

**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Aviation

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

**MAPSCO:** 34E

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**SUBJECT**

Authorize a thirty-six-month Interlocal Agreement with the North Texas Tollway Authority (NTTA), with two thirty-six-month renewal options to **(1)** operate under the maintenance and repair terms of the previous Interlocal Agreement for up to twelve months, in an amount not to exceed \$96,000, transitioning from the old to the new system, \$411,252 first year only; **(2)** remove installation, hardware and maintenance of the Automatic Vehicle Identification System from NTTA’s responsibility; and **(3)** require NTTA to provide new continuous data migration to and from Dallas Love Field Parking Access Revenue Control System, clearinghouse services and a user interface with reporting and billing functions - Not to exceed \$507,252 - Financing: Aviation Current Funds

**BACKGROUND**

Parking Garages at Dallas Love Field account for over \$31,000,000 in gross revenues. The NTTA System currently receives 55% of the customer payments, and the Dallas Love Field Parking Access Revenue Control System (PARCS) collects 45%. The two systems do not communicate with each other, and operate separately in Garages A and B.

In September 2016, Dallas Love Field began installation of the Skidata PARCS to replace the end of life ASCOM PARCS. The City Auditor's Office recommended that the NTTA System be integrated with the new Skidata PARCS, as there would be one master system accounting for all parking garage revenue, access and information, thus creating greater accountability and audit control.

## **BACKGROUND** (continued)

To enable the Skidata PARCS to recognize NTTA TollTag information the systems must communicate with each other. The NTTA Interlocal Agreement will now include the upload and download of NTTA data files with the Skidata PARCS. This enables the Skidata PARCS to account for NTTA Account Holder garage access and respective payments. NTTA will also provide a user interface outside of the Skidata PARCS to allow parking transaction adjustment and reporting directly in the NTTA System.

The NTTA Interlocal Agreement will no longer include the installation, maintenance, and hardware of the Automated Vehicle Identification (AVI) System. Included in the Skidata PARCS are new AVI readers, controllers and software and the installation, maintenance and hardware that would fall under the Skidata PARCS installation and maintenance agreements.

The 55% of Dallas Love Field customers using their NTTA TollTag to access and pay for parking will continue to do so. The customer's NTTA Account information continues to be used seamlessly as an access media for the Dallas Love Field Parking Garages within the Skidata PARCS, and the NTTA will act as a clearinghouse for tolltag user transactions sent to the NTTA by the Skidata PARCS.

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

On January 12, 2005, City Council authorized an Interlocal Agreement with NTTA for the purchase and installation of the Automated Vehicle Identification System at Dallas Love Field; and a thirty-six-month maintenance agreement, with two thirty-six month renewal options by Resolution No. 05-0144.

On September 23, 2009, City Council authorized an amendment to the Interlocal Agreement to include the installation and maintenance of Automated Vehicle Identification System equipment for five additional tolltag exit lanes in the parking facilities located at Dallas Love Field by Resolution No. 09-2774.

On April 23, 2014, City Council authorized an amendment to the Interlocal Agreement with NTTA, effective April 1, 2014, to extend the contract for a period of twelve months for the installation, maintenance, upgrading and clearinghouse functions by Resolution No. 14-0654.

On May 27, 2015, City Council authorized an amendment to the Interlocal Agreement with the NTTA to extend the contract for a period of thirty-six-months for the installation, maintenance, upgrading and clearinghouse functions of the automated vehicle identification system equipment for tolltag exit lanes in the parking facilities, and tolltag readers for ground transportation vehicles throughout the roadways at Dallas Love Field, effective April 1, 2015, by Resolution No. 15-0926.



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

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on March 26, 2018.

**FISCAL FORMATION**

Aviation Current Funds - \$507,252

March 28, 2018

**WHEREAS**, on January 12, 2005, City Council authorized an Interlocal Agreement with North Texas Tollway Authority (NTTA) for the purchase and installation of the Automated Vehicle Identification System (AVI System) at Dallas Love Field; and a thirty-six-month maintenance agreement, with two thirty-six month renewal options by Resolution No. 05-0144; and

**WHEREAS**, the TollTag System enables Dallas Love Field's parking customers and ground transportation providers to enter and exit the parking facilities without stopping for tickets or waiting in line to pay parking fees without prior application as customers enter the parking facilities, and to pay via their NTTA Account when their vehicles exit; and

**WHEREAS**, on September 23, 2009, City Council authorized an amendment to the Interlocal Agreement with NTTA to include the installation and maintenance of Automated Vehicle Identification System equipment for five additional tolltag exit lanes in the parking facilities located at Dallas Love Field by Resolution No. 09-2774; and

**WHEREAS**, on April 23, 2014, City Council authorized an amendment to the Interlocal Agreement with NTTA, effective April 1, 2014, to extend the contract for a period of twelve months for the installation, maintenance, upgrading and clearinghouse functions by Resolution No. 14-0654; and

**WHEREAS**, on May 27, 2015, City Council authorized an amendment to the Interlocal Agreement with NTTA to extend the contract for a period of thirty-six-months for the installation, maintenance, upgrading and clearinghouse functions of the automated vehicle identification system equipment for tolltag exit lanes in the parking facilities, and tolltag readers for ground transportation vehicles throughout the roadways at Dallas Love Field, effective April 1, 2015, by Resolution No. 15-0926; and

**WHEREAS**, the TollTag System offers convenience through ease of use, and will provide valuable Airport revenue tracking information through communication with the Parking Access Revenue Control System (PARCS); and

**WHEREAS**, the TollTag System monthly fee will be reduced, due to the transfer of installation and maintenance responsibility to the PARCS, while providing continuous data migration to and from the PARCS, clearing house functionality, providing a NTTA Gateway with reporting and billing functions.

**Now, Therefore,**

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

March 28, 2018

**SECTION 1.** That the City Manager is hereby authorized to execute a thirty-six-month Interlocal Agreement with the North Texas Tollway Authority (NTTA), with two thirty-six-month renewal options, approved as to form by the City Attorney, to **(1)** operate under the maintenance and repair terms of the previous Interlocal Agreement for up to twelve months, in an amount not to exceed \$96,000, transitioning from the old to the new system, \$411,252 first year only; **(2)** remove installation, hardware and maintenance of the Automated Vehicle Identification System from NTTA's responsibility; and **(3)** require NTTA to provide continuous data migration to and from Dallas Love Field Parking Access Revenue Control System, clearinghouse services and a user interface with reporting and billing functions, in an amount not to exceed \$507,252.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$507,252 from Aviation Current Fund, Fund 0130, Department AVI, Unit 7751, Activity AV05, Object 3422, Vendor 237925, Encumbrance/Contract No. AVI-2018-00004977.

**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 # 3**

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

**AGENDA DATE:** March 28, 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 service contract for the purchase and installation of furniture and replacement chair arms for Dallas Love Field Airport with Arconas Corporation through The Interlocal Purchasing System Purchasing Cooperative - Not to exceed \$272,179 - Financing: Aviation Current Funds

**BACKGROUND**

In 2012 as part of the Love Field Modernization Program (LFMP) design, collaboration between City of Dallas Department of Aviation and airlines stakeholders resulted in decisions for gate area seating. Arconas seating style “Bernu” was chosen based on performance in numerous airports across the United States in Southwest Airlines operations. Purchase was made through Love Field Modernization Program and awarded to Arconas Corporation for 1,875 seats in a variety of configurations (2, 3, 4, and 5 seat arrangements).

Based on a design change for safety and durability, the vendor has strongly recommended replacement of all chair arms to an aluminum, one piece arm and offered a one-time, cost sharing discount to Department of Aviation in order to bring Dallas Love Field (DAL) gate seating into compliance with Arconas Corporation's standards. Given the heavy usage in Dallas Love Field gate areas, Department of Aviation agrees that time maintaining the original chair arms should be reduced.

Additionally, the Department of Aviation and airline stakeholders have collaborated in new gate seating layouts that allow an increase of 320 new seats, again in a variety of configurations.

This action will authorize the purchase and installation of furniture and replacement chair arms from Arconas Corporation through The Interlocal Purchasing System (TIPS) Purchasing Cooperative, which conforms to the requirements of Texas statutes applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	July 2017
Completed Design	December 2017
Estimated Installation Start	July 2018
Estimated Installation Completion	August 2018

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on March 26, 2018.

## **FISCAL INFORMATION**

Aviation Current Funds - \$272,179.00

## **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>
\$272,179.00	COOP	N/A	N/A	N/A

- The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (COOPs).

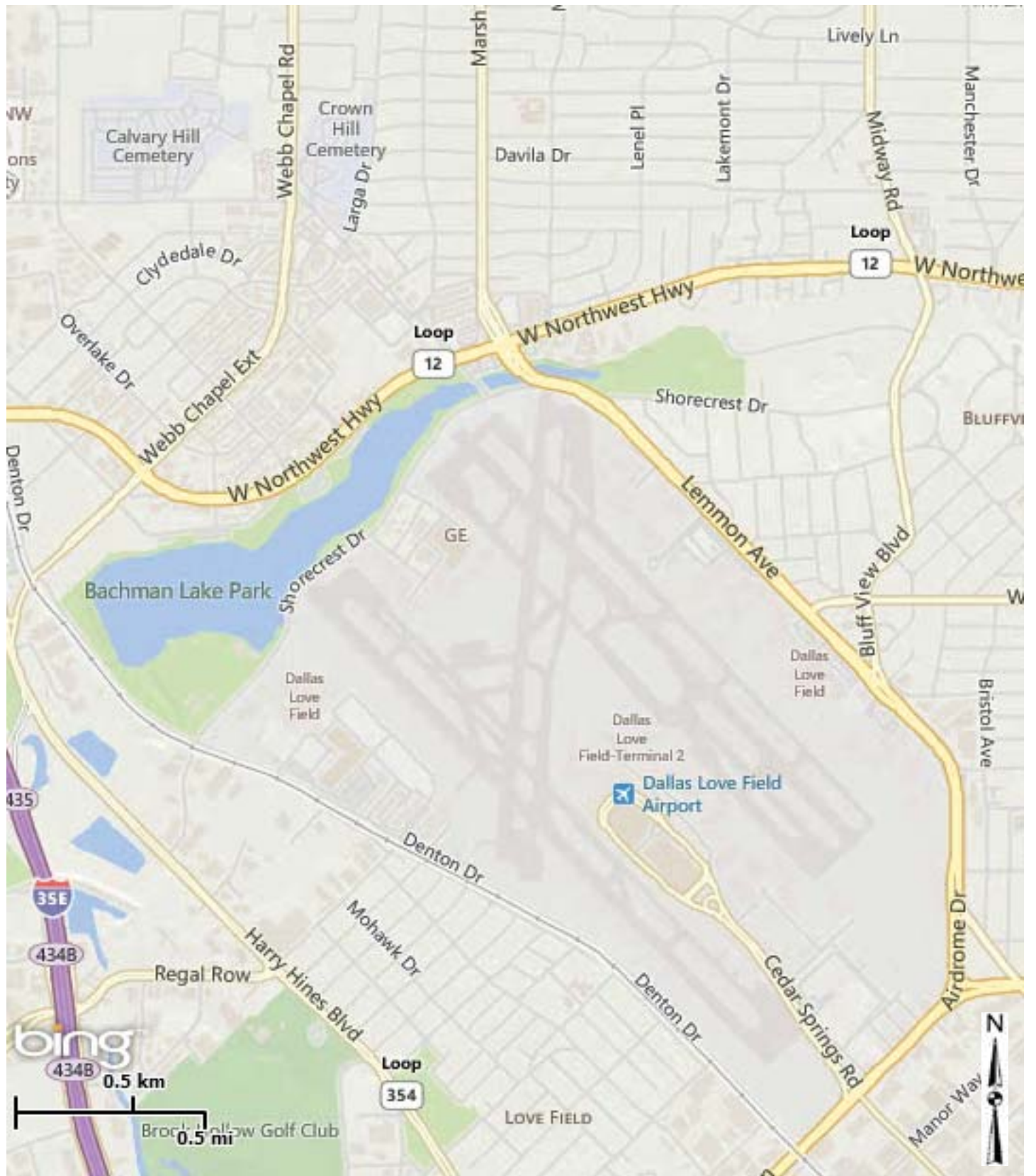
## **OWNER**

### **Arconas Corporation**

Dan Nussbaum, President  
Pablo Reich, Executive Vice President

## **MAP**

Attached



Dallas Love Field

March 28, 2018

**WHEREAS**, in 2012, the Love Field Modernization Program executed contracts to purchase furniture for soon-to-be-completed new Dallas Love Field gate areas; and

**WHEREAS**, additional seating and replacement chair arms are needed to optimize functionality and improve customers' experience at Dallas Love Field; and

**WHEREAS**, it is now desirable to authorize a service contract with Arconas Corporation through The Interlocal Purchasing System (TIPS) Purchasing Cooperative for the purchase of additional Dallas Love Field gate area seating and replacement chair arms for Dallas Love Field, in an amount not to exceed \$272,179.

**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 service contract with Arconas Corporation through The Interlocal Purchasing System Purchasing Cooperative, approved as to form by the City Attorney, for the purchase of furniture and replacement chair arms for Dallas Love Field Airport, in an amount not to exceed \$272,179.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$272,179 to Arconas Corporation through TIPS Purchasing Cooperative, in accordance with the terms and conditions of the contract from the Aviation General Fund, Fund 0130, Department AVI, Unit 7706, Activity AAIP, Object 2710, Commodity 99846, Encumbrance/Contract No. CX-AVI-2018-00005309, Vendor VS96062.

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

**AGENDA ITEM # 4**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

March 28, 2018

**COUNCIL DISTRICT(S):**

6

**DEPARTMENT:**

Department of Public Works  
Water Utilities Department

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

42U Y 52C

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**SUBJECT**

Authorize an increase to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, drainage channel and a 12-inch water main relocation for Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway 30 - Not to exceed \$875,444, from \$9,456,805 to \$10,332,249 - Financing: 2006 Bond Funds (\$822,891) and Water Utilities Capital Improvement Funds (\$52,553)

**BACKGROUND**

On November 10, 2015, City Council authorized a construction contract with Pavecon Public Works, LP for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway (IH) 30, by Resolution No. 15-2130. This action will authorize Change Order No. 4 to the construction contract with Pavecon Public Works, LP for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, drainage channel, and a 12-inch water main relocation for Chalk Hill Road from Davis Street to 800 feet south of IH-30.

The south end of the project is located within the environmentally sensitive City of Dallas Escarpment Zone. This property is owned by the City of Dallas Park and Recreation Department. Because the street improvements are located within this environmentally sensitive area, the Park and Recreation Department requires that Public Works Department build a decorative concrete panel retaining wall and sidewalk retaining wall that will do minimal damage to the environment. Further, a concrete flume is needed to minimize water erosion damage to the roadway embankment due to storm drain run-off.



**BACKGROUND** (continued)

Change Order No. 4 also includes a new 12-inch PVC water main and associated water main construction items needed to replace an existing 12-inch water main that conflicts with the proposed paving, sidewalk and precast concrete panel retaining wall.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	February 2008
Completed Design	August 2015
Began Construction	March 2016
Complete Construction	September 2018

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

On January 23, 2008, City Council authorized a professional services contract with PB Americas, Inc. by Resolution No. 08-0324.

On May 26, 2010, City Council authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800 feet south of the IH-30 eastbound frontage road and Chalk Hill Road from the IH-30 westbound frontage road to Singleton Boulevard, from its current alignment to the proposed alignment by Resolution No. 10-1330.

On December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road by Resolution No. 10-3076.

On December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard by Resolution No. 10-3077.

On September 22, 2015, City Council authorized street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and a benefit assessment hearing to be held on November 10, 2015 to receive comments by Resolution No. 15-1772.

On November 10, 2015, a benefit assessment hearing was held to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and at the close of the hearing, City Council authorized an ordinance levying benefit assessments and a construction contract with Pavecon Public Works LP by Resolution No. 15-2130.

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

On November 10, 2015, City Council authorized a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of IH-30 by Resolution No. 15-2131.

On December 9, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard by Resolution No. 15-2221.

On September 14, 2016, City Council authorized Change Order No. 1 to the construction contract with Pavecon Public Works, LP for additional work associated with the construction of a 12 foot-wide bicycle facility that will connect the Chalk Hill Road project's dedicated on-street bicycle lanes with the planned Chalk Hill Trail Project by Resolution No. 16-1458.

On January 11, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30 by Resolution No. 17-0082.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

2006 Bond Funds - \$822,891.14

Water Utilities Capital Improvement Funds - \$52,552.40

Design	\$	971,714.50
Supplemental Agreement No. 1	\$	236,037.80
Supplemental Agreement No. 2	\$	94,000.70
Supplemental Agreement No. 3	\$	42,857.14
Supplemental Agreement No. 4	\$	86,039.14

**FISCAL INFORMATION** (continued)

Construction	
Paving & Drainage - PBW	\$ 7,676,673.42
Water & Wastewater - DWU	\$ 1,422,988.82
Material Testing	\$ 90,924.50
Change Order No. 1	\$ 357,142.86
Change Order No. 2	\$ 0.00
Change Order No. 3	\$ 0.00
Change Order No. 4 (this action)	<u>\$ 875,443.54</u>
Total	\$11,853,822.42

**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>
\$875,443.54	Construction	25.00%	12.74%	\$111,530.22

- Change Order No. 4 -12.74% M/WBE participation
- This contract does meet the M/WBE goal of 25.00%, and has a 29.83% Overall M/WBE participation

**OWNER**

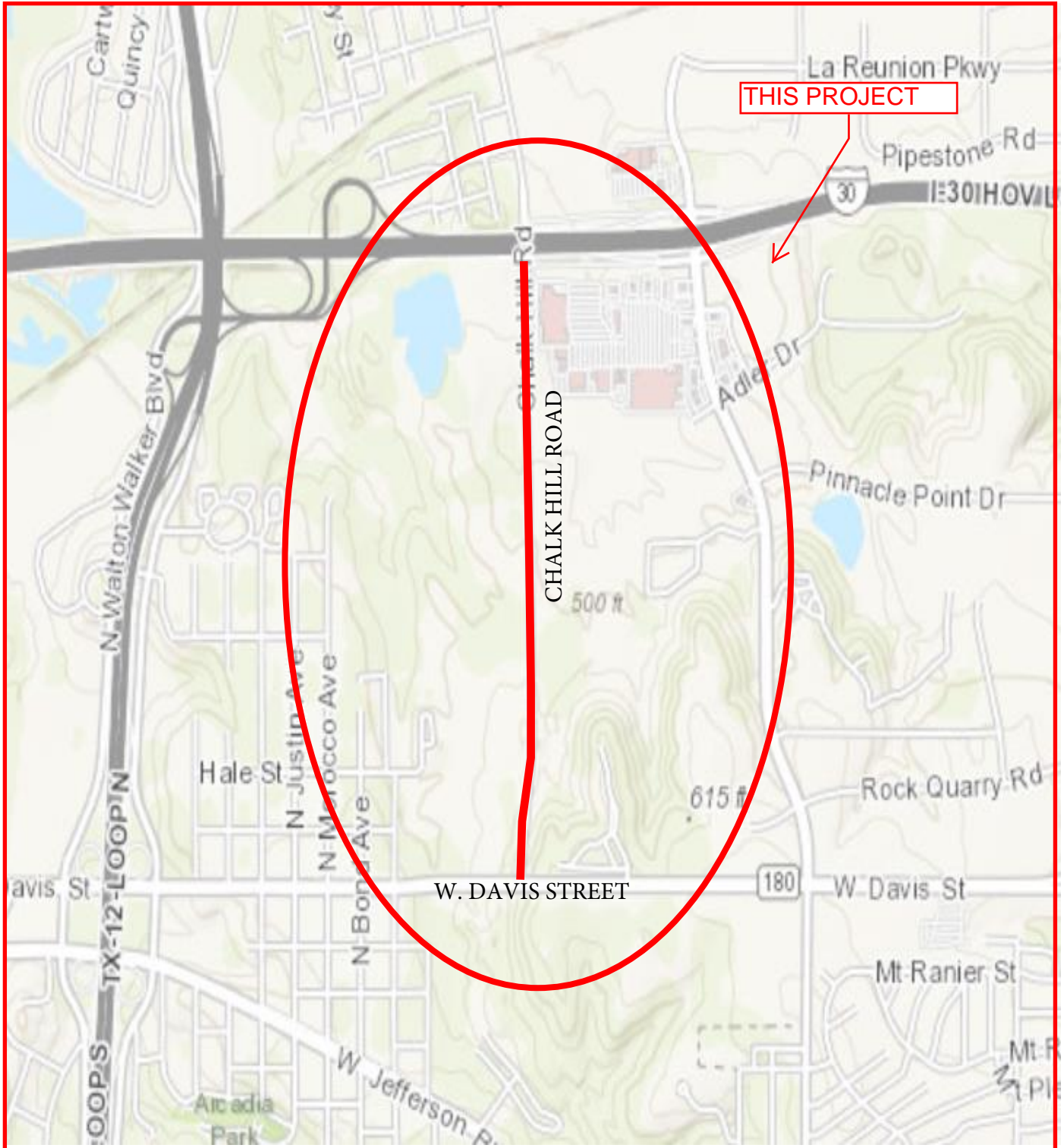
**Pavecon Public Works, LP**

Brian Cottle, Vice President

**MAP**

Attached

# CHALK HILL ROAD (SOUTH) FROM DAVIS STREET TO I-30 FRONTAGE ROAD



March 28, 2018

**WHEREAS**, on January 23, 2008, City Council authorized a professional services contract with PB Americas, Inc. for the design of thoroughfares projects for Chalk Hill Road from Interstate Highway (IH) 30 frontage road to Singleton Boulevard and Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed \$971,714.50, by Resolution No. 08-0324; and

**WHEREAS**, on May 26, 2010, City Council authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800 feet south of the IH-30 eastbound frontage road and Chalk Hill Road from the IH-30 westbound frontage road to Singleton Boulevard, from its current alignment to the proposed alignment by Resolution No. 10-1330; and

**WHEREAS**, on December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road, in an amount not to exceed \$54,551.50, from \$464,096.20 to \$518,647.70, by Resolution No. 10-3076; and

**WHEREAS**, on December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed \$181,486.30, from \$507,618.30 to \$689,104.60, by Resolution No. 10-3077; and

**WHEREAS**, Resolution Nos. 10-3076 and 10-3077 should have been authorized as Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services under the same action, in an amount not to exceed \$236,037.80, from \$971,714.50 to \$1,207,752.30; and

**WHEREAS**, on September 4, 2015, bids were received for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from West Davis Street to 800 feet south of the IH-30 eastbound frontage road; and

**WHEREAS**, on September 22, 2015, City Council authorized street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and a benefit assessment hearing to be held on November 10, 2015 to receive comments by Resolution No. 15-1772; and

March 28, 2018

**WHEREAS**, on November 10, 2015, a benefit assessment hearing was held to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and at the close of the hearing, City Council authorized an ordinance levying benefit assessments and a construction contract with Pavecon Public Works LP, in an amount not to exceed \$9,099,662.24, by Resolution No. 15-2130; and

**WHEREAS**, on November 10, 2015, City Council authorized a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of the IH-30, in an amount not to exceed \$90,924.50, by Resolution No. 15-2131; and

**WHEREAS**, on December 9, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of the IH-30 eastbound frontage road and Chalk Hill Road from the IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed \$94,000.70, from \$518,647.70 to \$612,648.40, by Resolution No. 15-2221; and

**WHEREAS**, Resolution No. 15-2221 should have authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road on West Davis Street to 800 feet south of the IH-30 and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed \$94,000.70, from \$1,207,752.30 to \$1,301,753.00; and

**WHEREAS**, on September 13, 2016, Administrative Action No. 16-6617 authorized Supplemental Agreement No. 3 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services on Chalk Hill Road (South) from Davis Street to IH-30 frontage road, in an amount not to exceed \$42,857.14, from \$1,301,753.00 to \$1,344,610.14; and

**WHEREAS**, on September 14, 2016, City Council authorized Change Order No. 1 to the construction contract with Pavecon Public Works, LP for additional work associated with the construction of a 12 foot-wide bicycle facility that will connect the Chalk Hill Road project's dedicated on-street bicycle lanes with the planned Chalk Hill Trail Project, in an amount not to exceed \$357,142.86, from \$9,099,662.24 to \$9,456,805.10, by Resolution No. 16-1458; and

**WHEREAS**, on April 24, 2017, Administrative Action No. 17-0464 authorized Change Order No. 2 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero dollar amount change order, not increasing the contract amount of \$9,458,805.10; and

March 28, 2018

**WHEREAS**, on July 13, 2017, Administrative Action No. 17-0794 authorized Change Order No. 3 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero dollar amount change order, not increasing the contract amount of \$9,456,805.10; and

**WHEREAS**, on January 11, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed \$86,039.14, from \$1,344,610.14 to \$1,430,649.28, by Resolution No. 17-0082; and

**WHEREAS**, it is now necessary to authorize Change Order No. 4 to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, a drainage channel and a 12-inch water main relocation for the Chalk Hill Road from Davis Street to 800 feet south of IH-30 project, in an amount not to exceed \$875,443.54, increasing the contract amount from \$9,456,805.10 to \$10,332,248.64.

**Now, Therefore,**

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

**SECTION 1.** That an increase in the construction services contract with Pavecon Public Works, LP (Change Order No. 4) is authorized for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, drainage channel and a 12-inch water main relocation for the Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed \$875,443.54, increasing the contract from \$9,456,805.10 to \$10,332,248.64.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$875,443.54 to Pavecon Public Works, LP, as follows:

Street and Transportation Improvements Fund	
Fund 3T22, Department PBW, Unit U781, Activity THRF	
Object 4510, Program PB06U781	
Encumbrance CT-PBW06U781B1, Vendor VS89455	\$822,891.14

March 28, 2018

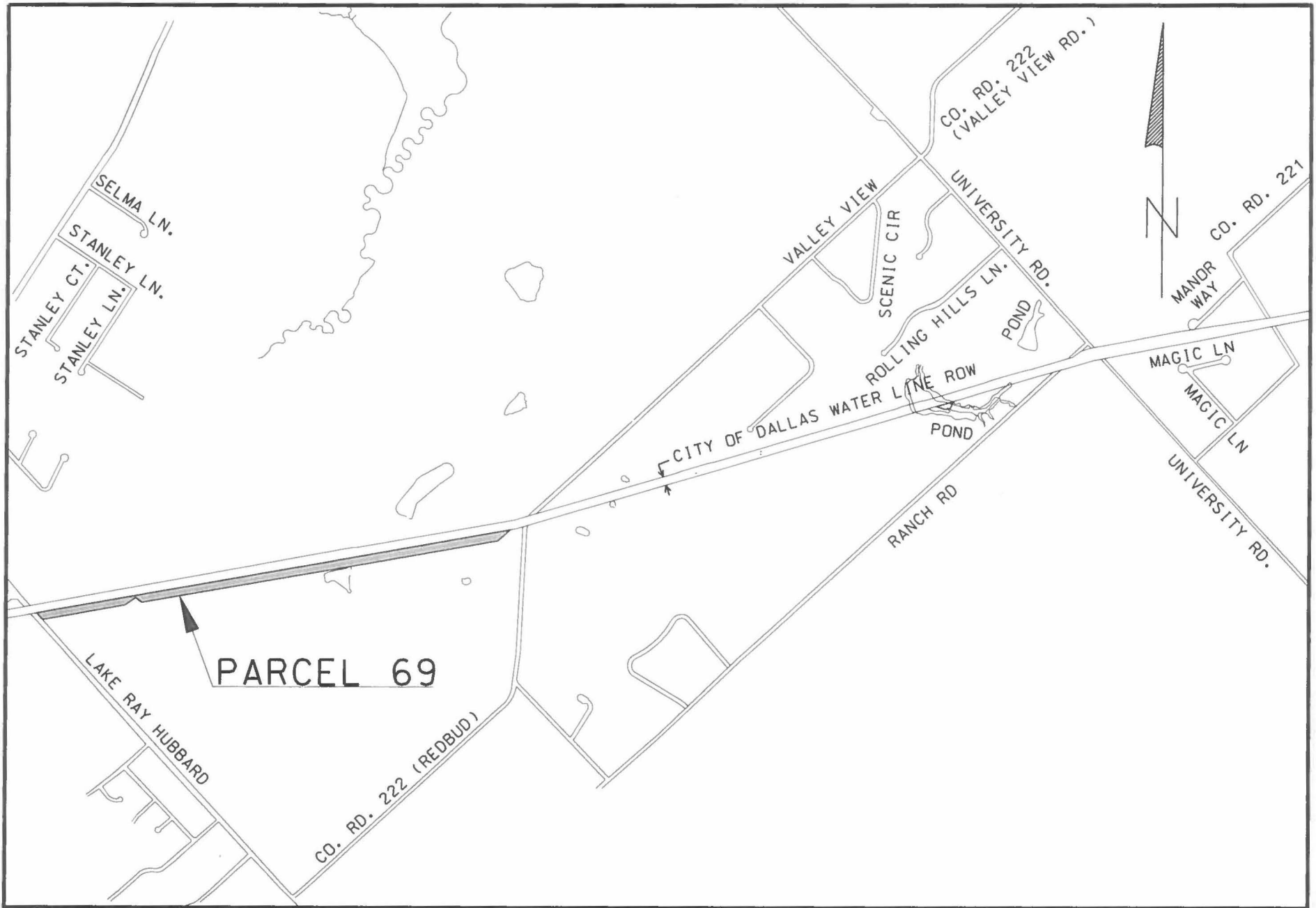
**SECTION 2.** (continued)

Water Capital Improvement Fund	
Fund 2115, Department DWU, Unit PW42	
Object 4550, Program 715369	
Encumbrance CT-PBW715369CP, Vendor VS89455	<u>\$ 52,552.40</u>
Total amount not to exceed	\$875,443.54

**SECTION 3.** That this contract is designated as Contract No. PBW-2016-00001075.

**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.





VICINITY MAP  
APPROXIMATE SCALE 1" = 2000'

March 28, 2018

**SECTION 2.** (continued)

Officer is hereby authorized to issue a check, to be 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 3.** That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT.

**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.

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

BY:   
Assistant City Attorney

PARCEL E-286



VICINITY MAP - NOT TO SCALE

March 28, 2018

**SECTION 2.** (continued)

Officer is hereby authorized to issue a check, to be 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.

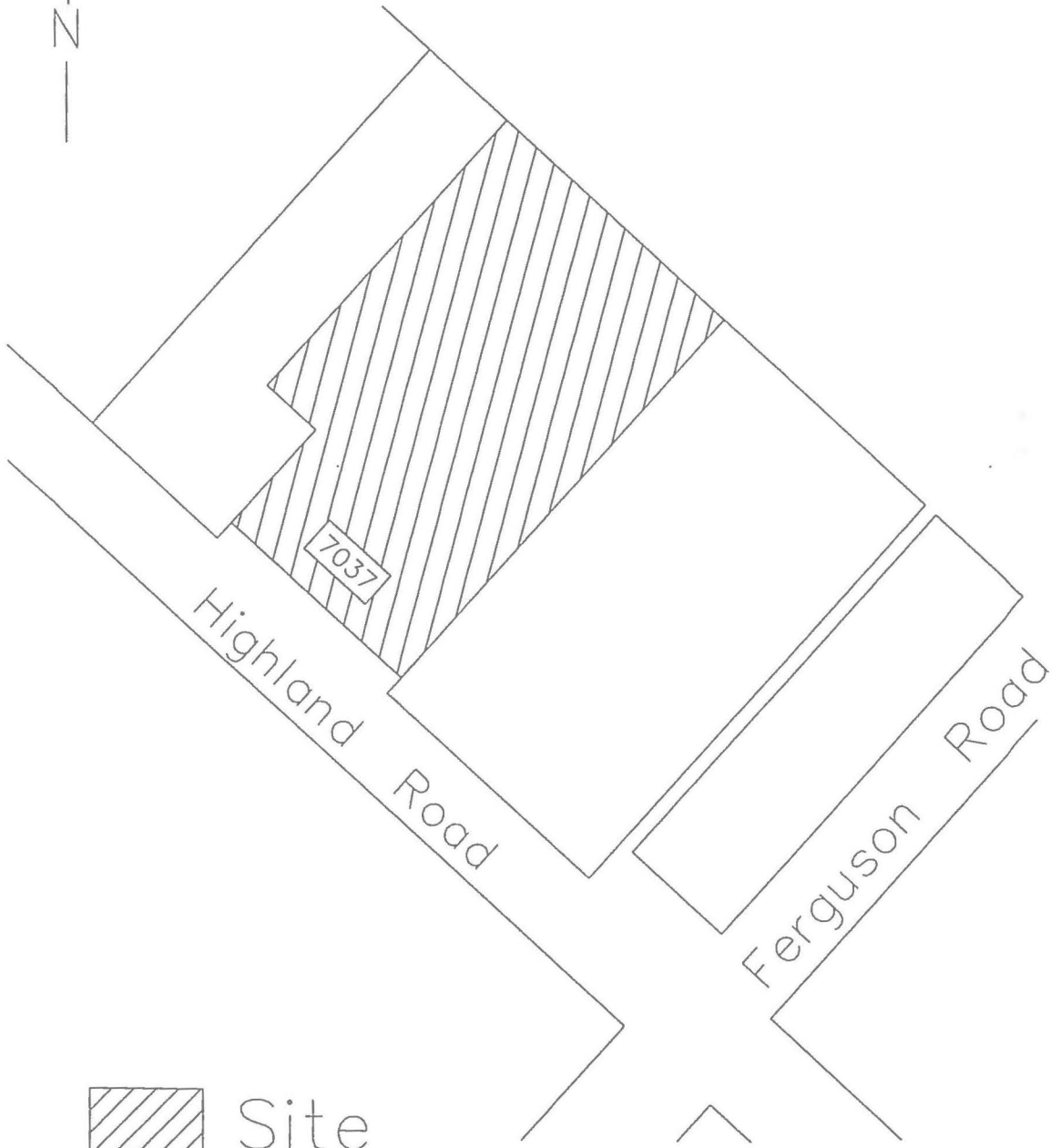
**SECTION 3.** That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT.

**SECTION 4.** That this contract is designated as Contract No. CX-DWU-2017-00003795.

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

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

BY:   
Assistant City Attorney



 Site

March 28, 2018

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

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

BY:   
Assistant City Attorney



**AGENDA ITEM # 8**

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

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** Outside City Limits

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

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

**MAPSCO:** N/A

---

**SUBJECT**

Authorize moving expense and replacement housing payments for Margaret Dodson as a result of an official written offer of just compensation to purchase real property at 618 VZ CR 3828 for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed \$63,550 - 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 November 8, 2017, City Council authorized the acquisition of real property known as 618 VZ CR 3828 for the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1755.

Margaret Dodson will be displaced as a direct result of this property acquisition. She qualifies for a moving expense payment of up to \$2,050 and a last resort calculated replacement housing payment of up to \$61,500 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 November 8, 2017, City Council authorized the acquisition by Resolution No. 17-1755.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

Water Utilities Capital Improvement Funds - \$63,550

**OWNER**

Margaret Dodson

**MAP**

Attached





March 28, 2018

**WHEREAS**, on November 8, 2017, City Council authorized the acquisition of real property known as 618 VZ CR 3828 to be used in conjunction with the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 17-1755; and

**WHEREAS**, Margaret Dodson 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 Margaret Dodson 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 Margaret Dodson is eligible to receive a moving expense payment of up to \$2,050 and a replacement housing payment of up to \$61,500.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to draw warrants in favor of Margaret Dodson, in an amount not to exceed \$63,550 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-2017-00002884-1 Vendor VS87197	\$61,500
Water Capital Improvement Fund Fund 0102, Department DWU, Unit CW20 Object 4230, Program 704041 Encumbrance/Contract No. CX-DWU-2017-00002884-02 Vendor VC18195	<u>\$ 2,050</u>
Total amount not to exceed	\$63,550

March 28, 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 # 9**

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

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** Outside City Limits

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

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

**MAPSCO:** 741N

---

**SUBJECT**

A resolution authorizing the conveyance of a water easement containing approximately 3,922 square feet of land to Forney Lake Water Supply Corporation for the construction, maintenance and use of water facilities across City-owned land located near the intersection of FM Highway 460 and FM Highway 740 - Revenue: \$1,235

**BACKGROUND**

This item authorizes the conveyance of a water easement containing approximately 3,922 square feet of land to Forney Lake Water Supply Corporation for the construction, maintenance and use of water facilities across City-owned land near the intersection of FM Highway 460 and FM Highway 740. This property will be used for the Forney Reservoir Dam Site.

