

**AGENDA ITEM # 5**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Aviation

**CMO:** Jody Puckett, 670-3390

**MAPSCO:** 33D H; 34A E F J K

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**SUBJECT**

Authorize a professional services contract with Freese and Nichols, Inc. for design and engineering services for improvements to the Dallas Love Field Entry Road - Not to exceed \$1,095,000 – Financing: Aviation Capital Construction Funds

**BACKGROUND**

The Dallas Love Field Airport has become one of the busiest medium sized airports in the nation after repeal of the Wright Amendment. The airport has experienced significant growth in business and passenger traffic and the City has responded with major improvements under the Love Field Modernization Program that include completion of the new terminal and start of construction of the new parking garage. To continue support of Airport growth and modernization, it is desirable to develop and implement the recommendations included as part of the draft Master Plan condition assessment, completed in 2014 for Dallas Love Field.

The recommendations include improvements to landscape, lighting, and wayfinding along Herb Kelleher Way, the main entrance road to the Airport. Development of improvements will include pedestrian friendly walkways along Mockingbird Lane from Denton Drive to the Frontiers of Flight Museum, removal of the over-sized granite monolith at the Airport entrance, coordination of landscaping and lighting design with the relocated Spirit of Flight fountain, and coordination for placement and installation of public artwork. The proposed improvements will complement the Dallas Love Field Airport Good Neighbor Plan.

The City of Dallas Public Works Department issued a Request for Proposal for the Dallas Love Field Entry Road Enhancements Project to four firms selected from their existing Architectural/Engineering and Consulting Services Roster. All four firms returned proposals and were interviewed on June 8, 2016.

**BACKGROUND** (continued)

The Selection Committee ranked firms and identified Freese and Nichols, Inc. as the most advantageous proposer from the qualification based selection in accordance with established City of Dallas Procurement Guidelines.

Fee negotiations were initiated in August 2016, and Freese and Nichols, Inc. submitted a fee proposal on October 28, 2016. However, due to shifting fiscal priorities, Department of Aviation funding for contract was postponed until 2018.

Freese and Nichols, Inc. resubmitted their team’s fee proposal on December 1, 2017. Design services included in the proposal are professional surveying, landscape architecture, geotechnical, structural, and engineering services. Streetscape focus will be landscape, lighting, fencing, and wayfinding improvements along Herb Kelleher Way; landscape, lighting, hardscape, and sidewalk improvements along Mockingbird Lane; removal of granite clad monument sign at intersection of Mockingbird Lane and Herb Kelleher Way intersection; and coordination with Office of Cultural Affairs for placement and installation of public art to celebrate entry to Dallas Love Field.

This action will authorize a professional services contract with Freese & Nichols, Inc. to provide design and engineering services for improvements to Herb Kelleher Way at the Dallas Love Field Airport.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Design            May 2018  
Complete Design      April 2019

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Aviation Capital Construction Funds - \$1,095,000.00

## **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:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>M/WBE Goal</u></b>	<b><u>M/WBE %</u></b>	<b><u>M/WBE \$</u></b>
\$1,095,000.00	Architecture & Engineering	25.66%	35.41%	\$387,706.00

- This contract exceeds the M/WBE goal of 25.66%

## **PROPOSAL INFORMATION**

The following proposals were received from solicitation number BFZ1523. This service contract is being awarded in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Freese and Nichols, Inc.	2711 N Haskell Avenue, Suite, 3300 Dallas, Texas 75204	109
Jacobs Engineering Group, Inc.	6688 N Central Expressway, Suite 400 MB13 Dallas, Texas 75206	108
Huitt-Zollars, Inc.	1717 McKinney Avenue, Suite 1400 Dallas, Texas, 75202	102
EXP US Services, Inc.	12801 North Central Expressway, Suite 1170 Dallas, Texas, 75234	101

## **OWNER**

Chris Bosco, P.E., Vice President

## **MAP**

Attached





April 11, 2018

**WHEREAS**, Dallas Love Field offers many first-time visitors their first impression of City of Dallas; and

**WHEREAS**, existing streetscape along Herb Kelleher Way needs improvements to lighting and sidewalk; and

**WHEREAS**, the Departments of Public Works, Equipment and Building Services, and Aviation collaborated in a successful Request for Proposal process resulting in four respondents; and

**WHEREAS**, Department of Aviation interviewed, ranked, and determined Freese and Nichols, Inc. to be the most value proposer; and

**WHEREAS**, it is now desirable to authorize a professional services contract with Freese and Nichols, Inc. to provide design and engineering services for improvements to the Dallas Love Field Entry Road, in an amount not to exceed \$1,095,000.

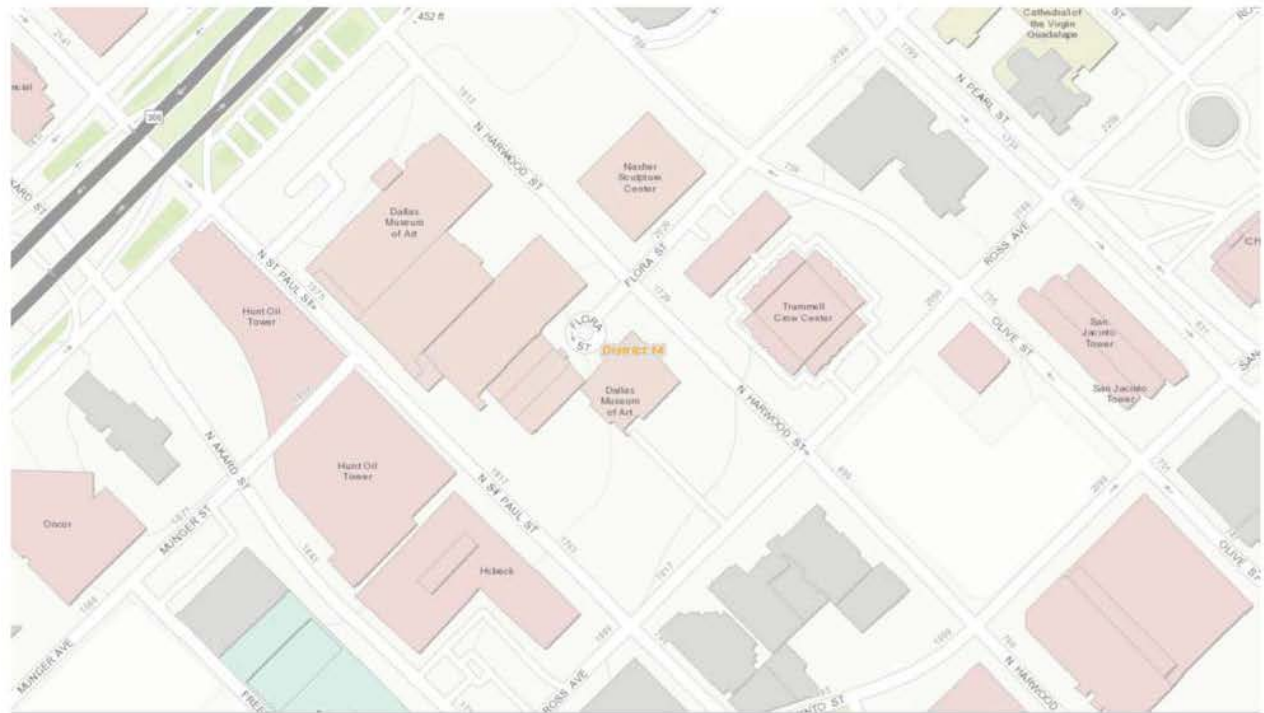
**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a professional services contract with Freese and Nichols, Inc., approved as to form by the City Attorney, to provide design and engineering services for improvements to the Dallas Love Field Entry Road, in an amount not to exceed \$1,095,000.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,095,000 to Freese and Nichols, Inc. from Aviation Capital Construction Fund, Fund 0131, Department AVI, Unit W167, Activity AAIP, Object 4599, Program AVIW167, Encumbrance/Contract No. CX-EBS-2017-00001667, Commodity 92500, Vendor 347200 in accordance with the terms and conditions of the professional services contract.

**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:**

April 11, 2018

**COUNCIL DISTRICT(S):**

10, 13

**DEPARTMENT:**

Department of Public Works

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

17 P S U; 26 T

**SUBJECT**

Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) (Contract No. CSJ 0918-47-978) to accept funding from the State Highway (SH) 121 Subaccount in the amount of \$1,790,690 for engineering costs for the intersection improvements on Valley View Lane/Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Audelia Road and a right turn lane on Northbound U.S. Highway 75 Frontage Road to Park Lane; **(2)** the receipt and deposit of Regional Toll Revenue (RTR) Funds from TxDOT in an amount not to exceed \$1,790,690 in the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund; and **(3)** the establishment of appropriations in an amount not to exceed \$1,790,690 in the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund - Not to exceed \$1,790,690 - Financing: Regional Toll Revenue Funds

**BACKGROUND**

The Valley View Lane/Walnut Street Project from Interstate Highway 635 (IH-635) to east of the city limits and the Park Lane Project from U.S. Highway 75 to Greenville Avenue are two partnership projects with TxDOT that were selected by the Surface Transportation Program – Metropolitan Mobility (STP–MM) provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991. TxDOT was the lead agency to administer the design and construction for both projects, but the projects have been progressing very slowly.

Both projects are now being rescoped and the City of Dallas will take over the responsibility of lead/implementing agency to administer the design and construction. The existing Valley View Lane/Walnut Street and Park Lane Projects are to be terminated and combined into one new intersection improvements project. The City desires to have more pedestrian-friendly elements throughout the city; therefore, the proposed new scope will include intersection improvements on Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Audelia Road and a right turn lane Northbound U.S. Highway 75 Frontage Road to Park Lane.

## **BACKGROUND** (continued)

The improvements will install new traffic signals with radar detections, pedestrian push buttons, crosswalks, and ramps that comply with the American Disabilities Act.

The agreement with TxDOT for the Park Lane Project from U.S. Highway 75 to Greenville Avenue was terminated in 2006 and TxDOT recently requested the City to pay for their up-to-date engineering costs for the project.

The City is required to pay TxDOT for their up-to-date engineering expenditures at the termination of the existing agreements for the projects in the total amount of \$1,790,689.72. The North Central Texas Council of Governments (NCTCOG) agreed to assist the City to pay for these engineering expenditures with RTR funds.

This action will authorize an Advance Funding Agreement with TxDOT to receive RTR funds from NCTCOG for engineering costs for the Valley View Lane/Walnut Street and Park Lane Projects. The RTR funds received will be used to pay for the termination costs (up-to-date engineering costs) of the Valley View Lane/Walnut Street from IH-635 to east of the city limits and Park Lane from U.S. Highway 75 to Greenville Avenue Projects.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for design and construction of Valley View Lane/Walnut Street from IH-635 service road to the east city limits by Resolution No. 96-3671.

On January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for the design and construction of Park Lane from U.S. 75 (North Central Expressway) to Greenville Avenue by Resolution No. 97-0094.

On May 23, 2007, City Council authorized an additional payment to the Texas Department of Transportation for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the eastern city limits at Las Brisas Drive by Resolution No. 07-1544.

On April 8, 2009, City Council authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the east city limits (Las Brisas) by Resolution No. 09-0968.

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

On May 27, 2015, City Council authorized an additional payment to the Texas Department of Transportation for the city's share of design costs for intersection improvements on Valley View Lane/Walnut Street from IH-635 to east of the city limits by Resolution No. 15-0963.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainable Committee on April 9, 2018.

**FISCAL INFORMATION**

Regional Toll Revenue Funds - \$1,790,689.72

<b><u>Council District</u></b>	<b><u>Amount</u></b>
10	\$1,114,337.91
13	<u>\$ 676,351.81</u>
Total	\$1,790,689.72

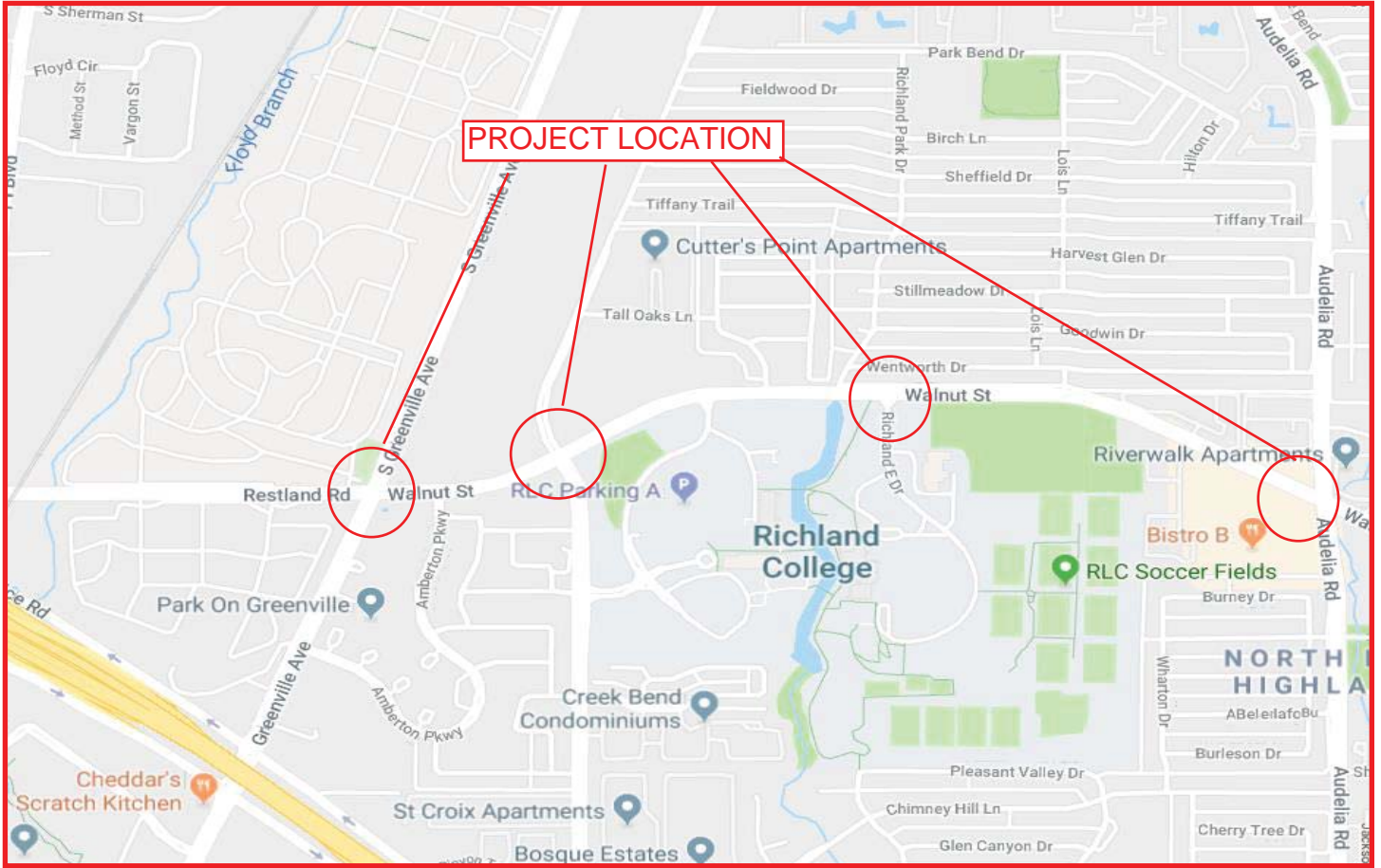
Valley View Lane/Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Audelia Road and a right turn lane on Northbound U.S. Highway 75 Frontage Road to Park Lane

Up-to-date engineering costs:	
Valley View/Walnut Street Project (RTR Fund)	\$1,114,337.91
Park Lane Project (RTR Fund)	<u>\$ 676,351.81</u>
Total	\$1,790,689.72

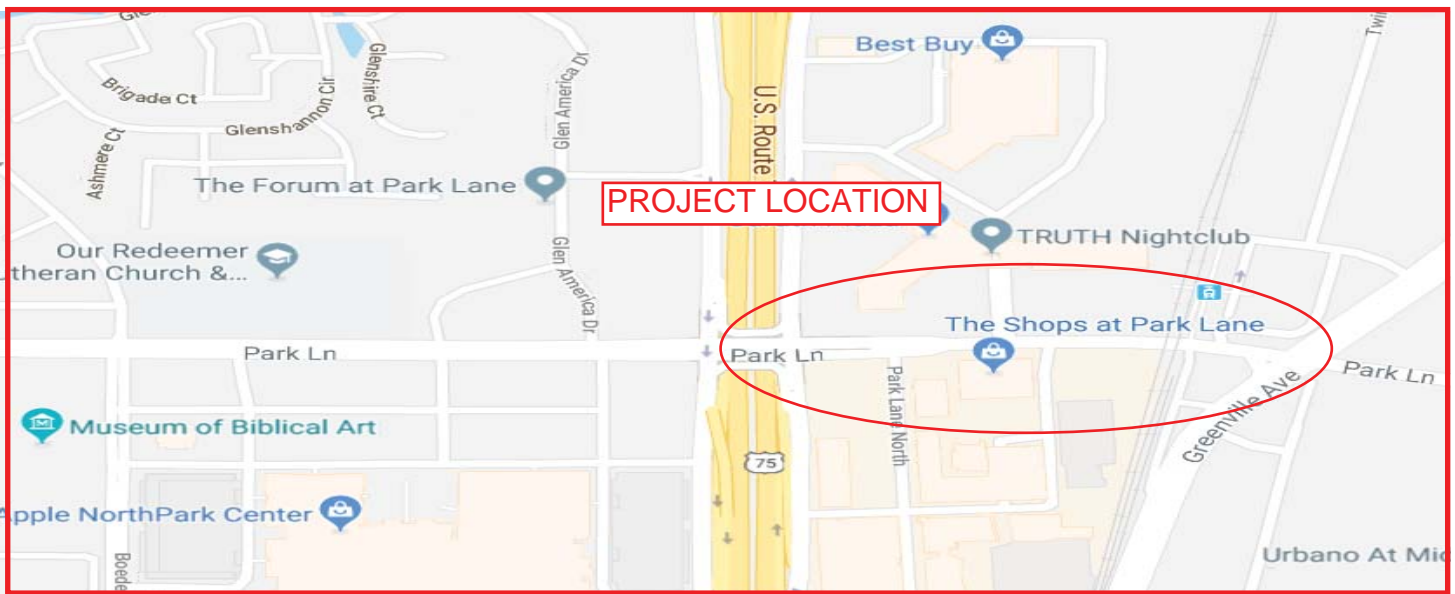
**MAP**

Attached

Existing Projects To Be Terminated:  
Valley View/Walnut Street from IH 635 to the East of City Limits  
MAPSCO 17P, S, U



Park Lane from US 75 to Greenville Ave.  
MAPSCO 26T





April 11, 2018

**WHEREAS**, on November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation (TxDOT) for design and construction of Valley View Lane/Walnut Street from Interstate Highway 635 (IH-635) service road to the east city limits and payment to TxDOT, in an amount not to exceed \$78,666.00 for the City's share of design costs by Resolution No. 96-3671; and

**WHEREAS**, on January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and TxDOT for the design and construction of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue and payment of \$17,472.00 for the City's estimated share of the engineering costs by Resolution No. 97-0094; and

**WHEREAS**, on October 2, 1998, Amendment No. 1 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed to add the indirect Cost Recovery Plan; and

**WHEREAS**, September 19, 2006, Amendment No. 2 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed on to terminate the agreement; and

**WHEREAS**, on May 23, 2007, City Council authorized an additional payment to TxDOT for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the eastern city limits at Las Brisas Drive, in an amount not to exceed \$45,000.00, by Resolution No. 07-1544; and

**WHEREAS**, on April 8, 2009, City Council authorized a new Local Project Advanced Funding Agreement with TxDOT for the design, right-of-way acquisition, and construction paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the east city limits by Resolution No. 09-0968; and

**WHEREAS**, on May 27, 2015, City Council authorized an additional payment to TxDOT for the city's share of design costs for the Valley View Lane/Walnut Street from IH-635 service road to east of the city limits, in an amount not to exceed \$166,146.76, by Resolution No. 15-0963; and

**WHEREAS**, TxDOT was the lead agency administering the design and construction of Valley View Lane/Walnut Street from IH-635 service road to east of the city limits and Park Lane from U.S. Highway 75 to Greenville Avenue; and

**WHEREAS**, the original project scopes are no longer valid and the City desires to terminate the existing agreements; and

April 11, 2018

**WHEREAS**, the City is required to pay TxDOT for their up-to-date engineering expenditures at the termination of the existing agreements in the total amount of \$1,790,689.72; and

**WHEREAS**, the North Central Texas Council of Governments (NCTCOG) agreed to assist the City with these engineering expenditures with Regional Toll Revenue (RTR) funds from the North Texas Tollway Authority through the State Highway 121 Subaccount; and

**WHEREAS**, it is now necessary to authorize an Advance Funding Agreement with TxDOT for engineering costs for the intersection improvements at Valley View Lane/Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Audelia Road and a right turn lane on Northbound U.S. Highway 75 Frontage Road to Park Lane.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign an Advance Funding Agreement with the Texas Department of Transportation (Contract No. CSJ 0918-47-978) to accept funding from the State Highway (SH) 121 Subaccount in the amount of \$1,790,690, approved as to form by the City Attorney, for engineering costs for the intersection improvements at Valley View Lane/Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Audelia Road and a right turn lane on Northbound U.S. Highway 75 Frontage Road to Park Lane.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$1,790,689.72 in the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund, Fund S322, Department PBW, Units U234 (\$1,114,337.91) and U227 (\$676,351.81), Revenue Code 6516.

**SECTION 3.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$1,790,689.72 in the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund, Fund S322, Department PBW, Units U234 (\$1,114,337.91) and U227 (\$676,351.81), Object 4510.

**SECTION 4.** That the City Manager is hereby authorized to reimburse the State any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

April 11, 2018

**SECTION 5.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

**SECTION 6.** That this contract is designated as Contract No. PBW-2018-00005602.

**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.

**STRATEGIC  
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

10, 13

**DEPARTMENT:**

Department of Public Works

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

17 P S U; 26 T

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**SUBJECT**

Authorize **(1)** Amendment No. 2 to the Interlocal Agreement with the Texas Department of Transportation (TxDOT) for the design and construction of the Valley View Lane/Walnut Street Project from Interstate Highway 635 service road to east of the city limits to terminate the agreement; **(2)** payment to TxDOT for their up-to-date engineering costs in an amount not to exceed \$1,114,338 at the termination of the agreement; and **(3)** payment to TxDOT for their up-to-date engineering costs for the Park Lane Project from U.S. Highway 75 to Greenville Avenue in an amount not to exceed \$676,352 - Total not to exceed \$1,790,690 - Financing: Regional Toll Revenue Funds

**BACKGROUND**

The Valley View Lane/Walnut Street Project from Interstate Highway 635 (IH-635) to east of the city limits and the Park Lane Project from U.S. Highway 75 to Greenville Avenue are two partnership projects with TxDOT that were selected by the Surface Transportation Program – Metropolitan Mobility (STP–MM) provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991. TxDOT was the lead agency to administer the design and construction for both projects, but the projects have been progressing very slowly.

Both projects are now being rescoped and the City of Dallas will take over the responsibility of lead/implementing agency to administer the design and construction. The existing Valley View Lane/Walnut Street and Park Lane Projects are to be terminated and combined into one new intersection improvements project. The City desires to have more pedestrian-friendly elements throughout the city; therefore, the proposed new scope will include intersection improvements on Walnut Street at South Greenville Avenue, Abrams Road, Richland College (Richland East Drive) and Northbound U.S. Highway 75 Frontage Road at Park Lane. The improvements will install new traffic signals with radar detections, pedestrian push buttons, crosswalks, and ramps that comply with the Americans with Disabilities Act.

## **BACKGROUND** (continued)

The agreement with TxDOT for the Park Lane Project from U.S. Highway 75 to Greenville Avenue was terminated in 2006 and TxDOT recently requested the City to pay for their up-to-date engineering costs for the project.

The City is required to pay TxDOT for their up-to-date engineering expenditures at the termination of the existing agreements for the projects in the total amount of \$1,790,689.72. The North Central Texas Council of Governments (NCTCOG) agreed to assist the City to pay for these engineering expenditures with Regional Toll Revenue (RTR) funds.

This action will authorize the termination of the existing agreement with TxDOT for the Valley View Lane/Walnut Street Project from IH-635 to east of the city limits.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for design and construction of Valley View Lane/Walnut Street from IH-635 service road to the east city limits by Resolution No. 96-3671.

On January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for the design and construction of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue by Resolution No. 97-0094.

On May 23, 2007, City Council authorized an additional payment to the Texas Department of Transportation for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the eastern city limits at Las Brisas Drive by Resolution No. 07-1544.

On April 8, 2009, City Council authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the east city limits (Las Brisas) by Resolution No. 09-0968.

On May 27, 2015, City Council authorized an additional payment to the Texas Department of Transportation for the city's share of design costs for intersection improvements on Valley View Lane/Walnut Street from IH-635 to east of the city limits by Resolution No. 15-0963.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainable Committee on April 9, 2018.

**FISCAL INFORMATION**

Regional Toll Revenue Funds - \$1,790,689.72

<b><u>Council District</u></b>	<b><u>Amount</u></b>
10	\$1,114,337.91
13	<u>\$ 676,351.81</u>
Total	\$1,790,689.72

**Valley View Lane/Walnut Street from IH-635 service road to east of the city limits, and Park Lane from U.S. Highway 75 to Greenville Avenue Termination Costs**

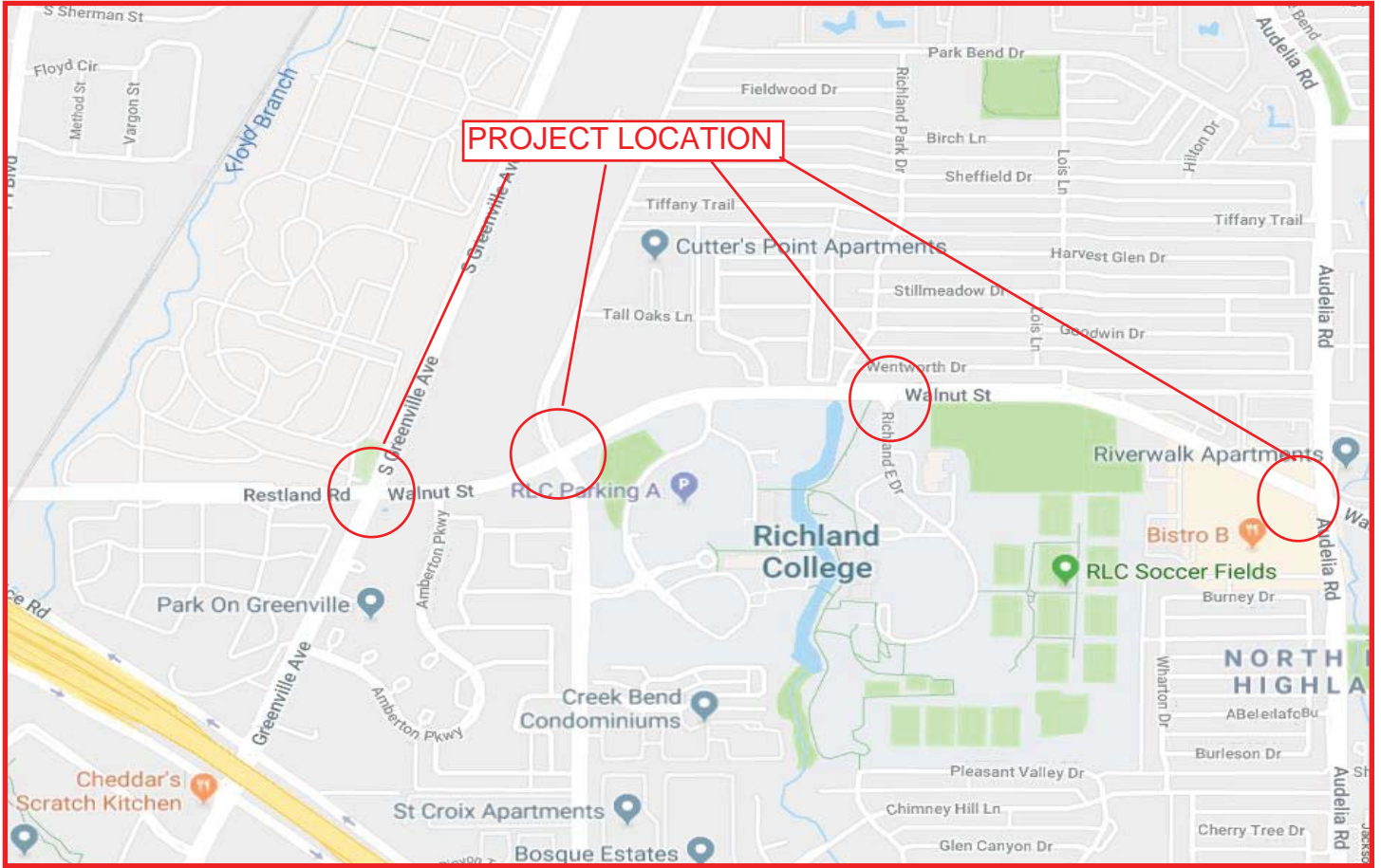
Up-to-date engineering costs:	
Valley View/Walnut Street Project (RTR Fund)	\$1,114,337.91
Park Lane Project (RTR Fund)	<u>\$ 676,351.81</u>
Total	\$1,790,689.72

**MAP**

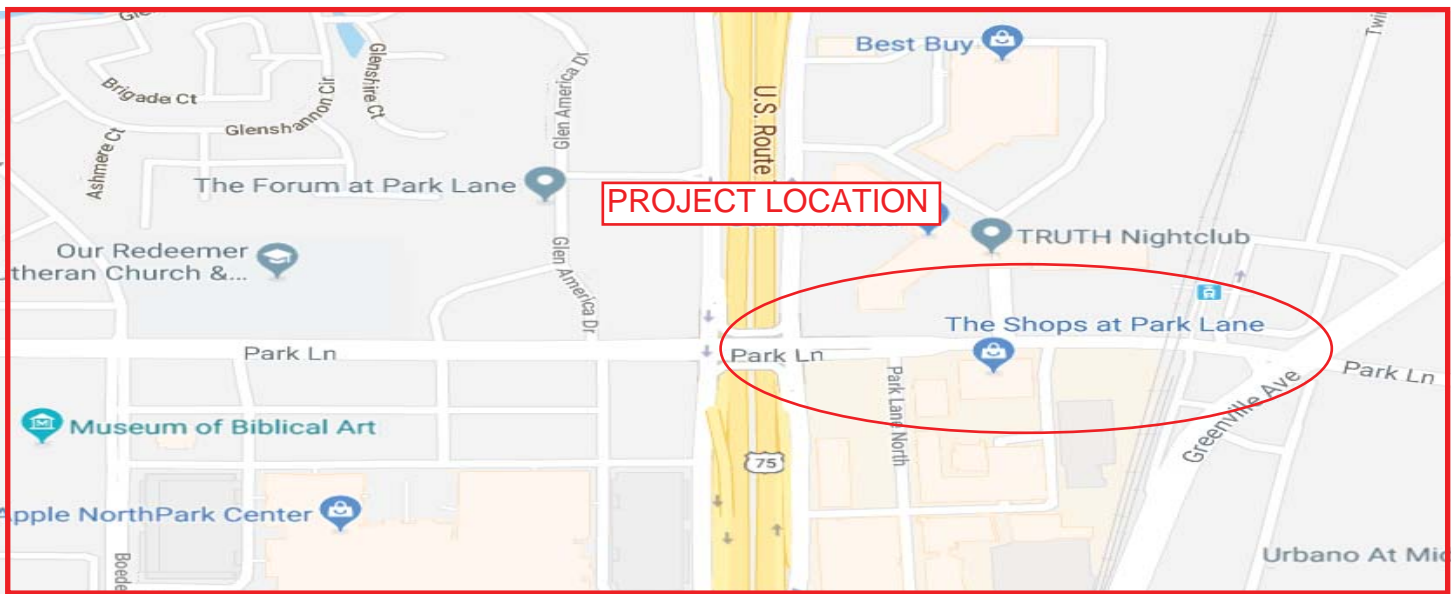
Attached



Existing Projects To Be Terminated:  
Valley View/Walnut Street from IH 635 to the East of City Limits  
MAPSCO 17P, S, U



Park Lane from US 75 to Greenville Ave.  
MAPSCO 26T



April 11, 2018

**WHEREAS**, on November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation (TxDOT) for design and construction of the Valley View Lane/Walnut Street Project from Interstate Highway 635 (IH-635) service road to the east city limits and payment to TxDOT, in an amount not to exceed \$78,666.00 for the City's share of design costs by Resolution No. 96-3671; and

**WHEREAS**, on January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and TxDOT for the design and construction of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue and payment of \$17,472.00 for the City's estimated share of the engineering costs by Resolution No. 97-0094; and

**WHEREAS**, on October 2, 1998, Amendment No. 1 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed to add the indirect Cost Recovery Plan; and

**WHEREAS**, on September 19, 2006, Amendment No. 2 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed to terminate the agreement; and

**WHEREAS**, on May 23, 2007, City Council authorized an additional payment to TxDOT for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the eastern city limits at Las Brisas Drive, in an amount not to exceed \$45,000.00, by Resolution No. 07-1544; and

**WHEREAS**, on April 8, 2009, City Council authorized a new Local Project Advanced Funding Agreement with TxDOT for the design, right-of-way acquisition, and construction paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the east city limits by Resolution No. 09-0968; and

**WHEREAS**, on May 27, 2015, City Council authorized an additional payment to TxDOT for the city's share of design costs for the Valley View Lane/Walnut Street Project from IH-635 service road to east of the city limits, in an amount not to exceed \$166,146.76, by Resolution No. 15-0963; and

**WHEREAS**, TxDOT was the lead agency administering the design and construction of Valley View Lane/Walnut Street from IH-635 service road to east of the city limits and Park Lane from U.S. Highway 75 to Greenville Avenue; and

**WHEREAS**, the original project scopes are no longer valid and the City desires to terminate the existing agreement; and

April 11, 2018

**WHEREAS**, the City is required to pay TxDOT for their up-to-date engineering expenditures at the termination of the existing agreement; and

**WHEREAS**, it is now necessary to authorize Amendment No. 2 to the Interlocal Agreement with TxDOT for design and construction of the Valley View Lane/Walnut Street Project from IH-635 service road to east of the city limits to terminate the agreement; and payment to TxDOT for their up-to-date engineering costs, in an amount not to exceed \$1,114,337.91; and

**WHEREAS**, the agreement with TxDOT for the Park Lane Project from U.S. Highway 75 to Greenville Avenue was terminated in 2006 and TxDOT recently requested the City to pay for their up-to-date engineering costs; and

**WHEREAS**, it is now also necessary to authorize payment to TxDOT for their up-to-date engineering costs for the Park Lane Project from U.S. Highway 75 to Greenville Avenue, in an amount not exceed to \$676,351.81.

**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 Amendment No. 2 to the Interlocal Agreement with the Texas Department of Transportation, approved as to form by the City Attorney, for the design and construction of the Valley View Lane/Walnut Street Project from Interstate Highway 635 service road to east of the city limits to terminate the agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,114,337.91 to TxDOT for the Valley View Lane/Walnut Street Project from IH-635 service road to east of the city limits in accordance with the terms and conditions of the agreement from the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund, Fund S322, Department PBW, Unit U234, Activity INGV, Object 4111, Program PB06U234, Vendor 020318, Encumbrance/Contract No. CX-PBW-2018-00005605.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$676,351.81 to TxDOT for the Park Lane Project from U.S. Highway 75 to Greenville Avenue in accordance with the terms and conditions of the agreement from the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund, Fund S322, Department PBW, Unit U227, Activity INGV, Object 4111, Program PB06U227, Vendor 020318, Encumbrance/Contract No. CX-PBW-2018-00005606.

April 11, 2018

**SECTION 4.** That the Chief Financial Officer is hereby authorized to deposit any unused regional toll revenue funds advanced to TxDOT pertaining to this project in the TxDOT RTR SH 121-Park Lane and Walnut Street Off System Project Fund, Fund S322, Department PBW, Units U227 and U234, Revenue Code 6516.

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

**AGENDA ITEM # 12**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 10, 13

**DEPARTMENT:** Department of Public Works

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 17 P S U; 26 T

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**SUBJECT**

Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the design and construction of the intersection improvements at Walnut Street and Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and Park Lane at U.S. Highway 75; and **(2)** payment to TxDOT for the City’s share of design and construction-related engineering review costs – Not to exceed \$26,560 – Financing: 2006 Bond Funds

**BACKGROUND**

The Valley View Lane/Walnut Street Project from Interstate Highway 635 (IH-635) to east of the city limits and the Park Lane Project from U.S. Highway 75 to Greenville Avenue are two partnership projects with TxDOT that were selected by the Surface Transportation Program – Metropolitan Mobility (STP–MM) provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991. TxDOT was the lead agency to administer the design and construction for both projects, but the projects have been progressing very slowly.

