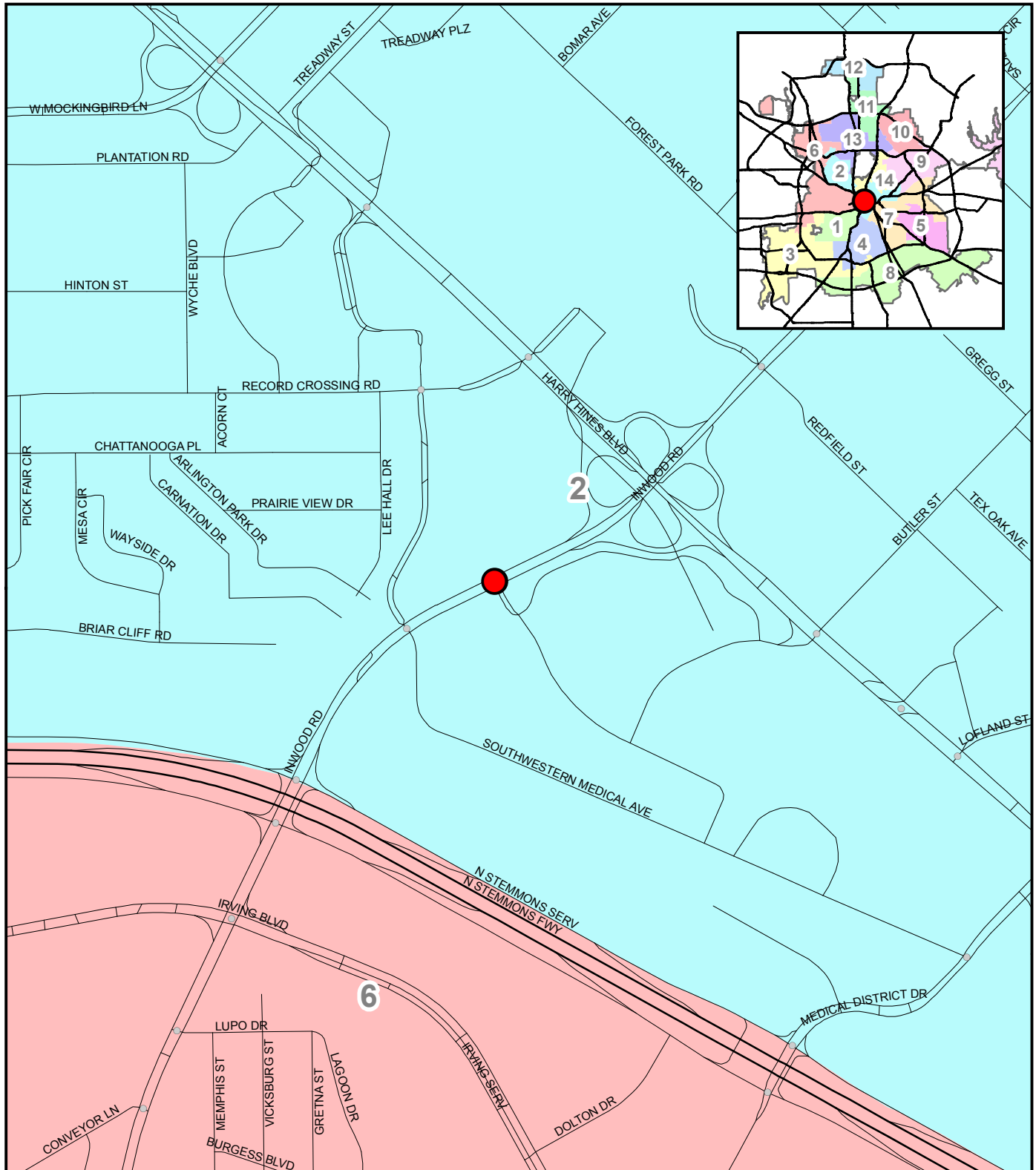
FISCAL INFORMATION

Capital Projects Reimbursement Funds - \$36,042.11

MAP

Attached

UT Southwestern Intersection Modification Project Intersection



**Council District 2
Mapsco Page 34-W**

June 13, 2018

WHEREAS, the University of Texas (UT) Southwestern has requested upgrades to the traffic signals at the two intersections at Inwood Road and Forest Park Road, and Inwood Road and Redfield Street, including adding left-turn arrows and repairing vehicle detection; and

WHEREAS, UT Southwestern Medical Center is paying 100 percent of the material and labor construction costs for traffic signal modifications at the two intersections at Inwood Road and Forest Park Road, and Inwood Road and Redfield Street.

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized to receive and deposit funds from UT Southwestern Medical Center, in an amount not to exceed \$36,042.11 in the Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W258, and Revenue Code 8492.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$36,042.11 in the Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W258, Object 4820, Activity THRG.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds received from UT Southwestern Medical Center, in an amount not to exceed \$36,042.11 from Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W258, Object 4820, Activity THRG, Program TP18W258 for services related to the construction of the traffic signal upgrades.

SECTION 4. That the Chief Financial Officer is hereby authorized to refund UT Southwestern Medical Center any unused funds.

SECTION 5. That this contract is designated as Contract No. TRN-2018-00005840.

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

AGENDA ITEM # 27

STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

2, 6, 9, 10, 14

DEPARTMENT:

Department of Transportation

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

17N 23Z 27E N 36C

SUBJECT

Authorize payment to the Texas Department of Transportation for cost overruns related to the intersection and traffic signal improvements at the following five off-system locations: Royal Lane and Abrams Road; Skillman Street and Walnut Hill Lane; Skillman Street and Lovers Lane; Walnut Hill Lane and Abrams Road; and Webb Chapel Road and Larga Drive - Not to exceed \$82,696 - Financing: General Funds

BACKGROUND

The City of Dallas was awarded federal grant funding totaling \$6.17 million from the 2014 Highway Safety Improvement Program administered by the Texas Department of Transportation (TxDOT) to upgrade several high accident intersections in the City of Dallas.

On April 27, 2016, City Council authorized a Local Project Advance Funding Agreement to fund the upgrade and/or construction of five existing off-system traffic signals: Royal Lane and Abrams Road; Skillman Street and Walnut Hill Lane; Skillman Street and Lovers Lane; Walnut Hill Lane and Abrams Road; and Webb Chapel Road and Larga Drive by Resolution No. 16-0651. The intersection improvements at these five off system intersections will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals. Resolution No. 16-0651 also authorized the payment of a 10% local match warrant check in the amount of \$149,600.30. Per the agreement with TxDOT, the City is responsible for 100% of construction bid overages.

Due to large increases in material costs, primarily in traffic signal poles and concrete, since the construction estimates were prepared in 2014, the lowest bid came in above projected estimates by \$82,695.28.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 9, 2015, City Council authorized a contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 32 traffic signals at various intersections and other related tasks by Resolution No. 15-2223.

On April 27, 2016, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements by Resolution No. 16-0651.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	April 2018
Complete Construction	October 2019

FISCAL INFORMATION

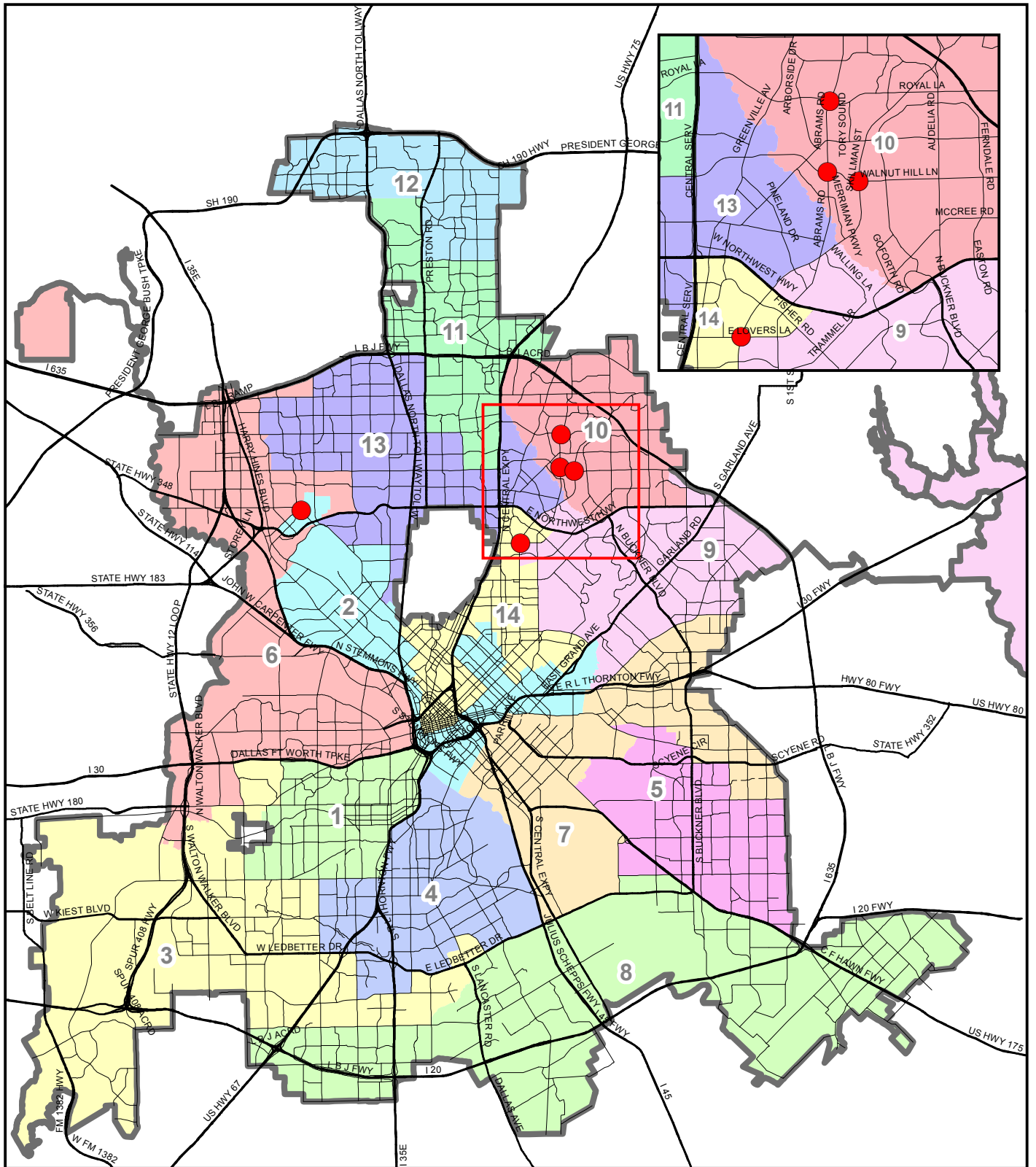
General Funds - \$82,695.28

<u>Council District</u>	<u>Amount</u>
2	\$16,539.05
6	\$16,539.05
9	\$16,539.06
10	\$16,539.06
14	\$16,539.06
Total	\$82,695.28

MAP

Attached

HSIP Project Locations



Council Districts 2 ,6, 9, 10, 14
Mapscos Pages 17N, 23Z, 27E, 27N, 36C

June 13, 2018

WHEREAS, the Texas Department of Transportation (TxDOT) will construct upgrades to the five existing traffic signals, specifically at Royal Lane and Abrams Road; Skillman Street and Walnut Hill Lane; Skillman Street and Lovers Lane; Walnut Hill Lane and Abrams Road; and Webb Chapel Road and Larga Drive; and

WHEREAS, the City of Dallas issued a previous local match warrant payment in the amount of \$149,600.30 based on a 10 percent local match of preliminary construction cost estimates and related fees; and

WHEREAS, based on construction bids received by TxDOT in April 2018, the City of Dallas' cost responsibility increased by \$82,695.28; and

WHEREAS, the City of Dallas is responsible for 100 percent of project costs exceeding the original estimate in the amount of \$82,695.28.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to issue a payment in an amount not to exceed \$82,695.28 in accordance with the terms and conditions of the Interlocal Agreement with the Texas Department of Transportation authorized by a previous Council Resolution No. 16-0651 on April 27, 2016 for project cost overruns.

SECTION 2. That this contract is designated as Contract No. TRN-2018-00006481.

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

STRATEGIC PRIORITY:

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

All

DEPARTMENT:

Water Utilities Department

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

All

SUBJECT

Authorize **(1)** an 18-month master agreement for water and wastewater small services installations in the amount of \$7,966,845; **(2)** a contract for the installation of water and wastewater mains at 14 locations in the amount of \$3,687,465 (list attached); and **(3)** an 18-month master agreement for water and wastewater mainline extensions and emergency mainline installations and relocations at various locations in the amount of \$3,097,492 with Omega Contracting, Inc., only bidder - Total not to exceed \$14,751,802 - Financing: Water Utilities Capital Construction Funds (\$11,064,337) and Water Utilities Capital Improvement Funds (\$3,687,465)

BACKGROUND

Part One of this action, in the amount of \$7,966,845.00, consists of a small services 18-month master agreement for the installation of ¾-inch to 2-inch water services and 6-inch wastewater connections, as requested by the Sustainable Development and Construction Department, upon issuance of a permit to the property owner.

Part Two of this action, in the amount of \$3,687,465.00, includes the installation of approximately 260 feet of 6-inch and 7,330 feet of 8-inch water mains, and the installation of approximately 2,690 feet of 8-inch and 2,120 feet of 12-inch wastewater mains.

The existing water and wastewater mains were built between 1932 and 1959. These mains are contributing to an increase in maintenance costs, as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

BACKGROUND (continued)

Part Three of this action, in the amount of \$3,097,492.00, includes water and wastewater mainline extensions and consists of an 18-month master agreement, in support of small services that may require extension of the existing mainlines. Also included are water and wastewater emergency mainline replacements and relocations, which will allow for quick response in support of Dallas Water Utilities' operations.

The following chart illustrates Omega Contracting, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TWM</u>
Projects Completed	1	0	0	1
Change Orders	7	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 10, 2014, City Council authorized a professional services contract with Stream Water Group, Inc. to provide engineering design services for the replacement and rehabilitation of water and wastewater mains at 28 locations by Resolution No. 14-2127.

On December 10, 2014, City Council authorized a professional services contract with Garver, LLC. to provide engineering design services for the replacement and rehabilitation of water and wastewater mains at 18 locations by Resolution No. 14-2127.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$11,064,337.00
 Water Utilities Capital Improvement Funds - \$3,687,465.00

FISCAL INFORMATION (continued)

Design	\$ 368,746.00
Construction (this action)	<u>\$14,751,802.00</u>
Total Project Cost	\$15,120,548.00

M/WBE INFORMATION

BID INFORMATION

The following was the only bid with quotes that was received and opened on April 6, 2018:

*Denotes successful bidder

Bidder

Bid Amount

*Omega Contracting, Inc. 2518 Chalk Hill Road Dallas, Texas 75212	\$14,751,802.00
---	-----------------

Note: Dallas Water Utilities has reviewed this procurement and determined that the bid was conducted in accordance with Administrative Directive 4-5 and that reasonable efforts were made to increase bid participation. This procurement meets the requirements for a single bid and represents a good value for the work to be performed.

OWNER

Omega Contracting, Inc.

Luis Spinola, Owner

MAPS

Attached

Renewal of Water and Wastewater Mains

District 4

Alex Street from Childers Street to Nolen Street

Alley between Utah Avenue and South Ewing Avenue from Holden Avenue to Frio Drive

Easement between Idaho Avenue and South Ewing Avenue from East Saner Avenue north

Frio Drive from south of East Brownlee Avenue southeast

Nolen Street from Alex Street to McGowan Street

District 7

Alley between South Central Expressway and Wendelkin Street from Cooper Street southeast

Cooper Street from Cleveland Street to Holmes Street

Cooper Street from Wendelkin Street to South Harwood Street

Hamburg Street from Cleveland Street to Holmes Street

Holmes Street from Peabody Avenue to Pennsylvania Avenue

Holmes Street from Warren Avenue to Julius Schepps Freeway (Service Road)

Panama Place from Holmes Street to Julius Schepps Freeway (Service Road)

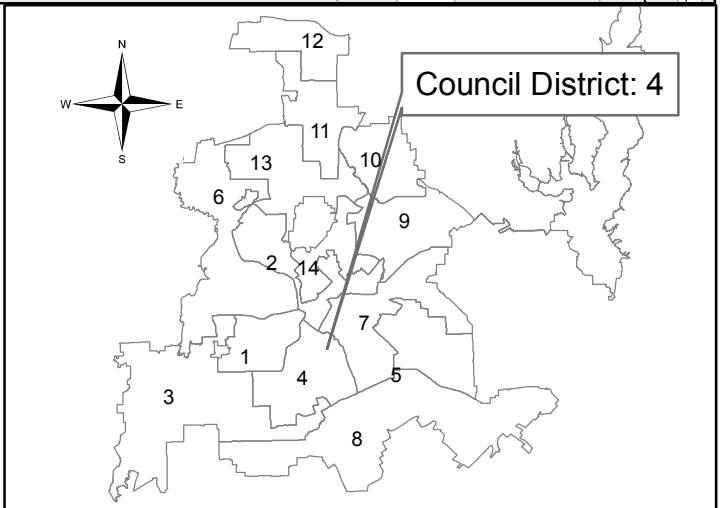
Pennsylvania Avenue from Cleveland Street to Holmes Street

Wendelkin Street from Lenway Street to Metropolitan Avenue



8" Water Main
 N/A Wastewater Main
 Mapsco: 55 H, M
 Council District: 4

Alex Street
 from Childers Street to Nolen Street



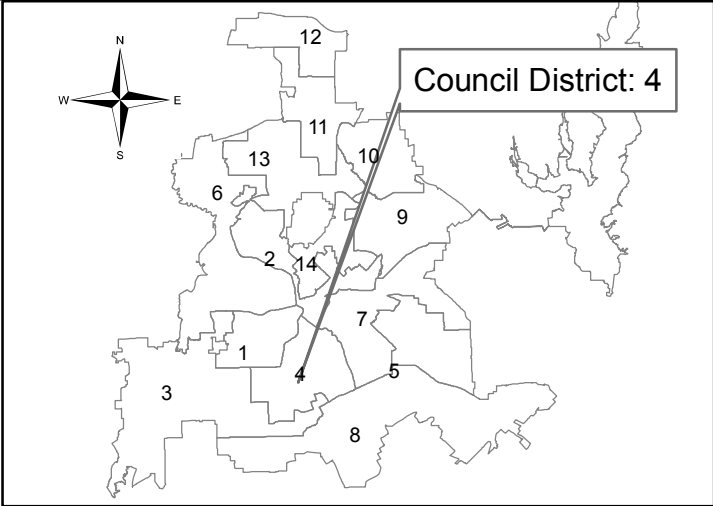
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



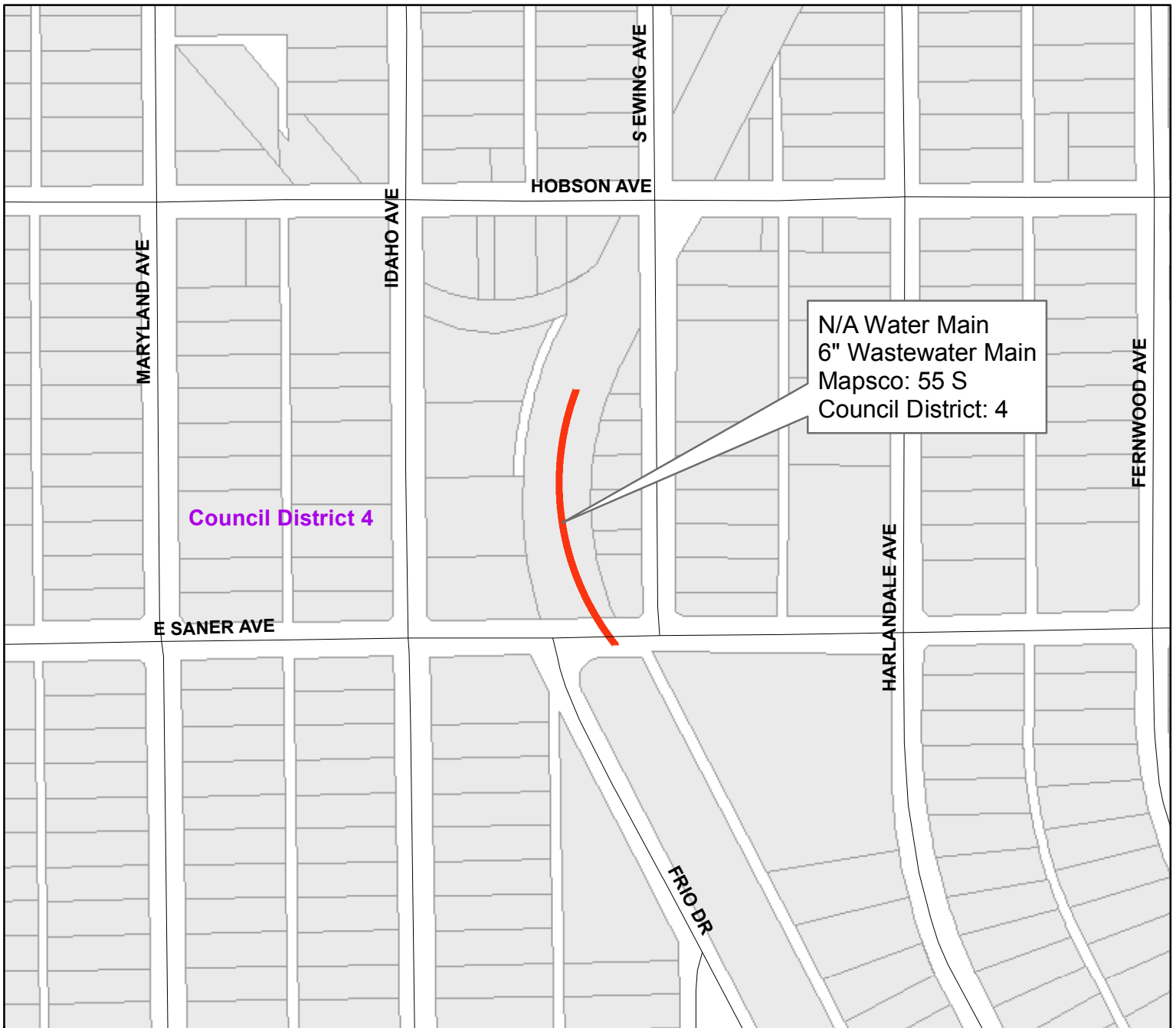
N/A Water Main
 8" & 12" Wastewater
 Mapsco; 55 W, 65 A
 Council District: 4

Council District 4

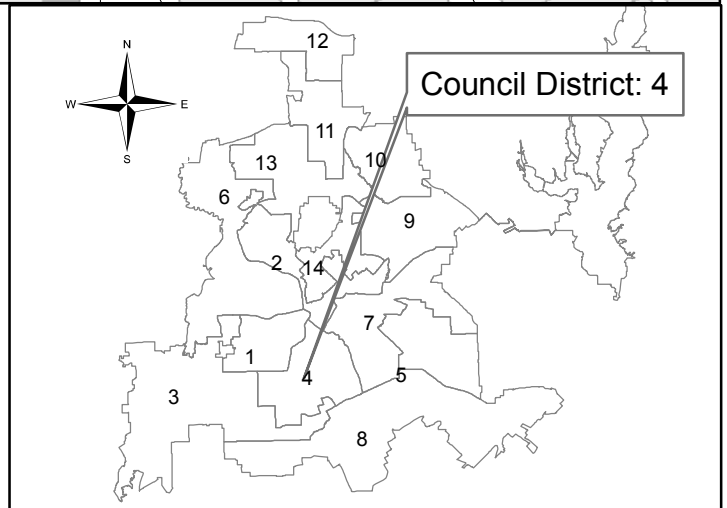
Alley between Utah Avenue and South Ewing Avenue
 from Holden Avenue to Frio Drive



**Dallas Water Utilities
 Contract No. 18-067/068
 Water and Wastewater Main Installations
 at 14 Locations**



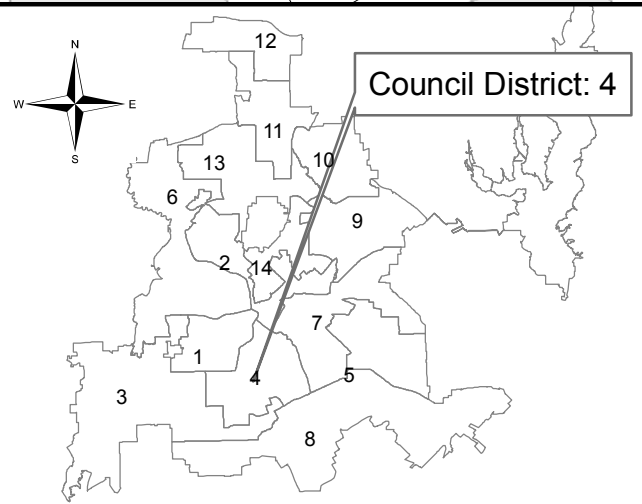
Easement between Idaho Avenue and South Ewing Avenue
from East Saner Avenue north



Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



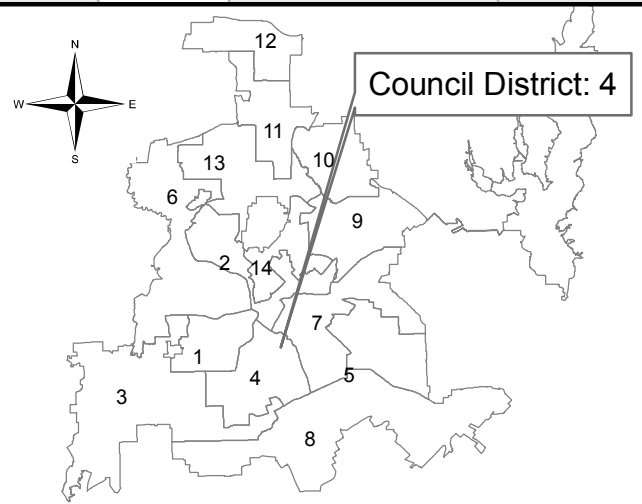
Frio Drive
 from south of East Brownlee Avenue southeast



Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Nolen Street
from Alex Street to McGowan Street



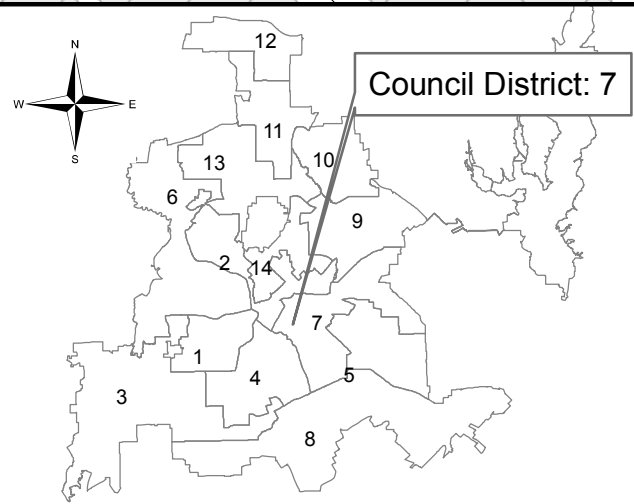
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Council District 7

8" Water Main
 8" Wastewater Main
 Mapsco: 46 X
 Council District: 7

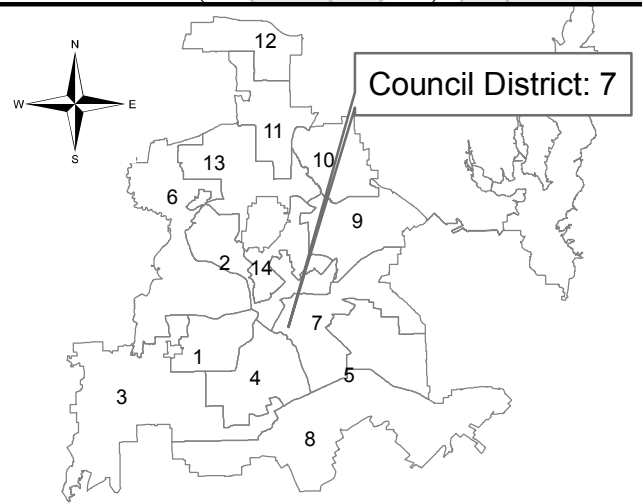
Alley between South Central Expressway and
 Wendelkin Street
 from Cooper Street southeast



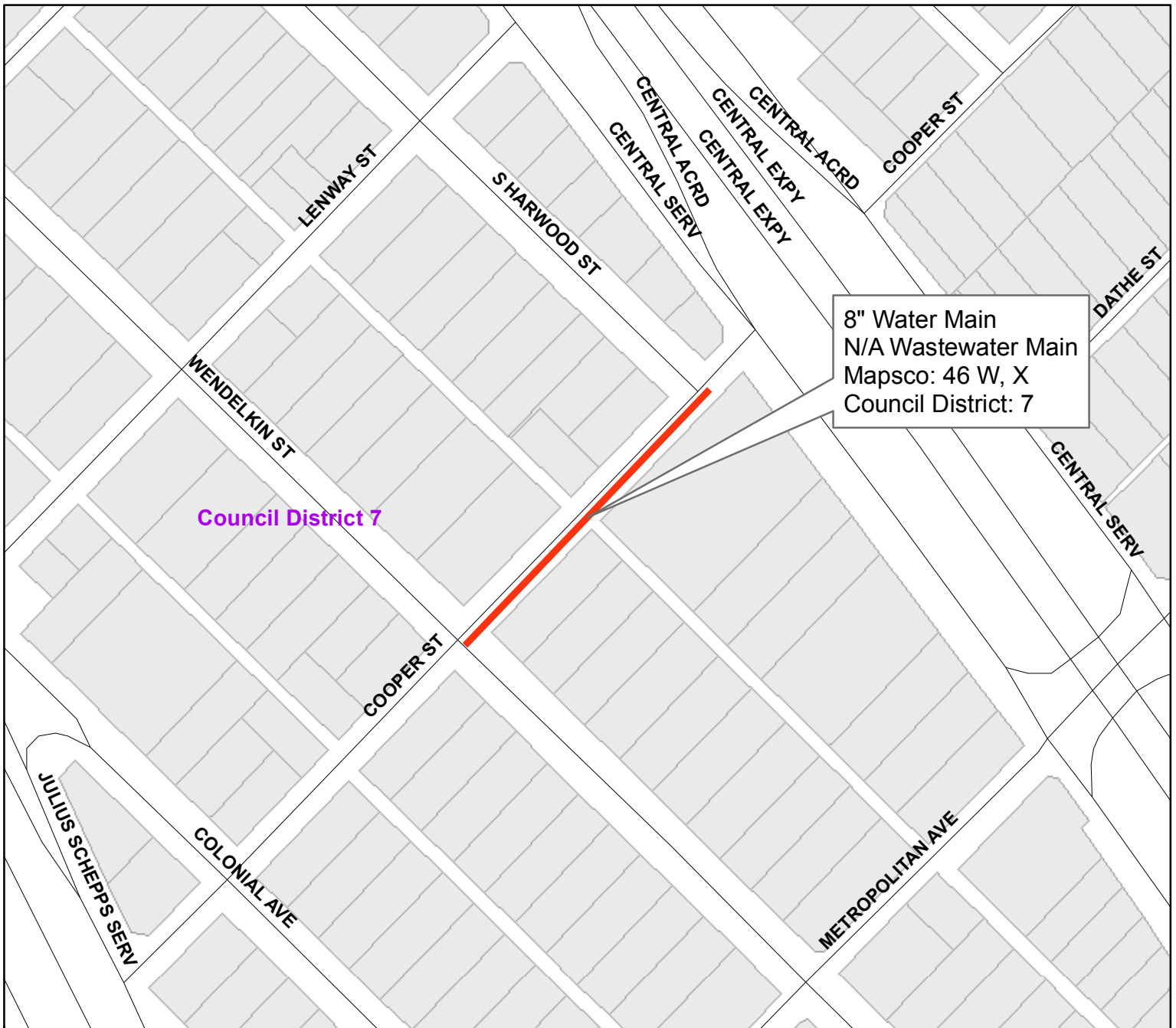
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



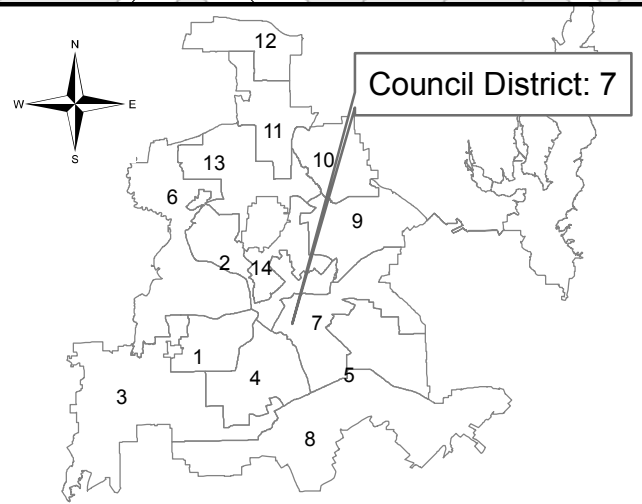
Cooper Street
 from Cleveland Street to Holmes Street