On March 7, 1963, an agreed Judgment was entered in the County Court of Kaufman County, Texas, in Cause Number 5872 in which the City of Dallas acquired certain lands for the purpose of constructing and maintaining the Forney Reservoir Dam Site and Appurtenances.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

Revenue - \$1,235

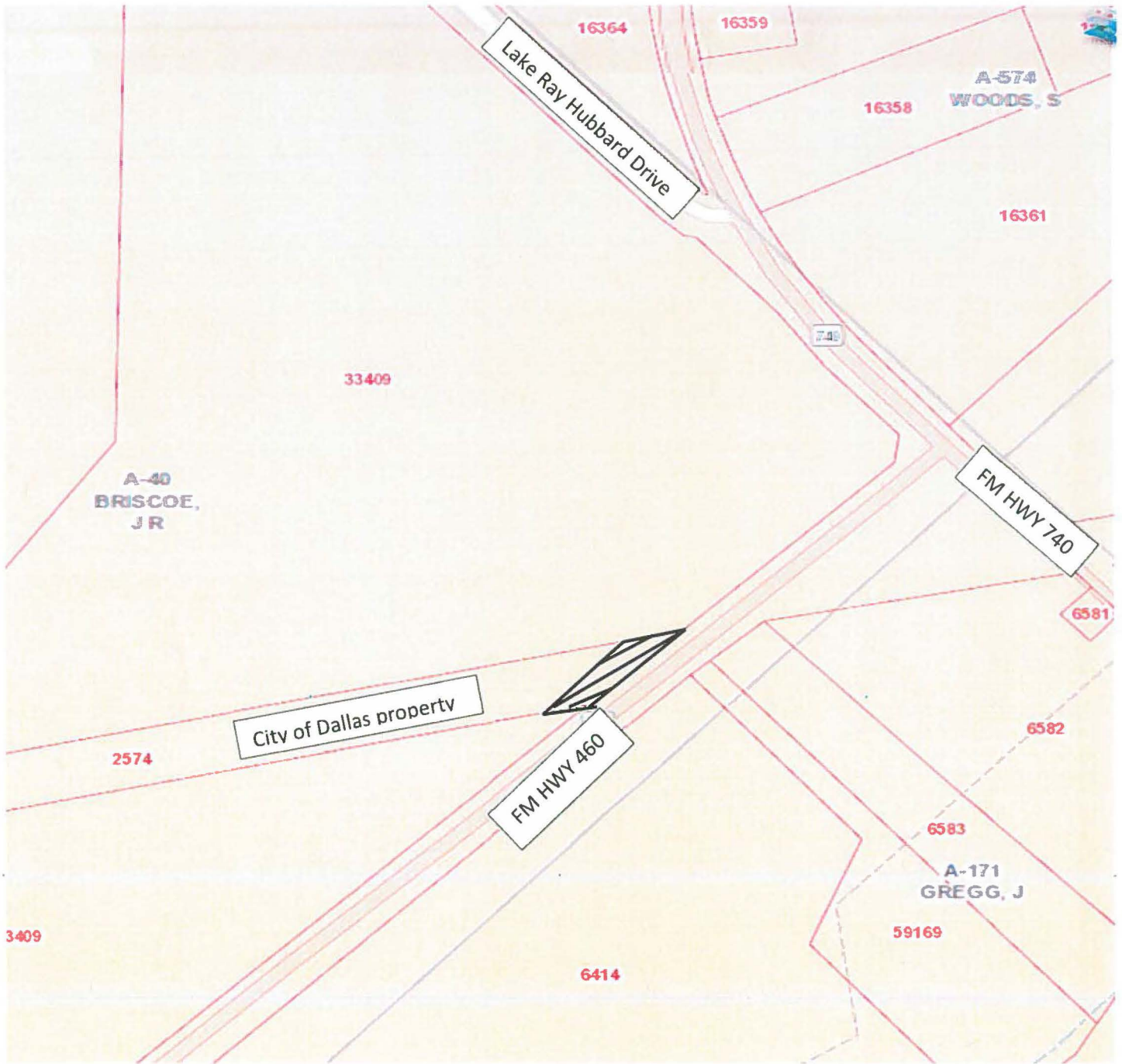
**OWNER**

**Forney Lake Water Supply Corporation**



George Stine, Director

**MAP**

Attached



Water Easement for Forney Lake Water Supply Corporation  
Approx. 3,922 SqFt Near the intersection of FM HWY 460 and FM HWY 740



March 28, 2018

**WHEREAS**, the City of Dallas owns a tract of land which is used for the Forney Reservoir Dam Site; and

**WHEREAS**, Forney Lake Water Supply Corporation has requested a Water Easement on said land for the construction, maintenance and use of water facilities containing approximately 3,922 square feet across City-owned land located near the intersection of FM Highway 460 and FM Highway 740, City of Forney, Kaufman County, Texas; and being more fully described in Exhibit "A" attached hereto and made a part of hereof for all purposes; and

**WHEREAS**, on October 22, 1962, City Council authorized an acquisition from William P. Clements, Jr., ET UX to construct and maintain the Forney Reservoir Dam Site and Appurtenances by Resolution No. 62-5242.

**Now, Therefore,**

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

**SECTION 1.** That upon receipt of **ONE THOUSAND TWO HUNDRED THIRTY FIVE DOLLARS AND NO/100 (\$1,235.00)** from Forney Lake Water Supply Corporation, the City Manager or designee is hereby authorized to convey a Water Easement, said Easement Instrument, to be attested by the City Secretary, approved as to form by the City Attorney.

**SECTION 2.** That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for administrative costs incurred (General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the Water and Sewer Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8428.

**SECTION 3.** That this contract is designated as Contract No. DEV-2017-00003808.

**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.

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

BY:   
Assistant City Attorney



**Field Notes Describing a 3,922 Square Foot (0.0900 Acre)  
15' Water Pipeline Easement To Be Acquired In  
J.R. Briscoe Survey, Abstract Number 40  
Kaufman County, Texas  
From City of Dallas, Texas**

*Being a 3,922 Square Foot (0.0900 Acre) tract of land out of the J.R. Briscoe Survey, Abstract Number 40, Kaufman County, Texas, and being part of Parcel No. 1 of Agreed Judgment, Cause No. 5872, City of Dallas vs. William P. Clements as recorded in Volume 10, Page 323, same being part of that called 19.50 acres of land per Certified Plat & Field Notes of Survey made by Forrest and Cotton, Inc. Consulting Engineers dated October 28, 1959 as recorded in Volume 454, Page 117 of the Deed Records of Kaufman County, Texas, and being further described as follows:*

*BEGINNING at a 5/8 inch steel rod set capped "Boundary Solutions" on the Northwest line of F.M. Highway No. 460 (90 foot right-of-way), and at the Northeast corner of said 19.50 acres, from which a City of Dallas concrete monument found at the Northwest corner of that called 1.89 acres of land per Certified Plat & Field Notes of Survey made by Forrest and Cotton, Inc. Consulting Engineers dated October 28, 1959 as recorded in Volume 443, Page 98 of the Deed Records of Kaufman County, Texas bears North 77 degrees 12 minutes 00 seconds East, 181.00 feet for witness, and from which a 1/2 inch steel rod found at cutback of right-of-way of said F.M. Highway No. 460 at the intersection with F.M. Highway No. 740 bears North 47 degrees 22 minutes 59 seconds East, 495.04 feet for witness;*

*THENCE South 47 degrees 22 minutes 59 seconds West, 261.45 feet along the Northwest line of said F.M. Highway No. 460 to a 5/8 inch steel rod set capped "Boundary Solutions" at the Southeast corner of said 19.50 acres;*

*THENCE South 77 degrees 12 minutes 00 seconds West, 30.17 feet along the South line of said 19.50 acres to a 5/8 inch steel rod set capped "Boundary Solutions" for corner;*

*THENCE North 47 degrees 22 minutes 59 seconds East, 261.45 feet to a 5/8 inch steel rod set capped "Boundary Solutions" for corner on the North line of said 19.50 acres;*

*THENCE North 77 degrees 12 minutes 00 seconds East, 30.17 feet along the North line of said 19.50 acres to the POINT OF BEGINNING, containing 3,922 Square Feet, or 0.0900 acres of land.*

*BASIS OF BEARING: Bearings are based on North line of called 1.89 acres recorded in Volume 443, Page 98 of the Deed Records of Kaufman County, Texas.*

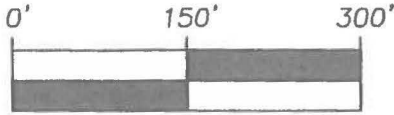
FIELD NOTES APPROVED

9/15/17





# Exhibit A



CALLED 328.450 ACRES  
 TRAVIS RANCH, LLC  
 INSTRUMENT# 2008-00019838

AGREED JUDGMENT  
 CAUSE NO. 5872  
 CITY OF DALLAS vs.  
 WILLIAM P. CLEMENTS  
 PARCEL NO. 1  
 VOL. 10, PG. 323

J.R. BRISCOE SURVEY, A-40

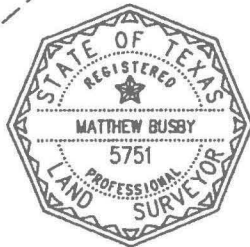
CALLLED 19.50 ACRES  
 CERTIFIED PLAT & FIELD NOTES  
 OF SURVEY MADE BY  
 FORREST AND COTTON, INC.  
 CONSULTING ENGINEERS  
 DATED OCTOBER 28, 1959  
 VOL. 454, PG. 117

**POINT OF BEGINNING**

**3,922 Sq.Ft.  
 To Be Aquired**

JUDGMENT  
 CAUSE NO. 5795  
 CALLED 1.89 ACRES  
 CITY OF DALLAS  
 VOL. 508, PG. 500

CALLLED 1.89 ACRES  
 CERTIFIED PLAT & FIELD NOTES  
 OF SURVEY MADE BY  
 FORREST AND COTTON, INC.  
 CONSULTING ENGINEERS  
 DATED OCTOBER 28, 1959  
 VOL. 443, PG. 98



*Matthew Busby*  
 Matthew Busby  
 R.P.L.S. No. 5751

● DENOTES 5/8" STEEL ROD SET CAPPED "BOUNDARY SOLUTIONS" UNLESS OTHERWISE NOTED.

▭ EASEMENT TO BE AQUIRED

BASIS OF BEARING: Bearings are based on North line of called 1.89 acres recorded in Volume 443, Page 98 of the Deed Records of Kaufman County, Texas.

**3,922 Square Foot (0.0900 Acre)  
 15' Water Pipeline Easement  
 To Be Aquired In  
 J.R. Briscoe Survey, Abstract No. 40  
 Kaufman County, Texas  
 From City of Dallas, Texas**

Surveyor	File No.	Scale	Date
M. Busby		As Noted	5-2-2017
Drafter	Calculations	Folder	
M. Busby	M. Busby		Page 2 of 2

**AGENDA ITEM # 10**

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

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 6

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

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

**MAPSCO:** 22M

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**SUBJECT**

A resolution declaring approximately 14 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Glenda and Ables Lanes, and authorizing its sale to Square One Properties, Inc., the abutting owner – Revenue: \$1,000

**BACKGROUND**

This item will declare approximately 14 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Glenda and Ables Lanes, and authorizing its sale to Square One Properties, Inc., the abutting owner. The land cannot be used independently under the current zoning or under applicable subdivision or other development control ordinances, and should be sold only to the abutting owner.

This property will be conveyed with a restriction prohibiting the placement of industrialized housing and a reservation of all oil, gas and other minerals in and under the property.

The purchase price of \$1,000 is based on Dallas Central Appraisal District value. This property will return to the tax rolls upon conveyance.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

Revenue - \$1,000

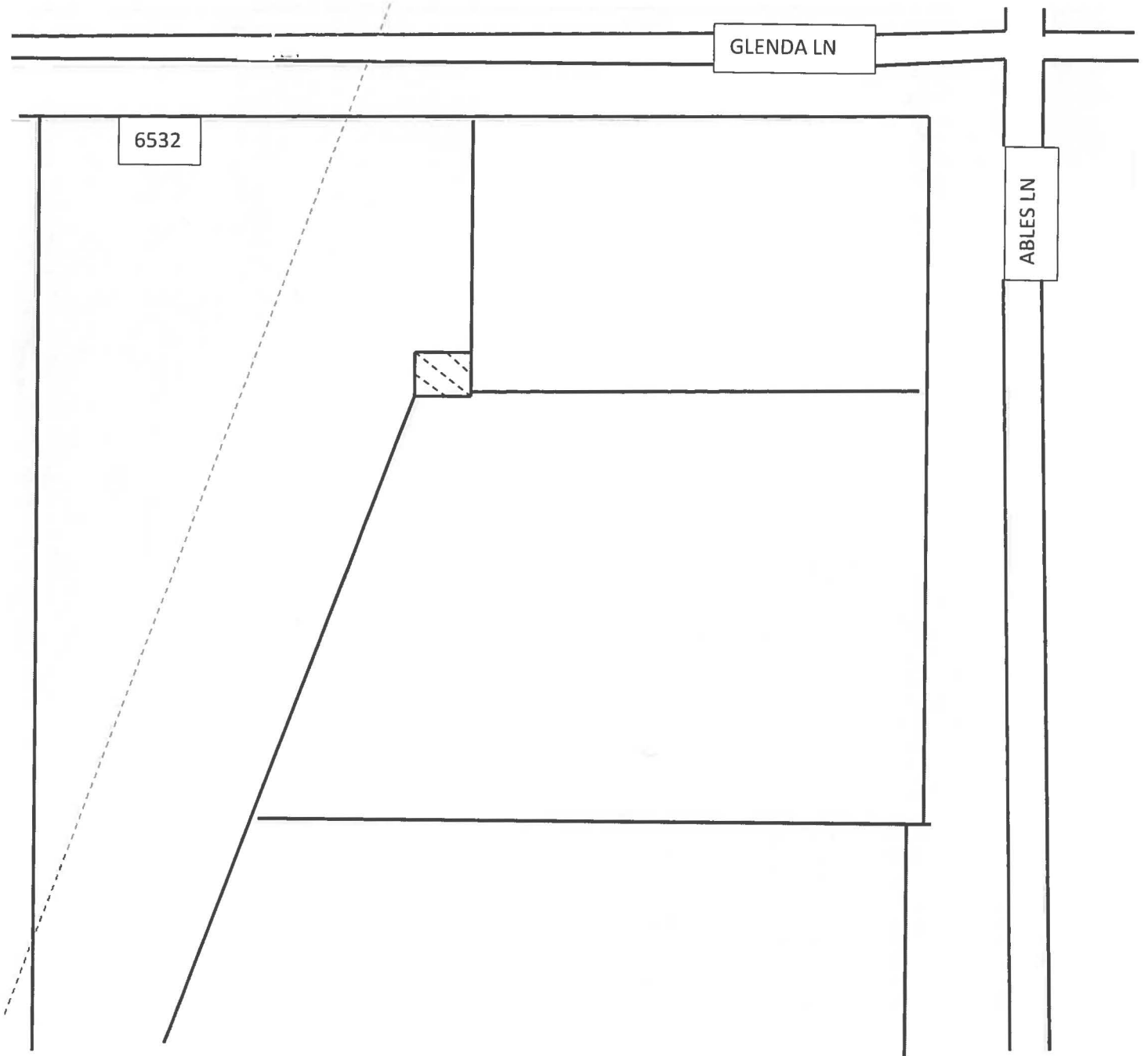
**OWNER**

**Square One Properties, Inc.**

Mehradad Dalaki, Director

**MAP**

Attached



Applicant: Square One Properties Inc.

Surplus Area: 



March 28, 2018

**WHEREAS**, the City of Dallas is the owner of a tract of land containing approximately 14 square feet of land, Block 6532, Dallas County, Texas, (the "Property"); and being more fully described in Exhibit "A" attached hereto and made a part of hereof for all purposes, which is no longer needed for municipal use; and

**WHEREAS**, the tract is a narrow strip of land, that because of its shape, lack of access to public roads, and small area, cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances, and may be sold without public bid to the abutting owner; and

**WHEREAS**, Square One Properties, Inc., the abutting property owner, proposes to purchase said property at fair market value.

**Now, Therefore,**

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

**SECTION 1.** That upon receipt of **ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS** from Square One Properties, Inc., the City Manager or designee is hereby authorized to execute a Deed Without Warranty, to be attested by the City Secretary, approved as to form by the City Attorney for approximately 14 square feet of land at 2476 Glenda Lane, Block 6532, Dallas County, Texas and located near the intersection of Glenda and Ables Lanes. The Deed Without Warranty is subject to the conditions contained in Section 2.

**SECTION 2.** That the Deed Without Warranty shall provide that the conveyance to Square One Properties, Inc. ("**GRANTEE**") is subject to the following:

- (a) a restriction prohibiting the placement of industrialized housing on the property; and
- (b) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and
- (c) any visible and apparent easements and any encroachments whether of record or not; and
- (d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

March 28, 2018**SECTION 2.** (continued)

- (e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) **GRANTOR** disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) **GRANTOR** expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and
- (f) **GRANTOR** makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose or purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations; and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to

March 28, 2018

**SECTION 2.** (continued)

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

- (g) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

**SECTION 3.** That the sale proceeds shall be deposited into 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 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 8118.

**SECTION 4.** That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

**SECTION 5.** That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by grantee.

**SECTION 6.** That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

**SECTION 7.** That this contract is designated as Contract No. DEV-2018-00005078.

**SECTION 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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

BY:   
Assistant City Attorney



# Exhibit A

**AREA OF BUILDING ON  
CITY OF DALLAS PROPERTY  
14.4 SQUARE FEET  
PART OF CITY BLOCK 6532  
IN THE DR. S.C. GALLOWAY SURVEY, ABSTRACT NO. 522  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**BEING** a 14.4 square foot tract of land situated in the Dr. S.C. Galloway Survey, Abstract No. 522, Dallas County, Texas, being part of City Block 6532, City of Dallas, Dallas County, Texas, being part of a tract of land conveyed to the City of Dallas, by deed recorded in Volume 74097, Page 400, Deed Records, Dallas County, Texas, and being more particularly described as follows;

Commencing at the intersection of the West line of Ables Lane, (a variable width R.O.W.), with the South line of Glenda Lane, said point being the Northeast corner of Lot 85-A, Block 6532 of Resubdivision of Lot 85, Anne Johnston Ford Subdivision, Unrecorded, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 35, Page 203, Map Records, Dallas County, Texas, a point;

thence: South 01 deg. 05 min. 00 sec. East, with the said West line of Ables Lane, same being with the East line of said Lot 85-A, a distance of 70.00 feet to the Northeast corner of Teakell Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 83141, Page 2287, Deed Records, Dallas County, Texas, a ½" iron rod found;

thence: South 88 deg. 24 min. 34 sec. West, with the common line of said Lot 85-A and said Teakell Addition, passing the Southwest corner of said Lot 85-A at a distance of 100.50 feet, continuing with the North line of said Teakell Addition, same being the South line of a 7.5' alley for a total distance of 108.00 feet to the **PLACE OF BEGINNING**;

**THENCE**: South 88 deg. 24 min. 34 sec. West, a distance of 14.65 feet, a 60-d nail set at a building wall;

**THENCE**: North 17 deg. 25 min. 05 sec. East, with a building wall, a distance of 1.13 feet to a building corner;

**THENCE**: North 89 deg. 01 min. 29 sec. East, with a building wall, a distance of 14.29 feet to a point in the West line of a 7.5' alley, a 60-d nail set at a building wall;

**THENCE**: South 01 deg. 05 min. 00 sec. East, with the said West line of a 7.5' alley, a distance of 0.92 feet to the **PLACE OF BEGINNING** and **CONTAINING** 14.4 square feet of land.

Basis of Bearings: West line of Ables Lane as South 01 deg. 05 min. 00 sec. East, per map of Teakell Addition, Volume 83141, Page 2287, Deed Records, Dallas County, Texas.




Date: 5/9/2017

  
\_\_\_\_\_  
Ben D. Rychlik R.P.L.S. No. 1630





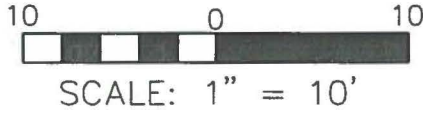
**LEGEND**

- M.R.D.C.T.  
Map Records,  
Dallas County, Texas
- O.P.R.D.C.T.  
Official Property Records,  
Dallas County, Texas
- C.M. = Controlling Monument
-  Property Lines
-  AREA OF BUILDING ON  
CITY OF DALLAS PROPERTY
-  INDICATES  
BREAK IN SCALE
- I.R.F. Iron Rod Found
- C.I.R.F. Capped Iron  
Rod Found

**BASIS OF BEARINGS:**  
West line of Ables Lane  
as S 01°05'00" E, per map  
of Teakell Addition,  
Vol. 83141, Pg. 2287, M.R.D.C.T.

**Exhibit A**

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



**GLENDA LANE**

(Variable Width R.O.W.)

Place of Commencing

**ABLES LANE**

(Variable Width R.O.W.)

(Plat Bearing-Vol. 83141, Pg. 2287 M.R.D.C.T.)



CITY OF DALLAS  
Vol. 74097 Pg. 400  
D.R.D.C.T.

0.09' from  
Prop. Cor.  
To Bldg. Wall

N 17°25'05" E  
1.13'

AREA OF BUILDING ON  
CITY OF DALLAS PROPERTY  
= 14.4 SQ. FT.

S 01°05'00" E  
0.92'

N 89°01'29" E  
14.29'

S 88°24'34" W  
14.65'

Vol. 35, Pg. 203  
M.R.D.C.T.

Building Wall

S 88°24'34" W  
108.00'

N 88°24'34" E  
119.74'

Building Wall

Building Wall

Building Wall

Building Wall

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Building Wall

TWO STORY PRE-FAB CONCRETE BUILDING  
11177 ABLES LANE  
BLOCK 6532

Teakell Investments Property Services, Inc.  
Inst. 201300318604  
O.P.R.D.C.T.

Teakell Addition  
Vol. 83141, Pg. 2287  
D.R.D.C.T.

**AREA OF BUILDING ON  
CITY OF DALLAS PROPERTY**

Part of City Block 6532  
14.4 square feet in the  
Dr. S. C. Galloway Survey, Abstract No. 522  
City of Dallas  
Dallas County, Texas



*Ben D. Rychlik*

Registered Professional Land Surveyor 1630  
**SURVEYING ASSOCIATES**  
1018 S. Beckley, Dallas, Tx. 75203  
Phone: (214) 948-3324  
Fax: (214) 946-7540

**AGENDA ITEM # 11**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

March 28, 2018

**COUNCIL DISTRICT(S):**

6

**DEPARTMENT:**

Department of Sustainable Development and Construction

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

43P

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**SUBJECT**

An ordinance abandoning a portion of Bedford Street to Progressive Waste Solutions of TX, Inc., the abutting owner, containing approximately 5,000 square feet of land, located near the intersection of Bedford Street and Shadrack Drive; and authorizing the quitclaim; and providing for the dedication of approximately 5,000 square feet of land needed for a water and wastewater easement - Revenue: \$10,700, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of Bedford Street to Progressive Waste Solutions of TX, Inc., the abutting owner. The area will be included with the property of the abutting owner to expand use of its warehouse facility. The owner will dedicate approximately 5,000 square feet of land needed for a water and wastewater easement. The abandonment fee is based on Dallas Central Appraisal District values.

Notices were sent to 9 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 March 26, 2018.

**FISCAL INFORMATION**

Revenue - \$10,700, plus the \$20 ordinance publication fee

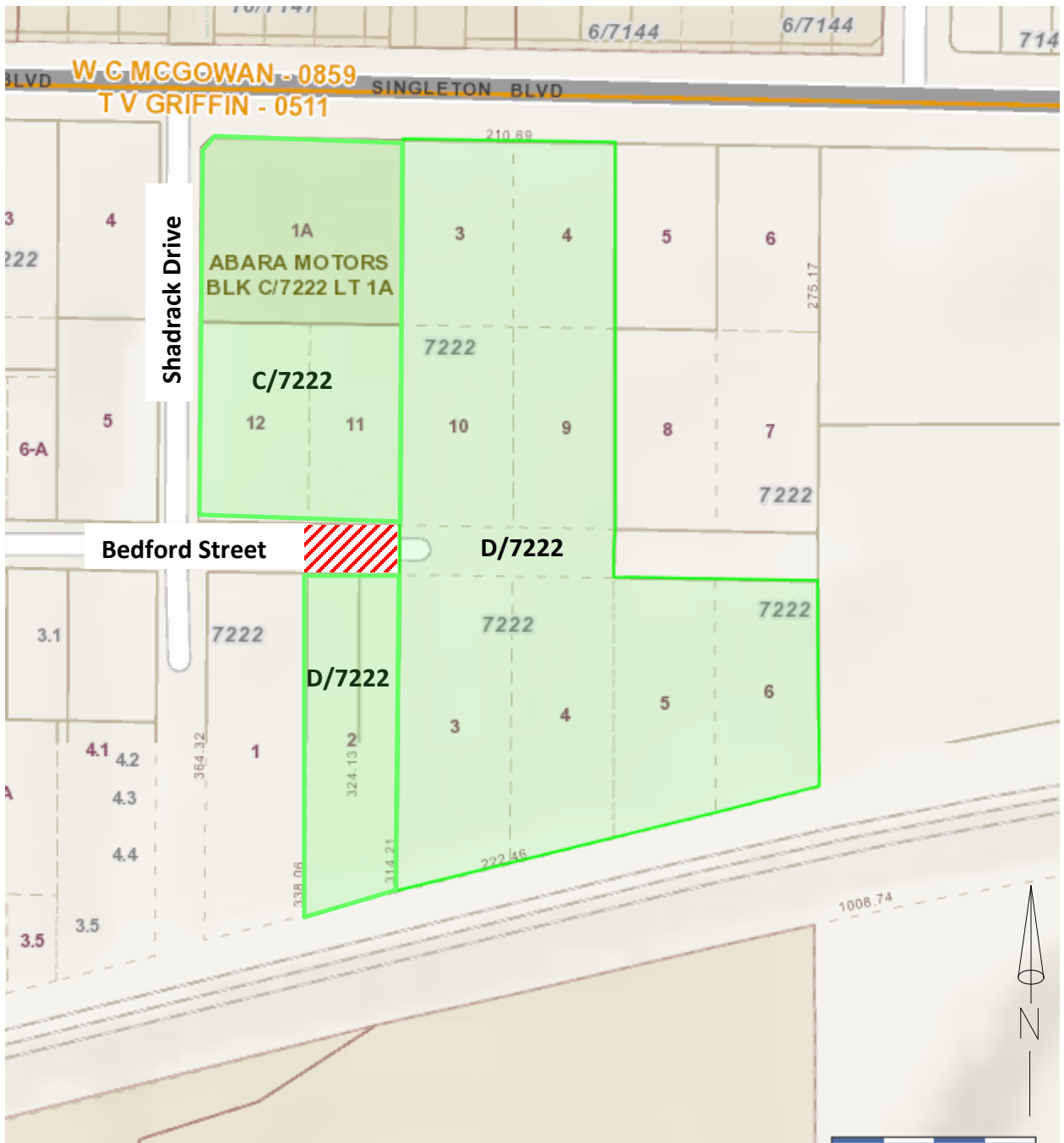
**OWNER**


**Progressive Waste Solutions of TX, Inc.**

Thomas L. Brown, President

**MAP**

Attached



Abandonment and Dedication Area: 

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

An ordinance providing for the abandonment of a portion of Bedford Street (formerly Corlett Avenue) located adjacent to City Blocks C/7222 and D/7222 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to Progressive Waste Solutions of TX, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of a needed easement 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 for the waiver of certain provisions of the Dallas City Code; 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 Progressive Waste Solutions of TX, Inc., a Texas corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter interest, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms, conditions, and reverter, herein provided, said portion of Bedford Street is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

**WHEREAS**, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, 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 those certain provisions of Section 51A-8.506(b) of the Dallas City Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

**SECTION 2.** 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 3.** That for and in monetary consideration of the sum of **TEN THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$10,700.00)** paid by **GRANTEE**, and the further consideration described in Sections 9, 10, 11, 12, and 14, 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 11 of this ordinance by the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

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

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

**SECTION 3.** (continued)

aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

**SECTION 4.** That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 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 6.** 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 7.** That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

**SECTION 8.** 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 9.** 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

**SECTION 9.** (continued)

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 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall be responsible for the cost to relocate existing active Atmos facilities if a conflict exists.

**SECTION 11.** 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



**SECTION 11.** (continued)

adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

**SECTION 12.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a Water and Wastewater Easement to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, to certain properties located adjacent to City Blocks C/7222 and D/7222, containing approximately 5,000 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 13.** That at such time as the instrument described in Section 12 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 14.** 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 15.** 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 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication set forth in Section 12, 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 16.** That this ordinance is also designated for City purposes as Contract No. DEV-2016-00000655.

**SECTION 17.** 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: B. N. A. F.  
Assistant City Attorney

BY: Santa Williams  
SOR Assistant Director

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

**Exhibit A**  
**STREET ABANDONMENT**  
**GRAY ADDITION**  
**PART OF BEDFORD STREET**  
**BLOCK 7222**  
**T.V. GRIFFEN SURVEY, ABSTRACT NO. 511**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 5,000 square feet (0.1148 acre) tract of land situated in the T.V. Griffen Survey, Abstract No. 511, Block 7222, City of Dallas, Dallas County, Texas, and being a portion of Bedford Street, formerly Corlett Avenue, (50' right-of-way) dedicated by Gray Addition, an Addition to the City of Dallas, Dallas County, Texas, recorded in Volume 1, Page 459, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

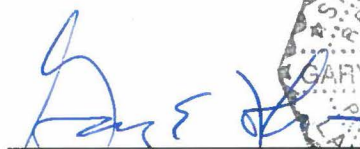
Beginning at a 1/2 inch iron rod found for corner in the North line of said Bedford Street, said point being the Southeast corner of Lot 12, Block C/7222, common with the Southwest corner of Lot 11, Block C/7222, of said Gray Addition, and being a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001578, Deed Records, Dallas County, Texas;

Thence North 89 degrees 58 minutes 16 seconds East along the South line of said Lot 11, Block C/7222, a distance of 100.00 feet to an "X" found for corner, said point being the Southeast corner of said Lot 11, and being in the West line of Lot 3A, Block D/7222 of Bluebonnet Waste Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 94230, Page 3588, Map Records, Dallas County, Texas, and being a part of a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001578, Deed Records, Dallas County, Texas;

Thence South 00 degrees 24 minutes 16 seconds West along the West line of said Lot 3A, a distance of 50.00 feet to an "X" found for corner, said point being the Northeast corner of Lot 2, Block D/7222 of said Gray Addition, and being a part of a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001577, Deed Records, Dallas County, Texas;

Thence South 89 degrees 58 minutes 16 seconds West along the north line of said Lot 2, a distance of 100.00 feet to a 1/2 inch iron rod found for corner, said point being the Northwest corner of said Lot 2, Block D/7222, common with the Northeast corner of Lot 1, Block D/7222 of said Gray Addition;

Thence North 00 degrees 24 minutes 16 seconds East across aforementioned Bedford Street, a distance of 50.00 feet to the Point of Beginning and containing 5,000 square feet or 0.1148 of an acre of land.

  
Gary E. Johnson, R.P.L.S.# 5299



Reviewed by: <u>A. Rodriguez</u>
Date: <u>12/23/16</u>
SPRG: <u>3916</u>



TEXAS HERITAGE SURVEYING, INC.  
10610 Metric Drive, Suite 124, Dallas, TX 75243  
Office 214-340-9700 Fax 214-340-9710  
txheritage.com  
Firm No. 10169300

BEARINGS ARE BASED UPON THE  
TEXAS STATE PLANE COORDINATE  
SYSTEM, NORTH CENTRAL ZONE,  
NORTH AMERICAN DATUM OF 1983,  
(2011).

JOB# 1500159-2  
DATE: 05/19/15  
REVISED: 12/19/2016  
Page 1 of 2



STREET ABANDONMENT  
GRAY ADDITION  
PART OF BEDFORD STREET  
BLOCK 7222

T.V. GRIFFEN SURVEY, ABSTRACT NO. 511  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Reviewed by: A. Rodriguez  
Date: 12/22/16  
SPRG: 3916

SHADRACK DRIVE

50' R.O.W.  
VOL. 1, PG. 459  
M.R.D.C.T.

T.V. GRIFFEN SURVEY  
ABSTRACT NO. 511

BLOCK C/7222  
GRAY ADDITION  
VOL. 1, PG 459  
M.R.D.C.T.

LOT 12

PROGRESSIVE WASTE  
SOLUTIONS OF TX, INC.  
INST. NO. 201500001578  
O.P.R.D.C.T.

LOT 11

TRACT 1  
PROGRESSIVE WASTE  
SOLUTIONS OF TX, INC.  
INST. NO. 201500001578  
O.P.R.D.C.T.

LOT 3A, BLOCK D/7222  
BLUEBONNET WASTE ADDITION  
VOL. 94230, PG 3588  
M.R.D.C.T.

POINT OF  
BEGINNING

N 89°58'16" E 100.00'

BEDFORD STREET

50' R.O.W.  
FORMERLY KNOWN AS  
CORLETT AVE.  
VOL. 1, PG. 459  
M.R.D.C.T.

N 00°24'16" E  
50.00'

1/2" IRF

"X" FND

STREET ABANDONMENT  
5,000 SQ.FT.  
0.1148 ACRE

S 00°24'16" W  
50.00'

1/2" IRF

"X" FND

S 89°58'16" W 100.00'

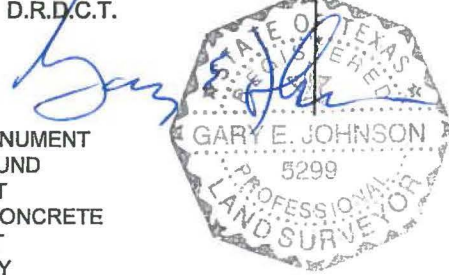
LOT 1

MARCELINA WILCHES ET AL  
VOL. 1, PG. 459  
M.R.D.C.T.  
VOL. 24, PG. 19  
O.P.R.D.C.T.  
VOL. 301, PG. 417  
D.R.D.C.T.

BLOCK D/7222  
GRAY ADDITION  
VOL. 1, PG 459  
M.R.D.C.T.

LOT 2

TRACT 2 & 3  
PROGRESSIVE WASTE  
SOLUTIONS OF TX, INC.  
INST. NO. 201500001577  
O.P.R.D.C.T.



LEGEND:

- CM CONTROL MONUMENT
- IRF IRON ROD FOUND
- IRS IRON ROD SET
- "X" FND. X FOUND IN CONCRETE
- SQ.FT SQUARE FEET
- R.O.W. RIGHT-OF-WAY
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER



SCALE - 1" = 40'



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txheritage.com  
Firm No. 10169300

BEARINGS ARE BASED UPON THE  
TEXAS STATE PLANE COORDINATE  
SYSTEM, NORTH CENTRAL ZONE,  
NORTH AMERICAN DATUM OF 1983,  
(2011).