Both projects are now being rescoped and the City of Dallas will take over the responsibility of lead/implementing agency to administer the design and construction. The existing Valley View Lane/Walnut Street and Park Lane Projects are to be terminated and combined into one new intersection improvements project. The City desires to have more pedestrian-friendly elements throughout the City; therefore, the proposed new scope will include intersection improvements on Walnut Street at Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and on Park Lane at U.S. Highway 75. The improvements will install new traffic signals with radar detections, pedestrian push buttons, crosswalks, and ramps that comply with the Americans with Disabilities Act.

**BACKGROUND** (continued)

This action will authorize a Local Project Advance Funding Agreement with TxDOT for the design and construction of the new intersection improvements project on Walnut Street at Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and Park Lane at U.S. Highway 75.

The new intersection improvements project total costs are estimated at \$1,424,968, of which \$386,560 is to be funded by the City of Dallas, \$960,000 is to be federally funded, and \$78,408 is to be funded by TxDOT.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Design	May 2018
Complete Design	September 2018
Begin Construction	January 2019
Complete Construction	July 2019

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

On November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for the design and construction of paving improvements to Valley View Lane/Walnut Street from LBJ Service Road to the east city limits by Resolution No. 96-3671.

On January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation for the design and construction paving improvements to Park Lane from US 75 (North Central Expressway) to Greenville Avenue by Resolution No. 97-0094.

On May 23, 2007, City Council authorized an additional payment to the Texas Department of Transportation for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to eastern city limits at Las Brisas Drive by Resolution No. 07-1544.

On April 8, 2009, City Council authorized a Local Project Advanced Funding Agreement with Texas Department of Transportation for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the east city limits (Las Brisas) by Resolution No. 09-0968.

On May 27, 2015, City Council authorized an additional payment to the Texas Department of Transportation for the city's share of design costs for intersection improvements on Valley View Lane/Walnut Street from IH-635 to east of the city limits by Resolution No. 15-0963.



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

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainable Committee on April 9, 2018.

**FISCAL INFORMATION**

2006 Bond Funds – \$26,560

<b><u>Council District</u></b>	<b><u>Amount</u></b>
10	\$15,936.00
13	<u>\$10,624.00</u>
Total	\$26,560.00

**Estimated Project Costs**

**Walnut Street and Park Lane Intersection Improvements Cost and Funding**

Design (City 2006 Bond – 100%)	\$ 120,000.00 (est.)
Construction (Federal – 80%)	\$ 960,000.00 (est.)
Construction (City 2006 Bond – 20%)	\$ 240,000.00 (est.)
TxDOT Engineering Review Cost (City 2006 Bond - 100%)	\$ 26,560.00 (this action)
TxDOT Indirect State Cost (TxDOT - 100%)	<u>\$ 78,408.00 (est.)</u>
Estimated Total Project Cost	\$1,424,968.00

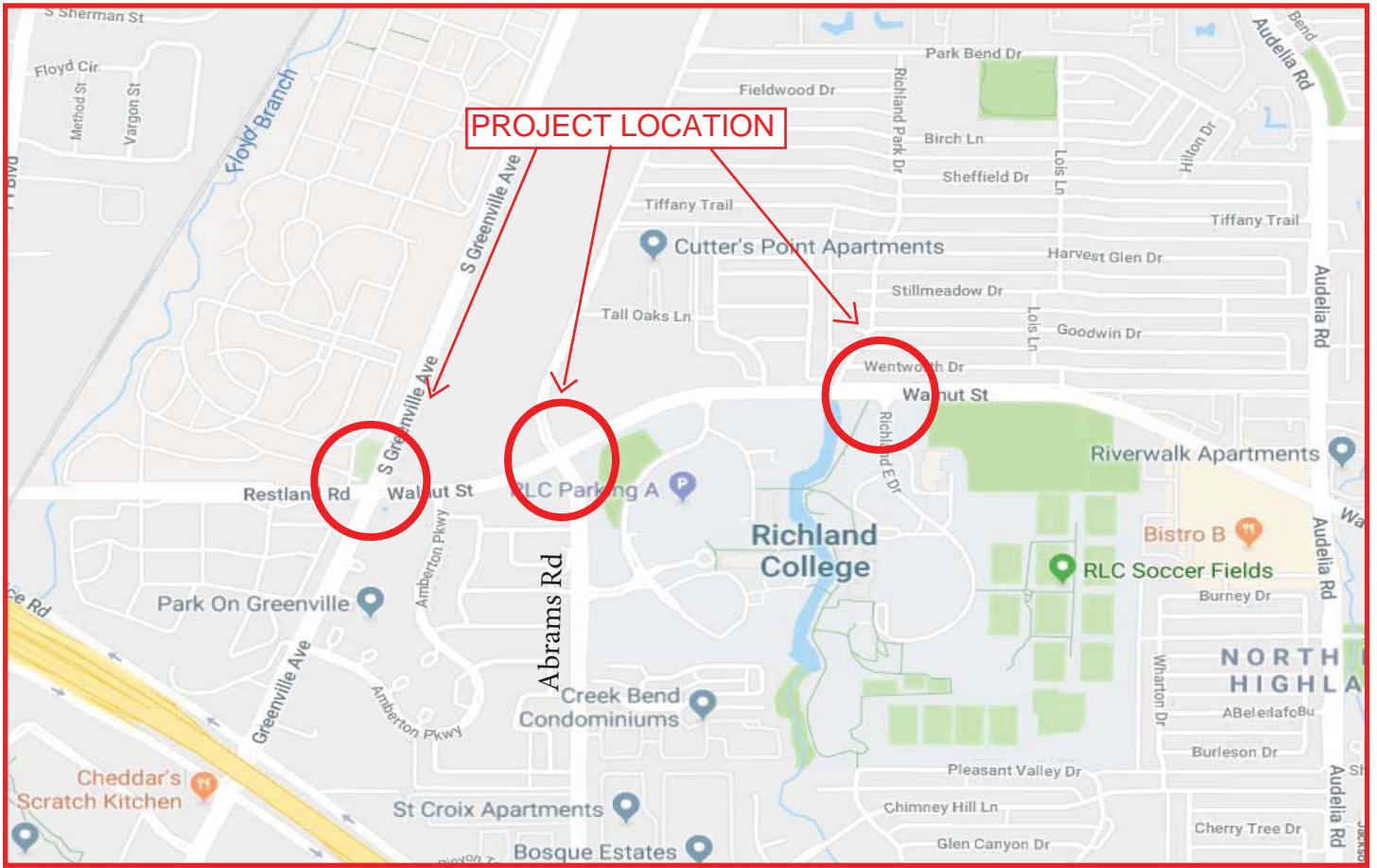
**Funding Sources**

TxDOT/Federal's Share	\$ 960,000.00
TxDOT's share	\$ 78,408.00
City's (PBW) share	<u>\$ 386,560.00</u>
Total	\$1,424,968.00

**MAP**

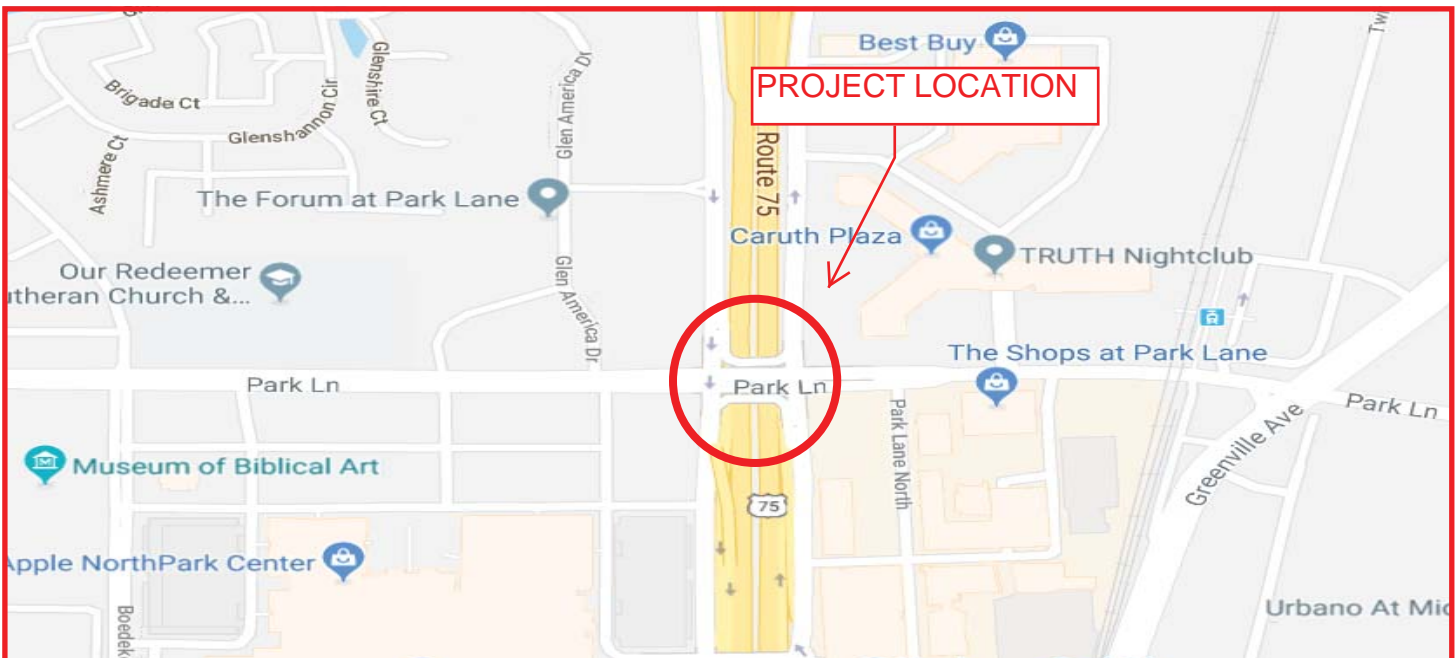
Attached

# INTERSECTION IMPROVEMENTS - WALNUT STREET AT GREENVILLE AVENUE, ABRAMS ROAD AND RICHLAND COLLEGE



MAPSCO 17 P, S, U

# INTERSECTION IMPROVEMENTS - PARK LANE AT U.S. 75



MAPSCO 26T

April 11, 2018

**WHEREAS**, on November 13, 1996, City Council authorized an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Valley View Lane/Walnut Street from LBJ Service Road to the east city limits and payment to TxDOT in the amount of \$78,666.00 for the City's share of design costs by Resolution No. 96-3671; and

**WHEREAS**, on January 8, 1997, City Council authorized an Interlocal Agreement between the City of Dallas and TxDOT for the design and construction of paving improvements to Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue and payment of \$17,472.00 for the City's estimated share of the engineering costs by Resolution No. 97-0094; and

**WHEREAS**, Amendment No. 1 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed on October 2, 1998 to add the indirect Cost Recovery Plan; and

**WHEREAS**, Amendment No. 2 to the Interlocal Agreement with TxDOT for the improvements of Park Lane from U.S. Highway 75 (North Central Expressway) to Greenville Avenue was executed on September 19, 2006 to terminate the agreement; and

**WHEREAS**, on May 23, 2007, City Council authorized an additional payment to TxDOT for the City's share of design costs for paving and drainage improvements on Valley View Lane/Walnut Street from IH-635 service road to the eastern city limits at Las Brisas Drive, in an amount not to exceed \$45,000.00, by Resolution No. 07-1544; and

**WHEREAS**, on April 8, 2009, City Council authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation for paving and drainage improvements on Valley View Lane/Walnut Street from the IH-635 service road to the east city limits by Resolution No. 09-0968; and

**WHEREAS**, on May 27, 2015, City Council authorized an additional payment to the Texas Department of Transportation for the city's share of additional design costs for Valley View Lane/Walnut Street from IH-635 service road to east of the city limits project, in an amount not to exceed \$166,146.76 by Resolution No. 15-0963; and

**WHEREAS**, TxDOT was the lead agency administering the design and construction of Valley View Lane/Walnut Street from IH-635 service road to east of the city limits and Park Lane from U.S. Highway 75 to Greenville Avenue; and

**WHEREAS**, the original project scopes are no longer valid and the City desires to terminate the existing agreements; and

April 11, 2018

**WHEREAS**, both Valley View Lane/Walnut Street and Park Lane projects are being terminated and combined into one new intersection improvements project; and

**WHEREAS**, the proposed new project scope will now only include intersection improvements on Walnut Street at Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and Park Lane at U.S. Highway 75, which include new traffic signals with radar detections, pedestrian push buttons, crosswalks, and Americans with Disabilities Act ramps; and

**WHEREAS**, the City will take over the responsibility of lead/implementing agency to administer the design and construction of the new intersection improvements project; and

**WHEREAS**, it is now necessary to authorize a Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for design and construction of the intersection improvements at Walnut Street and Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and on Park Lane at U.S. Highway 75 and payment to TxDOT for the City's share of engineering review costs, in an amount not to exceed \$26,560.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a Local Project Advance Funding Agreement with the Texas Department of Transportation, approved as to form by the City Attorney, for design and construction of the intersection improvements at Walnut Street and Greenville Avenue, Abrams Road, and Richland College (Richland East Drive) and on Park Lane at U.S. Highway 75, in an amount not to exceed \$26,560.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$26,560.00 to TxDOT in accordance with the terms and conditions of the agreement, as follows:

Street and Transportation Improvements Fund  
Fund 2T22, Department PBW, Unit U227  
Activity INGV, Object 4111, Program PB06U227  
Contract/Encumbrance No. CX-PBW-2018-00005314  
Vendor 020318 \$10,624.00

April 11, 2018

**SECTION 2.** (continued)

Street and Transportation Improvements Fund	
Fund 1T22, Department PBW, Unit U234	
Activity INGV, Object 4111, Program PB06U234	
Contract/Encumbrance No. CX-PBW-2018-00005314	
Vendor 020318	<u>\$15,936.00</u>
Total amount not to exceed	\$26,560.00

**SECTION 3.** That the Chief Financial Officer is hereby authorized to deposit any unused Street and Transportation Improvements Fund advanced to TxDOT pertaining to this project in Fund 1T22, 2T22, Department PBW, Unit U227, Unit U234, Revenue Code 8492.

**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

**STRATEGIC  
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

5

**DEPARTMENT:**

Department of Public Works  
Water Utilities Department

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

58J

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**SUBJECT**

Authorize **(1)** street paving, drainage, water and wastewater main improvements for Lonsdale Avenue from Sarah Lee Drive to Lake June Road; provide 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 **(2)** a benefit assessment hearing to be held on May 9, 2018, to receive comments - Financing: No cost consideration to the City (see Fiscal Information for potential future costs)

**BACKGROUND**

Lonsdale Avenue from Sarah Lee Drive to Lake June Road was requested by property owner petition and accepted on March 26, 2015. On January 13, 2016, City Council authorized a professional services contract with TranSystems Corporation d/b/a TranSystems Corporation Consultants for the engineering design of a street petition project on Lonsdale Avenue from Sarah Lee Drive to Lake June Road by Resolution No. 16-0089. This action will authorize the project, partial payment of costs by assessment, and a benefit assessment hearing. The improvements will consist of a 33-foot wide concrete pavement with curbs, sidewalks, drive approaches, drainage, and water and wastewater main improvements.

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.

These actions are the first and second steps in the process.



## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	March 2016
Completed Design	December 2017
Begin Construction	July 2018
Complete Construction	May 2019

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On January 13, 2016, City Council authorized a professional services contract with TranSystems Corporation d/b/a TranSystems Corporation Consultants for the engineering design of a street petition project for Lonsdale Avenue from Sarah Lee Drive to Lake June Road by Resolution No. 16-0089.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on April 9, 2018.

## **FISCAL INFORMATION**

Design	\$ 107,980
Construction	
Paving & Drainage (PBW)	\$1,457,000 (est.)
Water & Wastewater (WTR)	\$ <u>563,077</u> (est.)
Total Project Costs	\$2,128,057 (est.)

This project does involve assessments.

## **MAP**

Attached

**LONSDALE AVE - SARAH LEE DR TO LAKE JUNE RD**



**MAPSCO 58J**



April 11, 2018

**WHEREAS**, the City of Dallas deems it necessary to permanently improve the hereinafter named street within the City of Dallas.

**Now, Therefore,**

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

**SECTION 1.** That the following street

**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

shall be improved in the following manner, to wit:

- (1) That said street shall be profiled so as to bring same to design grade.
- (2) That said street shall be paved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch thick lime stabilization subgrade; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4-feet wide; so that the roadway shall be 33-feet in width; and

That any permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments.

That bids shall be taken for the construction of the work for the type of construction enumerated above, and the work shall be done with the materials and according to plans and methods selected by the City Council after the bids are opened.

That the cost of said improvements shall be paid for as follows, to wit:

- (a) That the City of Dallas shall pay only an amount equal to the cost of water main, and also all the cost of improving intersections of said street with other street, and partial adjusted frontages on side property, except so much thereof as shall be borne by streets.
- (b) That after deducting the proportion of the cost provided for in said Subsection (a) above, the whole remaining cost, including the cost of concrete curbs or curbs and gutters, driveways, sidewalks shall be paid by the owners of property abutting on said street named to be paved, in the following manner, to wit:

April 11, 2018**SECTION 1.** (continued)

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 an 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.

Provided that, if the application of the above-mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases be unjust or unequal, it shall be the duty of the said Council to assess and apportion said cost in such manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners, and the adjustment of such apportionment, so as to produce a substantial equality of benefits received by and burdens imposed upon such owners.

That no such assessment shall be made against any owner of abutting property, if any, until after the notice and hearing provided by law, and no assessment shall be made against an owner of abutting property in excess of the benefits to such property in enhanced value thereof by means of such improvements.

That the contractor shall be paid for the work performed under the specifications, upon monthly estimates to be prepared by the Director of the Department of Public Works. That there shall be deducted as a retainage fee, five (5%) percent of such monthly estimates, to be held by the City of Dallas until the contract is performed and executed to the satisfaction of the Director of the Department of Public Works. The monthly estimates shall be paid on or before the 10th day of the next succeeding month for the work performed during the previous month.

April 11, 2018**SECTION 1.** (continued)

For that part of the cost of the improvements that shall be determined to be levied against the owners of abutting property and their property shall be levied by assessment as herein provided, and said improvements may further be secured by Mechanic's Liens to be executed in favor of the City of Dallas, provided by law in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessment shall be issued in favor of the City of Dallas for the amount of the assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the Revolving Fund established for the purpose of financing paving improvements.

That the Director of the Department of Public Works is hereby directed to prepare at once the specifications and an estimate of the cost of such improvements and file the same with the City Council for the hereinabove described pavement and improvements. That in the specifications prepared, provision shall be made to require all contractors to give such bonds as may be necessary or as required by law.

That such specifications shall require the bidder to make a bid upon the type of improvements above described, with such bonds as may be required.

That the specifications shall also state the amounts of the required bonds, as well as the method by which it is proposed to pay the cost of said improvements, said method being in accordance with this resolution.

**SECTION 2.** That the City Council, in initiating this proceeding, is acting under the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Sections 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the Charter of said City, being Chapter XX of said Charter.

**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.

**NOTICE OF ASSESSMENT PROCEEDINGS AND LIEN UPON ABUTTING PROPERTY**

NOTICE is hereby given that the Governing Body of the City of Dallas, in the County of Dallas, in the State of Texas, by Resolution No. \_\_\_\_\_ dated \_\_\_\_\_ has ordered and directed that the following street in said City be improved, to wit:

**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

**West Side of Street**

**East Side of Street**

<b><u>Subdivision</u></b>	<b><u>Block</u></b>	<b><u>Lot(s)</u></b>	<b><u>Subdivision</u></b>	<b><u>Block</u></b>	<b><u>Lot(s)</u></b>
Home Gardens	D/6243	18	Home Gardens #2	C/6243	1A, Acs .158
Home Gardens	D/6243	17	Home Gardesn #2	C/6243	2A Acs .159
Home Gardens	D/6243	16	Home Gardens	C/6243	3
Home Gardens	D/6243	S 60 Ft Lt 15	Home Gardens	C/6243	4
Home Gardens	D/6243	14 & N 15' Lt 15	Home Gardens	C/6243	5
Home Gardens	D/6243	13	Home Gardens	C/6243	6
Home Gardens	D/6243	12	Home Gardens	C/6243	7
Home Gardens	D/6243	11	Home Gardens	C/6243	8
Home Gardens	D/6243	10	Home Gardens	C/6243	9
Home Gardens	D/6243	9	Home Gardens Unit #2	C/6243	10
Home Gardens	D/6243	8	Home Gardens	C/6243	11
Home Gardens	D/6243	7	Home Gardens	C/6243	12
Home Gardens	D/6243	6	Home Gardens	C/6243	13
Home Gardens	D/6243	5	Home Gardens	C/6243	14
Home Gardens	D/6243	4	Home Gardens	C/6243	15
Home Gardens #2	D/6243	3	Home Gardens	C/6243	16
Home Gardens 2	D/6243	1A & 2A Acs. 0.317	Home Gardens	C/6243	17
					18

In case of conflict between numbers and street names and limits, street names will govern. A portion of the cost of such improvements is to be specially assessed as a lien upon property abutting thereon.

City of Dallas, Texas

By \_\_\_\_\_  
City Secretary

(File in Deed of Trust Records)

April 11, 2018

**WHEREAS**, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

for a part of the cost of improving said street, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and

**WHEREAS**, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch thick lime stabilization subgrade; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4-feet wide; so that the roadway shall be 33-feet in width; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and

**WHEREAS**, the Director of the Department of Public Works of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

**Now, Therefore,**

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

**SECTION 1.** That the report or statement filed by the Director of the Department of Public Works having been duly examined, is hereby approved.

**SECTION 2.** That it is hereby found and determined that the cost of improvements on the hereinafter described street, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

April 11, 2018

**SECTION 2.** (continued)**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

shall be improved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch lime stabilization subgrade; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4-feet wide; so that the roadway shall be 33-feet in width; and

The estimated cost of the improvements is **\$2,020,077.00 (est.)**

- a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **\$66.37/S.Y.**
- b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

**Where Property Classification is WSR-I (R-7.5(A))**

The front rate for 6-inch thick reinforced concrete pavement 13.5-feet wide with curb: **\$114.75/L.F.**

The side rate for 6-inch thick reinforced concrete pavement 2.5-feet wide with curb: **\$23.89/L.F.**

The front rate for 4-inch thick reinforced concrete sidewalk is: **\$11.90/L.F.**

The side rate for 4-inch reinforced concrete sidewalk is: **\$5.95/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

**SECTION 3.** That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **9th** day of **May**, A.D. **2018**, at **1:00** O'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.



April 11, 2018

**SECTION 3.** (continued)

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as:

Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act.

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

**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.

April 11, 2018

TO THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS

As requested by your Honorable Body, the undersigned has prepared plans and specifications for the improvements of **Lonsdale Avenue from Sarah Lee Drive to Lake June Road**. That said street shall be paved curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch thick lime stabilization subgrade; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4-feet wide; so that the roadway shall be 33-feet in width; and with estimates of the cost of improving the street as listed thereon, together with the proposed assessments, a part of the cost to be made against the abutting properties and the property owners, and part of the cost to be paid by the City. The report of these improvements is as follows:

**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

Total Property Owners' Cost – Assessments		\$302,459.07
Total Estimated City of Dallas' Cost - Paving	\$973,215.94	
Total Estimated City of Dallas' Cost - Drainage	\$181,324.99	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	\$563,077.00	
Total Estimated City of Dallas' Cost		\$1,717,617.93
Total Estimated Cost of Improvements		\$2,020,077.00

**Lonsdale Avenue from Sarah Lee Drive to Lake June Road**

Total Property Owners' Cost – Assessments		\$302,459.07
Total Estimated City of Dallas' Cost - Paving	\$973,215.94	
Total Estimated City of Dallas' Cost - Drainage	\$181,324.99	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	\$563,077.00	
Total Estimated City of Dallas' Cost		\$1,717,617.93
Total Estimated Cost of Improvements		\$2,020,077.00

The Director of the Department of Public Works reports that representatives of this Department have studied the actual existing conditions on this street, and found that the existing roadway have a narrow asphalt surface with shallow earth ditches; which have accessibility and drainage issues. Taking this into consideration, plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said street, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,



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Director, Department of Public Works

**LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH**

<b>OWNER</b>	<b>LOT(S)</b>	<b>BLOCK</b>	<b>FRONTAGE</b>		<b>RATE</b>	<b>AMOUNT</b>	<b>TOTAL ASSESSMENT</b>
<b>WEST SIDE OF STREET</b>							
<b>HOME GARDENS</b>							
NOE J VENCES & ELENA TINOCO 1103 LONSDALE AVE DALLAS, TX 75217	18	D/6243	60	FT PVMT	\$114.75	\$6,885.00	
			40	FT WALK	\$11.90	\$476.00	
			20	FT DRIVE	No Cost	\$0.00	
							<b>\$7,361.00</b>
JOSE U CRUZ 1111 LONSDALE AVE DALLAS, TX 75217	17	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			52	FT WALK	\$11.90	\$618.80	
			18	FT DRIVE	No Cost	\$0.00	
							<b>\$8,651.30</b>
JUAN COLUNGA 1121 LONSDALE AVE DALLAS, TX 75217	16 1115 Lonsdale Ave	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			60	FT WALK	\$11.90	\$714.00	
			13.3	SY DR(10'Wide)	\$66.37	\$882.72	
							<b>\$9,629.22</b>
JUAN C COLUNGA & MARIA Z NAVARRO 1121 LONSDALE AVE DALLAS, TX 75217	S 60 Ft of Lt 15	D/6243	60	FT PVMT	\$114.75	\$6,885.00	
			50	FT WALK	\$11.90	\$595.00	
			10	FT DRIVE	No Cost	\$0.00	
							<b>\$7,480.00</b>
FRANKLIN G WEEKS 108 SUNBIRD LN SUNNYVALE, TX 75182	Lt 14 & N 15' Lt 15 1127 Lonsdale Ave	D/6243	80	FT PVMT	\$114.75	\$9,180.00	
			62	FT WALK	\$11.90	\$737.80	
			18	FT DRIVE	No Cost	\$0.00	
							<b>\$9,917.80</b>
MARIO LOPEZ 1131 LONSDALE AVE DALLAS, TX 75217	13	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			51	FT WALK	\$11.90	\$606.90	
			19.1	SY DR(19'Wide)	\$66.37	\$1,267.67	
							<b>\$9,907.07</b>

**LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH**

<b>OWNER</b>	<b>LOT(S)</b>	<b>BLOCK</b>	<b>FRONTAGE</b>		<b>RATE</b>	<b>AMOUNT</b>	<b>TOTAL ASSESSMENT</b>
<b>HOME GARDENS</b>							
MARTIN & AIDA MARTINEZ 1139 LONSDALE AVE DALLAS, TX 75217	12	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			52	FT WALK	\$11.90	\$618.80	
			18	FT DRIVE	No Cost	\$0.00	
							<b>\$8,651.30</b>
JOSE CARLOS CORTES & MARIA EMILIA CORTES 1143 LONSDALE AVE DALLAS, TX 75217	11	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			58	FT WALK	\$11.90	\$690.20	
			13.3	SY DR(10'Wide)	\$66.37	\$882.72	
							<b>\$9,605.42</b>
EST OF EDNA WILLIAMS 1149 LONSDALE AVE DALLAS, TX 75217	10	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			50	FT WALK	\$11.90	\$595.00	
			20	FT DRIVE	No Cost	\$0.00	
							<b>\$8,627.50</b>
JESSE & AIDA MORALES 4728 ASHBROOK RD DALLAS, TX 75227	9 1203 Lonsdale Ave	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			55	FT WALK	\$11.90	\$654.50	
			15	FT DRIVE	No Cost	\$0.00	
							<b>\$8,687.00</b>
JOSE ESCOBEDO & MARGARITA ESCOBEDO 1211 LONSDALE AVE DALLAS, TX 75217	8	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			50	FT WALK	\$11.90	\$595.00	
			20	FT DRIVE	No Cost	\$0.00	
							<b>\$8,627.50</b>
EST OF RICHARD M LOPEZ 1215 LONSDALE AVE DALLAS, TX 75217	7	D/6243	70	FT PVMT	\$114.75	\$8,032.50	
			50	FT WALK	\$11.90	\$595.00	
			22.2	SY DR(20'Wide)	\$66.37	\$1,473.41	
							<b>\$10,100.91</b>

LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT	
<b>HOME GARDENS</b>							
RICARDO D SEGOVIA & ENRIQUETA C DE SEGOVIA 1223 LONSDALE AVE DALLAS, TX 75217	6	D/6243	70 FT PVMT	\$114.75	\$8,032.50		
			44 FT WALK	\$11.90	\$523.60		
			11 FT DRIVE	No Cost	\$0.00		
			15.5 SY DR(15'Wide)	\$66.37	\$1,028.74	\$9,584.84	
<b>HOME GARDENS #2</b>							
CARLOS SANTIAGO & TERESA VASQUEZ 1227 LONSDALE AVE DALLAS, TX 75217	5	D/6243	70 FT PVMT	\$114.75	\$8,032.50		
			60 FT WALK	\$11.90	\$714.00		
			10 FT DRIVE	No Cost	\$0.00	\$8,746.50	
TERESA VASQUEZ & CARLOS SANTIAGO 1227 LONSDALE AVE DALLAS, TX 75217	4 1233	D/6243	70 FT PVMT	\$114.75	\$8,032.50		
			70 FT WALK	\$11.90	\$833.00		
			Lonsdale Ave			\$8,865.50	
MICHAEL J HOLLOWAY DAWN B KEARNS ETAL KIM M BAIN 9624 HALLMARK AVE COTTAGE GROVE, MINNESOTA 55016	3 1239	D/6243	70 FT PVMT	\$114.75	\$8,032.50		
			45 FT WALK	\$11.90	\$535.50		
			Lonsdale Ave	12 FT DRIVE	No Cost	\$0.00	
			13 FT DRIVE	No Cost	\$0.00	\$8,568.00	
JAMES R LACY JR 1245 LONSDALE AVE DALLAS, TX 75217	Lts 1A&2A Acs. 0.317	D/6243	120 FT PVMT	\$114.75	\$13,770.00		
			99 FT WALK	\$11.90	\$1,178.10		
			21 FT DRIVE	No Cost	\$0.00	\$14,948.10	

**LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH**

<b>OWNER</b>	<b>LOT(S)</b>	<b>BLOCK</b>	<b>FRONTAGE</b>	<b>RATE</b>	<b>AMOUNT</b>	<b>TOTAL ASSESSMENT</b>
<b>EAST SIDE OF THE STREET</b>						
<b>HOME GARDENS #2</b>						
CENTRO CRISTIANO REDENCION 7612 JACOBIE BLVD DALLAS, TX 75217	1A Acs .158 6702 Lake June Rd	C/6243	55 FT PVMT 55 FT WALK	\$23.89 \$5.95	\$1,313.95 \$327.25	<b>\$1,641.20</b>
CENTRO CRISTIANO REDENCION 7612 JACOBIE BLVD DALLAS, TX 75217	2A Acs .159 6706 Lake June Rd	C/6243	65 FT PVMT 65 FT WALK	\$23.89 \$5.95	\$1,552.85 \$386.75	<b>\$1,939.60</b>
<b>HOME GARDENS</b>						
ENRIQUE RUIZ & MARIANA C SANTIAGO 9819 LANEYVALE AVE DALLAS, TX 75217	3 1238 Lonsdale Ave	C/6243	70 FT PVMT 48 FT WALK 12 FT DRIVE 10 FT DRIVE	\$114.75 \$11.90 No Cost No Cost	\$8,032.50 \$571.20 \$0.00 \$0.00	<b>\$8,603.70</b>
RODOLFO S ALGARATE 1232 LONSDALE AVE DALLAS, TX 75217	4	C/6243	69 FT PVMT 60 FT WALK 17 FT DRIVE	\$114.75 \$11.90 No Cost	\$7,917.75 \$714.00 \$0.00	<b>\$8,631.75</b>
ELADIO LOPEZ 1226 LONSDALE AVE DALLAS, TX 75217	5	C/6243	70 FT PVMT 60 FT WALK 10 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$714.00 \$0.00	<b>\$8,746.50</b>

LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
<b>HOME GARDENS</b>						
DANIEL CRUZ & ANA SEGOVIA 1202 LONSDALE AVE DALLAS, TX 75217	6 1220 Lonsdale Ave	C/6243	70 FT PVMT 55 FT WALK 17.7 SY DR(15'Wide)	\$114.75 \$11.90 \$66.37	\$8,032.50 \$654.50 \$1,174.75	\$9,861.75
JOSE S VALENTINO & BELEN C PEREZ 1214 LONSDALE AVE DALLAS, TX 75217	7	C/6243	70 FT PVMT 54 FT WALK 12 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$642.60 \$0.00	\$8,675.10
MARTHA R HUERTA 203 N WOOD ST FERRIS, TX 75125	8 1210 Lonsdale Ave	C/6243	70 FT PVMT 60 FT WALK 13.3 SY DR(10'Wide)	\$114.75 \$11.90 \$66.37	\$8,032.50 \$714.00 \$882.72	\$9,629.22
DANIEL CRUZ & ANA SEGOVIA 1202 LONSDALE AVE DALLAS, TX 75217	9	C/6243	70 FT PVMT 52 FT WALK 20.4 SY DR(18'Wide)	\$114.75 \$11.90 \$66.37	\$8,032.50 \$618.80 \$1,353.95	\$10,005.25
RAFAEL G CARDOSO 4508 VIA DEL NORTE MESQUITE, TX 75150	10 1148 Lonsdale Ave	C/6243	70 FT PVMT 60 FT WALK 13.3 SY DR(10'Wide)	\$114.75 \$11.90 \$66.37	\$8,032.50 \$714.00 \$882.72	\$9,629.22
ESTEBAN R CORTEZ & JONELLA CORTEZ 1142 LONSDALE AVE DALLAS, TX 75217	11	C/6243	67 FT PVMT 49 FT WALK 18 FT DRIVE	\$114.75 \$11.90 No Cost	\$7,688.25 \$583.10 \$0.00	\$8,271.35



LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
<b>HOME GARDENS UNIT NO 2</b>						
JUAN LOPEZ 1138 LONSDALE AVE DALLAS, TX 75217	12	C/6243	50 FT PVMT 56 FT WALK 10 FT DRIVE	\$114.75 \$11.90 No Cost	\$5,737.50 \$666.40 \$0.00	\$6,403.90
<b>HOME GARDENS</b>						
MACEDONIO MARTINEZ 1130 LONSDALE AVE DALLAS, TX 75217	13	C/6243	70 FT PVMT 60 FT WALK 10 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$714.00 \$0.00	\$8,746.50
JOSE SALDANA 1126 LONSDALE AVE DALLAS, TX 75217	14	C/6243	70 FT PVMT 46 FT WALK 24 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$547.40 \$0.00	\$8,579.90
VINCENT CASTRO & FRANCES CASTRO 1120 LONSDALE AVE DALLAS, TX 75217	15	C/6243	69 FT PVMT 47 FT WALK 22 FT DRIVE	\$114.75 \$11.90 No Cost	\$7,917.75 \$559.30 \$0.00	\$8,477.05
HUMBERTO J CIFUENTES ARSENIA R CIFUENTES 1114 LONSDALE AVE DALLAS, TX 75217	16	C/6243	70 FT PVMT 48 FT WALK 22 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$571.20 \$0.00	\$8,603.70
GALDINO NORIEGA 974 WILLOW RIDGE CIR ROCKWALL, TX 75032	17 1110 Lonsdale Ave	C/6243	70 FT PVMT 52 FT WALK 18 FT DRIVE	\$114.75 \$11.90 No Cost	\$8,032.50 \$618.80 \$0.00	\$8,651.30

LONSDALE AVENUE FROM SARAH LEE DRIVE TO LAKE JUNE ROAD  
 SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER  
 SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 8- INCH LIME STABILIZATION  
 SUBGRADE; WITH 6-INCH HEIGHT 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 33 FEET IN WIDTH

OWNER	LOT(S)	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
<i>HOME GARDENS</i>						
JUAN ARREDONDO	18	C/6243	70 FT PVMT	\$114.75	\$8,032.50	
1102 LONSDALE AVE			41 FT WALK	\$11.90	\$487.90	
DALLAS, TX 75217			13.3 SY DR(10Wide)	\$66.37	\$882.72	
						<b>\$9,403.12</b>

**AGENDA ITEM # 14**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

1

**DEPARTMENT:**

Department of Public Works  
Office of Economic Development

**CMO:**

Majed Al-Ghafry, 670-3302  
Raquel Favela, 670-3309

**MAPSCO:**

43 Y Z; 44 S W; 53 D

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**SUBJECT**

Authorize a professional services contract with Halff Associates, Inc. to provide design services for the Collective Sustainable Development Infrastructure Project – Not to exceed \$208,258 - Financing: Fort Worth Avenue TIF District Funds (\$41,652) and Regional Toll Revenue Funds (\$166,606)

**BACKGROUND**

The Request for Qualifications (BYZ1726) for professional engineering and consulting services for the Collective Sustainable Development Infrastructure Project was advertised on October 5, 2017. Statements of Qualifications were received on November 2, 2017, which allowed City staff to evaluate and short list the interested firms for this project. After evaluation of the interviews held on January 9, 2018 and the proposals received on January 2, 2018, Halff Associates, Inc. ranked the highest for this project.