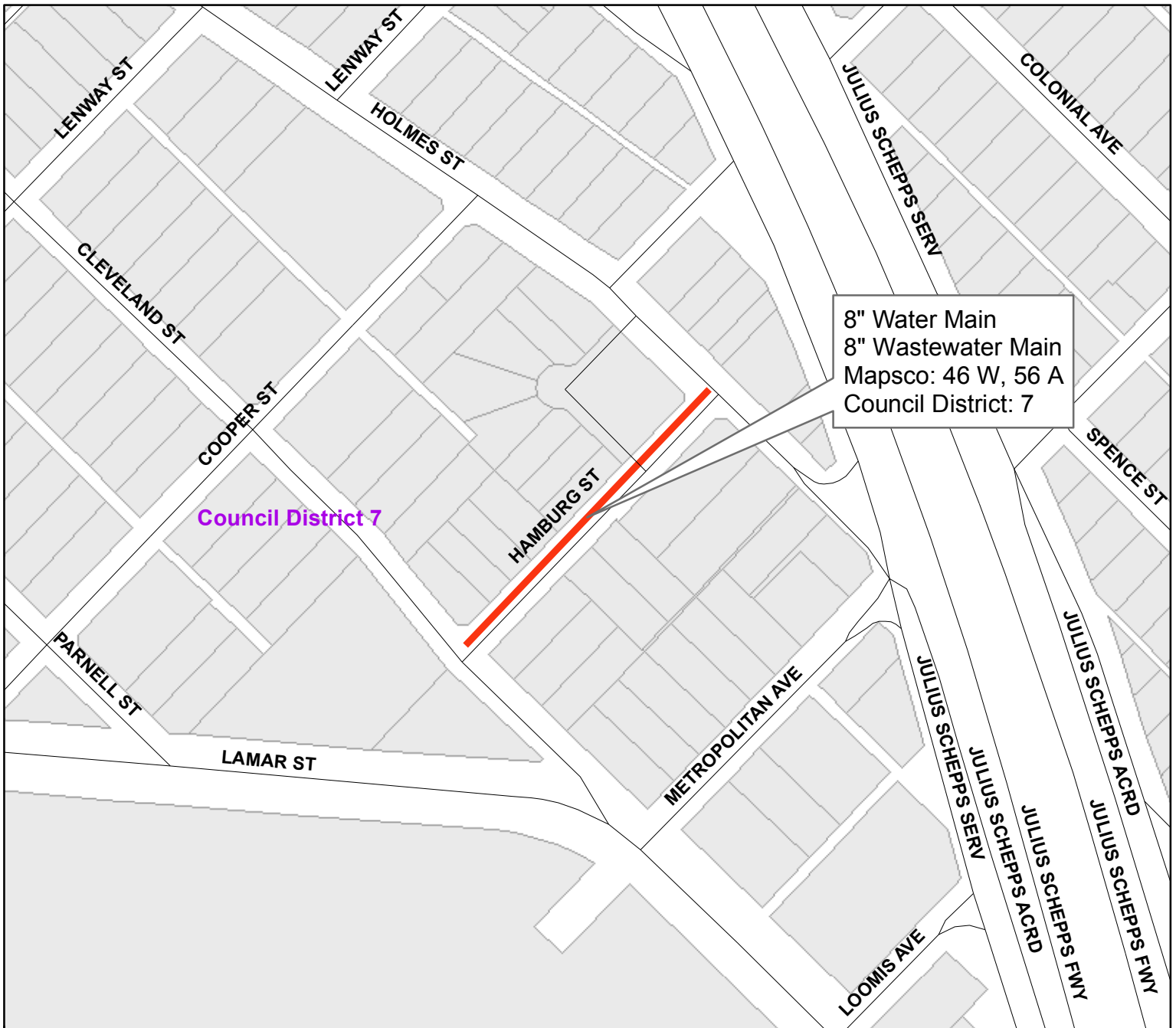
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



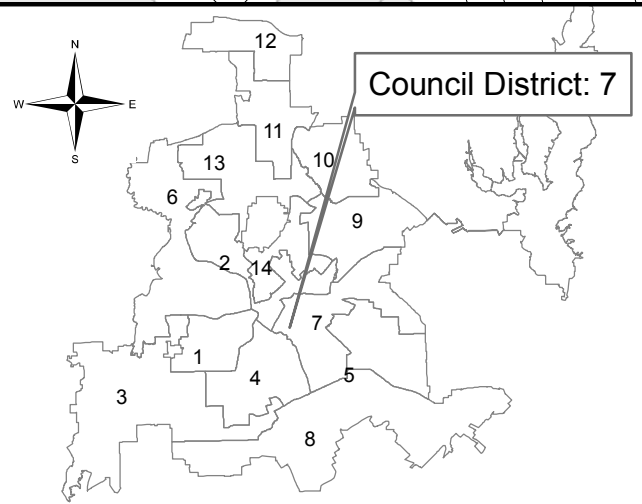
Cooper Street
 from Wendelkin Street to South Harwood Street



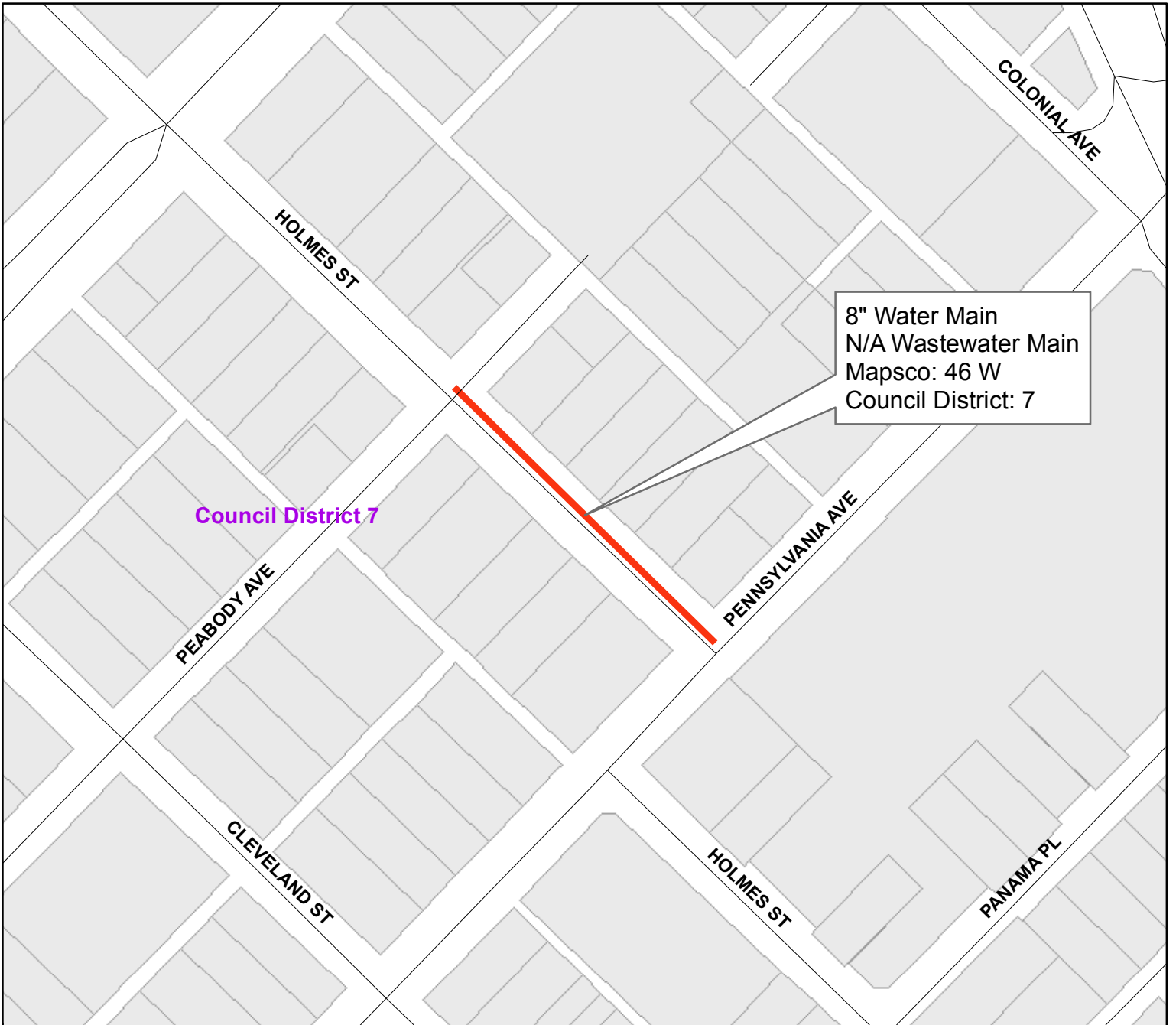
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



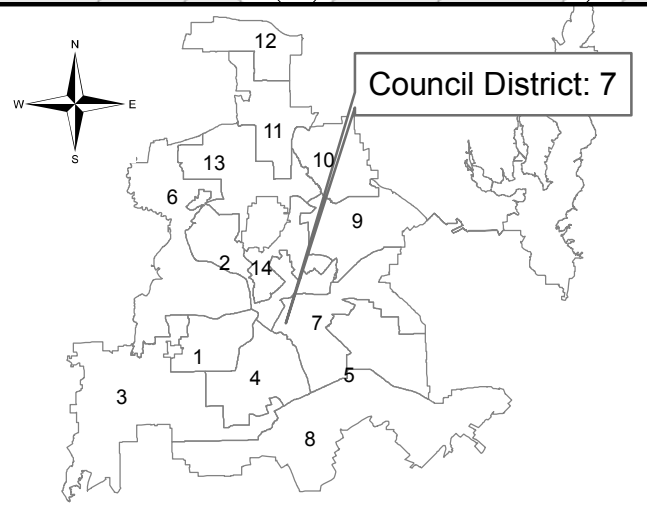
Hamburg Street
from Cleveland Street to Holmes Street



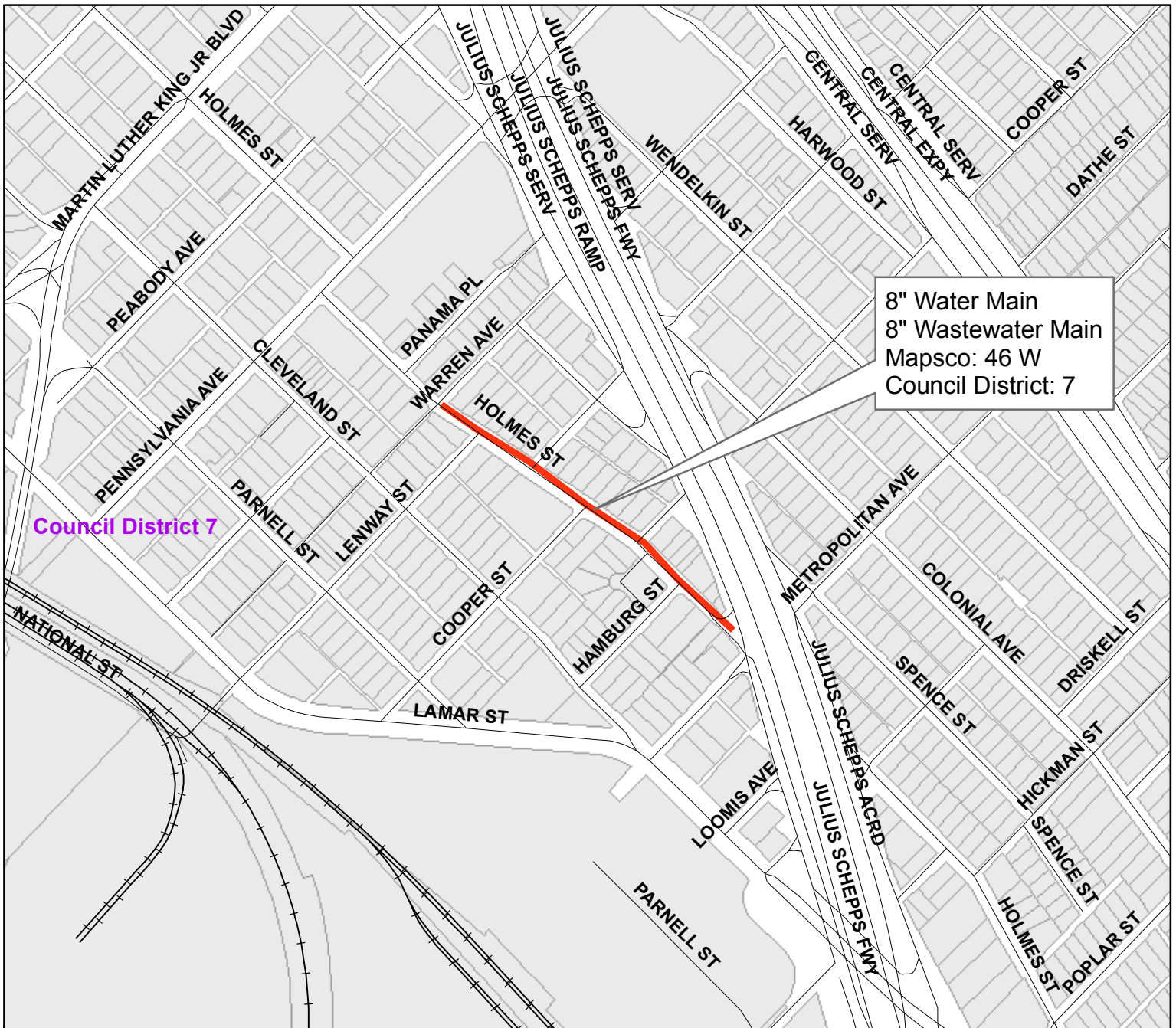
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Holmes Street
from Peabody Avenue to Pennsylvania Avenue



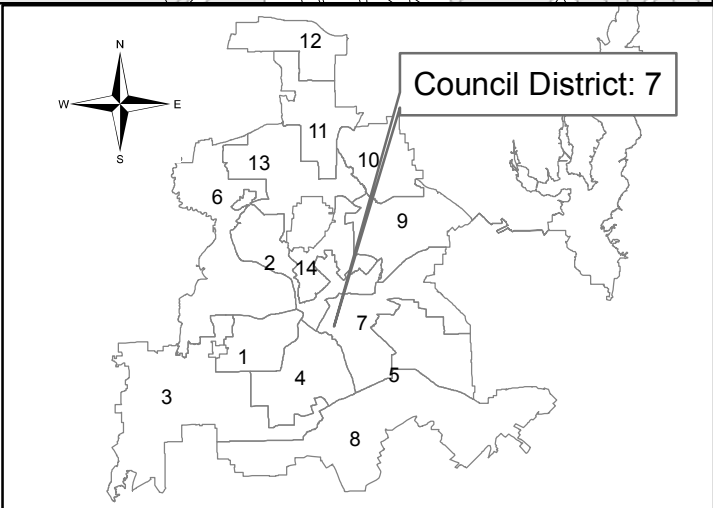
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Council District 7

8" Water Main
 8" Wastewater Main
 Mapsco: 46 W
 Council District: 7

Holmes Street
 from Warren Avenue to Julius
 Schepps Freeway (Service Road)



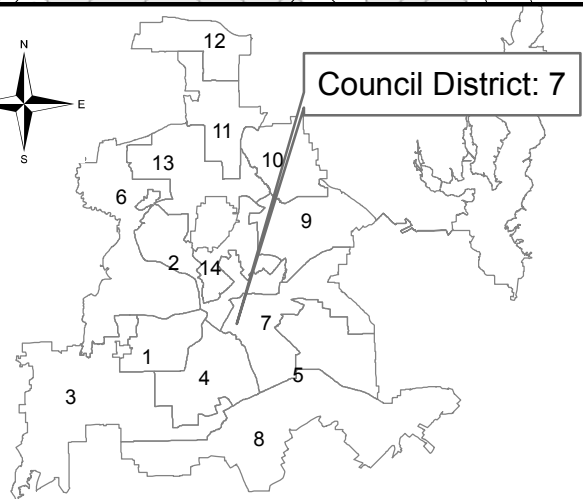
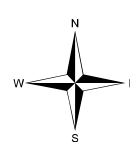
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



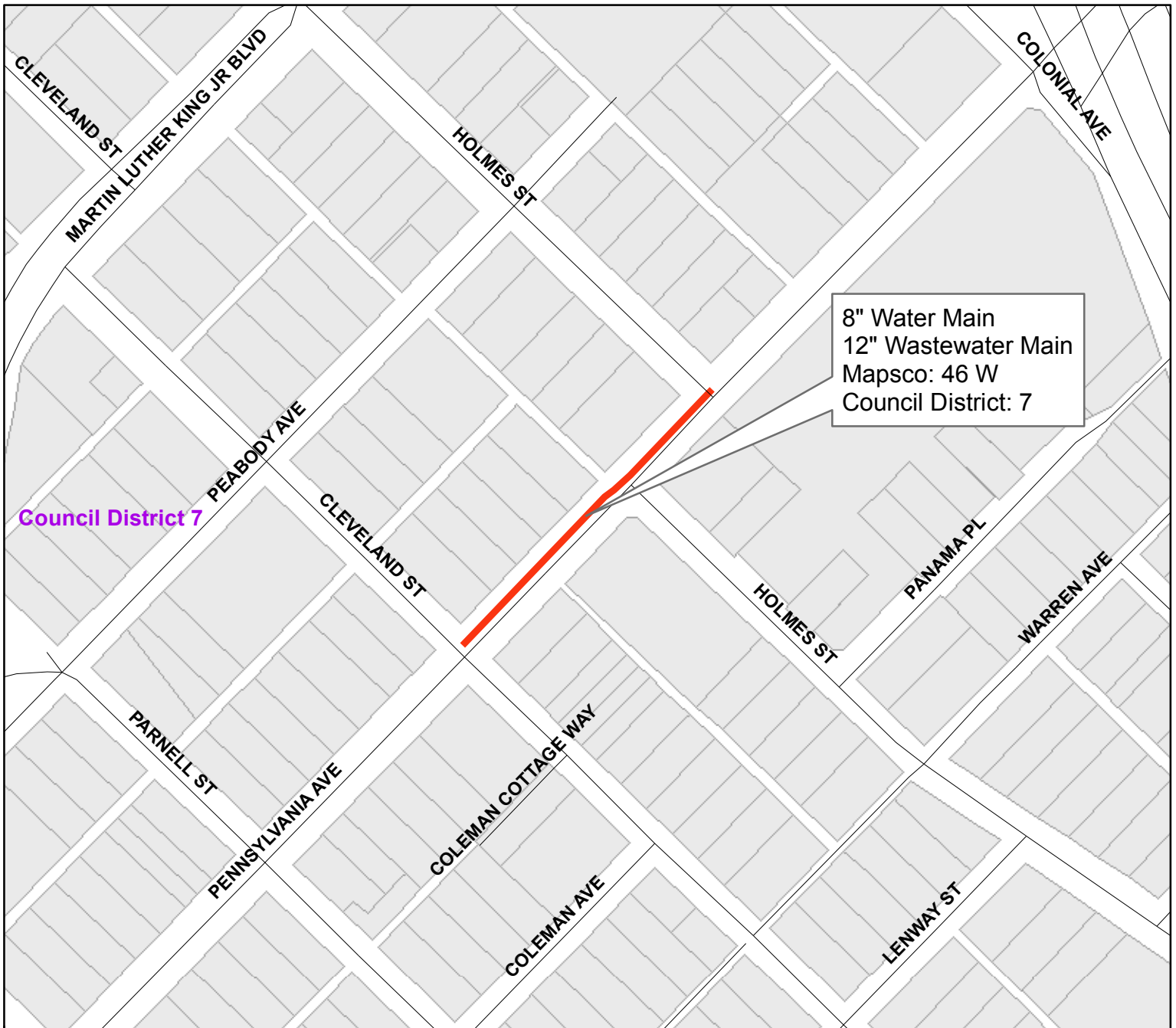
8" Water Main
 N/A Wastewater Main
 Mapsco: 46 W
 Council District: 7

Council District 7

Panama Place
 from Holmes Street to Julius Schepps
 Freeway (Service Road)



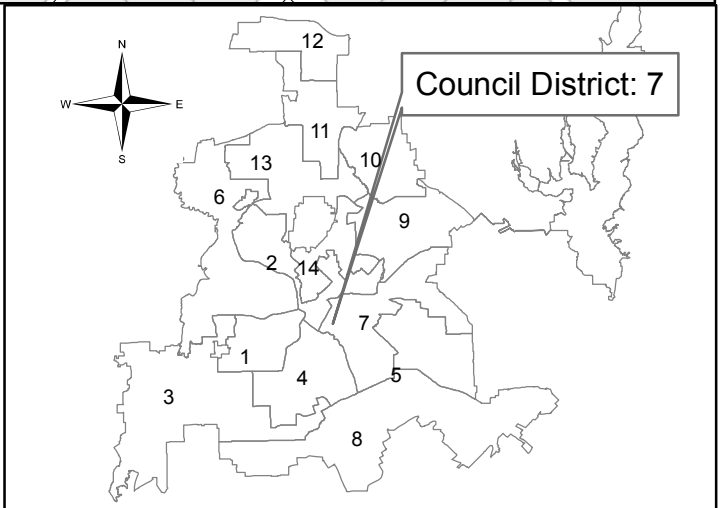
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Council District 7

8" Water Main
 12" Wastewater Main
 Mapsco: 46 W
 Council District: 7

Pennsylvania Avenue
 from Cleveland Street to Holmes Street



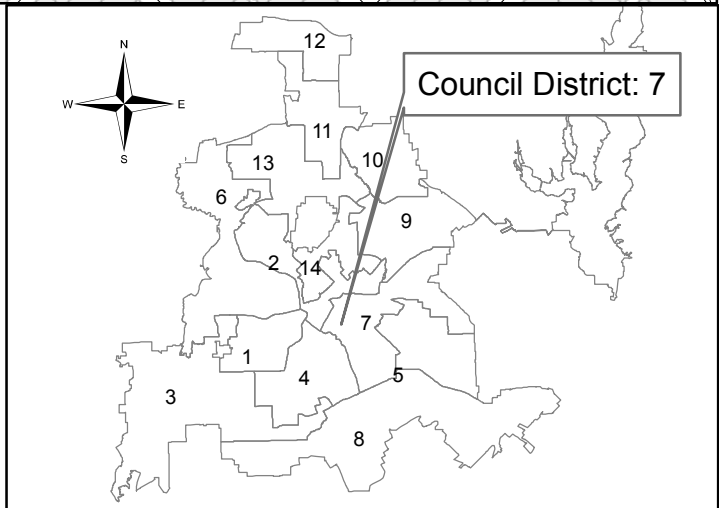
Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations



Council District 7

8" Water Main
 N/A Wastewater Main
 Mapsco: 46 W, X
 Council District: 7

Wendelkin Street
 from Lenway Street to Metropolitan Avenue



Council District: 7

Dallas Water Utilities
Contract No. 18-067/068
Water and Wastewater Main Installations
at 14 Locations

June 13, 2018

WHEREAS, on April 6, 2018, one bid was received for water and wastewater small services installations at various locations, installation of water and wastewater mains at 14 locations, and water and wastewater mainline extensions and emergency mainline installations and relocations at various locations, Contract No. 18-067/068, listed as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Omega Contracting, Inc.	\$14,751,802.00

WHEREAS, the bid submitted by Omega Contracting, Inc., 2518 Chalk Hill Road, Dallas, Texas 75212, in the amount of \$14,751,802.00, is the only bid received; and

WHEREAS, Dallas Water Utilities has reviewed this procurement and determined that the bid was conducted in accordance with Administrative Directive 4-5 and that reasonable efforts were made to increase bid participation. Dallas Water Utilities has also determined that this procurement meets the requirements for a single bid and represents a good value for the work to be performed.

Now, Therefore,

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

SECTION 1. That the bid submitted by Omega Contracting, Inc., in the amount of \$14,751,802.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 18-067/068, be accepted.

SECTION 2. That the City Manager is hereby authorized to sign a construction contract with Omega Contracting, Inc., approved as to form by the City Attorney, for **(1)** an 18-month master agreement for water and wastewater small services installations in the amount of \$7,966,845.00; **(2)** a contract for the installation of water and wastewater mains at 14 locations in the amount of \$3,687,465.00; and **(3)** an 18-month master agreement for water and wastewater mainline extensions and emergency mainline installations and relocations at various locations, in an amount of \$3,097,492.00, after having approval of the contract documents by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$14,751,802.00 to Omega Contracting, Inc., as follows:

Water Construction Fund	
Fund 0102, Department DWU, Unit CW40	
Balance Sheet Account 0531, Program 718067, Vendor 345379	
Encumbrance/Contract No. CX-DWU-2018-00006268	\$ 2,635,475.00

June 13, 2018**SECTION 3.** (continued)

Wastewater Construction Fund Fund 0103, Department DWU, Unit CS40 Balance Sheet Account 0531, Program 718068, Vendor 345379 Encumbrance/Contract No. CX-DWU-2018-00006268	\$ 5,331,370.00
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW40 Object 4550, Program 718067, Vendor 345379 Encumbrance/Contract No. CX-DWU-2018-00006268	\$ 3,024,920.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS40 Object 4560, Program 718068, Vendor 345379 Encumbrance/Contract No. CX-DWU-2018-00006268	\$ 662,545.00
Water Construction Fund Fund 0102, Department DWU, Unit CW40 Object 3221, Program 718067X, Vendor 345379 Encumbrance/Contract No. CX-DWU-2018-00006268	\$ 2,214,765.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS40 Object 3222, Program 718068X, Vendor 345379 Encumbrance/Contract No. CX-DWU-2018-00006268	\$ <u>882,727.00</u>
Total amount not to exceed	\$14,751,802.00

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

AGENDA ITEM # 42

**STRATEGIC
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

Outside City Limits

DEPARTMENT:

Water Utilities Department

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

2 T

SUBJECT

Authorize an increase in the construction services contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant - Not to exceed \$741,065, from \$48,242,006 to \$48,983,071 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas, is the second largest of three water treatment plants serving customers of the City of Dallas. On May 27, 2015, the City Council awarded the cleaning and rehabilitation of an existing 145 acre residuals basin site used for the collection of treatment process residuals.

This action will authorize Change Order No. 2 to the construction services contract for additional work identified during the construction of the residuals basin site improvements project. The additional work includes updating the automation controller to meet new permit requirements for discharge limits, relocating excess site material to meet the corridor development certificate requirement, and making adjustments to two manholes that discharge decant from the residuals basin site to the Elm Fork of the Trinity River.

This is the first project associated with the implementation of the \$300 million Elm Fork Water Quality Improvements Program and will help facilitate implementation of upcoming projects at the plant. The project addresses aging infrastructure and process changes, including residuals management, as recommended in the 2010 Water Quality Study. Residuals are a normal by-product of the drinking water treatment process and consist of solids removed from the source water by the addition of coagulants and the sedimentation process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2012
Completed Design	January 2015
Began Construction	June 2015
Complete Construction	October 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27, 2015, City Council authorized a contract with Quest Civil Constructors, Inc. for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant by Resolution No. 15-0978.

On January 11, 2017, City Council authorized an increase in the construction contract with Quest Civil Constructors, Inc. for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant by Resolution No. 17-0092.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$741,064.15

Construction Contract	\$46,464,646.00
Change Order No. 1	\$ 1,777,360.46
Change Order No. 2 (this action)	<u>\$ 741,064.15</u>

Total Project Cost \$48,983,070.61

M/WBE INFORMATION

In accordance with the City's Business and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

<u>Contract Amount</u>	<u>Category</u>	<u>M/WBE Goal</u>	<u>M/WBE%</u>	<u>M/WBE \$</u>
\$741,064.15	Construction	25.00%	5.64%	\$41,791.00

- Change Order No. 2 - 5.64% M/WBE participation
- This contract does not meet the M/WBE goal of 25.00%, and has a 18.47% Overall M/WBE participation

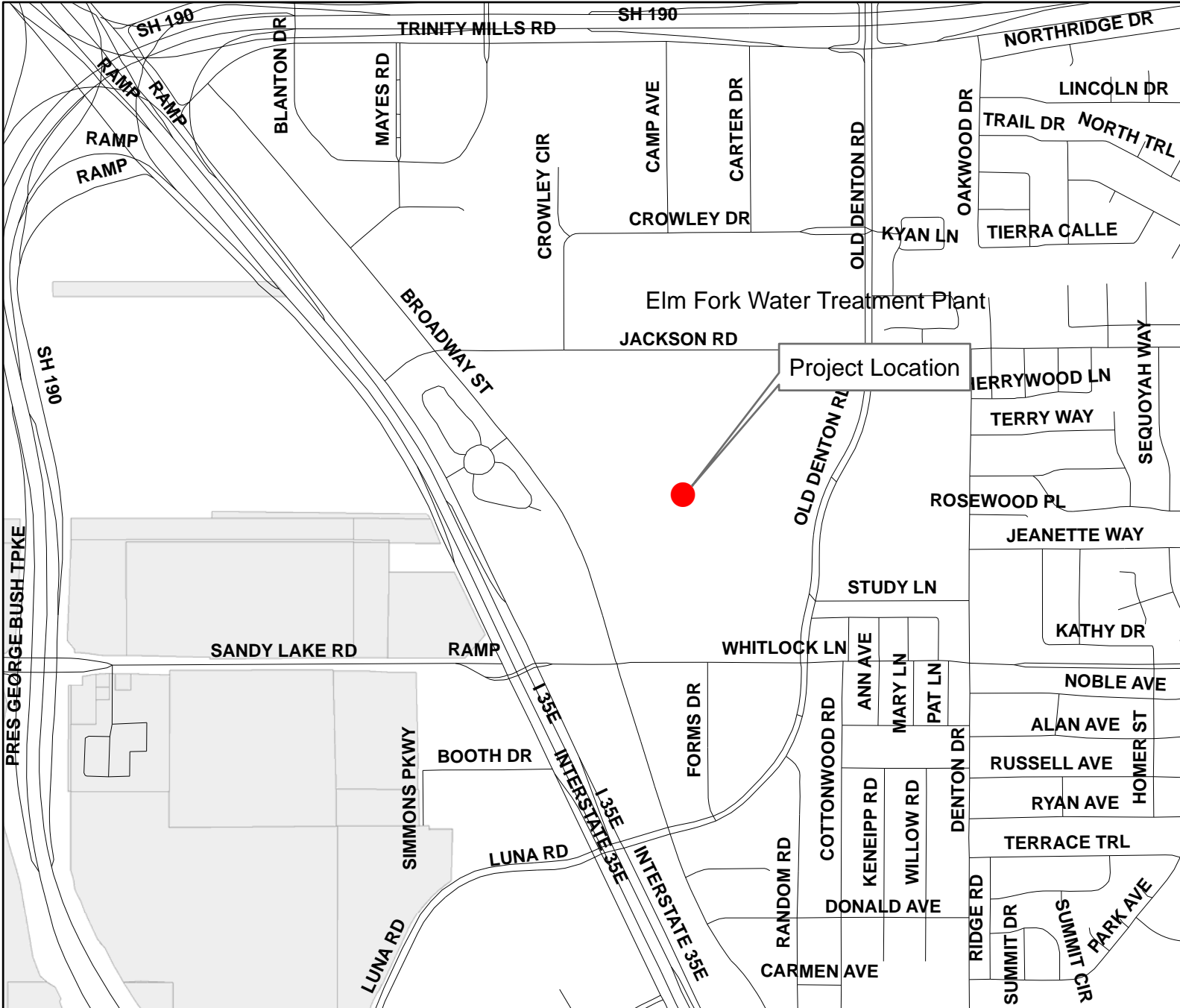
OWNER

Quest Civil Constructors, Inc.

Howard Birch, III, President

MAP

Attached



Mapsc0: 2 T

Council District: Outside City Limits



Dallas Water Utilities
Contract No. 15-005, Change Order No. 2
Elm Fork Water Treatment Plant
Cleaning and Rehabilitation of Residuals Basins Site

June 13, 2018

WHEREAS, on May 27, 2015, City Council authorized a contract with Quest Civil Constructors, Inc. for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant, in an amount not to exceed \$46,464,646.00, by Resolution No. 15-0978; and

WHEREAS, on January 11, 2017, City Council authorized Change Order No. 1 to the contract with Quest Civil Constructors, Inc. for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant, in an amount not to exceed \$1,777,360.46, from \$46,464,646.00 to \$48,242,006.46, by Resolution No. 17-0092; and

WHEREAS, it is necessary to authorize Change Order No. 2 for additional work required to meet permit requirements and make adjustments to discharge infrastructure at the residuals basin site; and

WHEREAS, Quest Civil Constructors, Inc., 1903 West Parkside Lane, Suite 100, Phoenix, Arizona 85027, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 15-005 be increased by \$741,064.15, from \$48,242,006.46 to \$48,983,070.61.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Quest Civil Constructors, Inc. (Change Order No. 2) is authorized for additional work associated with the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant, in an amount not to exceed \$741,064.15, increasing the contract amount from \$48,242,006.46 to \$48,983,070.61.

SECTION 2. That the proposed Change Order No. 2 with Quest Civil Constructors, Inc. be accepted and that Contract No. 15-005 be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$741,064.15 to Quest Civil Constructors, Inc. from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW31, Object 4320, Program 715005, Encumbrance CT-DWU715005CP, Vendor VS0000038219.

SECTION 4. That this contract is designated as Contract No. DWU-2016-00001447.

June 13, 2018

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 24K

SUBJECT

An ordinance amending Ordinance No. 30111, previously approved on June 15, 2016, which abandoned a portion of Montwood Lane and a garbage collection and utility easement, located near the intersection of Merrell and Midway Roads to The Episcopal School of Dallas, Inc. and WBL Family Investments, Inc., to extend the deadline to complete alley improvements from two years to thirty-three months and provide for the requirement of a new condition - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 30111, previously approved on June 15, 2016, which abandoned a portion of Montwood Lane and a garbage collection and utility easement, located near the intersection of Merrell and Midway Roads to The Episcopal School of Dallas, Inc. and WBL Family Investments, Inc.

The amendment will extend the deadline from 24 months to 33 months to complete alley improvements and provide for the requirement of a new condition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 15, 2016, City Council authorized an ordinance abandoning a portion of Montwood Lane and a garbage collection and utility easement to The Episcopal School of Dallas, Inc., and WBL Family Investments, Inc., the abutting owners, containing a total of approximately 75,438 square feet of land, located near the intersection of Merrell and Midway Roads, authorizing the quitclaim and providing for the dedication of approximately 36,970 square feet of land needed for right-of-way by Resolution No. 16-1009; Ordinance No. 30111.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 11, 2018.

FISCAL INFORMATION

Revenue - \$5,400, plus the \$20 ordinance publication fee

OWNER

The Episcopal School of Dallas, Inc.