JOB# 1500159-2  
DATE: 05/19/15  
REVISED: 12/19/2016  
Page 2 of 2  
Scale: 1" - 40'

# 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

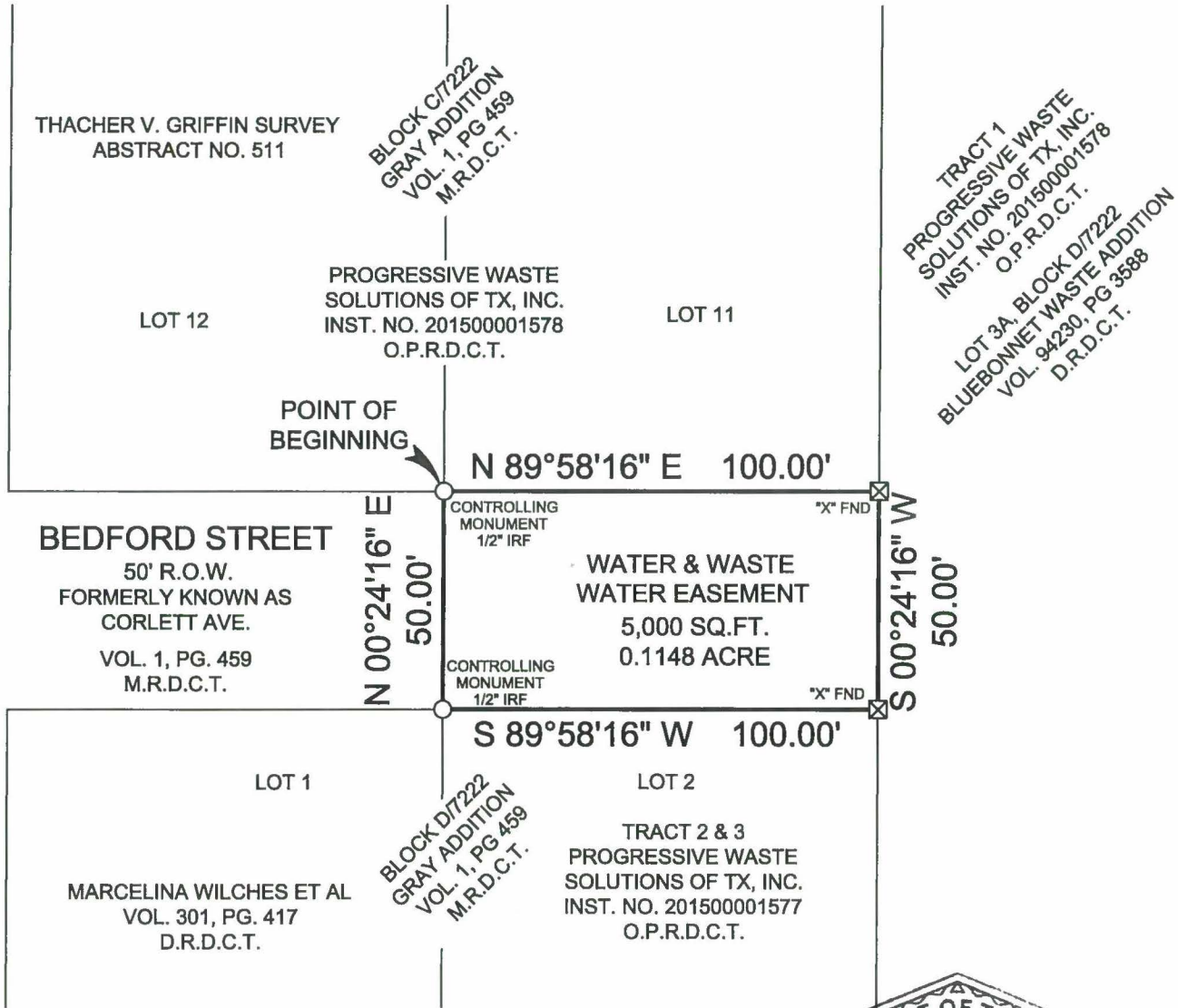
## WATER & WASTE WATER EASEMENT GRAY ADDITION

PART OF BEDFORD STREET  
ADJACENT TO BLOCKS C/7222 & D/7222  
THACHER V. GRIFFIN SURVEY, ABSTRACT NO. 511  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Reviewed by: G.S.  
Date: 7-27-17  
SPRG No: 4189



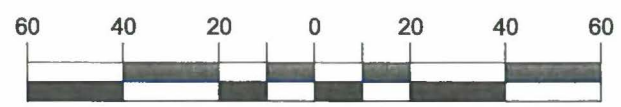
SHADRACK DRIVE  
50' R.O.W.  
VOL. 1, PG. 459  
M.R.D.C.T.



**LEGEND:**

- CM CONTROL MONUMENT
- IRF IRON ROD FOUND
- IRS IRON ROD SET
- "X" FND. X FOUND IN CONCRETE
- SQ.FT. SQUARE FEET
- R.O.W. RIGHT-OF-WAY
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER
- PFC POINT FOR CORNER

*Raul D Reyes*  
Raul D. Reyes, R.P.L.S.# 5390  
Date: July 10th, 2017



SCALE - 1" = 40'



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Firm No. 10169300

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

JOB# 1500159-4  
DATE: 06/27/17  
Revision Date: 07/10/17  
Drawn By: JAM  
Page 1 of 2  
Scale: 1" = 40'



# EXHIBIT C

## WATER & WASTE WATER EASEMENT GRAY ADDITION PART OF BEDFORD STREET ADJACENT TO BLOCKS C/7222 & D/7222 THACHER V. GRIFFIN SURVEY, ABSTRACT NO. 511 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 5,000 square feet (0.1148 acre) tract of land situated in the Thacher V. Griffin Survey, Abstract No. 511, adjacent to Blocks C/7222 and D/7222, City of Dallas, Dallas County, Texas, and being a portion of Bedford Street, formerly Corlett Avenue, (50' right-of-way) dedicated by Gray Addition, an Addition to the City of Dallas, Dallas County, Texas, recorded in Volume 1, Page 459, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

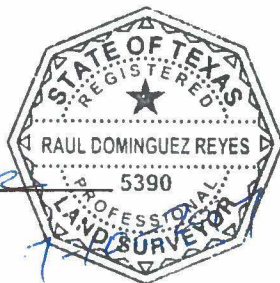
Beginning at a 1/2 inch iron rod found for corner (Controlling Monument) in the North line of said Bedford Street, said point being the Southeast corner of Lot 12, Block C/7222, common with the Southwest corner of Lot 11, Block C/7222, of said Gray Addition, and being a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001578, Official Public Records, Dallas County, Texas;

Thence North 89 degrees 58 minutes 16 seconds East along the South line of said Lot 11, Block C/7222, a distance of 100.00 feet to an "X" found for corner, said point being the Southeast corner of said Lot 11, and being in the West line of Lot 3A, Block D/7222 of Bluebonnet Waste Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 94230, Page 3588, Deed Records, Dallas County, Texas, and being a part of a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001578, Official Public Records, Dallas County, Texas;

Thence South 00 degrees 24 minutes 16 seconds West along the West line of said Lot 3A, a distance of 50.00 feet to an "X" found for corner, said point being the Northeast corner of Lot 2, Block D/7222 of said Gray Addition, and being a part of a tract of land conveyed to Progressive Waste Solutions of Texas, Inc. by Special Warranty Deed recorded in Instrument No. 201500001577, Official Public Records, Dallas County, Texas;

Thence South 89 degrees 58 minutes 16 seconds West along the north line of said Lot 2, a distance of 100.00 feet to a 1/2 inch iron rod found for corner (Controlling Monument), said point being the Northwest corner of said Lot 2, Block D/7222, common with the Northeast corner of Lot 1, Block D/7222 of said Gray Addition;

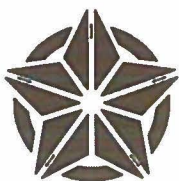
Thence North 00 degrees 24 minutes 16 seconds East across aforementioned Bedford Street, a distance of 50.00 feet to the Point of Beginning and containing 5,000 square feet or 0.1148 of an acre of land.



*Raul D Reyes*

Raul D. Reyes, R.P.L.S.# 5390  
Date: July 10th, 2017

Reviewed by: G.S.  
Date: 7-27-17  
SPRG No: 4189



TEXAS HERITAGE SURVEYING, INC.  
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Firm No. 10169300

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

JOB# 1500159-4  
DATE: 06/27/17  
Revision Date: 07/10/17  
Drawn By: JAM  
Page 2 of 2

**AGENDA ITEM # 12**

**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

March 28, 2018

**COUNCIL DISTRICT(S):**

4

**DEPARTMENT:**

Department of Sustainable Development and Construction

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

55G

---

**SUBJECT**

An ordinance abandoning an alley and portions of Hutchins Road to Dallas Independent School District, the abutting owner, containing a total of approximately 13,877 square feet of land, located near the intersection of Morrell Avenue and Bonnie View Road; and authorizing the quitclaim - Revenue: \$8,326, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of an alley and portions of Hutchins Road to Dallas Independent School District, the abutting owner. The area will be included with the property of the abutting owner to renovate Roosevelt High School. The cost for this abandonment fee is based on Dallas Central Appraisal District values.

Notices were sent to 17 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 March 26, 2018.

**FISCAL INFORMATION**

Revenue - \$8,326, plus the \$20 ordinance publication fee



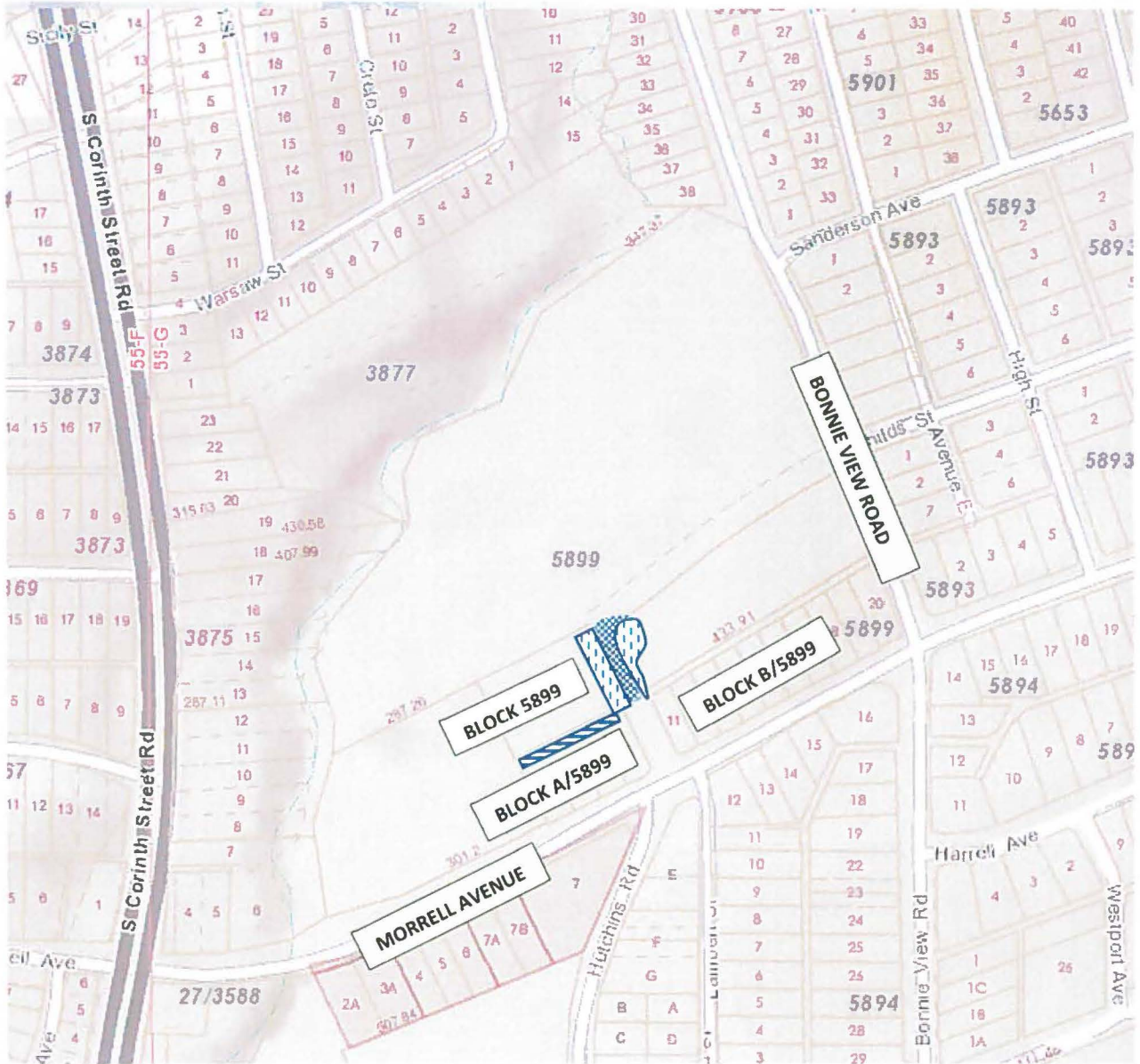
**OWNER**




**Dallas Independent School District**

Dan Micciche, President

**MAP**

Attached



- 
**HUTCHINS ROAD ABANDONMENT**
- 
**STREET EASEMENT ABANDONMENT**
- 
**ALLEY ABANDONMENT**

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

An ordinance providing for the abandonment of an alley and portions of Hutchins Road located in City Blocks A/5899 and B/5899 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Dallas Independent School District; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Dallas Independent School District, a local governmental entity, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said alley and portions of Hutchins Road are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

**Now, Therefore,**

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **EIGHT THOUSAND THREE HUNDRED AND TWENTY-SIX DOLLARS (\$8,326.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

**SECTION 4.** That the 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, to the extent allowed by law, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

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

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

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

**SECTION 12.** That this ordinance is also designated for City purposes as Contract No. DEV-2018-00004550.

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

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

DAVID COSSUM, Director  
Department of Sustainable Development and  
Construction

BY:   
Assistant City Attorney

BY:   
Assistant Director

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



# EXHIBIT A-TRACT 1

## 7.5' ALLEY ABANDONMENT TESTA SUBDIVISION CITY OF DALLAS BLOCK NUMBER A/5899 WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 0.039 acre (1,738 square foot) tract of land situated in the William John Elliott Survey, Abstract Number 448, being part of City Block Number A/5899, being all of a 7.5-foot Alley, as dedicated by TESTA SUBDIVISION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 221, Map Records, Dallas County, Texas, and being further described by metes and bounds as follows:

COMMENCING at a "X" cut found for corner at the intersection of the Northwest right-of-way line of Morrell Avenue (being a variable width right-of-way), dedicated by BOGAN SUBDIVISION NO. 1, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 9, Page 177, Map Records, Dallas County, Texas, with the Southwest right-of-way line of Hutchins Road, (being a 50-foot right-of-way), dedicated by said TESTA SUBDIVISION, also dedicated by PARRY HEIGHTS ADDITION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 221, Map Records, Dallas County, Texas, being the East corner of Lot 1, City of Dallas Block Number A/5899, of said TESTA SUBDIVISION, same being the East corner of a tract of land conveyed to Dallas Independent School District, by Warranty Deed recorded in Volume 76180, Page 866, Deed Records, Dallas County, Texas;

THENCE North 27 degrees 39 minutes 29 seconds West, departing the Northwest right-of-way line of said Morrell Avenue, and along the Southwest right-of-way line of said Hutchins Road, a distance of 130.00 feet, to a 1/2-inch iron rod found for the POINT OF BEGINNING at the North corner of said Lot 1, being the East corner of the above-mentioned 7.5-foot alley, also being the North corner of said City Block Number A/5899, Lot 1, same being in Northwest line of said Dallas Independent School District tract;

THENCE South 61 degrees 00 minutes 29 seconds West, departing the Southwest right-of-way line of said Hutchins Road, and the Northeast line of said Lot 1, along the Northwest line of Lots 1, 2, 3 and 4, Block Number, A/5899, of said TESTA SUBDIVISION, for a distance of 231.59 feet, to a 1/2-inch iron rod found for corner, being the West corner of said Lot 4, Block A/5899, also being the West corner of the above-mentioned Dallas Independent School District tract, same being in the Northeast line of a tract of land conveyed to Texas Real Estate Acquisition and Development, LLC, by Warranty Deed recorded in Volume 2004150, Page 18997, Deed Records, Dallas County, Texas, from which a 1/2-inch iron rod found bears South 27 degrees 54 minutes 00 seconds East, a distance of 130.00 feet, being the South corner of Lot 4, Block A/5899, and said Northwest right-of-way line of Morrell Avenue;

THENCE North 29 degrees 46 minutes 25 seconds West, along the common line of said TESTA SUBDIVISION, and the Northeast line of said Texas Real Estate Acquisition and Development, LLC tract, for a distance of 7.50 feet to the South corner of a tract of land conveyed to Dallas Independent School District, by Warranty Deed recorded in Volume 5556, Page 502, Deed Records, Dallas County, Texas;

THENCE North 61 degrees 00 minutes 29 seconds East, departing said common line, with the Northwest line of said Block Number A/5899, with the Southeast line of said Dallas Independent School District tract, for a distance of 231.88 feet, to the Southeast corner of said Dallas Independent School District tract, same being in the above-mentioned Southwest right-of-way line of Hutchins Road;

THENCE South 27 degrees 39 minutes 29 seconds East, along said Southwest line of Hutchins Road, for a distance of 7.50 feet, to the POINT OF BEGINNING and CONTAINING 1,738 square feet or 0.039 acres of land, more or less.

BASIS OF BEARING: The Northeast right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds West) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).



(For SPRG use only)	
Reviewed by:	G.S.
Date:	10-10-17
SPRG NO.:	4222





# EXHIBIT A-TRACT 1

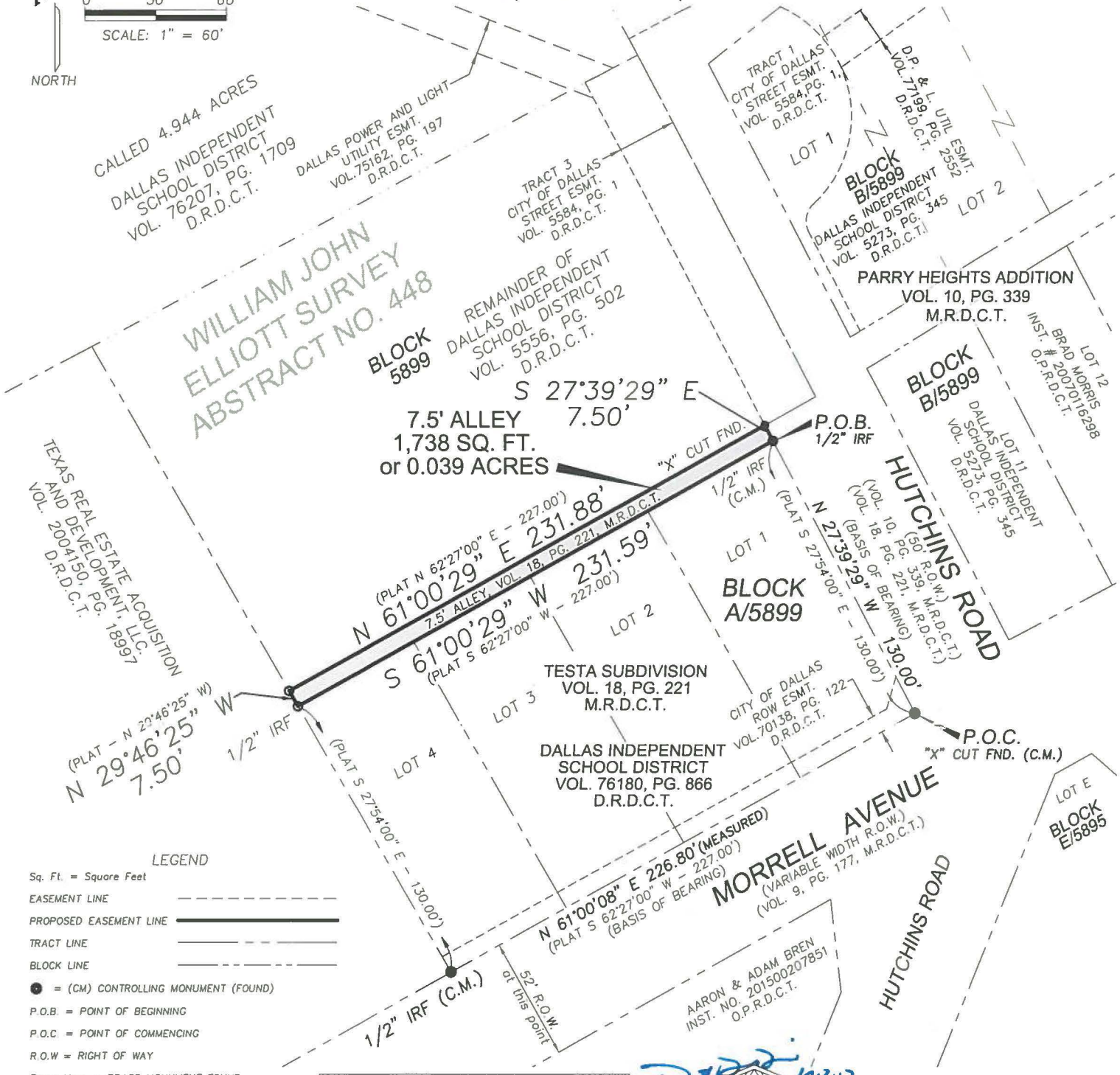
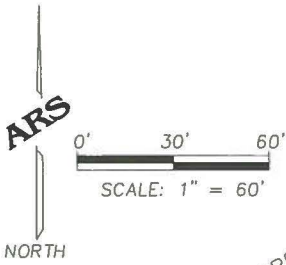
## 7.5' ALLEY ABANDONMENT

TESTA SUBDIVISION

CITY OF DALLAS BLOCK NUMBER A/5899

WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448

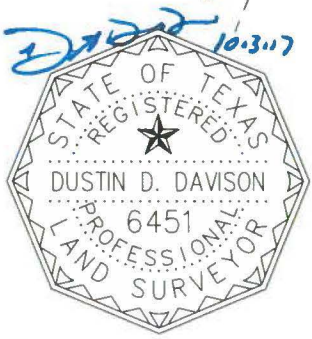
CITY OF DALLAS, DALLAS COUNTY, TEXAS



### LEGEND

- Sq. Ft. = Square Feet
- EASEMENT LINE
- PROPOSED EASEMENT LINE
- TRACT LINE
- BLOCK LINE
- = (C.M.) CONTROLLING MONUMENT (FOUND)
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- R.O.W. = RIGHT OF WAY
- Brass Mon. = BRASS MONUMENT FOUND
- "X" Set = "X" CUT IN CONCRETE SET
- Instr. No. = INSTRUMENT NUMBER
- MRDCT = MAP RECORDS, DALLAS COUNTY, TEXAS
- DRDCT = DEED RECORDS, DALLAS COUNTY, TEXAS
- OPRDCT = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

(For SPRG use only)  
 Reviewed by: G.S.  
 Date: 10-10-17  
 SPRG NO.: 4222



**ARS**  
 Engineers, Inc.  
 12801 N. Central Expressway Suite 1250  
 Dallas, Texas 75243  
 (214) 739-3152 Fax (214) 739-3169  
 Surveying Firm #101319-00  
 Engineering Firm #F-819

BASIS OF BEARING: The Northeast right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds West) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).

Filename P:\30216219 DISD-AECOM 2015 Bond Program\Roosevelt HSD\DWG\Separate Instruments\302-16-219-7\_5\_Alley-Abandonment SPRG 4222.dwg  
 Date: Tuesday, October 03, 2017 Time 12:21 PM Plotted by Brian

# EXHIBIT A-TRACT 2

STREET EASEMENT ABANDONMENT  
PART OF HUTCHINS ROAD  
ADJACENT TO BLOCK NUMBER B/5899  
WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 0.082 acre (3,558 square feet) tract of land situated in the William John Elliott Survey, Abstract Number 448, being part of Lot 1, City Block Number B/5899, of PARRY HEIGHTS ADDITION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 10, Page 339, Map Records, Dallas County, Texas, being all of "Tract No. 1", of an Easement, conveyed to the City of Dallas, Dallas County, Texas, for "Street Purposes", recorded in Volume 5584, Page 1, Deed Records, Dallas County, Texas, same being part of a called 10.935-acre tract of land, conveyed to Dallas Independent School District (DISD), by Warranty Deed recorded in Volume 5273, Page 345, Deed Records, Dallas County, Texas, further being described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for corner, at the intersection of the Northeast right-of-way line of Hutchins Road, (a 25-foot right-of-way, at this point) as dedicated, by said PARRY HEIGHTS ADDITION, with the Northwest line of a 15-foot alley, also dedicated by said PARRY HEIGHTS ADDITION, also being the South corner of said Lot 1, Block Number B/5899, same also being the South corner of said 10.935 acre DISD tract;

THENCE North 27 degrees 39 minutes 29 seconds West, along the common line of said Hutchins Road, and said Lot 1, for a distance of 129.90 feet, to a 1/2-inch iron rod found for the West corner of said "Tract 1", from which a 1" iron pipe found bears North 27 degrees 34 minutes 15 seconds West, a distance of 35.40 feet;

THENCE North 51 degrees 50 minutes 05 seconds East, for a distance of 39.07 feet, to a 1/2-inch iron rod found for the Southwest corner the of the City of Dallas Abandonment of Childs Street, as recorded in City of Dallas Ordinance Number 8881, same also being the beginning of a non-tangent curve to the right, having a radius of 50.00 feet, a chord bearing South 09 degrees 39 minutes 08 seconds East, for a chord distance of 84.15 feet;

THENCE Southerly, along said curve to the right, through a central angle of 114 degrees 36 minutes 01 seconds, for an arc distance of 100.01 feet, to the beginning of a non-tangent curve to the left, having a radius of 10.00 feet, a chord bearing South 10 degrees 06 minutes 08 seconds West, for a chord distance of 12.25 feet;

THENCE Southwesterly, along said curve to the left, through a central angle of 75 degrees 31 minutes 38 seconds, for an arc distance of 13.18 feet;

THENCE South 27 degrees 39 minutes 29 seconds East, parallel to the aforementioned Northeast line of Hutchins Road, for a distance of 47.00 feet, to the Northwest line of the above-mentioned 15-foot alley, being in the Northwest line of said Lot 1, Block B/5899;

THENCE South 58 degrees 41 minutes 25 seconds West, along said Northwest line, for a distance of 4.91 feet, to the POINT OF BEGINNING and CONTAINING 3,558 square feet or 0.082 acres of land, more or less.

BASIS OF BEARING: The Northeast right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds West) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).



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Reviewed by: G.S.  
Date: 10-10-17  
SPRG NO.: 4221

**ARS**  
**Engineers, Inc.**  
12801 N. Central Expressway, Suite 1250  
Dallas, Texas 75243  
(214) 739-3152 Fax (214) 739-3168

Engineering Firm #P-819 Surveying Firm #101319-00

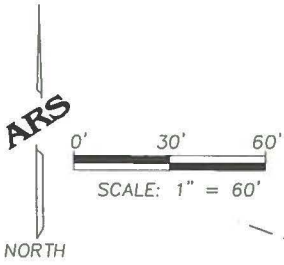
Sheet 1 of 2



# EXHIBIT A-TRACT 2

## STREET EASEMENT ABANDONMENT PART OF HUTCHINS ROAD

ADJACENT TO BLOCK NUMBER B/5899  
WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



WILLIAM JOHN ELLIOTT  
SURVEY NO. 448  
ABSTRACT NO. 448  
CALLED 4.944 ACRES  
DALLAS INDEPENDENT  
SCHOOL DISTRICT  
VOL. 76207, PG. 1709  
D.R.D.C.T.

DALLAS POWER AND LIGHT  
UTILITY ESMT.  
VOL. 75162, PG. 197  
D.R.D.C.T.

CITY OF DALLAS  
ABANDONMENT (CHILDS ST.)  
ORDINANCE NO. 8881

STREET EASEMENT  
ABANDONMENT  
3,558 SQ. FT.  
OR 0.082 ACRES

D.P. & L. UTIL ESMT.  
VOL. 77199, PG. 2552  
D.R.D.C.T.

DALLAS INDEPENDENT  
SCHOOL DISTRICT  
VOL. 5273, PG. 345  
D.R.D.C.T.

PARRY HEIGHTS ADDITION  
VOL. 10, PG. 339  
M.R.D.C.T.

**BLOCK 5899**  
REMAINDER OF  
DALLAS INDEPENDENT  
SCHOOL DISTRICT  
VOL. 5556, PG. 502  
D.R.D.C.T.

LINE TABLE

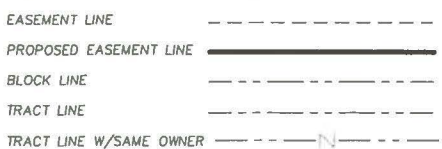
LINE	BEARING	DISTANCE
L1	S 58°41'25" W	4.91'
L2	N 27°39'29" W	129.90'
L3	N 51°50'05" E	39.07'
L4	S 27°39'29" E	47.00'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	100.01'	50.00'	114°36'01"	S 09°39'08" E	84.15'
C2	13.18'	10.00'	75°31'38"	S 10°06'08" W	12.25'

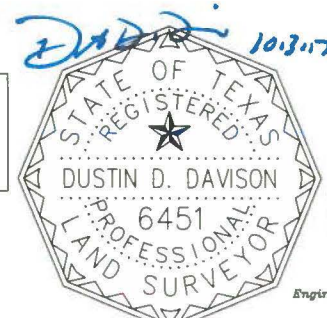
TEXAS REAL ESTATE  
ACQUISITION &  
DEVELOPMENT, LLC  
VOL. 2004150, PG. 18997  
D.R.D.C.T.

- LEGEND**
- Sq. Ft = Square Feet
  - INST. No. = INSTRUMENT NUMBER
  - MRDCT = MAP RECORDS, DALLAS COUNTY, TEXAS
  - DRDCT = DEED RECORDS, DALLAS COUNTY, TEXAS
  - OPRODCT = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
  - = (CM) CONTROLLING MONUMENT (FOUND)
  - P.O.B. = POINT OF BEGINNING
  - R.O.W. = RIGHT OF WAY
  - Brass Mon. = BRASS MONUMENT FOUND
  - "X" Set = "X" CUT IN CONCRETE SET



(For SPRG use only)  
Reviewed by: 6.5  
Date: 10-10-17  
SPRG NO.: 4221

**BASIS OF BEARING:** The Northeast right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds West) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202, North American Datum of 1983, Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).



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(214) 739-3152 Fax (214) 739-3189

Engineering Firm #F-819 Surveying Firm #I01319-00



# EXHIBIT A-TRACT 3

## STREET EASEMENT ABANDONMENT PART OF HUTCHINS ROAD ADJACENT TO BLOCK NUMBER B/5899 WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448 CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 0.093-acre (4,069 square foot) tract of land situated in the William John Elliott Survey, Abstract Number 448, being in City Block Number 5899, and being all of "Tract No. 3", conveyed to the City of Dallas, Dallas County, Texas, by Easement for Street Purposes, recorded in Volume 5584, Page 1, Deed Records, Dallas County, Texas:

**COMMENCING** at a "X" cut found at the intersection of the Northwest right-of-way line of Morrell Avenue (being a variable width right-of-way), dedicated by BOGAN SUBDIVISION NO. 1, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 9, Page 177, Map Records, Dallas County, Texas, with the Southwest right-of-way line of Hutchins Road, (being a 50-foot right-of-way) dedicated by PARRY HEIGHTS ADDITION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 10, Page 339, Map Records, Dallas County, Texas, and TESTA SUBDIVISION, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 221, Map Records, Dallas County, Texas, also being the East corner of Lot 1, City of Dallas Block Number A/5899, same being the East corner of a tract of land, conveyed to Dallas Independent School District (DISD), by Warranty Deed recorded in Volume 76180, Page 866, Deed Records, Dallas County, Texas;

**THENCE** North 27 degrees 39 minutes 29 seconds West, departing the Northwest right-of-way line of said Morrell Avenue, and along the Southwest right-of-way line of said Hutchins Road, and said Lot 1, City Block Number A/5899, passing at a distance of 130.00 feet, the North corner of said Lot 1, and the East corner of a 7.5-foot alley, as dedicated by said TESTA SUBDIVISION, continuing along the Northeast line of said alley, for a total distance 137.50 feet to an "X" cut found for the East corner of a tract of land, conveyed to Dallas Independent School District (DISD), by Warranty Deed recorded in Volume 5556, Page 502, Deed Records, Dallas County, Texas, same being the North corner of said 7.5-foot alley, dedicated by said TESTA SUBDIVISION, same being the **POINT OF BEGINNING** of the herein described tract of land;

**THENCE** North 27 degrees 39 minutes 29 seconds West, along the Northeasterly line of said DISD tract, for a distance of 163.08 feet, to the Southeast line of a called 4.944 acre tract of land, conveyed to Dallas Independent School District (DISD), by Warranty Deed recorded in Volume 76207, Page 1709, Deed Records, Dallas County, Texas, same being the North corner of City Block Number 5899, and said DISD tract, recorded in Volume 5556, Page 502, Deed Records, Dallas County, Texas;

**THENCE** North 62 degrees 20 minutes 31 seconds East, along said Southeast line, for a distance of 25.00 feet, to the Southwest right-of-way line of aforementioned Hutchins Road (a 25-foot right-way, at this point), and bearing South 27 degrees 39 minutes 29 seconds East, a distance of 7.82 feet from a 1-inch iron pipe found;

**THENCE** South 27 degrees 39 minutes 29 seconds East, along said Southwest line of Hutchins Road, for a distance of 162.51 feet, to a "X" cut found;

**THENCE** South 61 degrees 00 minutes 29 seconds West, along a Northwest right-of-way line of said Hutchins Road, for a distance of 25.00 feet, to the **POINT OF BEGINNING** and containing 4,069 square feet or 0.093 acres of land, more or less.

Basis of Bearings: The Southwest right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds East) and the and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).



(For SPRG use only)  
Reviewed by: G.S.  
Date: 10-10-17  
SPRG NO.: 4223

**ARS**  
Engineers, Inc.

12801 N. Central Expressway, Suite 1250  
Dallas, Texas 75243  
(214) 739-3152 Fax (214) 739-3169

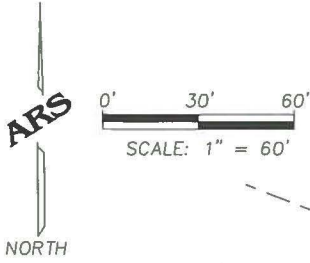
Engineering Firm #P-819 Surveying Firm #101319-00



# EXHIBIT A-TRACT 3

## STREET EASEMENT ABANDONMENT

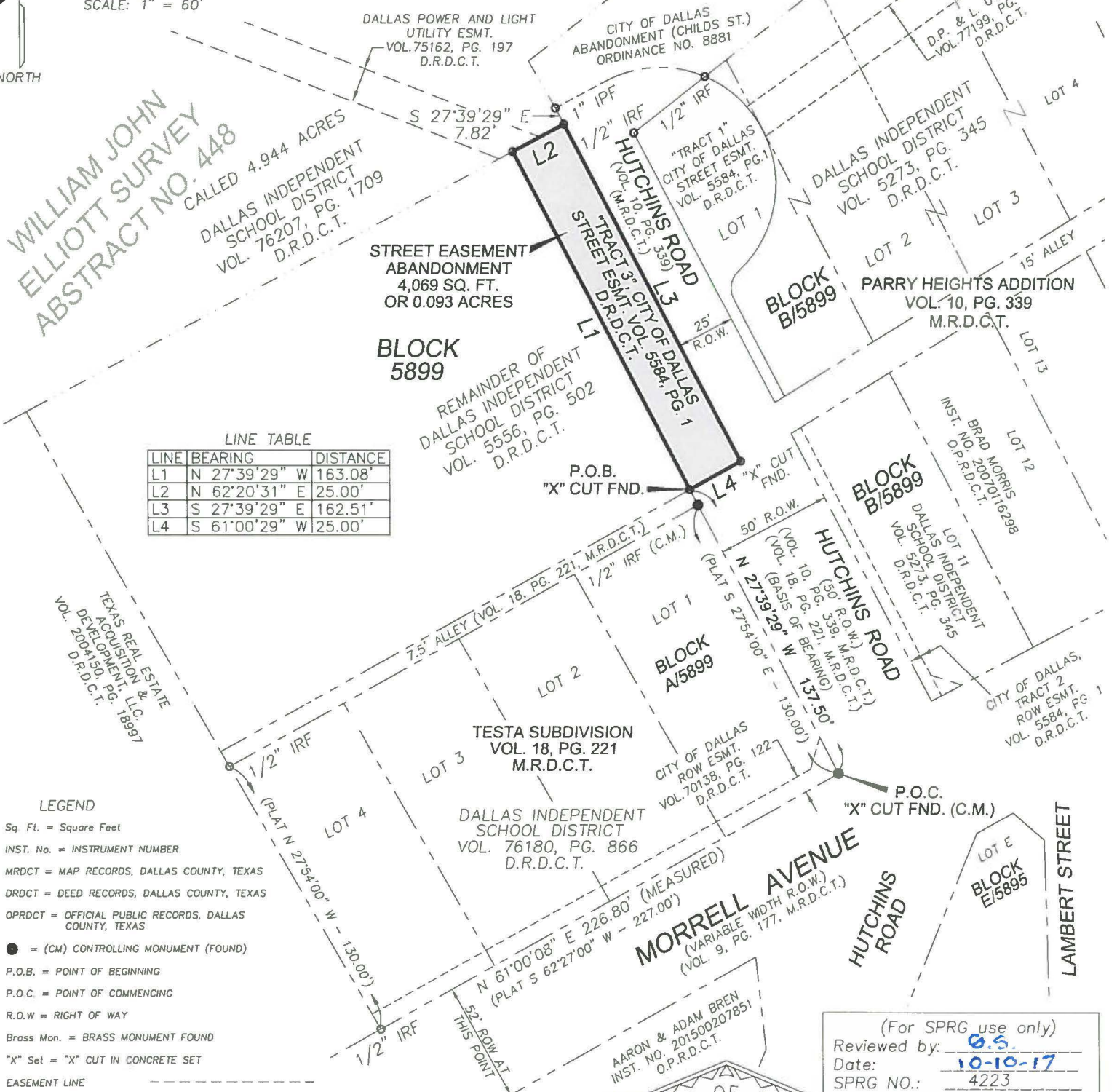
PART OF HUTCHINS ROAD  
 ADJACENT TO BLOCK NUMBER B/5899  
 WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



WILLIAM JOHN  
 ELLIOTT SURVEY  
 ABSTRACT NO. 448  
 CALLED 4.944 ACRES

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 27°39'29" W	163.08'
L2	N 62°20'31" E	25.00'
L3	S 27°39'29" E	162.51'
L4	S 61°00'29" W	25.00'



- LEGEND**
- Sq. Ft. = Square Feet
  - INST. No. = INSTRUMENT NUMBER
  - MRDCT = MAP RECORDS, DALLAS COUNTY, TEXAS
  - DRDCT = DEED RECORDS, DALLAS COUNTY, TEXAS
  - OPRDCT = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
  - = (CM) CONTROLLING MONUMENT (FOUND)
  - P.O.B. = POINT OF BEGINNING
  - P.O.C. = POINT OF COMMENCING
  - R.O.W. = RIGHT OF WAY
  - Brass Mon. = BRASS MONUMENT FOUND
  - "X" Set = "X" CUT IN CONCRETE SET
  - EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - BLOCK LINE
  - TRACT LINE
  - TRACT LINE W/SAME OWNER

BASIS OF BEARING: The Northeast right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds West) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).