This action will authorize a professional services contract with Halff Associates, Inc. for the design of Phase 2 of the Collective Sustainable Development Infrastructure Project.

The Collective Sustainable Development Infrastructure Project is a partnership project with the North Central Texas Council of Governments (NCTCOG) and the Texas Department of Transportation, which was selected by the NCTCOG's Sustainable Development Infrastructure Improvement Program. The Collective Sustainable Development Project is being implemented in two phases in order to accommodate planned mixed-use development in the area by the Lincoln Property Company.

## **BACKGROUND** (continued)

Phase 1 entailed sidewalks and pedestrian lighting improvements along Fort Worth Avenue between Colorado Boulevard and Bahama Drive, which was completed in August 2017.

Phase 2 improvements include intersection improvements along Fort Worth Avenue between Hampton Road and Bahama Drive, dedicated bicycle lanes along Colorado Boulevard between Fort Worth Avenue to Hampton Road, and along Fort Worth Avenue between Bahama Drive and Interstate Highway 30, sidewalk improvements along Bahama Drive, and a trail extension along Plymouth Road for the Coombs Creek Trail from Hampton Road to Bahama Drive. The Collective Sustainable Development Infrastructure Project cost estimate is \$2,482,813, which is to be funded 80% by the Regional Toll Revenue Fund \$1,986,250 and 20% by the City of Dallas \$496,563.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On April 13, 2009, the Transportation and Environment Committee was briefed on the Regional Transportation Council Sustainable Development Program Call for Projects for 2009-2010.

On September 15, 2009, the Transportation and Environment Committee was briefed on and endorsed the recommended project list.

On August 10, 2010, the Transportation and Environment Committee was briefed by memorandum regarding the resolution of support for the selected projects.

On August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable by Resolution No. 10-2152.

On September 17, 2012, the Economic Development Committee was briefed by memorandum to consider agreements with the North Central Texas Council of Governments and the State of Texas for the Collective Sustainable Development Infrastructure Project.

On September 26, 2012, City Council authorized an agreement with North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, The Park at Kessler, LP for the costs of construction of the Collective Sustainable Development Infrastructure Project by Resolution No. 12-2360.

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

On December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved District-wide TIF funding request of up to \$496,562 as the required local matching funds for the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments Regional Transportation Council (RTC) for its Sustainable Development (SD) Program.

On September 27, 2017, City Council amended Resolution Nos. 12-2360 and 12-2361 to delete reimbursements and rescind the execution of the development agreement with respect to The Park at Kessler, LP, as this developer is no longer associated with this project by Resolution Nos. 17-1546 and 17-1547.

On September 27, 2017, City Council amended Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to delete the reimbursements to The Kessler, LP; correct the funding source to receive and deposit that authorized the Fort Worth Avenue Tax Increment Financing (TIF) Board of Directors to dedicate up to \$496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Program for the Collective Sustainable Development Infrastructure Project, while increasing appropriations in an amount of \$496,563 in the Fort Worth Avenue TIF District Fund by Resolution No. 17-1546 and authorized amended Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs by Resolution No. 17-1547.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on April 9, 2018.

**ESTIMATED SCHEDULE OF PROJECT**

**Phase 1 of the Collective Sustainable Development Infrastructure Project (Completed)**

Began Design	March 2017
Completed Design	May 2017
Began Construction	June 2017
Completed Construction	August 2017

**Phase 2 of the Collective Sustainable Development Infrastructure Project**

Begin Design	May 2018
Complete Design	November 2018
Begin Construction	March 2019
Complete Construction	September 2019

## **FISCAL INFORMATION**

### **Collective Sustainable Development Infrastructure Project**

Fort Worth Avenue TIF District Funds - \$41,651.60

Regional Toll Revenue Funds - \$166,606.40

### **Project Cost**

#### **Phase 1 of the Collective Sustainable Development Infrastructure Project (Completed)**

Design (paid by private developer, not to be reimbursed)	\$ 45,500.00
Construction (Fort Worth Avenue TIF Fund)	\$ 56,592.62
Construction (RTR Fund)	<u>\$ 226,370.46</u>

Subtotal for Phase 1 \$ 328,463.08

#### **Phase 2 of the Collective Sustainable Development Infrastructure Project**

Design (Fort Worth Avenue TIF Fund)	\$ 41,651.60 (this action)
Design (RTR Fund)	<u>\$ 166,606.40 (this action)</u>

Design Subtotal \$ 208,258.00

Construction (Fort Worth Avenue TIF Fund)	\$ 398,318.38 (est.)
Construction (RTR Fund)	<u>\$ 1,593,273.54 (est.)</u>

Construction Subtotal \$ 1,991,591.92 (est.)

Subtotal for Phase 2 \$ 2,199,849.92 (est.)

Estimated total project cost for Phase 1 and Phase 2 \$ 2,528,313.00

### **Project Shared Cost**

NCTCOG/TxDOT's (RTR Fund) share of cost	\$ 1,986,250.00
City's share of Cost (Fort Worth Avenue TIF Fund)	\$ 496,563.00
Private Fund (for Phase 1 design, not to be reimbursed)	<u>\$ 45,500.00</u>

Estimated total project cost for Phase 1 and Phase 2 \$ 2,528,313.00

**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:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>M/WBE Goal</u></b>	<b><u>M/WBE %</u></b>	<b><u>M/WBE \$</u></b>
\$208,258.00	Architecture & Engineering	25.66%	37.93%	\$78,996.00

- This contract exceeds the M/WBE goal of 25.66%

**OWNER**

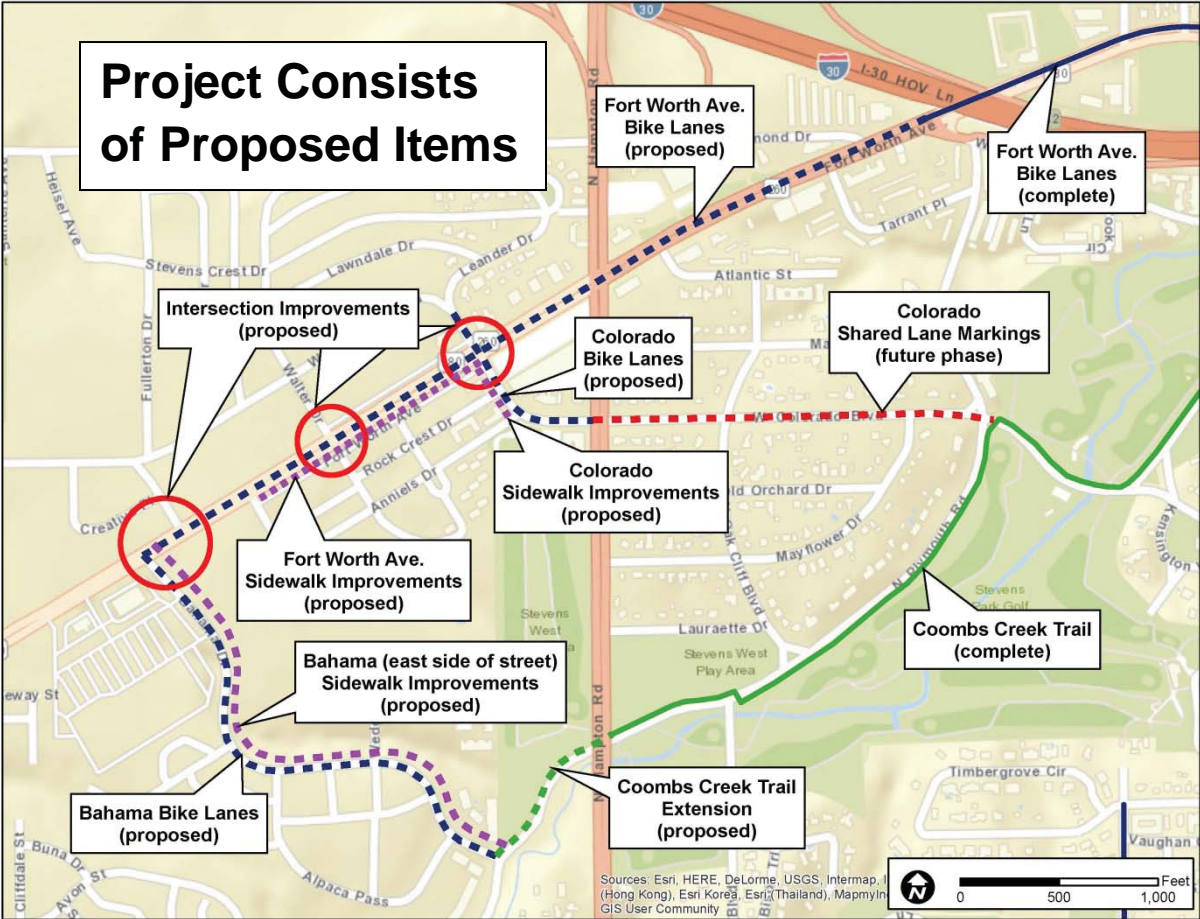
**Half Associates, Inc.**

Patrick Kunz, P.E., President

**MAP**

Attached

# The Collective Sustainable Development Infrastructure Project (Council District: 1)



**MAPSCO 43Y,Z; 44S,W; 53D**



April 11, 2018

**WHEREAS**, on June 3, 2010, the Regional Transportation Council (RTC) approved \$13,779,712 in Regional Toll Revenue (RTR) or local funds for nine infrastructure and three planning projects in the city of Dallas; and

**WHEREAS**, on August 25, 2010, City Council authorized support for projects selected within the city of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable by Resolution No. 10-2152; and

**WHEREAS**, on February 24, 2011, the Texas Transportation Commission concurred with RTC's selection of projects for the Collective Sustainable Development Infrastructure Project and its funding of \$1,986,250; and

**WHEREAS**, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of \$2,482,813, or \$496,563, which will be provided by the Fort Worth Avenue District Fund; and

**WHEREAS**, on September 26, 2012, City Council authorized an agreement with North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, The Park at Kessler, LP, for the costs of construction of the Collective Sustainable Development Infrastructure Project, in an amount not to exceed \$1,986,250, by Resolution No. 12-2361; and

**WHEREAS**, on December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved District-wide TIF funding request of up to \$496,562 as the required local matching funds for the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments Regional Transportation Council (RTC) for its Sustainable Development (SD) Program; and

**WHEREAS**, on September 27, 2017, City Council amended Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to delete the reimbursements to The Park at Kessler, LP; correct the funding source to receive and deposit funds from the Texas Department of Transportation; authorized the Fort Worth Avenue Tax Increment Financing (TIF) District Board of Directors to dedicate up to \$496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Government's Sustainable Development Program associated with the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District; and increase appropriations in an amount not to exceed \$496,563 in the Fort Worth Avenue TIF District Fund by Resolution No. 17-1546; and

April 11, 2018

**WHEREAS**, on September 27, 2017, City Council amended Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of the project costs by Resolution No. 17-1547; and

**WHEREAS**, the Request for Qualifications for professional engineering and consulting services for the Collective Sustainable Development Infrastructure Project and the Rosemont Safe Routes to School Project (BYZ1726) was advertised on October 5, 2017; and

**WHEREAS**, the Request for Qualifications and Proposal for the professional engineering and consulting services (BYZ1726) resulted in the selection of Halff Associates, Inc. for the design services for the Collective Sustainable Development Infrastructure Project and the Rosemont Safe Routes to School Project; and

**WHEREAS**, it is now necessary to authorize a professional services contract with Halff Associates, Inc. to provide design services for the Collective Sustainable Development Infrastructure Project, in an amount not to exceed \$208,258.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, to provide design services for the Collective Sustainable Development Infrastructure Project, in an amount not to exceed \$208,258.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$208,258.00 to Halff Associates, Inc., as follows:

Fort Worth Avenue TIF District Fund	
Fund 0058, Department ECO, Unit W180	
Activity FWTI, Object 4111, Program ECSD0004	
Contract/Encumbrance No. CX-PBW-2018-00005548	
Vendor 089861	\$ 41,651.60

April 11, 2018

**SECTION 2.** (continued)

Collective Sustainable Development Infrastructure Project Fund	
Fund S251, Department ECO, Unit P738	
Activity ECSD, Object 4111, Program ECSD0004	
Contract/Encumbrance No. CX-PBW-2018-00005548	
Vendor 089861	<u>\$166,606.40</u>
Total amount not to exceed	\$208,258.00

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

**AGENDA ITEM # 15**

**STRATEGIC  
PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

1

**DEPARTMENT:**

Department of Public Works  
Office of Economic Development

**CMO:**

Majed Al-Ghafry, 670-3302  
Raquel Favela, 670-3309

**MAPSCO:**

44 W X 54 A B C

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**SUBJECT**

Authorize **(1)** a professional services contract with Halff Associates, Inc. to provide design services for the Rosemont Safe Routes to School Project under the Transportation Alternatives Program (TAP) in the amount of \$86,957; **(2)** the acceptance of reimbursement funds from the Federal Highway Administration passed through the Texas Department of Transportation (TxDOT) (Contract No. CSJ 0918-47-138, CFDA No. 20.205) in the amount of \$69,566 as the Federal share for engineering design authorized by the Local Project Advance Funding Agreement previously approved on August 10, 2016, by Resolution No. 16-1200; **(3)** a local match in the amount of \$17,391; **(4)** the establishment of appropriations in an amount not to exceed \$69,566 in the TxDOT TAP-Rosemont Safe Routes to School Pedestrian Improvement Project Fund; and **(5)** the receipt and deposit of funds in an amount not to exceed \$69,566 in the TxDOT TAP-Rosemont Safe Routes to School Pedestrian Improvement Project Fund - Not to exceed \$86,957 - Financing: Texas Department of Transportation Grant Funds (\$69,566) and Davis Garden TIF District Funds (\$17,391)

**BACKGROUND**

The Request for Qualifications (BYZ1726) for professional engineering and consulting services for the Rosemont Safe Routes to School Project was advertised on October 5, 2017. Statements of Qualifications were received on November 2, 2017, which allowed City staff to evaluate and short list the interested firms for this project. After review of the proposals received on January 2, 2018 and evaluation of the interviews held on January 9, 2018, Halff Associates, Inc. ranked the highest for this project.

This action will authorize a professional services contract with Halff Associates, Inc. for design services for the Rosemont Safe Routes to School Project.

## **BACKGROUND** (continued)

The Rosemont Safe Routes to School Project hike and pedestrian improvements is a partnership with TxDOT, which was selected by TxDOT's TAP. It will provide approximately 3.5 miles of bicycle facilities and traffic-calming in the surrounding community along with an improved bicycle and pedestrian connection to Rosemont Elementary School.

Rosemont Primary School – Chris V. Semos Campus (pre-kindergarten through second grade) is directly adjacent to Rosemont Elementary and the International Language Preparatory Middle School (third through eight grades).

The purpose of the project is to support the neighborhood's desire for more of their children to bike and walk to school. The project's goals are to create a system of limited access safe streets across the neighborhood that connect to the two school campuses. This Safe Streets Plan is based on the model of neighborhood "greenway" systems throughout Portland and Seattle. This project was awarded by the TAP only for engineering design. The estimated engineering cost is \$104,991.33 of which TxDOT's participation is \$4,991.33, the Federal participation is \$80,000.00 and the City will provide \$20,000.00.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 27, 2014, the Transportation & Trinity River Corridor Project Committee was briefed on the Rosemont Safe Routes to School Project.

On May 28, 2014, City Council authorized the submission of two candidate projects to the North Central Texas Council of Governments for cost reimbursement for the proposed Transportation Alternatives Program 2014 for the proposed Trinity Skyline Trail Project and the Rosemont Safe Routes to School Project by Resolution No. 14-0830.

On August 8, 2016, the Transportation & Trinity River Project Committee was briefed on the Rosemont Safe Routes to School.

On August 10, 2016, City Council authorized a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation for the design review of the Rosemont Safe Routes to School Project by Resolution No. 16-1200.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on April 9, 2018.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Design                      May 2018  
Complete Design                December 2018

## **FISCAL INFORMATION**

Davis Garden TIF District Funds - \$17,391.40  
Texas Department of Transportation Grant Funds - \$69,565.60

## **Estimated Project Cost**

Engineering Design (Federal)	\$ 69,565.60 (this action)
Engineering Design (Davis Garden TIF)	\$ 17,391.40 (this action)
TxDOT Direct Costs (Federal)	\$ 10,434.40 (est.)
TxDOT Engineering Review (Davis Garden TIF)	\$ 2,608.60 (Resolution No. 16-1200)
TxDOT Indirect Costs (TxDOT)	<u>\$ 4,991.33 (est.)</u>
Total Project Costs	\$104,991.33 (est.)
City's Share of Cost (Davis Garden TIF)	\$ 20,000.00
Federal Share of Cost	\$ 80,000.00
TxDOT Share of Cost	<u>\$ 4,991.33</u>
	\$104,991.33*

\*This project was selected/funded by TAP for engineering design only.

## **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:

<b><u>Contract Amount</u></b>	<b><u>Category</u></b>	<b><u>DBE Goal</u></b>	<b><u>DBE %</u></b>	<b><u>DBE \$</u></b>
\$86,957.00	Architecture & Engineering	0.00%	24.64%	\$21,426.00

- This contract exceeds the DBE goal of 0.00%
- The City of Dallas has signed an Advance Funding Agreement with TxDOT allowing it to adopt our federally approved DBE program

**OWNER**

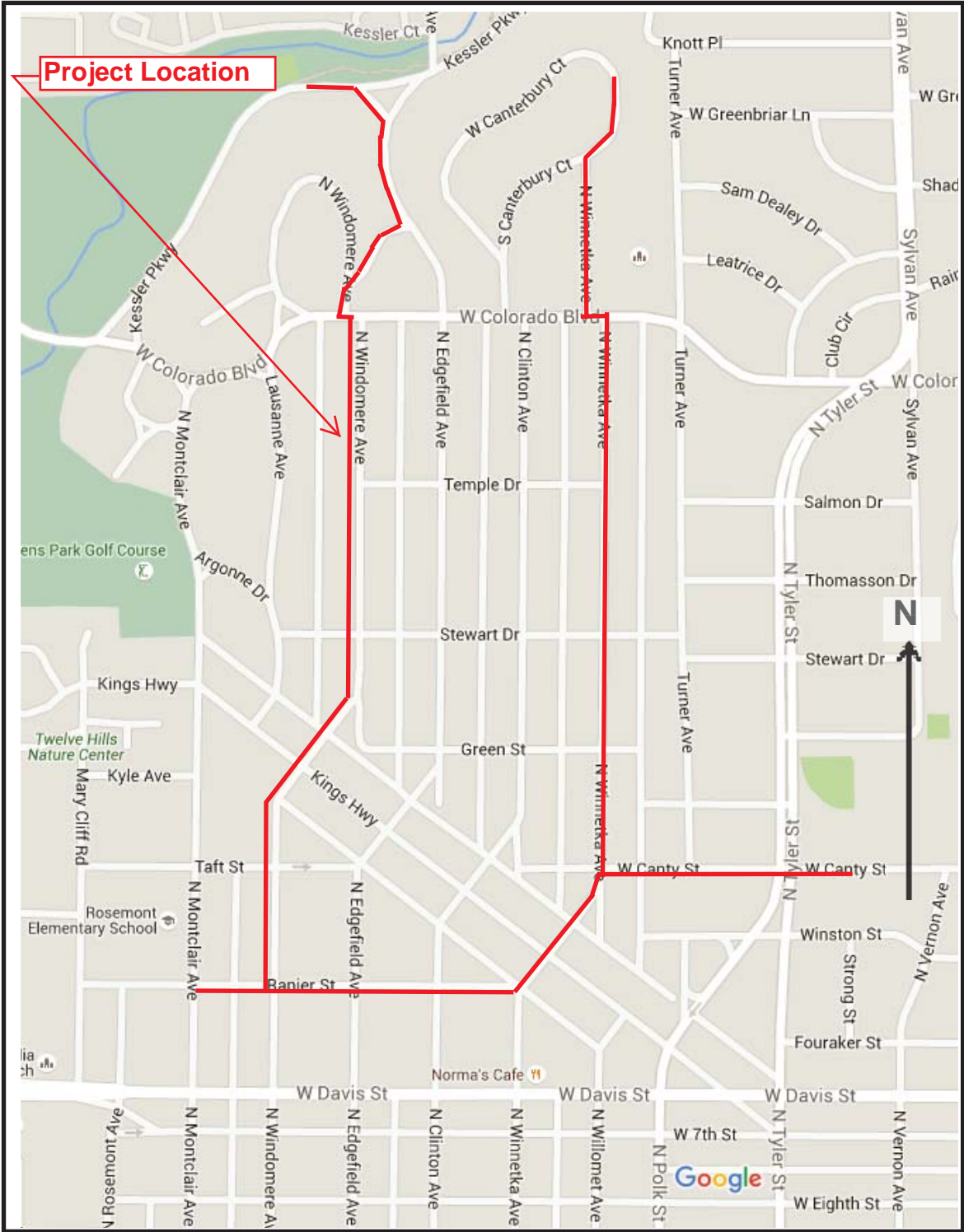
**Half Associates, Inc.**

Patrick Kunz, P.E., President

**MAP**

Attached

# Rosemont Safe Routes to School Project Council District: 1



Mapsco 44 W, X; 54 A, B, C,



April 11, 2018

**WHEREAS**, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments (NCTCOG) and the regional forum for cooperative decisions on transportation; and

**WHEREAS**, on February 13, 2014, the RTC approved approximately \$28 million for the 2014 Transportation Alternative Program (TAP) Call for Projects; and

**WHEREAS**, on May 28, 2014, City Council authorized the submission of two candidate projects to the NCTCOG for cost reimbursement for the proposed Transportation Alternative Program 2014 for the proposed Trinity Skyline Trail Project and the Rosemont Safe Routes to School Project, in an amount not to exceed \$2,885,000.00, by Resolution No. 14-0830; and

**WHEREAS**, on October 9, 2014, the RTC approved the submitted projects for funding by the 2014 TAP Call for Projects for the North Central Texas region; and

**WHEREAS**, on August 27, 2015, the Texas Transportation Commission awarded funding for the projects in the 2014 TAP Call for Projects; and

**WHEREAS**, the City of Dallas supported the Rosemont Safe Routes to School Project as applied for in the 2014 TAP Program Call for Projects, and will serve as the public sponsor and lead project contact on the projects; and

**WHEREAS**, the City of Dallas committed to fund or pass through funds from other sources for a minimum local cash or in-kind match of 20 percent of the total project cost, and confirmed that the City of Dallas will be responsible for any cost overruns; and

**WHEREAS**, the City of Dallas understood and acknowledged that all awarded funding will be provided on a reimbursement basis; and

**WHEREAS**, on August 10, 2016, City Council authorized a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation for the design review of Rosemont Safe Routes to School Project, in an amount not to exceed \$2,608.60, by Resolution No. 16-1200; and

**WHEREAS**, the Request for Qualifications for professional engineering and consulting services for the Collective Sustainable Development Infrastructure Project and the Rosemont Safe Routes to School Project (BYZ1726) was advertised on October 5, 2017; and

April 11, 2018

**WHEREAS**, the Request for Qualifications and Proposal for the professional engineering and consulting services (BYZ1726) resulted in the selection of Halff Associates, Inc. for the design services for the Collective Sustainable Development Infrastructure Project and the Rosemont Safe Routes to School Project; and

**WHEREAS**, it is now necessary to authorize a professional services contract with Halff Associates, Inc. for design services for the Rosemont Safe Routes to School Project, in an amount not to exceed \$86,957.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to sign a professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, for design services for the Rosemont Safe Routes to School, under the Transportation Alternatives Program (TAP) in an amount not to exceed \$86,957.00; and accept reimbursement funds from the Federal Highway Administration passed through the Texas Department of Transportation (Contract No. CSJ 0918-47-138, CFDA No. 20.205) in the amount of \$69,565.60 as the Federal share for engineering design authorized by the Local Project Advance Funding Agreement, previously approved on August 10, 2016, by Resolution No. 16-1200 that authorized disbursement of funds to the State for direct State costs.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$69,565.60 in the TxDOT TAP-Rosemont Safe Routes to School Pedestrian Improvement Project Fund, Fund F547, Department PBW, Unit 3588, Object 4111.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$69,565.60 from TxDOT in the TxDOT TAP-Rosemont Safe Routes to School Pedestrian Improvement Project Fund, Fund F547, Department PBW, Unit 3588, Revenue Code 6506.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$86,957.00 to Halff Associates, Inc., as follows:

TxDOT TAP-Rosemont Safe Routes to School Pedestrian Improvement Project Fund	
Fund F547, Department PBW, Unit 3588	
Activity INGV, Object 4111, Program DGTIF0012	
Encumbrance/Contract No. CX-PBW-2018-00005613	
Vendor 089861	\$69,565.60

April 11, 2018

**SECTION 4.** (continued)

Davis Garden TIF District Fund (as local match)	
Fund 0060, Department ECO, Unit P754	
Activity DGTI, Object 4111, Program DGTIF0012	
Encumbrance/Contract No. CX-PBW-2018-00005613	
Vendor 089861	<u>\$17,391.40</u>
Total amount not to exceed	\$86,957.00

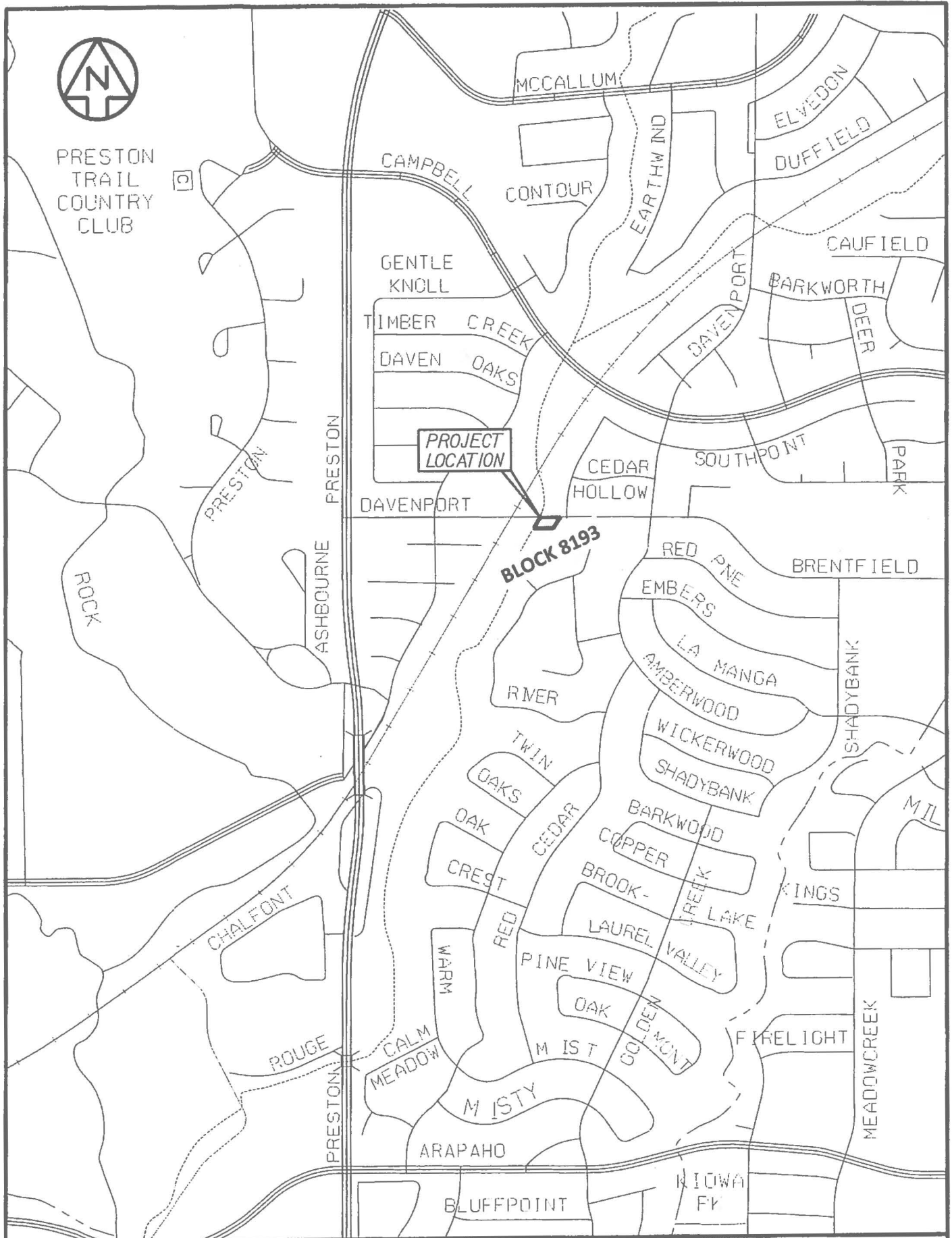
**SECTION 5.** That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 6.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

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



PRESTON  
TRAIL  
COUNTRY  
CLUB



6,399 S.F. (0.147 ACRE) PARCEL  
JOHN BECKNELL SURVEY ~ ABSTRACT NO. 53  
DALLAS CITY BLOCK 11/8193

April 11, 2018

**SECTION 5.** (continued)

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

6,399 SQUARE FOOT (0.147 ACRE)  
DALLAS CITY BLOCK 8193  
WASTEWATER EASEMENT  
FAIRHILL SCHOOL

EXHIBIT A

**BEING** a 6,399 square foot (0.147 Acre) parcel of land situated in the JOHN BECKNELL SURVEY, ABSTRACT NO. 53 in Official City Block No. 8193, in the City of Dallas, Dallas County, Texas, said parcel being part of a called 11.889 acre tract of land described in a Special Warranty Deed to Fairhill School, recorded in Volume 90207, Page 0090 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

**COMMENCING** at the northeast corner of Lot 22, Block 11/8193 of Prestonwood Creek, Section III, an addition to the City of Dallas, Dallas County, Texas according to the Plat thereof recorded in Volume 78199, Page 0642 of said Deed Records, and the south line of Davenport Road (60' R.O.W. at this point) from which a ½-inch steel rod (controlling monument) found bears North 89 degrees 32 minutes 24 seconds East a distance of 3.92 feet;

**THENCE** South 89 degrees 32 minutes 24 seconds West, along the north line of said Lot 22 and a City of Dallas Floodway Management Area, and the south line of Davenport Road, a distance of 347.82 feet to a ½-inch steel rod with cap marked "AZ&B" set at the northwest corner of said Floodway Management Area for the **POINT OF BEGINNING**;

**THENCE** South 36 degrees 04 minutes 14 seconds West, along the common line between said Fairhill School tract and said Floodway Management Area, a distance of 28.00 feet to a point for corner (unable to monument), from which a PK Nail set, bears South 36 degrees 04 minutes 14 seconds West, a distance of 11.61 feet;

**THENCE** South 89 degrees 32 minutes 24 seconds West, across said Fairhill School tract, a distance of 72.14 feet to a ½-inch steel rod with a cap marked "AZ&B" set for corner;

**THENCE** South 87 degrees 55 minutes 16 seconds West, continuing across said Fairhill School tract, a distance of 78.36 feet to a ½-inch steel rod with a cap marked "AZ&B" set in the southeast right-of-way line of the Dallas Area Rapid Transit (DART) right-of-way and the west line of said Fairhill School tract;

**THENCE** North 30 degrees 41 minutes 29 seconds East, along the common line between said DART right-of-way and said Fairhill School tract, a distance 52.25 feet to an "X" cut set in the south right-of-way of Davenport Road (40' right-of-way at this point) for the northwest corner of said Fairhill School tract;

FIELD NOTES APPROVED:

*10/30/12*



6,399 SQUARE FOOT (0.147 ACRE)  
DALLAS CITY BLOCK 8193  
WASTEWATER EASEMENT  
FAIRHILL SCHOOL

EXHIBIT A

**THENCE** North 89 degrees 32 minutes 24 seconds East, along the south line of said Davenport Road and the north line of said Fairhill School tract, a distance of 140.12 feet to an "X" cut set for the most northerly northeast corner of said Fairhill School Tract;

**THENCE** South 00 degrees 27 minutes 36 seconds East, along the east boundary of said Fairhill School tract, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 6,399 square feet (0.147 acre) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

A survey plat of even date accompanies this property description.

I the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this description and the accompanying survey plat were prepared from an actual survey made on the ground in the month of December, 2011.

  
Jeffrey Sheppard  
Registered Professional Land Surveyor No. 3696







SCALE (IN FEET)



EXHIBIT A



9/24/2012

PHASE I  
PRESTON GREEN ADDITION  
VOL. 72160, PG. 794  
P.R.D.C.T.

SOUTHPOINT DRIVE  
(50' R.O.W.)

DALLAS POWER & LIGHT CO.  
(100' R.O.W.)

BRAZOS RIVER ELECT  
EASEMENT

DALLAS AREA RAPID TRANSIT  
(100' R.O.W.)

1/2" SRF  
(CM)

6,399 S.F. (0.147 AC.)  
TO BE ACQUIRED

JOHN BECKNELL SURVEY A-53

DAVENPORT ROAD

P.O.C.  
1/2" SRF  
(CM)

DAVENPORT ROAD

N30°41'29"E  
52.25'

S87°55'16"W  
78.36'

S89°32'24"W  
72.14'

N89°32'24"E  
140.12'

N89°48'33"E 140.11' (DEED)

S01°12'27"E  
20.00' (DEED)

S0°27'36"E  
20.00'

N89°48'33"E 174

S89°32'24"W 347.82'

P.O.B.  
1/2" SRS  
S36°04'14"W  
28.00'

PK NAIL SET BEARS  
S36°04'14"W, 11.61'

ANITARY EWE R EASEMENT  
VOL. 78 9 PG. 064  
P.R.D.C.T.

BLOCK  
11/8193

RIVERVIEW LANE  
(50' R.O.W.)

PRESTONWOOD CREEK  
SECTION NO. III  
VOL. 78199, PG. 641  
P.R.D.C.T.

MCKAMY BRANCH  
CITY OF DALLAS  
FLOOD MANAGEMENT AREA

FAIRHILL SCHOOL  
VOL. 90207, PG. 0090  
D.R.D.C.T.

NOTES

A PROPERTY DESCRIPTION OF EVFN  
DNE ACCOMPANIES THIS PLAN.

BASIS OF BEARINGS IS THE TEXAS STATE  
PLANE COORDINATE SYSTEM NORTH AMERICAN  
DATA 83 (NAD83) NORTH CENTRAL ZONE,  
AS DETERMINED BY GPS OBSERVATIONS USING  
THE WDWRS NETWORK.

LEGEND

- X "X" CUT IN CONCRETE
- PK PK NAIL SET
- (CM) CONTROLLING MONUMENT
- O STEEL REBAR FOUND (SIZE AS NOTED)
- 1/2" STEEL REBAR SET W/ AZB PLASTIC CAP (EXCEPT AS NOTED)
- LIMITS OF PROPERTY TO BE ACQUIRED

S:\DWU\207010.001-Haliff-McKamy\Dgn\Easement\Fairhill School\ESMT-304\ESMT\_304.dgn

©

COMPUTED	PMC	CHD	JHS
DRAWN	PMC	EXD	JHS
SUPERVISOR	ED. UTZMAN		
DATE	12-14-11		
SCALE	1"=100'		

REVISION HISTORY	

**AZ&B**  
ARREDONDO, ZEPEDA  
& BRUNZ, INC  
11355 MCCREE ROAD  
DALLAS, TX 75238  
PH. 214-341-9900  
FAX 214-341-9935  
email: office@azb-engr.com

6,399 SQUARE FOOT (0.147 ACRE)  
DALLAS CITY BLOCK 8193  
WASTEWATER EASEMENT  
FAIRHILL SCHOOL

SHEET 3 OF 3 | DWG No. | REV



**AGENDA ITEM # 17**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 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

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**SUBJECT**

Authorize moving expense and replacement housing payments for Gary Lane as a result of an official written offer of just compensation to purchase real property at 10793 Riverview Drive for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$58,485 - 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 December 13, 2017, City Council authorized the acquisition of real property known as 10793 Riverview Drive for the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1844.