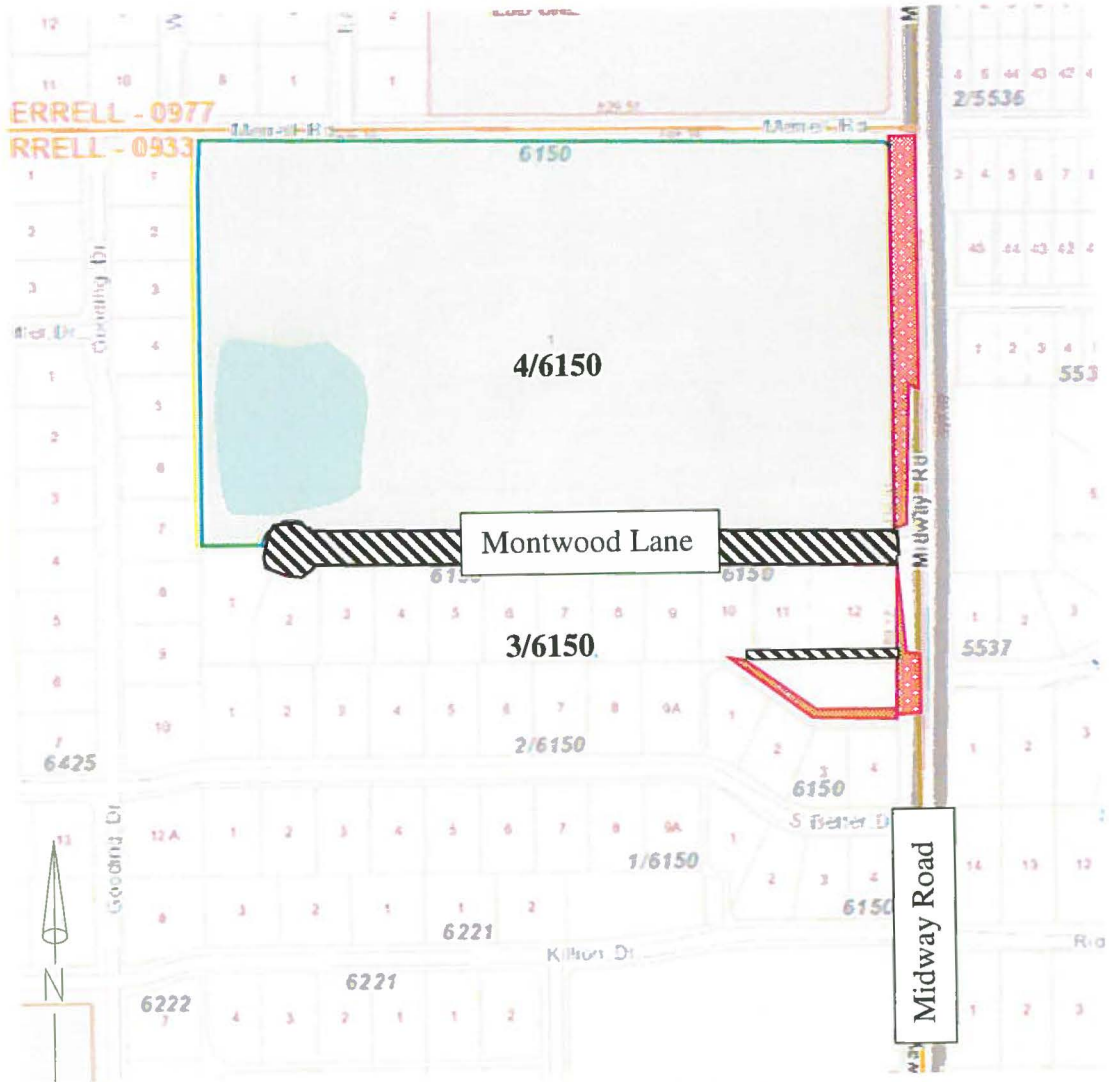
Erin Mayo, President


WBL Family Investments, Inc.


Stephen B. Swann, Director

MAP

Attached



Abandonment = 

Dedication = 

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30111, by altering Section 9 to extend the two year deadline for alley improvements; and alter Section 11 to provide for obligation of a new condition, adding a new Exhibit D; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance No. 30111 adopted by the City Council of the City of Dallas on June 15, 2016, be and the same is hereby amended by altering Section 9 to extend the two year deadline for alley improvements; and alter Section 11 to provide for obligation of a new condition, adding a new Exhibit D to read as follows:

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall complete construction of alley right-of-way improvements within the dedication area, being Exhibit C-Tract 3, to be conveyed to the City of Dallas as described in Section 13 herein. **GRANTEE** shall complete alley right-of-way improvements prior to any barricading of the abandoned right-of-way pursuant to Section 17. All alley right-of-way construction shall comply with the City of Dallas street construction standards. Failure to complete alley right-of-way improvements within the dedication area, being Exhibit C-Tract 3, within ~~two years~~ 33 months of the effective date of this ordinance and prior to barricading or removal of the abandoned right-of-way in accordance with the terms of this section shall render this ordinance null and void and of no further effect.

SECTION 11. That as a condition of the abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- (a) Ensure the alley right-of-way improvements shall be constructed at a width of least 16 feet wide;

SECTION 1. (continued)

- (b) Ensure height clearance of dedication area, being Exhibit C-Tract 3, meet a minimum of 15 feet in height, measured from the surface of pavement, to avoid obstruction of City of Dallas Sanitation vehicles.;
- (c) Maintain a landscaped buffer to include the installation of a minimum nineteen (19), four (4) inch caliper trees and a board on board eight-foot fence as described in the Fence and Landscape plan, being Exhibit D. GRANTEE shall comply with the Fence and Landscape Plan and said installation of improvements shall be acceptable to the Director of the Department of Sustainable Development and Construction and Chief Arborist.

SECTION 2. That, as consideration for amending Ordinance No. 30111, The Episcopal School of Dallas, Inc. and WBL Family Investments, Inc. agree to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00)** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 4. That the terms and conditions of Ordinance No. 30111 shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

SECTION 5. (continued)

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay and completion of the alley improvements set forth in Section 9, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 6. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00006161.

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


APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

DAVID COSSUM, Director

Department of Sustainable Development and Construction

BY:



Assistant City Attorney

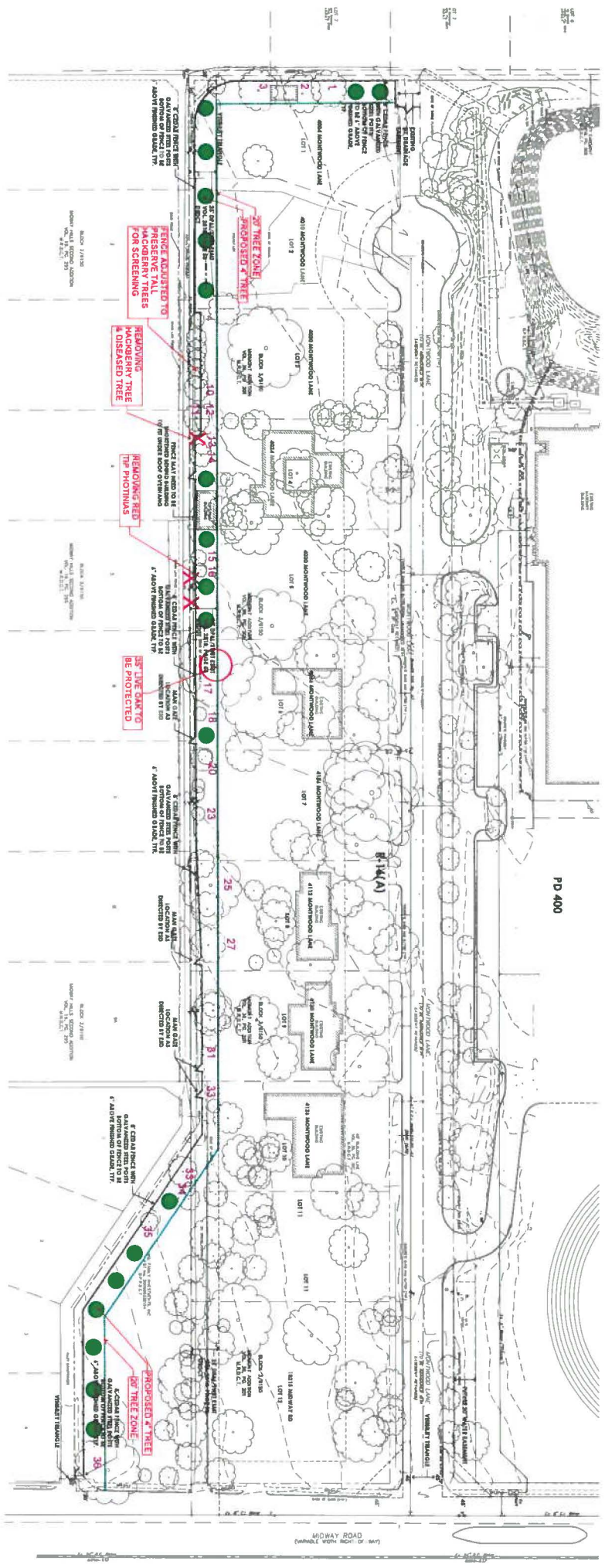
BY:



SPK Assistant Director

Passed _____.

EXHIBIT D



LEGEND	
●	PROPOSED 4" TREE
—	20' TREE ZONE
X	TREE REMOVAL
○	TREE PRESERVATION

FENCE AND LANDSCAPE EXHIBIT
FOR MONTWOOD ABANDONMENT
ORDINANCE NO. 30111 EXTENSION



AGENDA ITEM # 47

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 13, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Mayor and City Council Office

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

A resolution amending City Council Rules of Procedure Section 6.1(c)(1) to begin the second Wednesday city council voting agenda meeting at 2:00 p.m., with the public hearings to begin not earlier than 6:00 p.m. - Financing: Future cost consideration to the City (Medrano, Narvaez, Kingston, Felder, Griggs)

BACKGROUND

City Council Rules of Procedure set the time that city council briefing and voting agenda meetings begin. Currently, the city council holds two briefing meetings and two voting agenda meetings each month beginning at 9:00 a.m., with the voting agenda meeting public hearings to begin no earlier than 1:00 p.m.

Many Dallas citizens are affected by the public hearing items, but work in the afternoon or must take time off work to attend the meeting.

Thus, to encourage open government and public participation in the public hearing process, the city council will consider amending its City Council Rules of Procedure to schedule at least one city council agenda meeting in the afternoon, with public hearings to begin in the evening.

FISCAL INFORMATION

General Fund - Cost to be determined

Memorandum

RECEIVED

2018 APR 25 PM 4:55

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

DATE 04/25/2018

TO The Honorable Michael S. Rawlings

FROM Deputy Mayor Pro Tem Adam Medrano, District 2

SUBJECT Request for Placement of Agenda Item – Council Member(s)

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

Pursuant to Section 6.2 of the City Council Rules of Procedure, please post the following item on the first voting agenda scheduled at least 30 calendar days after receipt of this request:

A resolution amending City Council Rules of Procedure Section 6.1(c)(1) to begin the second Wednesday city council voting agenda meeting at 2:00 pm., with the public hearings to begin not earlier than 6:00 p.m.

BRIEF BACKGROUND:

City Council Rules of Procedure set the time that city council briefing and voting agenda meetings begin. Currently, the city council holds two briefing meetings and two voting agenda meetings each month beginning at 9:00 a.m, with voting agenda meeting public hearings to begin no earlier than 1:00 p.m.

Many Dallas citizens are affected by public hearing items, but work in the afternoon or must take time off work to attend the hearing.

Thus, to encourage open government and public participation in the public hearing process, the city council desires to amend its City Council Rules of Procedure to schedule at least one city council agenda meeting in the afternoon, with public hearings to be begin in the evening.

Submitted for consideration by:

DMPT Adam Medrano, District 2
Printed Name, District #

Adam Medrano
Signature

Supporting Council Member Signatures (4 Signatures Only):

Omar Narvaez District 6
Printed Name, District #

Omar Narvaez
Signature

Philip Kingston 14
Printed Name, District #

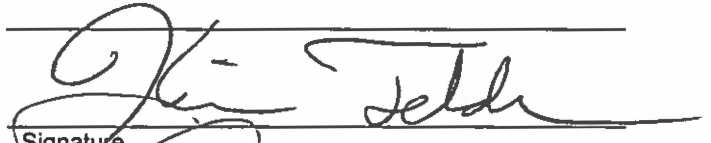
Philip Kingston
Signature

Kevin Felder #7

Printed Name, District #

City GRIGGS, D1

Printed Name, District #



Signature



Signature

Attachment: Draft Resolution or Ordinance

- c: Honorable Council Members
- T.C. Broadnax, City Manager
- Larry Casto, City Attorney
- Craig D. Kinton, City Auditor
- Biliera Johnson, Interim City Secretary
- Scott Goldstein, Chief of Policy and Communications, Office of the Mayor

Memorandum form for a five-person request to place an item on the agenda

COUNCIL CHAMBER

04/25/2018

WHEREAS, the City Council Rules of Procedure, adopted by the city council, set the time that the City Council briefing and voting agenda meetings begin;

WHEREAS, City Council meets on Wednesdays for two briefing meetings and two agenda meetings each month, which begin at 9:00 a.m., with public hearings no earlier than 1:00 p.m. on the second and fourth Wednesdays;

WHEREAS, many Dallas citizens are affected by public hearing items held not earlier than 1:00 p.m. on the second and fourth Wednesday voting agenda meetings, but are often at work or must take time off work to attend; and

WHEREAS, to encourage open government and public participation in the public hearing process, the city council wishes to amend its City Council Rules of Procedure to provide that at least one City Council agenda meeting per month begin in the afternoon with the public hearing to begin in the evening.

Now, Therefore,

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

SECTION 1. That Subparagraph (1) of Paragraph (c), "Voting Agenda Meetings," of Subsection 6.1, "Agenda," of Section 6, "Order of Business," of the City Council Rules of Procedure is amended to read as follows:

"(1) On the second and fourth Wednesday of each month, the city council will hold a voting agenda meeting. On the second Wednesday, the voting agenda meeting shall begin at 2:00 p.m. On the fourth Wednesday, the voting agenda meeting ~~[which]~~ shall begin at 9:00 a.m. At a voting agenda meeting, the city council shall hear speakers who wish to comment on matters that are scheduled on the city council's voting consent and individual item agenda for that day. The city council shall also hear open microphone speakers. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these rules. Upon completion of any speakers allowed under Subsection 6.3 to speak at the beginning of the meeting, the city council will consider the minutes, the consent agenda, and individual items for consideration until 5:00 p.m. on the second Wednesday, and noon on the fourth Wednesday, when city council ~~[they]~~ shall recess. On the second Wednesday, the city council shall reconvene no earlier than 6:00 p.m. to conduct public hearings. On the fourth Wednesday, the city council shall reconvene n~~[N]~~o earlier than 1:00 p.m. [the city council shall reconvene] to conduct public hearings. At the completion of the public hearings, the city council shall resume its voting agenda."

SECTION 2. That the City Council Rules of Procedure, as amended, will remain in full force and effect, save and except as amended by this resolution.

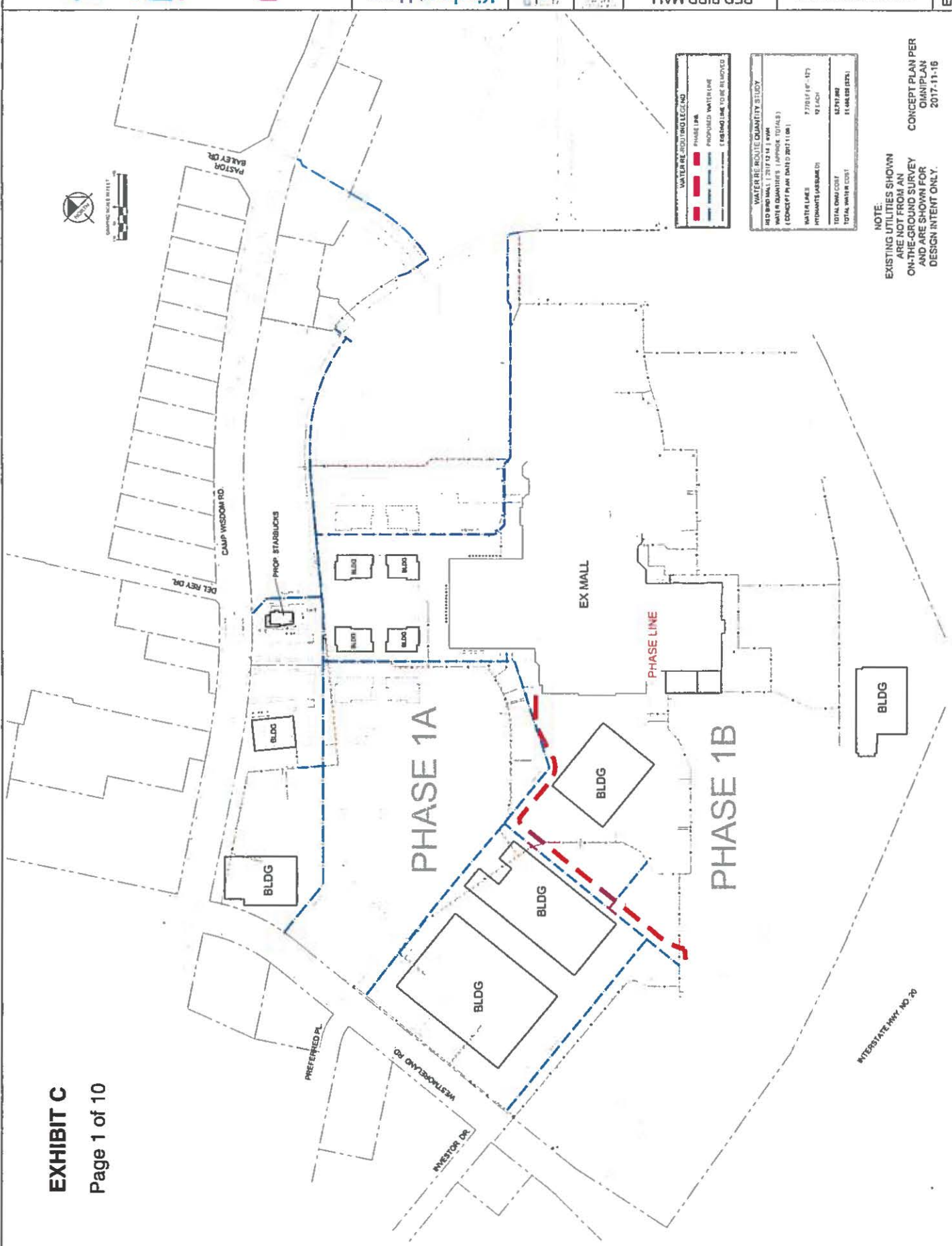
SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Each councilmember signing the five-person request to place an item on the agenda must review and confirm that they have read and agree with the draft resolution by dating, initialing, and placing their district number below.

<u>4/25</u>	<u>04/25</u>	<u>04/25</u>	<u>4/25</u>	<u>4/25</u>
DATE	DATE	DATE	DATE	DATE
<u>AM</u>	<u>[Signature]</u>	<u>[Signature]</u>	<u>KF</u>	<u>[Signature]</u>
CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL
<u>2</u>	<u>6</u>	<u>14</u>	<u>7</u>	<u>1</u>
DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.

EXHIBIT C

Page 1 of 10



WATER RE-ROUTE QUANTITY STUDY

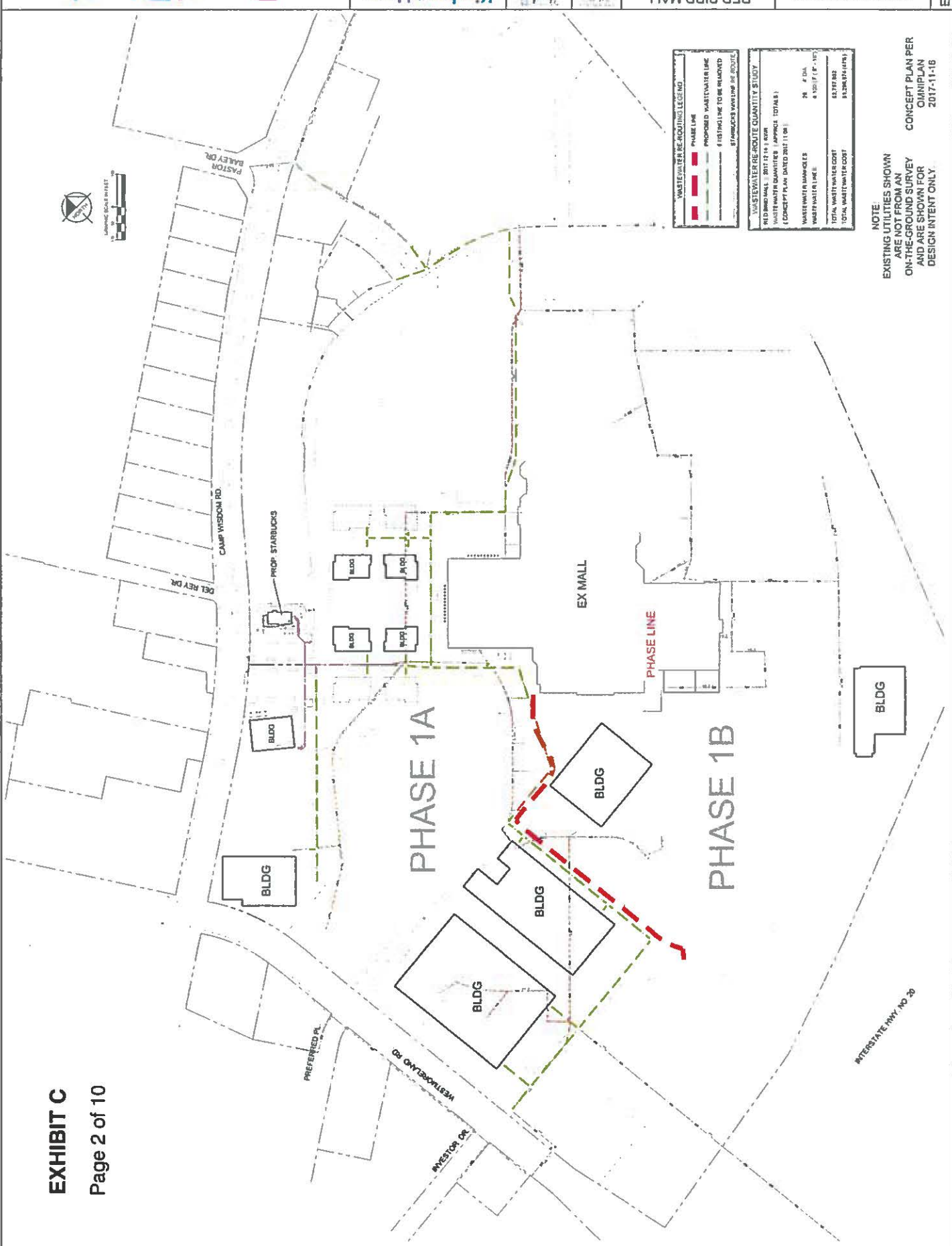
WATER RE-ROUTE QUANTITY STUDY	PHASE 1A	PROPOSED WATER LINE
WATER RE-ROUTE QUANTITY STUDY	PHASE 1B	PROPOSED WATER LINE
WATER RE-ROUTE QUANTITY STUDY	PHASE 1A	EXISTING WATER LINE
WATER RE-ROUTE QUANTITY STUDY	PHASE 1B	EXISTING WATER LINE
WATER RE-ROUTE QUANTITY STUDY	PHASE 1A	STORMWATER LINE TO BE REMOVED
WATER RE-ROUTE QUANTITY STUDY	PHASE 1B	STORMWATER LINE TO BE REMOVED

WATER RE-ROUTE QUANTITY STUDY

RED BIRD MALL (2017/2/14) 8.4MM	777,617 (F=47)
WATER QUANTITIES (APPROX. TOTALS)	19 EACH
(CONCEPT PLAN DATED 2017/11/01)	14,714 (F=10)
WATER LINES	14,714 (F=10)
HYDRAULIC LOSS (GPM)	14,714 (F=10)
TOTAL DRAINAGE	14,714 (F=10)
TOTAL WATER COST	14,714 (F=10)

NOTE:
 EXISTING UTILITIES SHOWN
 ARE NOT FROM AN
 ON-THE-GROUND SURVEY
 AND ARE SHOWN FOR
 DESIGN INTENT ONLY.

CONCEPT PLAN PER
 OMNIPLAN
 2017-11-16



WASTEWATER RE-ROUTING LEGEND

(Red dashed line)	PHASE LINE
(Green dashed line)	PROPOSED WASTEWATER LINE
(Red dashed line)	EXISTING LINE TO BE RE-ROUTED
(Green dashed line)	EXISTING WASTEWATER LINE

WASTEWATER RE-ROUTE QUANTITY STUDY

RED BIRD MALL - 2017 (214,000 GPD)	WASTEWATER QUANTITIES (APPROX TOTALS)
(CONCEPT PLAN DATED 2017.11.01)	
WASTEWATER VOLUMES	MG
WASTEWATER LINE	4,100 (1.0" - 12")
TOTAL WASTEWATER COST	\$3,332,800
TOTAL WASTEWATER	\$3,332,800 (100%)

NOTE:
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ARE NOT FROM AN
ON-THE-GROUND SURVEY
AND ARE SHOWN FOR
DESIGN INTENT ONLY.

CONCEPT PLAN PER
COUNCILMAN
2017-11-16



STORM RE-ROUTING LEGEND	
	PHASE LINE
	PROPOSED STORM LINE
	EXISTING LINE TO BE REMOVED
	PROPOSED JUNCTION NON-WAHPOLE

STORM RE-ROUTE QUANTITY STUDY	
RED BIRD MALL 1, 2017-2018 (CONCEPT PLAN DATED 2017.11.08)	26
STORM QUANTITIES - APPROX. TOTALS	700
(CONCEPT PLAN DATED 2017.11.08)	11,117
10 CURB INLETS	12,117
STORM MANHOLES	12,117
STORM JUNCTION BOXES	12,117
STORM LINES	1,935 LF (at 48" depth)
18" CPVC	485 LF
10" CPVC	345 LF
6" CPVC	1,105 LF
4" CPVC	1,000 LF
3" CPVC	385 LF
2" CPVC	265 LF
1.5" CPVC	125 LF
18" PIPE	1,935 LF
10" PIPE	1,935 LF
6" PIPE	1,935 LF
4" PIPE	1,935 LF
3" PIPE	1,935 LF
2" PIPE	1,935 LF
1.5" PIPE	1,935 LF
TOTAL STORM COST	\$4,200,000
STORM LINES	\$4,200,000
TOTAL STORM COST	\$4,200,000

NOTE:
EXISTING UTILITIES SHOWN
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ON-THE-GROUND SURVEY
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CONCEPT PLAN PER
OMNIPLAN
2017-11-16

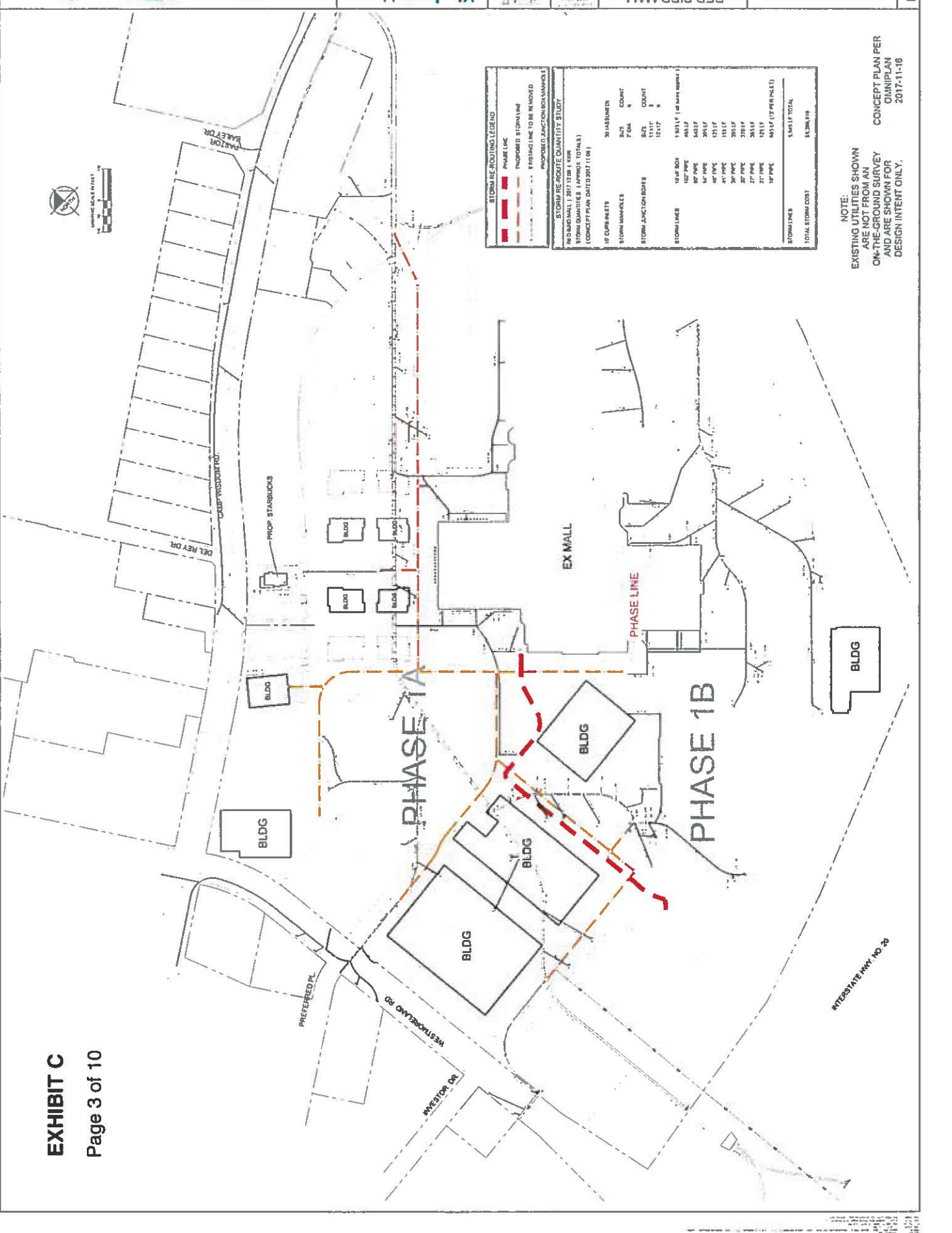
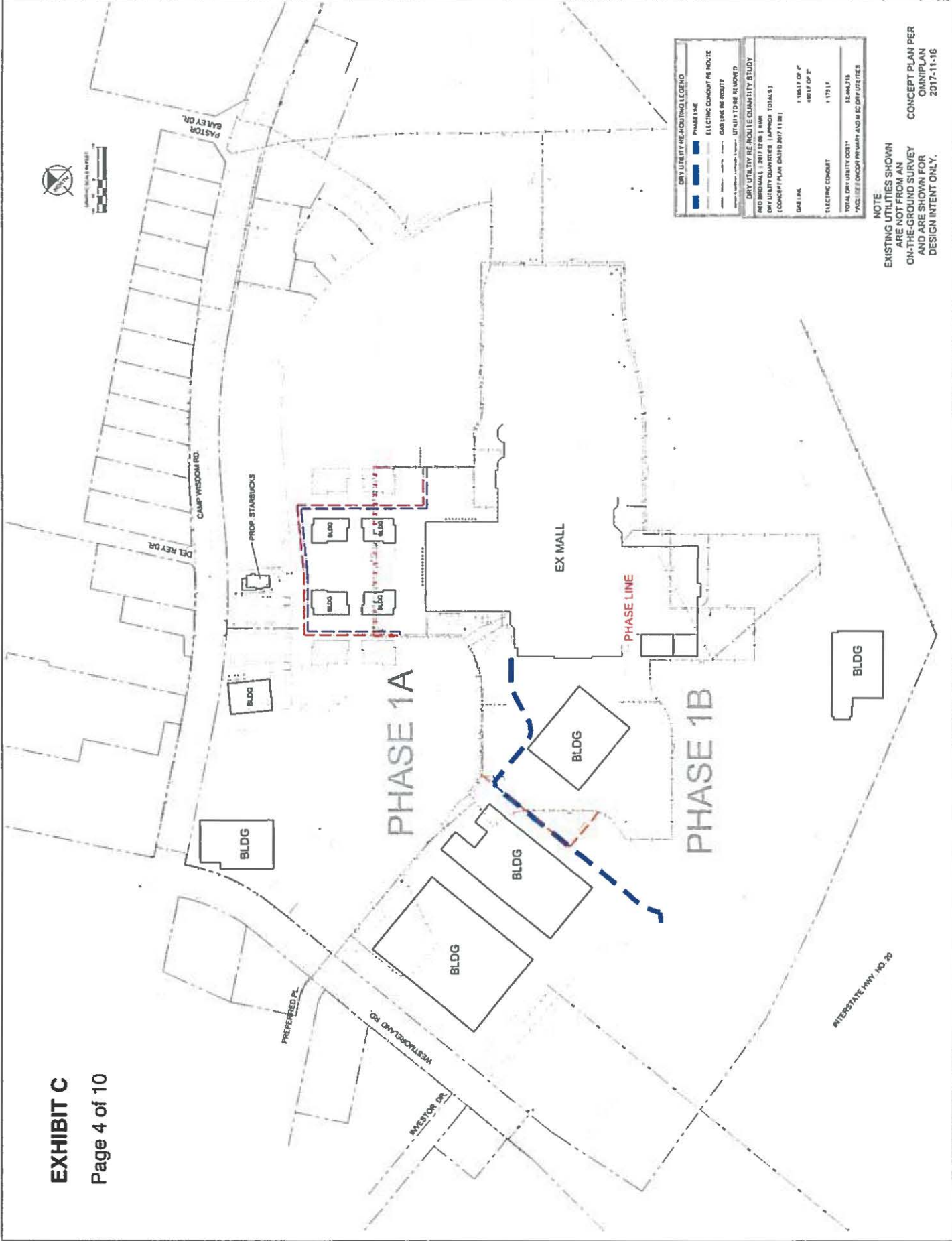


EXHIBIT C

Page 4 of 10



DRY UTILITY REROUTING LEGEND	
[Blue dashed line]	PHASE 1A
[Blue dashed line]	ELECTRIC CONDUIT PHASE 1A
[Red dashed line]	PHASE 1B
[Red dashed line]	ELECTRIC CONDUIT PHASE 1B
[Blue dashed line]	GAS LINE PHASE 1A
[Blue dashed line]	GAS LINE PHASE 1B
[Blue dashed line]	UTILITY TO BE REROUTED
[Blue dashed line]	UTILITY TO BE REMOVED

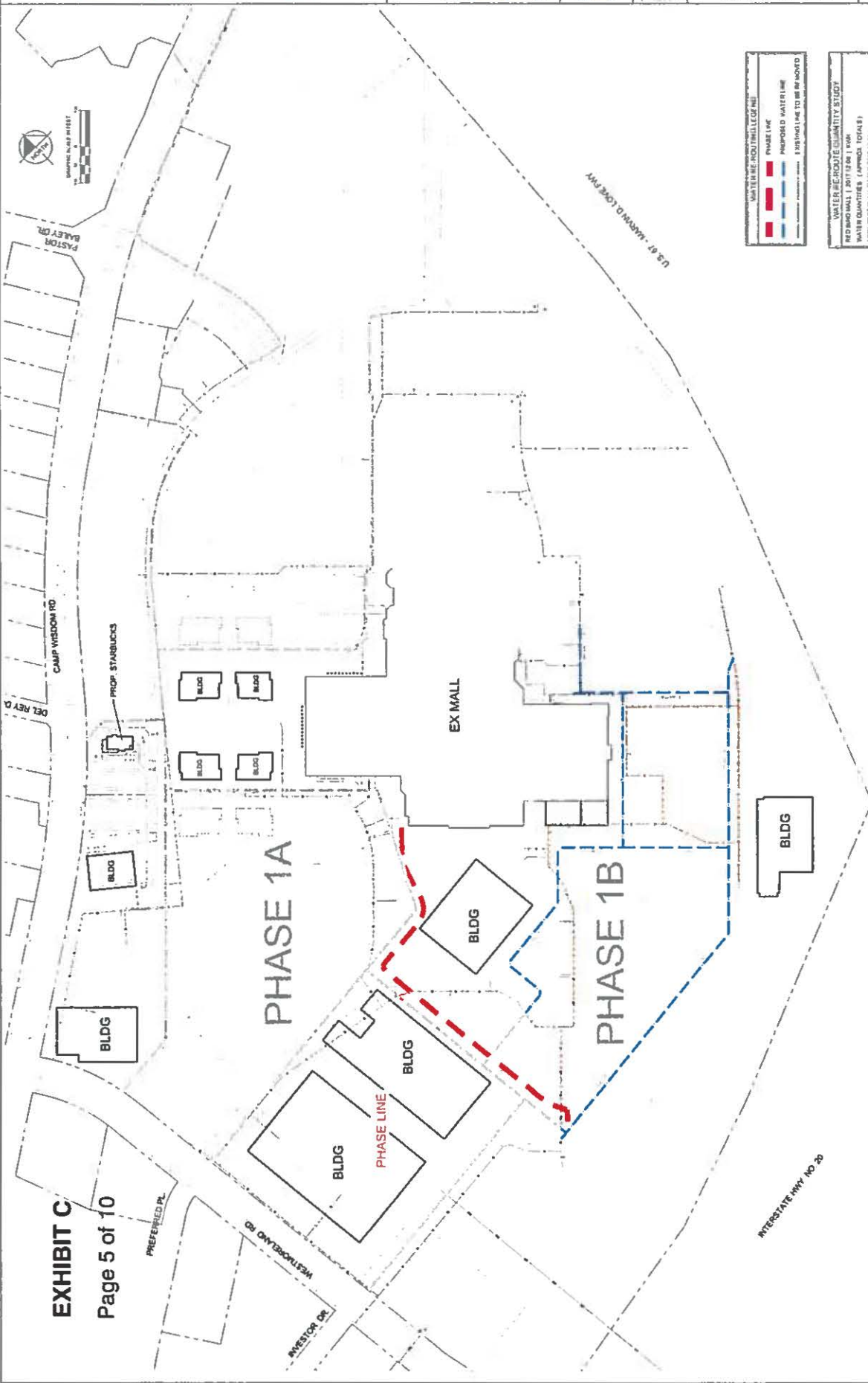
DRY UTILITY REROUTE QUANTITY STUDY	
PHASE 1A	1,100 LF
PHASE 1B	1,100 LF
TOTAL	2,200 LF
NOTE: QUANTITIES ARE BASED ON 1" BULKHEAD CONDUIT	

TOTAL DRY UTILITY COST*	
PHASE 1A	\$2,200,000
PHASE 1B	\$2,200,000
TOTAL	\$4,400,000

*BASED ON 1" BULKHEAD CONDUIT PER FOOT

NOTE
EXISTING UTILITIES SHOWN
ARE NOT FROM AN
ON-THE-GROUND SURVEY
AND ARE SHOWN FOR
DESIGN INTENT ONLY.