Filename P:\30216219 DISD-AECOM 2015 Bond Program\Roosevelt HSD\WG\Separate Instruments\302-16-219- Tract 2\_Street Esmt-Aband-SPRG 4223.dwg  
 Date: Tuesday, October 03, 2017 Time: 12:12 PM Plotted by: Brian

AARON & ADAM BREN  
 INST. NO. 201500207851  
 O.P.R.D.C.T.



(For SPRG use only)  
 Reviewed by: 6.S.  
 Date: 10-10-17  
 SPRG NO.: 4223

**ARS**  
 Engineers, Inc.  
 12801 N. Central Expressway Suite 1250  
 Dallas, Texas 75243  
 (214) 739-3152 Fax (214) 739-3169

# EXHIBIT A-TRACT 4

STREET ABANDONMENT  
PART OF HUTCHINS ROAD  
ADJACENT TO BLOCK NUMBER B/5899  
WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 0.104-acre (4,512 square foot) tract of land situated in the William John Elliott Survey, Abstract Number 448, being part of Hutchins Road, (a 25-foot right-of-way, at this point), dedicated by PARRY HEIGHTS ADDITION, according to the plat thereof recorded in Volume 10, Page 339, Map Records, Dallas County, Texas, also adjacent to Block B/5899, being described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron rod found at the intersection of the Northeast right-of-way line of Hutchins Road, with the Northwest line of a 15-foot alley, as dedicated by said PARRY HEIGHTS Addition, and being the South corner of Lot 1, Block Number B/5899, of said PARRY HEIGHTS ADDITION, same also being the South corner of a called 10.935-acre tract of land, conveyed to Dallas Independent School District (DISD), by Warranty Deed recorded in Volume 5273, Page 345, Deed Records, Dallas County, Texas;

**THENCE** South 58 degrees 41 minutes 25 seconds West, for a distance of 25.04 feet, to an "X" cut found for the southwest corner of said Street Abandonment, also being the easterly line of a Street Easement, "Tract 3" to the City of Dallas, as evidenced by deed recorded in Volume 5584, Page 1, Deed Records, Dallas County, Texas;

**THENCE** North 27 degrees 39 minutes 29 seconds West, along said "Tract 3", for a distance of 156.56 feet, to a 1-inch Iron Pipe Found for the northwest corner of said Street Abandonment, same being in the westerly line of the Abandonment of Childs Street, by the City of Dallas, by Ordinance Number 8881;

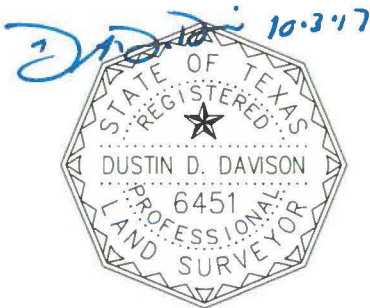
**THENCE** North 62 degrees 08 minutes 01 seconds East, for a distance of 24.80 feet, to a 1-inch Iron Pipe Found for the beginning of a tangent curve to the right, having a radius of 50.00 feet and a chord which bears North 87 degrees 22 minutes 44 seconds East, for a distance of 42.61 feet;

**THENCE** Northeasterly, along said curve to the right, through a central angle of 50 degrees 26 minutes 26 seconds, for an arc distance of 44.02 feet, to a 1-inch Iron Pipe Found for the northeast corner of a Street Easement, "Tract 1", to the City of Dallas, as evidenced by deed recorded in Volume 5584, Page 1, Deed Records, Dallas County, Texas;

**THENCE** South 51 degrees 50 minutes 05 seconds West, along the north line of said "Tract 1", for a distance of 39.07 feet, to a 1-inch Iron Rod Found;

**THENCE** South 27 degrees 39 minutes 29 seconds East, along the west line of said "Tract 1", for a distance of 129.90 feet, to the **POINT OF BEGINNING** and containing 4,512 square feet or 0.104 acres of land, more or less.

**Basis of Bearings:** The Southwest right-of-way line of Hutchins Road (North 27 degrees 39 minutes 29 seconds East) and the North American Datum of 1983, Texas State Plane Coordinate System, Zone 4202. North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506).



(For SPRG use only)  
Reviewed by: G.S.  
Date: 10-10-17  
SPRG NO.: 4220

**ARS**  
Engineers, Inc.

12801 N. Central Expressway, Suite 1250  
Dallas, Texas 75243  
(214) 739-3152 Fax (214) 739-3169

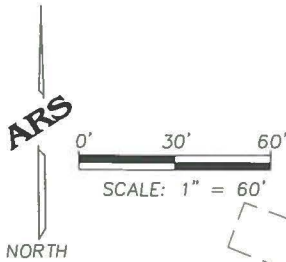
Engineering Firm #P-818 Surveying Firm #101319-00



# EXHIBIT A-TRACT 4

## STREET ABANDONMENT PART OF HUTCHINS ROAD

ADJACENT TO BLOCK NUMBER B/5899  
WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NUMBER 448  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



WILLIAM JOHN ELLIOTT SURVEY  
ABSTRACT NO. 448

DALLAS POWER AND LIGHT  
UTILITY ESMT.  
VOL. 75162, PG. 197  
D.R.D.C.T.

DALLAS INDEPENDENT  
SCHOOL DISTRICT  
VOL. 76207, PG. 1709  
D.R.D.C.T.

STREET  
ABANDONMENT  
4,512 SQ. FT.  
or 0.104 ACRES  
(area shaded)

**BLOCK  
5899**

DALLAS INDEPENDENT  
SCHOOL DISTRICT  
VOL. 5556, PG. 502  
D.R.D.C.T.

**BLOCK  
B/5899**

PARRY HEIGHTS ADDITION  
VOL. 10, PG. 339  
M.R.D.C.T.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 58°41'25" W	25.04'
L2	N 27°39'29" W	156.56'
L3	N 62°08'01" E	24.80'
L4	S 51°50'05" W	39.07'
L5	S 27°39'29" E	129.90'

CURVE TABLE

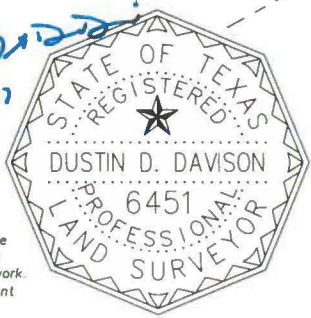
CURVE	A. LEN.	RADIUS	DELTA ANGLE	CHORD BEARING	C. LEN.
C1	44.02'	50.00'	50°26'26"	N 87°22'44" E	42.61'

TEXAS REAL ESTATE  
ACQUISITION, LLC  
AND DEVELOPMENT, L.L.C.  
VOL. 2004150, PG. 18997  
D.R.D.C.T.

**LEGEND**

- Sq. Ft. = Square Feet
- A. LENGTH = ARC LENGTH
- C. LEN. = CHORD LENGTH
- INST. No. = INSTRUMENT NUMBER
- M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
- OP.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- = (CM) CONTROLLING MONUMENT (FOUND)
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- R.O.W. = RIGHT OF WAY
- Brass Mon. = BRASS MONUMENT FOUND
- "X" Set = "X" CUT IN CONCRETE SET
- EASEMENT LINE - - - - -
- PROPOSED EASEMENT LINE - - - - -
- BLOCK LINE - - - - -
- TRACT LINE - - - - -
- TRACT LINE W/SAME OWNER - - - - -

Basis of Bearings: the Southwest right-of-way line of Bonnie View Road, (Volume 10, Page 339, M.R.D.C.T.) I.E. Being South 27 degrees 00 minutes 00 seconds East. Texas State Plane Coordinate System, Zone 4202, North American Datum of 1983. Adjustment Realization 2011. The bearing was established by Real Time Kinematic GPS observations utilizing the Western Data Systems RTK Network. Surface Coordinates were derived from a Combined Scale Factor of 0.99986351 (Surface Adjustment Factor: 1.000136506)



(For SPRG use only)  
Reviewed by: G.S.  
Date: 10-10-17  
SPRG NO.: 4220

**ARS**  
Engineers, Inc.

12801 N. Central Expressway Suite 1250  
Dallas, Texas 75243  
(214) 739-3152 Fax (214) 739-3169  
Engineering Firm #P-818 Surveying Firm #101319-00

# 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 # 13**

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

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 13

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

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

**MAPSCO:** 26B

---

**SUBJECT**

An ordinance abandoning a water easement and wastewater easement to Algonquin Realty, Inc., the abutting owner, containing a total of approximately 7,351 square feet of land, located near the intersection of North Central Expressway and Royal Lane - Revenue: \$5,400, plus the \$20 ordinance publication fee

**BACKGROUND**

This item authorizes the abandonment of a water easement and wastewater easement to Algonquin Realty, Inc., the abutting owner. The area will be included with the property of the abutting owner for the expansion of an 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 March 26, 2018.

**FISCAL INFORMATION**

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

**OWNER**

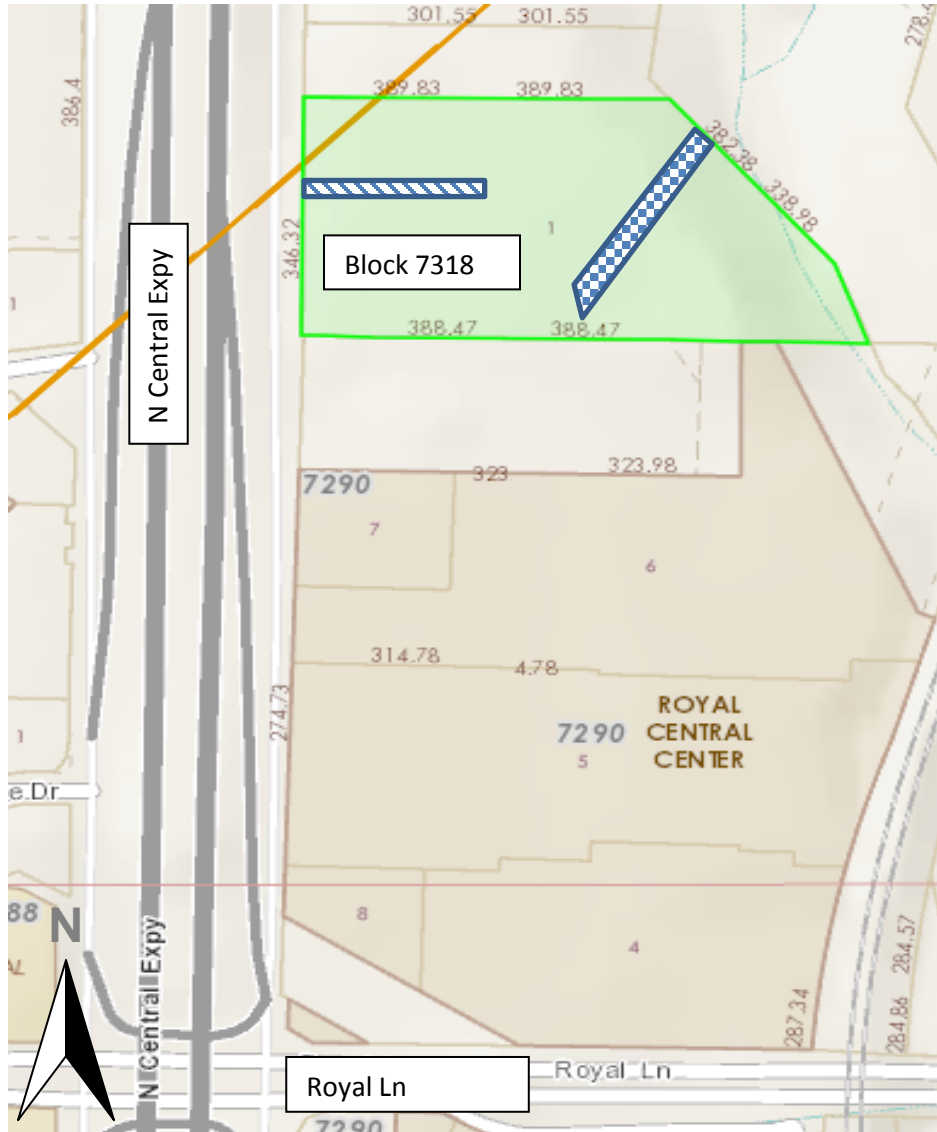
**Algonquin Realty, Inc.**

Snell Property Company, Inc.

James R. Snell, President

**MAP**

Attached



Abandonments: Water easement:



Wastewater easement:



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

An ordinance providing for the abandonment and relinquishment of a water easement and a wastewater easement, located in City Block 7318 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Algonquin Realty, Inc.; 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 Algonquin Realty, Inc., a Texas corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

**Now, Therefore,**

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **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. **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 areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

**SECTION 9.** That 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-2017-00003797.

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



BEING a 4,095 square feet (0.094-acre) tract of land situated in the David Barrow Survey, Abstract No. 177, City of Dallas, Dallas County, Texas, and being situated in Lot 1, Block 7318 of Cullum Central, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Volume 647, Page 85 of the Deed Records of Dallas County, Texas, and being situated in a called 6.813-acre tract of land, conveyed to Algonquin Realty, Inc., as evidenced in a General Warranty Deed, recorded in Volume 85074, Page 1211 of the Deed Records of Dallas County, Texas, same being all of a 15-foot wide water easement to the City of Dallas, recorded in Volume 86238, Page 3128 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the southwest corner of said Lot 1, Block 7318 and said 6.813-acre tract, same being the northwest corner of Lot 1, Block 7290 of Mitchell Rasansky Add. Rev., an Addition to the City of Dallas, Texas, according to the plat, recorded in Volume 72181, Page 19 of the Deed Records of Dallas County, Texas, same also being on the easterly right of way line of Central Expressway (U. S. Highway 75), a 300-foot wide right of way as created in a Right-of-Way Deed to the State of Texas, recorded in Volume 3165, Page 136 and Volume 3088, Page 372, both of the Deed Records of Dallas County, Texas, from said corner, a found 1/2-inch iron rod with a plastic cap, stamped "WAI" bears South 22°23' West, 0.90 feet, and a 1/2-inch iron rod found as a controlling monument, for the northeast corner of Lot 6, Block 7290 of Royal Central Center, an Addition to the City of Dallas, according to the Final Plat, recorded in Volume 93161, Page 304 of the Deed Records of Dallas County, Texas, bears North 89°48'12" East, 643.14 feet;

THENCE North 00°11'48" West, along the westerly line of said Lot 1, Block 7318, the westerly line of said 6.813-acre tract and the easterly right of way line of said Central Expressway (U. S. Highway 75), a distance of 218.55 feet to the POINT OF BEGINNING of the herein described abandonment tract, same being the southwest corner of the 15-foot wide water easement as recorded in said Volume 86238, Page 3128, Deed Records, Dallas County, Texas;

THENCE North 00°11'48" West, continuing along the westerly line of said Lot 1, Block 7318, the westerly line of said 6.813-acre tract and the easterly right of way line of said Central Expressway (U. S. Highway 75), a distance of 15.00 feet to the northwest corner of said 15-foot wide water easement, from said corner, a 3-inch brass TXDOT right of way monument found as a controlling monument, for the southwest corner of Lot 1, Block A/7281 of Key Whitman Eye Addition, an Addition to the City of Dallas, according to the Final Plat, recorded in Instrument No. 201600051930 of the Official Public Records of Dallas County, Texas, bears North 00°11'48" West, 388.75 feet;

THENCE North 90°00'00" East, departing the westerly line of said Lot 1, Block 7318, the westerly line of said 6.813-acre tract and the easterly right of way line of said Central Expressway (U. S. Highway 75), crossing said Lot 1, Block 7318 and said 6.813-acre tract, and along the northerly line of said 15-foot wide water easement, a distance of 273.03 feet to the northeast corner of said 15-foot wide water easement;

THENCE South 00°00'00" East, continuing across said Lot 1, Block 7318 and said 6.813-acre tract, and along the easterly line of said 15-foot wide water easement, a distance of 15.00 feet to the southeast corner of said 15-foot wide water easement;

THENCE North 90°00'00" West, continuing across said Lot 1, Block 7318 and said 6.813-acre tract, and along the easterly line of said 15-foot wide water easement, a distance of 272.97 feet to the POINT OF BEGINNING and containing 0.094 of an acre (4,095 square feet) of land, more or less.

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

MICHAEL MARX  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5181  
5750 GENESIS COURT, SUITE 200  
FRISCO, TEXAS 75034  
PH. 972-335-3580  
michael.marx@kimley-horn.com



**WATER EASEMENT ABANDONMENT**

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

**Kimley»Horn**

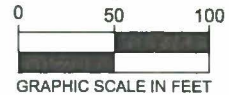
5750 Genesis Court, Suite 200 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779

(For SPRG use only)  
Reviewed By: G.S.  
Date: 11-20-17  
SPRG NO: 4236

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	09/21/2017	069321101	1 OF 2



# Exhibit A-TRACT 1



LOT 1, BLOCK A/7281  
KEY WHITMAN EYE ADDITION  
INST. NO. 201600051930  
O.P.R.D.C.T.

STATE OF TEXAS  
VOLUME 3088, PAGE 372  
D.R.D.C.T.

MARIA JOSEFA  
SANCHEZ SURVEY  
ABSTRACT NO. 12X2

3" ALUM. DISK FND.  
"PACHECO KOCH"

12' SANITARY SEWER  
EASEMENT,  
VOL. 4028, PG. 253,  
D.R.D.C.T.

CALLED 20,099 SQ. FT.  
CITY OF DALLAS, TEXAS  
VOLUME 69229, PAGE 2037  
D.R.D.C.T.

REMAINDER OF A  
W. G. CULLUM COMPANY  
VOLUME 3151, PAGE 189  
D.R.D.C.T.

CENTRAL EXPRESSWAY  
(U. S. HIGHWAY 75)  
(300' RIGHT OF WAY)

STATE OF TEXAS  
VOLUME 3165, PAGE 136, D.R.D.C.T.

N0°11'48"W 218.55'

N0°11'48"W 388.75'

N0°11'48"W 388.75'

## WATER EASEMENT ABANDONMENT

0.094 ACRE (4,095 SQ. FT.)

15' D. P. & L. EASEMENT,  
VOL. 684, PG. 2140

N90°00'00"E  
273.03'

N0°11'48"W  
15.00'

P.O.B.

N0°11'48"W 218.55'

N0°11'48"W 388.75'

N0°11'48"W 388.75'

15' WATER EASEMENT,  
VOL. 86238, PG. 3128,  
D.R.D.C.T.

N90°00'00"W  
272.97'

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
VOLUME 647, PAGE 85  
D.R.D.C.T.

P.O.C.

N89°48'12"E 643.14'

DAVID BARROW SURVEY  
ABSTRACT NO. 177  
CALLED 6.813 ACRES  
ALGONQUIN REALTY, INC  
VOLUME 85074, PAGE 1211  
D.R.D.C.T.

12' SANITARY SEWER  
EASEMENT,  
VOL. 647, PG. 85, & VOL.  
4028, PG. 253, D.R.D.C.T.

12' SANITARY SEWER EASEMENT,  
VOL. 647, PG. 85, D.R.D.C.T.

### NOTES

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

1/2" IRF ON  
PROPERTY LINE  
(CM)

1/2" IRF  
0.67' SOUTH OF  
PROPERTY LINE

3" ALUM. FLOODWAY  
MONUMENT FOUND

LOT 6, BLOCK 7290  
ROYAL CENTRAL CENTER  
VOLUME 93161, PAGE 304  
D.R.D.C.T.

### LEGEND

- (CM) - Controlling Monument
- P.O.C. = Point of Commencing
- P.O.B. = Point of Beginning
- IRFC = Iron rod w/cap found
- IRF = Iron rod found
- VOL = Volume
- PG = Page
- D.R.C.D.T. = Deed Records, Dallas County, Texas
- O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

MICHAEL MARX  
REGISTERED PROFESSIONAL  
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michael.marx@kimley-horn.com



## WATER EASEMENT ABANDONMENT

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

# Kimley»Horn

5750 Genesis Court, Suite 200  
Frisco, Texas 75034  
FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MBM	KHA	09/15/2017	069321101	2 OF 2

## EXHIBIT A-TRACT 2

**BEING** a 3,256 square feet (0.075-acre) tract of land situated in the David Barrow Survey, Abstract No. 177, City of Dallas, Dallas County, Texas, and being a portion of a 12-foot wide wastewater easement, situated in Lot 1, Block 7318 of Cullum Central, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Volume 647, Page 85 of the Deed Records of Dallas County, Texas, and being situated in a called 6.813-acre tract of land, conveyed to Algonquin Realty, Inc., as evidenced in a General Warranty Deed, recorded in Volume 85074, Page 1211 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

**COMMENCING** at the southeast corner of said Lot 1, Block 7318 and the southeast corner of said 6.813-acre tract, same being on the northerly line of a called 74,766 square feet tract of land, conveyed to the City of Dallas, Texas, as evidenced in a Warranty Deed, recorded in Volume 69158, Page 1874 of the Deed Records of Dallas County, Texas;

**THENCE** South 89°48'12" West, along the southerly line of said 6.813-acre tract, the southerly line of said Lot 1, Block 7318, the northerly line of said 74,766 square feet tract, the northerly line of Lot 6, Block 7290 of Royal Central Center, an Addition to the City of Dallas, Texas, according to the plat, recorded in Volume 93161, Page 304 of the Deed Records of Dallas County, Texas and the northerly line of Lot 1, Block 7280 of Mitchell Rasansky Add. Rev., an Addition to the City of Dallas, Texas, according to the plat, recorded in Volume 72181, Page 19 of the Deed Records of Dallas County, Texas, passing at a distance of 125.31 feet, a 1/2-inch iron rod found as a controlling monument, for the north common corner of said 74,766 square feet tract and said Lot 6, Block 7290, continuing for a total distance of 273.58 feet to the southeast corner of aforesaid 12-foot wide wastewater easement as created in said Cullum Central, from said point, a 3-inch brass TXDOT right of way monument found as a controlling monument for the southwest corner of Lot 1, Block A/7281 of Key Whitman Eye Addition, an Addition to the City of Dallas, recorded in Instrument No. 201600051930 of the Official Public Records, Dallas County, Texas, bears South 89°48'12" West, 494.87 feet and North 00°11'48" West, 622.30 feet;

**THENCE** North 33°29'41" West, departing the southerly line of said Lot 1, Block 7318, the northerly line of said Lot 1, Block 7290, along the easterly line of the 12-foot wide wastewater easement as created in said Cullum Central and crossing said Lot 1, Block 7318 and said 6.813-acre tract, a distance of 98.09 feet to the **POINT OF BEGINNING** of the herein described abandonment, same being a wye split in said 12-foot wide wastewater easement as created in Cullum Central;

**THENCE** North 33°29'41" West, departing the easterly line of said 12-foot wide wastewater easement as created in said Cullum Central, continuing along the easterly line and the easterly line of a 12-foot wide wastewater easement, recorded in Volume 4028, Page 253 of the Deed Records of Dallas County, Texas, and crossing said Lot 1, Block 7318 and said 6.813-acre tract, a distance of 1.37 feet to a corner;

Continued on Sheet 2

### WASTEWATER EASEMENT ABANDONMENT

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

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(For SPRG use only)

Reviewed By: G.S.  
Date: 10-2-17  
SPRG NO: 4237

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Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	09/21/2017	069321101	1 OF 3



Continued from Sheet 1

**THENCE** North 06°44'08" West, continuing along the easterly line of said 12-foot wide wastewater easement recorded in Volume 4029, Page 253 and crossing said Lot 1, Block 7318 and said 6.813-acre tract, a distance of 27.81 feet to the intersection of the easterly line of said 12-foot wide wastewater easement recorded in Volume 4029, Page 253 and the westerly line of said 12-foot wide wastewater easement as created in said Cullum Central;

**THENCE** North 16°27'37" East, along a westerly line of said 12-foot wide wastewater easement as created in said Cullum Central and crossing said Lot 1, Block 7318 and said 6.813-acre tract, a distance of 261.23 feet to a northwesterly corner of said 12-foot wide wastewater easement, same being on the easterly line of said Lot 1, Block 7318 and said 6.813-acre tract, same being on the westerly line of a City of Dallas Storm Water Drainage Easement, recorded in Volume 69106, Page 1566 of the Deed Records of Dallas County, Texas, from said corner, the northeast corner of said Lot 1, Block 7318 bears North 40°57'29" West, 23.30 feet;

**THENCE** South 40°57'29" East, along the easterly line of said Lot 1, Block 7318 and said 6.813-acre tract, and along the westerly line of a City of Dallas Storm Water Drainage Easement, a distance of 14.24 feet to a northeast corner of said 12-foot wide wastewater easement as created in said Cullum Central;

**THENCE** South 16°27'37" West, departing the easterly line of said Lot 1, Block 7318 and said 6.813-acre tract, the westerly line of a City of Dallas Storm Water Drainage Easement, and crossing said Lot 1, Block 7318 and said 6.813-acre tract, a distance of 280.00 feet to the **POINT OF BEGINNING** and containing 0.075 of an acre (3,256 square feet) of land, more or less.

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

**WASTEWATER EASEMENT  
ABANDONMENT**

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

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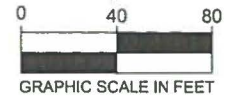
**Kimley»Horn**

5750 Genesis Court, Suite 200 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	09/21/2017	069321101	2 OF 3

(For SPRG use only)  
Reviewed By: G.S.  
Date: 10-2-17  
SPRG NO: 4237

# EXHIBIT A-TRACT 2



LOT 1, BLOCK A/7281  
KEY WHITMAN EYE ADDITION  
INST. NO. 201600051930  
O.P.R.D.C.T.

CALLED 20,099 SQ. FT.  
CITY OF DALLAS, TEXAS  
VOLUME 69229, PAGE 2037  
D.R.D.C.T.

3" BRASS TXDOT  
ROW MONUMENT  
FND. (CM)

N40°57'29"W  
23.30'

S40°57'29"E  
14.24'

PORTION OF FLOODWAY  
EASEMENT CREATED IN VOL.  
647, PG. 85, D.R.D.C.T.  
ABANDONED IN ORD. NO.  
19336, VOL. 86213, PG. 2090,  
D.R.D.C.T.

CITY OF DALLAS STORM WATER  
DRAINAGE EASEMENT, VOL.  
69106, PG. 1566, D.R.D.C.T.

REMAINDER OF A  
W. G. CULLUM COMPANY  
VOLUME 3151, PAGE 189  
D.R.D.C.T.

CALLED 74,766 SQ. FT.  
CITY OF DALLAS, TEXAS  
VOLUME 69158, PAGE 1874  
D.R.D.C.T.

FLOODWAY EASEMENT  
CREATED IN VOL. 647, PG. 85,  
D.R.D.C.T.

DRAINAGE EASEMENT  
VOL. 69203, PG. 233,  
D.R.D.C.T.

DAVID BARROW SURVEY  
ABSTRACT NO. 177

12' WASTEWATER EASEMENT,  
VOL. 647, PG. 85, D.R.D.C.T. &  
VOL. 4028, PG. 253, D.R.D.C.T.

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
VOLUME 647, PAGE 85  
D.R.D.C.T.

**WASTEWATER  
EASEMENT  
ABANDONMENT**  
3,256 SQ. FT.  
(0.075 ACRE)  
N6°44'08"W  
27.81'

12' WASTEWATER  
EASEMENT,  
VOL. 647, PG. 85,  
D.R.D.C.T.

P.O.B.  
N33°29'41"W  
1.37'

S89°48'12"W 494.87'

S89°48'12"W 273.58'

125.31'

LOT 1, BLOCK 7290  
MITCHELL RASANSKY ADD. REV.  
VOLUME 72181, PAGE 19  
D.R.D.C.T.

LOT 6, BLOCK 7290  
ROYAL CENTRAL CENTER  
VOLUME 93161, PAGE 304  
D.R.D.C.T.

## WASTEWATER EASEMENT ABANDONMENT

LOT 1, BLOCK 7318  
CULLUM CENTRAL ADDITION  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

- LEGEND**  
(CM) - Controlling Monument  
P.O.C. = Point of Commencing  
P.O.B. = Point of Beginning  
IRFC = Iron rod w/cap found  
IRF = Iron rod found  
VOL = Volume  
PG = Page  
D.R.C.D.T. = Deed Records, Dallas County, Texas  
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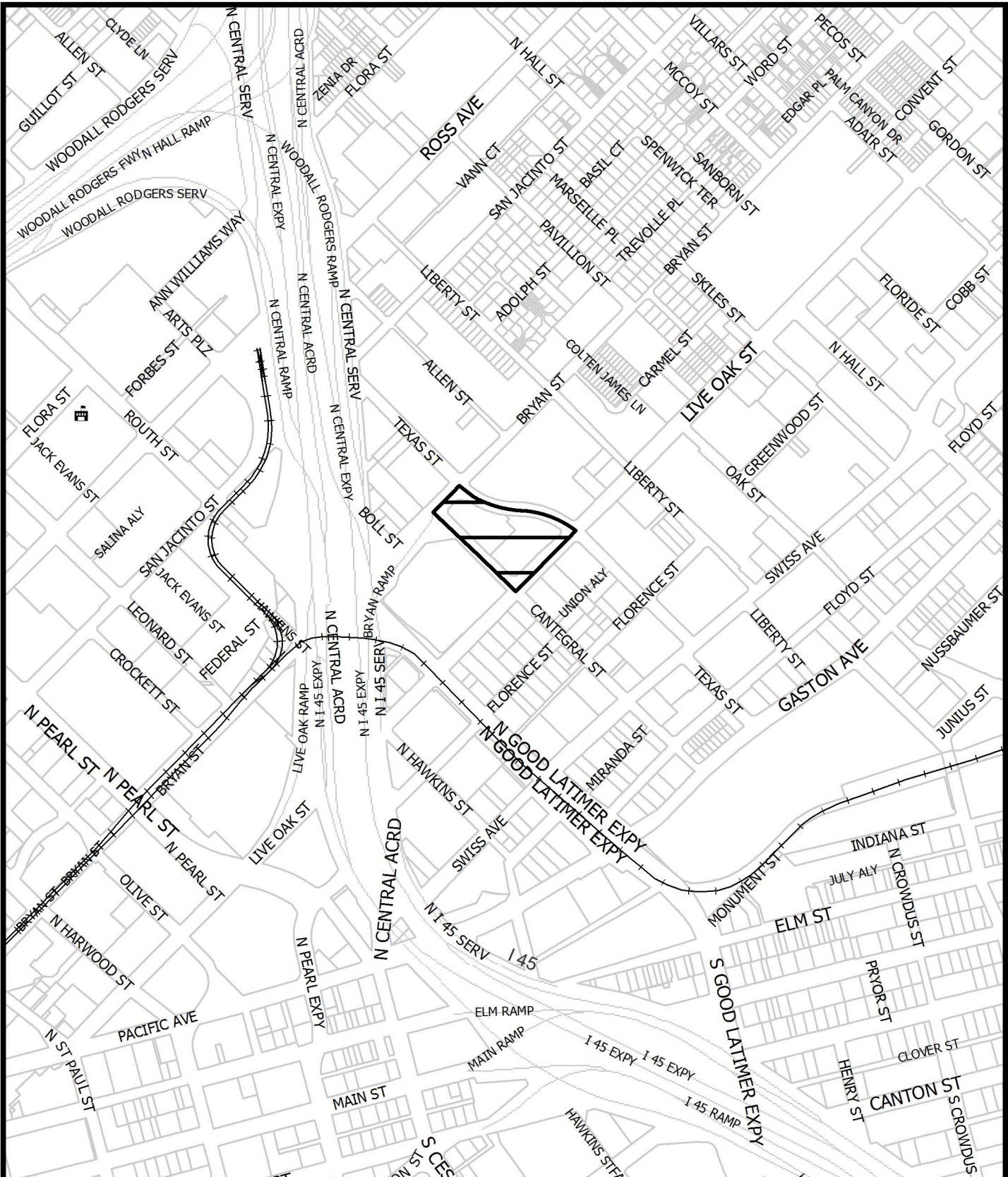
# Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	KHA	09/21/2017	069321101	3 OF 3