Gary Lane will be displaced as a direct result of this property acquisition. He qualifies for a moving expense payment of up to \$2,350 and a last resort calculated replacement housing payment of up to \$56,135 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 December 13, 2017, City Council authorized the acquisition by Resolution No. 17-1844.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Water Utilities Capital Improvement Funds - \$58,485

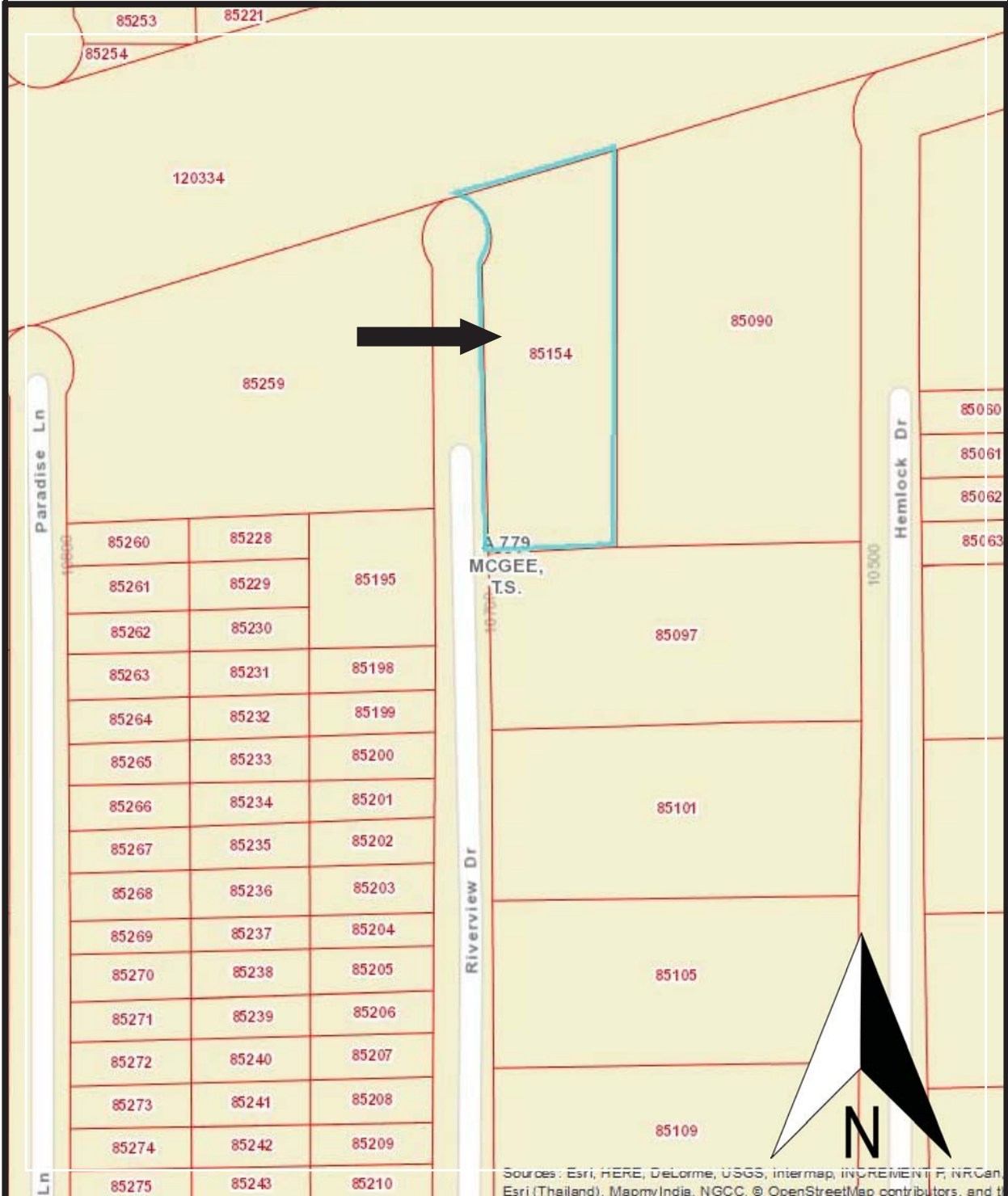
**OWNER**

Gary Lane

**MAP**

Attached

# LAKE TAWAKONI PIPELINE PROJECT RELOCATION ASSISTANCE



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and t

Lots 69-77, Block X – 10793 Riverview Drive

April 11, 2018

**WHEREAS**, on December 13, 2017, City Council authorized the acquisition of 10793 Riverview Drive to be used in conjunction with the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1844; and

**WHEREAS**, Gary Lane 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 Gary Lane will be displaced in conjunction with the construction of the 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 Gary Lane is eligible to receive a moving expense payment in an amount up to \$2,350.00 and a replacement housing payment in an amount up to \$56,135.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to draw warrants in favor of Gary Lane, in an amount not to exceed \$58,485 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-2017-00003048-1 Vendor VC18337	\$56,135
Water Capital Improvement Fund Fund 0102, Department DWU, Unit CW20 Object 4230, Program 704041 Encumbrance/Contract No. CX-DWU-2017-00003048-2 Vendor VC18279	<u>\$ 2,350</u>
Total amount not to exceed	\$58,485

April 11, 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 # 18**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Department of Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 33U

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**SUBJECT**

Authorize an amendment to an existing lease agreement with Dallas Brookhollow Place, LLC to extend the lease agreement for an additional five-years for approximately 4,162 square feet of office space located at 7610 North Stemmons Freeway, Suite 190 to be used as a Northwest Building Inspection District Office for the period June 1, 2018 through May 31, 2023 - Not to exceed \$384,985 - Financing: Building Inspection Current Funds (subject to annual appropriations)

**BACKGROUND**

This item authorizes an amendment to an existing lease agreement with Dallas Brookhollow Place, LLC to extend the lease agreement for an additional five-years for approximately 4,162 square feet of office space located at 7610 North Stemmons Freeway, Suite 190. The five-year extension will provide for the continued use of a Northwest Building Inspection District Office, to provide services that include the intake of contractor's registration, review, and processing of permit applications and inspections by the City of Dallas.

The five-year extension will begin on June 1, 2018 through May 31, 2023.

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

On February 27, 2013, City Council authorized a five-year and three month Lease Agreement by Resolution No. 13-0419.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Building Inspection Current Funds - \$384,985 (subject to annual appropriations)

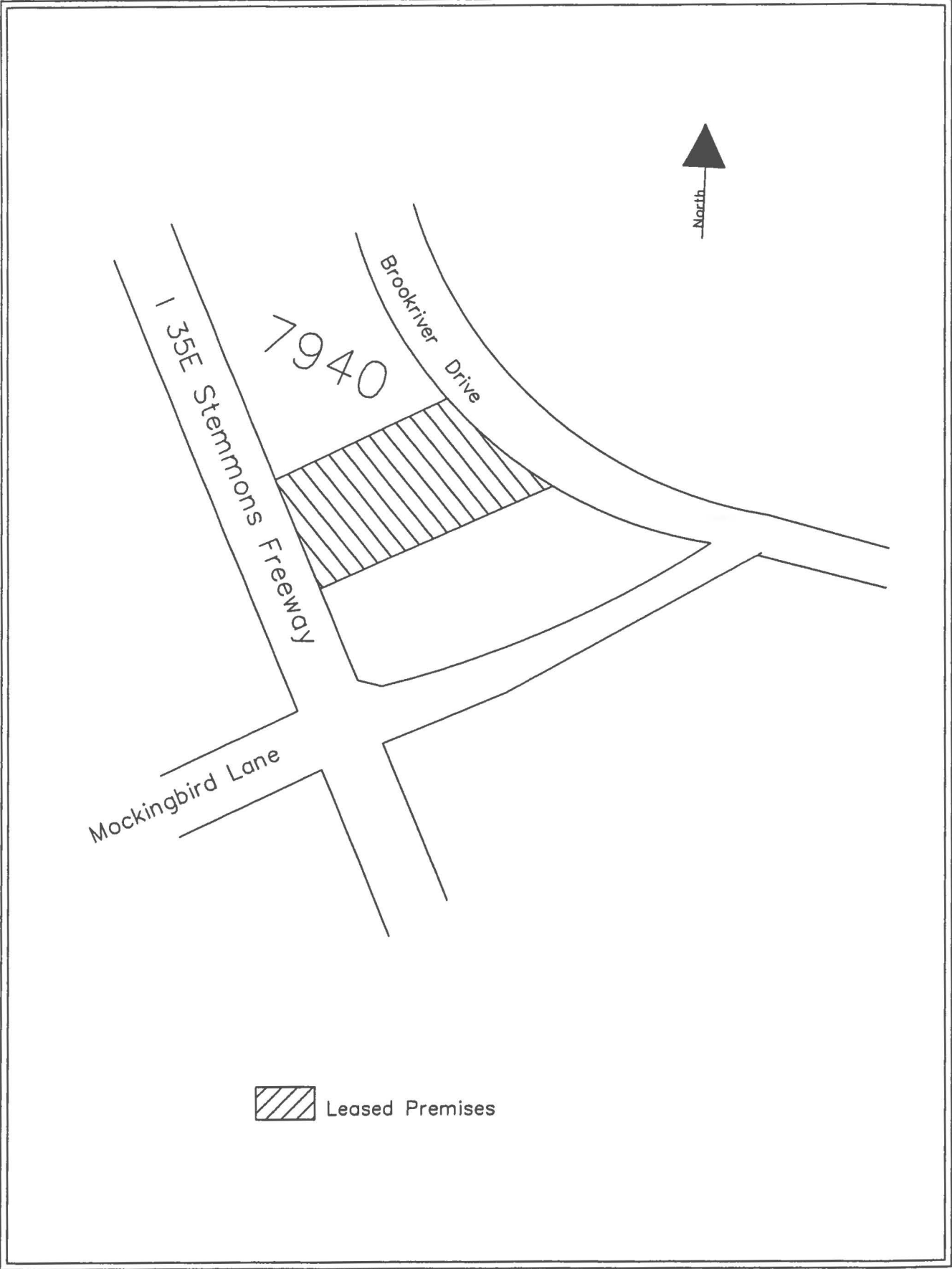
**OWNER**

**Dallas Brookhollow Place, LLC**

Kenneth M. Good Jr., Manager

**MAP**

Attached



7940

135E Stemmons Freeway

Brookriver Drive

Mockingbird Lane

 Leased Premises



April 11, 2018

**WHEREAS**, on February 27, 2013, by Resolution No. 13-0419, the City Council of Dallas authorized a five-year lease agreement dated March 1, 2013, (“the Lease”) with Texas Prince Properties, Inc., a Texas corporation, as landlord, (“Landlord”) and City of Dallas (“City”), as tenant for approximately 4,162 square feet of office space, located at 7610 North Stemmons Freeway, Suite 190, Dallas, Dallas County, Texas (“the Premises”) to be used by Building Inspection’s Northwest District Office; and

**WHEREAS**, Dallas Brookhollow Place, LLC a Texas limited liability company has purchased the property including the Premises and succeeded to and assumed the Lease as landlord (hereinafter “Landlord”); and

**WHEREAS**, the Lease, expires by its own terms on May 31, 2018; and

**WHEREAS**, the parties desire to renew, extend, modify and/or amend the Lease term to provide for an additional five-year term (“Extension Term”); at an amended rental rate.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager upon approval as to form by the City Attorney be and is hereby authorized to sign a First Amendment to the Lease Agreement between Dallas Brookhollow Place, LLC a Texas limited liability company and the City of Dallas.

**SECTION 2.** That the special terms and conditions of the First Amendment to the Lease Agreement are:

- (a) The term of the Lease is hereby extended for an additional five (5) years, beginning June 1, 2018 and ending May 31, 2023, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.
- (b) Monthly rental payments during the Extension Term shall be as follows:  
(subject to annual appropriations)  

June 1, 2018 – May 31, 2023	\$6,416.42 per month
-----------------------------	----------------------
- (c) The Landlord shall provide certain leasehold improvements to the Premises as specified in the First Amendment to the Lease Agreement.
- (d) All other terms of the Lease, not expressly amended hereby shall remain in full force and effect.

April 11, 2018

**SECTION 3.** That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Landlord, or its successors and assigns on the first day of each month in advance during the lease term beginning June 1, 2018 in the amount specified below:

June 1, 2018 – May 31, 2023                      \$6,416.42 per month (subject to annual appropriations)

**SECTION 4.** That the payments will be charged as follows:

June 1, 2018 – September 30, 2018: Fund 0150, Department DEV, Unit 3151, Object 3330, Encumbrance/Contract No. CX-DEV-2018-00005442, Commodity 97145, Vendor VC15303.

October 1, 2018 – May 31, 2023: Fund 0150, Department DEV, Unit 3151, Object 3330, Encumbrance/Contract No. CX-DEV-2018-00005442, Commodity 97145, Vendor VC15303.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone and communications companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

**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

**AGENDA ITEM # 19**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Department of Sustainable Development and Construction  
Water Utilities Department

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 45L

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**SUBJECT**

Authorize an amendment to an existing lease agreement with Pan Coastal Limited Partnership to extend the lease agreement for an additional five-years for approximately 33,967 square feet of office space located at 2121 Main Street to be used as Water Utilities Capital Improvement Division for the period April 24, 2018 through April 23, 2023 – Not to exceed \$2,912,670 - Financing: Water Utilities Current Funds (subject to annual appropriations)

**BACKGROUND**

This item authorizes an amendment to an existing lease agreement with Pan Coastal Limited Partnership to extend the lease agreement for an additional five-years for approximately 33,967 square feet of office space located at 2121 Main Street. The five-year extension will provide for the continued use of Water Utilities Capital Improvement Division.

The five-year extension will begin on April 24, 2018 through April 23, 2023.

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

On February 14, 1996, City Council authorized a five-year Lease Agreement by Resolution No. 96-0715.

On April 11, 2001, City Council authorized a five-year renewal to the Lease Agreement with Pan Coastal Limited Partnership from April 24, 2001 to April 23, 2006, by Resolution No. 01-1230.

On June 23, 2004, City Council authorized an amendment to the Lease Agreement with Pan Coastal Limited Partnership from April 23, 2006 to April 23, 2009, by Resolution No. 04-2068.

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

On January 28, 2009, City Council authorized a five-year Lease Agreement with Pan Coastal Limited Partnership for the period April 24, 2009 to April 23, 2014, by Resolution No. 09-0312.

On April 9, 2014, City Council authorized a four-year Lease extension with Pan Coastal Limited Partnership for the period April 24, 2014 to April 23, 2018, by Resolution No. 14-0602.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Water Utilities Current Funds - \$2,921,670 (subject to annual appropriations)

**OWNER**

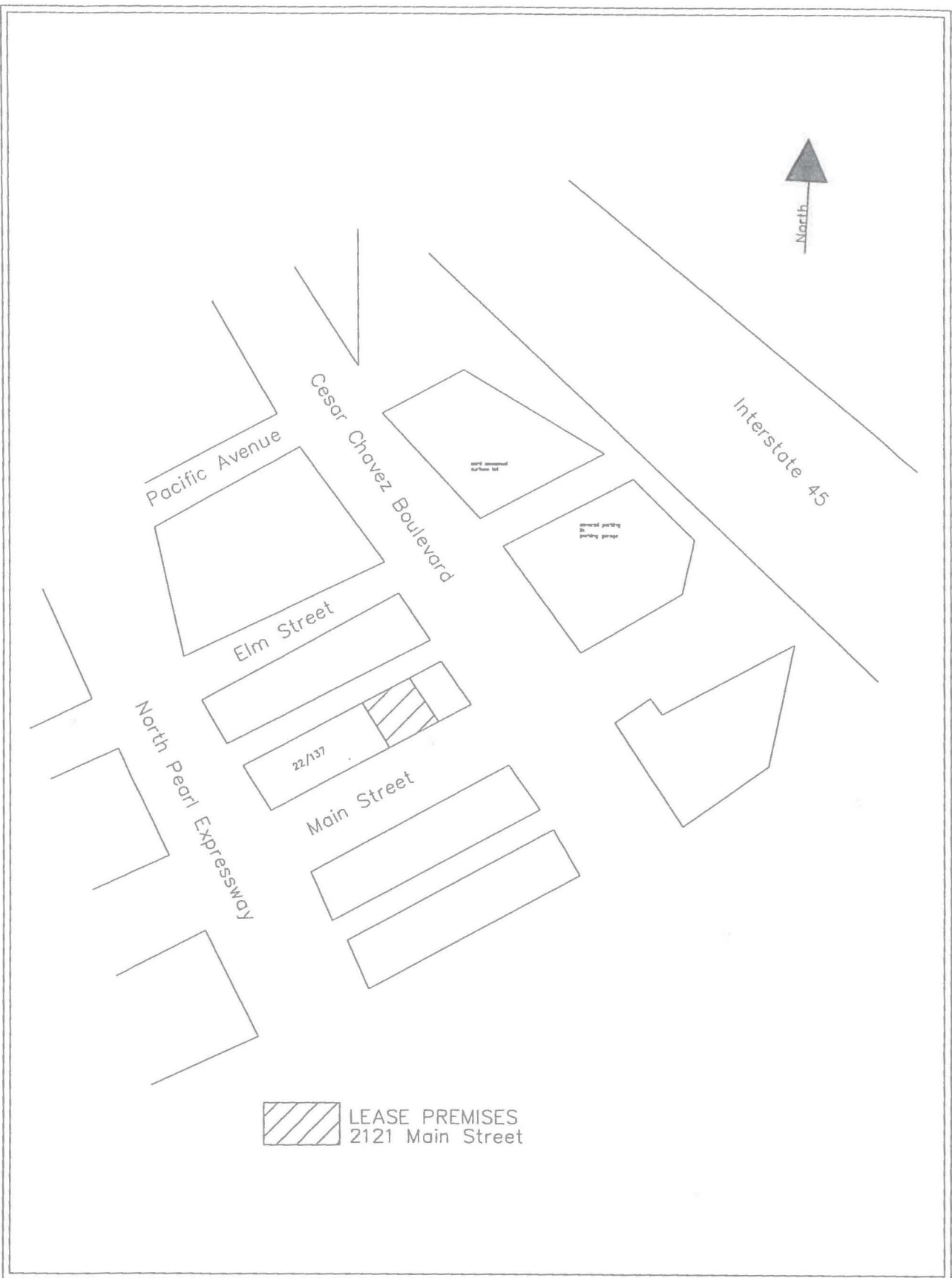
**Pan Coastal Limited Partnership**

Touricum Number Two Ltd.

Asad Rusho, Vice President

**MAP**

Attached



 LEASE PREMISES  
2121 Main Street

April 11, 2018

**WHEREAS**, on February 14, 1996 by Resolution 96-0715, City Council authorized a five-year lease agreement dated February 17, 1996, (“the Lease”) with Pan Coastal Limited Partnership, a Delaware limited partnership (“Landlord”), as landlord, and City of Dallas (“City”), as tenant for approximately 21,000 square feet of office space, located at 2121 Main Street and surface parking, located on Pacific Avenue, Main and Elm Streets (“surface lot”) and covered parking in 100 North Central parking garage, City of Dallas, Dallas County, Texas (“Premises”) to be used by Water Utilities Capital Improvement Division; and

**WHEREAS**, on April 11, 2001 by Resolution No. 01-1230, City Council authorized the First Amendment to the Lease Agreement dated April 30, 2001, to extend the lease term for an additional five-years; and

**WHEREAS**, on June 23, 2004 by Resolution No. 04-2068, City Council authorized the Second Amendment to the Lease Agreement dated June 25, 2004, to extend the lease term for an additional five-years and amending the Premises to include an additional area of approximately 12,967 square feet of office space for a total of approximately 33,967 square feet; and

**WHEREAS**, on January 28, 2009 by Resolution No. 09-0312, City Council authorized a New lease agreement and executed lease agreement dated February 17, 2009, to extend the lease term for an additional five-years; and

**WHEREAS**, on April 9, 2014 by Resolution No. 04-0602, City Council authorized the First Amendment to the Lease Agreement dated April 24, 2014, to extend the lease term for an additional four-years; and

**WHEREAS**, the Lease, as amended, expires by its own terms on April 23, 2018; and

**WHEREAS**, the parties desire to extend the lease term for an additional five-years (“Extension Term”); at an amended rental rate.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager upon approval as to form by the City Attorney, be and is hereby authorized to execute a Second Amendment to the Lease Agreement between Pan Coastal Limited Partnership, a Delaware limited partnership, and the City of Dallas.

April 11, 2018

**SECTION 2.** That the special terms and conditions of the Second Amendment to Lease Agreement are:

(a) The term of the Lease is extended for an additional five (5) years, beginning April 24, 2018 and ending April 23, 2023, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

(b) Monthly rental payments during the Extension Term shall be as follows:  
(subject to annual appropriations)

April 24, 2018 – April 23, 2023	\$48,544.50 per month
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(c) All other terms of the Lease, as amended, not expressly amended hereby shall remain and in full force and effect.

**SECTION 3.** That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Pan Coastal Limited Partnership, or its successors and assigns on the first day of each month in advance during the lease term beginning April 24, 2018 in the amount specified below:

April 24, 2018 – April 23, 2023 \$48,544.50 per month (subject to annual appropriations)

**SECTION 4.** That the payments will be charged as follows:

April 24, 2018 – April 23, 2019: Fund 0100, Department DWU, Unit 7120, Object 3330, Encumbrance/Contract No. CX-DWU-2018-00004515, Commodity 97145, Vendor 264518.

April 24, 2019 – April 23, 2020: Fund 0100, Department DWU, Unit 7120, Object 3330, Encumbrance/Contract No. CX-DWU-2018-00004515, Commodity 97145, Vendor 264518.

April 24, 2020 – April 23, 2021: Fund 0100, Department DWU, Unit 7120, Object 3330, Encumbrance/Contract No. CX-DWU-2018-00004515, Commodity 97145, Vendor 264518.

April 24, 2021 – April 23, 2022: Fund 0100, Department DWU, Unit 7120, Object 3330, Encumbrance/Contract No. CX-DWU-2018-00004515, Commodity 97145, Vendor 264518.

April 24, 2022 – April 23, 2023: Fund 0100, Department DWU, Unit 7120, Object 3330, Encumbrance/Contract No. CX-DWU-2018-00004515, Commodity 97145, Vendor 264518.

April 11, 2018

**SECTION 5.** That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, and security companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

**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: B m s T  
Assistant City Attorney



**AGENDA ITEM # 20**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Department of Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 45P

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**SUBJECT**

An ordinance granting a revocable license to Frankie's Downtown LLC for the use of approximately 405 square feet of land to occupy, maintain and utilize a sidewalk café and wooden planters on a portion of Main Street right-of-way, located near its intersection with Field Street - Revenue: \$200 annually and \$100 one-time fee, plus the \$20 ordinance publication fee

**BACKGROUND**

This item grants a revocable license to Frankie's Downtown LLC for the use of approximately 405 square feet of land to occupy, maintain and utilize a sidewalk café and wooden planters on a portion of Main Street right-of-way, located near its intersection with Field Street. 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 & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Revenue - \$200 annually and \$100 one-time fee, plus the \$20 ordinance publication fee

**OWNER**

**Frankie's Downtown LLC**

Johnnie Katz, Manager

**MAP**

Attached



This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**LICENSE AREA**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance granting a revocable license to Frankie’s Downtown LLC to occupy, maintain and utilize a portion of Main Street right-of-way located near its intersection with Field Street adjacent to City Block 69 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing a sidewalk café and wooden planters; providing for the terms and conditions of this license; providing for the annual and one-time fee 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 revocable license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to Frankie’s Downtown LLC, a Texas limited liability company, its successors and assigns, 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 seven (7) 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 **TWO HUNDRED AND NO/100 (\$200.00) DOLLARS** annually for the license herein granted for the sidewalk café, said sum to become due and payable on the 2<sup>nd</sup> day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/100 (\$200.00) DOLLARS** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2018. In addition, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code, **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **ONE HUNDRED AND NO/100 (\$100.00) DOLLARS**, for the license herein granted for wooden planters, said sum to be paid prior to the final passage of this ordinance and shall cover the total consideration for said purpose during the

**SECTION 3.** (continued)

license term. Such annual and one-time fee consideration, collectively, shall be in addition to and exclusive of any other taxes or special 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 Department of Sustainable Development and Construction 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: For the purpose of occupying, maintaining and utilizing a sidewalk café and wooden planters.

**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 to terminate and cancel this license, at will, by resolution passed by said Governing Body. 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

**SECTION 6.** (continued)

or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any 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 areas 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** shall provide a minimum of 6 feet of clear zone between the proposed area and the bus stop bench or benches per the requirements of the Complete Street Manual.
- (b) **GRANTEE** shall maintain pottery away from installed bus stop benches to maintain a fifty inch (50") minimum Americans with Disabilities Act (ADA) clearance.
- (c) **GRANTEE** shall comply with City of Dallas Sidewalk Café design standards.
- (d) **GRANTEE** acknowledges there are utility pipes under the sidewalk; and **GRANTEE** agrees to remove all improvements at their own cost in a reasonable time frame if requested by City of Dallas. **GRANTEE** further agrees that in the event failure of utilities causes damage to pavement or improvements within the license area, the City of Dallas will not be held liable and **GRANTEE** will bear all responsibilities and liabilities, including but not limited for restoration of pavement or improvements.
- (e) **GRANTEE** acknowledges Atmos has active facilities within the right-of-way of Main Street. If conflicts exist, **GRANTEE** shall be responsible for the cost to relocate those facilities.

**SECTION 8.** That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to

**SECTION 8.** (continued)

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 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 fees 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 **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 12.** That this ordinance is also designated for City purposes as Contract No. DEV-2017-00003552.

**SECTION 13.** 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

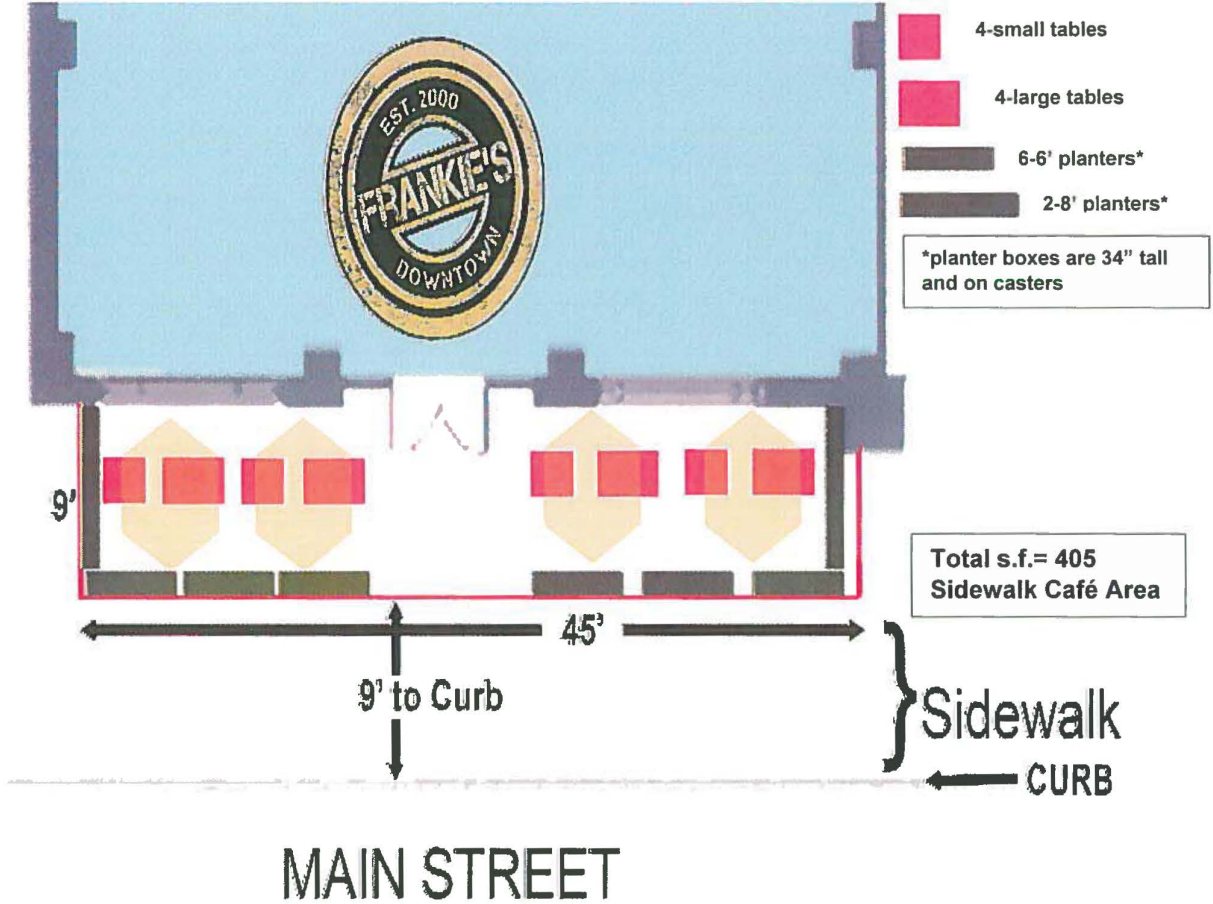
BY:   
Assistant Director

Passed \_\_\_\_\_.



# EXHIBIT A

## FRANKIE'S DOWNTOWN LLC



# 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 # 21**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

14

**DEPARTMENT:**

Department of Sustainable Development and Construction

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

35Q

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**SUBJECT**

An ordinance abandoning a portion of an alley to Travis Block Holding Company LLC, the abutting owner, containing approximately 2,325 square feet of land, located near the intersection of Knox and Travis Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,100 square feet of land needed for a wastewater easement - Revenue: \$225,293, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of a portion of an alley to Travis Block Holding Company LLC, the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The owner will dedicate approximately 3,100 square feet of land needed for a wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 152 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 April 9, 2018.

**FISCAL INFORMATION**

Revenue - \$225,293, plus the \$20 ordinance publication fee

**OWNER**

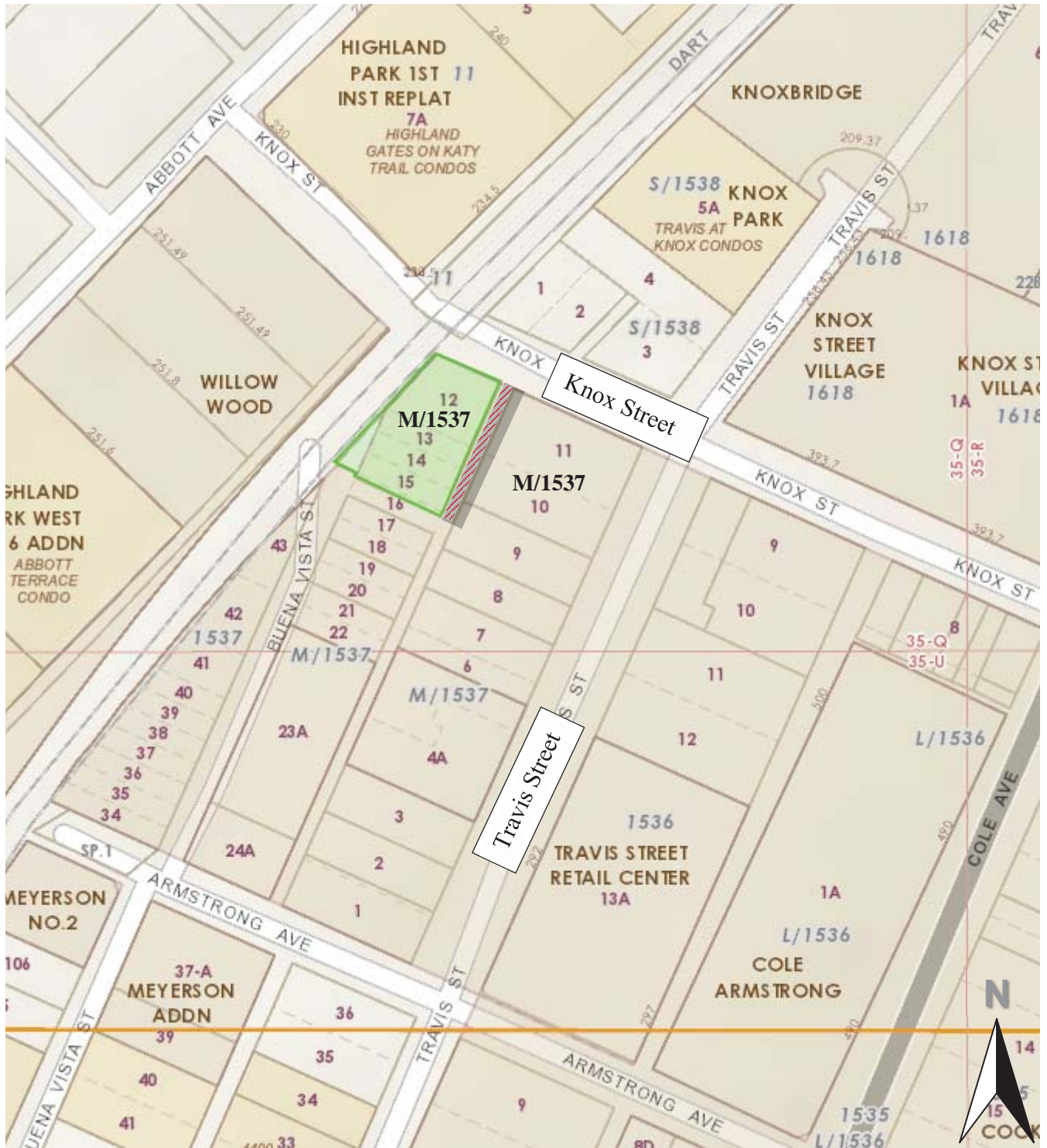
**Travis Block Holding Company LLC**


Sarofim Realty Advisors Co.

C. Al Galpern, President

**MAP**

Attached



Abandonment area = 

Dedication area =   
 (over abandonment area)

**ORDINANCE NO. \_\_\_\_\_**

An ordinance providing for the abandonment of a portion of an alley located adjacent to City Block M/1537 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to Travis Block Holding Company LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Travis Block Holding Company LLC, a Delaware 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 term, conditions, and reverter, herein provided, said portion of alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

**WHEREAS**, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the term, 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 and future effective date hereinafter more fully set out.



**SECTION 2.** That for and in monetary consideration of the sum of **TWO HUNDRED TWENTY-FIVE THOUSAND TWO HUNDRED NINETY-THREE AND NO/100 DOLLARS (\$225,293.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11 and 13, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, 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 10 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 suite 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, future effective date and conditions of this ordinance.

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

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

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

**SECTION 7.** That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to 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



**SECTION 8.** (continued)

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

**SECTION 9.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** acknowledges that, per the City of Dallas Thoroughfare Plan, Section 51A-9, Knox Street requires a minimum of 60 feet of right-of-way.

**SECTION 10.** 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

**SECTION 10.** (continued)

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 11.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey to the City of Dallas a 20 foot wastewater easement for water purposes, within 90 days of the effective date of this ordinance, in, under, through, access and along certain properties located in City Block M/1537. Said property to be conveyed shall be acceptable to the Director of Sustainable Development and Construction of the City of Dallas and containing approximately 3,100 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

**SECTION 12.** That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

**SECTION 13.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 14.** 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, and completion of the dedication set forth in Section 11 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 15.** That this ordinance is also designated for City purposes as Contract No. DEV-2017-00002284.