**CONCEPT PLAN PER
OMNIPLAN
2017-11-16**



WATER RE-ROUTE QUANTITY STUDY

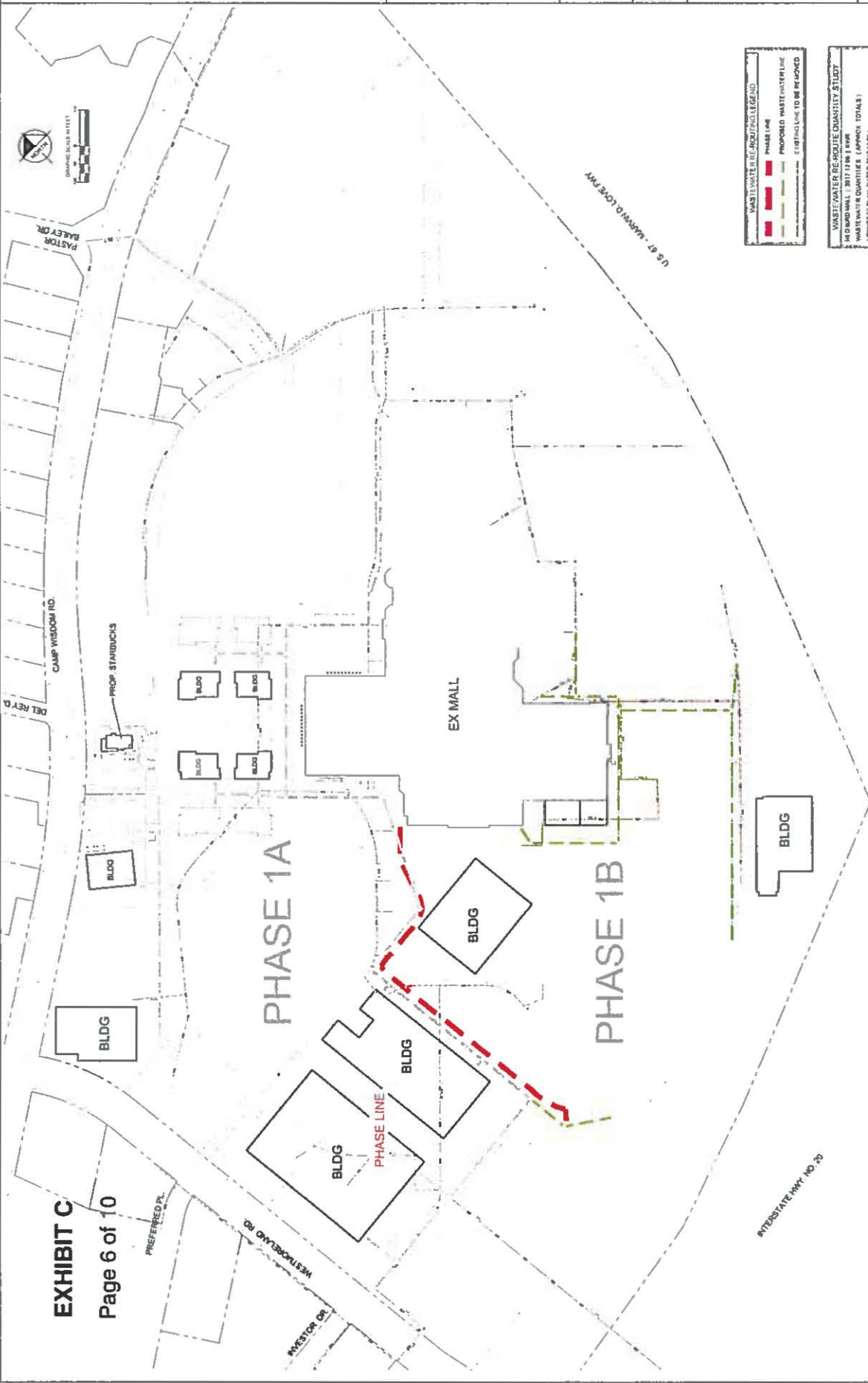
PHASE 1A	PHASE 1B
PROPOSED WATER LINE	EXISTING WATER LINE TO BE REMOVED

WATER RE-ROUTE QUANTITY STUDY

RED BIRD MALL (2017) 1.0 MG	RED BIRD MALL (2017) 1.0 MG
WATER QUANTITIES (APPROX. TOTALS)	WATER QUANTITIES (APPROX. TOTALS)
(CONCEPT PLAN DATED 08/11/16)	(CONCEPT PLAN DATED 08/11/16)
WATER LINE	2.00 MG (1.0 MG)
PROPOSED (PHASE 1A)	1.00 MG (0.5 MG)
TOTAL (PHASE 1A)	1.00 MG (0.5 MG)
TOTAL (PHASE 1B)	1.00 MG (0.5 MG)

NOTE:
EXISTING UTILITIES SHOWN
ARE NOT FROM AN
ON-THE-GROUND SURVEY
AND ARE SHOWN FOR
DESIGN INTENT ONLY.

CONCEPT PLAN PER
CONPLAN
2017-11-16



WASTEWATER RE-ROUTE QUANTITY STUDY

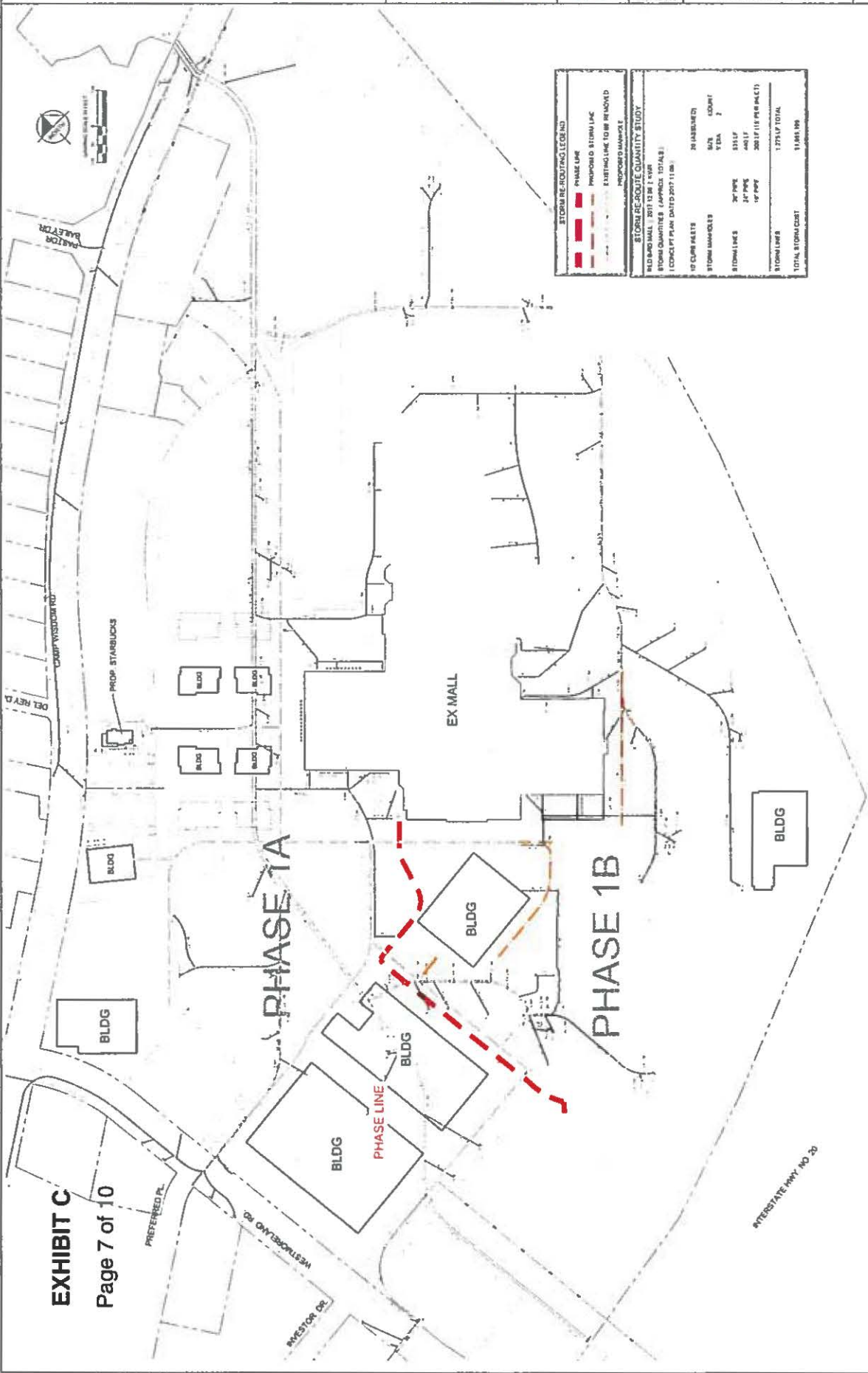
PHASE 1A	PHASE 1B
PROPOSED WASTEWATER LINE	EXISTING WASTEWATER LINE TO BE RE-ROUTED

WASTEWATER RE-ROUTE QUANTITY STUDY

REPAIRS TO EXISTING WASTEWATER	11	6,720
NEW WASTEWATER MAINS	11	2,433.1' (0.70)
TOTAL WASTEWATER COST		\$1,291,842
TOTAL WASTEWATER COST		\$326,300 (10%)

NOTE
EXISTING UTILITIES SHOWN ARE NOT FROM AN ON-THE-GROUND SURVEY AND ARE SHOWN FOR DESIGN INTENT ONLY.

CONCEPT PLAN PER OMNIPLAN 2017-11-16



STORM RE-ROUTING LEGEND

- PHASE LINE
- PROPOSED STORM LAC
- EXISTING LINE TO BE REMOVED
- PROPOSED MANHOLE

STORM RE-ROUTE QUANTITY STUDY

NO. MANHOLE 2017 (NEW) 1 (EXISTING) 1 (TOTAL)
 NO. STORM LINES 2017 (NEW) 1 (EXISTING) 1 (TOTAL)
 (CONCEPT PLAN DATE 2017.11.16)

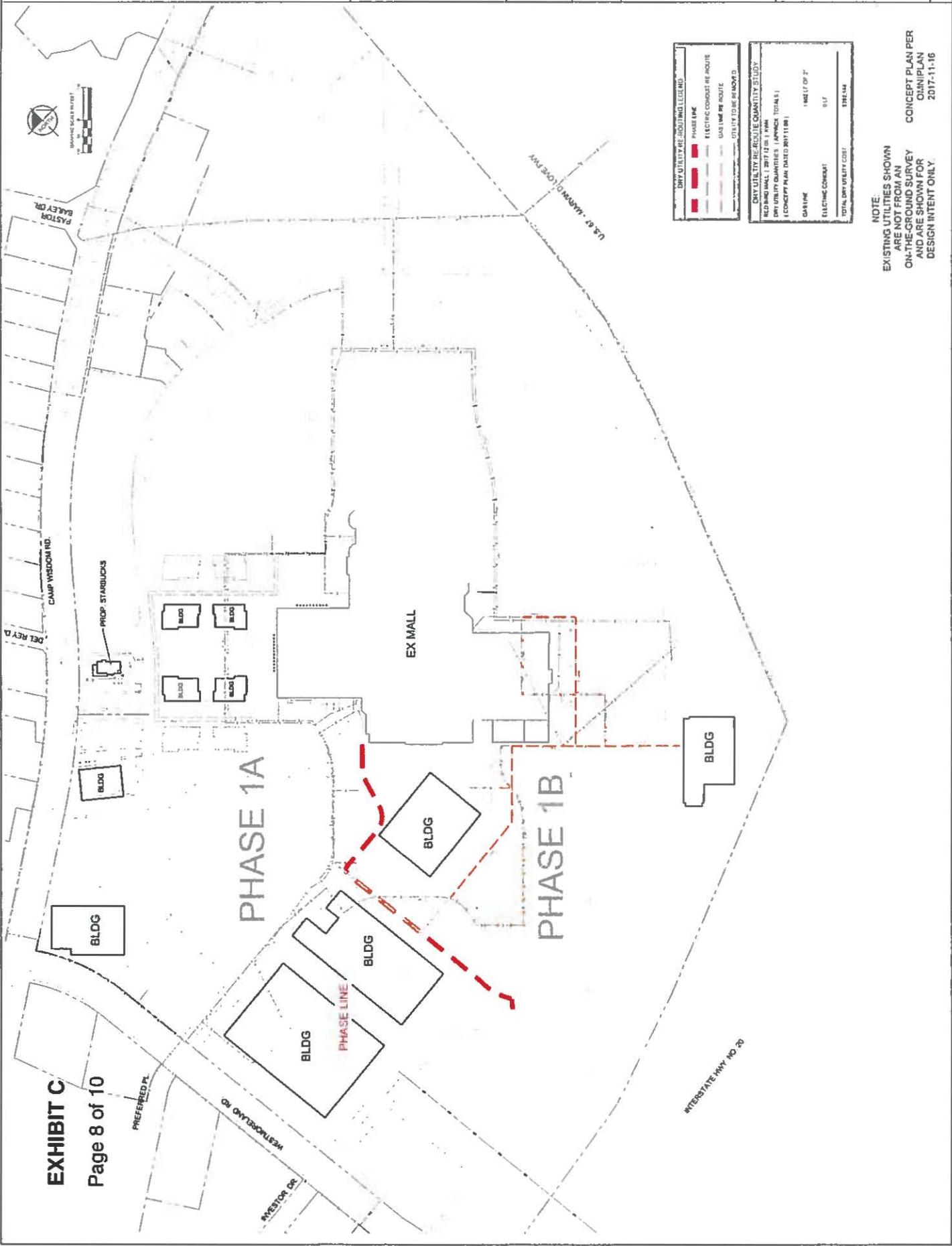
NO. CLIMATE FACTS	IN MANHOLE	NO. OF	COURT
STORM MANHOLE	NO. OF	NO. OF	
STORM LINES	24" PIPE	24" PIPE	
	18" PIPE	18" PIPE	
STORM LINES	2017 (116 PER PLAN)	2017 (116 PER PLAN)	
TOTAL STORM COST	1,773,147	TOTAL	11,881,199

NOTE:
 EXISTING UTILITIES SHOWN
 ARE NOT FROM AN
 ON-THE-GROUND SURVEY
 AND ARE SHOWN FOR
 DESIGN INTENT ONLY.

CONCEPT PLAN PER
 CHAINPLAN
 2017-11-16

EXHIBIT C
 Page 7 of 10

INTERSTATE HWY. NO. 26



DRY UTILITY ROUTING LEGEND

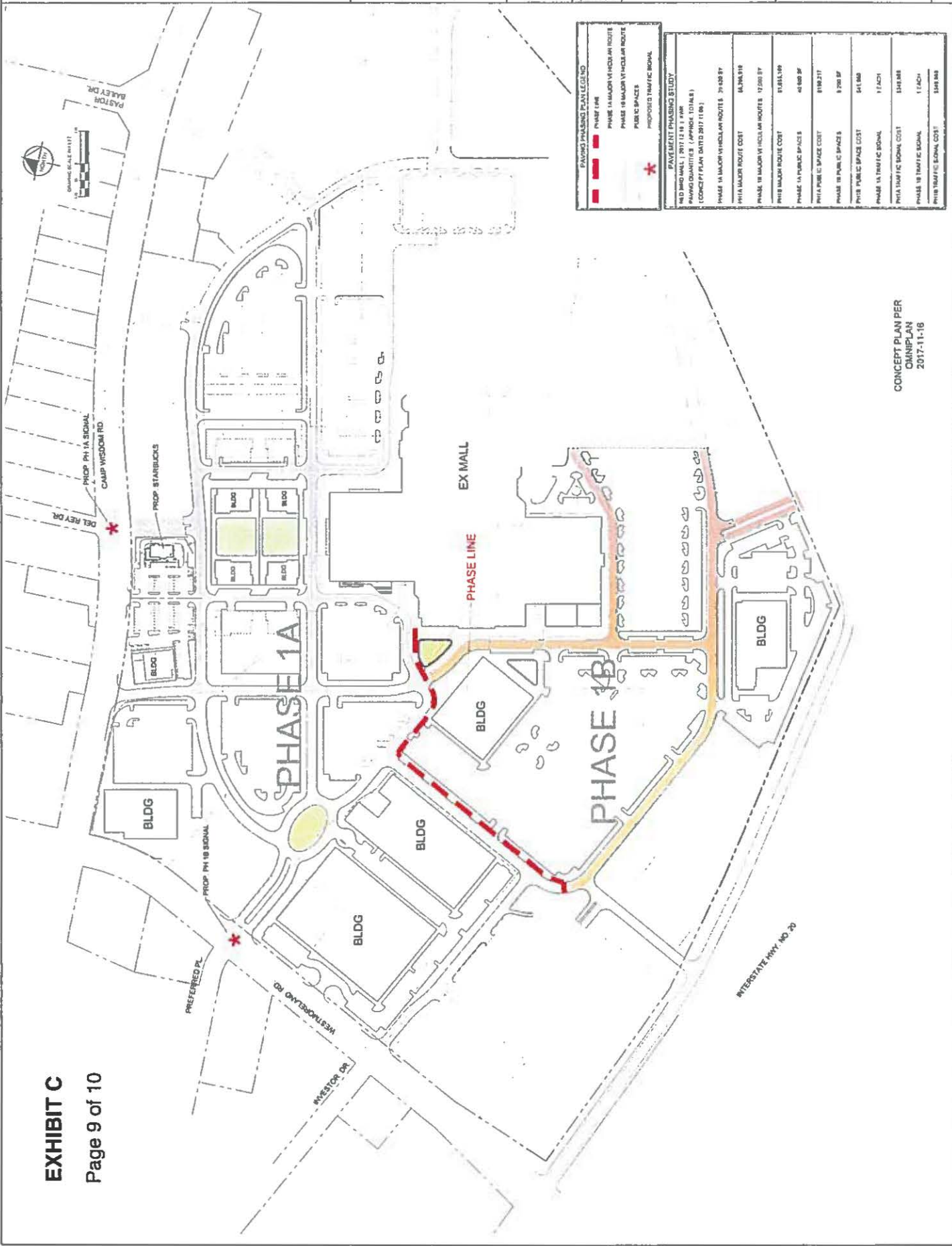
PHASE LINE	PHASE LINE
ELECTRIC CONDUIT RE-ROUTE	ELECTRIC CONDUIT RE-ROUTE
UTILITY TO BE RE-ROUTED	UTILITY TO BE RE-ROUTED
UTILITY TO BE REMOVED	UTILITY TO BE REMOVED

DRY UTILITY RE-ROUTE QUANTITY STUDY

RED BIRD MALL (2017 FEB 15 PLAN)	DRY UTILITY QUANTITIES (APPROX TOTALS)
(CONCEPT PLAN DATED 08/11/09)	
CONDUIT	1000' OF 2"
ELECTRIC CONDUIT	515'
TOTAL DRY UTILITY COST	\$198,144

NOTE:
EXISTING UTILITIES SHOWN
ARE NOT FROM AN
ON-THE-GROUND SURVEY
AND ARE SHOWN FOR
DESIGN INTENT ONLY.

CONCEPT PLAN PER
CUMPLIAN
2017-11-16



PAVING PHASING PLAN LEGEND	
[Red Line]	PHASE 1A
[Orange Line]	PHASE 1B
[Yellow Line]	PHASE 1C
[Red Star]	PROPOSED TRAFFIC SIGNAL

PAVEMENT PHASING STUDY	
RED BIRD MALL (2017.12.18) 1.4 KM	
PAVING QUANTITIES (APPROX. TOTALS)	
(CONCEPT PLAN DATED 2017.11.09)	
PHASE 1A MAJOR VEHICULAR ROUTES	79,428 SF
PHASE 1A MAJOR ROUTE COST	\$4,745,178
PHASE 1B MAJOR VEHICULAR ROUTES	12,500 SF
PHASE 1B MAJOR ROUTE COST	\$737,500
PHASE 1C PUBLIC SPACE COST	\$1,100,000
PHASE 1A TRAFFIC SIGNAL	1 FACILITY
PHASE 1A TRAFFIC SIGNAL COST	\$140,000
PHASE 1B TRAFFIC SIGNAL	1 FACILITY
PHASE 1B TRAFFIC SIGNAL COST	\$140,000

CONCEPT PLAN PER
CONPLAN
2017-11-16

CONCEPT PLAN PER
 OMNIPLAN
 2017-11-16



Legend

Symbol	Description
(Blue dashed line)	Phase 1 Grading
(Green dashed line)	Phase 2 Grading
(Red dashed line)	Phase 3 Grading
(Black dashed line)	Property Boundary
(Black solid line)	Building Footprint
(Black solid line)	Parking Lot
(Black solid line)	Driveway
(Black solid line)	Street
(Black solid line)	Utility Line
(Black solid line)	Other

EXHIBIT C

Page 10 of 10

Exhibit A: Map



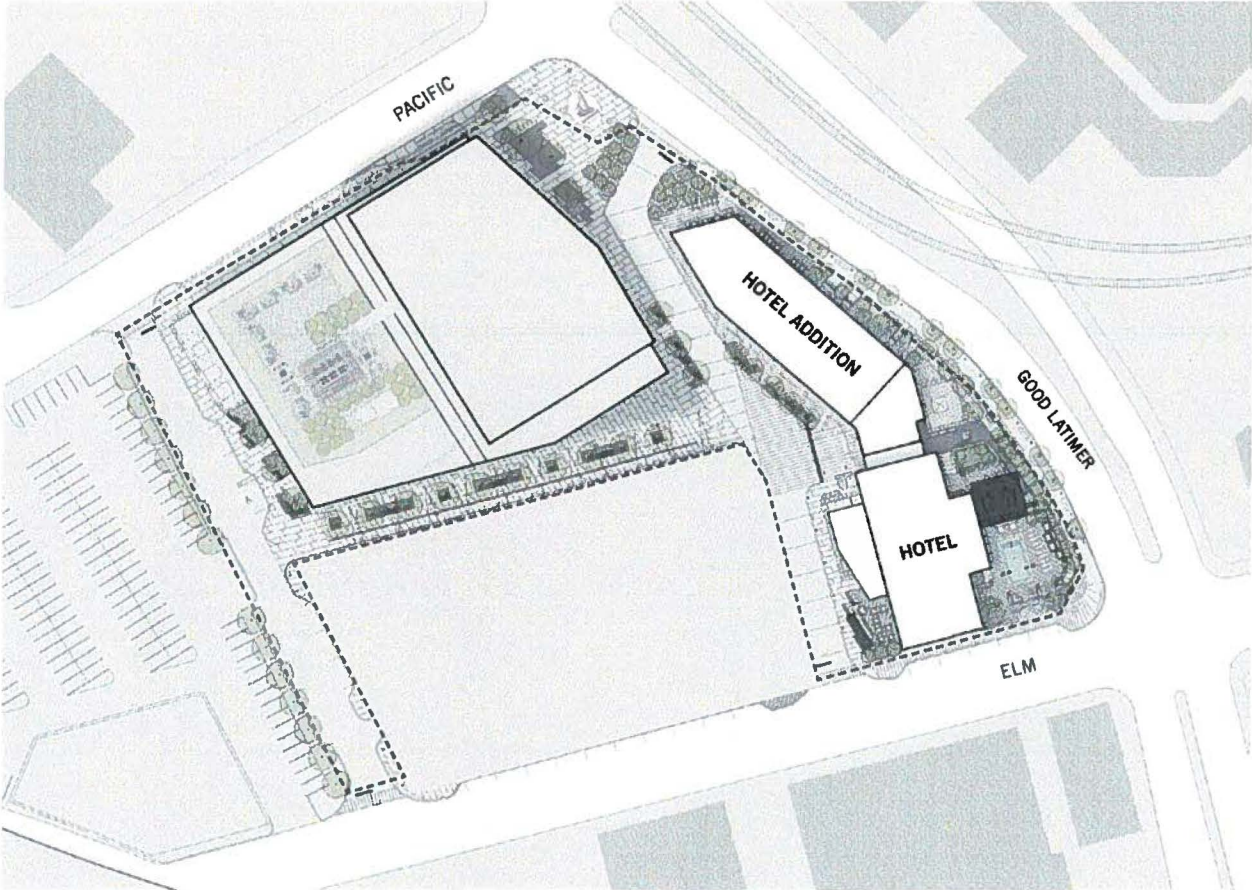
Exhibit A: Map



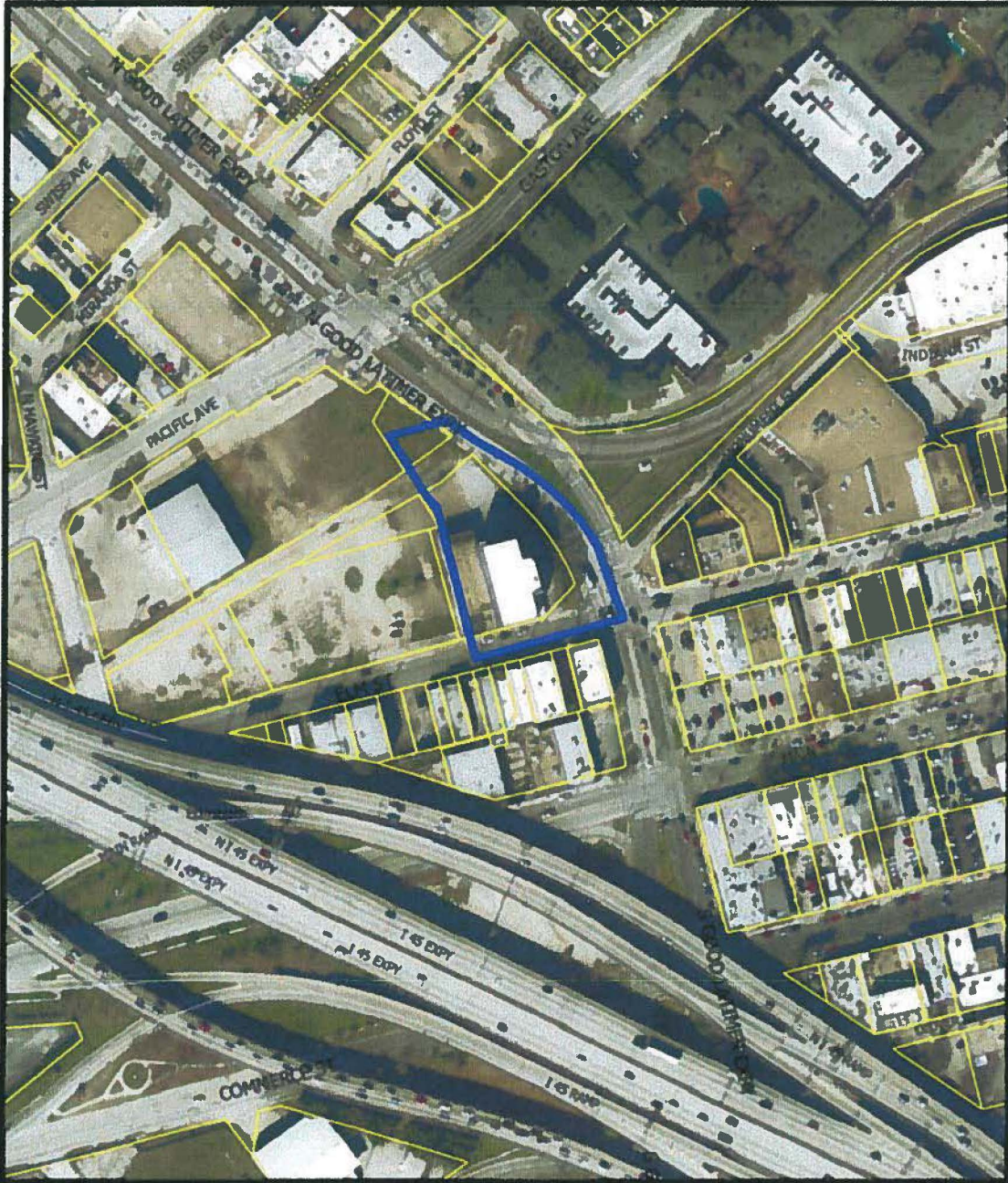
Exhibit A: Map



Knights of Pythias/Union Bankers Overall Project map



Knights of Pythias/Union Bankers Vicinity Map



1:2,400

AERIAL MAP

Historic Tax Exemption

Z557 Elm Street



Historic Preservation Tax Incentive Program

Step 1 Application to the Landmark Commission

(Properties where part of the rehabilitation work has
been previously completed)

Address: 2557 Elm Street & 2598 Pacific Avenue

Applicant: Epic Dallas Hotel, LP

Contact info: lhoffmann@winstead.com; tmann@winstead.com



Historic Tax Exemption Application

Step 1 – Application for a Certificate of Eligibility

Property Information

Property Address: 2557 Elm Street & 2598 Pacific Avenue

Legal description: Lot _____ Block See attached Exhibit A

Provide a metes and bounds attachment if no lot and block can be determined.

Building name (if applicable): Knights of Pythias/Pittman Hotel

Historic district or pending historic district: Historic Overlay District No. 46 (Knights of Pythias Building)

Year the historic structure was built: 1916

Is this a contributing structure? Yes

Owner Information

Please list all of the property owner(s): Epic Dallas Hotel, LP

Mailing address: c/o Dennis M. Trimarchi, Westdale Real Estate Investment & Management

City, state and zip code: 3100 Monticello Ave., Suite 100, Dallas, TX 75205

Phone number: 972-201-3455 Fax number: _____

Email: Dennis.Trimarchi@westdale.com

Applicant Information (if different from the property owner)

Applicant name: Laura Hoffmann & Tommy Mann, Winstead PC (On Behalf of the Property Owner)

Mailing address: 2728 N. Harwood Street, Suite 500

City, state and zip code: Dallas, Texas 75201

Phone number: 214-745-5693; 214-745-5724 Fax number: 214-745-5390

Email: lhoffmann@winstead.com; tmann@winstead.com

Rehabilitation Information

Estimated Rehabilitation Investment: \$6,896,084.00

Current Use: Vacant; Former Union Bankers Office Proposed Use: Hotel

For any exterior work, has a Certificate of Appropriateness (CA) been approved yet?

Yes, Please see attached Exhibit B for CA approvals.

If not, when will the application for a CA be considered?

The CA application for the remainder of the work is expected to be submitted in March or April 2018.

Projected Construction Time and Estimated Date of Completion:

Expected to commence June 1, 2018 and be completed June 30, 2020.

Lien Holder Information (if applicable)

Primary mortgage company: N/A

Contact person: _____

Correspondence address: _____

Secondary mortgage company: _____

Contact person: _____

Correspondence address: _____

Other lienholder: _____

Contact person: _____

Correspondence address: _____

Financial Information

The following information can be obtained from the Dallas Central Appraisal District website (www.dallascad.org and click search for appraisals). The City of Dallas will use the tax values for the year prior to the application beings made.