(For SPRG use only)  
Reviewed By: G.S.  
Date: 10-2-17  
SPRG NO: 4237



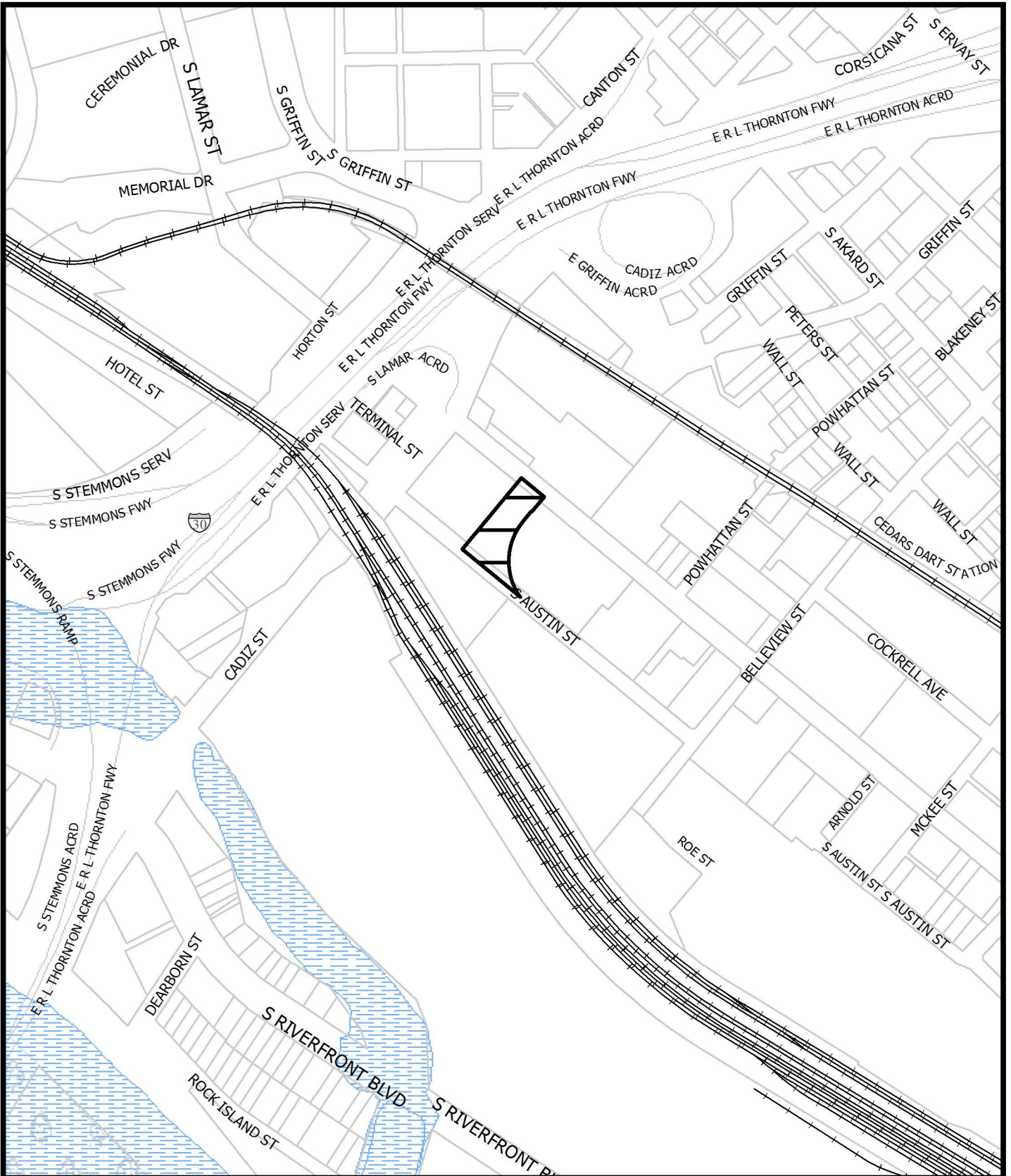


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# VICINITY MAP

Ordinance No. 30159



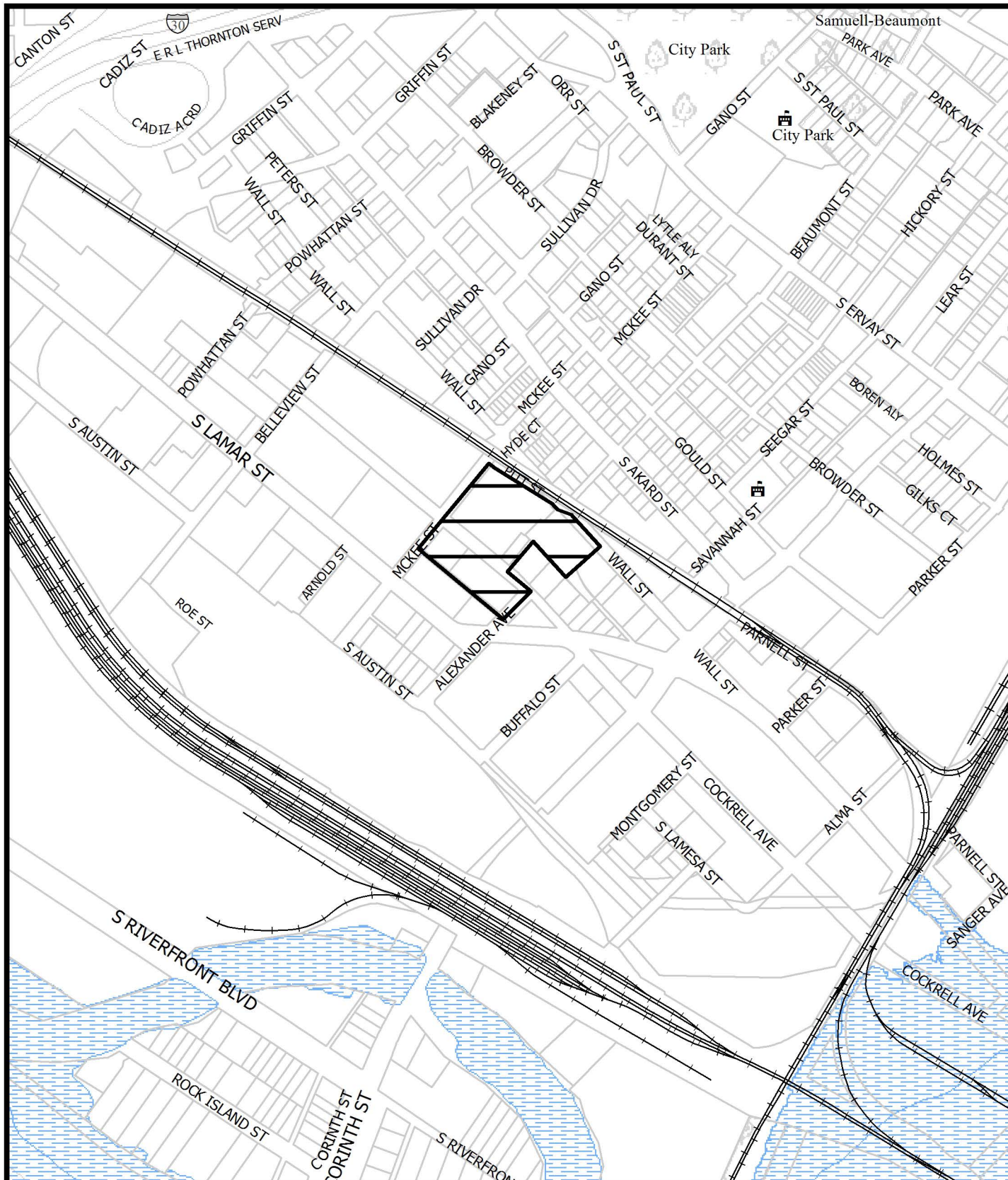


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# VICINITY MAP

Ordinance No. 30295



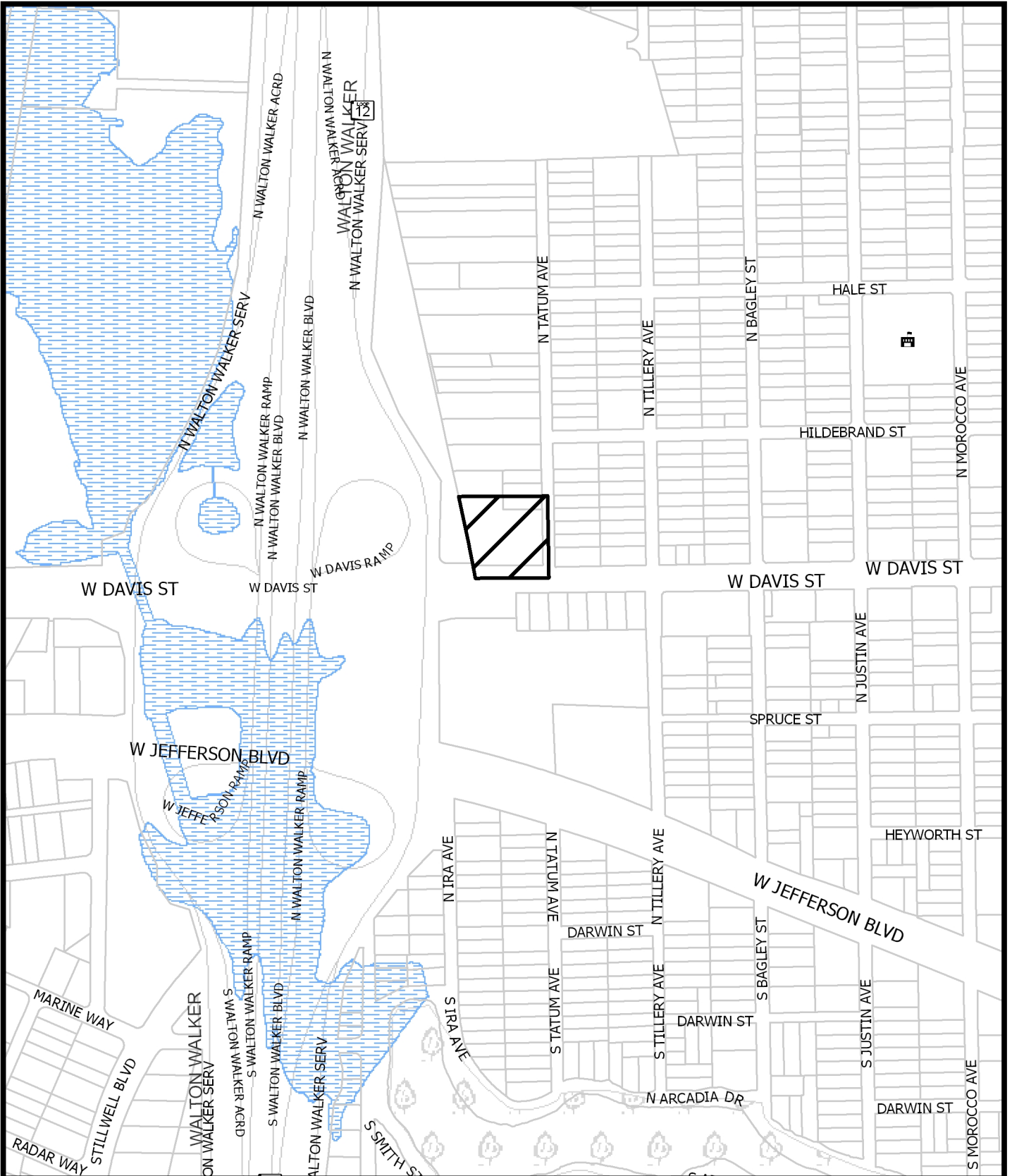


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# VICINITY MAP

Ordinance No. 30276

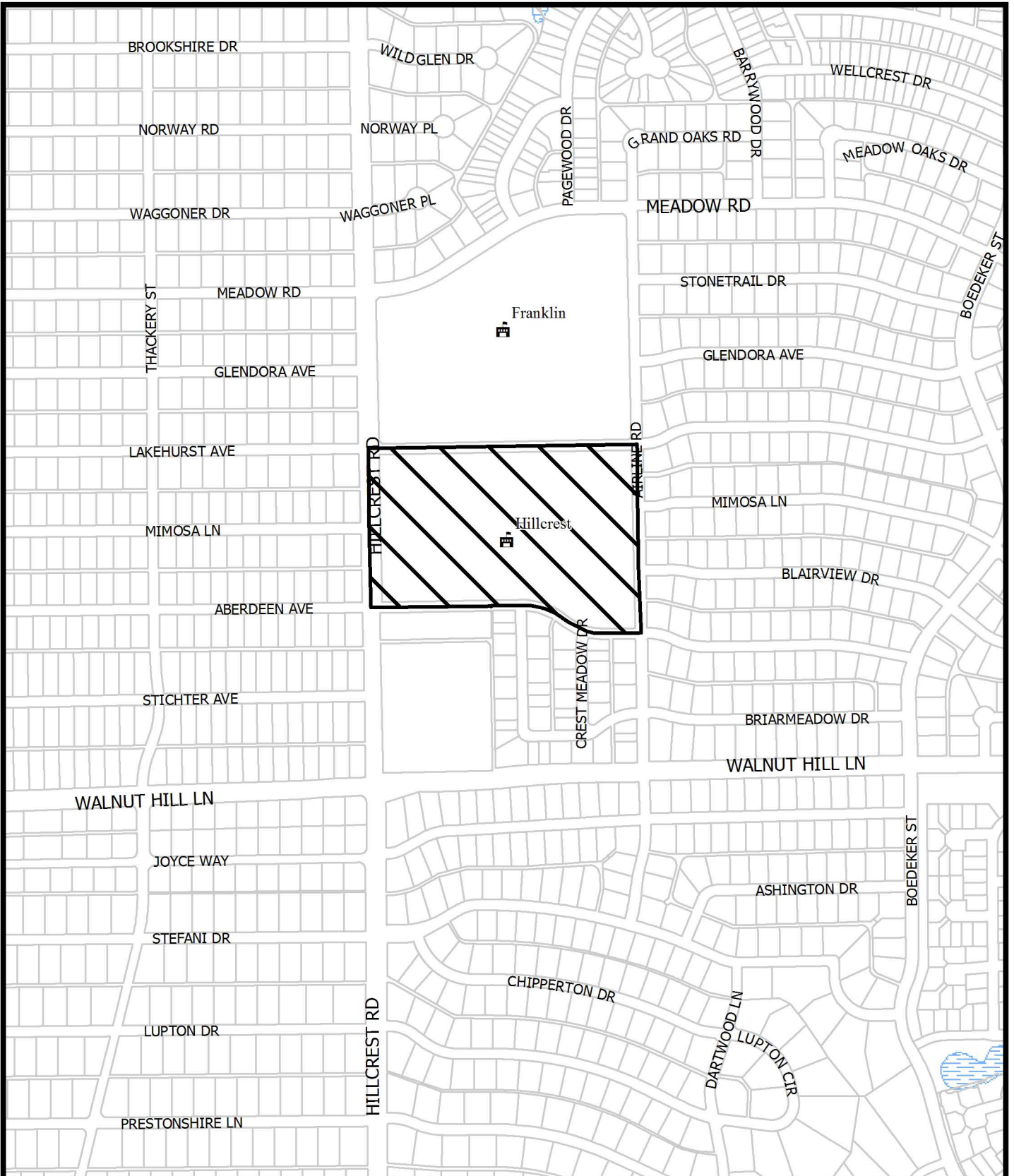




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# VICINITY MAP

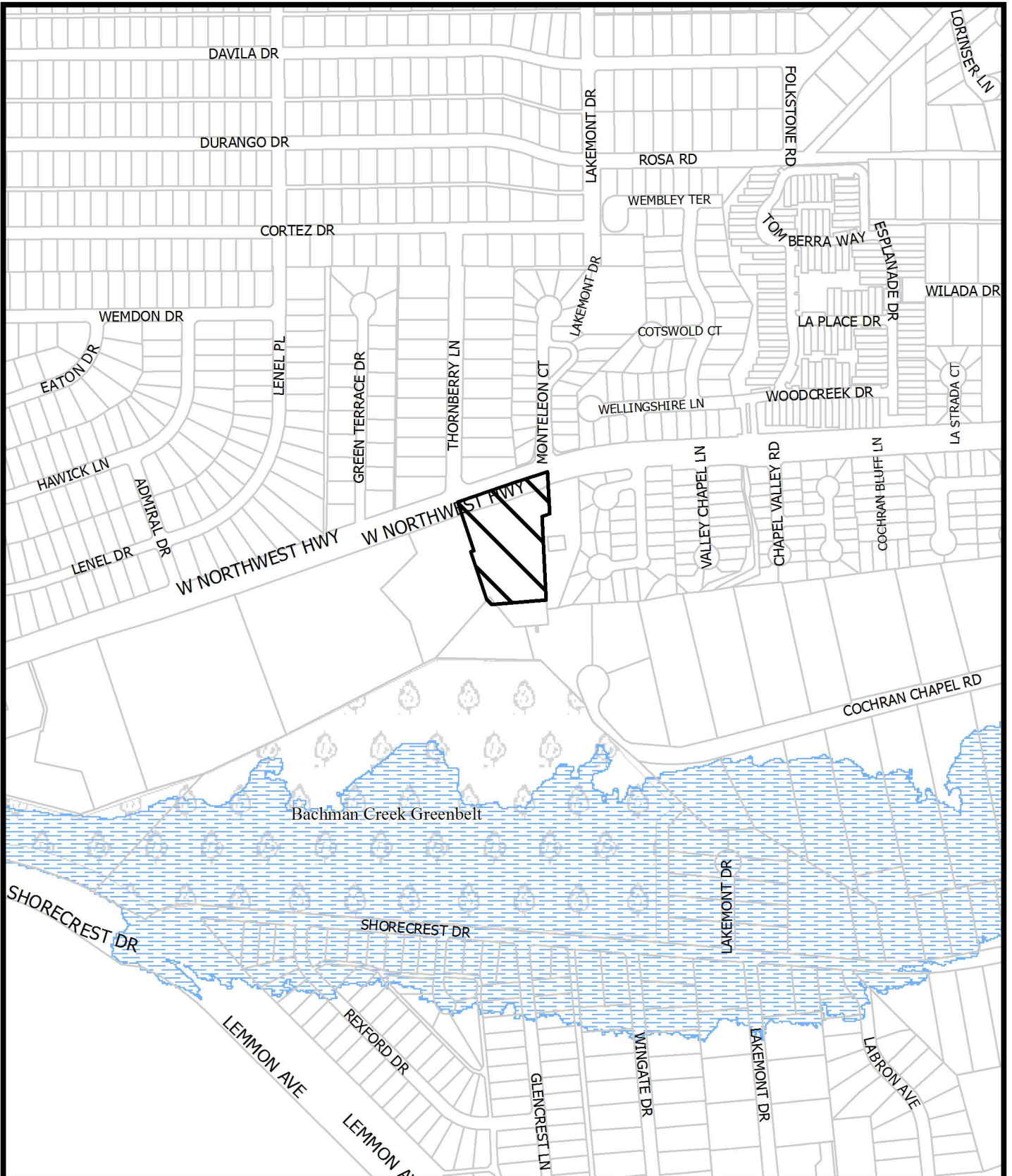
Ordinance No. 28915



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# VICINITY MAP

Ordinance No. 30459

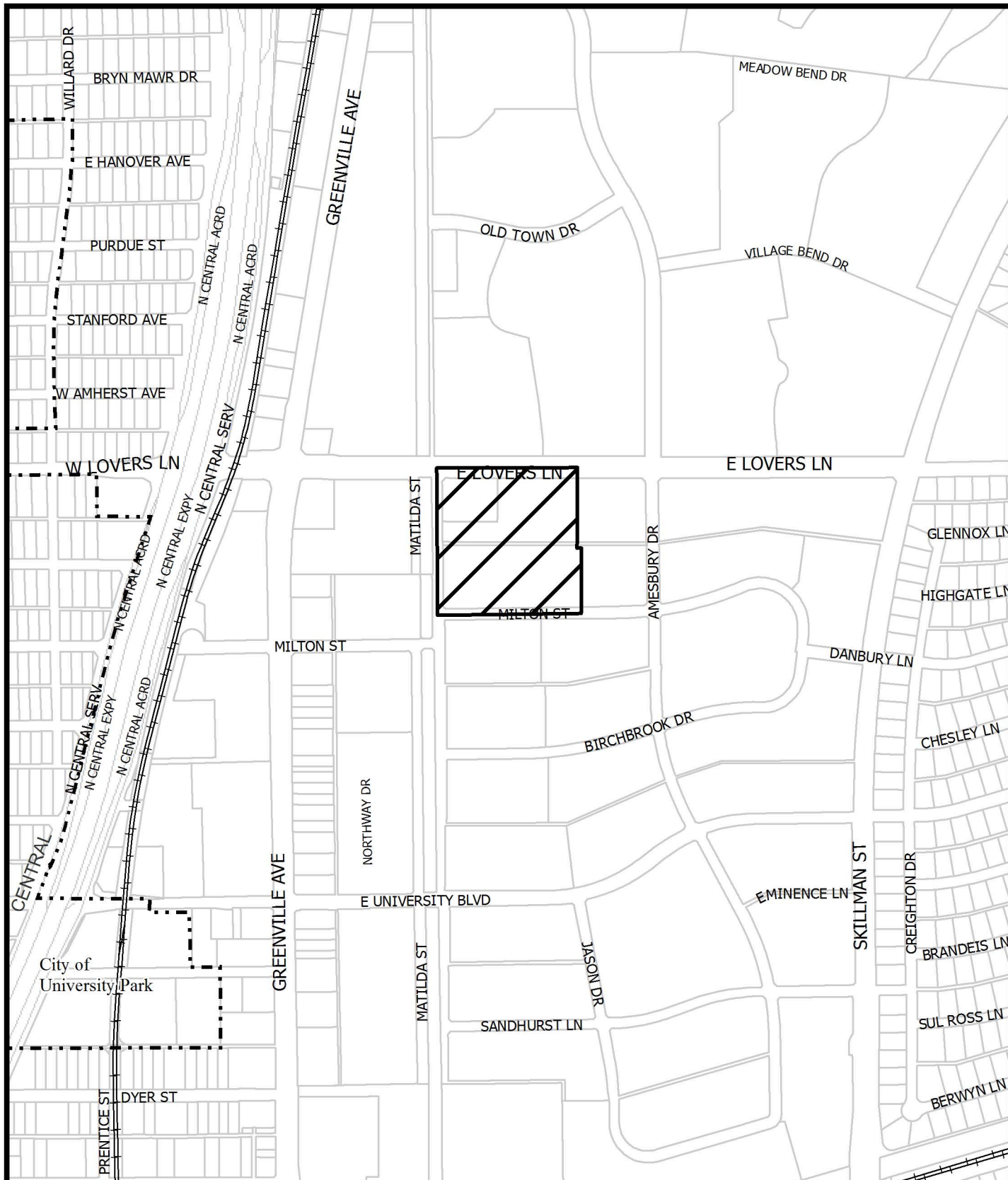


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# VICINITY MAP

Ordinance No. 30583

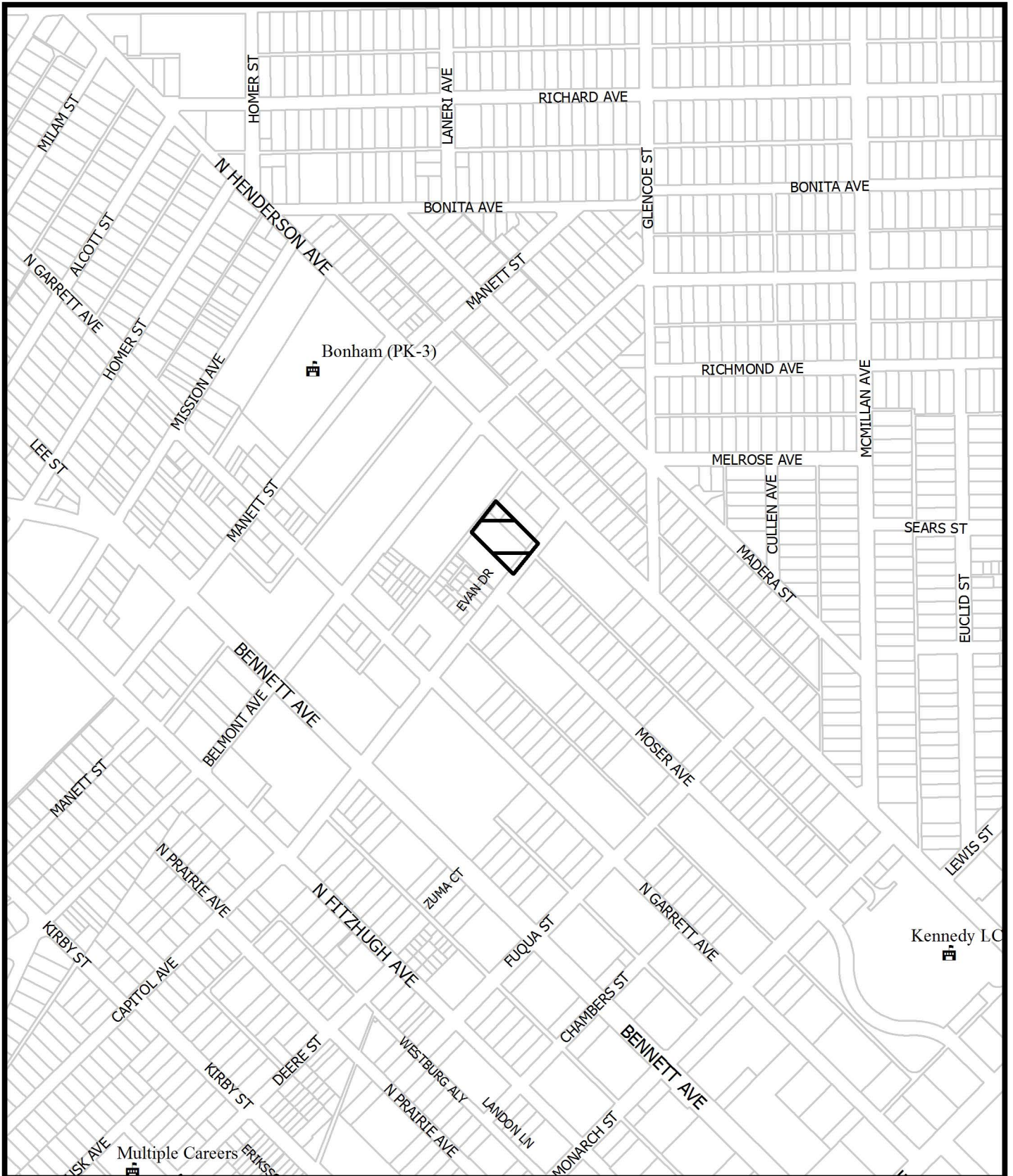




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# VICINITY MAP

Ordinance No. 30156



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# VICINITY MAP

Ordinance No. 30166



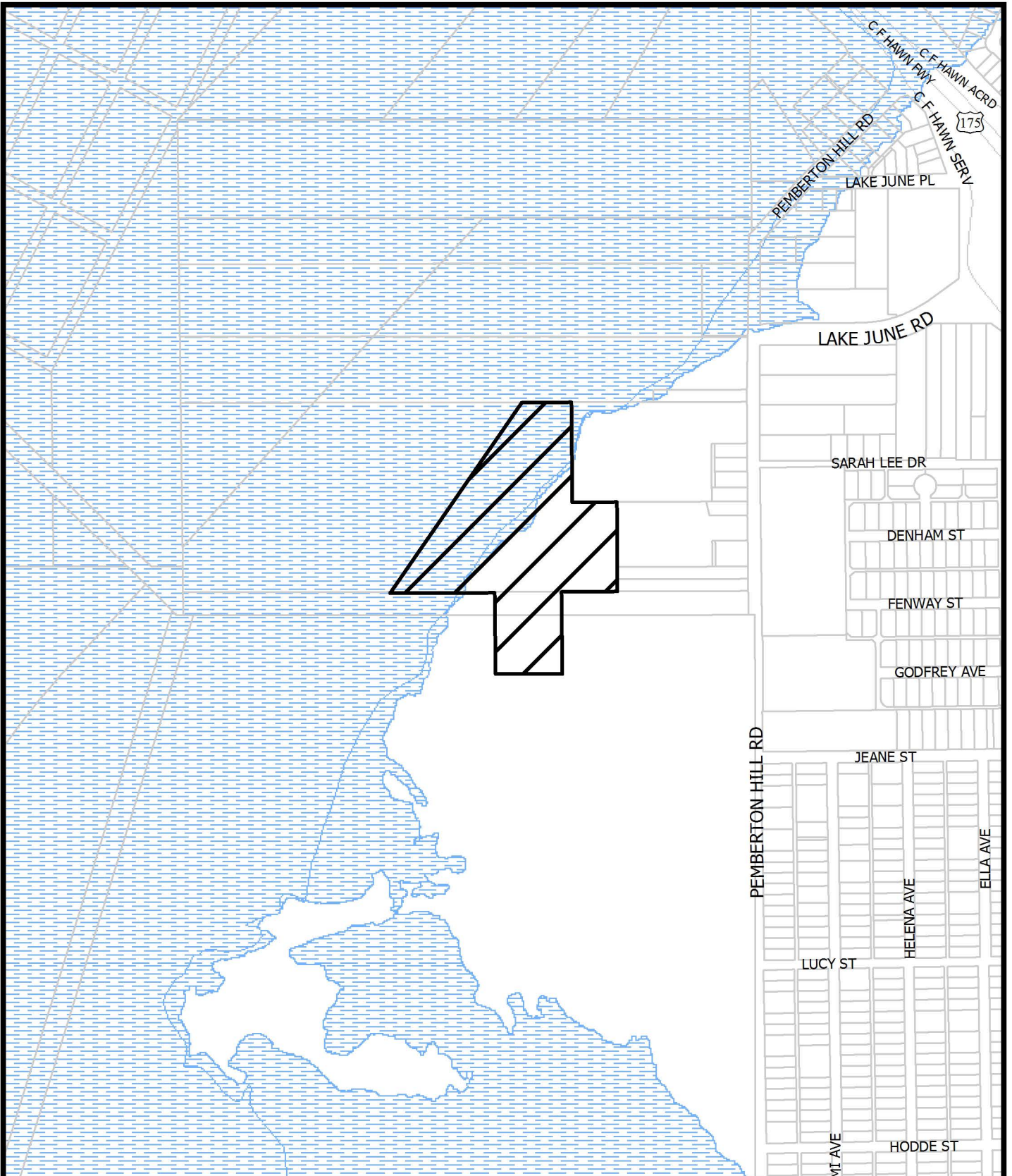


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# VICINITY MAP

Ordinance No. 22879

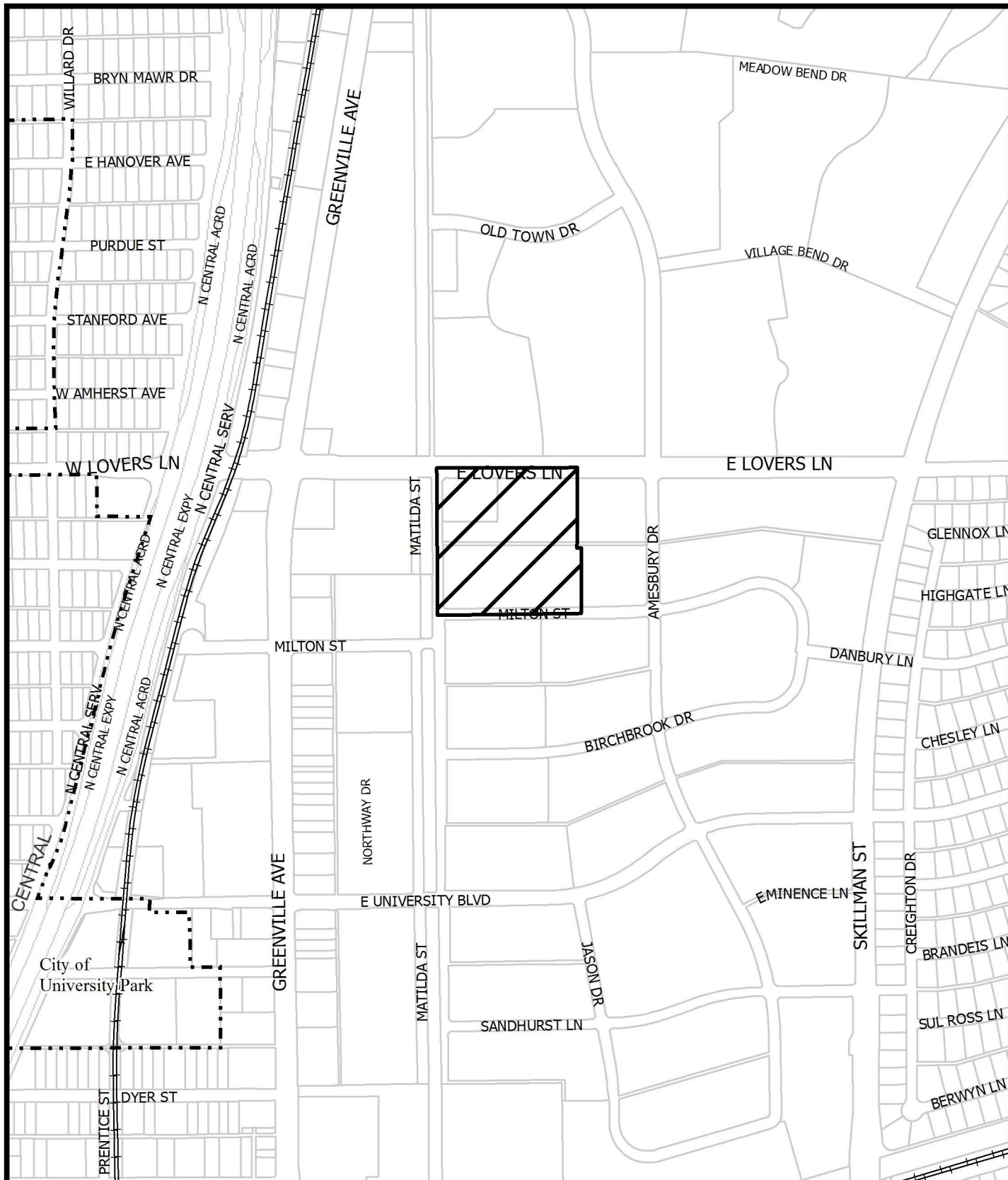




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# VICINITY MAP

Ordinance No. 30070  
Ordinance No. 30185

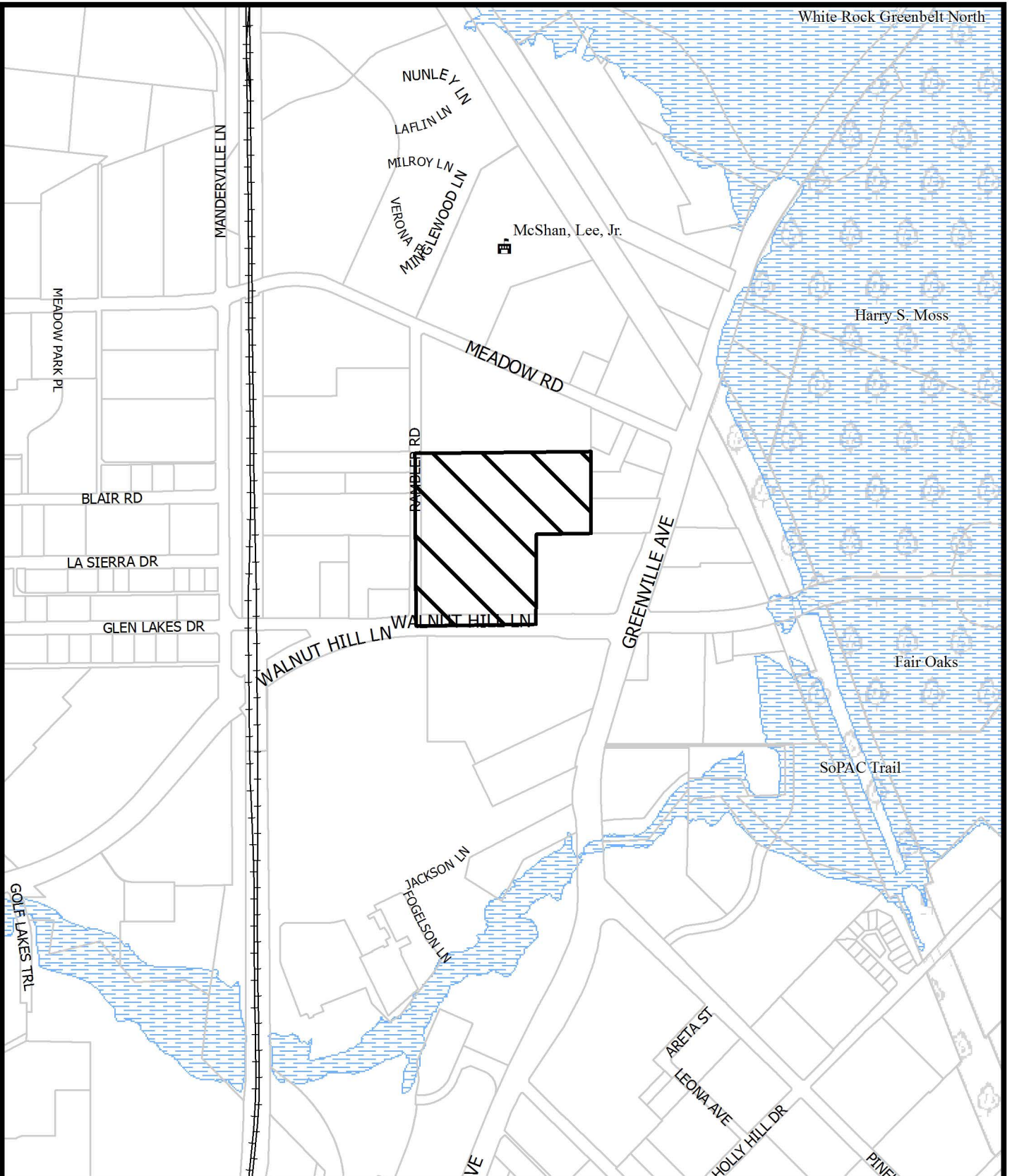


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# VICINITY MAP

Ordinance No. 30156

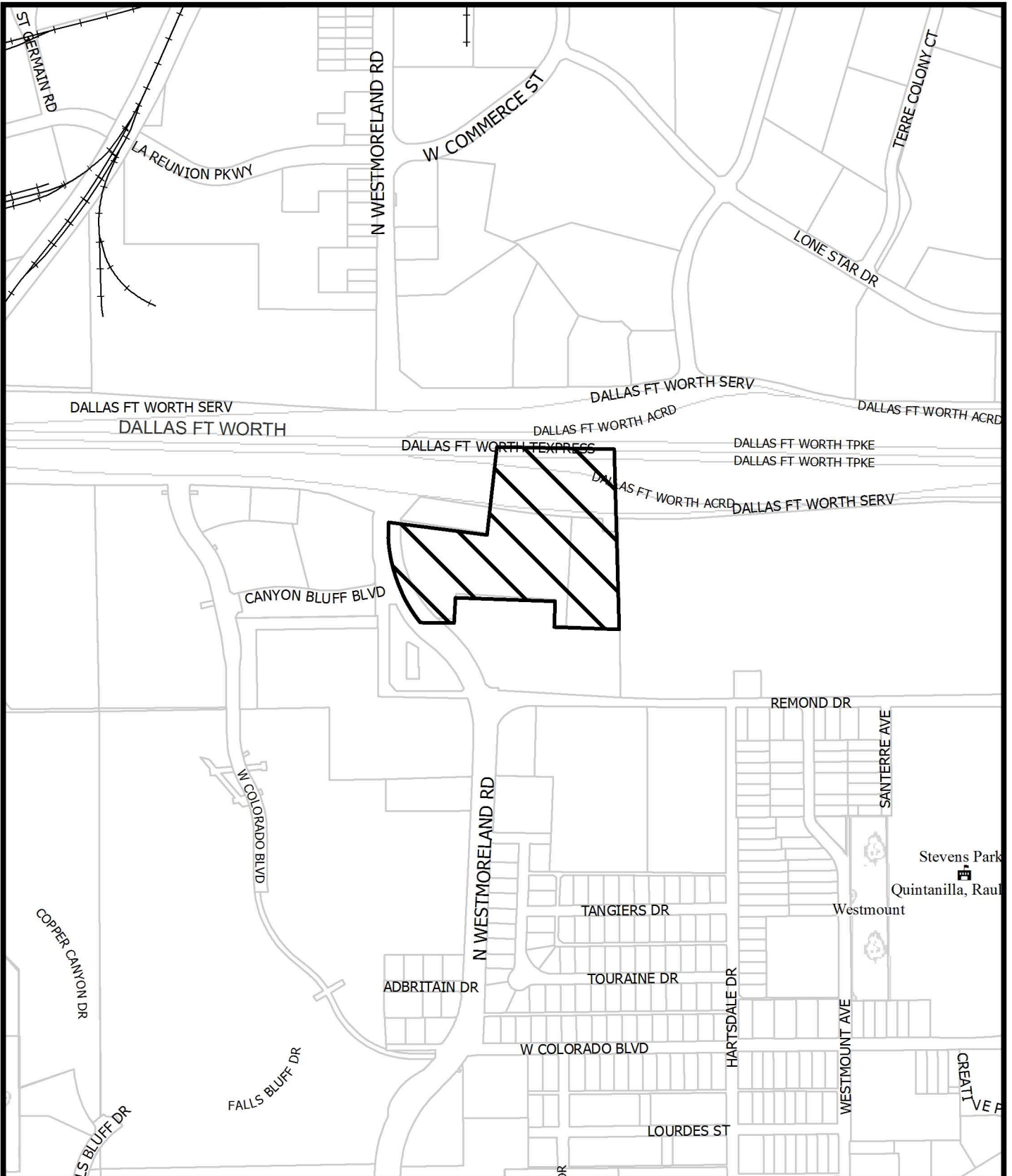




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# VICINITY MAP

Ordinance No. 30420



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# VICINITY MAP

Ordinance No. 30591

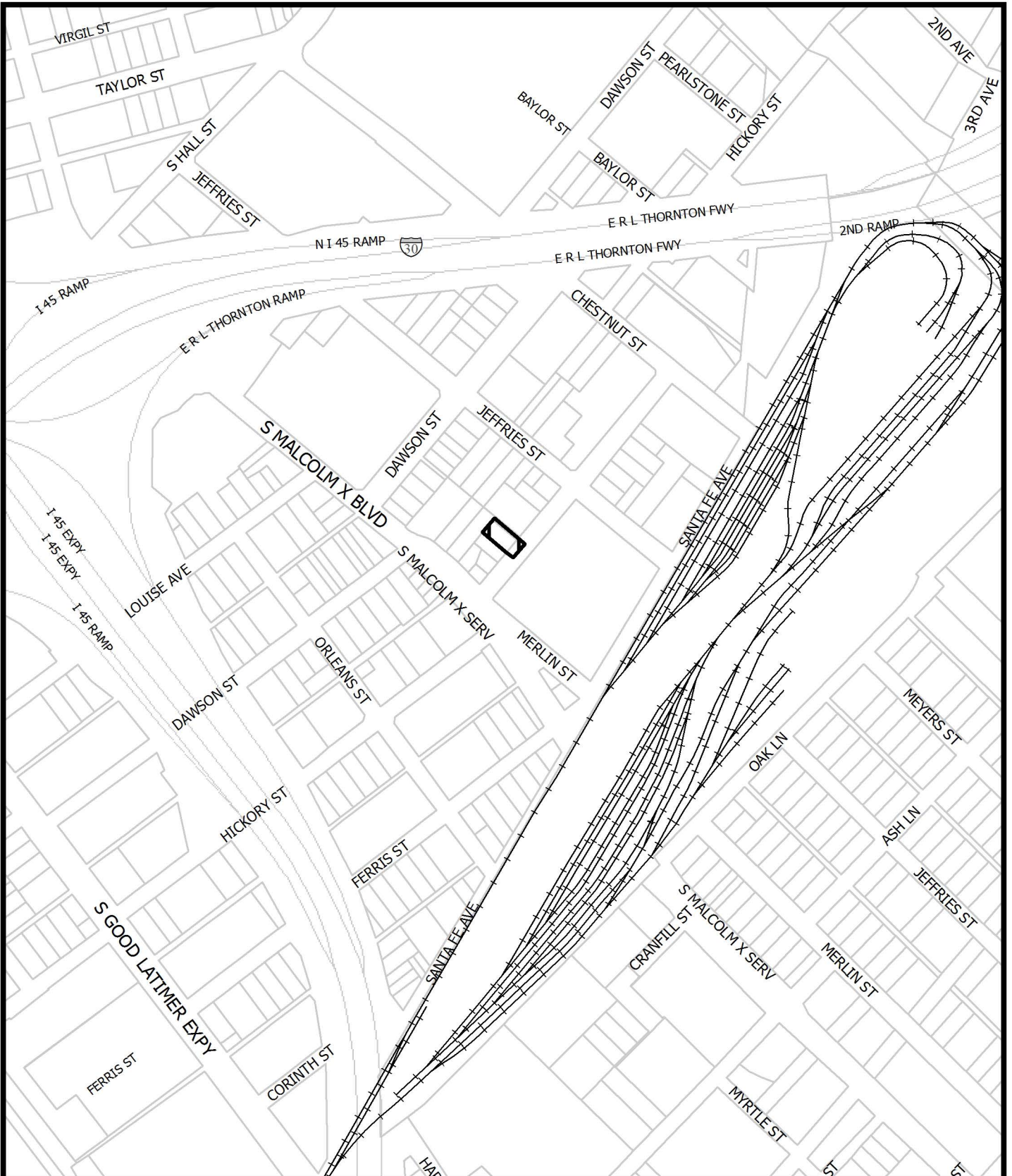




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# VICINITY MAP

Ordinance No. 30703



1:4,800

# VICINITY MAP

Ordinance No. 30729



**AGENDA ITEM # 18**

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

**AGENDA DATE:** March 28, 2018

**COUNCIL DISTRICT(S):** 2, 6, 7, 13, 14

**DEPARTMENT:** Department of Transportation

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

**MAPSCO:** 25X Y 34N S T X Y 35R U Y 36E J 44C D 45A B C E 49N

---

**SUBJECT**

Authorize a Memorandum of Understanding with the North Central Texas Council of Governments Regional Transportation Council for use of federal funds for the design, engineering, and construction of Dallas Bond Program projects - Financing: This action has no cost consideration to the City (see Fiscal Information)

**BACKGROUND**

In April 2017, the North Central Texas Council of Governments (NCTCOG) provided an opportunity for local government projects to be considered for federal Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) funding. CMAQ funding is used for projects that improve air quality such as multi-modal complete streets projects, and STBG funding is used for projects that preserve and improve the conditions and performance on any public road, pedestrian and bicycle infrastructure, or transit capital project.

Funding was considered for six City of Dallas Bond Program projects and approved by the Regional Transportation Council (RTC) on October 12, 2017, in the amount of \$43,537,487 (See Attachment A, attached to the Resolution). City of Dallas Bond funding was approved by a citizen vote on November 7, 2017, and will be used to satisfy the local match requirement.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on November 13, 2017, and staff was directed to initiate development of the required Memorandum of Understanding.

The North Central Texas Council of Governments' RTC approval requires that projects be entered into the NCTCOG's Transportation Improvement Program (TIP) as the first step for review and funding approval by the Texas Department of Transportation and the Federal Highway Administration. A Memorandum of Understanding is needed between the City of Dallas and RTC before the Bond Projects can be entered into the TIP.

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

Information about this item was briefed to the Mobility Solutions, Infrastructure & Sustainability Committee on November 13, 2017.

On February 15, 2018, the Park and Recreation Board was briefed.

**FISCAL INFORMATION**

This item has no cost consideration to the City. Attachment A details the City's future cost to be paid from General Obligation Bond Funds and details both RTC and private/other funds that will be used for the individual projects. The funding breakdown is reflected in Attachment A.

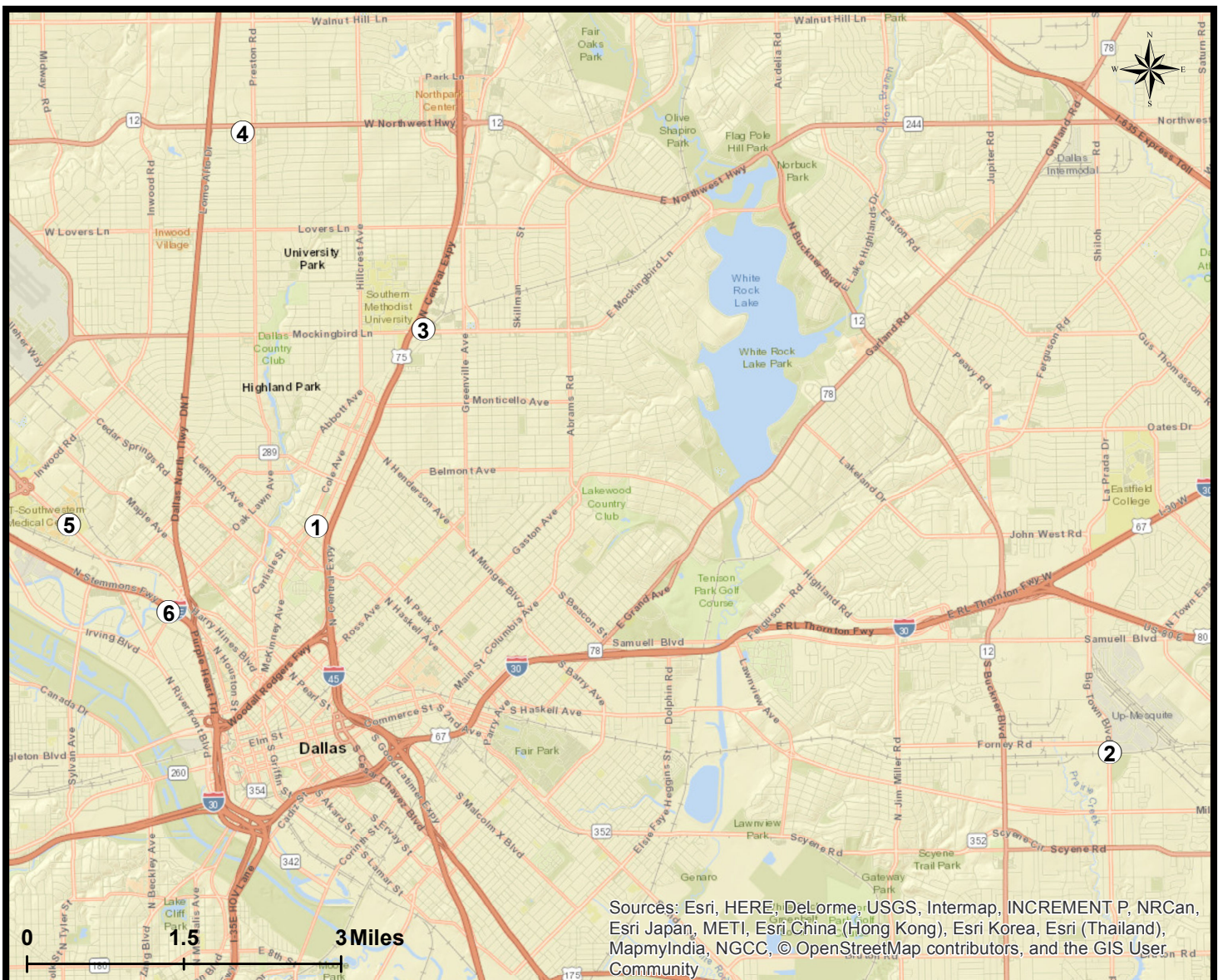
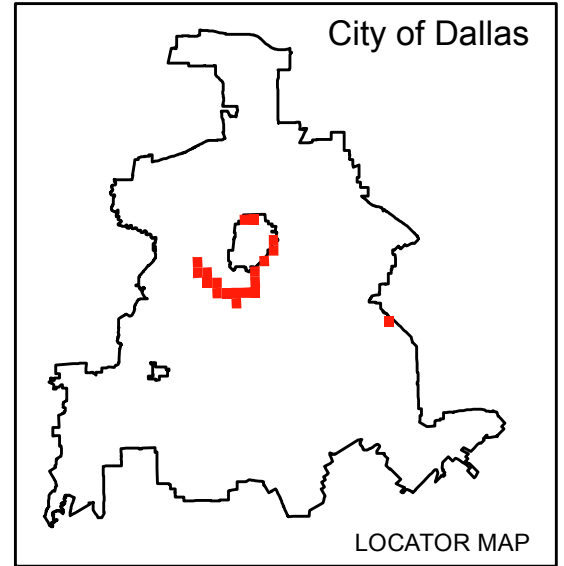
**MAP**

Attached

# City of Dallas Bond Program Projects Council District(s): 2,6,7,13,14

MAPSCO: 25X Y 34N S T X Y  
35R U Y 36E J 44C D 45A B C E  
49N

- 1) McKinney Avenue/Cole Avenue Two-Way Conversion
- 2) North Prairie Creek Road/Mesquite Yard Grade Separation
- 3) US 75/Mockingbird Lane Pedestrian Safety Improvements
- 4) Northwest Highway/Preston Parking Garage/Transportation Interface
- 5) Harry Hines Boulevard Improvements (Market Center Boulevard to Mockingbird Lane)
- 6) Dallas Circuit Trail - Trinity Strand/Katy Trail Connector (Oak Lawn Avenue to Houston Street)



March 28, 2018

**WHEREAS**, the City of Dallas seeks to become a more livable city that can continue to promote a healthy population and a robust economy; and

**WHEREAS**, the City recognizes that streets play a vital part in achieving this goal; and

**WHEREAS**, on January 27, 2016, City Council approved a resolution adopting the Complete Streets Design Manual as a comprehensive policy guide for all public or private projects that impact the planning, design, construction, and operation of streets by Resolution No. 16-0173; and

**WHEREAS**, the Regional Transportation Council (RTC) has a program, the North Central Texas Council of Governments Transportation Improvement Program (TIP), to support local governments by partnering on Bond Projects; and

**WHEREAS**, on October 12, 2017, the RTC approved over \$43.5 million in federal funding for the City of Dallas' proposed 2017 Bond Program projects (see Attachment A); and

**WHEREAS**, the federal funding sources are Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) funding; and

**WHEREAS**, approval of the funds requires a Memorandum of Understanding with the RTC.

**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 Memorandum of Understanding with the North Central Texas Council of Governments Regional Transportation Council regarding the use of the CMAQ and STBG funding for the following projects:

- (a) McKinney Avenue/Cole Avenue Two-Way Conversion
- (b) North Prairie Creek Road/Mesquite Yard Grade Separation
- (c) US 75/Mockingbird Lane Pedestrian Safety Improvements
- (d) Northwest Highway/Preston Parking Garage/Transportation Interface
- (e) Harry Hines Boulevard Improvements (Market Center Boulevard to Mockingbird Lane)
- (f) Dallas Circuit Trail - Trinity Strand/Katy Trail Connector (Oak Lawn Avenue to Houston Street)

**SECTION 2.** That this contract is designated as Contract No. TRN-2018-00005203.



March 28, 2018

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

ATTACHMENT A

The funding breakdown is as follows:

TABLE 1					
PROJECT #	PROJECT LIMITS AND DESCRIPTION	RTC	DALLAS BOND	PRIVATE/OTHER	TOTAL PROJECT COST
1	McKinney Avenue/ Cole Avenue Two- Way Conversion	\$11,800,000	\$7,300,000	\$1,000,000 Uptown Dallas, Inc.	\$20,100,000
2	North Prairie Creek Road/Mesquite Yard Grade Separation	\$5,172,653	\$9,200,000	\$3,241,000 County \$1,500,000 Union Pacific	\$19,113,653
3	US 75/ Mockingbird Lane Pedestrian Safety Improvements	\$2,564,834	\$1,100,000	\$2,028,314 TxDOT	\$5,693,148
4	Northwest Highway/Preston Parking Garage/ Transportation Interface	\$10,000,000	\$10,000,000	\$28,000,000 Private	\$48,000,000
5	Harry Hines Boulevard Improvements (Market Center Boulevard to Mockingbird Lane)	\$6,000,000	\$7,500,000	\$19,056,322 Private	\$32,556,322
6	Dallas Circuit Trail - Trinity Strand/Katy Trail Connector (Oak Lawn Avenue to Houston Street)	\$8,000,000	\$20,000,000	\$10,000,000 Private \$5,000,000 County	\$43,000,000
	<b>Total</b>	<b>\$43,537,487</b>	<b>\$55,100,000</b>	<b>\$69,825,636</b>	<b>\$168,463,123</b>

# "Exhibit A"

## ORDINANCE NO. 3467



**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, PROHIBITING THE USE OF AND CONTACT WITH DESIGNATED GROUNDWATER FROM BENEATH 14.497± ACRES OF LAND LOCATED IN FARMERS BRANCH, TEXAS, DESCRIBED IN EXHIBIT "A" HERETO, TO FACILITATE CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION ("MSD") OF SAID PROPERTY BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") PURSUANT TO THE TEXAS SOLID WASTE DISPOSAL ACT; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 361, Subchapter W, of the Texas Solid Waste Disposal Act ("MSD legislation") authorizes the TCEQ to certify Municipal Setting Designations for properties upon receipt and approval of a proper application to the TCEQ; and

**WHEREAS**, the Texas legislature, in enacting the MSD legislation, found that an action by a municipality to restrict access to or the use of groundwater in support of or to facilitate a MSD advances a substantial and legitimate State interest; and

**WHEREAS**, as part of the application process for an MSD, an applicant is required to provide the TCEQ with documentation of a resolution or ordinance of support from the municipality in which the MSD is being sought, which ordinance prohibits the use of and contact with groundwater from beneath the designated property for potable purposes; and

**WHEREAS**, due to limited quantity and low quality, there are areas of shallow groundwater within the City and its extraterritorial jurisdiction that are not valuable as potable water sources and therefore are not utilized for potable water; and

**WHEREAS**, some commercial and industrial properties within the City and its extraterritorial jurisdiction are underlain with unusable groundwater that has become contaminated by historical on-site or off-site sources; and

**WHEREAS**, the potable use of groundwater in designated areas should be prohibited to protect public health and welfare when the quality of the groundwater presents an actual or potential threat to public health; and

**WHEREAS**, the use of an MSD allows for a State-evaluated corrective action process for groundwater that is directed towards the protection of human health and the environment; and

**WHEREAS**, Univar USA, Inc., Bell & McCoy Companies, Inc., SEELCCO Street Partners, SEELCCO Partners II, Ltd., Rolex Properties, LLC, Surinder Mittal, and Callandro Development,

Inc. (collectively the "Applicant") intend to submit an application to the TCEQ for certification of an MSD for 14.497± acres of land within the city limits of the City of Farmers Branch generally described by metes and bounds in Exhibit "A" and attached hereto and made a part hereof (the "MSD Property"), the MSD Property being generally within the boundaries shown in Exhibit "B", attached hereto and incorporated herein by reference; and

**WHEREAS**, the Applicant has certified that the type of known contaminants in the groundwater beneath the MSD Property are as set forth in Exhibit "C" attached hereto and made a part hereof; and

**WHEREAS**, the Applicant has certified to the City that:

1. The purpose of the application is to assist the Applicant in obtaining from the TCEQ closure documentation demonstrating the TCEQ's determination, after completion of any remediation requirements and appropriate review by the TCEQ, that no further environmental cleanup or restoration is required by the TCEQ with respect to the MSD Property; and
2. As a part of the application, the Applicant has or will submit to the TCEQ a statement regarding the type of known contamination in the groundwater beneath the MSD Property and has identified that shallow groundwater contains chemicals of concern above Tier 1 groundwater ingestion protective concentration levels, as set forth in 30 Texas Administrative Code, Chapter 350, the Texas Risk Reduction Program; and