**SECTION 16.** 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

## ALLEY ABANDONMENT COCKRELL'S FAIRLAND ADDITION ADJACENT TO BLOCK M/1537 JOHN COLE SURVEY, ABSTRACT NO. 268 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 2,325 SQUARE FOOT (0.0534 ACRE) TRACT OF LAND SITUATED IN THE JOHN COLE SURVEY, ABSTRACT NO. 268, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF THE 15 FOOT WIDE PUBLIC ALLEY ADJACENT TO LOTS 9, 10, 11, 12, 13, 14 AND 15 IN BLOCK M/1537 OF COCKRELL'S FAIRLAND ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 142, PAGE 382, DEED RECORDS DALLAS COUNTY TEXAS (D.R.D.C.T.), SAID ALLEY BEING ADJACENT TO A PORTION OF THAT CALLED 1.239 ACRE TRACT OF LAND DESIGNATED AS TRACT 1 AND THAT CALLED 0.339 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 IN THE SPECIAL WARRANTY DEED TO TRAVIS BLOCK HOLDING COMPANY, LLC RECORDED IN INSTRUMENT NUMBER 201600269091, OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), ALSO BEING ADJACENT TO THAT THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO KNOX TRAVIS HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585, O.P.R.D.C.T., SAID 2,325 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A CUT "X" IN CONCRETE FOUND FOR THE EAST CORNER OF SAID LOT 12, BLOCK M/1537, ALSO BEING THE EAST CORNER OF SAID 0.339 ACRE TRACT OF LAND, SAME BEING THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID ALLEY AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF KNOX STREET (60 FOOT WIDE PUBLIC RIGHT-OF-WAY CREATED IN VOLUME 142, PAGE 382, D.R.D.C.T.);

**THENCE** SOUTH 66° 28' 11" EAST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET, A DISTANCE OF 15.00 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID LOT 11, BLOCK M/1537, ALSO BEING THE NORTH CORNER OF SAID 0.4476 ACRE TRACT OF LAND SAME BEING THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID ALLEY AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET FROM WHICH A CUT "X" IN CONCRETE FOUND BEARS NORTH 16° WEST, A DISTANCE OF 0.43 FEET;

**THENCE** SOUTH 23° 28' 00" WEST DEPARTING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET ALONG THE COMMON LINE OF SAID ALLEY AND SAID 0.4476 ACRE TRACT OF LAND PASSING AT A DISTANCE OF 130.00 FEET THE WEST CORNER OF SAID LOT 10, BLOCK M/1537 ALSO BEING A CORNER COMMON TO SAID 0.4476 ACRE TRACT OF LAND AND SAID 1.239 ACRE TRACT OF LAND FROM WHICH A CUT "X" IN CONCRETE FOUND BEARS SOUTH 47° WEST, A DISTANCE OF 0.45 FEET, CONTINUING ALONG THE COMMON LINE OF ALLEY AND SAID 1.239 ACRE TRACT OF LAND A TOTAL DISTANCE OF 155.02 FEET TO A CUT "X" IN CONCRETE SET FOR CORNER IN THE NORTHWESTERLY LINE OF SAID LOT 9, BLOCK M/1537;

(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 11/3/17

SPRG NO: 3952



# Exhibit A

**ALLEY ABANDONMENT  
COCKRELL'S FAIRLAND ADDITION  
ADJACENT TO BLOCK M/1537  
JOHN COLE SURVEY, ABSTRACT NO. 268  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**THENCE** NORTH 66° 28' 11" WEST DEPARTING THE COMMON LINE OF SAID ALLEY AND SAID 1.239 ACRE TRACT OF LAND, OVER AND ACROSS SAID ALLEY, A DISTANCE OF 15.00 FEET TO A CUT "X" IN CONCRETE FOUND FOR A CORNER COMMON TO SAID 0.339 ACRE TRACT OF LAND AND THE REMAINDER OF LOT 16, BLOCK M/1537 OF SAID COCKRELL'S FAIRLAND ADDITION DESCRIBED IN QUIT CLAIM DEED TO THE CITY OF DALLAS RECORDED IN VOLUME 2352, PAGE 592, D.R.D.C.T.;

**THENCE** NORTH 23° 28' 00" EAST ALONG THE COMMON LINE OF SAID 0.339 ACRE TRACT OF LAND AND SAID 15 FOOT ALLEY, A DISTANCE OF 155.02 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 2,325 SQUARE FEET OR 0.0534 ACRES OF LAND, MORE OR LESS.

**NOTES:**

THE BASIS OF BEARING IS THE NORTHWESTERLY LINE OF THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO KNOX TRAVIS HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585 OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS BEING S23°28'00"W.

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

(For SPRG use only)

Reviewed by: A. Rodriguez

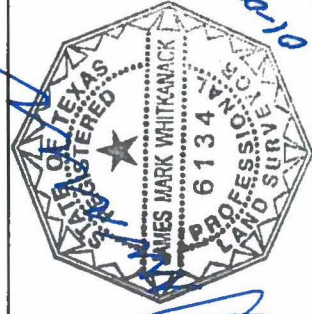
Date: 11/3/17

SPRG NO: 3952

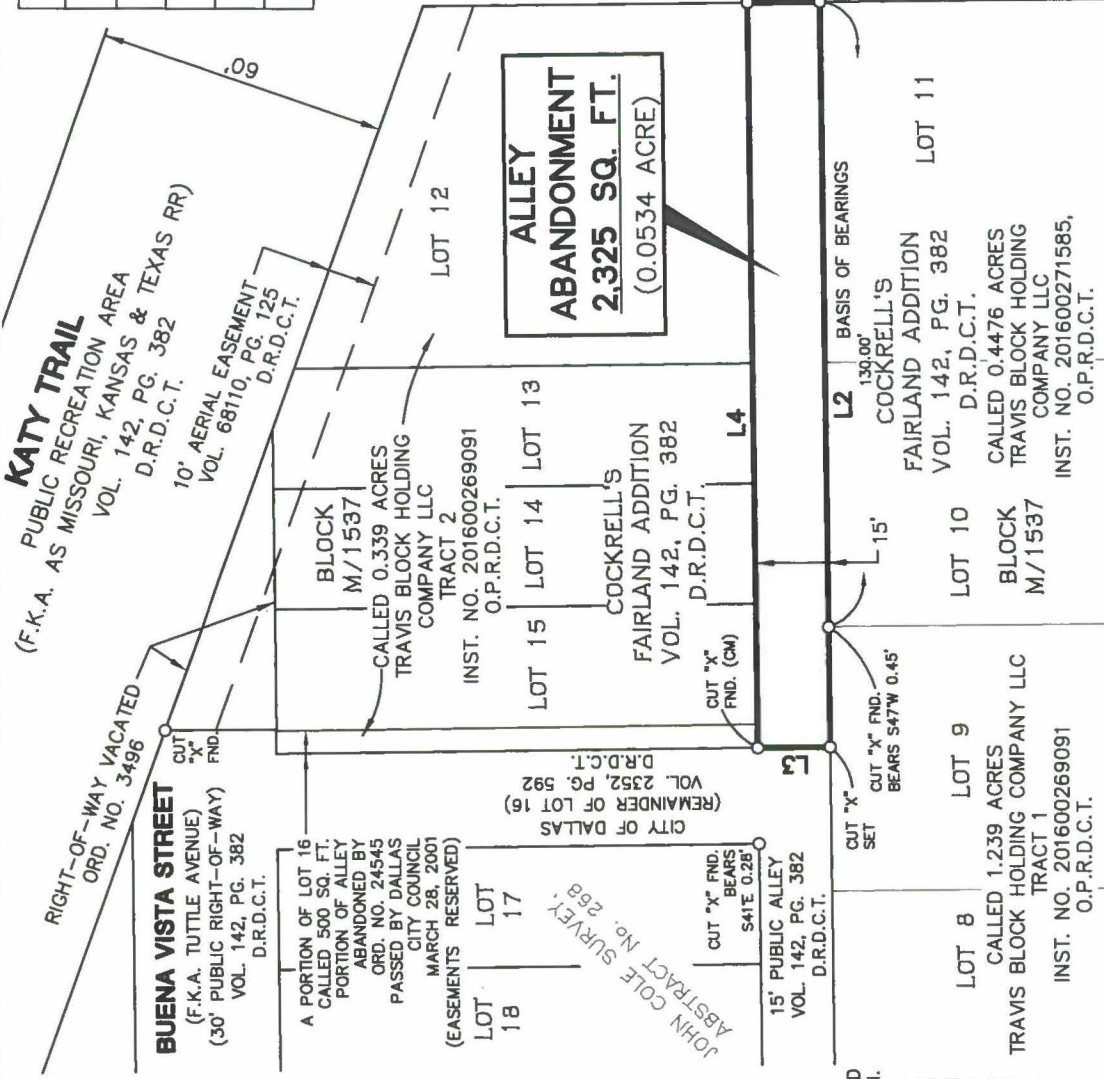


PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	S66°28'11"E	15.00'
L2	S23°28'00"W	155.02'
L3	N66°28'11"W	15.00'
L4	N23°28'00"E	155.02'

KNOX STREET  
 (60' PUBLIC RIGHT-OF-WAY)  
 VOL. 142, PG. 382  
 D.R.D.C.T.



JAMES M. WHITKACK  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6134



(FOR SPRG USE ONLY)  
 REVIEWED BY: A. Rodriguez  
 DATE: 1/3/17  
 SPRG NO. 3952

**ALLEY ABANDONMENT**  
 COCKRELL'S FAIRLAND ADDITION  
 ADJACENT TO BLOCK M/1537  
 JOHN COLE SURVEY, ABSTRACT NO. 268  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**stantec**  
 12222 Merit Drive, Suite 400  
 Dallas, Texas 75251  
 Tel. (972) 991-0011  
 TBPE # F-6324 TBPLS # 10194229  
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 January 2, 2017

**LEGEND**  
 IRF IRON ROD FOUND  
 FND FOUND  
 D.R.D.C.T. MAP/DEED RECORDS OF DALLAS COUNTY, TEXAS  
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS  
 VOL., PG. VOLUME, PAGE  
 INST. NO. INSTRUMENT NUMBER  
 SQ. FT. SQUARE FEET  
 CM CONTROLLING MONUMENT FORMERLY KNOWN AS  
 F.K.A. POINT OF BEGINNING  
**POB**

**NOTES:**  
 A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

THE BASIS OF BEARING IS THE NORTHWESTERLY LINE OF THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO TRAVIS BLOCK HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585 OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS BEING S23°28'00"W

A PORTION OF LOT 16 CALLED 500 SQ. FT. PORTION OF ALLEY ABANDONED BY M/1537 PASSED BY DALLAS CITY COUNCIL MARCH 28, 2001 (EASEMENTS RESERVED)  
 CALLLED 0.339 ACRES TRAVIS BLOCK HOLDING COMPANY LLC TRACT 2 INST. NO. 201600269091 O.P.R.D.C.T.  
 COCKRELL'S FAIRLAND ADDITION VOL. 142, PG. 382 D.R.D.C.T.  
 TRAVIS BLOCK HOLDING COMPANY LLC BLOCK M/1537 INST. NO. 201600271585 O.P.R.D.C.T.

# EXHIBIT B

## ADDITIONAL ABANDONMENT PROVISIONS

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



**EXHIBIT C**  
**20-FOOT WASTEWATER EASEMENT**  
**COCKRELL'S FAIRLAND ADDITION**  
**PART OF A 15' ALLEY AND PART OF LOTS 9, 10 & 11, BLOCK M/1537**  
**JOHN COLE SURVEY, ABSTRACT NO. 268**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 3,100 SQUARE FOOT (0.0712 ACRE) TRACT OF LAND SITUATED IN THE JOHN COLE SURVEY, ABSTRACT NO. 268, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF THE 15 FOOT WIDE PUBLIC ALLEY ADJACENT TO LOTS 9, 10, 11, 12, 13, 14 AND 15 AND BEING A PORTION OF LOTS 9, 10 AND 11 IN BLOCK M/1537 OF COCKRELL'S FAIRLAND ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 142, PAGE 382, DEED RECORDS DALLAS COUNTY TEXAS (D.R.D.C.T), SAID ALLEY BEING ADJACENT TO A PORTION OF THAT CALLED 1.239 ACRE TRACT OF LAND DESIGNATED AS TRACT 1 AND THAT CALLED 0.339 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 IN THE SPECIAL WARRANTY DEED TO TRAVIS BLOCK HOLDING COMPANY, LLC RECORDED IN INSTRUMENT NUMBER 201600269091, OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), ALSO BEING ADJACENT TO THAT THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO TRAVIS BLOCK HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585, O.P.R.D.C.T., SAID PORTION OF LOTS 9, 10 AND 11 BEING A PORTION OF SAID CALLED 1.239 ACRE TRACT OF LAND AND SAID CALLED 0.4476 ACRE TRACT OF LAND, SAID 3,100 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A CUT "X" IN CONCRETE FOUND FOR THE EAST CORNER OF SAID LOT 12, BLOCK M/1537, ALSO BEING THE EAST CORNER OF SAID 0.339 ACRE TRACT OF LAND, SAME BEING THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID ALLEY AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF KNOX STREET (60 FOOT WIDE PUBLIC RIGHT-OF-WAY CREATED IN VOLUME 142, PAGE 382, D.R.D.C.T.);

**THENCE** SOUTH 66° 28' 11" EAST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET, PASSING AT A DISTANCE OF 15.00 FEET A 5/8-INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID LOT 11, BLOCK M/1537, ALSO BEING THE NORTH CORNER OF SAID 0.4476 ACRE TRACT OF LAND SAME BEING THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID ALLEY AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET FROM WHICH A CUT "X" IN CONCRETE FOUND BEARS NORTH 16° WEST, A DISTANCE OF 0.43 FEET, CONTINUING A TOTAL DISTANCE OF 20.00 FEET TO A 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "STANTEC EASEMENT" SET;

**THENCE** SOUTH 23° 28' 00" WEST DEPARTING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID KNOX STREET OVER AND ACROSS SAID 0.4476 ACRE TRACT OF LAND, PASSING AT A DISTANCE OF 129.99 FEET THE COMMON LINE OF SAID 0.4476 ACRE TRACT OF LAND AND SAID 1.239 ACRE TRACT OF LAND, CONTINUING ACROSS SAID 1.239 ACRE TRACT OF LAND, A TOTAL DISTANCE OF 155.02 FEET TO A 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "STANTEC EASEMENT" SET;

**THENCE** NORTH 66° 28' 11" WEST CONTINUING OVER AND ACROSS SAID 1.239 ACRE TRACT OF LAND, PASSING AT A DISTANCE OF 5.00 FEET A CUT "X" IN CONCRETE FOUND IN THE COMMON LINE OF AFOREMENTIONED ALLEY AND SAID 1.239 ACRE TRACT OF LAND, CONTINUING OVER AND ACROSS SAID ALLEY, A TOTAL DISTANCE OF 20.00 FEET TO A CUT "X" IN CONCRETE FOUND FOR A CORNER COMMON TO SAID 0.339 ACRE TRACT OF LAND AND THE REMAINDER OF LOT 16, BLOCK M/1537 OF SAID COCKRELL'S FAIRLAND ADDITION DESCRIBED IN QUIT CLAIM DEED TO THE CITY OF DALLAS RECORDED IN VOLUME 2352, PAGE 592, D.R.D.C.T.;

(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 3/19/18

SPRG NO: 4020



# EXHIBIT C

**20-FOOT WASTEWATER EASEMENT  
COCKRELL'S FAIRLAND ADDITION  
PART OF A 15' ALLEY AND PART OF LOTS 9, 10 & 11, BLOCK M/1537  
JOHN COLE SURVEY, ABSTRACT NO. 268  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

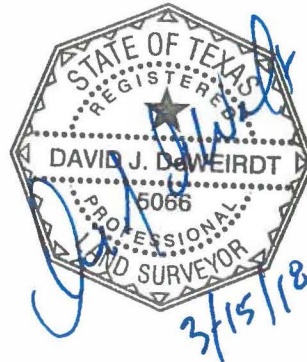
**THENCE** NORTH 23° 28' 00" EAST ALONG THE COMMON LINE OF SAID 0.339 ACRE TRACT OF LAND AND SAID 15 FOOT ALLEY, A DISTANCE OF 155.02 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 3,100 SQUARE FEET OR 0.0712 ACRES OF LAND, MORE OR LESS.

**NOTES:**

THE BASIS OF BEARING IS THE NORTHWESTERLY LINE OF THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO KNOX TRAVIS HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585 OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS BEING S23°28'00"W.

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.



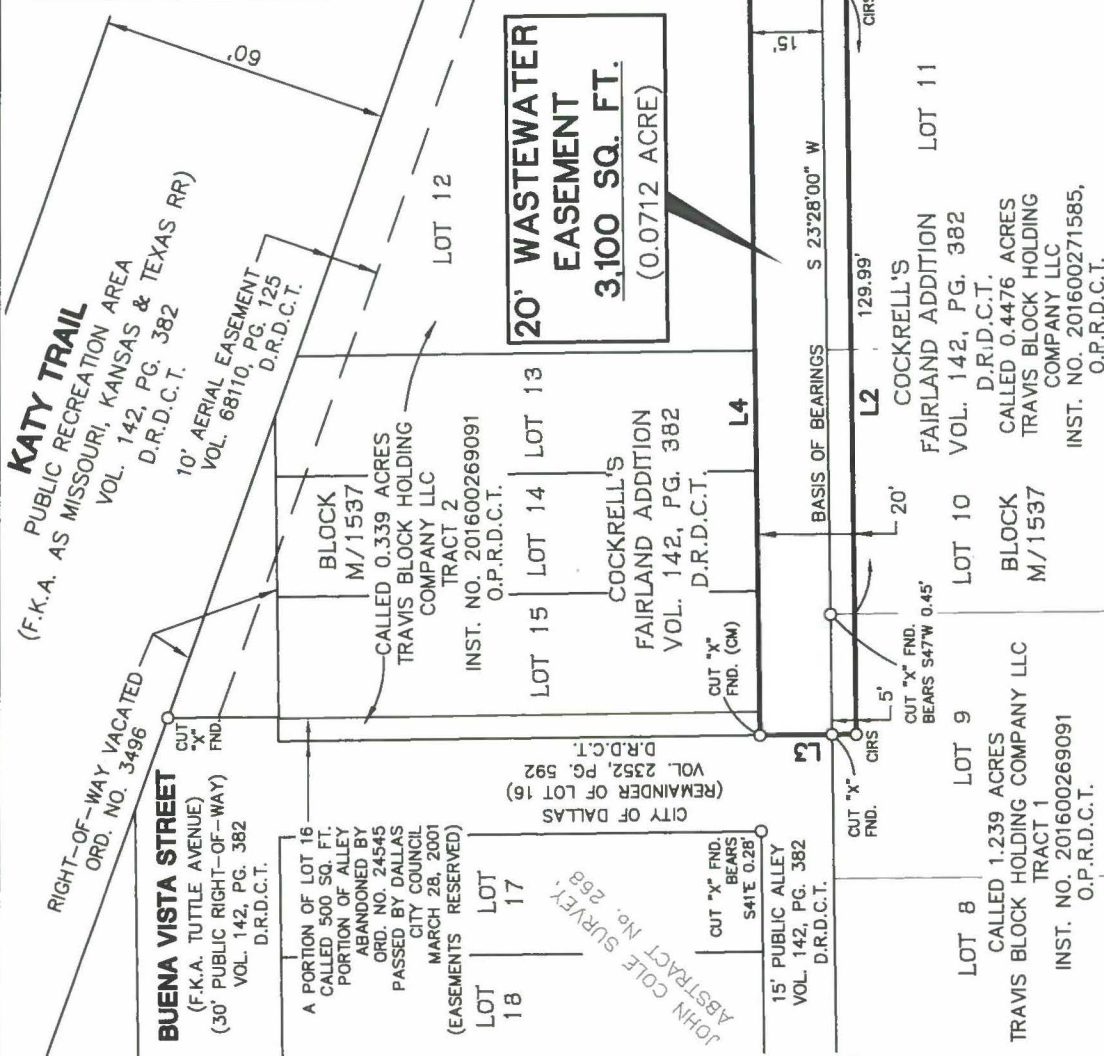
(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 3/19/18

SPRG NO: 4020

PARCEL LINE DATA			
LINE #	BEARING	DISTANCE	
L1	S66°28'11"E	20.00'	
L2	S23°28'00"W	155.02'	
L3	N66°28'11"W	20.00'	
L4	N23°28'00"E	155.02'	



**KATY TRAIL**  
PUBLIC RECREATION AREA  
(F.K.A. AS MISSOURI, KANSAS & TEXAS RR)  
VOL. 142, PG. 382  
D.R.D.C.T.

**BUENA VISTA STREET**  
(F.K.A. TUTTLE AVENUE)  
(30' PUBLIC RIGHT-OF-WAY)  
VOL. 142, PG. 382  
D.R.D.C.T.

**20' WASTEWATER EASEMENT**  
**3,100 SQ. FT.**  
(0.0712 ACRE)

**LOT 12**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

**LOT 13**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

**LOT 14**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

**LOT 15**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

**LOT 16**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

**LOT 17**  
COCKRELL'S  
FAIRLAND ADDITION  
VOL. 142, PG. 382  
D.R.D.C.T.

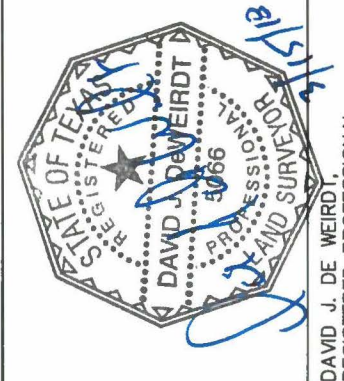
**LEGEND**  
IRF IRON ROD FOUND  
CIRS 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "STANTEC EASEMENT" SET  
FND. FOUND  
D.R.D.C.T. MAP/DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS  
VOL., PG. VOLUME, PAGE  
INST. NO. INSTRUMENT NUMBER  
SQ. FT. SQUARE FEET  
CM CONTROLLING MONUMENT FORMERLY KNOWN AS  
F.K.A. POINT OF BEGINNING  
**POB**

**NOTES:**  
A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.  
THE NORTHWESTERLY LINE OF THAT CALLED 0.4476 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO TRAVIS BLOCK HOLDING COMPANY LLC, RECORDED IN INSTRUMENT NUMBER 201600271585 OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS BEING S23°28'00"W

**20-FOOT WASTEWATER EASEMENT**  
COCKRELL'S FAIRLAND ADDITION  
PART OF A 15' ALLEY AND PART OF LOTS 9, 10, & 11, BLOCK M/1537  
JOHN COLE SURVEY, ABSTRACT NO. 268  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**Stantec**  
12222 Merit Drive, Suite 400  
Dallas, Texas 75251  
Tel. (972) 991-0011  
TBPE # F-6324 TBPLS # 10194229  
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MARCH 15, 2018

**(FOR SPRG USE ONLY)**  
REVIEWED BY: A. Rodriguez  
DATE: 3/19/18  
SPRG NO. 4020



DAVID J. DE WEIRDT,  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5066

**AGENDA ITEM # 22**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

6

**DEPARTMENT:**

Department of Sustainable Development and Construction

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

11A D

---

**SUBJECT**

An ordinance abandoning four wastewater easements to Crow-Billingsley Belt Line, LTD., Billingsley Yorkshire Partners, LTD., and GRBK Edgewood, LLC, the abutting owners, containing a total of approximately 105,521 square feet of land, located near the intersection of Belt Line and North Lake Roads - Revenue: \$5,400, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of four wastewater easements to Crow-Billingsley Belt Line, LTD., Billingsley Yorkshire Partners, LTD., and GRBK Edgewood, LLC, the abutting owners. The area will be included with the property of the abutting owners for a single family residential development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

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

**OWNERS**

**Crow-Billingsley Belt Line, LTD.**

Henry GP, L.L.C

Henry Billingsley, Manager

**Billingsley Yorkshire Partners, LTD.**

Billingsley 380 North GP, L.L.C.

Lucy Billingsley, Manager

**GRBK Edgewood, LLC**

Jed Dolson, Manager

**MAP**

Attached





Abandonment areas =    

**ORDINANCE NO. \_\_\_\_\_**

An ordinance providing for the abandonment and relinquishment of four wastewater easements, located in City Block 8461 in the City of Dallas and Irving and County of Dallas, Texas; providing for the quitclaim thereof to Crow-Billingsley Belt Line, LTD., Billingsley Yorkshire Partners, LTD., and GRBK Edgewood, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the 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 Crow-Billingsley Belt Line, LTD., a Texas limited partnership; Billingsley Yorkshire Partners, LTD., a Texas limited partnership; and GRBK Edgewood, LLC, a Texas limited liability company; hereinafter referred to collectively 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 **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 tracts or parcels of land hereinabove described in Exhibit A as follows: unto Crow-Billingsley Belt Line, LTD. all of its right, title and interest in Tract 1 of Exhibit A; unto Billingsley Yorkshire Partners, LTD. all of its right, title and interest in Tract 2 of Exhibit A; and unto GRBK Edgewood, LLC, all of its right, title and interest in Tracts 3 and 4 of 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**, their 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**, their 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**, their 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**, their 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**, their successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, “Hazardous Substance” means the following: (a) any “hazardous substances” under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any “hazardous substance” under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.



**SECTION 8.** (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

**SECTION 9.** That 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-2018-00005024.

**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:   
Assistant Director

Passed \_\_\_\_\_.

# EXHIBIT A-TRACT 1

WASTEWATER EASEMENT ABANDONMENT  
BEING IN A 65.6944 ACRE TRACT SITUATED IN THE  
JOHN C. COOK SURVEY, ABSTRACT NO. 315  
CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 37,117 square foot (0.8521 acre) tract of land situated on the John C. Cook Survey, Abstract No. 315, City of Dallas and City of Irving, Dallas County, Texas; and being part of a 65.6944 acre tract of land described in Correction Special Warranty Deed to Crow-Billingsley Beltline, LTD. recorded in Volume 86068, Page 5186, Deed Records of Dallas County, Texas and being all of a wastewater easement to the City of Dallas recorded in Instrument No. 201700111891, Official Public Records of Dallas County, Texas; and being more particularly described as follows:

**COMMENCING** at a 5/8" iron rod with plastic cap stamped "KHA" found at north corner of a right-of-way corner clip found at the intersection of the south right-of-way line of Beltline Road (a variable width right-of-way, described in Right-of-Way Deed to the County of Dallas, recorded in Volume 4601, Page 37 of the Deed Records of Dallas County, Texas) and the east right-of-way line of North Lake Road (an 80-foot wide right-of-way easement to the County of Dallas described in Volume 4669, Page 443 of said Deed Records) and being the northernmost northwest corner of a tract of land described in Special Warranty Deed to Billingsley Yorkshire Partners, LTD. recorded in Instrument No. 201500096360 of the Official Public Records of Dallas County, Texas;

**THENCE** with said south right-of-way line of Beltline Road, South 71°21'48" East, a distance of 432.40 feet a 1/2-inch iron rod found at the northeast corner of said Billingsley Yorkshire Partners, LTD. tract and the northwest corner of said 65.6944 acre tract;

**THENCE** departing said south right-of-way line and with the east line of said Billingsley Yorkshire Partners, LTD. tract and the west line of said 65.6944 acre tract, South 0°34'58" East, a distance of 514.45 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the **POINT OF BEGINNING**;

**THENCE** departing said east line and said west line, over and across said 65.6944 acre tract, the following courses and distances to wit:

South 81°01'11" East, a distance of 44.84 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 88°46'24" East, a distance of 650.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 58°18'13" East, a distance of 347.41 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in said south right-of-way line of Beltline Road and in the north line of said 65.6944 acre tract, at the beginning of a non-tangent curve to the left having a central angle of 2°55'27", a radius of 3819.72 feet, a chord bearing and distance of South 77°00'44" East, 194.92 feet;

DANA BROWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER  
SUITE 700  
DALLAS, TEXAS 75240  
PH. (972) 770-1300  
dana.brown@kimley-horn.com



(For SPRG use only)  
Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4378

## 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	SEP. 2016	063973040	1 OF 5



# EXHIBIT A-TRACT 1

## WASTEWATER EASEMENT ABANDONMENT BEING IN A 65.6944 ACRE TRACT SITUATED IN THE JOHN C. COOK SURVEY, ABSTRACT NO. 315 CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS

**THENCE** with said south right-of-way line and said north line of the 65.6944 acre tract, in a southeasterly direction, with said curve to the left, an arc distance of 194.94 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the northeast corner of said 65.6944 acre tract and the northwest corner of a 65.7731 acre tract of land described in Special Warranty Deed to Billingsley Cornell Capital, L.P., recorded in Volume 2005151, Page 12330, Official Public Records of Dallas County, Texas;

**THENCE** departing said south right-of-way line and with the east line of said 65.6944 acre tract and the west line of said 65.7731 acre tract, South 0°34'58" East, a distance of 30.68 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the right having a central angle of 2°49'46", a radius of 3849.72 feet, a chord bearing and distance of North 77°09'19" West, 190.09 feet;

**THENCE** departing said east and west lines, over and across said 65.6944 acre tract, the following courses and distances to wit:

In a northwesterly direction, with said curve to the right, an arc distance of 190.11 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 58°18'13" West, a distance of 342.83 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the north line of a 9.34 acre tract of land described in deed to Dallas Power and Light Company, recorded in Volume 4594, Page 300, Deed Records of Dallas County, Texas;

**THENCE** with the north line of said 9.34 acre tract, South 88°46'24" West, a distance of 661.35 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

**THENCE** departing said north line, North 81°01'11" West, a distance of 42.47 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the west line of said 65.6944 acre tract and the east line of said Billingsley Yorkshire Partners, Ltd. tract;

**THENCE** with said east and west lines, North 0°34'58" West, a distance of 30.42 feet to the **POINT OF BEGINNING** and containing 37,117 square feet or 0.8521 acres of land.

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

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



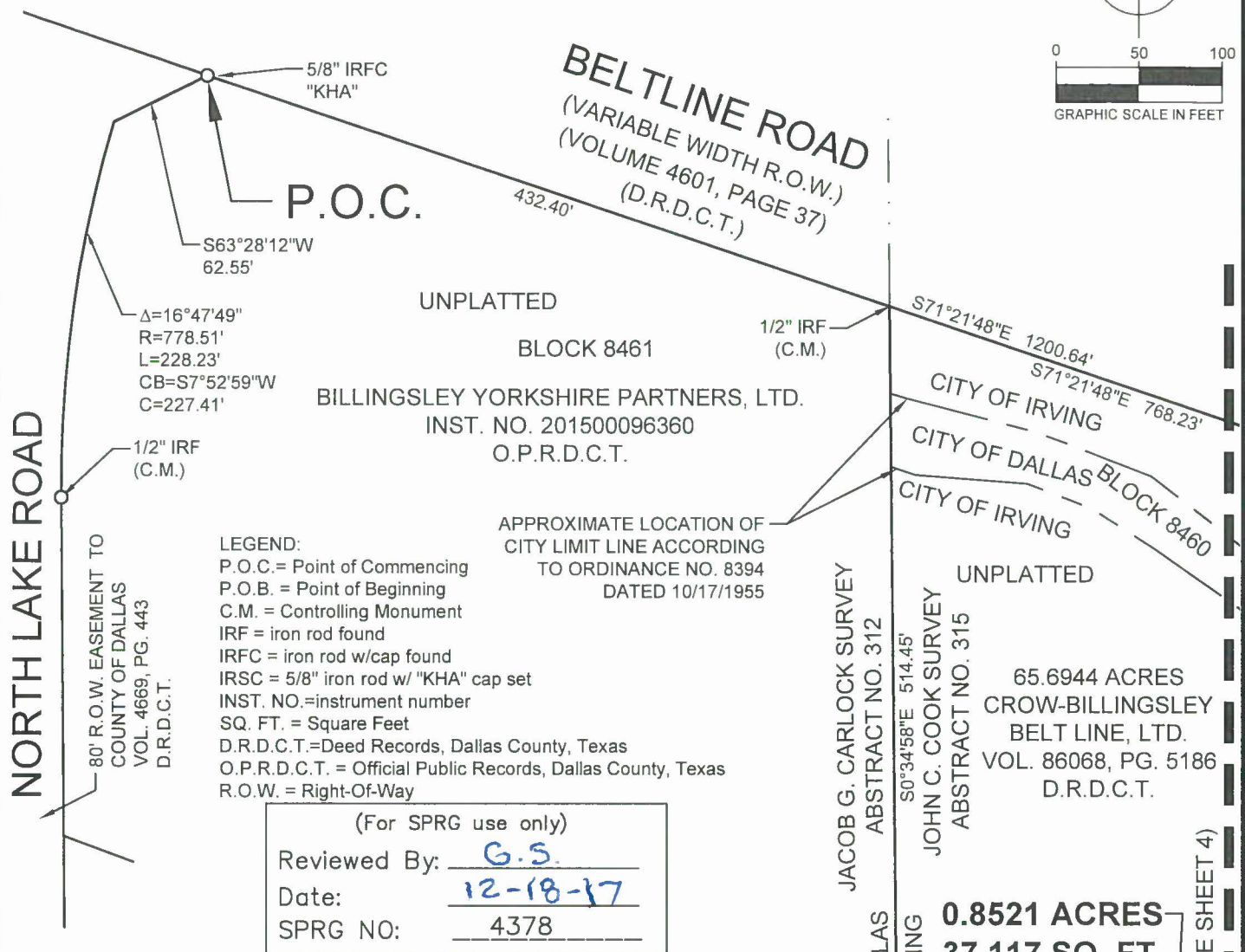
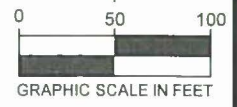
(For SPRG use only)  
Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4378

### Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	SEP. 2016	063973040	2 OF 5

WASTEWATER EASEMENT ABANDONMENT  
 BEING IN A 65.6944 ACRE TRACT SITUATED IN THE  
 JOHN C. COOK SURVEY, ABSTRACT NO. 315  
 CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND:  
 P.O.C. = Point of Commencing  
 P.O.B. = Point of Beginning  
 C.M. = Controlling Monument  
 IRF = iron rod found  
 IRFC = iron rod w/cap found  
 IRSC = 5/8" iron rod w/ "KHA" cap set  
 INST. NO. = instrument number  
 SQ. FT. = Square Feet  
 D.R.D.C.T. = Deed Records, Dallas County, Texas  
 O.P.R.D.C.T. = Official Public Records, Dallas County, Texas  
 R.O.W. = Right-Of-Way

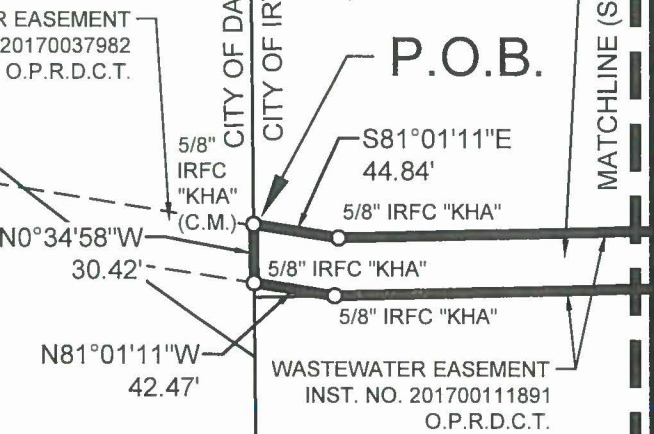
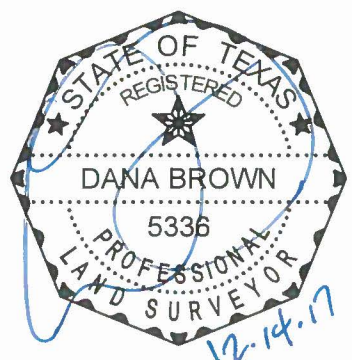
APPROXIMATE LOCATION OF  
 CITY LIMIT LINE ACCORDING  
 TO ORDINANCE NO. 8394  
 DATED 10/17/1955

(For SPRG use only)  
 Reviewed By: G.S.  
 Date: 12-18-17  
 SPRG NO: 4378

NOTES:  
 All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.

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

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Scale 1" = 100'	Drawn by SRD	Checked by DAB	Date SEP. 2016	Project No. 063973040	Sheet No. 3 OF 5
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# EXHIBIT A-TRACT 1

WASTEWATER EASEMENT ABANDONMENT  
 BEING IN A 65.6944 ACRE TRACT SITUATED IN THE  
 JOHN C. COOK SURVEY, ABSTRACT NO. 315  
 CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BELTLINE ROAD**  
 (VARIABLE WIDTH R.O.W.)  
 (VOLUME 4707, PAGE 236)  
 (D.R.D.C.T.)

APPROXIMATE LOCATION OF  
 CITY LIMIT LINE ACCORDING  
 TO ORDINANCE NO. 8394  
 DATED 10/17/1955

UNPLATTED

CITY OF IRVING  
 CITY OF DALLAS  
 CITY OF IRVING

65.6944 ACRES  
 CROW-BILLINGSLEY BELT LINE, LTD.  
 VOL. 86068, PG. 5186  
 D.R.D.C.T.

**0.8521 ACRES**  
**37,117 SQ. FT.**

JOHN C. COOK SURVEY  
 ABSTRACT NO. 315

WASTEWATER EASEMENT  
 INST. NO. 201700111891  
 O.P.R.D.C.T.