The date this application is submitted to the city: 1/5/2018

Improvement Value: \$148,040

Land Value: \$1,393,200 (\$1,180,800 + 212,400)

Has the Property Received Any Previous Tax Relief? If so, Please Explain: No

Is this in a TIF District? Yes, Deep Ellum TIF

** Please attach a copy of the dallascad.org account information for the property to this application**

If Applying for an Urban Historic District Conversion Exemption

Total Building Square Footage: 136,000 (including the addition)

Retail Square Footage: 5,163 square feet

Office Square Footage: N/A

Residential Square Footage: N/A

Number of Jobs Created: 125 estimated

Type of Exemption that is being applied for:

Category		Type	Required Expenditures (% of pre-rehab value of structure only)	Amount (portion of land and structure)	Duration	Renewable (façade expenditures only)
Urban Historic Districts Includes all properties located within the Urban historic district area shown on the last page of the Information packet	<input checked="" type="checkbox"/>	Based on Rehab	75%	100%	10 years	Yes
	<input type="checkbox"/>	Based on Rehab	50%	Added Value	10 years	Yes
	<input type="checkbox"/>	Residential / ground floor conversion	50% must be converted to residential and 65% of ground floor must be converted to retail	100%	5 years	No
** A Residential / Ground Floor Conversion exemption may be applied for in addition to an exemption Based on Rehab						

Category		Type	Required Expenditures	Amount	Duration	Renewable (façade expenditures only)
Revitalizing Historic Districts Includes properties located in: <ul style="list-style-type: none"> • Junius Heights • Lakediff • Peak's Suburban • South Blvd. / Park Row • Winnetka Heights 	<input type="checkbox"/>	Based on Rehab	25%	100%	10 years	Yes

Category		Type	Required Expenditures	Amount	Duration	Renewable (façade expenditures only)
Endangered Historic Districts <ul style="list-style-type: none"> • 10th Street • Wheatley Place 	<input type="checkbox"/>	Based on Rehab	25%	100%	10 years	Yes

Category		Type	Required Expenditures	Amount	Duration	Renewable (façade expenditures only)
Citywide Includes properties located in: <ul style="list-style-type: none"> • Munger Place • State Thomas • Swiss Avenue • All properties not located within the Urban, Endangered or Revitalizing historic districts 	<input type="checkbox"/>	Based on Rehab	50%	Added Value	10 years	Yes
	<input type="checkbox"/>	Endangered Property (Landmark Commission must find that this property is endangered.)	25%	100%	10 years	Yes

Eligible Costs	<u>Total Eligible Costs</u>	<u>Eligible Costs Incurred</u>	<u>Eligible Costs Remaining</u>
Architectural & Engineering	\$ 318,318	\$ 57,970	\$ 260,348
Carpentry	\$ 76,923		\$ 76,923
Demolition	\$ 396,303		\$ 396,303
Demolition - Remediation	\$ 443,000	\$ 413,599	\$ 29,401
Electrical	\$ 280,911		\$ 280,911
Elevators	\$ 449,325		\$ 449,325
Exterior Doors	\$ 125,642		\$ 125,642
Exterior treatments			\$ -
Façade	\$ 1,586,992		\$ 1,586,992
Flooring			\$ -
Foundation	\$ 323,105		\$ 323,105
Gutter			\$ -
Heating & Cooling			\$ -
Interior (permanent)			\$ -
Mechanical			\$ -
Painting (ext & int)			\$ 223,687
Porch			\$ -
Plumbing			\$ -
Rehab contributing structure			\$ -
Roofing			\$ 343,586
Security & Fire Protection			\$ -
Sheetrocking	\$ 72,444		\$ 72,444
Siding			\$ -
Structural Walls			\$ -
Structural Ceilings	\$ 776,204		\$ 776,204
Termite			\$ -
Windows	\$ 1,421,644		\$ 1,421,644
Other Landmark Comm. Necessary items	\$ 58,000	\$ 35,071	\$ 22,929
TOTAL Eligible Costs	\$ 6,896,084	\$ 506,640	\$ 6,389,445

ELIGIBLE EXPENSES
 127,573
 280,401
407,974

Other Costs	<u>Total Other Costs</u>	<u>Other Costs Incurred</u>	<u>Other Costs Remaining</u>
Land	\$ 5,576,208	\$ 5,488,537	\$ 87,671
Non-Eligible Hard Costs	\$ 40,630,673	\$ -	\$ 40,630,673
Non-Eligible Soft Costs	\$ 9,265,270	\$ 760,634	\$ 8,504,636
FFE, OSE, IT, POB	\$ 10,227,006	\$ -	\$ 10,227,006
Financing	\$ 1,978,750	\$ -	\$ 1,978,750
TOTAL Other Costs	\$ 67,677,907	\$ 6,249,171	\$ 61,428,736

Total Project Costs	\$ 74,573,991	\$ 6,755,811	\$ 67,818,180
----------------------------	----------------------	---------------------	----------------------

DATE:10/20/2017 CK#:148 TOTAL:\$63,786.50** BANK:Epic Dallas Hotel, LP(ephobk)
PAYEE:DTech Services (dteser00)

Property	Account	Invoice - Date	Description	Amount
ephot	9406	8166, - 08/28/2017	Asbestos/Lead Consulting, Abatem	63,786.50
				<hr/> 63,786.50

DTECH SERVICES INC

624 SIX FLAGS DRIVE SUITE #242
 ARLINGTON, TX 76011
 Tel : 817-695-6519
 Fax :817-385-0965

Invoice

Date	Invoice #
8/28/2017	8166

Bill To
Westdale Asset Management 3100 Monticello Ave., Suite 600 Dallas, TX 75205 Attn: Rees Bowen

Site Info
Union Bank Building 2551 Elm Street Dallas, Texas Project 101516-01

P.O. No.	Terms	Rep
	Due on receipt	JC

Quantity	Description	Rate	Amount
1	Asbestos and lead Consulting, Abatement, and Project Management	127,573.00	127,573.00
	Request for Partial Payment (50 % of work completed)	-63,786.50	-63,786.50
Work is currently 70% complete		Total	\$63,786.50

Handwritten: 9/19/17
 SP1405 # 9406

DATE:10/26/2017 CK#:154 TOTAL:\$63,786.50** BANK:Epic Dallas Hotel, LP(ephotbk)
PAYEE:DTech Services(dteser00)

Property	Account	Invoice - Date	Description	Amount
ephot	9406	8187 - 09/26/2017	Asbestos/Lead Consulting, Abatem-	63,786.50
				<hr/> 63,786.50

DTECH SERVICES INC

624 SIX FLAGS DRIVE SUITE #242
 ARLINGTON, TX 76011
 Tel : 817-695-6519
 Fax :817-385-0965

Invoice

Date	Invoice #
9/26/2017	8187

Bill To
Westdale Asset Management 3100 Monticello Ave., Suite 600 Dallas, TX 75205 Attn: Rees Bowen

Site Info
Union Bank Building 2551 Elm Street Dallas, Texas Project 101516-01

P.O. No.	Terms	Rep
	Due on receipt	JC

Quantity	Description	Rate	Amount
	Asbestos and Lead Consulting, Abatement and project Management 50% Previously Invoiced. Invoice Number 8166	127,573.00 -63,786.50	127,573.00 -63,786.50
		Total	\$63,786.50

Handwritten:
 EP 10/5
 #9406

DATE:12/07/2017 CK#:163 TOTAL:\$280,401.00* BANK:Epic Dallas Hotel, LP(ephotbk)
PAYEE:Mid-Continental Restoration Co., Inc.(midres00)

Property	Account	Invoice - Date	Description	Amount
ephot	9717	52459-01 - 11/27/2017	Paint stripping of exterior maso	280,401.00
				<u>280,401.00</u>

PH # 620-223-3700
 FAX # 620-223-9185



REMIT TO THE FOLLOWING
 ADDRESS

401 E HUDSON STREET
 FORT SCOTT KS 66701

INVOICE

Attn: Rees Bowen
 Westdale Real Estate Development & Investments
 3100 Monticello Ave
 Dallas, TX 75205

INVOICE DATE 11/27/2017
 INVOICE # 52459-01
 JOB # 54-17-52459

Emailed to: rees.bowen@westdale.com

	CHARGES	TAXES	BALANCE
Paint Stripping of Exterior Masonry			
Union Bankers Building 2551 Elm St Dallas, TX 75226			
Work completed per attached schedule of values:			
Labor & general conditions	\$ 260,916.00		\$ 260,916.00
Materials	\$ 18,000.00	\$ 1,485.00	\$ 19,485.00
AMOUNT DUE UPON RECEIPT			\$ 280,401.00

PLEASE RETURN 1 COPY OF THIS INVOICE WITH YOUR REMITTANCE

THANK YOU

IF PAYMENT IS NOT RECEIVED IN A TIMELY MANNER, INTEREST SHALL ACCRUE AT THE RATE OF 1.5% PER MONTH FROM DATE OF COMPLETION.

BB

11/27/17

Oklahoma City, OK Parkston, SD Fort Worth, TX

401 E. Hudson Street Fort Scott, KS 66701 (620) 223-3700 Fax (620) 223-5052
 www.midcontinental.com

Statement of Understanding

THE STATE OF Texas §
 §
COUNTY OF Dallas §

I certify that the information in this application for a tax exemption, including all supporting documentation, is complete and correct.

I authorize members of the Landmark Commission and city officials to visit and inspect the property as necessary to certify eligibility and verification for a tax exemption.

I acknowledge that I have read and understand the program regulations, and that I will not receive an exemption until all program requirements have been met and a letter of verification obtained.

I understand that all rehabilitation work must be completed by the time specified by the Landmark Commission (or within 3 years after the date of the Landmark Commission's determination of eligibility if a completion date was not specified). If the deadline for completion is subsequently extended by the Landmark Commission all rehabilitation work must be completed by the extended time specified. I understand that penalties may apply if I do not complete the work.

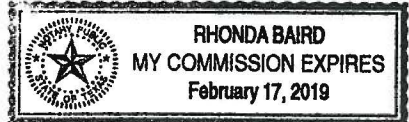
I understand that I must make an annual application to Dallas Central Appraisal District each year in order to receive the exemption for that year, and that if I do not make the application in time, I will lose the ability to receive a tax exemption for that year.

Owner's Name: Epic Dallas Hotel, LP, a Texas limited partnership

Owner's Signature: [Handwritten Signature]

This instrument was acknowledged before me on JANUARY 3, 2018

by (print name of owner) Joseph G. Beard



[Handwritten Signature: RHOYON BAIRD]

Notary Stamp Here Notary Signature



Home | Find Property
| Contact Us

Commercial Account #00000106189200400

Location Owner Legal Desc Value Improvements Land Exemptions Estimated Taxes Building Footprint History

Location (Current 2018)

Address: 2557 ELM ST
Market Area: 0
Mapsco: 45-M (DALLAS)

DCAD Property Map

[View Photo](#)

2017 Appraisal Notice

[Electronic Documents \(ENS\)](#)



[Print Homestead Exemption Form](#)

Owner (Current 2018)

EPIC DALLAS HOTEL LP
3100 MONTICELLO AVE 600
DALLAS, TEXAS 752053439

Multi-Owner (Current 2018)

Owner Name	Ownership %
EPIC DALLAS HOTEL LP	100%

Legal Desc (Current 2018)

- 1: GOODS
 - 2: BLK 280 PT LTS 11-13
 - 3: ACS 0.9035 CALC
 - 4: INT201700027379 DD01012017 CO-DC
 - 5: 0280 000 00104 1DA0280 000
- Deed Transfer Date:** 1/30/2017

Value

2017 Certified Values	
Improvement:	\$148,040
Land:	+ \$1,180,800
Market Value:	= \$1,328,840
Tax Agent: ANDREWS K E & CO	
Revaluation Year:	2017
Previous Revaluation Year:	2016

Improvements (Current 2018)

#	Desc: OFFICE BUILDING	Total Area: 43,929 sqft	Year Built: 1920
1	Construction Construction: B-REINFORCED CONCRETE FRAME Foundation (Area): CONCRETE BEAM (8,786 sqft)	Depreciation Physical: 80% Functional: + 0% External: + 0% Total: = 80%	Appraisal Method INCOME

<p>Net Lease Area : 60,249 sqft # Stories: 5 # Units: 1 Basement (Area): UNASSIGNED Heat: CENTRAL HEAT A/C: CENTRAL A/C</p>	<p>Quality: LOW COST Condition: POOR</p>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">#</td> <td style="width: 33%;">Desc: OFFICE BUILDING</td> <td style="width: 33%;">Total Area: 16,320 sqft</td> <td style="width: 33%;">Year Built: 1912</td> </tr> </table>			#	Desc: OFFICE BUILDING	Total Area: 16,320 sqft	Year Built: 1912
#	Desc: OFFICE BUILDING	Total Area: 16,320 sqft	Year Built: 1912			
<p style="text-align: center;">Construction</p> <p>Construction: B-REINFORCED CONCRETE FRAME Foundation (Area): CONCRETE SLAB (8,160 sqft)</p>		<p style="text-align: center;">Depreciation</p> <p>Physical: 80% Functional: + 0% External: + 0% Total: = 80%</p>				
<p>2 Net Lease Area : 0 sqft # Stories: 2 # Units: 1 Basement (Area): UNASSIGNED Heat: UNASSIGNED A/C: UNASSIGNED</p>		<p>Quality: LOW COST Condition: POOR</p>				
<p>Appraisal Method</p> <p>INCOME</p>						

Land (2017 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	COMMERCIAL IMPROVEMENTS	CENTRAL AREA DISTRICT 1	0	0	39,360.0000 SQUARE FEET	STANDARD	\$30.00	0%	\$1,180,800	N

* All Exemption information reflects 2017 Certified Values. *

Exemptions (2017 Certified Values)

No Exemptions

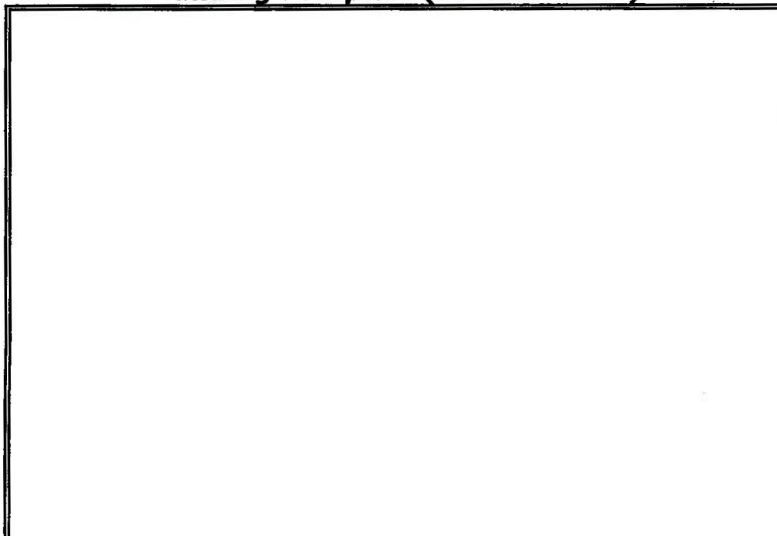
Estimated Taxes (2017 Certified Values)

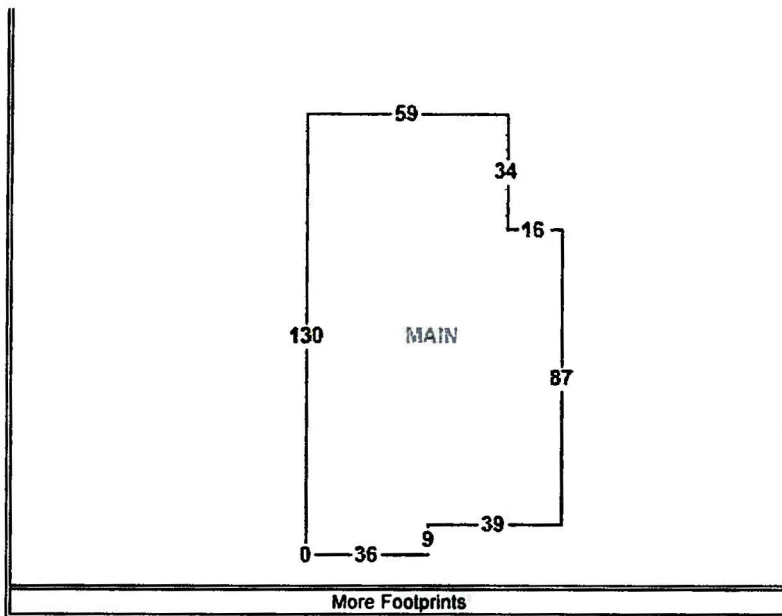
	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.7804	\$1.282085	\$0.2531	\$0.124238	\$0.2794	N/A
Taxable Value	\$1,328,840	\$1,328,840	\$1,328,840	\$1,328,840	\$1,328,840	\$0
Estimated Taxes	\$10,370.27	\$17,036.86	\$3,363.29	\$1,650.92	\$3,712.78	N/A
Tax Ceiling					N/A	N/A
Total Estimated Taxes:						\$36,134.12

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person **Tax Ceiling** displayed above, **it is NOT reflected** in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official tax bill**. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios, like a tax ceiling, etc..** If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

Building Footprint (Current 2018)





History

History

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APPROVED BY

AUG 16 2017

**Sustainable Development & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS**



**KNIGHTS OF PYTHIAS BUILDING
SOUTH FACADE
PHOTO TAKEN 8/16/2017**

APPROVED BY

AUG 16 2017

**Sustainable Development & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS**

**KNIGHTS OF PYTHIAS BUILDING
SOUTH AND EAST FACADES
VIEW LOOKING NORTHWEST FROM ELM STREET
PHOTO TAKEN 8/16/2017**

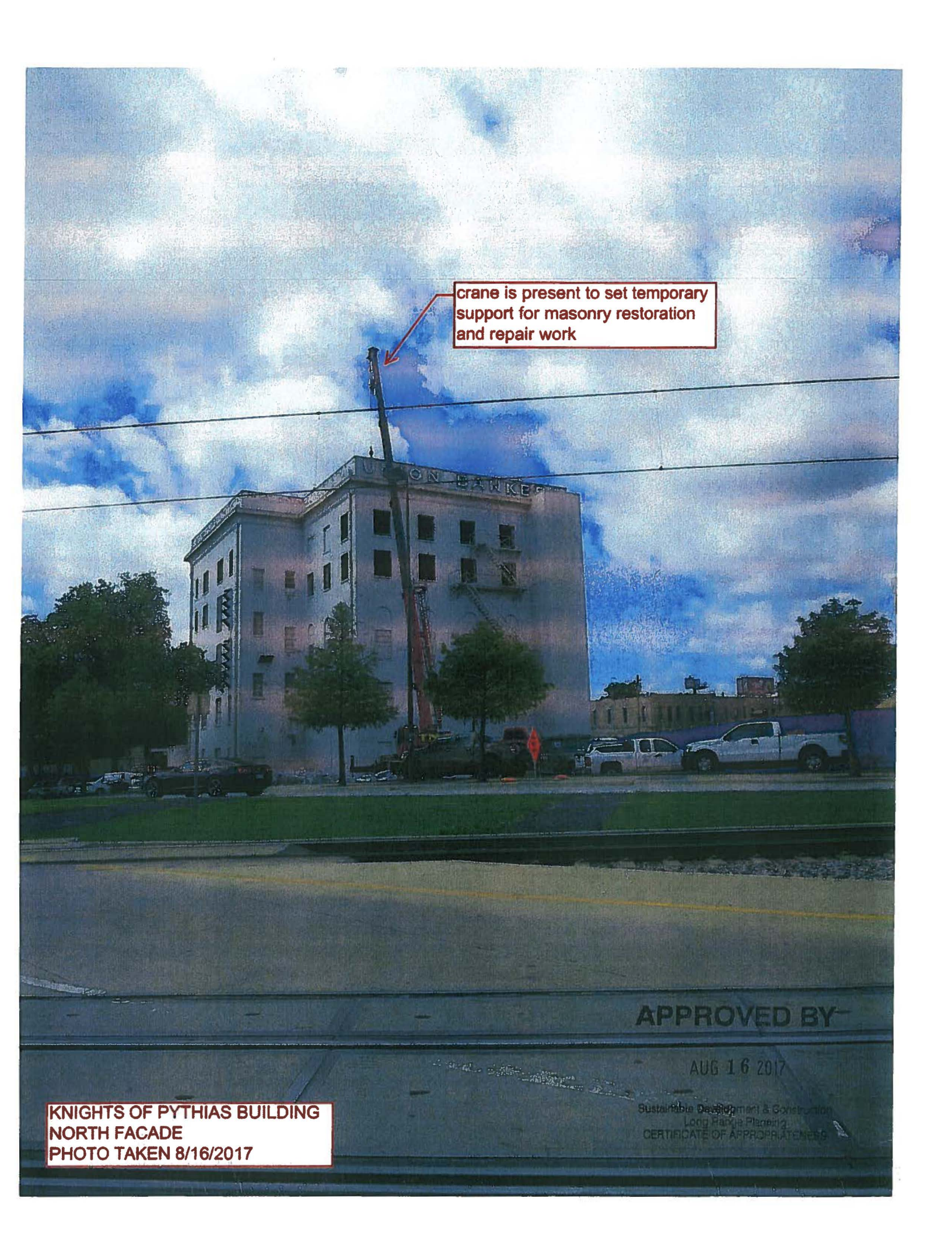
crane is present to set temporary support for masonry restoration and repair work



**KNIGHTS OF PYTHIAS BUILDING
EAST FACADE
PHOTO TAKEN 8/16/2017**

APPROVED BY
AUG 16 2017

Sustainable Development & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS



crane is present to set temporary support for masonry restoration and repair work

**KNIGHTS OF PYTHIAS BUILDING
NORTH FACADE
PHOTO TAKEN 8/16/2017**

APPROVED BY

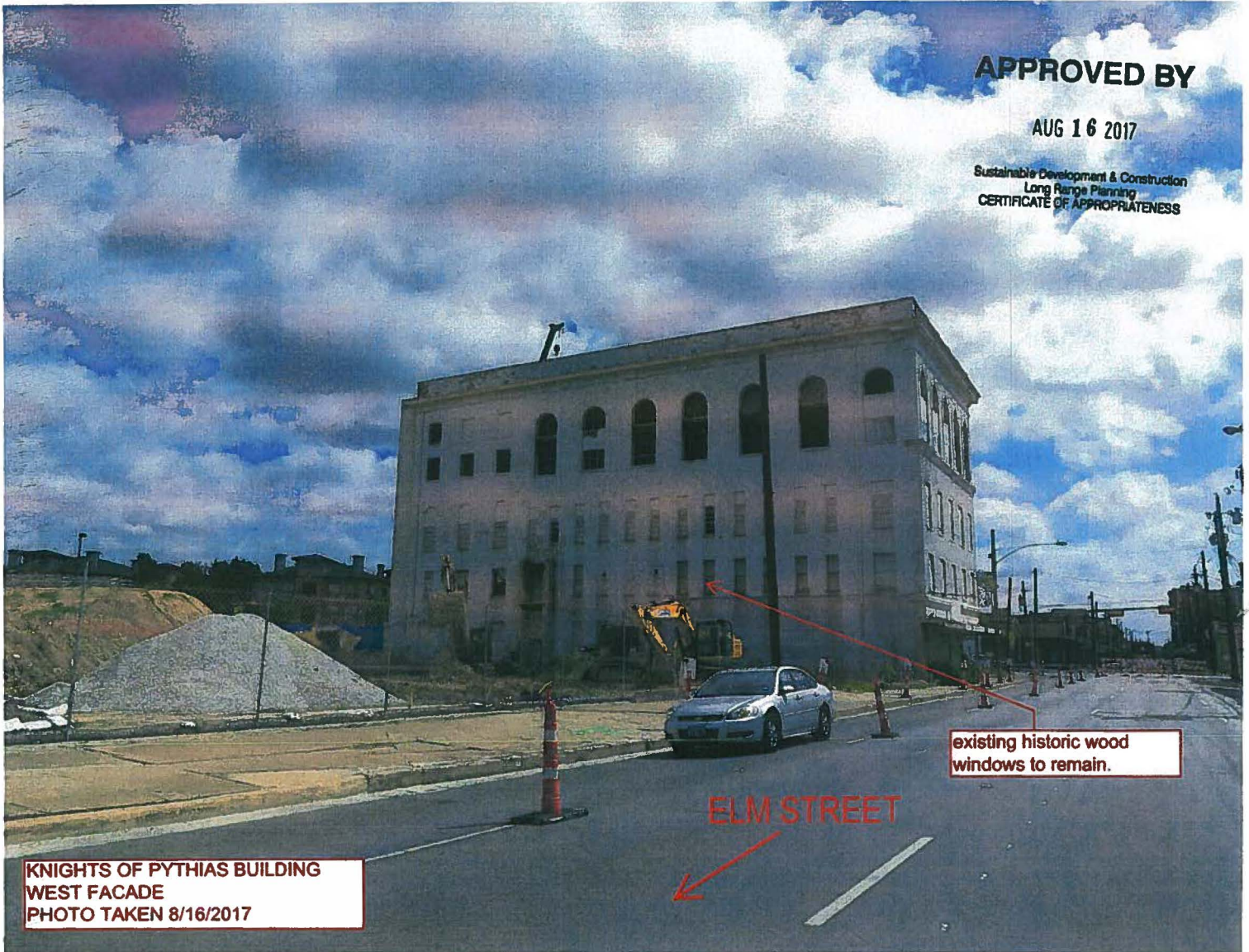
AUG 16 2017

Sustainable Design & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS

APPROVED BY

AUG 16 2017

**Sustainable Development & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS**



existing historic wood windows to remain.

ELM STREET

**KNIGHTS OF PYTHIAS BUILDING
WEST FACADE
PHOTO TAKEN 8/16/2017**

Certificate of Appropriateness (CA) City of Dallas Landmark Commission

CA 167-646 (LC)
Office Use Only

Name of Applicant: Rees Bowen
Mailing Address : 3100 Monticello, STE. 100
City, State and Zip Code: Dallas, Texas 75205
Daytime Phone: 214-515-7080 Fax: _____
Relationship of Applicant to Owner: Director (Employee/Representative)

Building Inspection:
Please see signed drawings before issuing permit:
Yes ___ No ___
Planner's Initials

PROPERTY ADDRESS: 2551 ELM STREET (KNIGHTS OF PYTHIAS BLDG)
Historic District: DEEP ELLUM

PROPOSED WORK: (REPAIR/MAINTENANCE/IMPROVEMENTS)

Please describe your proposed work simply and accurately. Attach extra sheets and supplemental material as requested in the submittal criteria checklist.

- 1. Paint removal and cleaning of existing exterior masonry as suggested within Dept. of Interior Rehabilitation Standards and Accepted Guidelines.
- 2. Repair, re-tuck and point masonry in deteriorated condition. Profiles to match existing mortor. Existing brick to be cleaned & re-used where removal is required.

RECEIVED BY

Signature of Applicant: [Signature] Date: 06/14/2017
Rees Bowen, Westdale Properties
Signature of Owner: _____ Date: _____
(IF NOT APPLICANT)

JUN 20 2017

Current Planning

APPLICATION DEADLINE:

Application material must be completed and submitted by the **FIRST THURSDAY OF EACH MONTH, 12:00 NOON**, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. You may also fax this form to 214/670-4210. DO NOT FAX PAINT SAMPLES OR PHOTOGRAPHS.

Please use the enclosed criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214/670-4538 to make sure your application is complete.

OTHER:

In the event of a denial, you have the right to an appeal within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (see exceptions). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form
Memorandum to the Building Official, a Certificate of Appropriateness has been:

- APPROVED. Please release the building permit.
- APPROVED WITH CONDITIONS. Please release the building permit in accordance with any conditions.
- DENIED. Please do not release the building permit or allow work.
- DENIED WITHOUT PREJUDICE. Please do not release the building permit or allow work.

Sustainable Construction and Development [Signature] Date 6/23/17

AGENDA ITEM # 53

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 14
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 45 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1957 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street and South Ervay Street

Recommendation of Staff and CPC: Approval for a ten-year period, subject to conditions

Z178-123(PD)

AGENDA ITEM # 54

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 6
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 44 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses and a community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District with Neighborhood Stabilization Overlay No. 13, on the west side of Topeka Avenue, south of Pueblo Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z178-154(PD)

AGENDA ITEM # 55

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 3
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 63 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay on the northeast corner of West Camp Wisdom Road and Marvin D Love Frontage Road, east of Marvin D Love Freeway (US 67)

Recommendation of Staff and CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-181(CY)

AGENDA ITEM # 56

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 12
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 5 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1702 for a tower/antenna for cellular communication on property zoned a CR Community Retail District, east of Preston Road and south of Campbell Road

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions Z178-195(JM)

AGENDA ITEM # 57

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 6
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 42 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1728 for an extended stay hotel or motel use and an ordinance terminating a portion of Specific Use Permit No. 98 for quarrying and mining operations on property zoned an IM Industrial Manufacturing District, on the east line of North Cockrell Hill Road, north of Dallas-Fort Worth Turnpike
Recommendation of Staff and CPC: Approval of an amendment to Specific Use Permit No. 1728 for an extended stay hotel or motel use for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions, and approval of the termination of a portion of Specific Use Permit No. 98
Z178-205(CY)

AGENDA ITEM # 58

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 1
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 54 F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club or area use on property zoned D(A) Duplex District, on the south line of West 10th Street, east of South Tyler Street

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions Z178-212(PD)

AGENDA ITEM # 59

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 1
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 53 S

SUBJECT

A public hearing to receive comments regarding an application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast corner of West Illinois Avenue and Andrews Street

Recommendation of Staff: Denial

Recommendation of CPC: Denial without prejudice

Z178-115(WE/SM)



1:2,400

AERIAL MAP

Case no: Z178-115

Date: 11/17/2017

AGENDA ITEM # 60

Economic Vibrancy

- AGENDA DATE:** June 13, 2018
- COUNCIL DISTRICT(S):** 8
- DEPARTMENT:** Department of Sustainable Development and Construction
- CMO:** Majed Al-Ghafry, 670-3302
- MAPSCO:** 69 Q; U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions

Z156-323(JM)

Note: This item was deferred by the City Council before opening the public hearings on April 12, 2017, May 24, 2017, June 28, 2017, August 23, 2017, October 11, 2017, December 13, 2017, February 14, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z156-323(JM)

DATE FILED: July 29, 2016

LOCATION: On the south line of Tea Garden Road, west of Haymarket Road

COUNCIL DISTRICT: 8

MAPSCO: 69 Q; U

SIZE OF REQUEST: ±16.313 acres

CENSUS TRACT: 171.02

REPRESENTATIVE/APPLICANT/OWNER: Joel Torres

REQUEST: An application for a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for the following private fields: three baseball fields and one volleyball court.

CPC RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

AGENDA ITEM # 61

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 8
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 67 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District, on the south line of Simpson Stuart Road, west of South Central Service Expressway

Recommendation of Staff: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions

Recommendation of CPC: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions

Z167-303(JM)

Note: This item was deferred by the City Council before opening the public hearings on October 11, 2017, December 13, 2017, February 14, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z167-303(JM)

DATE FILED: May 17, 2017

LOCATION: South line of Simpson Stuart Road, west of South Central Service Expressway

COUNCIL DISTRICT: 8

MAPSCO: 67 J

SIZE OF REQUEST: ±3.587 acres

CENSUS TRACT: 202.00

REPRESENTATIVE: Tailim Song % Tailim Song Law Firm

APPLICANT/OWNER: Walter Huerta

REQUEST: An application for an IR Industrial Research District and a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an A(A) Agricultural District.

SUMMARY: The applicant is proposing to operate a concrete batch plant on the property.

CPC RECOMMENDATION: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a four-year period, subject to a site plan, a landscape plan, and conditions.

STAFF RECOMMENDATION: Approval of an IR Industrial Research District; and approval of a Specific Use Permit for a three-year period, subject to a site plan, a landscape plan, and staff's recommended conditions.

AGENDA ITEM # 62

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 8
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 70 F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District; a resolution accepting deed restrictions volunteered by the applicant; and an ordinance granting a Specific Use Permit for outside sales on property zoned an R-10(A) Single Family District on the west line of South Belt Line Road, north of Sarah Lane

Recommendation of Staff: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a three-year period, subject to a site plan and conditions

Recommendation of CPC: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a two-year period, subject to a site plan and conditions

Z167-362(WE/SH)

Note: This item was deferred by the City Council before opening the public hearings on March 28, 2018 and May 9, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z167-362(WE/SH) **DATE FILED:** July 28, 2017

LOCATION: West line of South Belt Line Road, north of Sarah Lane

COUNCIL DISTRICT: 8 **MAPSCO:** 70 F

SIZE OF REQUEST: Approx. 1.9 acres **CENSUS TRACT:** 171.01

APPLICANT/OWNER: Ronny & Grace Chaves

REPRESENTATIVE: Grace Chaves

REQUEST: An application for a CS Commercial Service District with deed restrictions volunteered by the applicant and a Specific Use Permit for outside sales on property zoned an R-10(A) Single Family District.

SUMMARY: The purpose of the request is to allow for the operation of an outdoor flea market. The applicant has also volunteered deed restrictions to prohibit certain uses from being developed on the property.

STAFF RECOMMENDATION: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a three-year period, subject to a site plan and conditions.

CPC RECOMMENDATION: Approval of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for outside sales for a two-year period, subject to a site plan and conditions.

AGENDA ITEM # 63

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 7
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 45 V; 46 S

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions

Z167-390(SM)

Note: This item was deferred by the City Council before opening the public hearings on January 10, 2018, March 28, 2018 and April 25, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z167-390(SM) **DATE FILED:** September 8, 2017
LOCATION: North corner of South Harwood Street and Coombs Street
COUNCIL DISTRICT: 7 **MAPSCO:** 45 V; 46 S
SIZE OF REQUEST: Approx. 16,040 sq. ft. **CENSUS TRACT:** 34.00

APPLICANT/OWNER: Soriano Bonifacio

REPRESENTATIVE: Jose Garcia

REQUEST: An application for the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to continue the operation of resurfacing raw metals with a material that is weather-resistant through a metal coating and finishing process in an 8,427-square-foot warehouse. The procedure requires submerging various types of materials into a chemically treated liquid to perform the metal coating and finishing process. The applicant receives the various materials from a local business. The overall metal finishing alters the surface of metal products to enhance: corrosion resistance, wear resistance, electrical conductivity, electrical resistance, reflectivity and appearance (e.g., brightness or color), torque tolerance, solderability, tarnish resistance, chemical resistance, ability to bond to rubber (e.g., vulcanizing), and hardness.

CPC RECOMMENDATION: Approval for a two-year period, subject to conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to conditions.

AGENDA ITEM # 64

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 2
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 45 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Subdistrict 2 (Moderate Density Mixed Use Corridors) on property zoned Subdistrict 1 (Moderate Density Residential) within Planned Development District No. 317, the Cedars Area Special Purpose District, on the west side of Beaumont Street, north of Gould Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval

Z178-131(JM)

Note: This item was deferred by the City Council before opening the public hearing on April 25, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z178-131(JM)

DATE FILED: November 15, 2017

LOCATION: West side of Beaumont Street, north of Gould Street

COUNCIL DISTRICT: 2

MAPSCO: 45 U

SIZE OF REQUEST: ±6,695 sq. ft.

CENSUS TRACT: 204.00

APPLICANT/OWNER: Katelin Burton Smith

REQUEST: An application for an expansion of Subdistrict 2 (Moderate Density Mixed Use Corridors) on property zoned Subdistrict 1 (Moderate Density Residential) within Planned Development District No. 317, the Cedars Area Special Purpose District.

SUMMARY: The applicant proposes to develop the site with commercial uses.