**WHEREAS**, the Applicant has continuing obligations to satisfy applicable statutory and regulatory provisions concerning groundwater contamination investigation and response actions at the MSD Property; and

**WHEREAS**, a public drinking water supply system exists that satisfies the requirements of Texas Health and Safety Code Chapter 341 for the MSD Property and property within one-half mile of the MSD Property; and

**WHEREAS**, the City Council finds it to be in the best interest of the public and the City to facilitate the Applicant's efforts to secure an MSD and TCEQ closure documentation by passage of this Ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The City Council finds the declarations and findings set forth in the preamble of this Ordinance are true and correct and are incorporated herein.

**SECTION 2.** The City Council finds this Ordinance is necessary because the contaminant concentrations exceed TCEQ potable water standards.



**SECTION 3.** The City Council finds it is in the best interest and welfare of the public to facilitate TCEQ's certification of an MSD for the MSD Property as well as the TCEQ closure documentation.

**SECTION 4.** Upon and after the effective date of this Ordinance, the drilling of wells and use of designated groundwater for any purpose, including but not limited to any potable purpose, and excepting only: (i) wells used as monitoring wells for the collection of groundwater samples for chemical or biological laboratory analysis; and (ii) wells used for the purpose of remediation of soil or groundwater contamination, is hereby prohibited on or from any portion of the MSD Property.

**SECTION 5.** Failure of the Applicant to diligently pursue and obtain from the TCEQ an MSD certificate for the MSD Property and TCEQ closure documentation for the MSD Property shall render this Ordinance voidable by the City Council following 30 days' written notice to the TCEQ and the Applicant.

**SECTION 6.** All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 7.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

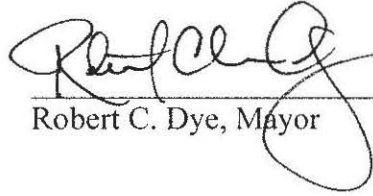
**SECTION 8.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 9.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 10.** This Ordinance shall take effect from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,  
TEXAS, ON THE 26<sup>TH</sup> DAY OF SEPTEMBER, 2017.

APPROVED:

  
\_\_\_\_\_  
Robert C. Dye, Mayor

ATTEST:

  
\_\_\_\_\_  
Amy Piukana, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:9/7/17:89767)

**ORDINANCE NO. 3467**  
**Exhibit "A" – Boundary Description of the MSD Property**

BEING all those certain tract and parcel of land situated in the Elisha Fike Survey, Abstract no. 478, in the City of Farmers Branch, Dallas County, Texas, and being a tract of land conveyed to Van Waters & Roger Inc., by Warranty Deed recorded in Volume 97087, Page 5239, Deed Records, Dallas County, Texas, and also being a tract of land conveyed to Bell & McCoy, Inc., by Special Warranty Deed with Vendor's Lien, recorded in Instrument No. 201400179504, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Seelcco Street Partner's, LTD., by Special Warranty Deed recorded in Instrument No. 201600062726, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Rolex Properties, LLC, Series A-13725 Welch by Warranty Deed recorded in Instrument No. 2013002819747, Official Public Records, Dallas County, Texas, and also being a tract of land conveyed to Mittal Surinder, by Special Warranty Deed recorded in Volume 2001239, Page 5743, Deed Records, Dallas County, Texas, and also being a tract of land conveyed to Calandra Development Incorporated by Special Warranty Deed recorded in Instrument No. 201400150853, Official Public Records, Dallas County, Texas, and being a portion of Alpha Road (called 60 foot right-of-way) and Welch Road (called 60 foot right-of-way) as dedicated by Metropolitan Industrial Park, Section No. 1, an Addition to the City of Farmers Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 363, Page 1216 Map Records, Dallas County, Texas, and also being a portion of a Nall Road (called 60 foot right-of-way) as dedicated by Metropolitan Industrial Park, Section 1, a new subdivision of Lot C, Block No. 3, an Addition to the City of Farmer Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 71052, Page 2198, Map Records, Dallas County, Texas, and also being a portion Sigma Road (called 60 foot right-of-way) as dedicated by Metropolitan Commercial Park, an addition to the City of Farmers Branch, Dallas County, Texas according to the Plat or Map thereof recorded in Volume 69121, Page 1241, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner and being the centerline intersection of said Welch Road and said Alpha Road;

THENCE North 00 degrees 38 minutes 20 seconds West, departing the centerline right-of-way of said Alpha Road in a northerly direction along the centerline of the right-of-way line of said Welch Road, a distance of 1009.50 feet to a point for corner and being an interior ell corner of the herein described tract;

THENCE South 89 degrees 21 minutes 40 seconds West, departing the centerline right-of-way of said Welch Road, passing at a distance of 30.00 feet the southeast corner of said Rolex tract and being the common line of said Rolex tract and the northerly line of a tract of land conveyed to Peter W. Garratt, as to a 1/3 interest, Robert L. Garratt, as to a 1/3 interest, Tyler M. Garratt, as to a 1/6 interest and Elizabeth Jennings Hayden, Trustee of the Elizabeth Jennings Hayden Separate Property trust U/D/T dated February 13, 2013 as to a 1/6 interest, by Warranty Deed as recorded in Instrument No. 201500196144, Official Public Records, Dallas County, Texas, a total distance of 247.51 feet to a 1/2 inch iron rod being the southwest corner of said lying on the easterly line



**STRATEGIC PRIORITY:**

Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:**

March 28, 2018

**COUNCIL DISTRICT(S):**

1

**DEPARTMENT:**

Water Utilities Department

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

55 A

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**SUBJECT**

Authorize an agreement for the Adjustment of Municipal Utilities with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations along Interstate Highway 35E and U.S. Highway 67 from Interstate Highway 30 to Interstate Highway 20, the Southern Gateway Project - Financing: No cost consideration to the City

**BACKGROUND**

This agreement is for the design and construction of water and wastewater main relocations and adjustments in conjunction with paving and drainage improvements by the Texas Department of Transportation (TxDOT), for the Southern Gateway Project. Phase 1 of the Southern Gateway Project will be constructed through a Design-Build Agreement with Pegasus Link Constructors on Interstate Highway 35E (Stemmons Freeway) from Eleventh Street to Seventh Street. Pursuant to the Design-Build Agreement between TxDOT and the Design-Build Contractor, the Design-Build Contractor has undertaken the obligation for design and construction of the Southern Gateway Project, which includes necessary water and wastewater main relocations and adjustments.

Under this agreement, the cost of utility relocations and/or adjustments required by the improvements of Interstate Highway 35E (Stemmons Freeway) will be funded by TxDOT. In addition, TxDOT will reimburse Dallas Water Utilities for construction management services expended for water and wastewater main relocations and adjustments. Dallas Water Utilities will provide construction inspection services and final approval of the water and wastewater main relocations. Utility relocations and adjustments required for future phases along U.S. Highway 67 (Marvin D. Love Freeway) will be funded in accordance with state and federal regulations and authorized by a separate council action.



## **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      April 2018  
Complete Construction    June 2019

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

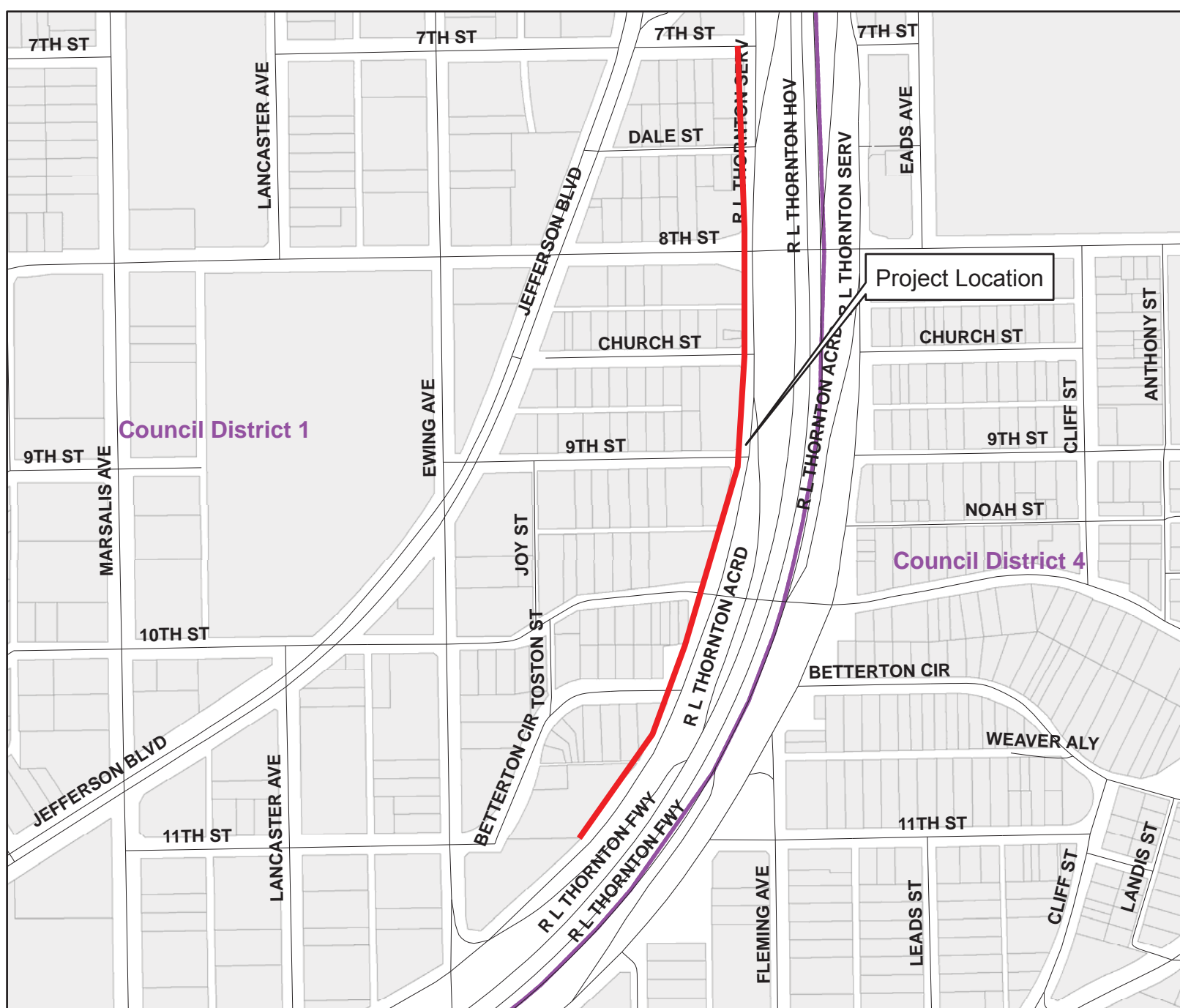
Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on March 26, 2018.

## **FISCAL INFORMATION**

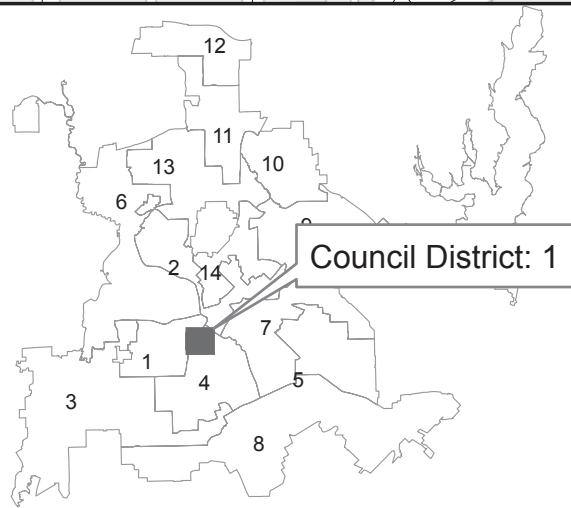
No cost consideration to the City.

## **MAP**

Attached



Mapsc0: 55 A



**Dallas Water Utilities  
 Contract No. 17-319/320F  
 Water Main Relocations and Adjustments**

March 28, 2018

**WHEREAS**, the Texas Department of Transportation (TxDOT) proposes to construct paving and drainage improvements at Interstate Highway 35E (Stemmons Freeway) and U.S. Highway 67 (Marvin D. Love Freeway) for the Southern Gateway Project; and

**WHEREAS**, the design and construction of the Southern Gateway Project will be completed by Pegasus Link Constructors through a Design-Build Contract with TxDOT; and

**WHEREAS**, Dallas Water Utilities has existing water and wastewater mains in conflict with the Southern Gateway Project that will require relocation and adjustments to facilitate the project; and

**WHEREAS**, under the agreement for the Adjustment of Municipal Utilities with the State of Texas, acting through TxDOT, the Design-Build Contractor is responsible for the design and construction of the water and wastewater relocations and adjustments; and

**WHEREAS**, TxDOT is responsible for the cost of the Reimbursable Utility Adjustments, including indirect costs and Dallas Water Utilities will be responsible for the cost of the Non-Reimbursable Utility Adjustments; and

**WHEREAS**, the agreement for the Adjustment of Municipal Utilities will allow TxDOT to proceed with the Design-Build Contract, and provide contract administration.

**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 agreement for the Adjustment of Municipal Utilities with the State of Texas, acting through the Texas Department of Transportation, approved as to form by the City Attorney, for the design and construction of water and wastewater relocations and adjustments required for the Southern Gateway Project.

**SECTION 2.** That this contract is designated as Contract No. DWU-2018-00005441.

**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:**

March 28, 2018

**COUNCIL DISTRICT(S):**

N/A

**DEPARTMENT:**

Water Utilities Department

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

N/A

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**SUBJECT**

Authorize a contract with Carollo Engineers, Inc. to provide engineering services for the City of Dallas Water Delivery Comprehensive System Assessment and Update - Not to exceed \$3,989,947 - Financing: Water Utilities Capital Construction Funds

**BACKGROUND**

The City of Dallas Water Distribution Master Plan was last updated in 2007. Since the last update, service area populations, growth and land use projections, water treatment, operational challenges, and regulatory requirements have changed. This project will assess the City of Dallas Water Delivery System to document actions necessary to meet system needs, comply with regulatory requirements, and meet strategic, performance and service level goals.

This action will provide engineering services to perform a comprehensive assessment of the City of Dallas Water Delivery System. The scope of work is based on a holistic approach to water delivery including capital improvements, operation and maintenance, and system administration. The project will address projected water demands, aging infrastructure, service reliability, water quality, water loss and recommendations to maximize operational efficiency. Major tasks include:

- Condition assessment of pump stations, reservoirs, and tanks
- Electrical feasibility assessment for use of portable generators at 10 pump stations
- Future water demand projections through 2040
- Update hydraulic model and calibrate for system characteristics
- Perform hydraulic modeling for Dallas Water Utilities system defined scenarios
- Water quality and surge analysis
- Regulatory analysis
- Risk development and modeling
- System operation optimization and benchmarking



**BACKGROUND** (continued)

- Evaluation of infrastructure repair and replacement strategies and goals
- Recommendation of capital improvements with implementation triggers
- Operational improvement and efficiency recommendations
- Funding needs, budget recommendations, and evaluation of funding sources

This project is expected to take approximately 24 months to complete.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Assessment      April 2018  
 Complete Assessment   April 2020

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

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

Water Utilities Capital Construction Funds - \$3,989,947.00

**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>
\$3,989,947.00	Architecture & Engineering	25.66%	25.70%	\$1,025,585.00

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

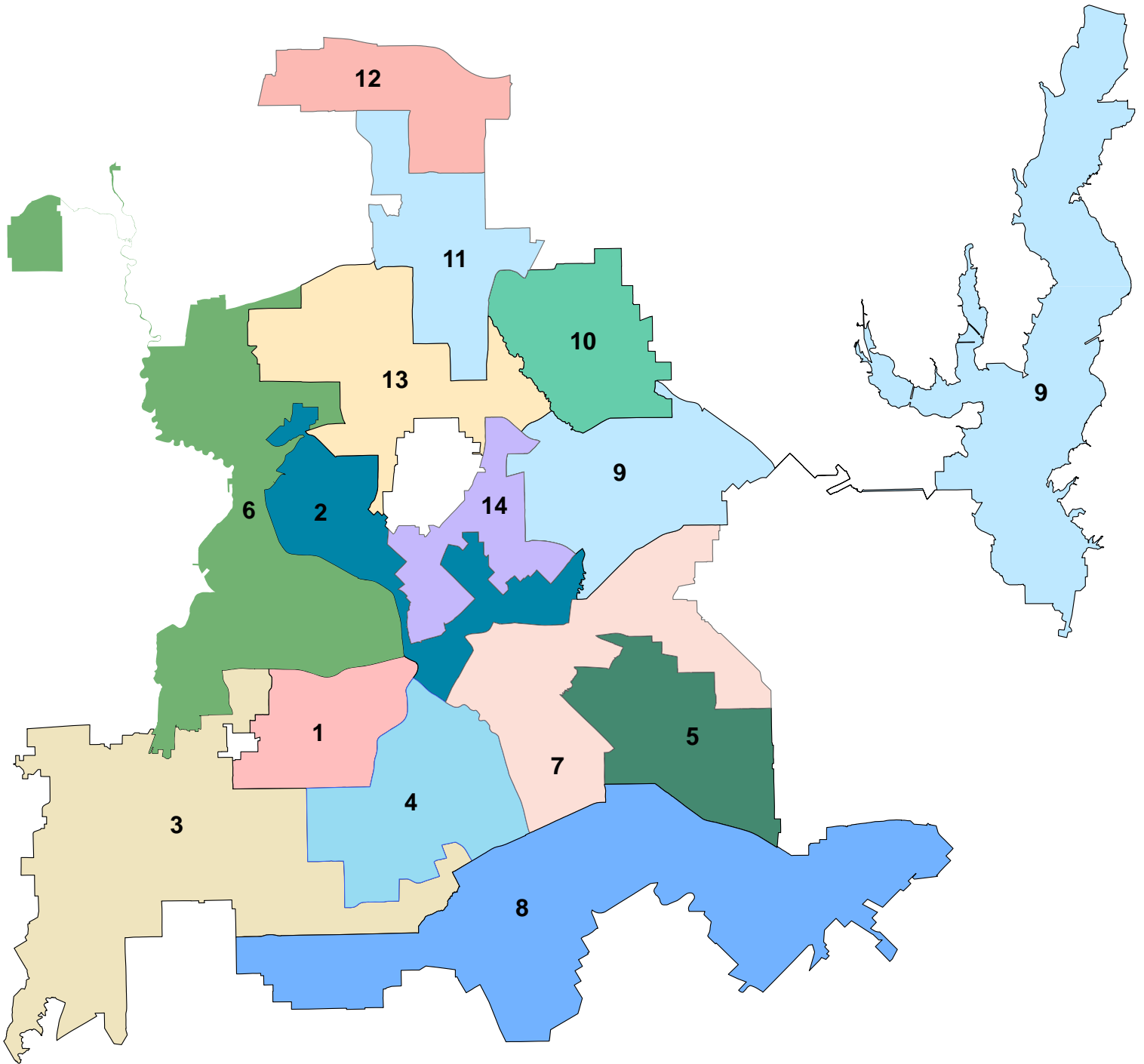
**OWNER**

**Carollo Engineers, Inc.**

Balakrishnan Narayanan, President and Chief Executive Officer

**MAP**

Attached



**Dallas Water Utilities  
Contract No. 17-395E  
Water Delivery Comprehensive System  
Assessment and Update**

March 28, 2018

**WHEREAS**, Dallas Water Utilities is committed to providing the highest quality water service through long-range planning and regular assessments of the water delivery system; and

**WHEREAS**, engineering services are necessary to provide a comprehensive assessment update of the City of Dallas Water Delivery System that includes strategic, performance and service level goals; and

**WHEREAS**, Carollo Engineers, Inc., 14785 Preston Road, Suite 950, Dallas, Texas 75254, has submitted an acceptable proposal to provide these engineering services.