N88°46'24"E 650.50'  
 S88°46'24"W 661.35'

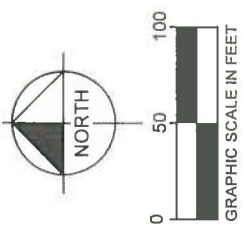
UNPLATTED

9.34 ACRES  
 DALLAS POWER &  
 LIGHT COMPANY  
 VOL. 4594, PG. 300  
 D.R.D.C.T.

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**LEGEND:**  
 P.O.C. = Point of Commencing  
 P.O.B. = Point of Beginning  
 C.M. = Controlling Monument  
 IRF = iron rod found  
 IRFC = iron rod w/cap found  
 IRSC = 5/8" iron rod w/ "KHA"  
 cap set  
 INST. NO. = instrument number  
 SQ. FT. = Square Feet  
 D.R.D.C.T. = Deed Records,  
 Dallas County, Texas  
 O.P.R.D.C.T. = Official Public  
 Records, Dallas County, Texas  
 R.O.W. = Right-Of-Way

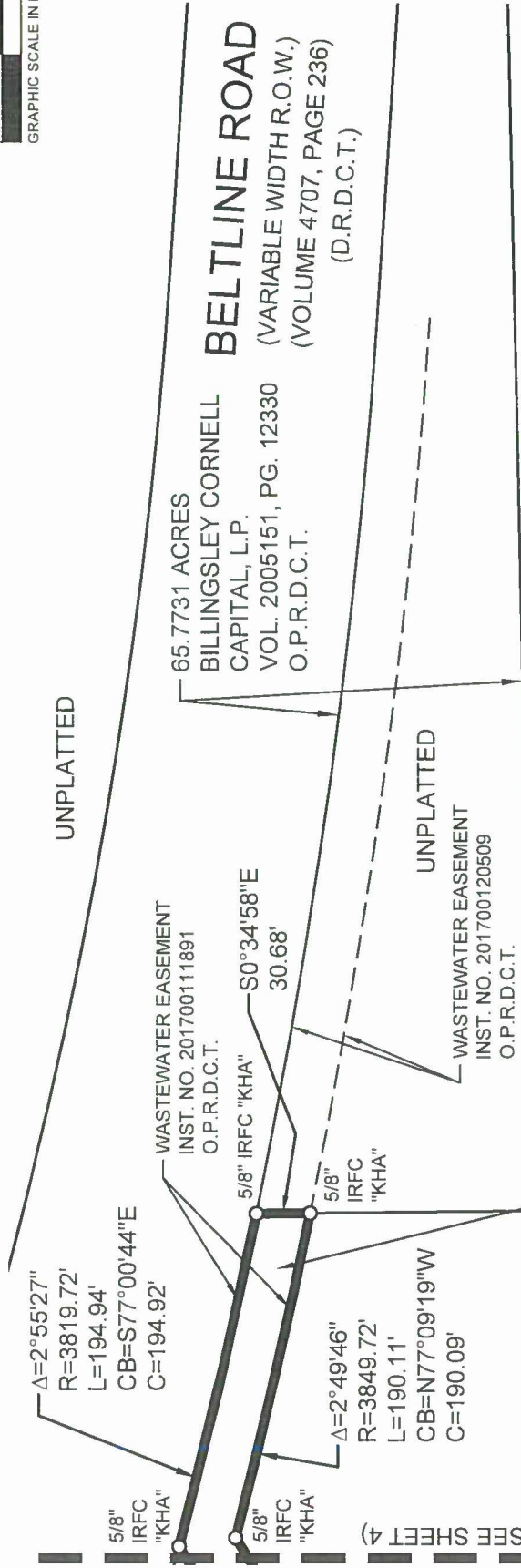
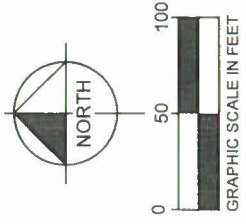
**NOTES:**  
 All corners of easement to  
 be acquired are a 5/8" iron  
 rod with "KHA" cap found  
 unless otherwise noted.  
 Bearing system based on  
 the Texas Coordinate  
 System of 1983, North  
 Central Zone (4202), North  
 American Datum of  
 1983(2011).

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 Fax No. (972) 239-3820

Scale	1" = 100'
Drawn by	SRD
Checked by	DAB
Date	SEP. 2016
Project No.	063973040
Sheet No.	4 OF 5

WASTEWATER EASEMENT ABANDONMENT  
 BEING IN A 65.6944 ACRE TRACT SITUATED IN THE  
 JOHN C. COOK SURVEY, ABSTRACT NO. 315  
 CITY OF IRVING AND CITY OF DALLAS, DALLAS COUNTY, TEXAS



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 Reviewed By: G.S.  
 Date: 12-18-17  
 SPRG NO: 4378

UNPLATTED  
 JOHN C. COOK SURVEY  
 ABSTRACT NO. 315

UNPLATTED  
 WASTEWATER EASEMENT  
 INST. NO. 201700120509  
 O.P.R.D.C.T.

UNPLATTED  
 WASTEWATER EASEMENT  
 INST. NO. 20170011891  
 O.P.R.D.C.T.

UNPLATTED  
 WASTEWATER EASEMENT  
 INST. NO. 20170011891  
 O.P.R.D.C.T.

DALLAS POWER & LIGHT COMPANY  
 VOL. 4594, PG. 300  
 D.R.D.C.T.

9.34 ACRES  
 37,117 SQ. FT.

65.7731 ACRES  
 BILLINGSLEY CORNELL  
 CAPITAL, L.P.  
 VOL. 2005151, PG. 12330  
 O.P.R.D.C.T.

(D.R.D.C.T.)

LEGEND:  
 P.O.C. = Point of Commencing  
 P.O.B. = Point of Beginning  
 C.M. = Controlling Monument  
 IRF = iron rod found  
 IRFC = iron rod w/cap found  
 IRSC = 5/8" iron rod w/"KHA" cap set  
 INST. NO. = instrument number  
 SQ. FT. = Square Feet  
 D.R.D.C.T. = Deed Records, Dallas County, Texas  
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NOTES:  
 All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.

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

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Scale	1" = 100'
Drawn by	SRD
Checked by	DAB
Date	SEP. 2016
Project No.	063973040
Sheet No.	5 OF 5



# EXHIBIT A-TRACT 2

## WASTEWATER EASEMENT ABANDONMENT IN A 5.8430 ACRE TRACT SITUATED IN CITY OF DALLAS BLOCK 8461 JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 3,149 square foot (0.072 acre) tract of land situated in the Jacob G. Carlock Survey, Abstract No. 312, City of Dallas, Dallas County, Texas, in City of Dallas Block 8461, and being part of a called 5.8430 acre tract of land described as "Tract C" in Special Warranty Deed to Billingsley Yorkshire Partners, Ltd., recorded in Instrument No. 201500096360, Official Public Records of Dallas County, Texas and being all of a wastewater easement to the City of Dallas recorded in Instrument No. 201700039982, Official Public Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 5/8" iron rod with plastic cap stamped "KHA" found at north corner of a right-of-way corner clip found at the intersection of the south right-of-way line of Beltline Road (a variable width right-of-way, described in Right-of-Way Deed to the County of Dallas, recorded in Volume 4601, Page 37 of the Deed Records of Dallas County, Texas) and the east right-of-way line of North Lake Road (an 80-foot wide right-of-way easement to the County of Dallas described in Volume 4669, Page 443 of said Deed Records) and being the northernmost northwest corner of a tract of land described in Special Warranty Deed to Billingsley Yorkshire Partners, LTD. recorded in Instrument No. 201500096360 of said Official Public Records;

**THENCE** with said right-of-way corner clip, South 63°28'12" West, a distance of 62.55 feet to the southernmost end of said right-of-way corner clip and the beginning of a non-tangent curve to the left having a central angle of 16°47'49", a radius of 778.51 feet, a chord bearing and distance of South 7°52'59" West, 227.41 feet;

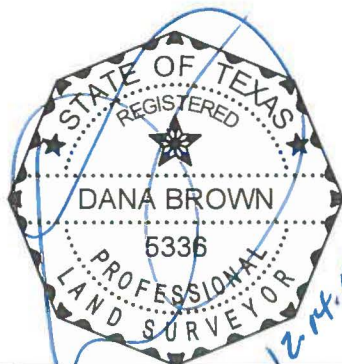
**THENCE** with said east right-of-way line, the following courses and distances to wit:

In a southwesterly direction with said curve to the left, an arc distance of 228.23 feet to a 1/2" iron rod found for corner;

South 0°30'56" East, at a distance of 203.45 feet, a 3/8" iron rod found at the southwest corner of said Billingsley Yorkshire Partners, Ltd. tract, the northwest corner of a 5.491 acre tract of land described as "Tract 1" in Special Warranty Deed to GRBK Edgewood LLC, recorded in Instrument No. 201700189399, Official Public Records of Dallas County, Texas, and at the beginning of a non-tangent curve to the right having a central angle of 11°35'57", a radius of 2000.00 feet, a chord bearing and distance of South 64°23'00" East, 404.19 feet;

**THENCE** departing said east right-of-way line and with the south line of said Billingsley Yorkshire Partners, Ltd. tract and the north line of said GRBK Edgewood LLC tract, an arc distance of 404.88 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the **POINT OF BEGINNING**;

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(For SPRG use only)  
Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4377

# Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Dec. 2017	063973040	1 OF 3

EXHIBIT A-TRACT 2

WASTEWATER EASEMENT ABANDONMENT  
IN A 5.8430 ACRE TRACT SITUATED IN CITY OF DALLAS BLOCK 8461  
JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**THENCE** departing said south line and said north line, South 81°01'11" East, a distance of 137.51 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the west line of a tract of land described in Correction Special Warranty Deed to Crow-Billingsley Beltline, Ltd., recorded in Volume 86068, Page 5186, Deed Records of Dallas County, Texas, from which a 1/2-inch iron rod found for the northeast corner of said Billingsley Yorkshire tract bears North 0°34'58" West, a distance of 514.45 feet;

**THENCE** with said west line, South 0°34'58" East, a distance of 30.42 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said west line and the north line of an easement and right-of-way to Oncor Electric Delivery Company LLC, recorded in Instrument No. 201600268321, Official Public Records of Dallas County, Texas;

**THENCE** departing said west line and with said north line, North 81°01'11" West, a distance of 73.61 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said north line and said south line of the Crow-Billingsley Beltline, Ltd. tract and the said north line of the GRBK Edgewood LLC tract, and at the beginning of a non-tangent curve to the left having a central angle of 2°09'16", a radius of 2000.00 feet, a chord bearing and distance of North 57°30'24" West, 75.20 feet;

**THENCE** departing said north easement line and with said south line of the Crow-Billingsley Beltline, Ltd. tract and the said north line of the GRBK Edgewood LLC tract, in a northwesterly direction with said curve to the left, an arc distance of 75.20 feet to the **POINT OF BEGINNING** and containing 3,149 square feet or 0.072 acres of land.

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

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



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Date: 12-18-17  
SPRG NO: 4377

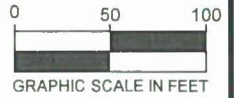
**Kimley»Horn**

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Dec. 2017	063973040	2 OF 3



WASTEWATER EASEMENT ABANDONMENT  
 IN A 5.8430 ACRE TRACT SITUATED IN CITY OF DALLAS BLOCK 8461  
 JACOB CARLOCK SURVEY, ABSTRACT NO. 312  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



P.O.C.

**BELTLINE ROAD**  
 (VARIABLE WIDTH R.O.W.)  
 (VOLUME 4601, PAGE 37)  
 (D.R.D.C.T.)

5/8" IRFC "KHA"  
 S63°28'12"W 62.55'  
 S71°21'48"E 432.40'

Δ=16°47'49"  
 R=778.51'  
 L=228.23'  
 CB=S7°52'59"W  
 C=227.41'

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 Reviewed By: G.S.  
 Date: 12-18-17  
 SPRG NO: 4377

UNLATTED

1/2" IRF (C.M.)

- LEGEND:**  
 P.O.C. = Point of Commencing  
 P.O.B. = Point of Beginning  
 C.M. = Controlling Monument  
 IRF = iron rod found  
 IRFC = iron rod w/cap found  
 IRSC = iron rod w/cap set  
 INST. NO. = instrument number  
 D.R.D.C.T. = Deed Records, Dallas County, Texas  
 O.P.R.D.C.T. = Official Public Records, Dallas County, Texas  
 R.O.W. = Right-Of-Way  
 SQ. FT. = Square Feet

APPROXIMATE LOCATION OF CITY LIMIT LINE ACCORDING TO ORDINANCE NO. 8394 DATED 10/17/1955

**NOTES:**  
 All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).  
**5.8430 ACRES, TRACT C**  
**BILLINGSLEY YORKSHIRE PARTNERS, LTD.**  
 INST. NO. 201500096360  
 O.P.R.D.C.T.

**NORTH LAKE ROAD**

80' R.O.W. EASEMENT TO COUNTY OF DALLAS VOL. 4669, PG. 443, D.R.D.C.T.  
 S0°30'56"E 203.45'

BLOCK 8461

3/8" IRF

Δ=11°35'57"  
 R=2000.00'  
 L=404.88'  
 CB=S64°23'00"E  
 C=404.19'

TRACT 1, 5.491 ACRES  
**GRBK EDGEWOOD LLC**  
 INST. NO. 201700189399  
 O.P.R.D.C.T.

WASTEWATER EASEMENT  
 INST. NO. 20170037984  
 O.P.R.D.C.T.

P.O.B.

S81°01'11"E  
 137.51'

Δ=2°09'16"  
 R=2000.00'  
 L=75.20'  
 CB=N57°30'24"W  
 C=75.20'

**0.072 ACRES**  
**3,149 SQ. FT.**

ONCOR ELECTRIC DELIVERY COMPANY LLC EASEMENT AND RIGHT OF WAY  
 INST. NO. 201600268321  
 O.P.R.D.C.T.

UNLATTED

WASTEWATER EASEMENT  
 INST. NO. 20170037982  
 O.P.R.D.C.T.

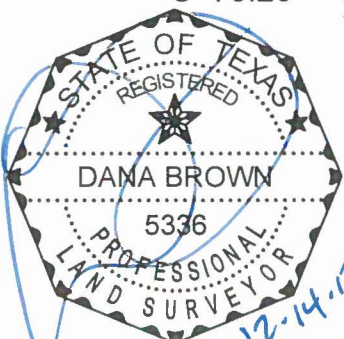
S0°34'58"E  
 30.42'

DALLAS POWER & LIGHT COMPANY  
 VOL. 4594, PG. 300  
 D.R.D.C.T.

WASTEWATER EASEMENT  
 INST. NO. 201700111891  
 O.P.R.D.C.T.

N81°01'11"W  
 73.61'

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	Dec. 2017	063973040	3 OF 3



EXHIBIT A-TRACT 3

WASTEWATER EASEMENT ABANDONMENT  
IN A 5.491 ACRE TRACT SITUATED IN CITY OF DALLAS BLOCK 8461  
JACOB CARLOCK SURVEY, ABSTRACT NO. 312  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 12,014 square foot (0.276 acre) tract of land situated in the Jacob G. Carlock Survey, Abstract No. 312, City of Dallas, Dallas County, Texas, in City of Dallas Block 8461, and being part of a 5.491 acre tract of land described as "Tract 1" in Special Warranty Deed to GRBK Edgewood LLC., recorded in Instrument No. 201700189399, Official Public Records of Dallas County, Texas and being all of a wastewater easement to the City of Dallas, recorded in Instrument No. 201700037984, Official Public Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" found at north corner of a right-of-way corner clip found at the intersection of the south right-of-way line of Beltline Road (a variable width right-of-way, described in Right-of-Way Deed to the County of Dallas, recorded in Volume 4601, Page 37 of the Deed Records of Dallas County, Texas) and the east right-of-way line of North Lake Road (an 80-foot wide right-of-way easement to the County of Dallas described in Volume 4669, Page 443 of said Deed Records) and being the northernmost northwest corner of a tract of land described in Special Warranty Deed to Billingsley Yorkshire Partners, LTD. recorded in Instrument No. 201500096360 of said Official Public Records;

THENCE with said right-of-way corner clip, South 63°28'12" West, a distance of 62.55 feet to the southernmost end of said right-of-way corner clip and the beginning of a non-tangent curve to the left having a central angle of 16°47'49", a radius of 778.51 feet, a chord bearing and distance of South 7°52'59" West, 227.41 feet;

THENCE with said east right-of-way line, the following courses and distances to wit:  
In a southwesterly direction with said curve to the left, an arc distance of 228.23 feet to a 1/2" iron rod found for corner; South 0°30'56" East, passing at a distance of 203.45 feet, a 3/8" iron rod found at the southwest corner of said Billingsley Yorkshire Partners, Ltd. tract and the northwest corner of said Tract 1, continuing with said east right-of-way line, in all a total distance of 320.52 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the POINT OF BEGINNING;

THENCE departing said east right-of-way line, South 81°01'11" East, a distance of 367.92 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the south line of said Billingsley Yorkshire Partners, Ltd., tract, the north line of said Tract 1 and at the beginning of a non-tangent curve to the right having a central angle of 2°09'16", a radius of 2000.00 feet, a chord bearing and distance of South 57°30'24" East, 75.20 feet;

THENCE with said south line and said north line, in a southeasterly direction, with said curve to the right, an arc distance of 75.20 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said south line, said north line of an easement and right-of-way to Oncor Electric Delivery Company LLC, recorded in Instrument No. 201600268321, Official Public Records of Dallas County, Texas;

THENCE departing said south line said north line and with the north line of said easement, North 81°01'11" West, a distance of 431.85 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said north easement line and said east right-of-way line of North Lake Road and the west line of said Tract 1;

THENCE departing said north easement line, with said east right-of-way line and said west line, North 0°30'56" West, a distance of 30.42 feet to the POINT OF BEGINNING and containing 12,014 square feet or 0.276 acres of land.

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

DANA BROWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336  
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Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4380

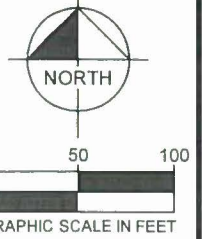
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Dec. 2017	063973040	1 OF 2



# EXHIBIT A-TRACT 3

## WASTEWATER EASEMENT ABANDONMENT IN A 5.491 ACRE TRACT SITUATED IN CITY OF DALLAS BLOCK 8461 JACOB CARLOCK SURVEY, ABSTRACT NO. 312 CITY OF DALLAS, DALLAS COUNTY, TEXAS



**BELTLINE ROAD**  
(VARIABLE WIDTH R.O.W.)  
(VOLUME 4601, PAGE 37)  
(D.R.D.C.T.)

**NORTH LAKE ROAD**

(For SPRG use only)  
Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4380

**LEGEND:**  
P.O.C. = Point of Commencing  
P.O.B. = Point of Beginning  
C.M. = Controlling Monument  
IRF = iron rod found  
IRFC = iron rod w/cap found  
IRSC = iron rod w/cap set  
INST. NO. = instrument number  
D.R.D.C.T. = Deed Records, Dallas County, Texas  
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas  
R.O.W. = Right-Of-Way  
SQ. FT. = Square Feet

**NOTES:**  
All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.

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

**BILLINGSLEY YORKSHIRE PARTNERS, LTD.**  
INST. NO. 201500096360  
O.P.R.D.C.T.

**0.276 ACRES  
12,014 SQ. FT.**

$\Delta=2^{\circ}09'16''$   
 $R=2000.00'$   
 $L=75.20'$   
 $CB=S57^{\circ}30'24''E$   
 $C=75.20'$

WASTEWATER EASEMENT  
INST. NO. 20170037984  
O.P.R.D.C.T.

WASTEWATER EASEMENT  
INST. NO. 20170037982  
O.P.R.D.C.T.

ONCOR ELECTRIC DELIVERY  
COMPANY LLC EASEMENT  
AND RIGHT OF WAY  
INST. NO. 201600268321  
O.P.R.D.C.T.

TRACT 1, 5.491 ACRES  
GRBK EDGEWOOD LLC  
INST. NO. 201700189399, O.P.R.D.C.T.

DANA BROWN  
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LAND SURVEYOR NO. 5336  
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$\Delta=0^{\circ}59'24''$   
 $R=2120.00'$   
 $L=36.64'$   
 $CB=S55^{\circ}26'07''E$   
 $C=36.64'$

$\Delta=1^{\circ}29'21''$   
 $R=2000.00'$   
 $L=51.98'$   
 $CB=S55^{\circ}41'05''E$   
 $C=51.98'$

DALLAS POWER & LIGHT COMPANY  
VOL. 4594, PG. 300  
D.R.D.C.T.

# Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	Dec. 2017	063973040	2 OF 2



# EXHIBIT A-TRACT 4

## WASTEWATER EASEMENT ABANDONMENT PART OF A 41.184 ACRE TRACT IN THE CITY OF DALLAS BLOCK 8461 JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312 CITY OF IRVING, DALLAS COUNTY, TEXAS

**BEING** a 1.222 acre (53,241 square foot) tract of land situated in the Jacob G. Carlock Survey, Abstract No. 312, City of Irving, Dallas County, Texas in City of Dallas Block 8461 and being part of a 41.184 acre tract of land described as "Tract 2" in Special Warranty Deed to GRBK Edgewood LLC, recorded in Instrument No. 201700189399, Official Public Records of Dallas County, Texas and being all of a wastewater easement to the City of Dallas, recorded in Instrument No. 201700037983, Official Public Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 5/8" iron rod with plastic cap stamped "KHA" found at north corner of a right-of-way corner clip found at the intersection of the south right-of-way line of Beltline Road (a 120-foot wide right-of-way, described in Right-of-Way Deed to the County of Dallas, recorded in Volume 4601, Page 37 of the Deed Records of Dallas County, Texas) and the east right-of-way line of North Lake Road (an 80-foot wide right-of-way easement to the County of Dallas described in Volume 4669, Page 443 of said Deed Records) and being the northernmost northwest corner of a tract of land described in Special Warranty Deed to Billingsley Yorkshire Partners, LTD. recorded in Instrument No. 201500096360 of said Official Public Records;

**THENCE** with said right-of-way corner clip, South 63°28'12" West, a distance of 62.55 feet to the southernmost end of said right-of-way corner clip and the beginning of a non-tangent curve to the left having a central angle of 16°47'49", a radius of 778.51 feet, a chord bearing and distance of South 7°52'59" West, 227.41 feet;

**THENCE** with said east right-of-way line, the following courses and distances to wit:

In a southwesterly direction with said curve to the left, an arc distance of 228.23 feet to a 1/2" iron rod found for corner;

South 0°30'56" East, passing at a distance of 203.45 feet, a 3/8" iron rod found at the southwest corner of said Billingsley Yorkshire Partners, Ltd. tract and the northwest corner of Tract 1 of said GRBK Edgewood LLC deed, continuing with said east right-of-way line, in all a total distance of 807.64 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the northernmost northwest corner of said Tract 2 for the **POINT OF BEGINNING**;

**THENCE** with the north line of said Tract 2, North 89°29'28" East, a distance of 31.78 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

**THENCE** departing said north line, the following courses and distances to wit:

South 50°44'09" East, a distance of 215.80 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 35°08'56" East, a distance of 10.37 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 9°51'04" West, a distance of 414.77 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the left having a central angle of 10°24'49", a radius of 278.00 feet, a chord bearing and distance of South 4°38'39" West, 50.46 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 50.53 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

DANA BROWN  
REGISTERED PROFESSIONAL  
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Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4379

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Dec. 2017	063973040	1 OF 4



EXHIBIT A-TRACT 4

WASTEWATER EASEMENT ABANDONMENT  
PART OF A 41.184 ACRE TRACT IN THE CITY OF DALLAS BLOCK 8461  
JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312  
CITY OF IRVING, DALLAS COUNTY, TEXAS

South 0°33'45" East, a distance of 105.10 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the left having a central angle of 29°56'17", a radius of 278.00 feet, a chord bearing and distance of South 15°31'54" East, 143.61 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 145.26 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 30°30'02" East, a distance of 558.48 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 10°10'32" West, a distance of 14.56 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 32°40'32" West, a distance of 167.95 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 59°28'48" West, a distance of 59.31 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner in the northeast line of a 39.638 acre tract of land described in Special Warranty Deed to the City of Coppell, recorded in Instrument No. 201300273238, Official Public Records of Dallas County, Texas;

**THENCE** with said northeast line, North 30°30'42" West, a distance of 50.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

**THENCE** departing said northeast line, the following courses and distances to wit:

North 59°28'48" East, a distance of 91.74 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 32°40'32" East, a distance of 108.64 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 30°30'02" West, a distance of 546.28 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the right having a central angle of 29°56'17", a radius of 308.00 feet, a chord bearing and distance of North 15°31'54" West, 159.11 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 160.94 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 0°33'45" West, a distance of 105.10 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the right having a central angle of 10°24'49", a radius of 308.00 feet, a chord bearing and distance of North 4°38'39" East, 55.90 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 55.98 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 9°51'04" East, a distance of 400.45 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

North 50°44'09" West, a distance of 223.82 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner in the north line of said Tract 2;

**THENCE** with said north line, North 2°12'16" East, a distance of 12.11 feet to the **POINT OF BEGINNING** and containing 1.222 acres or 53,241 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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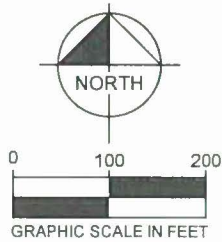
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	Dec. 2017	063973040	2 OF 4

# EXHIBIT A-TRACT 4

## WASTEWATER EASEMENT ABANDONMENT PART OF A 41.184 ACRE TRACT IN THE CITY OF DALLAS BLOCK 8461 JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312 CITY OF IRVING, DALLAS COUNTY, TEXAS



TOWN CENTER OF AUSTIN  
RANCH NO. 1 INC.  
INST. NO. 201500296214  
O.P.R.D.C.T.

**BELTLINE ROAD**  
(VARIABLE WIDTH R.O.W.)  
(VOLUME 4601, PAGE 37)  
(D.R.D.C.T.)

P.O.C.

NORTH LAKE ROAD

S0°30'56"E 807.64'

5/8" IRFC  
"KHA"  
S63°28'12"W  
62.55'  
Δ=16°47'49"  
R=778.51'  
L=228.23'  
CB=S7°52'59"W  
C=227.41'

1/2" IRF  
(C.M.)  
80' R.O.W. EASEMENT TO  
COUNTY OF DALLAS  
VOL. 4669, PG. 443  
D.R.D.C.T.

UNPLATTED

BILLINGSLEY YORKSHIRE  
PARTNERS, LTD.  
INST. NO. 201500096360  
O.P.R.D.C.T.

DEED LINE  
JOHN C. COOK APPROXIMATE LOCATION OF  
SURVEY LINE  
ABSTRACT NO. 315  
CROW-BILLINGSLEY BELT LINE, LTD.  
VOL. 86068, PG. 5186  
D.R.D.C.T.

BLOCK 8461

LUMINANT GENERATION CO. LLC  
DALLAS POWER AND LIGHT  
COMPANY  
VOL. 4378, PG. 374  
D.R.D.C.T.

80' R.O.W. EASEMENT TO  
COUNTY OF DALLAS  
VOL. 4669, PG. 443  
D.R.D.C.T.

JACOB G. CARLOCK SURVEY  
ABSTRACT NO. 312

ONCOR ELECTRIC DELIVERY  
COMPANY LLC EASEMENT  
AND RIGHT OF WAY  
INST. NO. 201600268321  
O.P.R.D.C.T.

P.O.B.

1/2" IRF  
(C.M.)

N2°12'16"E  
12.11'

1.222 ACRES  
53,241 SQ. FT.

N50°44'09"W  
223.82'

UNPLATTED

N89°29'28"E  
31.78'

TRACT 1, 5.491 ACRES  
GRBK EDGEWOOD LLC  
INST. NO. 201700189399  
O.P.R.D.C.T.

DEED

CITY OF DALLAS

CITY OF IRVING

S50°44'09"E  
215.80'

MATCH LINE (SEE SHEET 4)

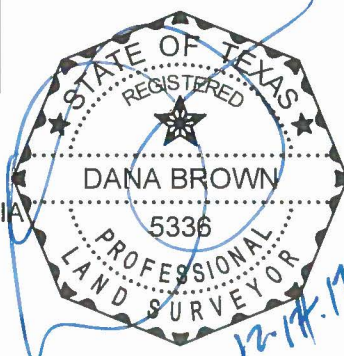
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**NOTES**

All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.

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

# Kimley»Horn

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

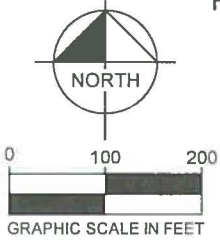
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 200'	SRD	DAB	Dec. 2017	063973040	3 OF 4



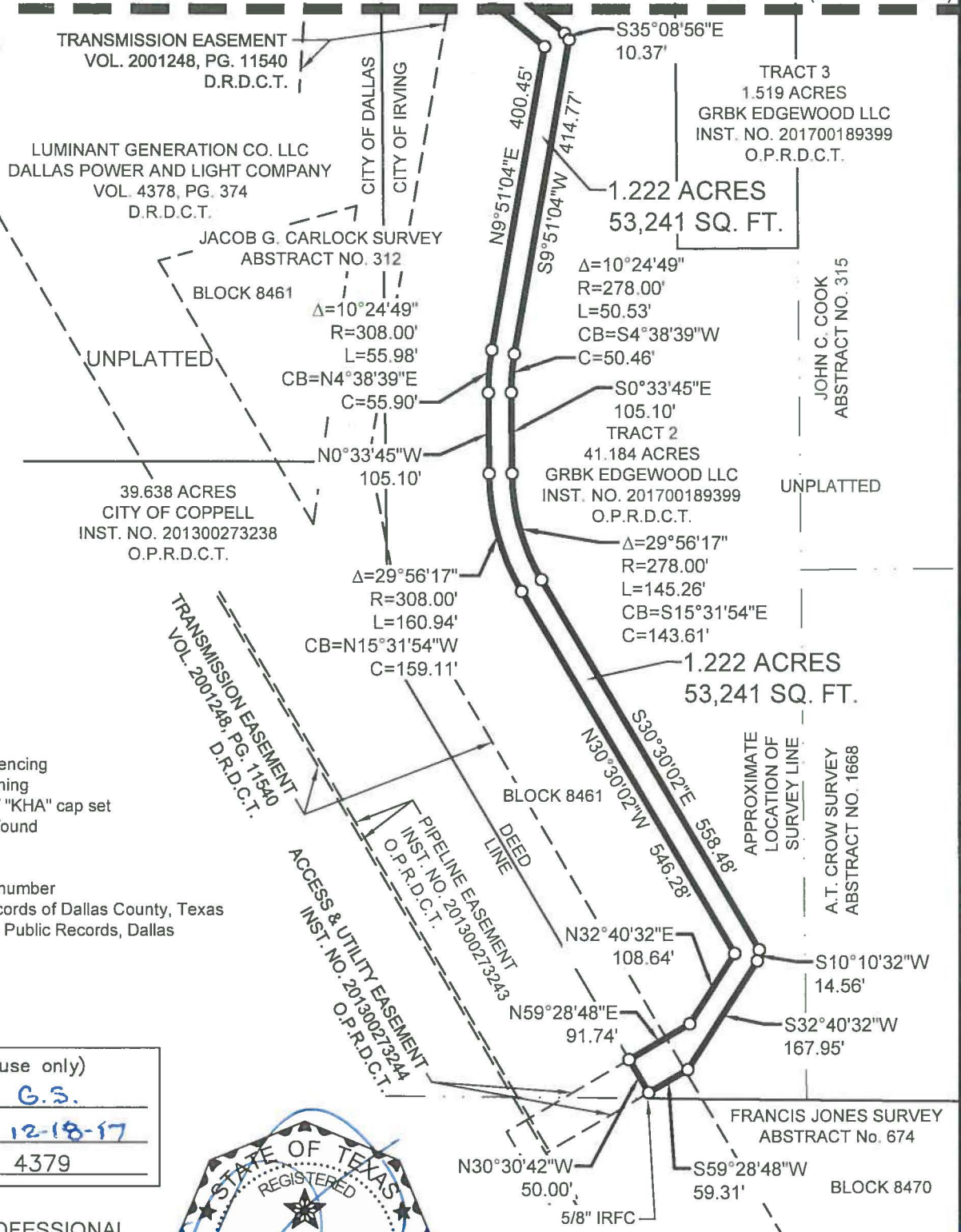
# EXHIBIT A-TRACT 4

## WASTEWATER EASEMENT ABANDONMENT PART OF A 41.184 ACRE TRACT IN THE CITY OF DALLAS BLOCK 8461 JACOB G. CARLOCK SURVEY, ABSTRACT NO. 312 CITY OF IRVING, DALLAS COUNTY, TEXAS

MATCH LINE (SEE SHEET 4)



**NOTES**  
All corners of easement to be acquired are a 5/8" iron rod with "KHA" cap found unless otherwise noted.  
Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

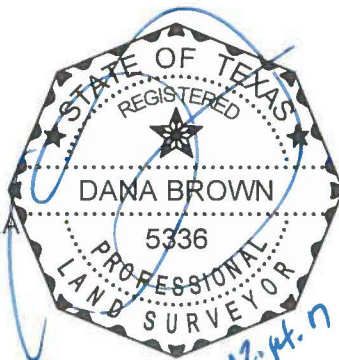


**LEGEND**

- 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
- IRF = iron rod found
- IPF = iron pipe found
- INST. NO. = instrument number
- D.R.D.C.T. = Deed Records of Dallas County, Texas
- O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
- SQ. FT. = Square Feet

(For SPRG use only)  
Reviewed By: G.S.  
Date: 12-18-17  
SPRG NO: 4379

DANA BROWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336  
13455 NOEL ROAD, TWO GALLERIA  
OFFICE TOWER, SUITE 700  
DALLAS, TEXAS 75240  
PH. (972) 770-1300  
dana.brown@kimley-horn.com



# Kimley»Horn

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 200'	SRD	DAB	Dec. 2017	063973040	4 OF 4

**AGENDA ITEM # 23**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 34L

---

**SUBJECT**

An ordinance abandoning a portion of a utility, sanitary sewer, storm drain and natural gas easement to AN Luxury Imports, Ltd., the abutting owner, containing approximately 150 square feet of land, located near the intersection of Lemmon Avenue and Haggard Way - Revenue: \$5,400, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of a portion of a utility, sanitary sewer, storm drain and natural gas easement to AN Luxury Imports, Ltd., the abutting owner. The area will be included with the property of the abutting owner for the expansion of an existing auto dealership. 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 April 9, 2018.

**FISCAL INFORMATION**

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

**OWNER**

**AN Luxury Imports, Ltd.**

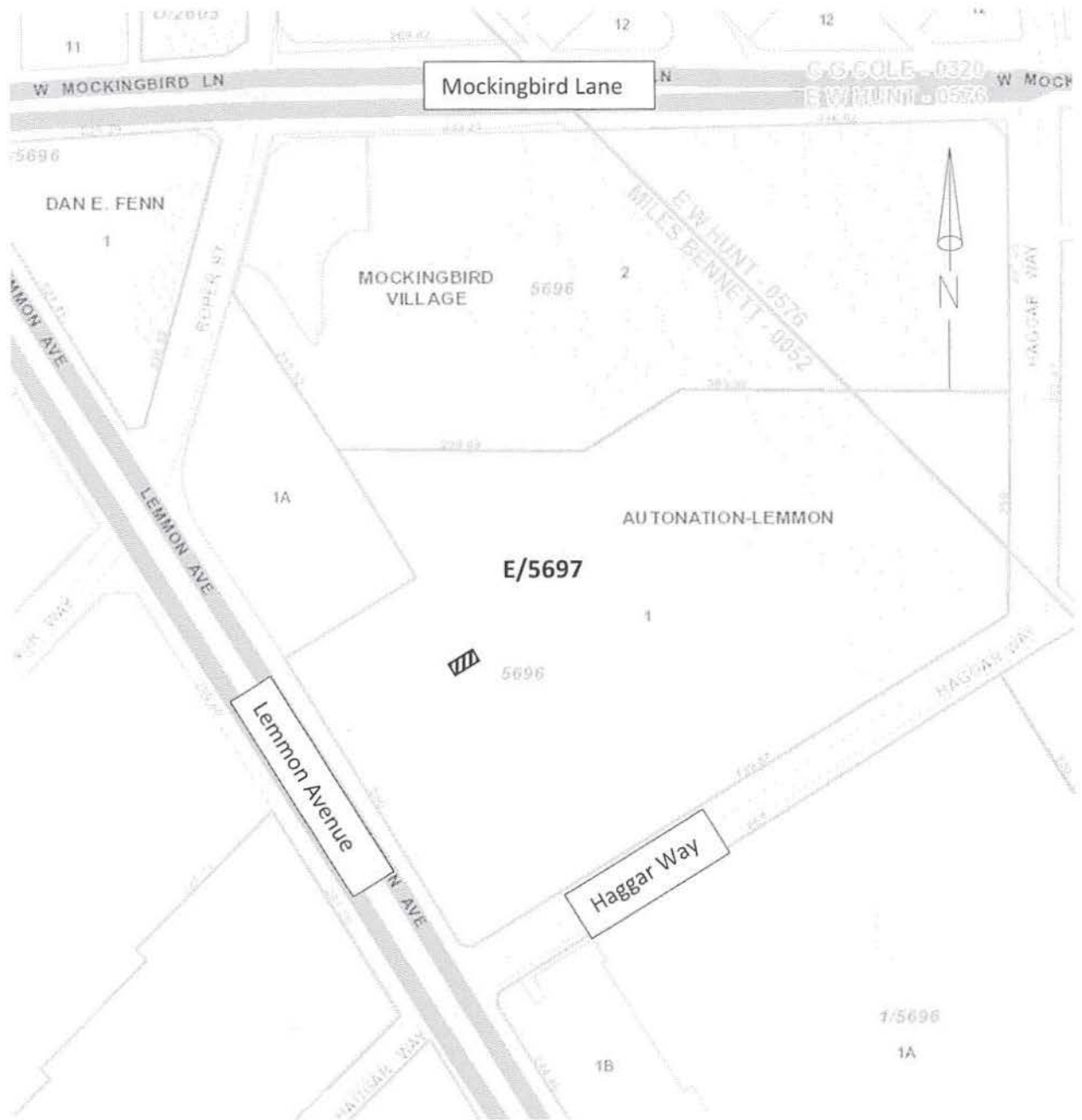
AN Luxury Imports GP, LLC

Ron Arcissone, President



**MAP**

Attached



Abandonment areas = 

**ORDINANCE NO. \_\_\_\_\_**

An ordinance providing for the abandonment and relinquishment of a portion of a utility, sanitary sewer, storm drain and natural gas easement located in City Block E/5697 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to AN Luxury Imports, Ltd.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of AN Luxury Imports, Ltd., a Texas limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of 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-2018-00004983.