STAFF RECOMMENDATION: Denial

CPC RECOMMENDATION: Approval

AGENDA ITEM # 65

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): 8
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 65 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the south line of East Ledbetter Drive, east of South Lancaster Road

Recommendation of Staff and CPC: Approval, subject to the deed restrictions volunteered by the applicant

Z178-135(SM)

Note: This item was deferred by the City Council before opening the public hearing on April 11, 2018, and is scheduled for consideration on June 13, 2018.

FILE NUMBER: Z178-135(SM) **DATE FILED:** November 17, 2017
LOCATION: South line of East Ledbetter Drive, east of South Lancaster Road
COUNCIL DISTRICT: 8 **MAPSCO:** 65 M
SIZE OF REQUEST: Approx. 0.81 acre **CENSUS TRACT:** 87.05

OWNER/APPLICANT: Rusty Kasmiersky, Prestige Texas Properties, LLC

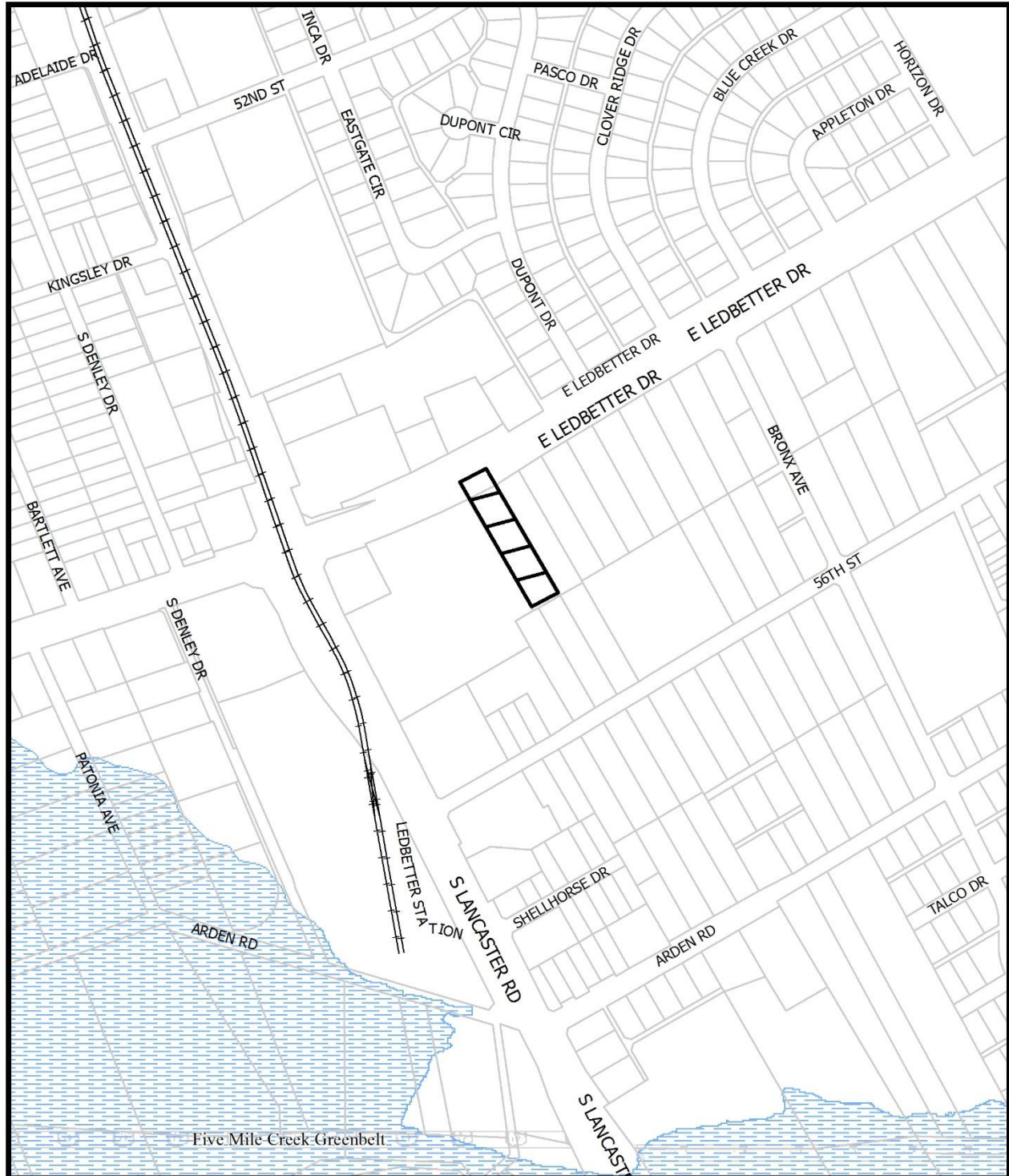
REPRESENTATIVE: Santos Martinez, Masterplan

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant specifically requests to utilize the property as a tunnel car wash use. The applicant also proposes to prohibit certain additional uses and limit hours of operation.

CPC RECOMMENDATION: Approval, subject to the deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval, subject to the deed restrictions volunteered by the applicant.



1:4,800

VICINITY MAP

Case no: **Z178-135**

Date: **12/14/2017**




1:2,400

AERIAL MAP

Case no: Z178-135
Date: 12/14/2017

AGENDA ITEM # 66

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): All
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: All

SUBJECT

A public hearing to receive comments regarding consideration of amendments to Chapter 51A of the Dallas Development Code, Article XIII, "Form Districts," to amend regulations pertaining to access to transit, self-service storage uses, administrative waivers, story height, stoops and front porches, structured parking, single family districts, street frontage, landscaping, and off-street loading and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval
DCA 178-002

AGENDA ITEM # 67

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): All
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: All

SUBJECT

A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code: **(1)** Article IX to create regulations to allow ceremonial street naming; and **(2)** Article I to establish fees for ceremonial street naming and amend fees for street name change and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

DCA 178-004

AGENDA ITEM # 68

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 13, 2018
COUNCIL DISTRICT(S): All
DEPARTMENT: Department of Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: All

SUBJECT

A public hearing to receive comments regarding amendments to Chapter 51 and Chapter 51A of the Dallas Development Code and consideration given to: **(1)** an ordinance granting amendments to clarify language regarding handicapped parking regulations; **(2)** an ordinance granting amendments to clarify language regarding board of adjustment same matter back to same panel; **(3)** an ordinance granting amendments to clarify language regarding number of duplicate applications required for remote parking procedures and sign permits; **(4)** an ordinance granting amendments to clarify language regarding instances where “director of parks and recreation” should be amended to “building official”; **(5)** an ordinance granting amendments to clarify language regarding pedestrian skybridges; **(6)** an ordinance granting amendments to clarify language regarding light poles, handicap ramps, air conditioning units, and generators in required front, side, and rear yards as applicable, and clarification of associated noise regulation standards; and **(7)** an ordinance granting amendments to clarify language regarding remote parking for church use

Recommendation of Staff and CPC: Approval

DCA 178-006

FILE NUMBER: DCA 178-006

DATE INITIATED: October 30, 2017

TOPIC: Cleanup Amendments

CITY COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to clarify language regarding (1) handicapped parking regulations; (2) board of adjustment same matter back to same panel; (3) number of duplicate applications required for remote parking procedures and sign permits; (4) instances where “director of parks and recreation” should be amended to “building official”; (5) pedestrian skybridges; (6) light poles, handicap ramps, air conditioning units, and generators in required front, side, and rear yards as applicable, and clarification of associated noise regulation standards; and (7) remote parking for church use.

SUMMARY: This proposal is comprised of several amendments to Chapter 51 and Chapter 51A that address inconsistencies throughout the code and that more closely align with department procedures.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

BACKGROUND

On November 30, 2017, December 14, 2017, and February 15, 2018, the Zoning Ordinance Advisory Committee considered the proposed amendments at public meetings and recommended approval of each.

On April 5, 2018, the City Plan Commission considered the proposed amendments and recommended approval of each.

On April 23, 2018, the Mobility Solutions, Infrastructure, and Sustainability Committee was briefed on the proposed amendments and recommended forwarding them to City Council for approval.

This action is comprised of several code amendments, each addressing the posted topics. The proposed amendments were each presented, assessed, and passed by the Zoning Ordinance Advisory Committee and are summarized individually below.

1) Handicapped Parking

BACKGROUND

- Over the years, specific regulations governing handicapped parking have been written into the regulations for each use in Section 51A-4.200, such as these from current code:

SEC. 51A-4.201. AGRICULTURAL USES.

Animal production. (C) Required off-street parking: Two spaces. *No handicapped parking is required.*

SEC. 51A-4.202. COMMERCIAL AND BUSINESS SERVICE USES.

Building repair and maintenance shop. (C) Required off-street parking: One space per 300 square feet of floor area. *If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.*

- However, one section in the current code clearly states the city's handicapped parking requirements. Section 51A-4.305 states that "handicapped parking must be provided and maintained in compliance with all Federal and State laws and regulations."

PROPOSAL

- The proposed amendment removes all individual references to handicapped parking in the use regulations of both Chapter 51 and Chapter 51A, allowing Section 51A-4.305 to regulate handicapped parking in accordance with federal and state law.
- References to handicapped parking in Chapter 51 are call-forwarded to Chapter 51A-4.305.

2) Board of adjustment same matter back to same panel rule

BACKGROUND

- Both state law and current code require that if a city has a board of adjustment with multiple panels, only one panel can hear that case. This is to prevent applicants from shopping their cases to multiple panels in hopes of a different outcome.
- However, because the code does not set a time limit on this rule, some applicants are forced to go before a specific panel because decades ago a previous owner had a similar request.

PROPOSAL

- This amendment sets a time limit on the rule and provides that after five years a case may be heard according to the normal rules of case assignment.

3) Duplicates of applications

BACKGROUND

- Currently, code requires multiple duplicates of applications for processes such as special parking approval. Current practices and technology have made these additional duplicates unnecessary. If needed, additional copies will be requested under an administrative, rather than regulatory, process.

PROPOSAL

- This amendment removes the requirement for duplicates of applications for special parking and for permits for signs in special provision sign districts, aligns code with current preferred practices, and streamlines the application process.

4) Amend *director of parks and recreation to building official*

BACKGROUND

- Currently, code designates certain departments or staff members to make recommendations or rulings. In several cases, the code calls out the director of Parks and Recreation as the arbiter of a process when it is the building official who reviews and permits the plans. This amendment aligns code with current department duties.

PROPOSAL

- This amendment replaces director of parks and recreation with building official in sections related to screening provisions for off-street parking and fence regulations and related to vegetation regulations in soil erosion plans and vegetation plans.

5) Light poles, air conditioning units, generators, and handicapped ramps in setbacks

BACKGROUND – light poles

- Pedestrian lighting encourages walkability by supporting pedestrian safety at night. The Dallas Development Code currently does not allow lighting to be placed in the required front or side yards, and the City requires a license for additional pedestrian lighting in the right of way. This conflict becomes a disincentive to providing adequate lighting near sidewalks.

PROPOSAL

- The proposed changes to Chapter 51 and 51A would allow additional lighting to be installed in the required front and side yards.

BACKGROUND – air conditioning units and generators

- A portion of Section 51A-4.402 regulates the location and noise levels for air conditioning units. However, the current language refers to an outdated rating method.
- Currently, Section 51A-4.402(a)(3) refers to SRN (sound rating number) designations to regulate noise levels generated by air conditioning units. Modern units are now much quieter, and sound levels are measured in decibels. The quietest units fall into the 50–60 decibel range, approximately the level of a quiet conversation.
- In addition, electrical generator placement is not specifically addressed in the code. In the absence of regulation, Building Inspection staff has been treating electrical generators as accessory structures in residential districts.

PROPOSAL

- The proposed changes:
 - Remove the outdated SRN language and also remove the exception for air conditioning units in Section 6.102(a)(5) of the noise regulations, ensuring that an exceptionally loud air conditioner will continue to be regulated by code.
 - Codify the practice of treating electrical generators as accessory structures and ensure that the generators, if installed, are placed to the rear of the lot.
 - Remove unnecessary language requiring 10 feet of separation between units.

BACKGROUND – handicapped ramps for dwellings

- People who experience mobility issues often need to install a ramp to provide access to their home. Depending on the location of the existing house on the lot, it can be difficult or impossible to add the needed ramp and continue to meet the front, side, or rear yard setback requirements of City Code. Ramps are considered structures, and structures are not currently allowed in required yards.
- Code currently provides relief in Section 51A-1.107(b)(1):
 - “The board of adjustment shall grant a special exception to any regulation in this chapter if, after a public hearing, the board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. The term

‘handicapped person’ means a person with a ‘handicap,’ as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended.”

- However, going to the Board of Adjustment creates an extra procedural step and a delay when a handicapped ramp becomes needed by the occupant of an existing home and must be located within the required setback.
- City Plan Commission recommended a requirement that the initial review of a complete building permit for a ramp be completed within 10 days. Staff recommends against adding this limit as state law mandates maximum review times for building permit review.

PROPOSAL

- The proposed changes to Chapter 51 and Chapter 51A would allow ramps to be placed in the required front, side, or rear setbacks of existing homes under the appropriate accessibility standard as determined by the building official.

BACKGROUND – setbacks in planned development district regulations

- The development code currently includes redundant paragraphs stating that yard regulations in planned development districts are controlled by the planned development district regulations.

PROPOSAL

- Remove redundant paragraphs.

6) Pedestrian skybridges

BACKGROUND

- Pedestrian skybridges are allowed by specific use permit (SUP) as an accessory use in some planned development districts and all of the base zoning districts except the P and P(A) Parking districts.
- Current regulations:
 - Prohibit skybridges in required yards. Because setbacks begin at ground level and go to infinity, this effectively prohibits skybridges in districts with required yards, forcing a developer to go to the Board of Adjustment to request a variance to the front yard setback.
 - Do not allow skybridge supports to be placed in the right of way. Some skybridges need support mid-way between buildings.
 - Require a special exception from the Board of Adjustment (BDA) for skybridges that cannot meet mandatory design provisions.
 - Use “block” to mean “blockface” in the section that says, “No more than one pedestrian skybridge may be located within any block or 700 feet of frontage, whichever is less.”

PROPOSAL

- The proposed changes:
 - Allow skybridges to be placed in a required yard. The SUP process requires review of the proposed site plan at both CPC and City Council.
 - Remove the prohibition of supports in the ROW. Continue to require ROW license (including staff review and City Council approval), adherence to sidewalk standards, and normal SUP review and approval process.
 - For relief from design provisions, replace the BDA special exception with a request for a waiver from Council as part of the SUP process. The waiver would require a three-quarters vote of the Council.
 - Change *block* to *blockface*, thus clarifying that the number of skybridges should be limited along the frontage of a single side of a block, not within the area of a block nor the entire perimeter of a block.
 - Correct *sky bridge* to *skybridge* as needed, thereby making the spelling consistent throughout Chapters 51 and 51A.

7) remote parking for places of worship

BACKGROUND

- Regulations for remote and shared parking for church uses are listed in the use regulations
- Regulations for remote and shared parking for all other uses are located in Section 51A-4.324(d)

PROPOSAL

- Relocate the remote and shared parking regulations from the church use regulations and have Section 51A.4.324(d) control as it does for other uses.

CPC ACTION

April 5, 2018

Motion: It was moved to approve of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to clarify language regarding handicapped parking regulations; board of adjustment same matter back to same panel; number of duplicate applications required for remote parking procedures and sign permits; instances where “director of parks and recreation” should be amended to “building official”; pedestrian skybridges; light poles, handicap ramps, air conditioning units, and generators in required front, side, and rear yards as applicable, and clarification of associated noise regulation standards

Maker: Shidid
Second: Murphy
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid, Carpenter, Mack, Jung,
Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 – Houston, Schultz
Vacancy: 1 - District 8

Speakers: None

5-17-18

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.201, 51-4.202, 51-4.213, 51A-4.201, 51A-4.202, 51A-4.203, 51A-4.204, 51A-4.205, 51A-4.206, 51A-4.207, 51A-4.208, 51A-4.209, 51A-4.210, 51A-4.211, 51A-4.212, and 51A-4.213; making conforming amendments to delete references to handicapped parking requirements from the use regulations; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Ordinance No. 27864, passed by the Dallas City Council on April 28, 2010, deleted specific handicapped parking requirements from the Development Code and required handicapped parking to be provided and maintained in compliance with all Federal and State laws and regulations; and

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (C) of Paragraph (1), “Single-Family,” of Subsection (b), “Specific Residential Uses,” of Section 51-4.201, “Residential Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces for each dwelling unit, except one space for each dwelling unit in R-7.5 and R-5 districts. [~~No handicapped parking is required.~~]”

SECTION 2. That Subparagraph (C) of Paragraph (12), “Tower/Antenna for Cellular Communication,” of Section 51-4.202, “Utility and Service Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. Physically separate auxiliary buildings will not be aggregated to determine the area of an auxiliary building for the purpose of determining required off-street parking requirements. [~~No handicapped parking is required.~~]”

SECTION 3. That Subparagraph (C) of Paragraph (12), “Mining,” of Section 51-4.213, “Commercial Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~]”

SECTION 4. That Subparagraph (C) of Paragraph (19), “Gas Drilling and Production,” of Section 51-4.213, “Commercial Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~]”

SECTION 5. That Subparagraph (C) of Paragraph (1), “Animal Production,” of Section 51A-4.201, “Agricultural Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. [~~No handicapped parking is required.~~]”

SECTION 6. That Subparagraph (C) of Paragraph (2), “Commercial Stable,” of Section 51A-4.201, “Agricultural Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each two stalls. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 7. That Subparagraph (C) of Paragraph (1), “Building Repair and Maintenance Shop,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 8. That Subparagraph (C) of Paragraph (2), “Bus or Rail Transit Vehicle Maintenance Storage Facility,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 9. That Subparagraph (C) of Paragraph (3), “Catering Service,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 10. That Subparagraph (C) of Paragraph (4), “Commercial Cleaning or Laundry Plant,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 11. That Subparagraph (C) of Paragraph (5), “Custom Business Services,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area; a minimum of five spaces is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 12. That Subparagraph (C) of Paragraph (6), “Custom Woodworking, Furniture Construction, or Repair,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area; a minimum of two spaces is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 13. That Subparagraph (C) of Paragraph (7), “Electronics Service Center,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 14. That Subparagraph (C) of Paragraph (8.1), “Labor Hall,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking. One space per 500 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 15. That Subparagraph (C) of Paragraph (9), “Machine or Welding Shop,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 16. That Subparagraph (C) of Paragraph (10), “Machinery, Heavy Equipment, or Truck Sales and Service,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of sales area (whether inside or outside). ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 17. That Subparagraph (C) of Paragraph (11), “Medical or Scientific Laboratory,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 18. That Subparagraph (C) of Paragraph (13), “Tool or Equipment Rental,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 19. That Subparagraph (C) of Paragraph (14), “Vehicle or Engine Repair or Maintenance,” of Section 51A-4.202, “Commercial and Business Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area; a minimum of five spaces is required. Parking spaces that are used to repair vehicles and located in a structure are not counted in determining the required parking. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 20. That Subparagraph (C) of Paragraph (1), “Industrial (Inside),” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 600 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 21. That Subparagraph (C) of Paragraph (1.1), “Industrial (Inside) for Light Manufacturing,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 600 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 22. That Subparagraph (C) of Paragraph (2), “Industrial (Outside),” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 23. That Subparagraph (C) of Paragraph (3.1), “Mining,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~.]”

SECTION 24. That Subparagraph (C) of Paragraph (4.1), “Organic Compost Recycling Facility,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 25. That Subparagraph (C) of Paragraph (6), “Temporary Concrete or Asphalt Batching Plant,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Off-street parking:

[~~(i)~~] Required off-street parking: Two spaces. Off-street parking requirements for this use may be satisfied by providing temporary parking spaces that do not strictly comply with the construction and maintenance provisions for off-street parking in this chapter. The operator of this use has the burden of demonstrating to the satisfaction of the building official that the temporary parking spaces:

~~(i)(aa)~~ are adequately designed to accommodate the parking needs of the use; and

~~(ii)(bb)~~ will not adversely affect surrounding uses.

~~(ii) No handicapped parking is required.]”~~

SECTION 26. That Subparagraph (C) of Paragraph (1), “Adult Day Care Facility,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area. [~~If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 27. That Subparagraph (C) of Paragraph (2), “Cemetery or Mausoleum,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. [~~No handicapped parking is required.~~]”

SECTION 28. That Subparagraph (C) of Paragraph (5), “College, University, or Seminary,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 25 square feet of classroom. [~~If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 29. That Subparagraph (C) of Paragraph (7), “Community Service Center,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. [~~If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 30. That Subparagraph (C) of Paragraph (8), “Convalescent and Nursing Homes, Hospice Care, and Related Institutions,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 0.3 spaces per bed. [~~Handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 31. That Subparagraph (C) of Paragraph (9), “Convent or Monastery,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use

Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each three residents; a minimum of two spaces is required. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 32. That Subparagraph (C) of Paragraph (11), “Foster Home,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. [~~No handicapped parking is required.]~~”

SECTION 33. That Subparagraph (C) of Paragraph (13), “Halfway House,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Determined by the specific use permit. This requirement must include provision of adequate off-street parking for residents, staff, and visitors. In determining an adequate number of off-street parking spaces, the city council shall consider the degree to which allowing the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 34. That Subparagraph (C) of Paragraph (14), “Hospital,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each patient bed. [~~Handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 35. That Subparagraph (C) of Paragraph (1), “Hotel or Motel,” of Section 51A-4.205, “Lodging Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500; plus one space per 200 square feet of meeting room. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 36. That Subparagraph (C) of Paragraph (1.1), “Extended Stay Hotel or Motel,” of Section 51A-4.205, “Lodging Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500; plus one space per 200 square feet of floor area other than guest rooms. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 37. That Subparagraph (C) of Paragraph (2), “Lodging or Boarding House,” of Section 51A-4.205, “Lodging Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each guest room. [~~No handicapped parking is required.~~]

SECTION 38. That Subparagraph (C) of Paragraph (2), “Carnival or Circus (Temporary),” of Section 51A-4.206, “Miscellaneous Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

~~“(C) Required off-street parking: 25 spaces per acre. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 39. That Subparagraph (C) of Paragraph (6), “Temporary Construction or Sales Office,” of Section 51A-4.206, “Miscellaneous Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

~~“(C) Required off-street parking: None. [No handicapped parking is required.]”~~

SECTION 40. That Subparagraph (C) of Paragraph (2), “Financial Institution Without Drive-In Window,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

~~“(C) Required off-street parking: One space per 333 square feet of floor area. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 41. That Subparagraph (C) of Paragraph (3), “Financial Institution With Drive-In Window,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

~~“(C) Required off-street parking: One space per 333 square feet of floor area. See the additional provisions [Subparagraph (E)] for off-street stacking requirements. [If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 42. That Subparagraph (C) of Paragraph (4), “Medical Clinic or Ambulatory Surgical Center,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use

Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. [~~Handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 43. That Subparagraph (C) of Paragraph (5), “Office,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 333 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 44. That Subparagraph (C) of Paragraph (3), “Public Park, Playground, or Golf Course,” of Section 51A-4.208, “Recreation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~]”

SECTION 45. That Subparagraph (C) of Paragraph (1), “College Dormitory, Fraternity, or Sorority House,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each sleeping room. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 46. That Subparagraph (C) of Paragraph (2), “Duplex,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces per dwelling unit. [~~No handicapped parking is required.~~]

SECTION 47. That Subparagraph (C) of Paragraph (3), “Group Residential Facility,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 0.25 spaces per bed, plus one space per 200 square feet of office area; a minimum of four spaces is required. [~~No handicapped parking is required.~~] If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.”

SECTION 48. That Subparagraph (C) of Paragraph (3.1), “Handicapped Group Dwelling Unit,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space in R-7.5(A), R-5(A), and TH districts; two spaces in all other districts. [~~No handicapped parking is required.~~] If an SUP is required for this use, the off-street parking requirement may be established in the ordinance granting the SUP. In determining this requirement, the city council shall consider the nature of the proposed use and the degree to which the use would create traffic hazards or congestion

given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.”

SECTION 49. That Subparagraph (C) of Paragraph (4), “Manufactured Home Park, Manufactured Home Subdivision, or Campground,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 1.5 spaces for each transient stand for a manufactured home park or campground; 1.5 spaces for each lot in a manufactured home subdivision. ~~[No handicapped parking is required.]~~”

SECTION 50. That Subparagraph (C) of Paragraph (5.1), “Residential Hotel,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: 0.5 spaces per guest room. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 51. That Subparagraph (C) of Paragraph (6), “Single Family,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space in R-7.5(A), R-5(A), and TH districts; two spaces in all other districts. ~~[No handicapped parking is required.]~~”

SECTION 52. That Subparagraph (C) of Paragraph (1), “Ambulance Service,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of

Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area, plus one space per 500 square feet of site area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 53. That Subparagraph (C) of Paragraph (2), “Animal Shelter or Clinic,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 300 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 54. That Subparagraph (C) of Paragraph (3), “Auto Service Center,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area; a minimum of four spaces is required. Parking spaces that are used to repair motor vehicles and located in a structure are not counted in determining the required parking. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 55. That Subparagraph (C) of Paragraph (9), “Commercial Parking Lot or Garage,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of

Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None; however, if this use is in the central business district, off-street stacking spaces or passenger unloading zones may need to be provided. ~~[No handicapped parking is required.]~~ For more information regarding off-street parking in the central business district, see Section 51A-4.306.”

SECTION 56. That Subparagraph (C) of Paragraph (10), “Drive-In Theater,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Six parking spaces. The number of stacking spaces must equal ten percent of the number of the theater's stalls. ~~[No handicapped parking is required.]~~”

SECTION 57. That Subparagraph (C) of Paragraph (11), “Dry Cleaning or Laundry Store,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of ~~[or]~~ floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 58. That Subparagraph (C) of Paragraph (13), “General Merchandise or Food Store 3,500 Square Feet or Less,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 59. That Subparagraph (C) of Paragraph (16), “Household Equipment and Appliance Repair,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 60. That Subparagraph (C) of Paragraph (17), “Liquor Store,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 61. That Subparagraph (C) of Paragraph (18), “Mortuary, Funeral Home, or Commercial Wedding Chapel,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) ~~[Off-street parking:~~

(+) Required off-street parking:

~~(i)(aa)~~ One space per 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. Up to 50 percent of the required off-street parking for this use may be tandem spaces.

~~(ii)(bb)~~ If all spaces provided are non-tandem, the off-street parking requirement for this use is one space per 500 feet of floor area other than the chapel, plus one space for each two seats in the chapel.

~~(ii) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~

SECTION 62. That Subparagraph (C) of Paragraph (19), “Motor Vehicle Fueling Station,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. ~~[No handicapped parking is required.]~~”

SECTION 63. That Subparagraph (C) of Paragraph (20), “Nursery, Garden Shop, or Plant Sales,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor area, plus one space per 2,000 square feet of outside sales and display area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 64. That Subparagraph (C) of Paragraph (21), “Outside Sales,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas

Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of sales area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 65. That Subparagraph (C) of Paragraph (22), “Pawn Shop,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 66. That Subparagraph (C) of Paragraph (23), “Personal Service Use,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~.]”

SECTION 67. That Item (iv) of Subparagraph (C) of Paragraph (24), “Restaurant Without Drive-In or Drive-Through Service,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is deleted as follows:

~~“(iv) If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 68. That Item (iii) of Subparagraph (C) of Paragraph (25), “Restaurant With Drive-In or Drive-Through Service,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is deleted as follows:

~~“(iii) If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 69. That Subparagraph (C) of Paragraph (26), “Surface Parking,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. ~~[No handicapped parking is required.]”~~

SECTION 70. That Subparagraph (C) of Paragraph (27), “Swap or Buy Shop,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 71. That Subparagraph (C) of Paragraph (29), “Temporary Retail Use,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of site area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 72. That Subparagraph (C) of Paragraph (30), “Theater,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 28 square feet of seating area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 73. That Subparagraph (C) of Paragraph (30.1), “Truck Stop,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. ~~[No handicapped parking is required.]”~~

SECTION 74. That Subparagraph (C) of Paragraph (31), “Vehicle Display, Sales, and Service,” of Subsection (b), “Specific Uses,” of Section 51A-4.210, “Retail and Personal Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of floor and site area exclusive of parking area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 75. That Subparagraph (C) of Paragraph (1), “Airport or Landing Field,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of terminal building floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 76. That Subparagraph (C) of Paragraph (2), “Commercial Bus Station and Terminal,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of building floor area plus one space per five seats of manufacturer’s rated seating capacity for the maximum number of vehicles on site during any one hour time period. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 77. That Subparagraph (C) of Paragraph (3), “Heliport,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 600 square feet of site area; a minimum of four spaces is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 78. That Subparagraph (C) of Paragraph (4), “Helistop,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. ~~[No handicapped parking is required.]”~~

SECTION 79. That Subparagraph (C) of Paragraph (5), “Private Street or Alley,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. ~~[No handicapped parking is required.]”~~

SECTION 80. That Subparagraph (C) of Paragraph (6), “Railroad Passenger Station,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of terminal building floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 81. That Subparagraph (C) of Paragraph (7), “Railroad Yard, Roundhouse, or Shops,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each 500 square feet of floor area of roundhouse and shops. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 82. That Subparagraph (C) of Paragraph (8), “STOL (Short Takeoff or Landing) Port,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of terminal building floor area; a minimum of five spaces is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 83. That Subparagraph (C) of Paragraph (9), “Transit Passenger Shelter,” of Section 51A-4.211, “Transportation Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. ~~[No handicapped parking is required.]~~”

SECTION 84. That Subparagraph (C) of Paragraph (1), “Commercial Radio or Television Transmitting Station,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 85. That Subparagraph (C) of Paragraph (2), “Electrical Generating Plant,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 86. That Subparagraph (C) of Paragraph (3), “Electrical Substation,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. ~~[No handicapped parking is required.]”~~

SECTION 87. That Subparagraph (C) of Paragraph (4), “Local Utilities,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

(i) Utility services: None. ~~[No handicapped parking is required.]~~

(ii) Communications exchange facility: One space per 5,000 square feet of floor area, except that one space per 333 square feet is required for any floor area used for office space. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 88. That Subparagraph (C) of Paragraph (5), “Police or Fire Station,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) ~~[Off-street parking:~~

~~(i)]~~ Required off-street parking:

~~(i)]~~~~(aa)]~~ Police station: One space per 150 square feet of floor area.

~~(ii)]~~~~(bb)]~~ Fire station: Five spaces plus one additional space per bed.

~~(ii) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 89. That Subparagraph (C) of Paragraph (6), “Post Office,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 200 square feet of floor area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 90. That Subparagraph (C) of Paragraph (7), “Radio, Television, or Microwave Tower,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. ~~[No handicapped parking is required.]”~~

SECTION 91. That Subparagraph (C) of Paragraph (8), “Refuse Transfer Station,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of site area exclusive of parking area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 92. That Subparagraph (C) of Paragraph (9), “Sanitary Landfill,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~]

SECTION 93. That Subparagraph (C) of Paragraph (10), “Sewage Treatment Plant,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each million gallons of capacity. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]

SECTION 94. That Subparagraph (C) of Paragraph (10.1), “Tower/Antenna for Cellular Communication,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None required for temporary cellular units. One space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. Physically separate auxiliary buildings will not be aggregated to determine the area of an auxiliary building for the purpose of determining required off-street parking requirements. [~~No handicapped parking is required.~~]”

SECTION 95. That Subparagraph (C) of Paragraph (11), “Utility or Government Installation Other Than Listed,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: The ratio of the use that the building official determines is the most equivalent to the proposed use in terms of function. If a specific use permit is required, the off-street parking regulations may be established in the ordinance granting the permit. In such cases, the city council shall consider the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 96. That Subparagraph (C) of Paragraph (12), “Water Treatment Plant,” of Section 51A-4.212, “Utility and Public Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: Two spaces. [~~No handicapped parking is required.~~]”

SECTION 97. That Subparagraph (C) of Paragraph (1), “Auto Auction,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 500 square feet of site area exclusive of parking area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 98. That Subparagraph (C) of Paragraph (2), “Building Mover’s Temporary Storage Yard,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. [~~No handicapped parking is required.~~]”

SECTION 99. That Subparagraph (C) of Paragraph (3), “Contractor’s Maintenance Yard,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 2,000 square feet of site area exclusive of parking area; a minimum of four spaces is required. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 100. That Subparagraph (C) of Paragraph (4), “Freight Terminal,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of floor area. [~~If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.~~]”

SECTION 101. That Subparagraph (C) of Paragraph (5), “Livestock Auction Pens or Sheds,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 28 square feet of seating area, plus one space per 600 square feet of sales area. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 102. That Subparagraph (C) of Paragraph (10), “Petroleum Product Storage and Wholesale,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each 2,000 square feet of site area exclusive of parking area; a minimum of four spaces required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 103. That Subparagraph (C) of Paragraph (11.1), “Recycling Collection Center,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: A minimum of one space is required. If the use is operated by an attendant, one additional space is required. ~~[No handicapped parking is required.]~~”

SECTION 104. That Subparagraph (C) of Paragraph (12), “Sand, Gravel, or Earth Sales and Storage,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 2,000 square feet of site area exclusive of parking area; a minimum of four spaces is required. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 105. That Subparagraph (C) of Paragraph (13), “Trade Center,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space for each 700 square feet of floor area, exclusive of atriums, mechanical rooms, stairwells, and hallways. Required off-street parking must be provided on the site within 500 feet of a public entrance to the trade center. However, parking may be located at a distance greater than 500 feet if a satisfactory system of transportation between the trade center and parking area is established and maintained by the owner of the use. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]~~”

SECTION 106. That Subparagraph (C) of Paragraph (14), “Vehicle Storage Lot,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: None. ~~[No handicapped parking is required.]~~”

SECTION 107. That Subparagraph (C) of Paragraph (15), “Warehouse,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking: One space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. ~~[If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.]”~~

SECTION 108. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 109. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 110. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 111. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

5-17-18

ORDINANCE NO. _____

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Section 51A-3.102; providing a time limit for the board of adjustment's case assignment requirement; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That of Subsection (b), "Case Assignments," of Section 51A-3.102, "Board of Adjustment," of Article III, "Decisionmaking and Administrative Bodies," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(b) Case assignments. The board shall adopt rules for the assignment of cases to a panel. Only one panel may hear, handle, or render a decision in a particular case. If a case is dismissed or withdrawn and subsequently refiled within five years of the date the original case was dismissed or withdrawn, it must be returned to the panel to which it was originally assigned."