**Now, Therefore,**

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

**SECTION 1.** That the proposal submitted by Carollo Engineers, Inc., Contract No. 17-395E, in the amount of \$3,989,947 be approved and the consultant be authorized to perform the required engineering services.

**SECTION 2.** That the City Manager is hereby authorized to sign a contract with Carollo Engineers, Inc., approved as to form by the City Attorney, to provide engineering services for the City of Dallas Water Delivery Comprehensive System Assessment and Update, in an amount not to exceed \$3,989,947.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,989,947 to Carollo Engineers, Inc. from the Water Construction Fund, Fund 0102, Department DWU, Unit CW01, Object 4114, Program 717395, Encumbrance/Contract No. CX-DWU-2018-00005197, Vendor 339957.

**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:**

March 28, 2018

**COUNCIL DISTRICT(S):**

4, 7, 9, 11, 14

**DEPARTMENT:**

Water Utilities Department

**CMO:**

Majed Al-Ghafry, 670-3302

**MAPSCO:**

Various

**SUBJECT**

Authorize a construction contract for the installation of water and wastewater mains at 16 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of three - Not to exceed \$13,376,475 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

This action consists of the replacement and rehabilitation of approximately 41,490 feet of water and wastewater mains. This includes the installation of approximately 100 feet of 4-inch, 1,400 feet of 6-inch, 18,090 feet of 8-inch, 3,100 feet of 12-inch, and 100 feet of 16-inch water mains, and the installation of approximately 200 feet of 6-inch, 7,300 feet of 8-inch, 100 feet of 12-inch, 900 feet of 16-inch, 5,300 feet of 18-inch, 500 feet of 30-inch, and 4,400 feet of 36-inch wastewater mains.

The existing water and wastewater mains were built between 1925 and 1970. These mains are contributing to an increase in maintenance costs, as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

The following chart illustrates Ark Contracting Services, LLC's contractual activities with the City of Dallas for the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TWM</u>
Projects Completed	3	1	1	0
Change Orders	2	0	3	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0



**ESTIMATED SCHEDULE OF PROJECT**

Began Design                    December 2016  
Completed Design            December 2017  
Begin Construction           April 2018  
Complete Construction      April 2020

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

On December 14, 2016, City Council authorized a professional services contract with Huitt-Zollars, Inc. to provide design services for the replacement and rehabilitation of water and wastewater mains at 32 locations by Resolution No. 16-1946.

On December 14, 2016, City Council authorized a professional services contract with APM & Associates, Inc. to provide design services for the replacement and rehabilitation of water and wastewater mains at 37 locations by Resolution No. 16-1946.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on March 26, 2018.

**FISCAL INFORMATION**

Water Utilities Capital Improvement Funds - \$13,376,475.00

Design	\$ 1,022,471.71
Construction (this action)	<u>\$13,376,475.00</u>
Total Project Cost	\$14,398,946.71

<u>Council District</u>	<u>Amount</u>
4	\$ 1,536,682.94
7	\$ 644,673.49
9	\$ 7,500,079.43
11	\$ 1,130,011.97
14	<u>\$ 2,565,027.17</u>
Total	\$13,376,475.00

## **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>
\$13,376,475.00	Construction	25.00%	29.51%	\$3,947,200.00

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

## **BID INFORMATION**

The following three bids with quotes were opened on January 12, 2018:

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
*Ark Contracting Services, LLC 420 South Dick Price Road Kennedale, Texas 76060	\$13,376,475.00
John Burns Construction Company of Texas, Inc.	\$14,806,209.00
Camino Construction, L.P.	\$15,244,076.90

## **OWNER**

### **Ark Contracting Services, LLC**

Steven C. Bowman, President  
Mark North, Vice-President

## **MAPS**

Attached

## **Renewal of Water and Wastewater Mains**

### **District 4**

Honey Springs Branch from Overton Road to Kiest Boulevard

### **District 7**

Alley between Al Lipscomb Way and Park Row Avenue from Good Latimer Expressway northeast

Edgewood Street from Good Latimer Expressway southeast

Good Latimer Expressway from Central Expressway Ramp northeast

### **District 9**

\*Abrams Road from Mercedes Avenue to Kenwood Avenue

Bob O Link Drive from Abrams Road to Hillside Drive

Easement east of Lawther Drive between Emerald Isle Drive and Poppy Drive

East Lawther Drive from Garland Road to Sunset Inn Circle

Velasco Avenue from Abrams Road to Wendover Road

### **District 11**

Belmead Drive from West Ricks Circle to East Ricks Circle

### **District 14**

Alley between Llano Avenue and Velasco Avenue from Concho Street to Skillman Street

Alley between Monticello Avenue and Merrimac Avenue from Homer Street to Glencoe Street

Bermuda Street from La Vista Drive south

Corona Street from La Vista Drive southwest

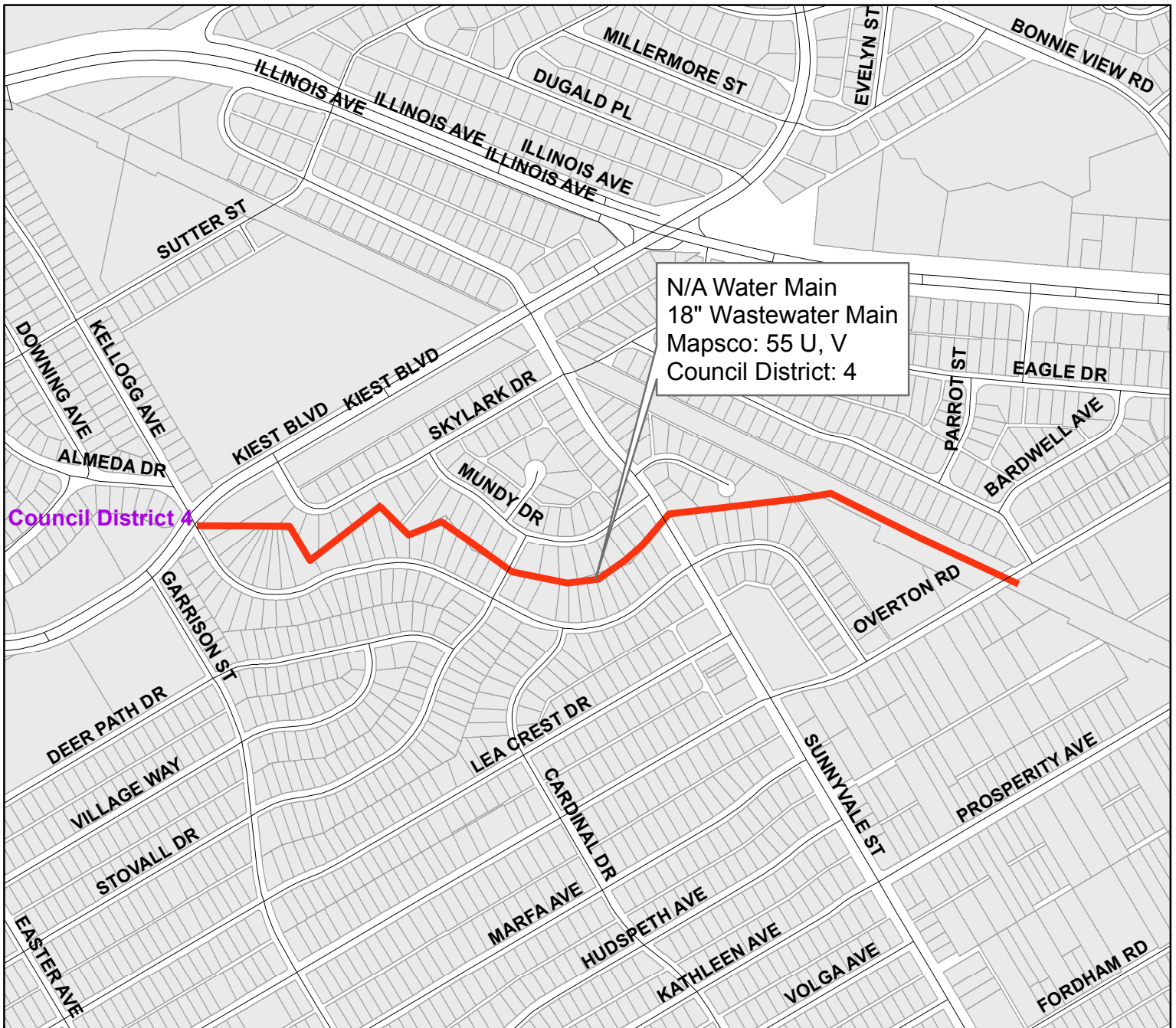
La Vista Drive from Bermuda Street to Lucerne Street

Tucker Street from La Vista Drive southwest

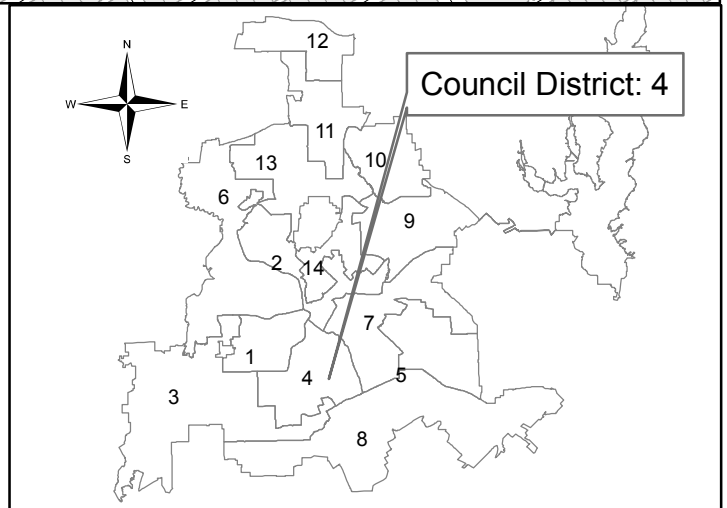
\*(Abrams Road from Mercedes Avenue to Kenwood Avenue)

(See District 9)

\*Project limits in more than one Council District



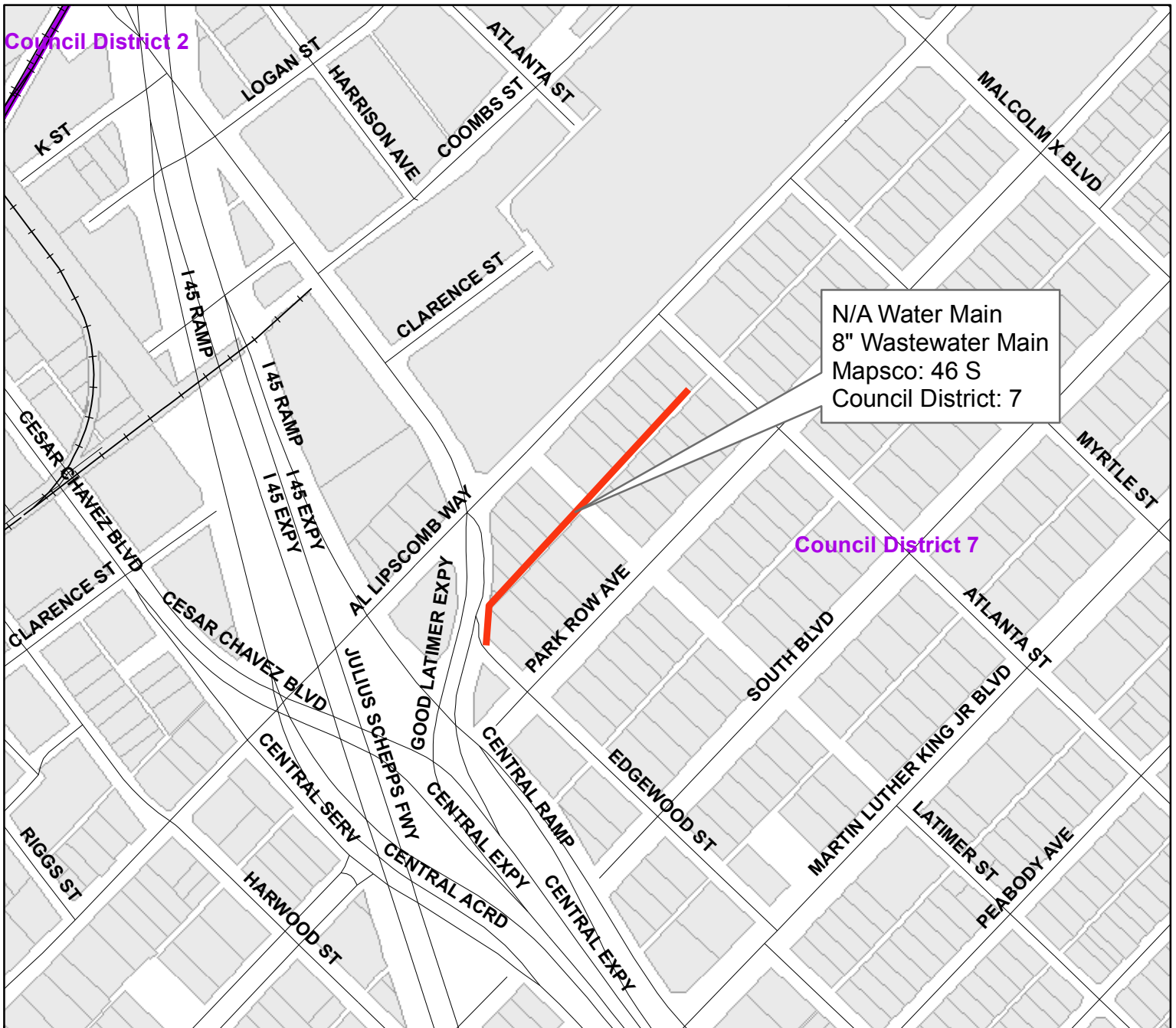
Honey Springs Branch  
 from Overton Road to Kiest Boulevard



**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



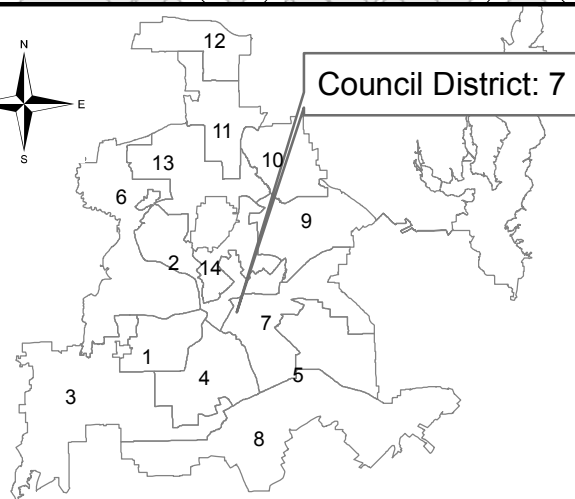
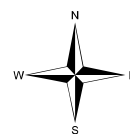
Council District 2



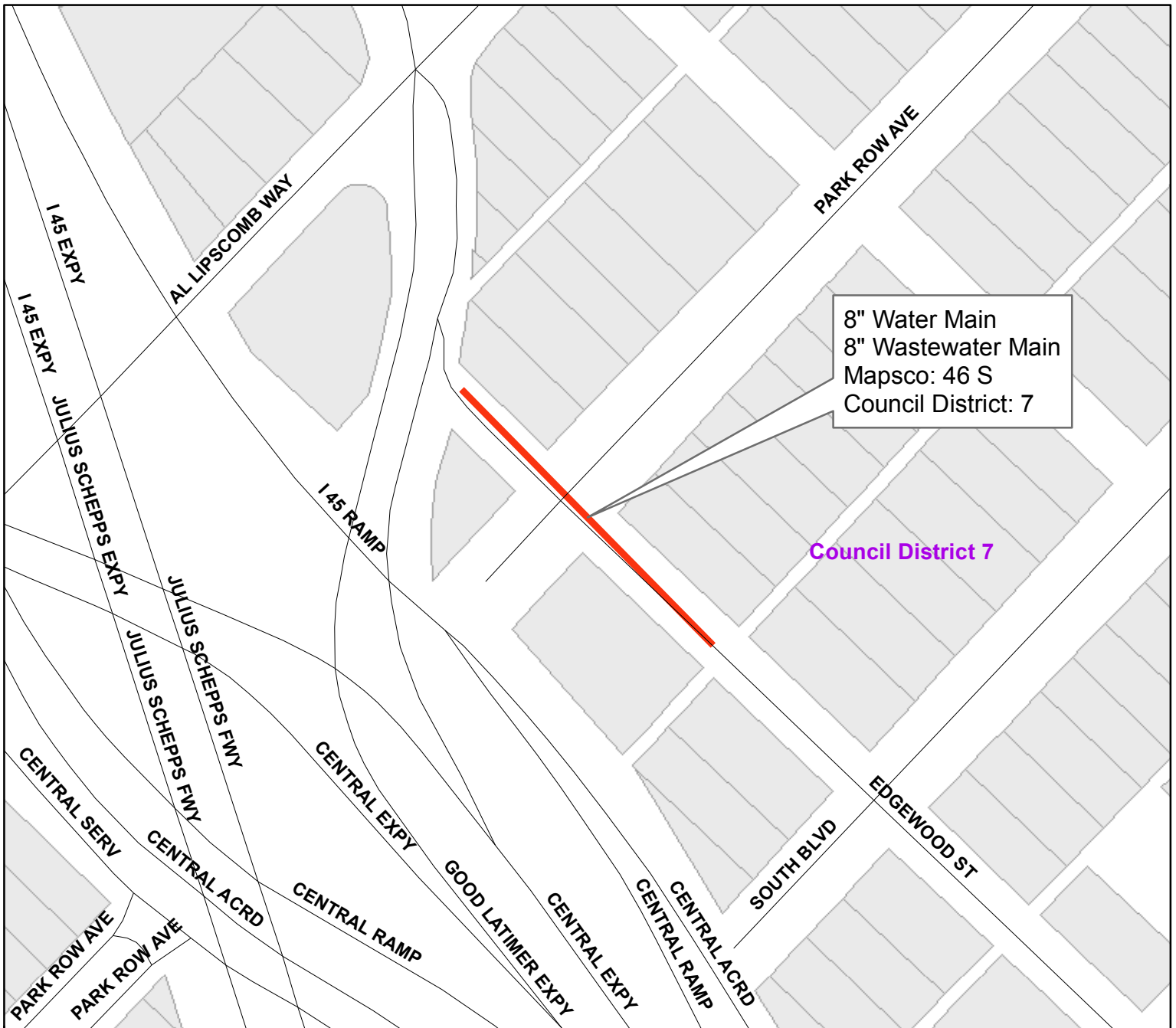
N/A Water Main  
 8" Wastewater Main  
 Mapsco: 46 S  
 Council District: 7

Council District 7

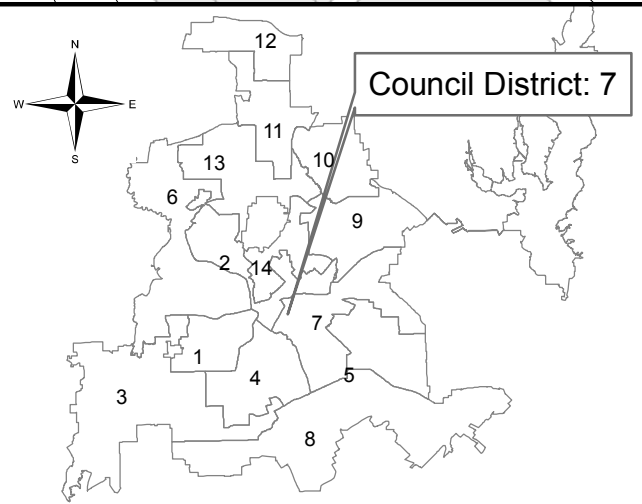
Alley between Al Lipscomb Way and Park Row Avenue  
 from Good Latimer Expressway northeast



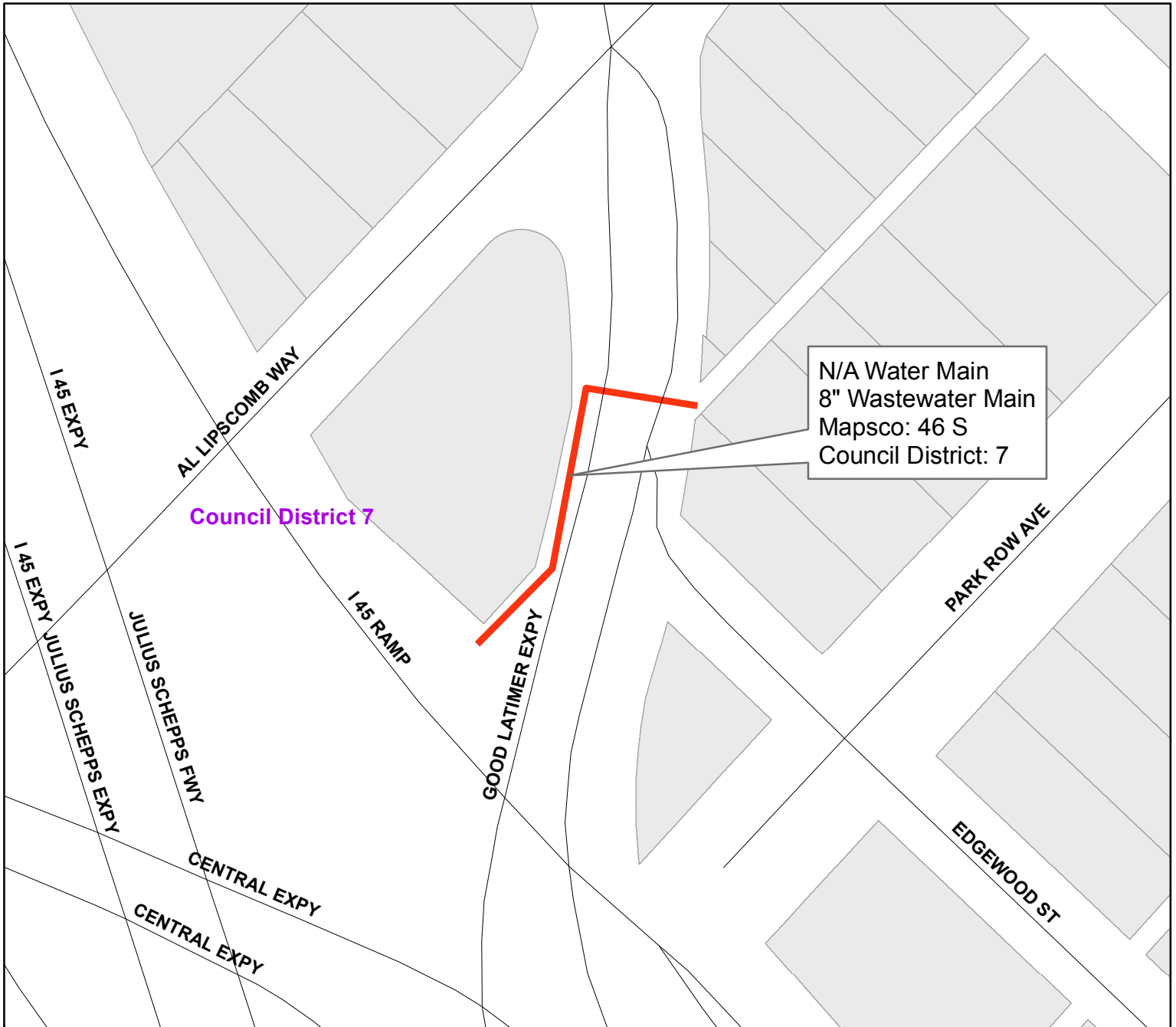
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



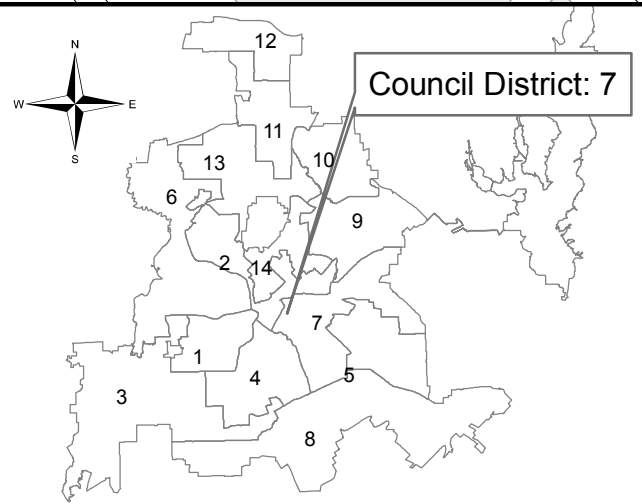
Edgewood Street  
 from Good Latimer Expressway southeast



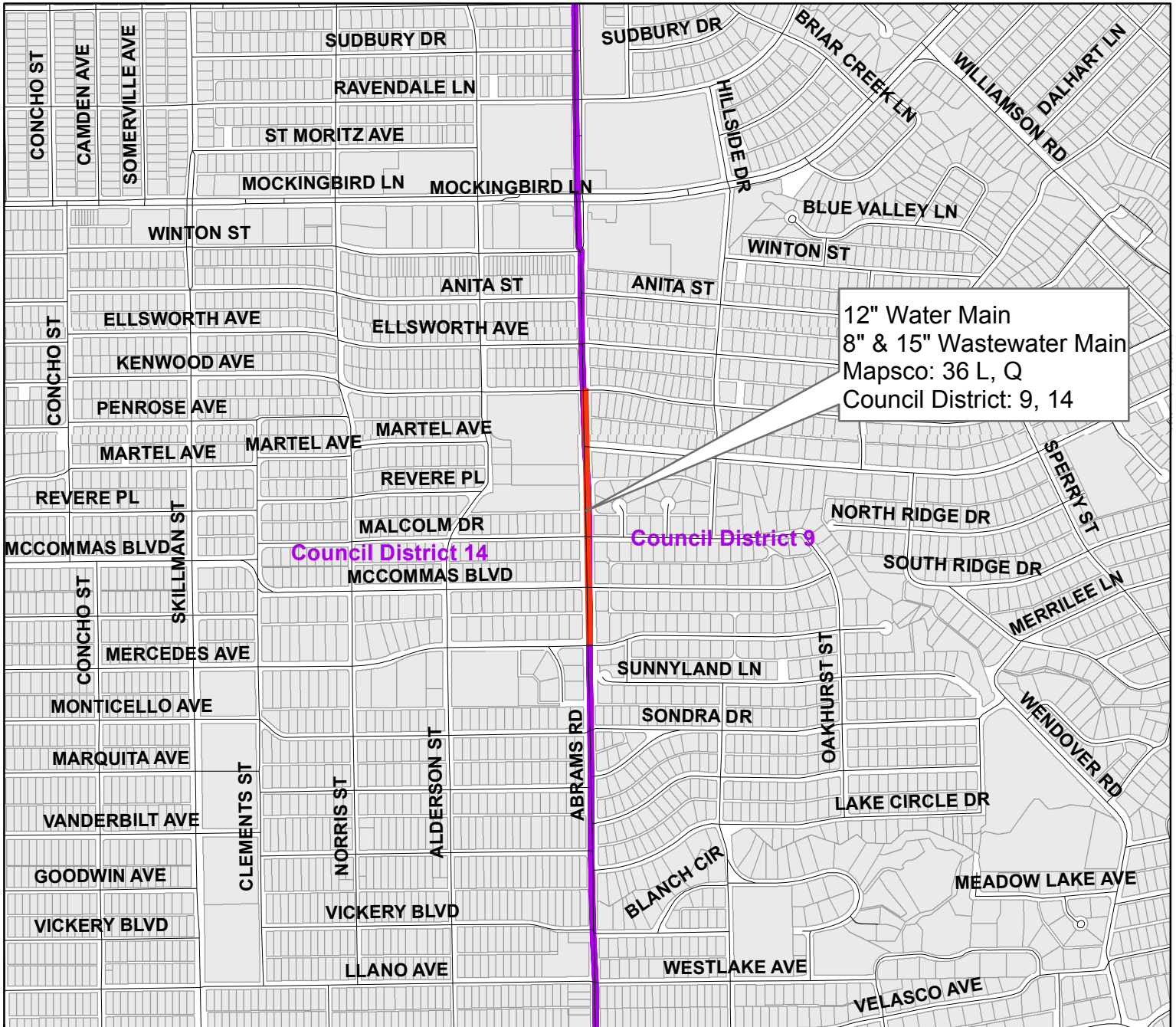
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



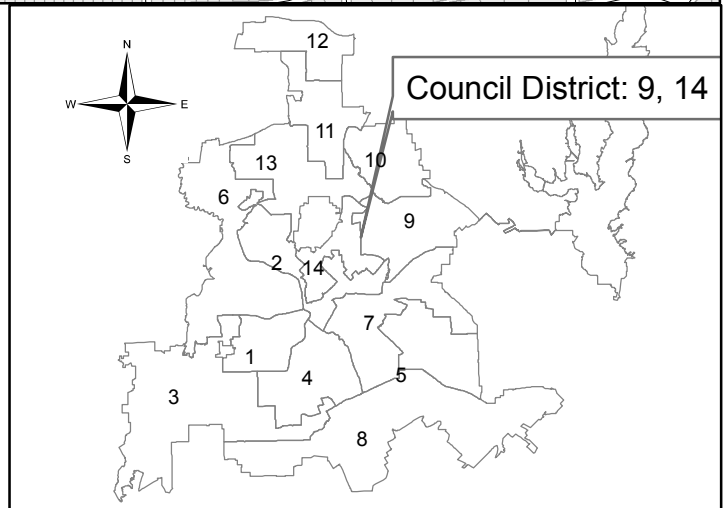
Good Latimer Expressway  
 from Central Expressway Ramp northeast



**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



Abrams Road  
from Mercedes Avenue to Kenwood Avenue

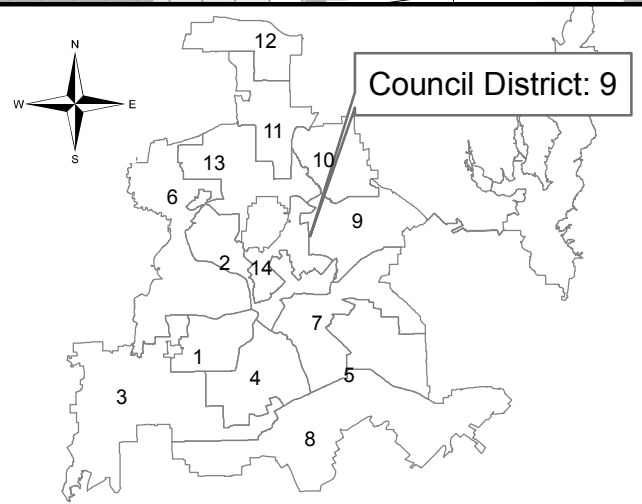


**Dallas Water Utilities  
Contract No. 18-021/022  
Water and Wastewater Main Installations  
at 16 Locations**





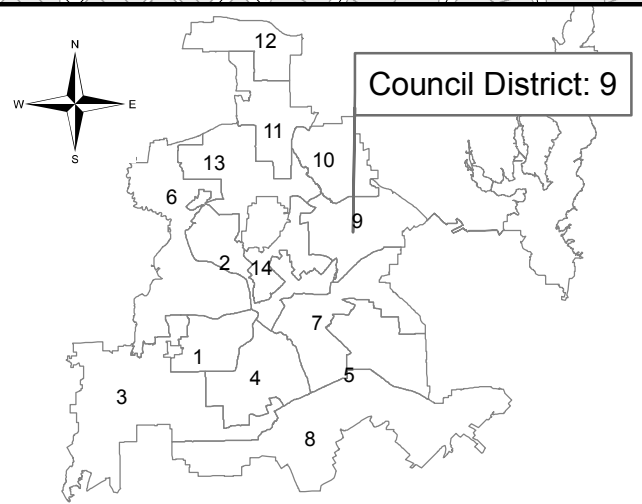
Bob O Link Drive  
 from Abrams Road to Hillside Drive



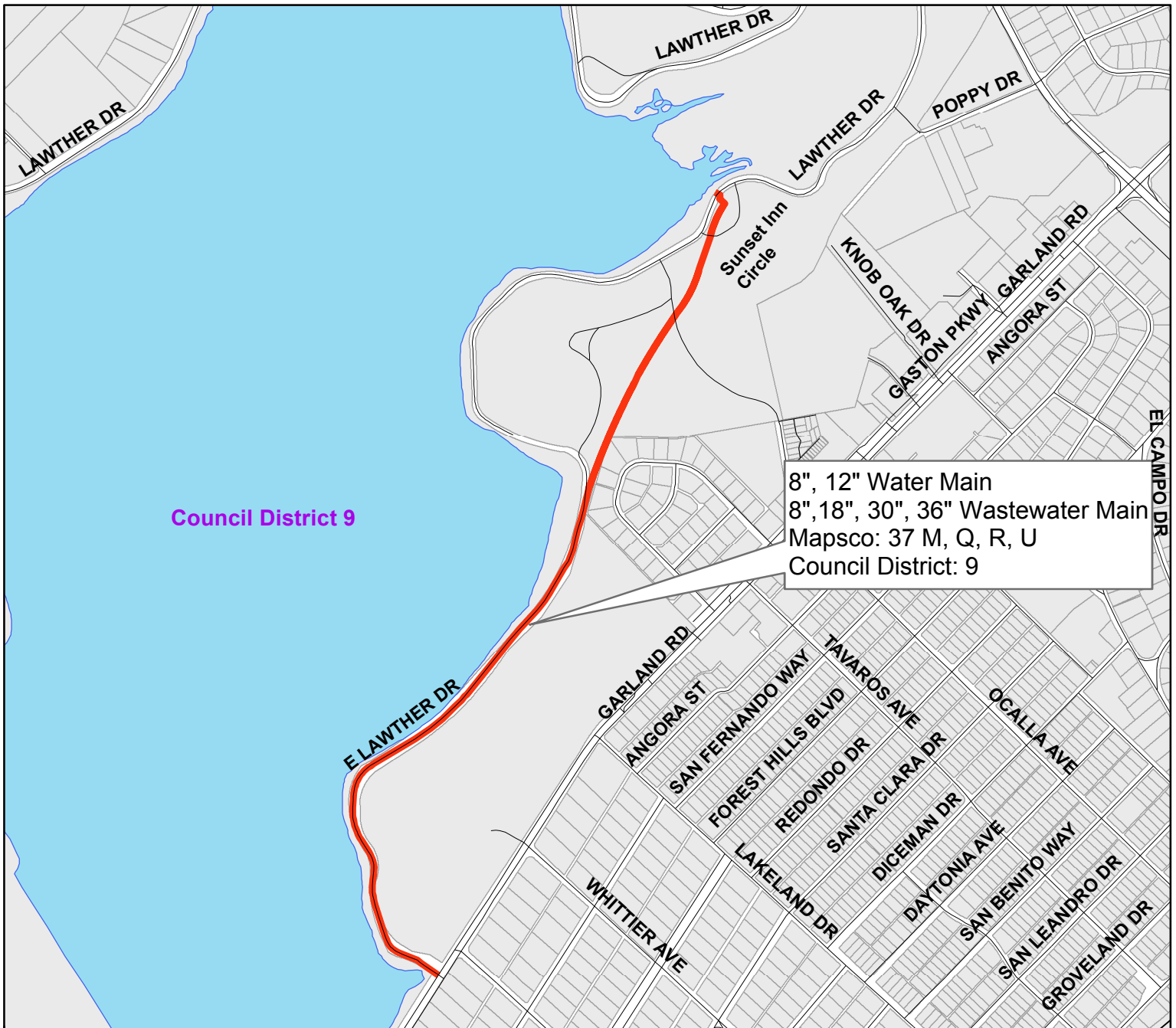
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