**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 \_\_\_\_\_.



**UTILITY, SANITARY SEWER, STORM  
DRAIN & NATURAL GAS  
EASEMENT ABANDONMENT**  
 Located within  
**Lot 1, Block E/5697**  
**Autonation-Lemmon Addition**  
**Miles Bennett Survey, Abstract No. 52**  
**City of Dallas, Dallas County, Texas**



**Coombs Land Surveying, Inc.**

P. O. Box 11370 Fort Worth, Texas 76110  
 (817) 920-7600 (817) 920-7617 FAX  
 T.B.P.L.S. FIRM No. 10111800  
 CLS JOB No. 16-0128  
 GF No. NONE

**\* N O T E \***  
 ALL SUBJECT PROPERTY BOUNDARY  
 LINE BEARINGS AND DISTANCES ARE  
 PLAT & ACTUAL UNLESS OTHERWISE  
 NOTED HEREON.

BASIS OF BEARINGS: NORTHEAST RIGHT-OF-WAY LINE OF  
 LEMMON AVENUE AS SHOWN ON PLAT RECORDED IN  
 CLERKS' FILE No. 201000239750, O.P.R.D.C.T.  
 BEARING IS DENOTED AS N 32° 57' 24" W

IRF IRON ROD FOUND  
 IRS IRON ROD SET w/ORANGE  
 PLASTIC CAP STAMPED  
 "R. W. COOMBS RPLS 5294"  
 C.M. CONTROLLING MONUMENT  
 R.O.W. RIGHT-OF-WAY  
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS  
 DALLAS COUNTY, TEXAS  
 D.R.D.C.T. DEED RECORDS, DALLAS  
 COUNTY, TEXAS  
 INST. No. INSTRUMENT NUMBER  
 S.F. SQUARE FEET  
 ES'MT. EASEMENT

REVIEWED BY: A. Rodriguez  
 DATE: 12/22/17  
 SPRG: 4363

**LEGAL DESCRIPTION**

BEING a 150 square foot or 0.003 acre tract of land located in the Miles Bennett Survey, Abstract No. 52, Dallas County, Texas, being located within that certain tract of land described in deed to AN Luxury Imports, Ltd. recorded in Instrument No. 20070115181 of the Official Public Records of Dallas County, Texas, said tract also lying within Lot 1, Block E/5697, Autonation-Lemmon Addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Instrument No. 201000239750 of the Official Public Records of Dallas County, Texas and being a portion of that certain 10-foot wide Utility Easement recorded in Volume 84221, Page 4732 of the Map Records of Dallas County, Texas and part of a 10-foot wide Sanitary Sewer, Storm Drain and Natural Gas Easement recorded in Volume 68121, Page 797 and Volume 68124, Page 296 of the Deed Records of Dallas County, Texas;

COMMENCING at a 5/8-inch iron rod found at the most Westerly corner of said Lot 1 lying in the Northeast right-of-way line of Lemmon Avenue, a 100-foot wide right-of-way created in Volume 2839, Page 50 of the Deed Records of Dallas County, Texas, and from which a 5/8-inch iron rod found with plastic cap stamped "WEBB" at an internal corner of said Lot 1 bears N 57° 01' 52" E, 180.34 feet;

Thence S 32° 57' 24" E, 155.00 feet along said right-of-way in to a point in the Southeast line of aforesaid Utility, Sanitary Sewer, Storm Drain and Natural Gas Easement;

Thence N 57° 02' 36" E, 154.89 feet along the Southeast line of said Easement to the PLACE OF BEGINNING of the tract herein described;

THENCE N 32° 51' 15" W, 5.97 feet departing said Easement line to a point;

THENCE N 57° 11' 25" E, 25.18 feet to a point in the Northeast line of said Easement;

THENCE S 32° 57' 24" E, 5.91 feet along the Northeast line of said Easement to a point at the most Easterly corner thereof;

THENCE S 57° 03' 05" W, 25.19 feet along the Southeast lie of said Easement to the PLACE OF BEGINNING, containing 150 square feet or 0.003 acre of land.



*[Handwritten signature]*  
 12/22/17

**UTILITY, SANITARY SEWER, STORM DRAIN & NATURAL GAS EASEMENT ABANDONMENT**  
 Located within  
**Lot 1, Block E/5697**  
**Autonation-Lemmon Addition**  
**Miles Bennett Survey, Abstract No. 52**  
**City of Dallas, Dallas County, Texas**



**Coombs Land Surveying, Inc.**

P. O. Box 11370 Fort Worth, Texas 76110

(817) 920-7600 (817) 920-7617 FAX

T.B.P.L.S. FIRM No. 10111800

CLS JOB No. 16-0128

GF No. NONE

**\* NOTE \***  
 ALL SUBJECT PROPERTY BOUNDARY LINE BEARINGS AND DISTANCES ARE PLAT & ACTUAL UNLESS OTHERWISE NOTED HEREON.

BASIS OF BEARINGS: NORTHEAST RIGHT-OF-WAY LINE OF LEMMON AVENUE AS SHOWN ON PLAT RECORDED IN CLERKS' FILE No. 201000239750, O.P.R.D.C.T. BEARING IS DENOTED AS N 32° 57' 24" W

ONCOR ELECTRIC DELIVERY Co. ES'MT. INST. No. 201000182455 O.P.R.D.C.T.

REMAINDER LOT 1A, BLOCK 5696 LOVE FIELD NATIONAL BANK ADDITION VOL. 84221, PG. 4732 D.R.D.C.T.

LOVE FIELD FINANCIAL CENTER, L.P. VOL. 93023, PG. 3368 D.R.D.C.T.

15' POWER & TELEPHONE ES'MT. VOL. 97048, PG. 14 M.R.D.C.T.

10' UTILITY ES'MT. INST. No. 201000239750 O.P.R.D.C.T.

**LOT 1, BLOCK E/5697**  
**AUTONATION-LEMMON ADDITION**  
 INST. No. 201000239750  
 O.P.R.D.C.T.

AN LUXURY IMPORTS, LTD.  
 INST. No. 20070115181  
 O.P.R.D.C.T.

- |              |  |
|--------------|--|
| IRF          | IRON ROD FOUND   |
| IRS          | IRON ROD SET w/ORANGE PLASTIC CAP STAMPED "R. W. COOMBS RPLS 5294" |
| C.M.         | CONTROLLING MONUMENT   |
| R.O.W.       | RIGHT-OF-WAY   |
| O.P.R.D.C.T. | OFFICIAL PUBLIC RECORDS  |
| D.R.D.C.T.   | DALLAS COUNTY, TEXAS DEED RECORDS, DALLAS COUNTY, TEXAS            |
| INST. No.    | INSTRUMENT NUMBER  |
| S.F.         | SQUARE FEET  |
| ES'MT.       | EASEMENT   |

20' DRAINAGE ES'MT. INST. No. 200900242066 O.P.R.D.C.T.

**UTILITY, SANITARY SEWER, STORM DRAIN & NATURAL GAS EASEMENT ABANDONMENT**

(150 S.F. OR 0.003 Ac.)

**POINT OF COMMENCING**

N 57°11'25"E 25.18'

N 32°51'15"W 5.97'

S 57°03'05"W 25.19'

MILES BENNETT SURVEY ~ ABSTRACT No. 52

**PLACE OF BEGINNING**

S 32°57'24"E 155.00'

N 57°02'36"E 154.89'

LEMMON AVENUE  
 VOL. 2839, PG. 50 D.R.D.C.T.  
 100' R.O.W.  
 N 32°57'24"W 385.16'  
 385.00' (plat)

10' UTILITY ES'MT. VOL. 84221, PG. 4732 D.R.D.C.T.  
 10' SAN. SEWER, STORM DRAIN & NATURAL GAS ES'MT. VOL. 68121, PG. 797 VOL. 68124, PG. 296 D.R.D.C.T.

20' UTILITY ES'MT. INST. No. 201000239750 O.P.R.D.C.T.



*[Handwritten signature]*  
 12/20/17

REVIEWED BY: A. Rodriguez  
 DATE: 12/22/17  
 SPRG: 4363

SCALE: 1" = 40'

SHEET 2 OF 2



**AGENDA ITEM # 24**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Department of Sustainable Development and Construction

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 26K

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**SUBJECT**

An ordinance amending Ordinance No. 30406, previously approved on April 12, 2017, which abandoned a water easement and portions of a variable width floodway easement and a wastewater easement, located near the intersection of Treehouse Lane and Meadow Road to HT Midtown LP, to remove a one year deadline to replat; and provide dedication within 18 months of a needed floodway easement to the City - Revenue: \$5,400, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the amendment of Ordinance No. 30406, previously approved on April 12, 2017, which abandoned a water easement and portions of a variable width floodway easement and a wastewater easement to HT Midtown LP, the abutting owner, to remove a one year deadline to replat; and provide dedication within 18 months of a needed floodway easement to the City.

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

On April 12, 2017, City Council authorized the abandonment of a water easement and portions of a variable width floodway easement and wastewater easement by Ordinance No. 30406.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

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

**OWNER**

**HT Midtown LP**

Hines Midtown Associates Limited Partnership

Hines Midtown GP LLC

Hines Investment Management Holdings Limited Partnership

HIMH GP LLC

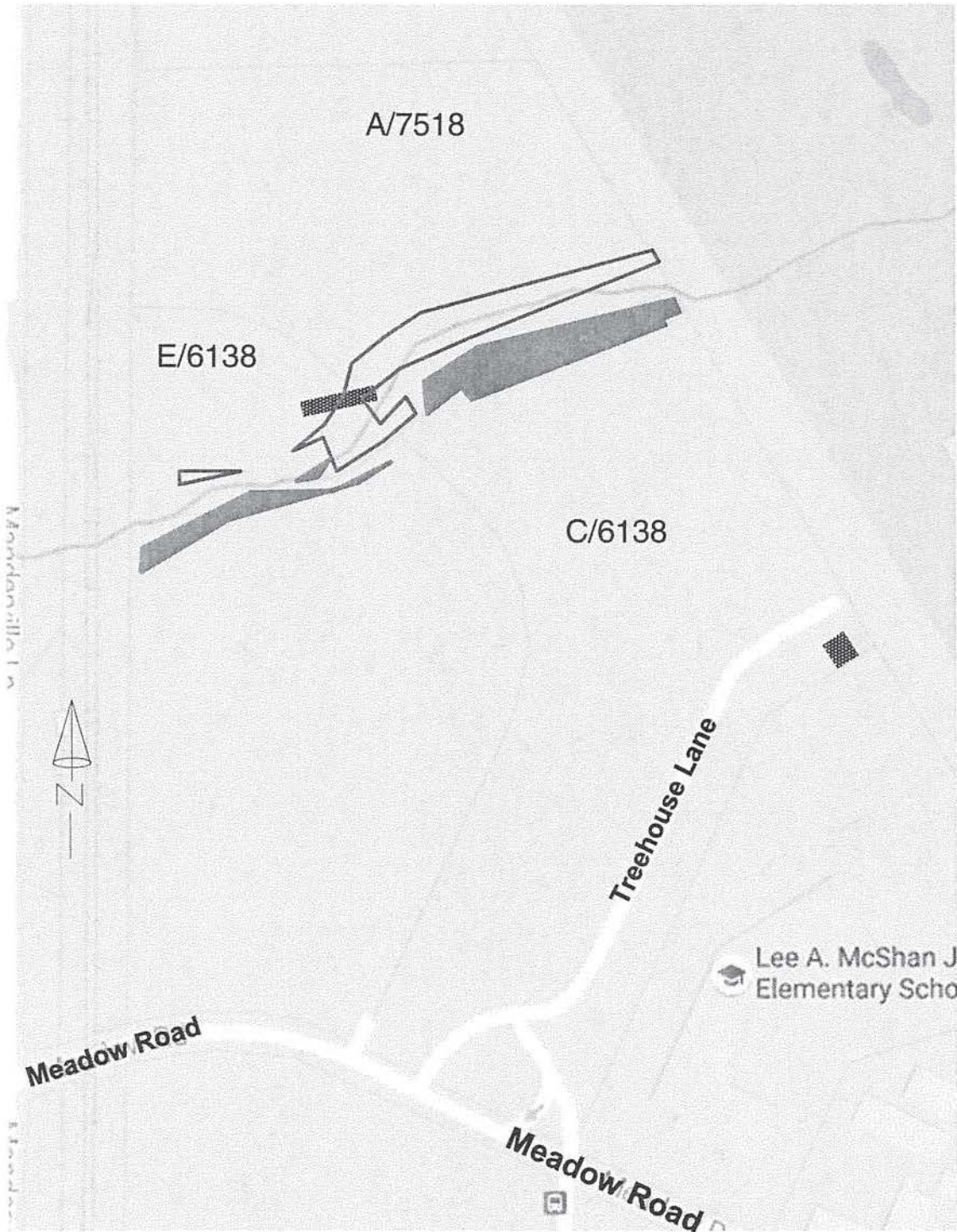
Hines Real Estate Holdings L.P.




JCH Investments, Inc.



Jeffrey C. Hines, President

**MAP**

Attached



Abandonment areas =   

Dedication areas =  

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Ordinance No. 30406, to remove a one year deadline to replat a floodway easement; and provide dedication, within 18 months, a needed floodway easement to the City; replacing Section 10 thereof and adding a new Exhibit B thereto; adding a new Section 11; and altering and renumbering Sections 12 and 13; 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.

**ooo0ooo**

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

**SECTION 1.** That Ordinance No. 30406 adopted by City Council of the City of Dallas on April 12, 2017, be and the same is hereby amended by replacing Section 10 thereof and adding a new Exhibit B thereto; adding a new Section 11; and altering and renumbering Sections 12 and 13, to read as follows:

~~**SECTION 10.** That as a condition of this abandonment and relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within one year after passage of this ordinance showing the dedication of not less than 23,235 square feet for a floodway easement in City Block C/6138 satisfactory to the Director of Department of Sustainable Development and Construction. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect. Further, the final replat shall be filed with the Department of Sustainable Development and Construction of the City of Dallas before a certified copy of this ordinance shall be delivered to **GRANTEE**.~~

**SECTION 10.** That as a condition of this abandonment and relinquishment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a floodway easement, within 18 months of the effective date of this

**SECTION 1.** (continued)

ordinance, in, under, through, across and along certain properties located in City Block C/6138. Said property to be conveyed shall be acceptable to the Director of Department of Sustainable Development and Construction of the City of Dallas and contain approximately 24,805 square feet of land, a description is attached hereto and made a part hereof as Exhibit B. Failure to convey the above described easement as set forth shall render this ordinance null and void and of no further effect.

**SECTION 11.** That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

**SECTION 11 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 monetary consideration set forth in Section 2, ~~and the recording of the final replat as set forth in Section 9,~~ plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication set forth in Section 10, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12 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.

**SECTION 2.** That, as consideration for amending Ordinance No. 30406, HT Midtown LP agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** 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. 30406, 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. 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 dedication set forth in Section 10, 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-2018-00005191.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provision of the Charter of the City of Dallas and it is accordingly so ordained.

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

DAVID COSSUM, Director  
Department of Sustainable Development and  
Construction

BY: Brian N. Smith  
Assistant City Attorney

BY: Laura Williams  
Assistant Director

Passed \_\_\_\_\_.

# FLOODWAY EASEMENT

# EXHIBIT B

MEADOW ROAD NO. 2 ADDITION  
BEING PART OF BLOCK D/6138  
MEADOW ROAD APARTMENTS NO. 3 ADDITION  
PART OF BLOCK A/7518  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 1

BEING A 19,524 SQUARE FEET OR 0.448 ACRE TRACT OF LAND SITUATED IN THE DAVID BARROW SURVEY, ABSTRACT NO. 177, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND CONVEYED AS TRACT I, AND TRACT III TO HT-MIDTOWN, LP, BY SPECIAL WARRANTY DEED RECORDED IN COUNTY CLERK'S FILE NUMBER 201400298731, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING PART OF BLOCKS A/7518, MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS AND PART OF BLOCK D/6138 MEADOW ROAD NO. 2 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 76021, PAGE 4, DEED RECORDS, DALLAS COUNTY, TEXAS. SAID 0.448 ACRE TRACT WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM (NAD 83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-JACOBS" FOUND FOR NORTHEAST CORNER OF MERION AT MIDTOWN PARK, PHASE 1, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 201600134925, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING ON THE EAST LINE OF SAID TRACT III AND SAID BLOCK D/6138, AND THE COMMON WEST LINE OF A TRACT OF LAND CONVEYED TO DALLAS AREA RAPID TRANSIT, BY DEED RECORDED IN VOLUME 88083, PAGE 4905, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE, ALONG THE NORTH LINE OF SAID MERION AT MIDTOWN PARK, PHASE 1, AND OVER AND ACROSS SAID TRACT III AND SAID BLOCK D/6138, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 50 DEGREES 31 MINUTES 38 SECONDS WEST, A DISTANCE OF 7.14 FEET TO A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER;

SOUTH 68 DEGREES 47 MINUTES 49 SECONDS WEST, A DISTANCE OF 12.20 FEET TO A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER;

(for SPRG use only)	
Reviewed By:	G.S.
Date:	2-12-18
SPRG NO:	4406

# FLOODWAY EASEMENT

EXHIBIT E

MEADOW ROAD NO. 2 ADDITION  
BEING PART OF BLOCK D/6138

TRACT 1

MEADOW ROAD APARTMENTS NO. 3 ADDITION  
PART OF BLOCK A/7518

DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SOUTH 20 DEGREES 57 MINUTES 51 SECONDS EAST, A DISTANCE OF 6.69 FEET TO A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER;

SOUTH 69 DEGREES 02 MINUTES 09 SECONDS WEST, A DISTANCE OF 311.03 FEET TO A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER;

NORTH 28 DEGREES 23 MINUTES 50 SECONDS WEST, PASSING AT A DISTANCE OF 14.89 FEET THE NORTH LINE OF SAID BLOCK D/6138 AND SAID TRACT III, AND THE COMMON SOUTH LINE OF AFORESAID BLOCK A/7518 AND AFORESAID TRACT I, AND CONTINUING OVER AND ACROSS SAID BLOCK A/7518 AND SAID TRACT I, FOR A TOTAL DISTANCE OF 25.59 FEET TO A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11 DEGREES 23 MINUTES 39 SECONDS, A RADIUS OF 210.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 63 DEGREES 04 MINUTES 42 SECONDS WEST A DISTANCE OF 41.69 FEET;

THENCE, CONTINUING OVER AND ACROSS SAID BLOCK A/7518 AND SAID TRACT I, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 41.76 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

NORTH 03 DEGREES 40 MINUTES 07 SECONDS EAST, A DISTANCE OF 57.58 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

NORTH 72 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 129.90 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

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Reviewed By:	G.S.
Date:	2-12-18
SPRG NO:	4406



**FLOODWAY EASEMENT**  
MEADOW ROAD NO. 2 ADDITION  
BEING PART OF BLOCK D/6138  
MEADOW ROAD APARTMENTS NO. 3 ADDITION  
PART OF BLOCK A/7518  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

NORTH 78 DEGREES 28 MINUTES 39 SECONDS EAST, A DISTANCE OF 219.69 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER ON THE EAST LINE OF SAID BLOCK A/7518 AND SAID TRACT I, AND BEING ON THE COMMON WEST LINE OF AFORESAID DALLAS AREA RAPID TRANSIT TRACT, FROM WHICH A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID BLOCK A/7518 AND SAID TRACT III BEARS NORTH 32 DEGREES 43 MINUTES 11 SECONDS WEST, A DISTANCE OF 406.62;

THENCE, SOUTH 32 DEGREES 43 MINUTES 11 SECONDS EAST, ALONG SAID COMMON LINE, A DISTANCE OF 11.47 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID BLOCK A/7518 AND SAID TRACT I, AND THE COMMON NORTHEAST CORNER OF AFORESAID BLOCK D/6138 AND AFORESAID TRACT III;

THENCE, SOUTH 32 DEGREES 37 MINUTES 33 SECONDS EAST, ALONG THE EAST LINE OF SAID BLOCK D/6138 AND SAID TRACT III, AND THE COMMON WEST LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 10.07 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 19,524 SQUARE FEET, OR 0.448 ACRES OF LAND.



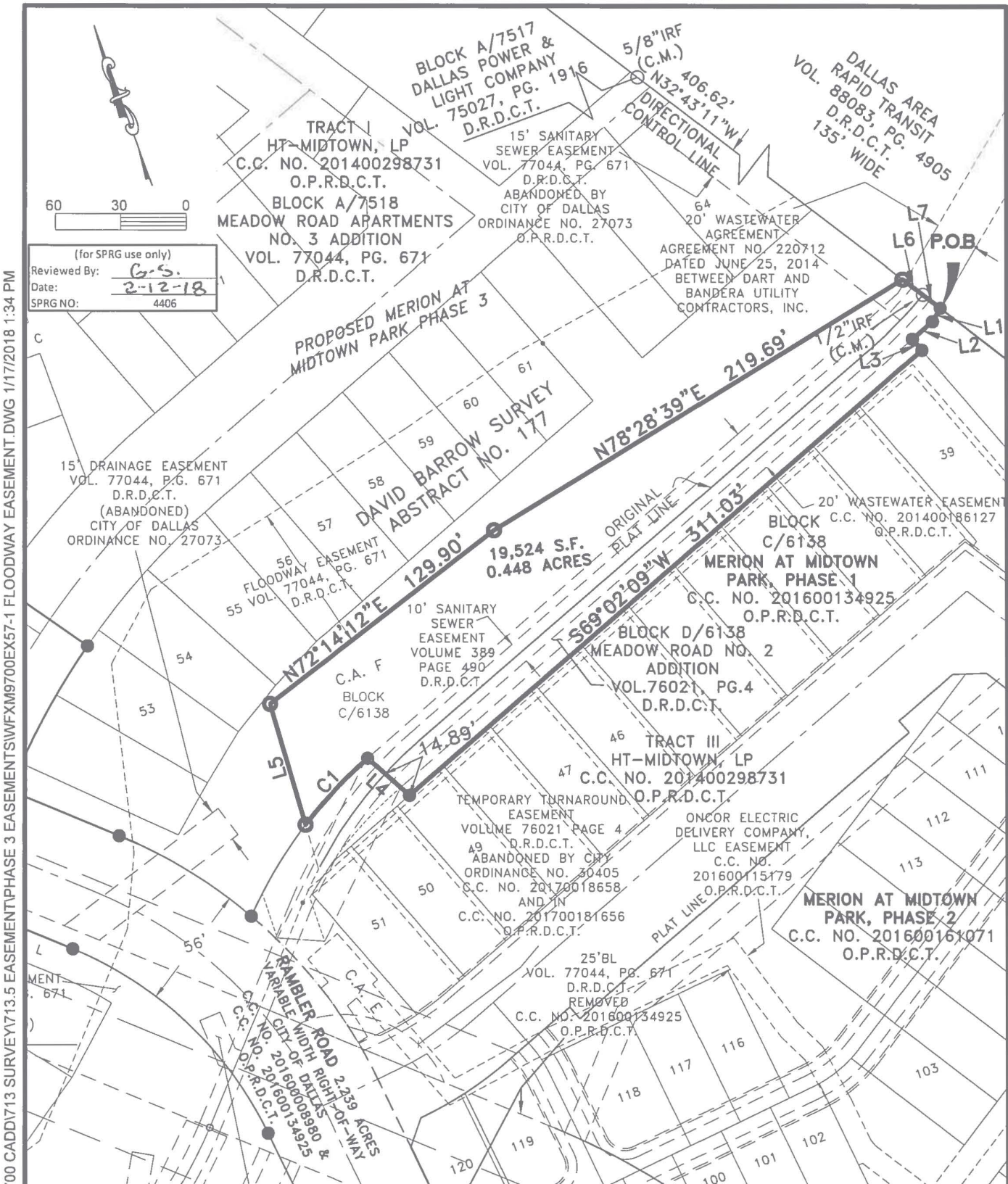
Elliott Pat Busby, R.P.L.S.  
Registered Professional Land Surveyor  
Texas Registration No. 5561  
Jacobs Engineering Group, Inc.  
1999 Bryan Street, Suite 1200  
Dallas, Texas 75201-3136  
Phone 214-638-0145 Fax 214-638-0447

January 15, 2018



(for SPRG use only)	
Reviewed By:	<u>G.S.</u>
Date:	<u>2-12-18</u>
SPRG NO:	4406

# EXHIBIT B - TRACT 1



I:\SLD\WFXM97001700 CADD\13 SURVEY\13.5 EASEMENT\PHASE 3 EASEMENTS\WFXM9700EX57-1 FLOODWAY EASEMENT.DWG 1/17/2018 1:34 PM

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 Reviewed By: G.S.  
 Date: 2-12-18  
 SPRG NO: 4406

PAGE  4 OF 5	DATE: 01/15/18
	SCALE: 1" = 60'
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD NO. 2 ADDITION  
 BEING PART OF BLOCK D/6138  
 MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK A/7518  
 DAVID BARROW SURVEY, ABSTRACT NO. 177  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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 TBPLS FIRM# 10152300



# EXHIBIT B TRACT 1

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	11°23'39"	210.00'	S63°04'42"W	41.69'	41.76'

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 Reviewed By: G.S.  
 Date: 2-12-18  
 SPRG NO: 4406

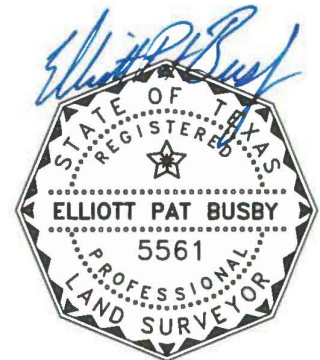
LINE	BEARING	DISTANCE
L1	S50°31'38"W	7.14'
L2	S68°47'49"W	12.20'
L3	S20°57'51"E	6.69'
L4	N28°23'50"W	25.59'
L5	N03°40'07"E	57.58'
L6	S32°43'11"E	11.47'
L7	S32°37'33"E	10.07'
L8	S66°50'16"W	121.70'

**LEGEND**

- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- IRF IRON ROD FOUND
- C.M. CONTROLLING MONUMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- C.C. NO. COUNTY CLERK'S FILE NUMBER
- 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-JACOBS" FOUND
- 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET
- VOL. VOLUME
- PG. PAGE
- SQ. FT. SQUARE FEET
- C.C. NO. COUNTY CLERK'S FILE NUMBER

THE ON THE GROUND BASIS OF BEARING IS THE NORTH LINE OF MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS, BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION, AND PROCEEDING SOUTH 89 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 628.23 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION.

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387).



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PAGE  5 OF 5	DATE: 01/15/18
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD NO. 2 ADDITION  
 BEING PART OF BLOCK D/6138  
 MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK A/7518  
 DAVID BARROW SURVEY, ABSTRACT NO. 177  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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**EXHIBIT B -TRACT 2**  
**FLOODWAY EASEMENT**  
**MEADOW ROAD APARTMENTS NO. 3 ADDITION**  
**PART OF BLOCK E/6138**  
**DAVID BARROW SURVEY, ABSTRACT NO. 177**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 5,193 SQUARE FEET OR 0.119 ACRE TRACT OF LAND SITUATED IN THE DAVID BARROW SURVEY, ABSTRACT NO. 177, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND CONVEYED AS TRACT II, TO HT-MIDTOWN, LP, BY SPECIAL WARRANTY DEED RECORDED IN COUNTY CLERK'S FILE NUMBER 201400298731, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING PART OF BLOCK E/6138 MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS. SAID 0.119 ACRE TRACT WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM (NAD 83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 5/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID TRACT II AND SAID BLOCK E/6138, AND THE COMMON NORTHWEST CORNER OF A TRACT OF LAND CONVEYED AS TRACT I, TO TKG VALENCIA-MIDTOWN, LLC., BY SPECIAL WARRANTY DEED RECORDED IN COUNTY CLERK'S FILE NO. 201100334216, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF BLOCK C/6138 OF THE MEADOW ROAD APARTMENTS ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 74076, PAGE 2239, DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO DALLAS AREA RAPID TRANSIT, BY DEED RECORDED IN VOLUME 88083, PAGE 4905, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE, NORTH 00 DEGREES 20 MINUTES 20 SECONDS WEST, ALONG THE WEST LINE OF SAID BLOCK E/6138 AND SAID TRACT II, AND THE COMMON EAST LINE OF SAID DALLAS AREA RAPID TRANSIT TRACT, A DISTANCE OF 22.35 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER, FROM WHICH A 5/8" IRON ROD WITH CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER OF BLOCK A/7518, MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED AS TRACT I TO HT-MIDTOWN, LP, BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 201400298731, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS BEARS NORTH 00 DEGREES 20 MINUTES 20 SECONDS WEST, A DISTANCE OF 800.78 FEET;

THENCE, OVER AND ACROSS SAID BLOCK E/6138 AND SAID TRACT II, THE FOLLOWING COURSES AND DISTANCES:

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Reviewed By:	G.S.
Date:	2-12-18
SPRG NO:	4407

**EXHIBIT B** TRACT 2  
**FLOODWAY EASEMENT**  
MEADOW ROAD APARTMENTS NO. 3 ADDITION  
PART OF BLOCK E/6138  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

NORTH 56 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 194.05 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

NORTH 86 DEGREES 16 MINUTES 45 SECONDS EAST, A DISTANCE OF 112.09 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

NORTH 74 DEGREES 15 MINUTES 16 SECONDS EAST, A DISTANCE OF 46.97 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER, AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 31 DEGREES 34 MINUTES 09 SECONDS, A RADIUS OF 200.00 FEET, AND A LONG CHORD THAT BEARS NORTH 58 DEGREES 28 MINUTES 17 SECONDS EAST A DISTANCE OF 108.81 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 110.20 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER ON THE SOUTH LINE OF SAID BLOCK E/6138 AND SAID TRACT II, AND THE COMMON NORTH LINE OF AFORESAID BLOCK C/6138 AND AFORESAID TRACT 1. SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 31 DEGREES 47 MINUTES 58 SECONDS, A RADIUS OF 200.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 58 DEGREES 13 MINUTES 10 SECONDS WEST A DISTANCE OF 109.58 FEET;

THENCE, ALONG SAID COMMON LINE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 111.00 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

SOUTH 74 DEGREES 07 MINUTES 09 SECONDS WEST, A DISTANCE OF 141.60 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER, AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 17 DEGREES 33 MINUTES 20 SECONDS, A RADIUS OF 200.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 65 DEGREES 20 MINUTES 29 SECONDS WEST A DISTANCE OF 61.04 FEET;

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Reviewed By:	G.S.
Date:	2-12-18
SPRG NO:	4407

**EXHIBIT B TRACT 2**  
**FLOODWAY EASEMENT**  
**MEADOW ROAD APARTMENTS NO. 3 ADDITION**  
**PART OF BLOCK E/6138**  
**DAVID BARROW SURVEY, ABSTRACT NO. 177**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 61.28 FEET TO  
A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT  
STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

SOUTH 56 DEGREES 33 MINUTES 49 SECONDS WEST, A DISTANCE OF 152.23 FEET  
TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 5,193  
SQUARE FEET, OR 0.119 ACRES OF LAND.



Elliott Pat Busby, R.P.L.S.  
Registered Professional Land Surveyor  
Texas Registration No. 5561  
Jacobs Engineering Group, Inc.  
1999 Bryan Street, Suite 1200  
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January 15, 2018

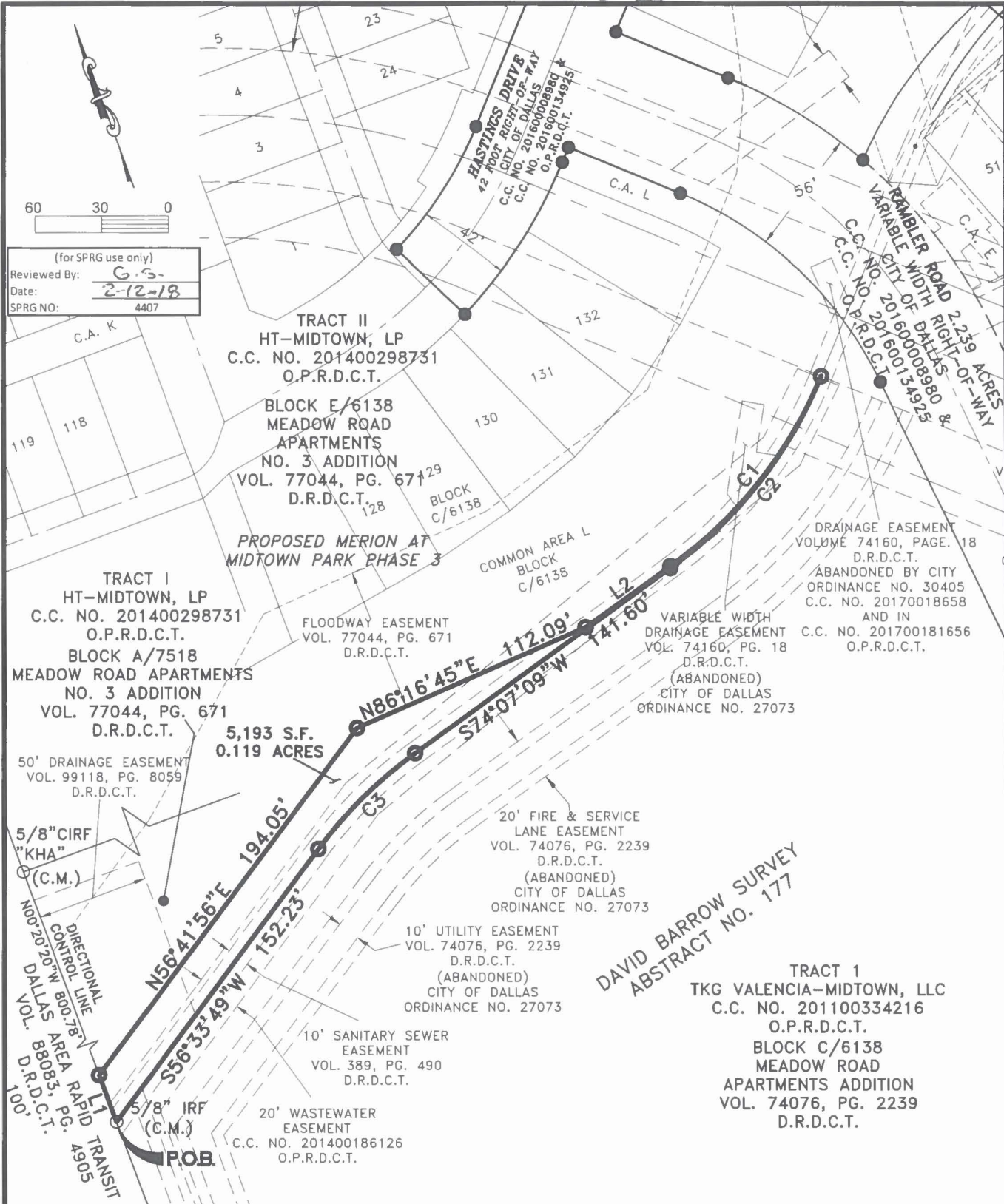


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Reviewed By:	<u>G.S.</u>
Date:	<u>2-12-18</u>
SPRG NO:	4407



# EXHIBIT B TRACT

I:\SLD\WFXM97001700 CADD\713 SURVEY\713.5 EASEMENT\PHASE 3 EASEMENTS\WFXM9700EX57-2 FLOODWAY EASEMENT.DWG 1/17/2018 1:37 PM



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 Date: 2-12-18  
 SPRG NO: 4407

**TRACT II**  
 HT-MIDTOWN, LP  
 C.C. NO. 201400298731  
 O.P.R.D.C.T.

**BLOCK E/6138**  
 MEADOW ROAD  
 APARTMENTS  
 NO. 3 ADDITION  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

**PROPOSED MERION AT**  
 MIDTOWN PARK PHASE 3

**TRACT I**  
 HT-MIDTOWN, LP  
 C.C. NO. 201400298731  
 O.P.R.D.C.T.  
**BLOCK A/7518**  
 MEADOW ROAD APARTMENTS  
 NO. 3 ADDITION  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

50' DRAINAGE EASEMENT  
 VOL. 99118, PG. 8059  
 D.R.D.C.T.