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51A-4.323, 51A-7.505, 51A-7.507, and 51A-7.1706; providing for a reduction in the number of copies needed for parking agreements and sign permits; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subsection (b), “Application,” of Section 51A-4.323, “Procedures for Special Parking Approval,” of Division 51A-4.320, “Special Parking Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(b) Application. An application for special parking approval [~~and five duplicates~~] must be filed with the building official. An application form may be obtained from the building official. The application must include the following:

- (1) The application fee.
- (2) A site plan illustrating the applicable items listed in Subsection (c).
- (3) For packed parking, a statement describing the operational plan, including:
 - (A) the days and hours of operation of the main use;
 - (B) staffing required to park the vehicles; and

(C) the location of any parking service stand.

(4) For remote parking:

(A) a map illustrating the walking distance from the special parking to the use providing the parking; and

(B) if applicable, a statement pointing out the factors justifying an extension of walking distance including discussion of the following factors:

(i) The type of use involved.

(ii) The parking demand generated by the use involved.

(iii) The percentage of required off-street parking that will be provided as remote parking.

(iv) The availability and condition of sidewalks.

(v) The availability and frequency of a local shuttle or transit service.

(vi) The availability of or proposal for shelters for users of any local shuttle or transit service.

(vii) Any other factors that may have the effect of encouraging patrons of the use to use or discouraging patrons of the use from using the remote parking.

(5) For shared parking, a study of parking demand and accumulation during all days and hours of operation for all uses sharing parking.

(6) Any other reasonable and pertinent information that the building official determines to be necessary for special parking review.”

SECTION 2. That Paragraph (2), “Application,” of Section 51A-7.505, “Permit Procedures for Special Provision Sign Districts,” of Division 51A-7.500, “Special Provision Sign Districts,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(2) Application. When applying for a sign permit in a special provision sign district, the applicant shall submit an application [~~in duplicate~~] to the building official. After determining that the proposed sign conforms with the other sections of the code, the building official shall forward a copy of the application to the director within five working days of its receipt. The applicant shall provide the building official, the director, and the committee with specific information in the form of perspectives, renderings, photographs, models, or other representations sufficient to show the nature of the proposed sign and its effect on the immediate premises. Any applicant may request a meeting with the director or the committee before submitting an application and may consult with the director or the committee during the review of the permit application. Every applicant is entitled to appear before the committee and to be present when any vote is taken.”

SECTION 3. That Paragraph (2), “Application for Permit,” of Subsection (b), “Procedures to Obtain Permit,” of Section 51A-7.507, “Temporary Signs in Special Provision Sign Districts,” of Division 51A-7.500, “Special Provision Sign Districts,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(2) Application for permit. An application for a permit [~~and two duplicates~~] must be filed with the building official on a form provided by the city. Each application must comply with the requirements [~~of Subchapter 61~~] of the Dallas Building Code.”

SECTION 4. That Romanette (ii), “Application for a Roof Sign,” of Subsection (c), “Roof Signs in Subdistrict B,” of Section 51A-7.1706, “Victory District Sign Permit Requirements,” of Division 51A-7.1700, “Provisions for Victory Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(ii) Application for a roof sign. When applying for a roof sign in Subdistrict B, the applicant shall submit an application [~~in duplicate~~] to the building official. After determining that the proposed roof sign conforms with all building, electrical, and mechanical codes and all sign regulations in this ordinance, the building official shall forward a copy of the application to the director within five working days of its receipt. The applicant shall provide the building official and the director with specific information in the form of perspectives, renderings, photographs, models, or other representations sufficient to show the nature of the proposed sign and its effect on the building on which it is located as well as its effect on surrounding premises. Any applicant may request a meeting with the director before submitting an application and may consult with the director during the review of the permit application.”

SECTION 5. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51A-4.301; 51A-4.602, 51A-5.206, and 51A-5.208; changing director of park and recreation to building official for certain plant and landscape provisions; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Romanette (iii) of Paragraph (5) of Subsection (f), “Screening Provisions for Off-Street Parking,” of Section 51A-4.301, “Off-Street Parking Regulations,” of Division 51A-4.300, “Off-Street Parking and Loading Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(iii) Evergreen plant materials recommended for local area use by the building official [~~director of parks and recreation~~]. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.”

SECTION 2. That Paragraph (3) of Subsection (b), “Required Screening,” of Section 51A-4.602, “Fence, Screening and Visual Obstruction Regulations,” of Division 51A-4.600, “Regulations of Special Applicability,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) Required screening must be constructed of:

(A) brick, stone, concrete masonry, concrete, or wood;

(B) earthen berm planted with turf grass or ground cover recommended for local area use by the building official [~~director of parks and recreation~~]. The berm may not have a slope that exceeds one foot of height for each two feet of width;

(C) evergreen plant materials recommended for local area use by the building official [~~director of parks and recreation~~]. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years; or

(D) any combination of the above.”

SECTION 3. That Paragraph (3) of Subsection (b) of Section 51A-5.206, “Soil Erosion Control Plan,” of Division 51A-5.200, “Escarpment Regulations,” of Article V, “Flood Plain and Escarpment Zone Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced. If vegetation is removed, it must be replaced with new vegetation of the same variety unless the building official [~~director of parks and recreation~~] approves an alternative variety as being less susceptible to disease or better suited for urban development.”

SECTION 4. That Paragraph (1) of Subsection (b) of Section 51A-5.208, “Vegetation Plan,” of Division 51A-5.200, “Escarpment Regulations,” of Article V, “Flood Plain and Escarpment Zone Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced. If vegetation is removed, it must be replaced with new vegetation of the same variety unless the building official [~~director of parks and recreation~~] approves an alternative variety as being less susceptible to disease or better suited for urban development.

SECTION 5. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT

5-17-18

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.217 and 51A-4.217; allowing pedestrian skybridge support structures to be in the public right-of-way and in required yards; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (F) of Paragraph (11), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(F) Mandatory pedestrian skybridge standards: Additional provisions concerning construction of pedestrian walkways are contained in Chapter 53, “Dallas Building Code,” of the Dallas City Code. Pedestrian skybridges must be constructed and maintained in accordance with the following regulations:

(i) Pedestrian skybridges must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.

(ii) No more than one pedestrian skybridge may be located within any blockface [~~block~~] or 700 feet of frontage, whichever is less.

(iii) Pedestrian skybridges must have clearance above the public right-of-way of at least 18 feet above grade.

(iv) If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the interior passageway must be no less than 12 feet and no greater than 20 feet in width.

(v) The interior height of the passageway must be at least seven and one-half feet. The interior height at the springline of vaulted ceilings must be at least seven and one-half feet.

(vi) Supports may [~~must not~~] be located within the public right-of-way if the placement of the support structure does not impede pedestrian traffic and maintains minimum sidewalk clearance widths required in the zoning district and in conformance with the Americans with Disabilities Act, 42 U.S.C. Chapter 126.

(vii) A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.

(viii) Pedestrian skybridges must meet state and federal standards for accessibility to and usability by individuals with disabilities.

(ix) Pedestrian skybridges connected to structures with air conditioning must be enclosed and air conditioned.

(x) Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.

(xi) Pedestrian skybridges must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.

(xii) At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.

(xiii) Minimum artificial lighting of 15 foot candles must be provided. Lighting must not produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.

(xiv) No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.

(xv) Pedestrian skybridges must not be located within 300 feet of an historic overlay district.

(xvi) Pedestrian skybridges must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.

(xvii) Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.

(xviii) Pedestrian skybridges must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.

(xix) The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.

(xx) Skybridges may be placed in a required front, side, or rear yard.

SECTION 2. That Subparagraph (H) of Paragraph (11), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(H) Waiver [~~Special exception~~]: The city council [~~board of adjustment~~] may, by a three-fourths vote, grant a waiver [~~special exception~~] to the pedestrian skybridge standards contained in this paragraph if the council [~~board~~] finds that:

(i) strict compliance with the requirements will unreasonably burden the use of either of the properties;

(ii) the waiver [~~special exception~~] will not adversely affect neighboring property; [~~and~~]

(iii) the waiver [~~special exception~~] will not be contrary to the public interest; and

(iv) the waiver will not be contrary to the public health, safety, or welfare.”

SECTION 3. That Subparagraph (F), “Mandatory Pedestrian Skybridge Standards,” of Paragraph (12), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(F) Mandatory pedestrian skybridge standards. Additional provisions concerning construction of pedestrian walkways are contained in ~~[Section 509 of]~~ Chapter 53, “Dallas Building Code,” of the Dallas City Code. Pedestrian skybridges must be constructed and maintained in accordance with the following regulations:

(i) Pedestrian skybridges ~~[sky-bridges]~~ must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.

(ii) No more than one pedestrian skybridge may be located within any blockface ~~[block]~~ or 700 feet of frontage, whichever is less.

(iii) Pedestrian skybridges ~~[sky-bridges]~~ must have clearance above the public right-of-way of at least 18 feet above grade.

(iv) If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the interior passageway must be no less than 12 feet and no greater than 20 feet in width.

(v) The interior height of the passageway must be at least 7 1/2 feet. The interior height at the springline of vaulted ceilings must be at least 7 1/2 feet.

(vi) Supports may ~~[must not]~~ be located within the public right-of-way if the placement of the support structure does not impede pedestrian traffic and maintains minimum sidewalk clearance widths required in the zoning district and in conformance with the Americans with Disabilities Act, 42 U.S.C. Chapter 126.

(vii) A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.

(viii) Pedestrian skybridges [~~sky-bridges~~] must meet state and federal standards for accessibility to and usability by individuals with disabilities.

(ix) Pedestrian skybridges [~~sky-bridges~~] connected to structures with air conditioning must be enclosed and air conditioned.

(x) Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.

(xi) Pedestrian skybridges [~~sky-bridges~~] must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.

(xii) At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than ~~six~~[6] percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.

(xiii) Minimum artificial lighting of 15 foot candles must be provided. Lighting must not produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.

(xiv) No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.

(xv) Pedestrian skybridges [~~sky-bridges~~] must not be located within 300 feet of an historic overlay district.

(xvi) Pedestrian skybridges [~~sky-bridges~~] must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.

(xvii) Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.

(xviii) Pedestrian skybridges [~~sky-bridges~~] must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.

(~~xix~~[~~xviii~~]) The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.

(xx) Skybridges may be placed in the required front, side, or rear yard."

SECTION 4. That Subparagraph (G), “Recommended Pedestrian Skybridge Standards,” of Paragraph (12), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(G) Recommended pedestrian skybridge standards. Pedestrian skybridges are recommended to be constructed and maintained in accordance with the following guidelines:

(i) Pedestrian skybridges [~~sky-bridges~~] which are open to the public should penetrate the second story of the adjoining structures, or, if not possible, as close as possible to the street level.

(ii) Pedestrian skybridges [~~sky-bridges~~] should penetrate the adjoining structures as closely as possible to escalators or elevators having access to the entire structure and the street.

(iii) Free-standing pedestrian skybridges and pedestrian skybridges connected to structures without air conditioning should have a roof, wind breaks, and adequate ventilation that maximize the comfort and safety of pedestrians. A pedestrian skybridge should be open only when the adjoining structures are open.

(iv) If the length of the pedestrian skybridge exceeds 250 feet, the passageway should be interrupted by interior visual breaks, such as turns, courts or plazas.

(v) Primary lighting sources should be recessed and indirect. Accent lighting is encouraged. Natural lighting should be used in addition to artificial lighting.

(vi) The pedestrian skybridge should be designed so as to coordinate with the adjoining structures to the extent possible. Where coordination is not possible, the pedestrian skybridge should be of a neutral color, such as brown or grey.”

SECTION 5. That Subparagraph (H), “Special Exception,” of Paragraph (12), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(H) Waiver [~~Special exception~~]. The city council [~~board of adjustment~~] may, by a three-fourths vote, grant a waiver [~~special exception~~] to the pedestrian skybridge standards contained in this paragraph if the council [~~board~~] finds that:

- (i) strict compliance with the requirements will unreasonably burden the use of either of the properties;
- (ii) the waiver [~~special exception~~] will not adversely affect neighboring property; [~~and~~]
- (iii) the waiver [~~special exception~~] will not be contrary to the public interest; and
- (iv) the waiver will not be contrary to the public health, safety, or welfare.”

SECTION 6. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

3-8-18

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.401, 51-4.402, 51-4.403, 51-6.102, 51A-4.401, 51A-4.402, 51A-4.403, and 51A-6.102; providing for certain projections and structures in required yards; deleting certain noise provisions for air conditioning units and generators; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Paragraph (1) of Subsection (a), “General Provisions,” of Section 51-4.401, “Minimum Front Yard,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(1) Required front yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required front yard. A fireplace chimney may project up to two feet into the required front yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves and balconies may project up to five feet into the required front yard.”

SECTION 2. That Paragraph (4) of Subsection (a), “General Provisions,” of Section 51-4.401, “Minimum Front Yard,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

City Plan Commission recommended:

“(4) The building official may approve a ramp that projects into the required front yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days [Reserved].”

Staff recommended:

“(4) The building official may approve a ramp that projects into the required front yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official [Reserved].”

SECTION 3. That Subsection (a), “General Provisions,” of Section 51-4.402, “Minimum Side Yard,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(a) General provisions.

(1) Required side yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.

(2) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the required right-of-way as determined by the thoroughfare plan for all thoroughfares except for

minor streets, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback.

(A) When city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) If a building is erected or altered to exceed 36 feet in height and the building site is either perpendicularly contiguous to or, if a front yard is treated as a side yard, perpendicularly across an adjoining street or alley from an R, R(A), D, D(A), TH, TH(A), or CH district, an additional setback must be provided that is equal to twice the total height of the building. The additional setback is only required for that portion of a building that exceeds 36 feet in height.

(4) A unitary air conditioning unit [~~which has a standard sound rating number (SRN) designation of 20 or less according to the Air Conditioning and Refrigeration Institute~~] may be located in the required side yard, but not nearer than three feet to the property line [~~as follows:~~

(A) ~~No more than three units with a SRN designation of 18 or less with a minimum separation of 10 feet between units.~~

(B) ~~No more than two units with a SRN designation of 19 or less with a minimum separation of 10 feet between units; or~~

(C) ~~No more than one unit with a SRN designation of 20.]~~

City Plan Commission recommended:

(5) The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days. [The minimum side yard requirements in a planned development district are controlled by the planned development district regulations.]

Staff recommended:

(5) The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. [The minimum side yard requirements in a planned development district are controlled by the planned development district regulations.]

SECTION 4. That Paragraph (3) of Subsection (b), “Side Yard Provisions for Residential Districts,” of Section 51-4.402, “Minimum Side Yard,” of Division 51-4.400, “Yard, Lot, and

Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use, including a generator, if the structure:

- (A) does not exceed 15 feet in height; and
- (B) is located in the rear 30 percent of the lot.”

Note: This paragraph does not apply to a front yard governed by the side yard regulations in Section 51-4.402 (such as a front yard treated as a side yard on a corner lot).

SECTION 5. That Paragraph (4) of Subsection (a), “General Provisions,” of Section 51-4.403, “Minimum Rear Yard,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

City Plan Commission recommended:

“(4) The building official may approve a ramp that projects into the required rear yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days. [~~The minimum rear yard requirements in a planned development district are controlled by the planned development district regulations.~~]”

Staff recommended:

“(4) The building official may approve a ramp that projects into the required rear yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. [~~The minimum rear yard requirements in a planned development district are controlled by the planned development district regulations.~~]”

SECTION 6. That Paragraph (2) of Subsection (b), “Rear Yard Provisions for Residential Districts,” of Section 51-4.403, “Minimum Rear Yard,” of Division 51-4.400, “Yard, Lot, and

Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(2) In a residential district, a person need not provide a rear yard setback for a structure accessory to a residential use, including a generator, if:

- (A) the structure does not exceed 15 feet in height; and
- (B) the rear yard is not adjacent to an alley.”

SECTION 7. That Paragraph (5) of Subsection (a), “General Provisions,” of Section 51-6.102, “Noise Regulations,” of Article VI, “Environmental Performance Standards,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(5) The requirements of this section do not apply to:

(A) ~~[the side yard placement of a unitary air conditioning unit which complies with the requirements in Section 51-4.402(a)(4);~~

~~(B)]~~ mobile sources;

~~(B[€])~~ construction/demolition activities regulated by Chapter 30;

~~(C[Ð])~~ special events for which a special events permit is issued under Chapter 42A;

~~(D[È])~~ sound generating equipment or apparatus to warn the public of an emergency or for public safety;

~~(E[ƒ])~~ noise from use-related loading/unloading operations that impact residential areas when conducted during daytime hours; or

~~(F[Ĝ])~~ the following activities, as long as they are conducted in daytime hours as a normal function of a permitted use and the equipment is maintained in proper working condition:

- (i) Lawn maintenance.
- (ii) Repair of personal use vehicles.
- (iii) Home repair of place of residence.”

SECTION 8. That Paragraph (1) of Subsection (a), “General Provisions,” of Section 51A-4.401, “Minimum Front Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations” of Article IV “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) Required front yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required front yard. A fireplace chimney may project up to two feet into the required front yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves and balconies may project up to five feet into the required front yard.”

SECTION 9. That Paragraph (4) of Subsection (a), “General Provisions,” of Section 51A-4.401, “Minimum Front Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

City Plan Commission recommended:

“(4) The building official may approve a ramp that projects into the required front yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days [Reserved].”

Staff recommended:

“(4) The building official may approve a ramp that projects into the required front yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official [Reserved].”

SECTION 10. That Subsection (a), “General Provisions,” of Section 51A-4.402, “Minimum Side Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article

IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(a) General provisions.

(1) Required side yards must be open and unobstructed except for fences and light poles 20 feet or less in height. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required side yard. A fireplace chimney may project up to two feet into the required side yard if its area of projection does not exceed 12 square feet. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard.

(2) The side yard setback is measured from the side lot line of the building site, except when a front yard is treated as a side yard, the setback is measured from the lot line or the required right-of-way as determined by the thoroughfare plan for all thoroughfares, whichever creates the greater setback. On minor streets, the setback is measured from the lot line or the existing right-of-way, whichever creates the greater setback.

(A) When city council by ordinance establishes a specific right-of-way line for a street, the required setback is measured from that right-of-way line.

(3) Reserved.

(4) A unitary air conditioning unit [~~which has a standard sound rating number (SRN) designation of 20 or less according to the Air Conditioning and Refrigeration Institute~~] may be located in the required side yard, but not nearer than three feet to the property line [~~as follows:~~

~~(A) No more than three units with a SRN designation of 18 or less with a minimum separation of 10 feet between units.~~

~~(B) No more than two units with a SRN designation of 19 or less with a minimum separation of 10 feet between units; or~~

~~(C) No more than one unit with a SRN designation of 20].~~

City Plan Commission recommended:

<p>(5) <u>The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days. [The minimum side yard requirements in a planned development district are controlled by the planned development district regulations.]”</u></p>

Staff recommended:

<p>(5) <u>The building official may approve a ramp that projects into the required side yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal</u></p>

encroachment and must be constructed to the applicable accessibility standard as determined by the building official. [The minimum side yard requirements in a planned development district are controlled by the planned development district regulations.]

SECTION 11. That Paragraph (3) of Subsection (b), “Side Yard Provisions for Residential Districts,” of Section 51A-4.402, “Minimum Side Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) In a residential district, a person need not provide a side yard setback for a structure accessory to a residential use, including a generator, if the structure:

- (A) does not exceed 15 feet in height; and
- (B) is located in the rear 30 percent of the lot.”

SECTION 12. That Paragraph (4) of Subsection (a), “General Provisions,” of Section 51A-4.403, “Minimum Rear Yard,” of Division 51-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

City Plan Commission recommended:

“(4) The building official may approve a ramp that projects into the required rear yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. Initial review of a complete permit application for a ramp shall be completed in 10 days. [The minimum rear yard requirements in a planned development district are controlled by the planned development district regulations.]”

Staff recommended:

“(4) The building official may approve a ramp that projects into the required rear yard to allow a handicapped person access to an existing single family, duplex, or handicapped group dwelling unit use. The ramp must be constructed with minimal encroachment and must be constructed to the applicable accessibility standard as determined by the building official. [The minimum rear yard requirements in a planned development district are controlled by the planned development district regulations.]”

SECTION 13. That Paragraph (2) of Subsection (b), “Rear Yard Provisions for Residential Districts,” of Section 51A-4.403, “Minimum Rear Yard,” of Division 51A-4.400, “Yard, Lot, and Space Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(2) In a residential district, a person need not provide a full rear yard setback for a structure accessory to a residential use, including a generator, if the structure does not exceed 15 feet in height. Where the rear yard is adjacent to an alley, a three-foot setback must be provided. Where the rear yard is not adjacent to an alley, no setback is required.”

SECTION 14. That Paragraph (5) of Subsection (a), “General Provisions,” of Section 51A-6.102, “Noise Regulations,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows

“(5) The requirements of this section do not apply to:

(A) ~~[the side yard placement of a unitary air conditioning unit which complies with the requirements in Section 51A-4.402(a)(4);~~

~~(B)]~~ mobile sources;

~~(B[€])~~ construction/demolition activities regulated by Chapter 30;

~~(C[Ð])~~ special events for which a special events permit is issued under Chapter 42A;

~~(D[£])~~ sound generating equipment or apparatus to warn the public of an emergency or for public safety;

~~(E[ƒ])~~ noise from use-related loading/unloading operations that impact residential areas when conducted during daytime hours; or

~~(F[ĝ])~~ the following activities, as long as they are conducted between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, Sunday, and legal holidays as a normal function of a permitted use and the equipment is maintained in proper working condition:

- (i) Lawn maintenance.
- (ii) Repair of personal use vehicles.
- (iii) Home repair of place of residence.”

SECTION 15. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 16. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 17. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 18. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 19. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

5-17-18

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-4.204; standardizing remote parking regulations for church uses; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (C) of Paragraph (4), “Church,” of Section 51A-4.204, “Institutional and Community Service Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

(i) Number of spaces required. One space per 333 square feet in floor area if a church has less than 5,000 square feet of floor area and is located in a shopping center with more than 20,000 square feet in floor area, otherwise one space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area.

(ii) Definitions. For purposes of this subsection, “remote parking” means required off-street parking provided on a lot not occupied by the main use. [~~“Shared parking” means the use of the same off-street parking stall to satisfy the off-street parking requirements for two or more uses.~~]

(iii) Reconciliation with Divisions 51A-4.300 et seq.[.] Except as otherwise expressly provided in this subsection, the off-street parking regulations in Divisions 51A-4.300 et. seq. apply to this use. In the event of a conflict between this subsection and Divisions 51A-4.300 et. seq., this subsection controls.

(iv) Remote ~~[and shared]~~ parking. ~~[A church may use remote and/or shared parking to satisfy up to 50 percent of its off-street parking requirement, provided that the remote and/or shared parking is on a lot that is:~~

~~(aa) dedicated to parking use by an instrument filed with the building official and approved by the city attorney's office;~~

~~(bb) located in a non-residential district; and~~

~~(cc) located within 600 feet (including streets and alleys) of the lot occupied by the church. The distance measured is the shortest distance between the lots.~~

~~(v)]~~ (aa) Distance extension with shuttle service. A remote parking lot for a church may be located up to one and one-half miles (including streets and alleys) from the lot occupied by the church if a shuttle service is provided to transport persons between the church and the remote parking lot. The shuttle service route must be approved by the traffic engineer.

~~(vi)]~~ (bb) Remote parking agreement. An agreement authorizing a church to use remote parking may be based on a lease of the remote parking spaces if:

~~(I[aa])~~ the lease is for a minimum term of three years; and

~~(II[bb])~~ the agreement provides that both the owner of the lot occupied by the church and the owner of the remote lot shall notify the city of Dallas in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

AGENDA ITEM # 69

**STRATEGIC
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE:

June 13, 2018

COUNCIL DISTRICT(S):

5

DEPARTMENT:

Department of Public Works
Water Utilities Department

CMO:

Majed Al-Ghafry, 670-3302

MAPSCO:

58L

SUBJECT

A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements for Gardenview Drive from Alto Garden Drive to Loma Garden Avenue; and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: No cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue was requested by property owner petition, accepted on May 9, 2012, and included in the 2012 Bond Program as a Street Petition Project.

On May 27, 2015, City Council authorized a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of one street petition project on Gardenview Drive, from Alto Garden Drive to Loma Garden Avenue and one thoroughfare project on Highland Road, from Ferguson Road to Primrose at Highland by Resolution No. 15-0955.

This action will allow the public hearing to be held and will authorize the levying of assessments. The improvements will consist of a 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, drainage, and water and wastewater main improvements.

BACKGROUND (continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the third and final step in the process. This project will be awarded on August 22, 2018.

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2015
Completed Design	February 2018
Begin Construction	November 2018
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27, 2015, City Council authorized a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of one street petition project on Gardenview Drive, from Alto Garden Drive to Loma Garden Avenue and one thoroughfare project on Highland Road, from Ferguson Road to Primrose at Highland by Resolution No. 15-0955.

On April 25, 2018, City Council authorized street paving, drainage, water and wastewater main improvements for Gardenview Drive from Alto Garden Drive to Loma Garden Avenue; provided for partial payment of construction costs by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and a benefit assessment hearing to be held on June 13, 2018, to receive comments by Resolution No. 18-0602.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 11, 2018.

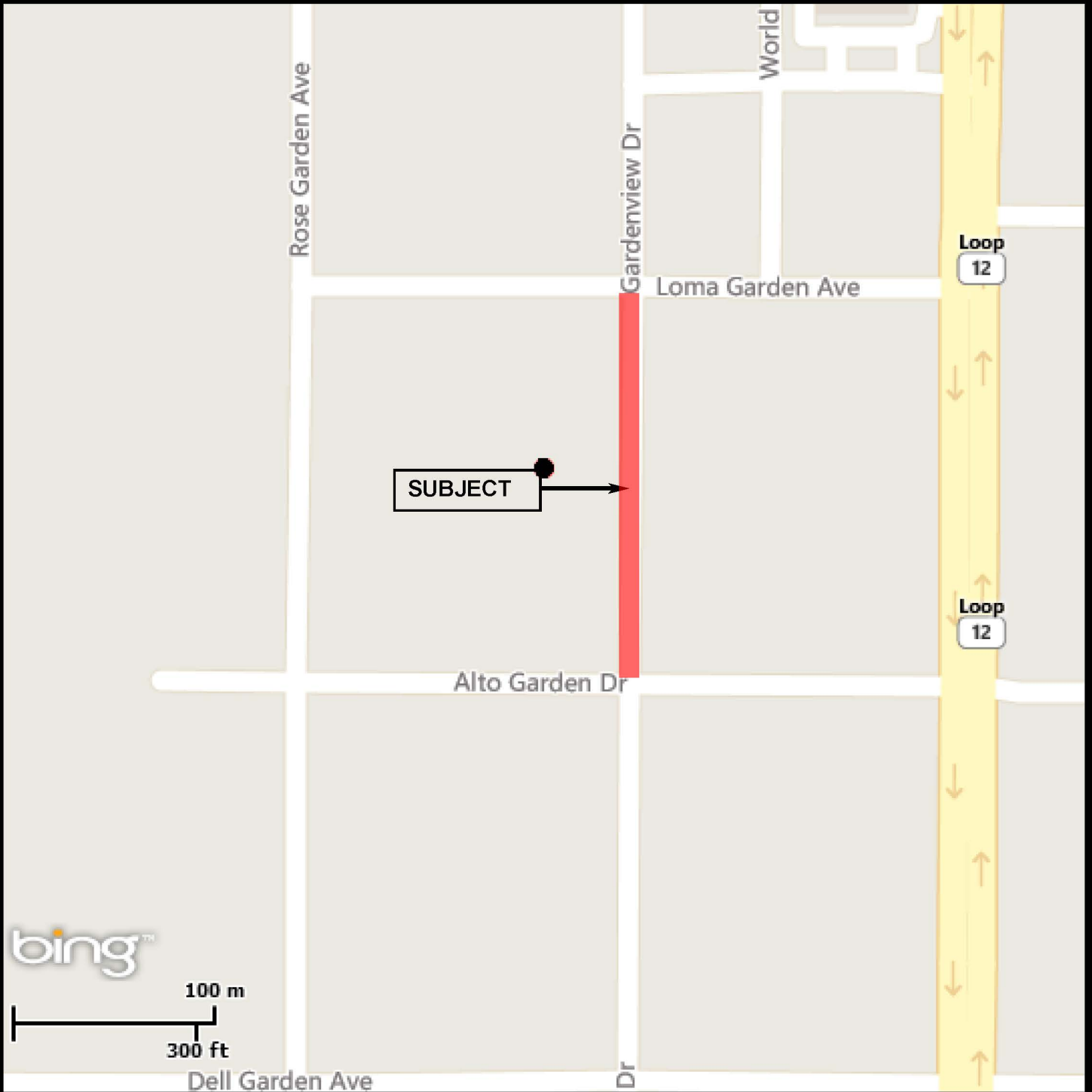
FISCAL INFORMATION

Design	\$ 86,943.05
Construction	
Paving & Drainage - PBW	\$1,248,990.00 (est.)
Water & Wastewater - WTR	<u>\$ 185,430.00 (est.)</u>
 Total Project Cost	 \$1,521,363.05 (est.)

This project does involve assessments.

MAP

Attached



June 13, 2018

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue; and

WHEREAS, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and

WHEREAS, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and

WHEREAS, the said hearing was duly held at said time and place; and

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real Support Group LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and

WHEREAS, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

Now, Therefore,

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

SECTION 1. That the said hearing held on the 13th day of June A.D. 2018 be and the same is hereby ordered closed.

June 13, 2018

SECTION 2. That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

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



Con-Real

VALUATION
AND
REAL ESTATE
ADVISORY SERVICES



enhancementstudy

18-04

Project

Gardenview Drive From Alto
Garden Drive To Loma
Garden Avenue

PREPARED FOR

Efrain Trejo
Project Coordinator
City of Dallas
Public Works Department
Oak Cliff Municipal Center
320 E. Jefferson Blvd., Room 307
Dallas, Texas 75203

Troy C. Alley, Jr., Analyst
Kristen Alley, Analyst
Con-Real, LP
1900 Ballpark Way
Arlington, Texas 76006

www.Con-Real.com

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SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Date of Inspection:	March 9, 2018
Effective Date of Study:	March 9, 2018
Date of Transmittal:	March 29, 2018
Subject Property:	Residential/ Commercial Parcels
Location:	Street: Gardenview Drive from Alto Garden Drive to Loma Garden Avenue
Zoning Classifications:	Single Family District/ Commercial
Current Use:	Improved & Vacant Land
Highest & Best Use:	Residential/ Commercial Use
Flood Zone:	Based only on a cursory inspection, the properties appear to not be in a flood plain.
Purpose of Study:	The purpose of this study is to estimate the value of the enhancement, if any, to the properties in the defined enhancement study area based on the completion of the proposed street, sidewalk and driveway improvements that affect the subject properties as of March 9, 2017.
Function of Study:	The function of this enhancement study is to assist the City of Dallas in estimating a fair and reasonable amount of the actual costs of the street, sidewalk, and driveway improvements that the subject property owners should be levied based on the estimated market value enhancement to each property due to the proposed improvements by the City of Dallas.
Scope of Study:	The scope of this study encompasses the inspection of the subject properties, neighborhood and comparable properties. Further, the analysis of data is undertaken in order to support a conclusion of estimated value for the enhancement, if any, to the subject properties.

PROPERTY CHALLENGES & SOLUTIONS

Street: Gardenview Drive from Alto Garden Drive to Loma Garden Avenue, Dallas, Dallas County, Texas

Driveways- the property owners are without paved driveways. This effects the accessibility of the property and overall neighborhood.

- The proposed improvements are expected to increase the neighborhood curb appeal and may enhance the properties attractiveness.

Sidewalks- there is a lack of sidewalks within the neighborhood which is a possible safety hazard for pedestrians and possible bike riders within the community.

- The improvement of sidewalks in the area will provide a safe route to walk for pedestrians and bike riders. The sidewalks also increase the neighborhood's overall attractiveness.

Curbs/Gutters- Gardenview Drive will need curbs/gutters once the street is improved from Alto Garden Drive to Loma Garden Avenue. The lack of gutters effects the water flow throughout the neighborhood and can become a hazard.

- The projected improved gutters will alleviate water buildup on the street allowing pedestrians to pass without walking through puddles and reducing the risk of hydroplaning by road vehicles.

SCOPE OF WORK

In preparing this study, we completed the research and analysis below:

- Conducted an inspection of the subject properties and the surrounding areas in order to determine the impact the improved driveways, curbs and gutters, and sidewalks will have on the neighborhood
- Gathered and analyzed property, neighborhood, and community information pertaining to the group of subject properties
- Determined the approaches (Sales Approach and Assessment Valuation Method) which are deemed reasonable for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements
- Interviewed reputable sources to receive opinions on the benefits of the improvements of roadways
- Provided a recommendation for the proposed improvements

EVALUATION ANALYSIS

The improvements proposed by the City of Dallas are to include new concrete paving of the streets which includes concrete curbs and gutters, concrete sidewalks and concrete drives (approaches) where necessary. In the assessment prepared by the City of Dallas, the City calculated a Lineal Foot, Square Foot or Square Yard price in order to estimate the actual cost for each property for the proposed improvements. A summary of the assessment values presented in the study are as follows:

The assessed value of the improvements was enhanced by \$114.75 per lineal foot for the concrete paving, \$11.90 per lineal foot for the concrete sidewalks and \$66.37 per square yard for the concrete drives. Properties that have existing sidewalks and drives are not being assessed for the new improvements that take the place of the current improvements. This is one method of estimating the value the improvements provide to the subject, however, there are other ways to analyze the value of the sidewalk improvements to the property.

We have reviewed the study performed by the City of Dallas pertaining to the subject properties regarding assessments to the property owners for the construction of the sidewalk improvements. In addition to that study, we have tested two other approaches that we deem reasonable for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements. They include the Sales Comparison Method and Assessment Valuation Method. The most suitable is the Sales Comparison Method that exhibits the comparison between unimproved vs improved properties for purposes of comparing the prices paid for properties. The Assessment Valuation Method is utilized to determine a reasonable assessed rate for every property in regards to street improvements, sidewalks, and driveways.

SALES COMPARISON METHOD

This method involves comparing the sales prices of recent sales properties with & without existing curbs/gutters/driveways/sidewalks and forming an opinion as to how much, if any, a purchaser is willing to pay for a property that has existing curb/gutter/driveways/sidewalks improvements over a tract that does not have those improvements.

The subject's area was searched for recent sales of a variety of vacant industrial tracts that were similar in size and location to the subject properties so that a comparative analysis could be performed. This search provided very few sales of properties that did not have curbs/gutters/driveways/sidewalks due to the fact that most of the streets in the area have these features. As such, the search was expanded to areas outside of the subject's immediate area in order to locate a sufficient number of sales of properties with and without curbs/gutters/driveways/sidewalks. Numerous sales were located and examined and from this vast number of sales only a few were found that could be used for comparative analysis purposes. The subject properties employed in the analysis include both improved and unimproved streets, and while the structures and areas employed in this analysis may not be truly comparable to the properties involved with this project, they do provide a basis for comparison between the properties with curbs/gutters/driveways/sidewalks and properties that don't have these features.