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

DIRECTIONAL CONTROL LINE  
 DALLAS AREA RAPID TRANSIT  
 VOL. 88083, PG. 4905  
 D.R.D.C.T.

5,193 S.F.  
 0.119 ACRES

FLOODWAY EASEMENT  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

COMMON AREA L  
 BLOCK C/6138

20' FIRE & SERVICE LANE EASEMENT  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

10' UTILITY EASEMENT  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

10' SANITARY SEWER EASEMENT  
 VOL. 389, PG. 490  
 D.R.D.C.T.

20' WASTEWATER EASEMENT  
 C.C. NO. 201400186126  
 O.P.R.D.C.T.

VARIABLE WIDTH DRAINAGE EASEMENT  
 VOL. 74160, PG. 18  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

DRAINAGE EASEMENT  
 VOLUME 74160, PAGE. 18  
 D.R.D.C.T.  
 ABANDONED BY CITY  
 ORDINANCE NO. 30405  
 C.C. NO. 20170018658  
 AND IN  
 C.C. NO. 201700181656  
 O.P.R.D.C.T.

**DAVID BARROW SURVEY**  
**ABSTRACT NO. 177**

**TRACT 1**  
 TKG VALENCIA-MIDTOWN, LLC  
 C.C. NO. 201100334216  
 O.P.R.D.C.T.  
**BLOCK C/6138**  
 MEADOW ROAD  
 APARTMENTS ADDITION  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.

PAGE  4 OF 5	DATE: 11/15/18
	SCALE: 1" = 60'
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK E/6138  
 DAVID BARROW SURVEY, ABSTRACT NO. 177  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**JACOBS®**

1999 BRYAN STREET, SUITE 1200  
 DALLAS, TEXAS 75201-3136  
 PHONE 214-638-0145 FAX 214-638-0447  
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# EXHIBIT B TRACT 2

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	31°34'09"	200.00'	N58°28'17"E	108.81'	110.20'
C2	31°47'58"	200.00'	S58°13'10"W	109.58'	111.00'
C3	17°33'20"	200.00'	S65°20'29"W	61.04'	61.28'

(for SPRG use only)  
 Reviewed By: G.S.  
 Date: 2-12-18  
 SPRG NO: 4407

LINE	BEARING	DISTANCE
L1	N00°20'20"W	22.35'
L2	N74°15'16"E	46.97'

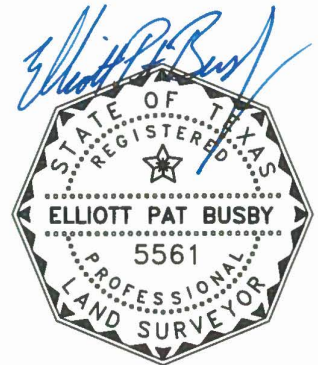
I:\SLDW\FX\M9700\700 CADD\13 SURVEY\13.5 EASEMENT\PHASE 3 EASEMENT\SW\FX\M9700\EX57-2 FLOODWAY EASEMENT.DWG 1/17/2018 1:37 PM

**LEGEND**

- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- IRF IRON ROD FOUND
- C.M. CONTROLLING MONUMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- C.C. NO. COUNTY CLERK'S FILE NUMBER
- 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-JACOBS" FOUND
- 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET
- VOL. VOLUME
- PG. PAGE
- SQ. FT. SQUARE FEET
- C.C. NO. COUNTY CLERK'S FILE NUMBER

THE ON THE GROUND BASIS OF BEARING IS THE NORTH LINE OF MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS, BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION, AND PROCEEDING SOUTH 89 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 628.23 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION.

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387).



PAGE  5 OF 5	DATE: 11/15/18
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK E/6138  
 DAVID BARROW SURVEY, ABSTRACT NO. 177  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**JACOBS®**

1999 BRYAN STREET, SUITE 1200  
 DALLAS, TEXAS 75201-3136  
 PHONE 214-638-0145 FAX 214-638-0447  
 TBPLS FIRM# 10152300



**EXHIBIT B TRACT 3**  
**FLOODWAY EASEMENT**  
**MEADOW ROAD APARTMENTS NO. 3 ADDITION**  
**PART OF BLOCK E/6138**  
**DAVID BARROW SURVEY, ABSTRACT NO. 177**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING AN 88 SQUARE FEET OR 0.002 ACRE TRACT OF LAND SITUATED IN THE DAVID BARROW SURVEY, ABSTRACT NO. 177, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND CONVEYED AS TRACT II, TO HT-MIDTOWN, LP, BY SPECIAL WARRANTY DEED RECORDED IN COUNTY CLERK'S FILE NUMBER 201400298731, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING PART OF BLOCK E/6138 MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS. SAID 0.002 ACRE TRACT WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM (NAD 83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN, PH1-JACOBS" FOUND FOR THE NORTHWEST CORNER OF COMMON AREA E, BLOCK C/6138 OF MERION AT MIDTOWN, PHASE 1, AND BEING ON THE EAST RIGHT-OF-WAY LINE OF RAMBLER ROAD, A VARIABLE WIDTH RIGHT-OF-WAY TO THE CITY OF DALLAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 201600008980 AND IN COUNTY CLERK'S FILE NO. 201600134925, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE, SOUTH 66 DEGREES 50 MINUTES 16 SECONDS WEST, OVER AND ACROSS SAID RAMBLER ROAD, AND BLOCK A/7518 OF MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 77044, PAGE 671, SAME BEING A TRACT OF LAND CONVEYED AS TRACT I TO HT-MIDTOWN, LP, BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 201400298731, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID BLOCK E/6138 AND SAID TRACT II, A DISTANCE OF 121.70 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR THE **POINT OF BEGINNING**;

THENCE, CONTINUING OVER AND ACROSS SAID BLOCK E/6138 AND SAID TRACT II, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 42 DEGREES 33 MINUTES 46 SECONDS WEST, A DISTANCE OF 21.25 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

(for SPRG use only)	
Reviewed By:	G.S.
Date:	2-12-18
SPRG NO:	4408



**EXHIBIT B TRACT 3**  
**FLOODWAY EASEMENT**  
**MEADOW ROAD APARTMENTS NO. 3 ADDITION**  
**PART OF BLOCK E/6138**  
**DAVID BARROW SURVEY, ABSTRACT NO. 177**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

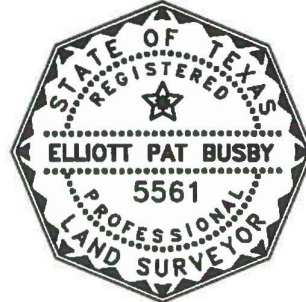
SOUTH 73 DEGREES 05 MINUTES 28 SECONDS WEST, A DISTANCE OF 20.57 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER;

NORTH 62 DEGREES 19 MINUTES 49 SECONDS EAST, A DISTANCE OF 14.01 FEET TO A 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET FOR CORNER FROM WHICH A 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN, PH1-JACOBS" FOUND AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF AFORESAID RAMBLER ROAD AND THE SOUTHEAST RIGHT-OF-WAY LINE OF HASTINGS DRIVE, (A 42 FOOT RIGHT-OF-WAY) OF SAID MERION AT MIDTOWN PARK, PHASE 1, BEARS NORTH 05 DEGREES 51 MINUTES 23 SECONDS WEST, A DISTANCE OF 98.82 FEET;

NORTH 55 DEGREES 02 MINUTES 46 SECONDS EAST, A DISTANCE OF 26.41 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 88 SQUARE FEET, OR 0.002 ACRES OF LAND.

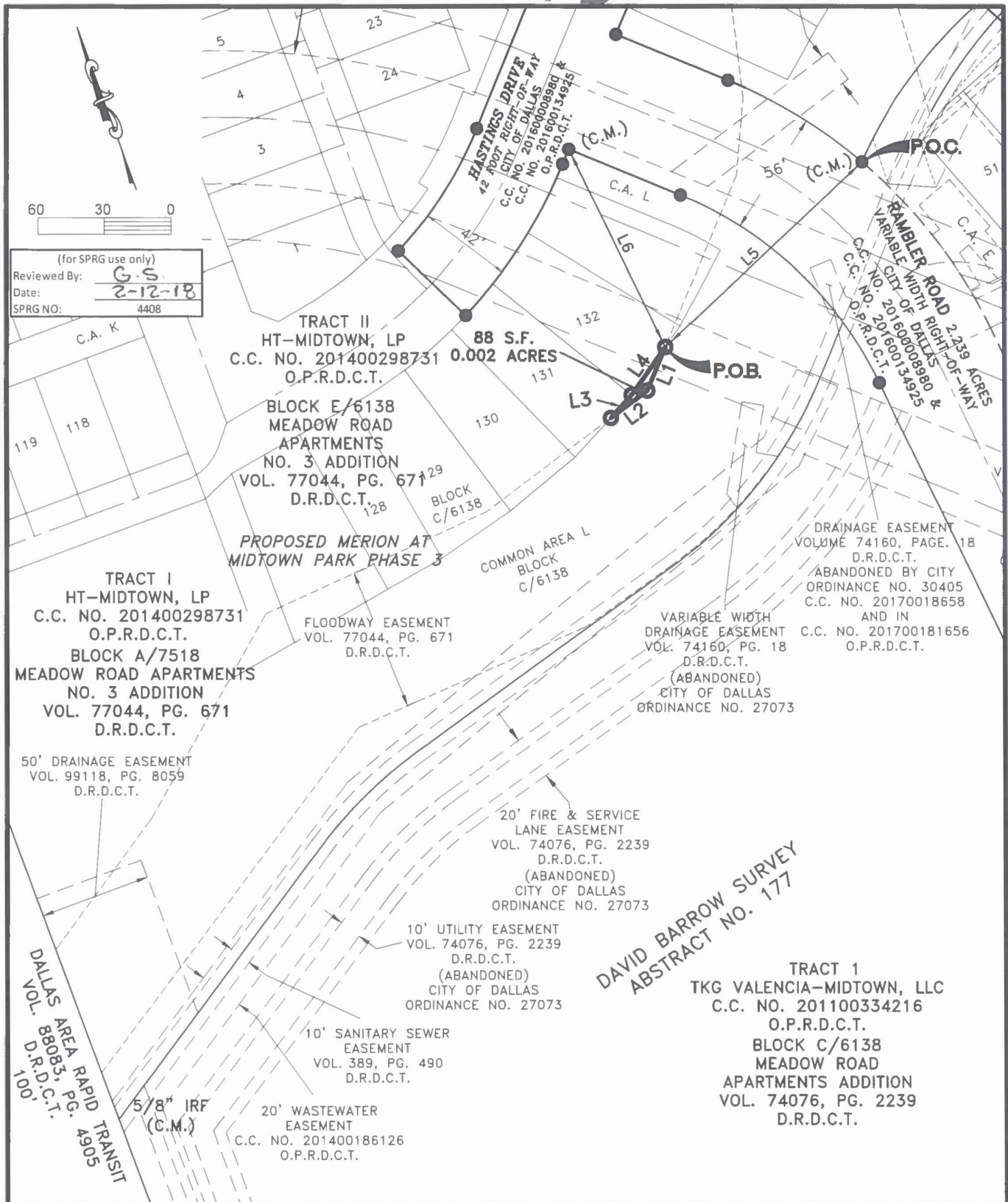
  
Elliott Pat Busby, R.P.L.S.  
Registered Professional Land Surveyor  
Texas Registration No. 5561  
Jacobs Engineering Group, Inc.  
1999 Bryan Street, Suite 1200  
Dallas, Texas 75201-3136  
Phone 214-638-0145 Fax 214-638-0447

January 15, 2018



(for SPRG use only)	
Reviewed By:	<u>G.S.</u>
Date:	<u>2-12-18</u>
SPRG NO:	4408

# EXHIBIT B TRACT 3



(for SPRG use only)  
 Reviewed By: G.S.  
 Date: 2-12-18  
 SPRG NO: 4408

TRACT II  
 HT-MIDTOWN, LP  
 C.C. NO. 201400298731  
 O.P.R.D.C.T.  
 88 S.F. 0.002 ACRES

BLOCK E/6138  
 MEADOW ROAD  
 APARTMENTS  
 NO. 3 ADDITION  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

TRACT I  
 HT-MIDTOWN, LP  
 C.C. NO. 201400298731  
 O.P.R.D.C.T.

BLOCK A/7518  
 MEADOW ROAD APARTMENTS  
 NO. 3 ADDITION  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

50' DRAINAGE EASEMENT  
 VOL. 99118, PG. 8059  
 D.R.D.C.T.

20' FIRE & SERVICE  
 LANE EASEMENT  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

10' UTILITY EASEMENT  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

10' SANITARY SEWER  
 EASEMENT  
 VOL. 389, PG. 490  
 D.R.D.C.T.

20' WASTEWATER  
 EASEMENT  
 C.C. NO. 201400186126  
 O.P.R.D.C.T.

DAVID BARROW SURVEY  
 ABSTRACT NO. 177

TRACT 1  
 TKG VALENCIA-MIDTOWN, LLC  
 C.C. NO. 201100334216  
 O.P.R.D.C.T.

BLOCK C/6138  
 MEADOW ROAD  
 APARTMENTS ADDITION  
 VOL. 74076, PG. 2239  
 D.R.D.C.T.

5/8" IRF  
 (C.M.)

PROPOSED MERION AT  
 MIDTOWN PARK PHASE 3

FLOODWAY EASEMENT  
 VOL. 77044, PG. 671  
 D.R.D.C.T.

COMMON AREA L  
 BLOCK C/6138

DRAINAGE EASEMENT  
 VOLUME 74160, PAGE. 18  
 D.R.D.C.T.  
 ABANDONED BY CITY  
 ORDINANCE NO. 30405  
 C.C. NO. 20170018658  
 AND IN  
 C.C. NO. 201700181656  
 O.P.R.D.C.T.

VARIABLE WIDTH  
 DRAINAGE EASEMENT  
 VOL. 74160, PG. 18  
 D.R.D.C.T.  
 (ABANDONED)  
 CITY OF DALLAS  
 ORDINANCE NO. 27073

HASTINGS DRIVE  
 42 FOOT RIGHT-OF-WAY  
 CITY OF DALLAS  
 C.C. NO. 20160008990 &  
 C.C. NO. 201600134925  
 O.P.R.D.C.T.

RAMBLER ROAD 2-239 ACRES  
 VARIABLE WIDTH RIGHT-OF-WAY  
 CITY OF DALLAS  
 C.C. NO. 20160008990 &  
 C.C. NO. 201600134925  
 O.P.R.D.C.T.

DAVID BARROW SURVEY  
 ABSTRACT NO. 177

DAVID BARROW SURVEY  
 ABSTRACT NO. 177

DAVID BARROW SURVEY  
 ABSTRACT NO. 177

DAVID BARROW SURVEY  
 ABSTRACT NO. 177

PAGE  3 OF 4	DATE: 01/15/2018
	SCALE: 1" = 60'
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK E/6138  
 DAVID BARROW SURVEY, ABSTRACT NO. 177  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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I:\SLDWFXM97001700 CADD\13 SURVEY\13.5 EASEMENT\PHASE 3 EASEMENTS\WFXM9700EX57-3 FLOODWAY EASEMENT.DWG 1/17/2018 1:38 PM

# EXHIBIT B TRACT 3

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(for SPRG use only)  
 Reviewed By: G.S.  
 Date: 2-12-18  
 SPRG NO: 4408

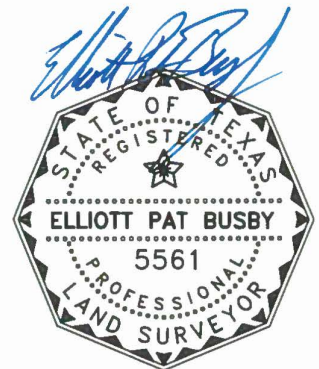
LINE	BEARING	DISTANCE
L1	S42°33'46"W	21.25'
L2	S73°05'28"W	20.57'
L3	N62°19'49"E	14.01'
L4	N55°02'46"E	26.41'
L5	S66°50'16"W	121.70'
L6	N05°51'23"W	98.82'

**LEGEND**

- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- IRF IRON ROD FOUND
- C.M. CONTROLLING MONUMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- C.C. NO. COUNTY CLERK'S FILE NUMBER
- 5/8" IRON ROD WITH A 3" ALUMINUM MONUMENT STAMPED "MERION AT MIDTOWN PARK, PH.1-JACOBS" FOUND
- 5/8" IRON ROD SET IN CONCRETE WITH A 3 1/4" ALUMINUM MONUMENT STAMPED "FLOODWAY MARKER-JACOBS" SET
- VOL. VOLUME
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THE ON THE GROUND BASIS OF BEARING IS THE NORTH LINE OF MEADOW ROAD APARTMENTS NO. 3 ADDITION, AN ADDITION TO THE CITY OF DALLAS AS RECORDED IN VOLUME 77044, PAGE 671, DEED RECORDS, DALLAS COUNTY, TEXAS, BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION, AND PROCEEDING SOUTH 89 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 628.23 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" FOUND FOR THE NORTHWEST CORNER OF SAID MEADOW ROAD APARTMENTS NO. 3 ADDITION.

BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387).



PAGE  4 OF 4	DATE: 01/15/2018
	DRAWN BY: B.M.Y.
	CHECKED BY: E.P.B.

**FLOODWAY EASEMENT**

MEADOW ROAD APARTMENTS NO. 3 ADDITION  
 BEING PART OF BLOCK E/6138  
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**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

April 11, 2018

**COUNCIL DISTRICT(S):**

2

**DEPARTMENT:**

Department of Transportation

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

34T

---

**SUBJECT**

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$20,703 from the University of Texas Southwestern Medical Center for certain material and labor costs associated with the upgrades of two traffic signals at Inwood Road and Forest Park Drive, and Inwood Road at Redfield Street; and **(2)** an increase in appropriations in an amount not to exceed \$20,703 in the Capital Projects Reimbursement Fund - Not to exceed \$20,703 - Financing: Capital Projects Reimbursement Funds

**BACKGROUND**

The expansion of the University of Texas (UT) Southwestern Medical Center campus has increased traffic exiting onto Inwood Road at the intersections of Inwood Road at Forest Park Road and Inwood Road at Redfield Drive, which has increased congestion at these intersections. UT Southwestern has requested upgrades to these traffic signals, including adding left-turn arrows and repairing vehicle detection. 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 \$20,702.88 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, funds in an amount not to exceed \$20,702.88 are to be deposited with the City of Dallas before any City supplied materials can be provided.

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      April 2018  
Complete Construction      May 2018

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on April 9, 2018.

## **FISCAL INFORMATION**

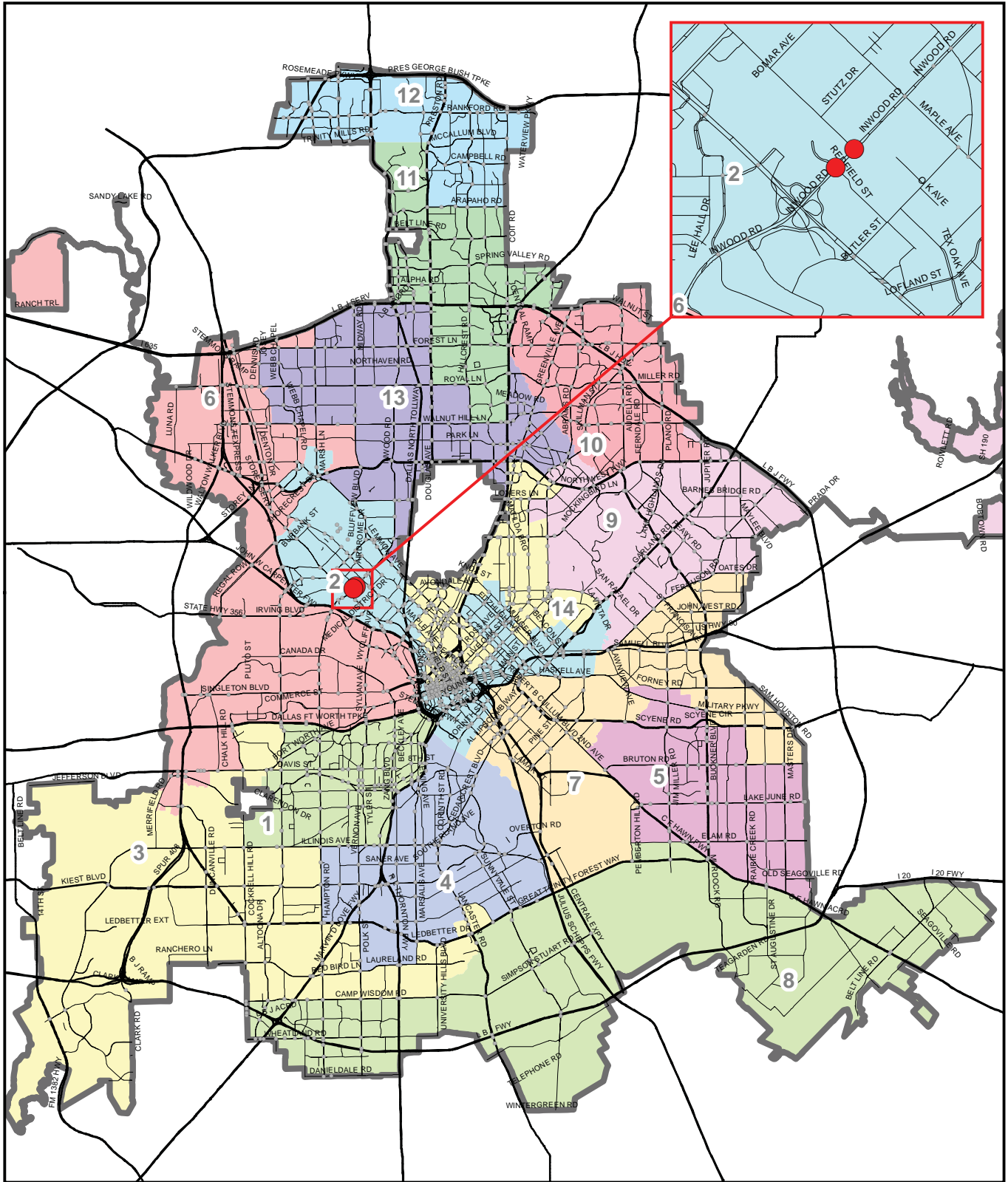
Capital Projects Reimbursement Funds - \$20,702.88

## **MAP**

Attached



# Traffic Signal Upgrades Inwood Road and Forest Park Road Inwood Road and Redfield Street



**Council District 2  
Mapsco Page 34T**

April 11, 2018

**WHEREAS**, University of Texas (UT) Southwestern Medical Center 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 \$20,702.88 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 \$20,702.88 in the Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W258, Object 4820, Activity THRG.

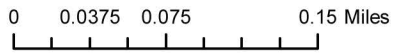
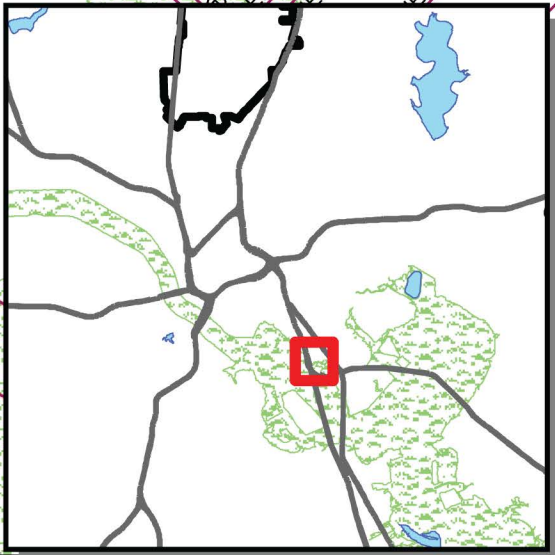
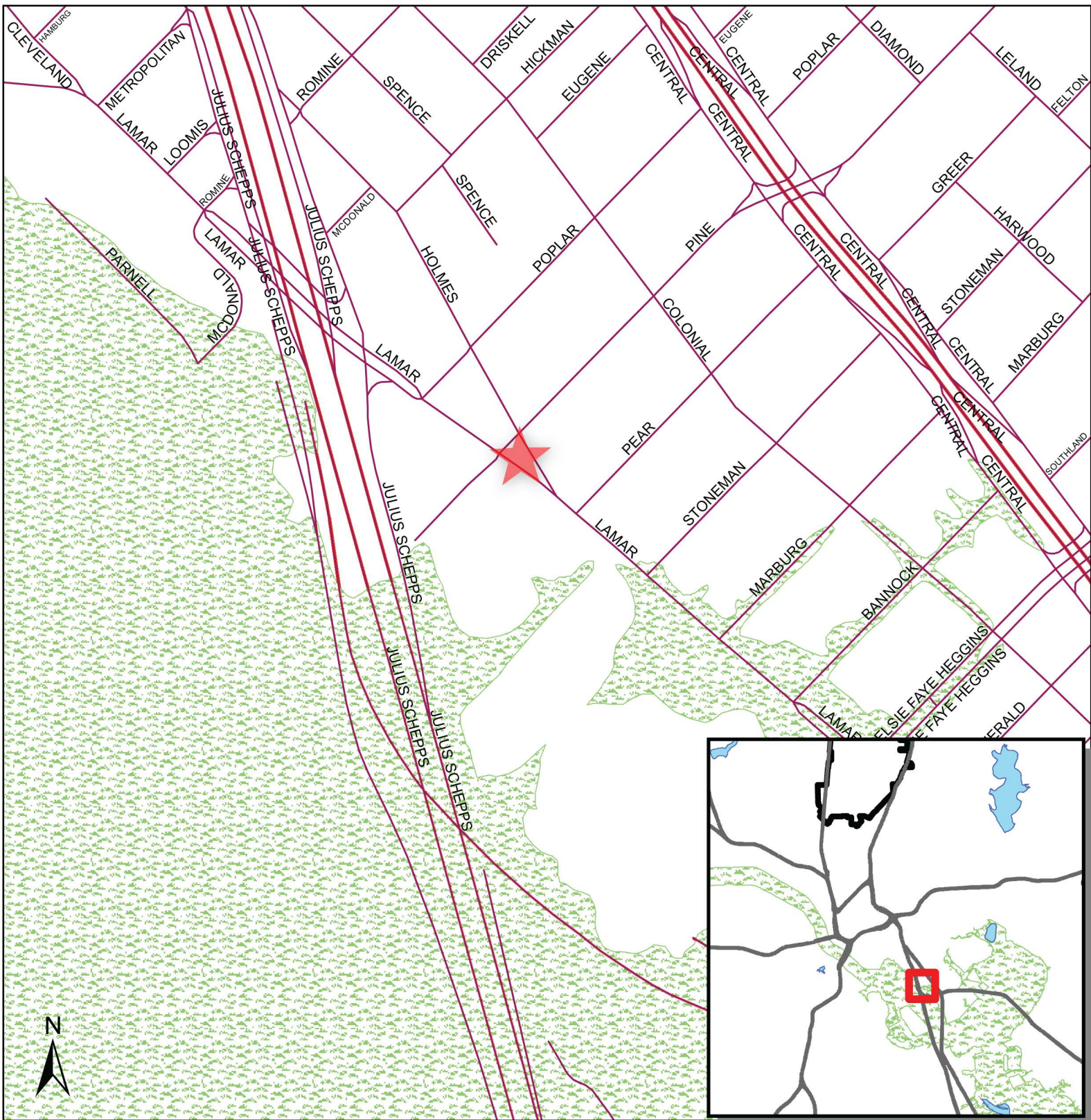
**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds received from UT Southwestern Medical Center, in an amount not to exceed \$20,702.88 from Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W258, Object 4820, Activity THRG, for services related 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.





## Public Art Project Pine Street at South Lamar Street

**Project Location**

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** April 11, 2018

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Water Utilities Department

**CMO:** Majed Al-Ghafry, 670-3302

**MAPSCO:** 24 N

---

**SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide additional engineering services associated with improvements to the Walnut Hill Pump Station facility - Not to exceed \$356,750, from \$1,544,241 to \$1,900,991 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

The Walnut Hill Pump Station facility is located at 3820 Walnut Hill Lane, just east of Marsh Lane. The facility, which boosts water pressures and flows to north Dallas, is comprised of two separate pump stations with a combined capacity of 50 million gallons per day. The original facility was constructed in 1949 with a temporary facility being constructed in 1999 to support additional water demands. The facility is a critical component of the distribution system because of its vital role of boosting pressures and increasing flow to the north Dallas service area. Both pump stations have exceeded their service life and were identified for improvements in the 2007 Water Capital Infrastructure Assessment Report.

On February 25, 2015, an engineering contract with Nathan D. Maier was authorized to provide engineering services associated with improvements to the Walnut Hill Pump Station facility. The engineering contract included an evaluation of replacement options, site development plans, and preparation of procurement documents for design-build project delivery. On November 8, 2017, a design-build contract with Eagle Contracting Limited Partnership was authorized for improvements to the Walnut Hill Pump Station.

**BACKGROUND** (continued)

This action will supplement Nathan D. Maier’s existing contract to provide continuous engineering services support through completion of the new Walnut Hill Pump Station. Additional engineering services will include landscape design, public relations support, and construction phase services. This is the second of two planned awards for engineering services support essential for the replacement of Walnut Hill Pump Station.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Engineering Services	May 2018
Complete Engineering Services	June 2020
Begin Construction	October 2018
Complete Construction	June 2020

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

On February 25, 2015, City Council authorized an engineering contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering services associated with improvements to the Walnut Hill Pump Station facility by Resolution No. 15-0392.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on April 9, 2018.

**FISCAL INFORMATION**

Water Utilities Capital Improvement Funds - \$356,750.00

Design	\$1,544,241.00
Supplemental Agreement No. 1 (this action)	<u>\$ 356,750.00</u>
Total Project Cost	\$1,900,991.00

**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>
\$356,750.00	Architectural & Engineering	25.66%	91.59%	\$326,750.00

- Supplemental Agreement No.1 - 91.59% M/WBE participation
- This contract exceeds the M/WBE goal of 25.66%, and has a 78.41% Overall MWBE participation



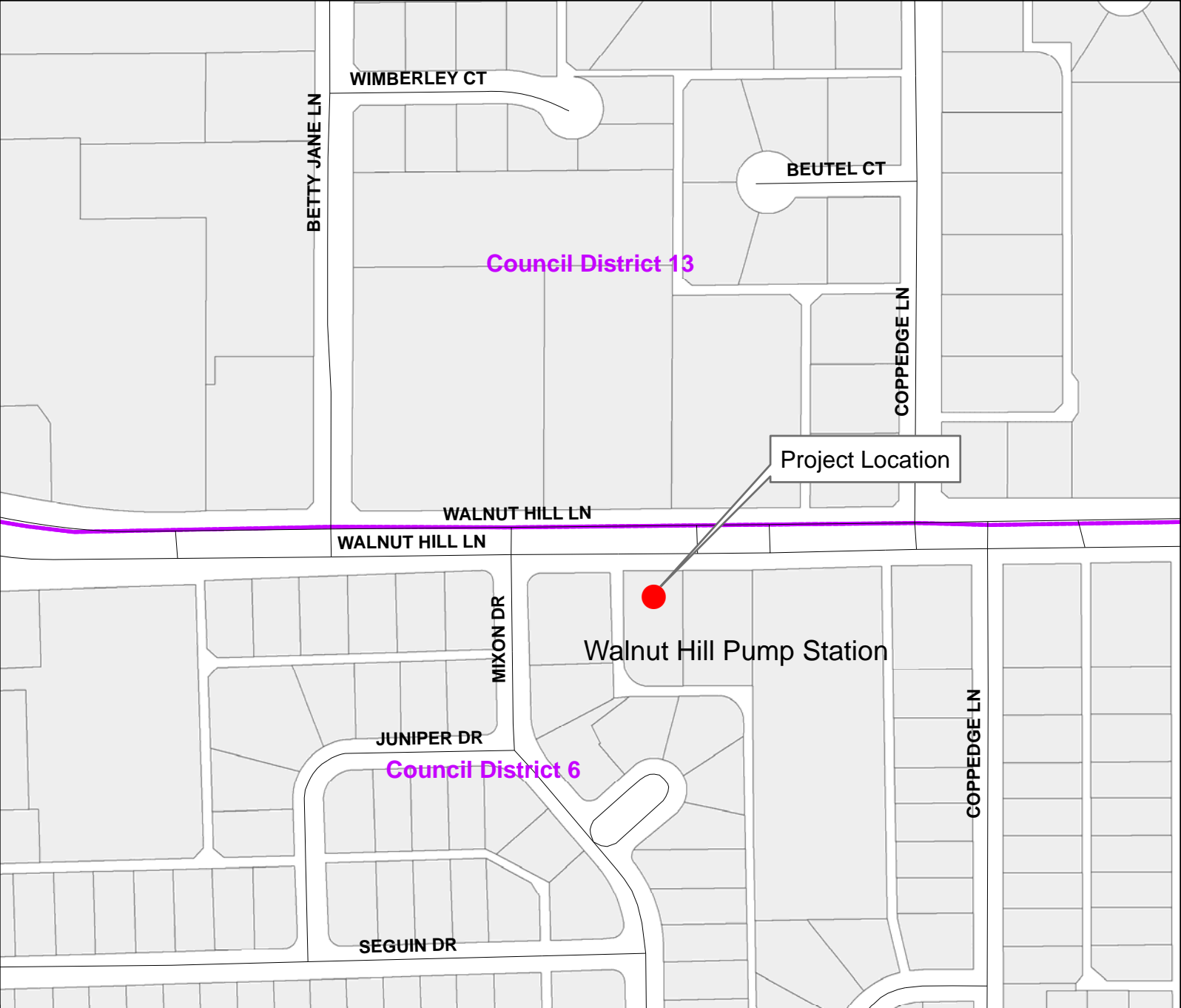
**OWNER**

**Nathan D. Maier Consulting Engineers, Inc.**

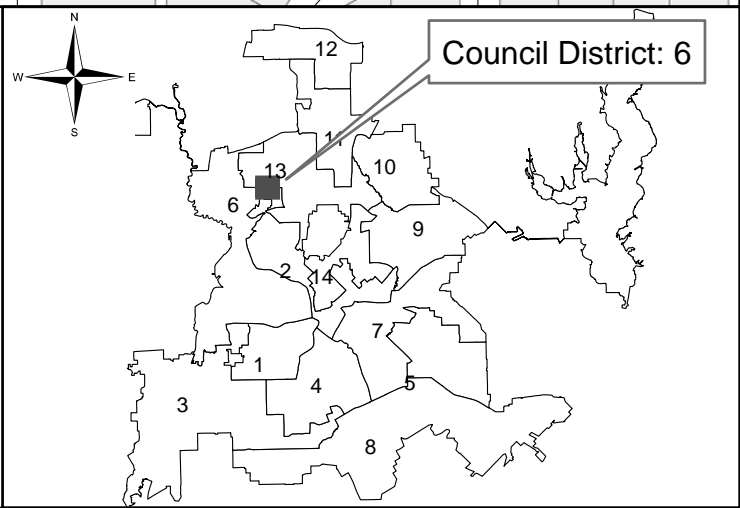
Jean Maier Dean, P.E, President and Chief Executive Officer

**MAP**

Attached



Mapsc0: 24 N



**Dallas Water Utilities**  
**Contract No. 15-003E, Supplemental Agreement No. 1**  
**Walnut Hill Pump Station**  
**Improvements Design Build**

April 11, 2018

**WHEREAS**, on February 25, 2015, City Council authorized an engineering contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering services associated with improvements to the Walnut Hill Pump Station facility, in an amount not to exceed \$1,544,241.00, by Resolution No. 15-0392; and

**WHEREAS**, the City of Dallas has identified a need to improve the Walnut Hill Pump Station, a key facility for boosting system pressures and flows, which has exceeded its service life; and

**WHEREAS**, additional services are required to provide engineering support through completion of the Walnut Hill Pump Station improvements; and

**WHEREAS**, Nathan D. Maier Consulting Engineers, Inc., 12377 Merit Drive, Suite 700, Dallas, Texas 75251, has submitted an acceptable proposal to provide these engineering services; and

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 15-003E be increased by \$356,750.00, from \$1,544,241.00 to \$1,900,991.00.

**Now, Therefore,**

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

**SECTION 1.** That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 15-003E with Nathan D. Maier Consulting Engineers, Inc., be revised accordingly.

**SECTION 2.** That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc., approved as to form by the City Attorney, to provide additional engineering services associated with improvements to the Walnut Hill Pump Station facility, in an amount not to exceed \$356,750.00, increasing the contract amount from \$1,544,241.00 to \$1,900,991.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$356,750.00 to Nathan D. Maier Consulting Engineers, Inc. from the Water Capital Improvement Fund, Fund 2115, Department DWU, Unit PW40, Object 4111, Program 715003, Vendor 192659.

**SECTION 4.** That this contract is designated as Contract No. DWU-2017-00003508.

**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.