Adjustment grids for the following types of properties are located on the following pages:

1) Residential Sales – Unimproved Street vs. Improved Streets

Representing the Street: Gardenview Drive from Alto Garden Drive to Loma Garden Avenue
(17 parcels)

RESIDENTIAL PROPERTY “Representation Of Subject Property” (will be employed as the subject lot)



Mapsc0:	48-S Dallas
Location:	7026 Overlook Drive, Dallas, Texas
Grantor:	Ruel D. Farmer
Grantee:	Bank of New York Mellon and Ditech Financial LLC
Date of Sale:	July 18, 2017
County:	Dallas
Size:	1,14 SF
Shape:	Rectangle
Zoning:	Single Family District 7,500 S
Utilities:	City Sewer, City Water
Topography:	Basically Level
Consideration:	\$55,000
Per SF:	\$47.91
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$55,000
Per SF:	\$47.91
Source:	MLS/Deed Records
Comments:	This site is located on a one-lane street without improvements of curbs and gutters.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

RESIDENTIAL SALE NO. 1



Mapsc:	57-M Dallas
Location:	6405 Seco Boulevard, Dallas, Texas
Grantor:	Janet M. Hodge
Grantee:	Urban Developers LLC
Date of Sale:	October 27, 2017
County:	Dallas
Size:	1,285 SF
Shape:	Rectangle
Zoning:	Single Family District
Utilities:	City Sewer, City Water
Topography:	Basically Level
Consideration:	\$84,500
Per SF:	\$65.76
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$84,500
Per SF:	\$65.76
Source:	MLS/Deed Records
Comments:	This site is located on a one-lane interior street which is improved with curbs and gutters.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

RESIDENTIAL SALE NO. 2



Mapsco:	57-R Dallas
Location:	702 Bethpage Avenue, Dallas, Texas
Grantor:	Josefa Salgado
Grantee:	Elda Casado
Date of Sale:	February 22, 2018
County:	Dallas
Size:	1,421 SF
Shape:	Rectangle
Zoning:	Sigle Family District
Utilities:	City Sewer, City Water
Topography:	Basically Level
Consideration:	\$90,000
Per SF:	\$63.34
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$90,000
Per SF:	\$63.34
Source:	MLS/Deed Records
Comments:	This site is located on a one-lane interior street which is improved with curbs and gutters.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.





RESIDENTIAL SALE NO. 3



Mapsc:	58-S Dallas
Location:	6848 Antler Avenue, Dallas, Texas
Grantor:	Joyce A. Baston
Grantee:	Karen A. Rodriguez and Juan A. Fierros
Date of Sale:	May 01, 2017
County:	Dallas
Size:	1,220 SF
Shape:	Rectangle
Zoning:	Single Family District
Utilities:	City Sewer, City Water
Topography:	Basically Level
Consideration:	\$92,900
Per SF:	\$76.15
Terms:	Cash to Seller
Cash Equivalent Consideration:	\$92,900
Per SF:	\$76.15
Source:	MLS/Deed Records
Comments:	This site is located on a one-lane street which is improvements of curbs and gutters.

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

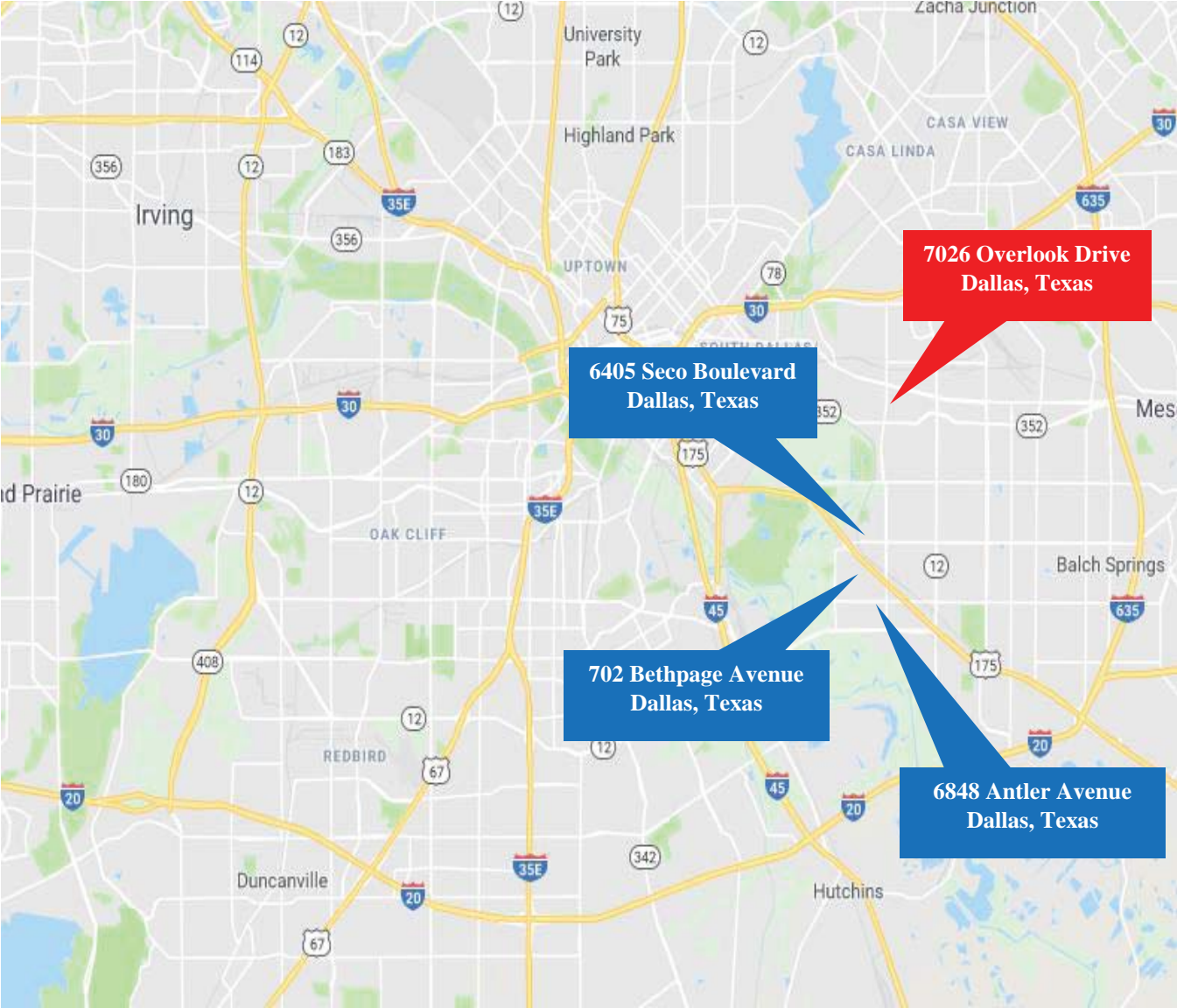
Unimproved Streets vs. Improved Streets

				
Location	Representaion of Subject Property 7026 Overlook Dr Dallas, Texas	Sale 1 6405 Seco Blvd Dallas, Texas	Sale 2 702 Bethpage Ave. Dallas, Texas	Sale 3 6848 Antler Ave. Dallas, Texas
Sales Price/ Per Square Foot	\$47.91	\$65.76	\$63.34	\$76.15
Eff. Sale Price	\$47.91	\$65.76	\$63.34	\$76.15
Size/SF	1,148	1,285	1,421	1,220
		0%	3%	0%
Driveways	No	Yes	Yes	Yes
Sidewalks	No	Yes	Yes	Yes
Curbs/Gutters	No	Yes	Yes	Yes
Condition	Average	Superior	Superior	Superior
		-5%	-5%	-10%
Bedrooms/Baths	3 Bedrooms/ 1 Bath	3 Bedrooms/ 1.1 Baths	3 Bedrooms/ 2 Baths	3 Bedrooms/ 1.1 Baths
		-5%	-10%	-5%
Shape	Rectangle	Rectangle	Rectangle	Rectangle
		0%	0%	0%
Location	Average	Superior	Superior	Superior
		-10%	-5%	-10%
Accessability	Average	Superior	Superior	Superior
		-5%	-3%	-10%
Percentage Adjustment	0.0%	-25.0%	-20.0%	-35.0%
Net Adjustment	\$0.00	(\$16.44)	(\$12.67)	(\$26.65)
Adjusted Sale Price	\$47.91	\$49.32	\$50.67	\$49.50

The Representation of the (Subject's Property) is a selected property similar to the subject properties in order to be used in this analysis. The Representation of the Subject Property is located at 7026 Overlook Drive which is a 1,148 square foot tract that **does not** have curbs/gutters, driveway, or sidewalks and sold for \$47.91 per square foot. The three other sales **do** have curbs/gutters, driveway, or sidewalks on their sites and sold at prices ranging from \$63.34 to \$76.15 per square foot. All of the sales are located within Dallas County and each have locational characteristics in regards to surrounding developments and residential properties that will be examined. The size of the Representation of the Subject Property is significantly smaller than the comparables and an upward adjustment was made to Sale 2. In addition, Sale 1, 2, and 3 experienced a downward adjustment compared to the Representation of the Subject Property in regards to the characteristics of condition, bedrooms/baths, location and accessibility. The properties had better exterior conditions, higher number of baths, and superior location and accessibility.

After making adjustments to the sales comparables, a range of values of \$49.32 to \$50.67 per square foot was derived from the sales. The variance between the subject property and comparables is less than 3%, which leads to the conclusion that there isn't a significant difference in pricing by having curbs/gutters, driveways, and sidewalks.

SALES MAP



MARKET INTERVIEWS

In addition to the Sales Comparison Method of determining whether or not the subject properties will experience any enhancement in value caused by the street improvements, the analyst also enlisted advice from several different sources. These sources included real estate agents who have been active in the market area. Below is a partial list of the people who were contacted and a summary of their responses. All of the responses are based on the question “**Is there a price adjustment for a property that has curbs/gutters, driveways, and/or sidewalks?**”.

<u>Source</u>	<u>Answer</u>		<u>Statement</u>
	Yes	No	
Henry S. Miller		X	There isn't any difference in pricing for a property that has curbs/gutters, driveways, and/or sidewalks. (<i>Agent: Luna Huntley</i>)
Mercer Company		X	Haven't notice an increase or decrease in the sale price for a property that has curbs/gutter, driveways, and/or sidewalks. (<i>Agent: Corby Hodgkiss</i>)
Colliers		X	I haven't seen a difference in pricing for a properties with or without curbs/gutters, driveways, and/or sidewalks. (<i>Agent: Brad Balke</i>)

In summary, overall the real estate agents that were contacted believe that the curbs/gutters, driveways, and/or sidewalks improvement doesn't produce an increase in value of the property. They view the desirability as a preference and not a necessity for the sale of a property.

ASSESSMENT VALUATION PROCESS

The analyst acknowledges that the new street improvements will provide some enhancement to the overall value of the subject properties, but the improvements will not increase the value of the subject properties at the same rate the City is proposing to assess the property owners. As with all home improvements, the value of the enhancement is very rarely equal to or greater than the actual cost of the improvement. Samples of these types of improvements are: new roofs, replaced fencing, updating of flooring, kitchens, bathrooms, etc. Generally speaking, these type of repairs, renovations or enhancements cost more to replace/construct than they will ever return should the property be sold. A good example is the addition of a swimming pool. A typical swimming pool can cost \$25,000 to install, but upon resale rarely yields \$10,000 more than a similar property without a swimming pool. The same goes for a new roof. While a new roof may be a selling feature in trying to market the property, very rarely does the property owner ever realize a return on the sale of the property equal to the cost to install the new roof. The same is true with the proposed street improvements and accompanying sidewalks and drives. **Based on the market data gathered and examined by the analyst, it is my opinion that the market value of the subject properties will only experience a slight increase in value because of the proposed improvements.**

In an effort to be equitable to the property owners, given that all of the property owners are supposedly paying their fair share, it is our opinion that the property owners be assessed at a rate of 10% of the assessed value of the lot for the street improvements (concrete paving, curbs/gutters). The property owners are assessed at a rate of 50% of the estimated construction cost of the sidewalk and concrete drive improvements. The reason for the percentages of the construction costs for the sidewalks and concrete drives, is that the improvements do not provide a dramatic increase to the overall property but offer additional benefit for the property owners. Some of the properties in the project areas already have sidewalks and drives. Those property owners should not be compelled to pay additional money for improvements that they already have in place.

In some instances, particularly on the subject parcels with large tracts of land, 10% of the assessed land value is greater than the total estimated cost of the proposed improvements. This is due to the fact that these properties typically have a large amount of road frontage and benefit from greater exposure from the street, and in those instances the estimated cost of the improvements as proposed by the City of Dallas is the recommended amount.

The Tables on the following pages in the Addenda identifies each of the subject properties, the assessment process employed by the City of Dallas, and finally, my estimation of a fair and reasonable value for the assessment.

ASSESSMENT VALUATION PROCESS (TABLES)

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT	ASSESSMENT VALUE- LAND	TOTAL ASSESSMENT	RECOMMENDED ASSESSMENT
DALLAS GARDENS									
WEST SIDE OF STREET									
GUADALUPE J VILLELA 1103 GARDENVIEW DRIVE DALLAS, TX 75217	E 175 LT 24	F/6301	37 FT PVMT 37 FT WALK	\$114.75 \$11.90	\$4,245.75 \$440.30	\$4,686.05	\$1,300(10% of lot value \$13,000) \$220.15 rounded (50% of Sidewalk \$440.30)	\$4,686.05	\$1,300.00 \$220.15 \$1,520.15
EFRAIN RODRIGUEZ & LUZ MARIA CORPUS 1107 GARDENVIEW DRIVE DALLAS, TEXAS 75217	E PT LT 23	F/6301	50 FT PVMT 36 FT WALK 15.2 SY DR (10'Wide)	\$114.75 \$11.90 \$66.37	\$5,737.50 \$428.40 \$1,008.82	\$7,174.72	\$1,300(10% of lot value \$13,000) \$214.20 rounded (50% of Sidewalk \$428.40) \$504.41 rounded (50% of Driveway \$1,008.82)	\$7,174.72	\$1,300.00 \$214.20 \$504.41 \$2,018.61
ANGELA ALMARAZ & MARTHA MOLINA 1115 GARDENVIEW DRIVE DALLAS, TEXAS 75217	22 1111 Gardenview Drive	F/6301	49 FT PVMT 37 FT WALK 17.7 SY DR (12'Wide)	\$114.75 \$11.90 \$66.37	\$5,622.75 \$440.30 \$1,174.75	\$7,237.80	\$1,300(10% of lot value \$13,000) \$220.15 rounded (50% of Sidewalk \$440.30) \$587.37 rounded (50% of Driveway \$1,174.75)	\$7,237.80	\$1,300.00 \$220.15 \$587.37 \$2,107.52
MARTHA MOLINA 1115 GARDENVIEW DRIVE DALLAS, TEXAS 75217	21	F/6301	50 FT PVMT 24 FT WALK 12 FT DRIVE	\$114.75 \$11.90 No Cost	\$5,737.50 \$285.60 \$0.00	\$6,023.10	\$1,300(10% of lot value \$13,000) \$142.80 rounded (50% of Sidewalk \$285.60)	\$6,023.10	\$1,300.00 \$142.80 \$0.00 \$1,442.80

ASSESSMENT VALUATION PROCESS (TABLES)

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT	ASSESSMENT VALUE- LAND	TOTAL ASSESSMENT	RECOMMENDED ASSESSMENT	
ELIAS & MARIA D RODRIGUEZ 1119 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 20 & S 1/2 LT 19	F/6301	74 FT PVMT	\$114.75	\$8,491.50	\$8,491.50	\$1,300(10% of lot value \$13,000)	\$1,300.00	\$1,300.00	
			58 FT WALK	No Cost	\$0.00					\$0.00
			16 FT DRIVE	No Cost	\$0.00					\$0.00
NICANOR & ELIZABETH ALMENDAREZ 1123 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 18 & N 1/2 LT 19	F/6301	73 FT PVMT	\$114.75	\$8,376.75	\$8,733.75	\$1,300(10% of lot value \$13,000) \$178.50 rounded (50% of Sidewalk \$357.00)	\$1,300.00	\$1,300.00	
			30 FT WALK	\$11.90	\$357.00					\$178.50
			17 FT DRIVE	No Cost	\$0.00					\$0.00
RAFAEL & ROSE OREGON 1127 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 17 & PT LT 16	F/6301	75 FT PVMT	\$114.75	\$8,606.25	\$9,528.79	\$1,300(10% of lot value \$13,000) \$461.27 rounded (50% of Driveway \$922.54)	\$1,300.00	\$1,300.00	
			65 FT WALK	No Cost	\$0.00					\$0.00
			13.9 SY DR (10'Wide)	\$66.37	\$922.54					\$461.27
AGUSTIN & AURELIA BASURTO 1135 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 15 & N 1/2 LT 16	F/6301	74 FT PVMT	\$114.75	\$8,491.50	\$10,237.03	\$1,300(10% of lot value \$13,000) \$461.27 rounded (50% of Driveway \$922.54) \$411.49 rounded (50% of Driveway \$822.99)	\$1,300.00	\$1,300.00	
			52 FT WALK	No Cost	\$0.00					\$0.00
			13.9 SY DR (10'Wide)	\$66.37	\$922.54					\$461.27
ROGER L PARENT 1143 GARDENVIEW DRIVE DALLAS, TEXAS 75217	13 & 14	F/6301	88 FT PVMT	\$114.75	\$10,098.00	\$10,098.00	\$1,300(10% of lot value \$13,000)	\$1,300.00	\$1,300.00	
			76 FT WALK	No Cost	\$0.00					\$0.00
			12 FT DRIVE	No Cost	\$0.00					\$0.00

ASSESSMENT VALUATION PROCESS (TABLES)

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT	ASSESSMENT VALUE- LAND	TOTAL ASSESSMENT	RECOMMENDED ASSESSMENT
EAST SIDE OF STREET									
GEMACK INCORPORATED 204 LAURA LANE GRAND PRAIRIE, TEXAS 75052	1 & 2 1142	G/6301	86 FT PVMT 86 FT WALK	\$114.75 \$11.90	\$9,868.50 \$1,023.40	\$10,891.90	\$6,250 (10% of lot value \$62,500) \$511.70 rounded (50% of Sidewalk \$1,023.40)	\$10,891.90	\$6,250.00 \$511.70 \$6,761.70
AMADOR GARCIA SALCEDO 1134 GARDENVIEW DRIVE DALLAS, TEXAS 75217	3 & 4	G/6301	99 FT PVMT 84 FT WALK 15 FT DRIVE	\$114.75 No Cost No Cost	\$11,360.25 \$0.00 \$0.00	\$11,360.25	\$1,300(10% of lot value \$13,000)	\$11,360.25	\$1,300.00 \$0.00 \$0.00 \$1,300.00
HEATHER A MCPHERSON & MARK DEXTER 6205 SCOTTSBORO LANE GARLAND, TEXAS 75044	LT 5 & N 1/2 LT 6 1126 Gardenview Drive	G/6301	74 FT PVMT 64 FT WALK 10.8 SY DR (10'Wide)	\$114.75 No Cost \$66.37	\$8,491.50 \$0.00 \$716.80	\$9,208.30	\$1,300(10% of lot value \$13,000) \$358.40 rounded (50% of Driveway \$716.80)	\$9,208.30	\$1,300.00 \$0.00 \$358.40 \$1,658.40
ADELFA J SALAZAR 1122 GARDENVIEW DRIVE DALLAS, TEXAS 75217	PT LT 6 & 7	G/6301	75 FT PVMT 55 FT WALK 18.7 SY DR (20'Wide)	\$114.75 \$11.90 \$66.37	\$8,606.25 \$654.50 \$1,241.12	\$10,501.87	\$1,300(10% of lot value \$13,000) \$327.25 rounded (50% of Sidewalk \$654.50) \$620.56 rounded (50% of Driveway \$1,241.12)	\$10,501.87	\$1,300.00 \$327.25 \$620.56 \$2,247.81
ISAIA RODRIGUEZ 1118 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 8 & N 1/2 LT 9	G/6301	75 FT PVMT 65 FT WALK 10.8 SY DR (10'Wide) 23.2 SY DR (14'Wide)	\$114.75 No Cost \$66.37 \$66.37	\$8,606.25 \$0.00 \$716.80 \$1,539.78	\$10,862.83	\$1,300(10% of lot value \$13,000) \$358.40 rounded (50% of Driveway \$716.80) \$769.89 rounded (50% of Driveway \$1,539.78)	\$10,862.83	\$1,300.00 \$0.00 \$358.40 \$769.89 \$2,428.29

RECOMMENDATION:

The Sales Comparison Method was conducted for properties along Gardenview Drive from Alto Garden Drive to Loma Garden Avenue. The method showed a comparison between properties with and without curbs and gutters, driveways, and sidewalks.

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue which encumbers 17 parcels, were represented within the Sales Comparison Method by a similar land property “7026 Overlook Drive, Dallas, Texas” which shared similar features as the 17 parcels. Recent land properties with improved curbs/gutters, driveways, and sidewalks were able to be obtain within the Dallas County to be compared to the represented property.

Despite the distance between the subject sites and the sales, we were able to gather enough data to perform a comparative analysis for the subject properties. The comparison method concluded that there isn't an increase in sales price for properties with curbs/gutters, driveways, and sidewalks when compared to sales of similar type properties that did not possess those features. That does not necessarily mean that a property is not more marketable or attractive to a potential purchaser, it only means that based on the data we were able to gather and verify, we could not positively prove that a difference existed in the marketplace.

Based on our market analysis in which information from various sources were obtained, we can conclude that a curbs/gutters, driveways, and sidewalks may be an attractive feature for a property based on the purchaser's preferences. However, the lack of these improvements may not affect the desirability of the property within the real estate market.

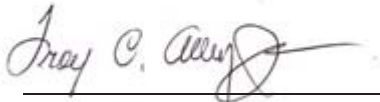
While it is true that the property owners will receive a nominal benefit from having new concrete street improvements, curbs/gutters, sidewalks and drives, the benefit received from these new items will only provide a minimal amount of enhanced value to the properties when compared to the largest portion of the value of the tract; the land mass itself. As such, it is our contention that the subject properties will increase in value from the street and sidewalk improvements proposed by the City of Dallas, but not by the actual cost of the improvements. It is our opinion that the property owners should be assessed at a rate of 10% of the assessed value of the lot for the street improvements (concrete paving, curbs/gutters), and that the property owners be assessed at a rate of 50% of the estimated construction cost of the sidewalk and concrete drive improvements.

CERTIFICATE

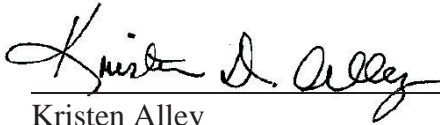
We do hereby certify that, except as otherwise noted in this report:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions and conclusions.
3. We have no present or prospective interest in the property which is the subject of this report and we have no personal interest or bias with respect to the parties involved.
4. Our compensation is not contingent upon an action or event resulting from the analyses, opinions or conclusions in, or the use of, our report. This assignment was not based on a requested minimum valuation, a specific valuation, or approval of a loan.
5. Ownership and site data was obtained from information appearing on the Tax Rolls and from data provided by the client.
6. Troy Alley, Jr. has made a personal inspection of the property which is the subject of this report. Kristen Alley has also made a personal inspection of the property.
7. Kristen Alley provided significant professional assistance to the person signing this report.
8. The analyst(s) is not an employee, officer or appointed board or commission member of the City of Dallas. We did not consider race, color, religion, sex, national origin, handicap or familial status in determining the value of the Subject Property.
9. **THIS IS NOT AN OPINION OF VALUE, IT IS A ENHANCEMENT STUDY AND SHOULD NOT BE CONSIDERED AN APPRAISAL. In making any decision that relies upon our work, you should know that we have NOT followed the guidelines for development of an appraisal or analysis contained in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.**

Con-Real, LP



Troy C. Alley, Jr.
Sr. Analyst



Kristen Alley
Analyst

ORDINANCE NO. _____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET IN THE CITY OF DALLAS, TEXAS, TO WIT:

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue

by filling, raising, grading, and paving same; and

WHEREAS, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Department of Public Works (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and

WHEREAS, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and

WHEREAS, the said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 25th day of April, 2018; and

WHEREAS, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 13th day of June, 2018; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and

WHEREAS, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 13th day of June, 2018 at 1:00 O'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

Now, Therefore,

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

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 13th day of June, 2018, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. That there shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF STREET						
DALLAS GARDENS						
GUADALUPE J VILLELA 1103 GARDENVIEW DRIVE DALLAS, TEXAS 75217	E 175' LT 24	F/6301	37 FT PVMT 37 FT WALK	\$114.75 \$11.90	\$4,245.75 <u>\$440.30</u>	
			TOTAL		\$4,686.05	
			ADJ PER ENHANCEMENT EVAL.		\$3,165.90	
			NET DUE BY OWNER			\$1,520.15
EFRAIN RODRIGUEZ & LUZ MARIA CORPUS 1107 GARDENVIEW DRIVE DALLAS, TEXAS 75217	E PT LT 23	F/6301	50 FT PVMT 36 FT WALK 15.2 SY DR (10'Wide)	\$114.75 \$11.90 \$66.37	\$5,737.50 \$428.40 <u>\$1,008.82</u>	
			TOTAL		\$7,174.72	
			ADJ PER ENHANCEMENT EVAL.		\$5,156.11	
			NET DUE BY OWNER			\$2,018.61
ANGELA ALMARAZ & MARTHA MOLINA 1115 GARDENVIEW DRIVE DALLAS, TEXAS 75217	22 1111 Gardenview Drive	F/6301	49 FT PVMT 37 FT WALK 17.7 SY DR (12'Wide)	\$114.75 \$11.90 \$66.37	\$5,622.75 \$440.30 <u>\$1,174.75</u>	
			TOTAL		\$7,237.80	
			ADJ PER ENHANCEMENT EVAL.		\$5,130.28	
			NET DUE BY OWNER			\$2,107.52
MARTHA MOLINA 1115 GARDENVIEW DRIVE DALLAS, TEXAS 75217	21	F/6301	50 FT PVMT 24 FT WALK 12 FT DRIVE	\$114.75 \$11.90 No Cost	\$5,737.50 \$285.60 <u>\$0.00</u>	
			TOTAL		\$6,023.10	
			ADJ PER ENHANCEMENT EVAL.		\$4,580.30	
			NET DUE BY OWNER			\$1,442.80
ELIAS & MARIA D RODRIGUEZ 1119 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 20 & S 1/2 LT 19	F/6301	74 FT PVMT 58 FT WALK 16 FT DRIVE	\$114.75 No Cost No Cost	\$8,491.50 \$0.00 <u>\$0.00</u>	
			TOTAL		\$8,491.50	
			ADJ PER ENHANCEMENT EVAL.		\$7,191.50	
			NET DUE BY OWNER			\$1,300.00
NICANOR & ELIZABETH ALMENDAREZ 1123 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 18 & N 1/2 LT 19	F/6301	73 FT PVMT 30 FT WALK 17 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,376.75 \$357.00 <u>\$0.00</u>	
			TOTAL		\$8,733.75	
			ADJ PER ENHANCEMENT EVAL.		\$7,255.25	
			NET DUE BY OWNER			\$1,478.50

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT		
DALLAS GARDENS								
RAFAEL & ROSE OREGON 1127 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 17 & PT LT 16	F/6301	75 FT PVMT	\$114.75	\$8,606.25			
			65 FT WALK	No Cost	\$0.00			
			13.9 SY DR (10'Wide)	\$66.37	<u>\$922.54</u>			
			TOTAL		\$9,528.79			
			ADJ PER ENHANCEMENT EVAL.		\$7,767.52			
		NET DUE BY OWNER				\$1,761.27		
AGUSTIN & AURELIA BASURTO 1135 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 15 & N 1/2 LT 16	F/6301	74 FT PVMT	\$114.75	\$8,491.50			
			52 FT WALK	No Cost	\$0.00			
			13.9 SY DR (10'Wide)	\$66.37	\$922.54			
			12.4 SY DR (12'Wide)	\$66.37	<u>\$822.99</u>			
			TOTAL		\$10,237.03			
		ADJ PER ENHANCEMENT EVAL.		\$8,064.26				
		NET DUE BY OWNER				\$2,172.77		
ROGER L PARENT 1143 GARDENVIEW DRIVE DALLAS, TEXAS 75217	13 & 14	F/6301	88 FT PVMT	\$114.75	\$10,098.00			
			76 FT WALK	No Cost	\$0.00			
			12 FT DRIVE	No Cost	<u>\$0.00</u>			
			TOTAL		\$10,098.00			
					ADJ PER ENHANCEMENT EVAL.		\$8,798.00	
		NET DUE BY OWNER				\$1,300.00		
EAST SIDE OF STREET								
GEMACK INCORPORATED 204 LAURA LANE GRAND PRAIRIE, TEXAS 75052	1 & 2 1142 Gardenview Drive	G/6301	86 FT PVMT	\$114.75	\$9,868.50			
			86 FT WALK	\$11.90	<u>\$1,023.40</u>			
			TOTAL		\$10,891.90			
					ADJ PER ENHANCEMENT EVAL.		\$4,130.20	
					NET DUE BY OWNER			
AMADOR GARCIA SALCEDO 1134 GARDENVIEW DRIVE DALLAS, TEXAS 75217	3 & 4	G/6301	99 FT PVMT	\$114.75	\$11,360.25			
			84 FT WALK	No Cost	\$0.00			
			15 FT DRIVE	No Cost	<u>\$0.00</u>			
			TOTAL		\$11,360.25			
					ADJ PER ENHANCEMENT EVAL.		\$10,060.25	
		NET DUE BY OWNER				\$1,300.00		

GARDENVIEW DRIVE FROM ALTO GARDEN DRIVE TO LOMA GARDEN AVENUE SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZATION BASE COURSE; WITH 6-INCH HIGH INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICKNESS REINFORCED CONCRETE SIDEWALKS 4-FEET WIDE SO THAT THE ROADWAY SHALL BE 26-FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
DALLAS GARDENS						
HEATHER A MCPHERSON & MARK DEXTER 6205 SCOTTSBORO LANE GARLAND, TEXAS 75044	LT 5 & N 1/2 LT 6 1126 Gardenview Drive	G/6301	74 FT PVMT	\$114.75	\$8,491.50	
			64 FT WALK	No Cost	\$0.00	
			10.8 SY DR (10'Wide)	\$66.37	<u>\$716.80</u>	
			TOTAL		\$9,208.30	
			ADJ PER ENHANCEMENT EVAL.		\$7,549.90	
			NET DUE BY OWNER			\$1,658.40
ADELFA J SALAZAR 1122 GARDENVIEW DRIVE DALLAS, TEXAS 75217	PT LT 6 & 7	G/6301	75 FT PVMT	\$114.75	\$8,606.25	
			55 FT WALK	\$11.90	\$654.50	
			18.7 SY DR (20'Wide)	\$66.37	<u>\$1,241.12</u>	
			TOTAL		\$10,501.87	
			ADJ PER ENHANCEMENT EVAL.		\$8,254.06	
			NET DUE BY OWNER			\$2,247.81
ISAIA RODRIGUEZ 1118 GARDENVIEW DRIVE DALLAS, TEXAS 75217	LT 8 & N 1/2 LT 9	G/6301	75 FT PVMT	\$114.75	\$8,606.25	
			65 FT WALK	No Cost	\$0.00	
			10.8 SY DR (10'Wide)	\$66.37	\$716.80	
			23.2 SY DR (14'Wide)	\$66.37	<u>\$1,539.78</u>	
			TOTAL		\$10,862.83	
ADJ PER ENHANCEMENT EVAL.		\$8,434.54				
			NET DUE BY OWNER			\$2,428.29
BARBARA K CLARK 1114 GARDENVIEW DRIVE DALLAS, TEXAS 75217	S 25' LT 9 & ALL 10	G/6301	73 FT PVMT	\$114.75	\$8,376.75	
			50 FT WALK	\$11.90	\$595.00	
			13 FT DRIVE	No Cost	\$0.00	
			15.2 SY DR (10'Wide)	\$66.37	<u>\$1,008.82</u>	
			TOTAL		\$9,980.57	
ADJ PER ENHANCEMENT EVAL.		\$7,878.66				
			NET DUE BY OWNER			\$2,101.91
RAUL TREJO 1106 GARDENVIEW DRIVE DALLAS, TEXAS 75217	11	G/6301	49 FT PVMT	\$114.75	\$5,622.75	
			22 FT WALK	\$11.90	\$261.80	
			27 FT DRIVE	No Cost	<u>\$0.00</u>	
			TOTAL		\$5,884.55	
			ADJ PER ENHANCEMENT EVAL.		\$4,453.65	
			NET DUE BY OWNER			\$1,430.90
ALFONSO VAZQUEZ 1102 GARDENVIEW DRIVE DALLAS, TEXAS 75217	12	G/6301	38 FT PVMT	\$114.75	\$4,360.50	
			38 FT WALK	\$11.90	<u>\$452.20</u>	
			TOTAL		\$4,812.70	
			ADJ PER ENHANCEMENT EVAL.		\$3,286.60	
						NET DUE BY OWNER

Gardenview Drive from Alto Garden Drive to Loma Garden Avenue

Total Property Owners' Cost - Assessments	\$145,713.71	
Adjustments Per Enhancement Evaluation	\$111,156.98	
Net Due by Owners		\$34,556.73
Total City of Dallas' Cost - Paving	\$384,062.77	
Total City of Dallas' Cost - Drainage	\$111,925.00	
Total Water Utilities Department Cost Water and Wastewater Main Improvements	\$112,301.60	
Total City of Dallas's Cost		\$608,289.37
Total Cost of Improvements		\$642,846.10

SECTION 3. That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block

SECTION 6. (continued)

Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

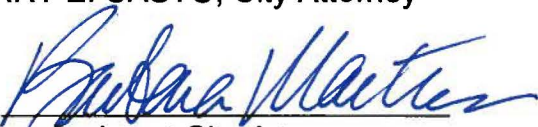
SECTION 8. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

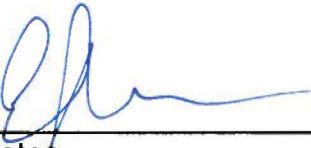
SECTION 9. That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

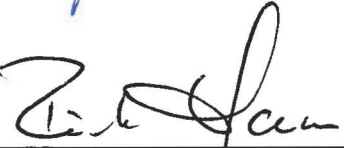
SECTION 10. That the City Manager, or his designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

SECTION 11. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY 
Assistant City Attorney

Prepared by 
Project Coordinator

Approved by 
Director, Department of Public Works