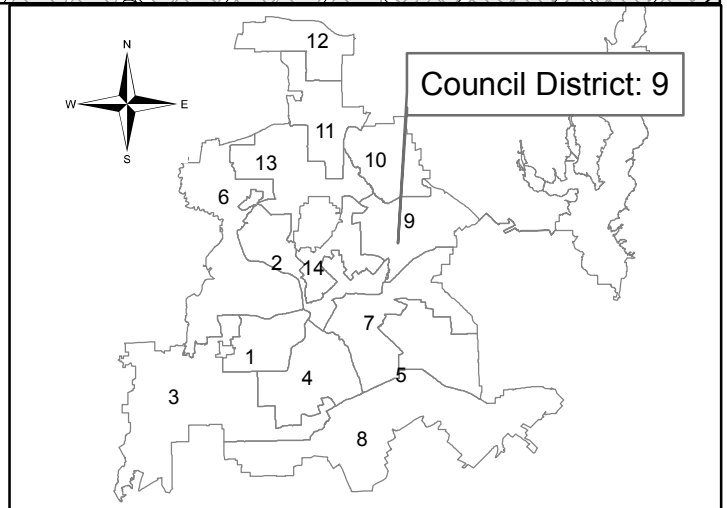
Easement east of Lawther Drive  
between Emerald Isle Drive and Poppy Drive



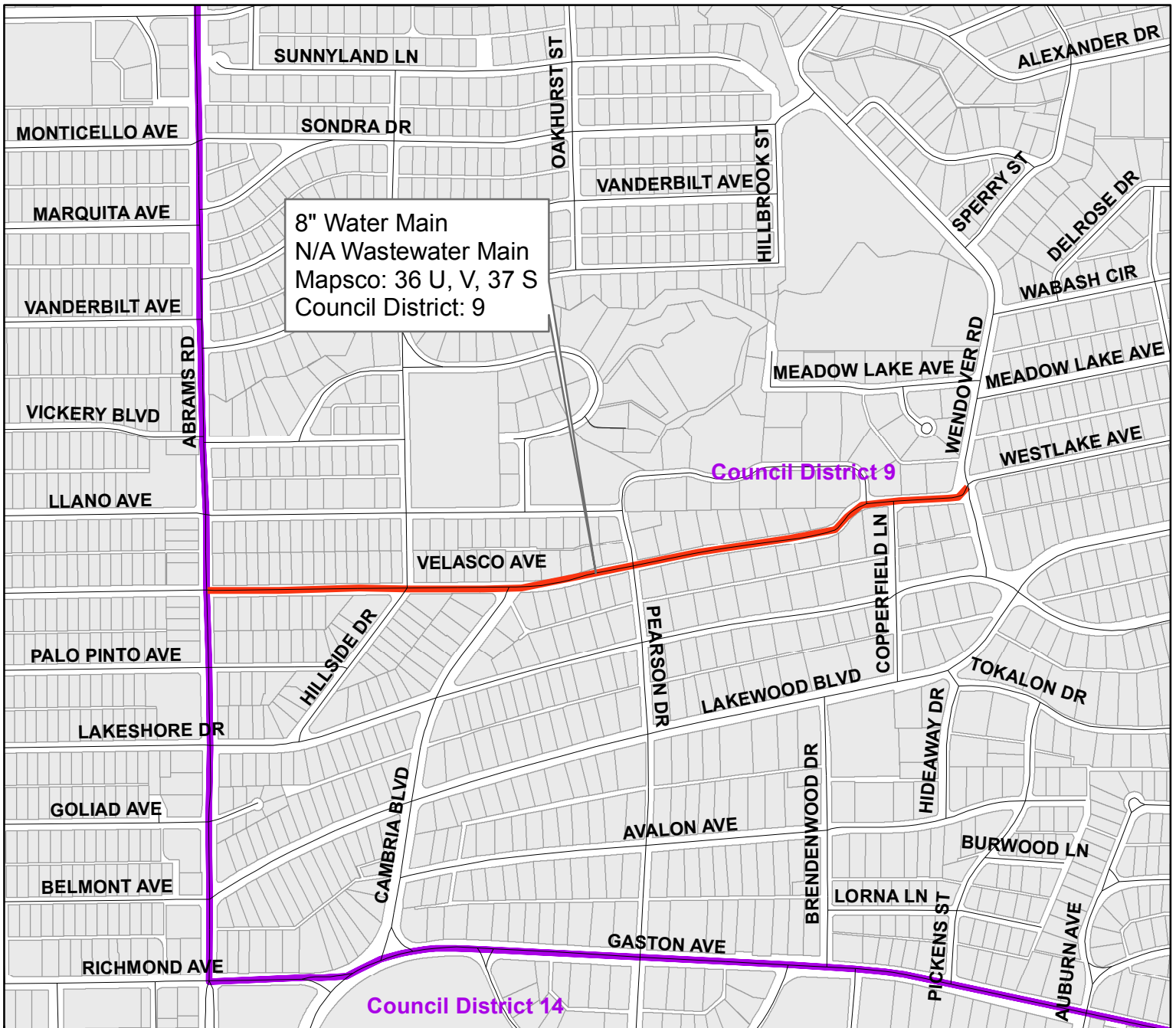
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



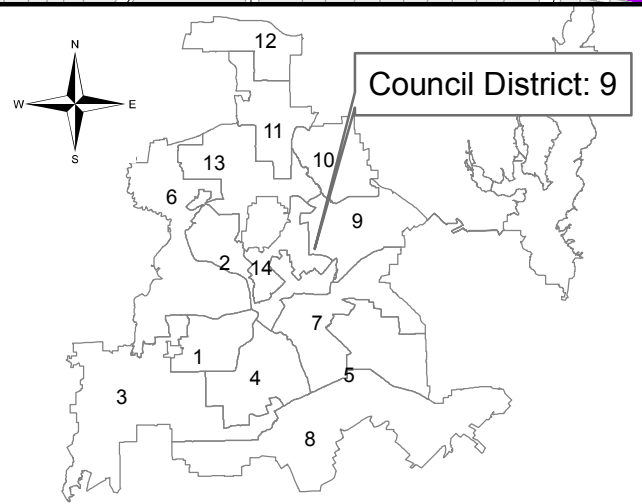
East Lawther Drive  
 from Garland Road to Sunset Inn Circle



**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**

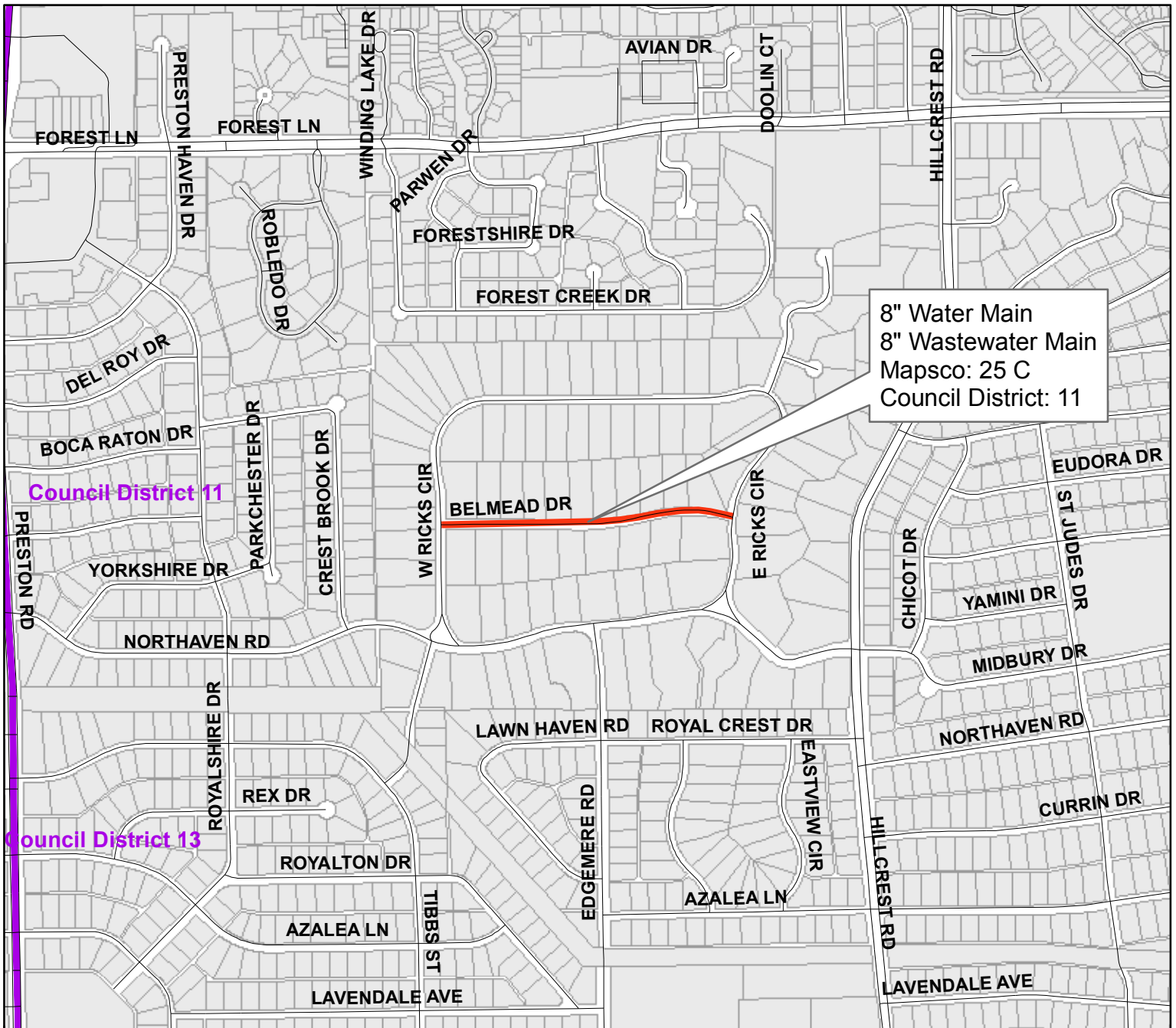


Velasco Avenue  
from Abrams Road to Wendoover Road



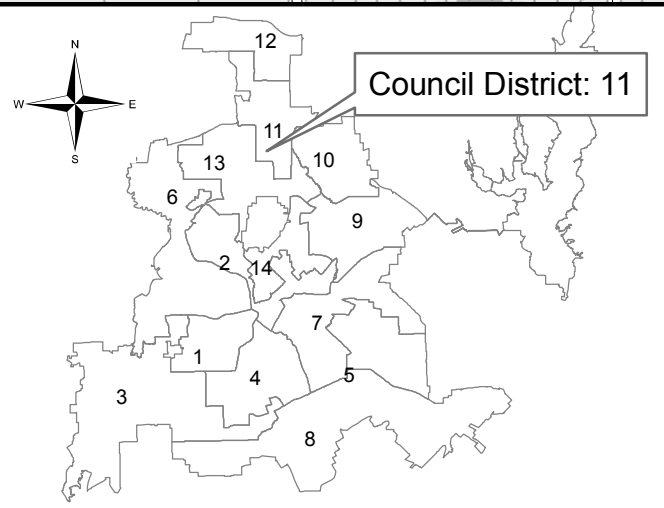
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**





8" Water Main  
 8" Wastewater Main  
 Mapsco: 25 C  
 Council District: 11

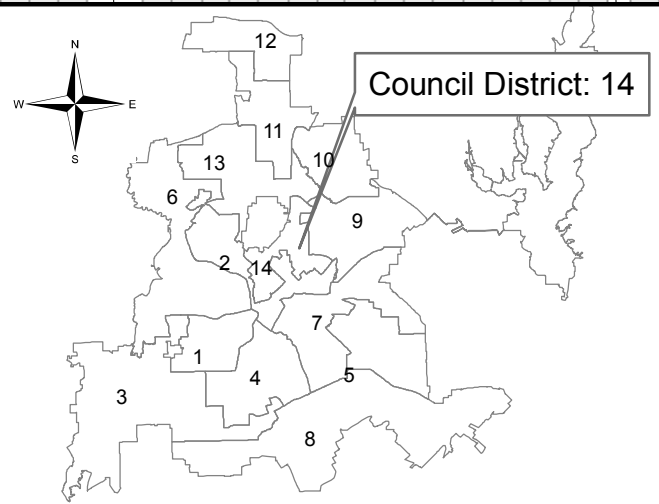
Belmead Drive  
 from West Ricks Circle to East Ricks Circle



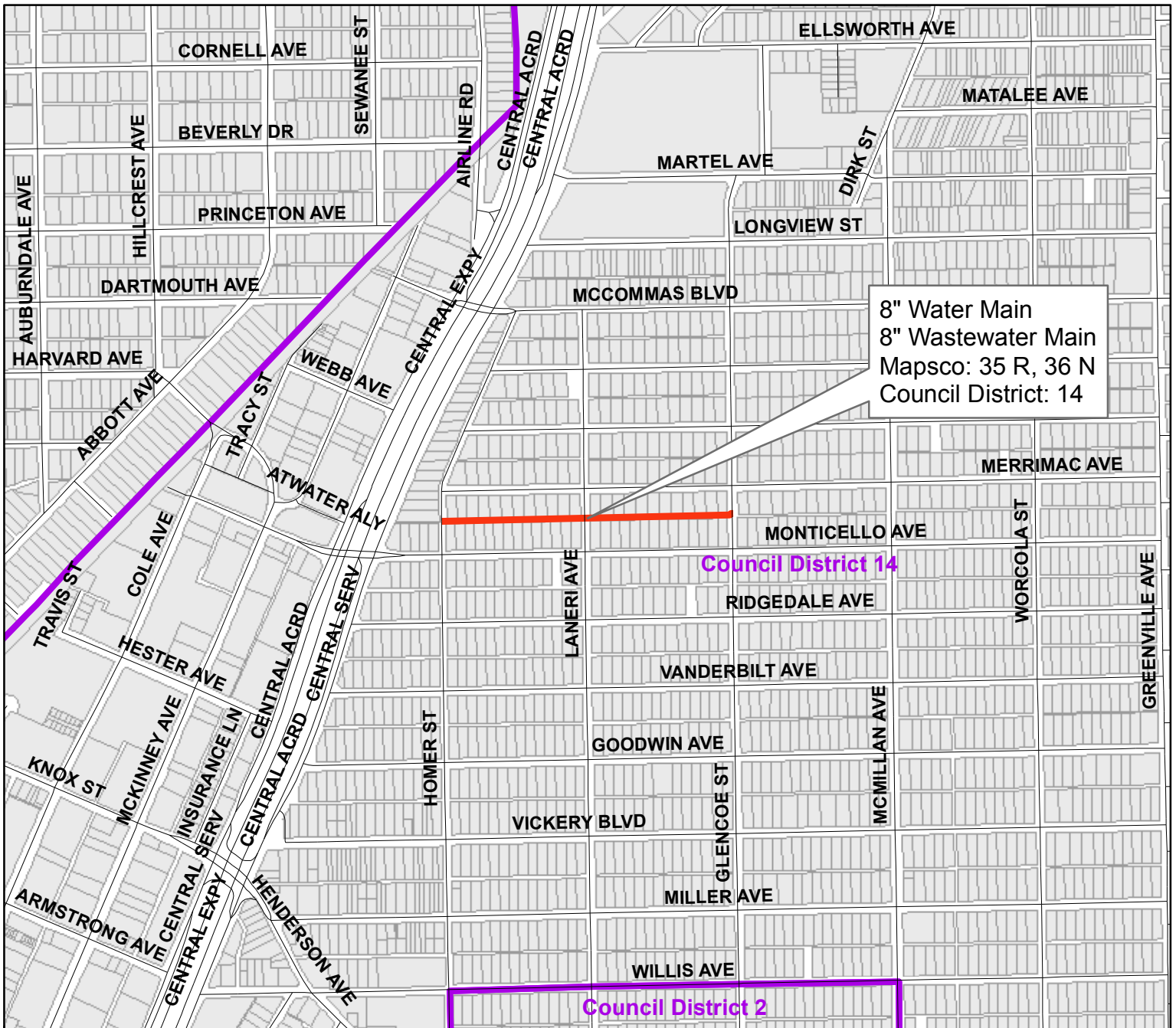
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



Alley between Llano Avenue and Velasco Avenue  
from Concho Street to Skillman Street



**Dallas Water Utilities  
Contract No. 18-021/022  
Water and Wastewater Main Installations  
at 16 Locations**

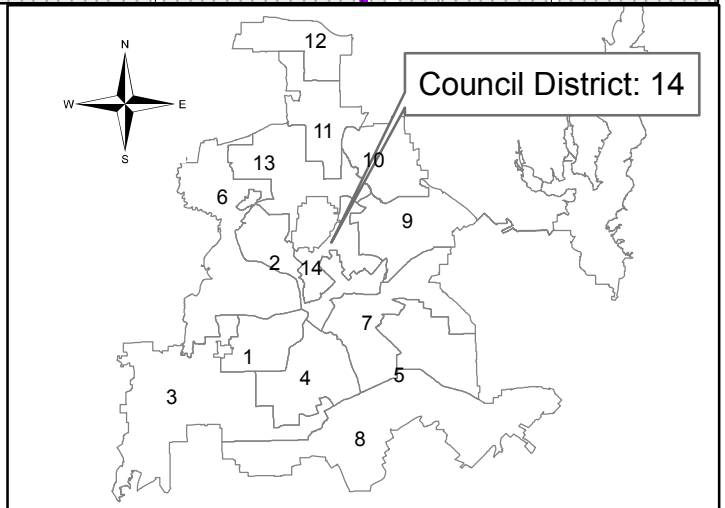


8" Water Main  
 8" Wastewater Main  
 Mapsco: 35 R, 36 N  
 Council District: 14

Council District 14

Council District 2

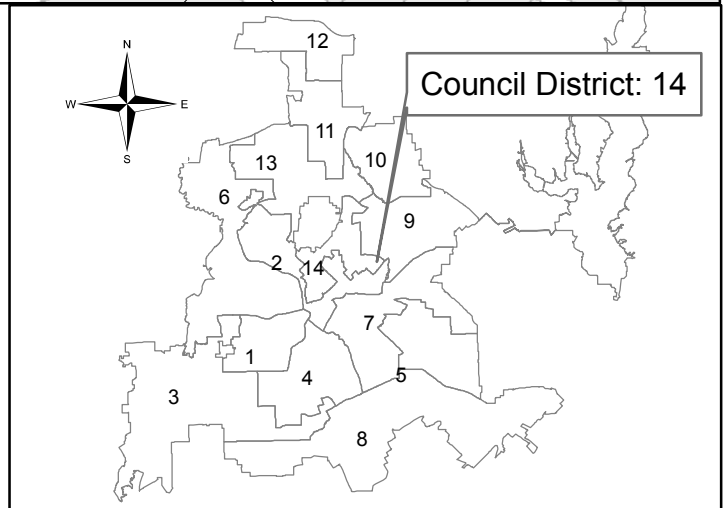
Alley between Monticello Avenue and Merrimac Avenue  
 from Homer Street to Glencoe Street



**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



Bermuda Street  
from La Vista Drive south

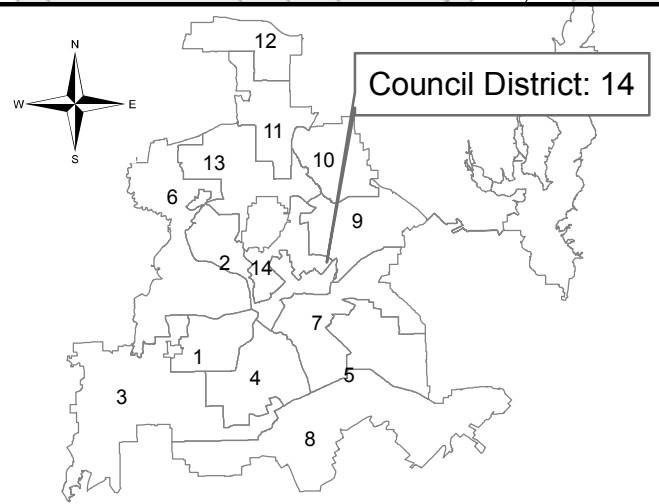


**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**

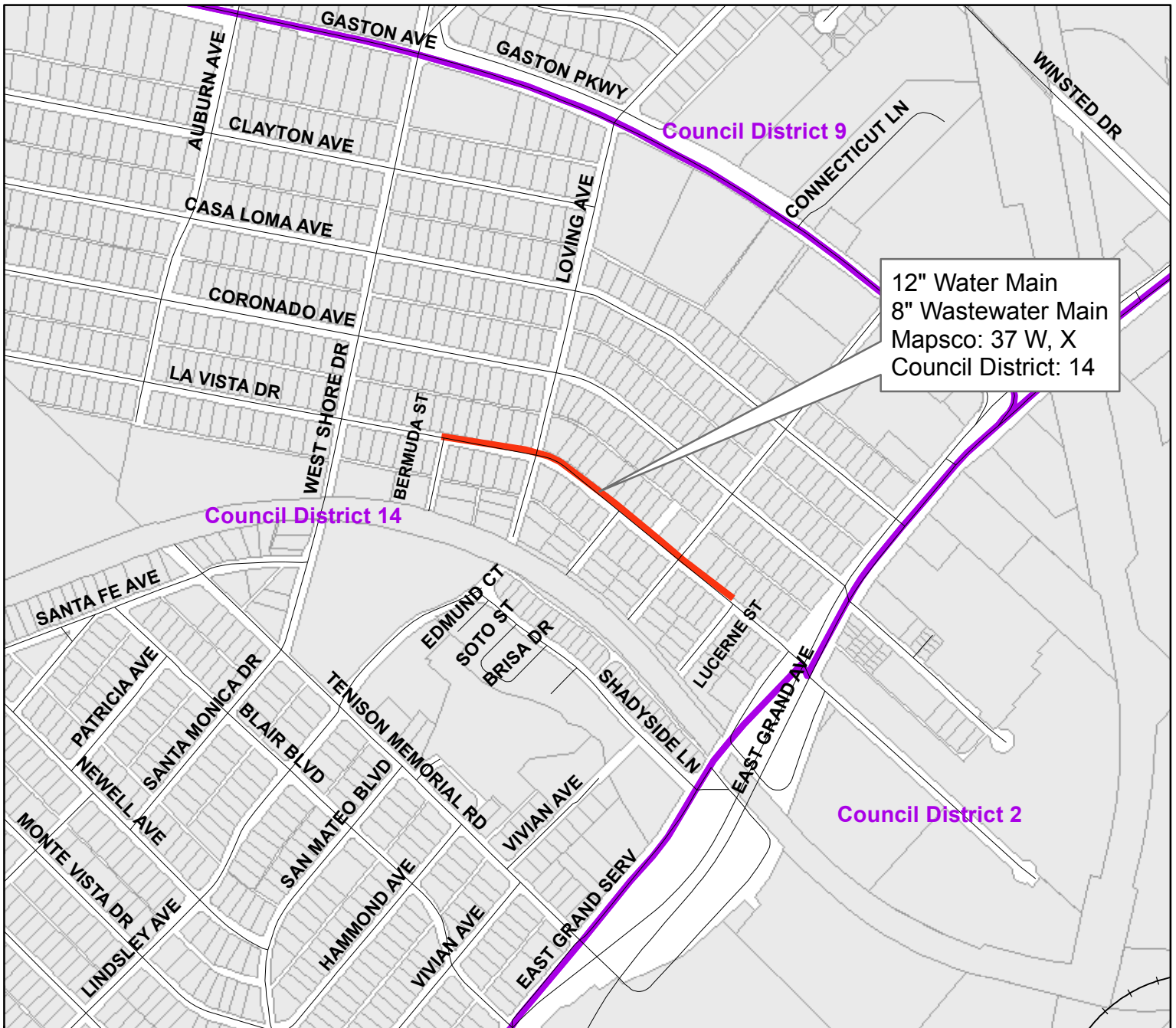




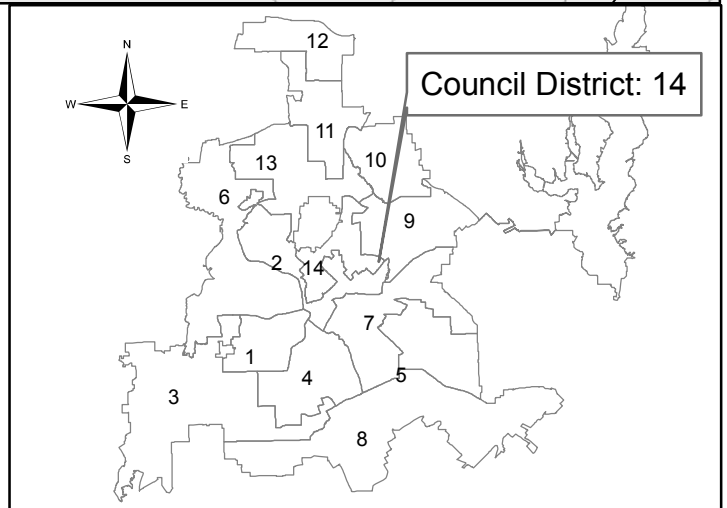
Corona Street  
from La Vista Drive southwest



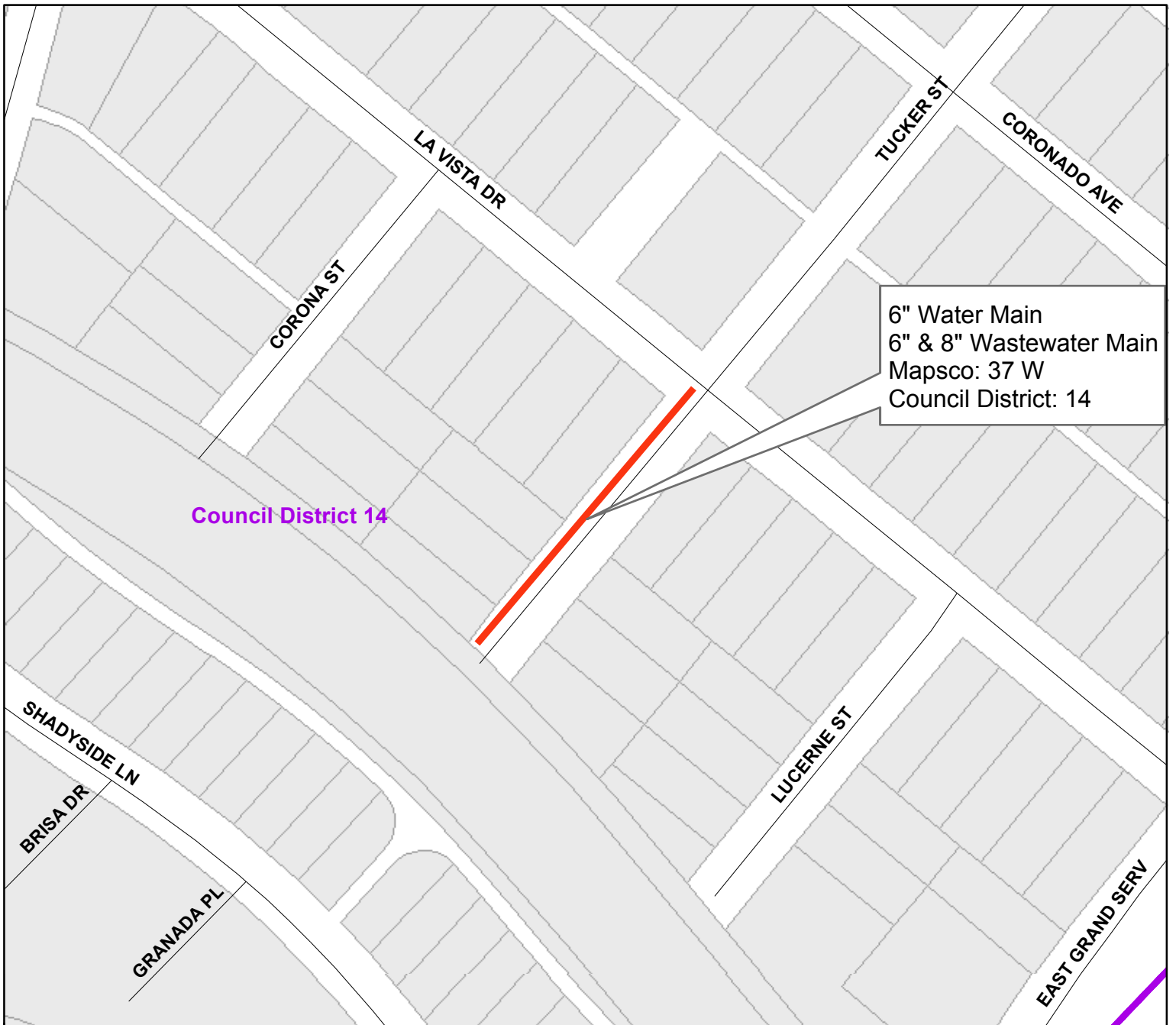
**Dallas Water Utilities**  
**Contract No. 18-021/022**  
**Water and Wastewater Main Installations**  
**at 16 Locations**



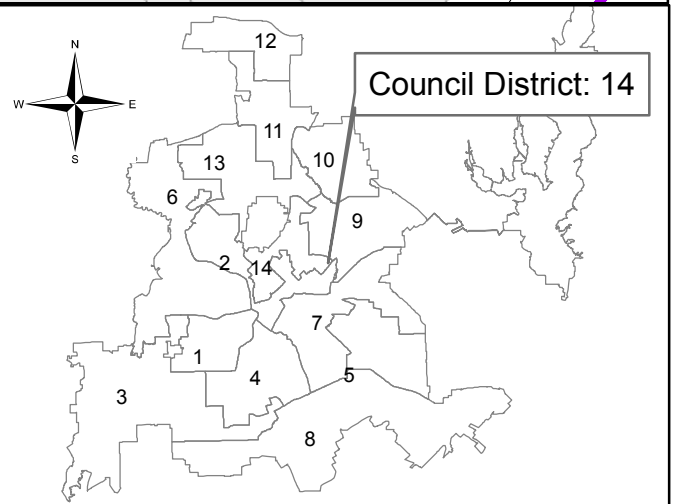
La Vista Drive  
from Bermuda Street to Lucerne Street



**Dallas Water Utilities  
Contract No. 18-021/022  
Water and Wastewater Main Installations  
at 16 Locations**



Tucker Street  
from La Vista Drive southwest



**Dallas Water Utilities  
Contract No. 18-021/022  
Water and Wastewater Main Installations  
at 16 Locations**

March 28, 2018

**WHEREAS**, on January 12, 2018, three bids were received for the installation of water and wastewater mains at 16 locations, Contract No. 18-021/022, listed as follows:

<u>Bidders</u>	<u>Bid Amount</u>
Ark Contracting Services, LLC	\$13,376,475.00
John Burns Construction Company of Texas, Inc.	\$14,806,209.00
Camino Construction, L.P.	\$15,244,076.90

**WHEREAS**, the bid submitted by Ark Contracting Services, LLC, 420 South Dick Price Road, Kennedale, Texas 76060, in the amount of \$13,376,475.00, is the lowest and best of all bids received.

**Now, Therefore,**

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

**SECTION 1.** That the bid submitted by Ark Contracting Services, LLC, in the amount of \$13,376,475.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 18-021/022, be accepted.

**SECTION 2.** That the City Manager is hereby authorized to sign a construction services contract with Ark Contracting Services, LLC, approved as to form by the City Attorney, for the installation of water and wastewater mains at 16 locations, in an amount not to exceed \$13,376,475.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$13,376,475.00 to Ark Contracting Services, LLC, as follows:

Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW40 Object 4550, Program 718021, Vendor VS0000017816 Encumbrance/Contract No. CX-DWU-2018-00005401	\$ 7,553.975.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS40 Object 4560, Program 718022, Vendor VS0000017816 Encumbrance/Contract No. CX-DWU-2018-00005401	<u>\$ 5,822,500.00</u>
Total amount not to exceed	\$13,376,475.00

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



**SECTION 16.** (continued)

copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 17.** That this contract is designated as Contract No. DEV-2016-00001226.

**SECTION 18.** 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 of Department of Sustainable  
Development and Construction

BY   
Assistant City Attorney

BY   
Assistant Director

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

# Exhibit A

## ALLEY ABANDONMENT SITUATED IN BLOCK D/1979, ROSS AVE ANNEX JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121 CITY OF DALLAS DALLAS COUNTY, TEXAS

**BEING** a 925 square foot 0.021 acre tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of an 11-foot alley across Block D/1979, created in said plat of Ross Ave Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Deed Records, Dallas County, Texas, and being adjacent to a tract of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC recorded in Instrument No. 201700004804 & 201700004808 Official Public Records, Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at the intersection of the northeast right-of-way line of Henderson Avenue, (a variable width right-of-way) created in said plat of Ross Ave Annex and with the west right-of-way line of McMillan Avenue, (a 60-foot right-of-way) created in said plat of Ross Ave Annex and being the south corner of Lot 36 of said Block D/1979, and being the south corner of an Easement for street purposes to the City of Dallas recorded in Volume 92085, Page 2882, Deed Records, Dallas County, Texas from which a 1/2-inch iron rod found for the southeast corner of Lot 38 of said Block D/1979, bears North 00°56'21" West, a distance of 167.77 feet;

**THENCE** with said northeast right-of-way line of Henderson Avenue and the southwest line of said Block D/1979, North 45°06'21" West, a distance of 215.28 feet, to an "X" cut in concrete set for the intersection of said northeast right-of-way line and the east line of an 11-foot wide alley created by plat of said Ross Ave Annex and being the **POINT OF BEGINNING**;

**THENCE** continuing with said northeast right-of-way line of Henderson Avenue and southwest line of Block D/1979, North 45°06'21" West, a distance of 15.79 feet to an "X" cut in concrete set at the intersection of said northeast right-of-way line with the west right-of-way line of said 11-foot wide alley, and being the southeast corner of Lot 35 of said Block D/1979 from which a 3/4-inch pipe found of the west corner of Lot 30 of said Block D/1979 bears North 45°06'21" West a distance of 364.43 feet;

**THENCE** departing said northeast right-of-way line and the southwest line of said Block D/1979 and with the west right-of-way line of said 11-foot alley and the east line of said Lot 35 of said Block D/1979, North 0°56'21" West, a distance of 79.77 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 23°17'16", a radius of 21.50 feet, a chord bearing and distance of South 79°17'43" East, 8.68 feet;

**THENCE** departing said west right-of-way line and the east line of Lot 35 of said Block D/1979, across said 11-foot wide alley, the following courses and distances to wit:

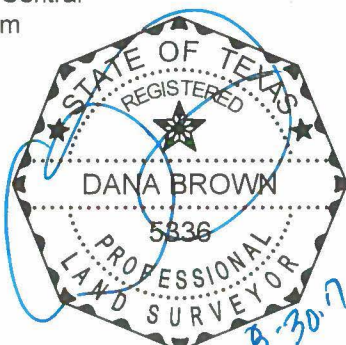
In a southeasterly direction, with said curve to the left, an arc distance of 8.74 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

North 89°03'39" East, a distance of 2.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the east right-of-way line of said 11-foot alley;

**THENCE** with said east right-of-way line of the 11-foot alley and the west lines of Lot 37, 38 and 39 of said Block D/1979, South 0°56'21" East, a distance of 89.35 feet to the **POINT OF BEGINNING** and containing 925 square feet or 0.021 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  
DALLAS, TEXAS 75240  
PH. (972) 770-1300  
dana.brown@kimley-horn.com



(For SPRG use only)

Reviewed By: G.S.  
Date: 9-8-17  
SPRG NO: 4277

# Kimley»Horn

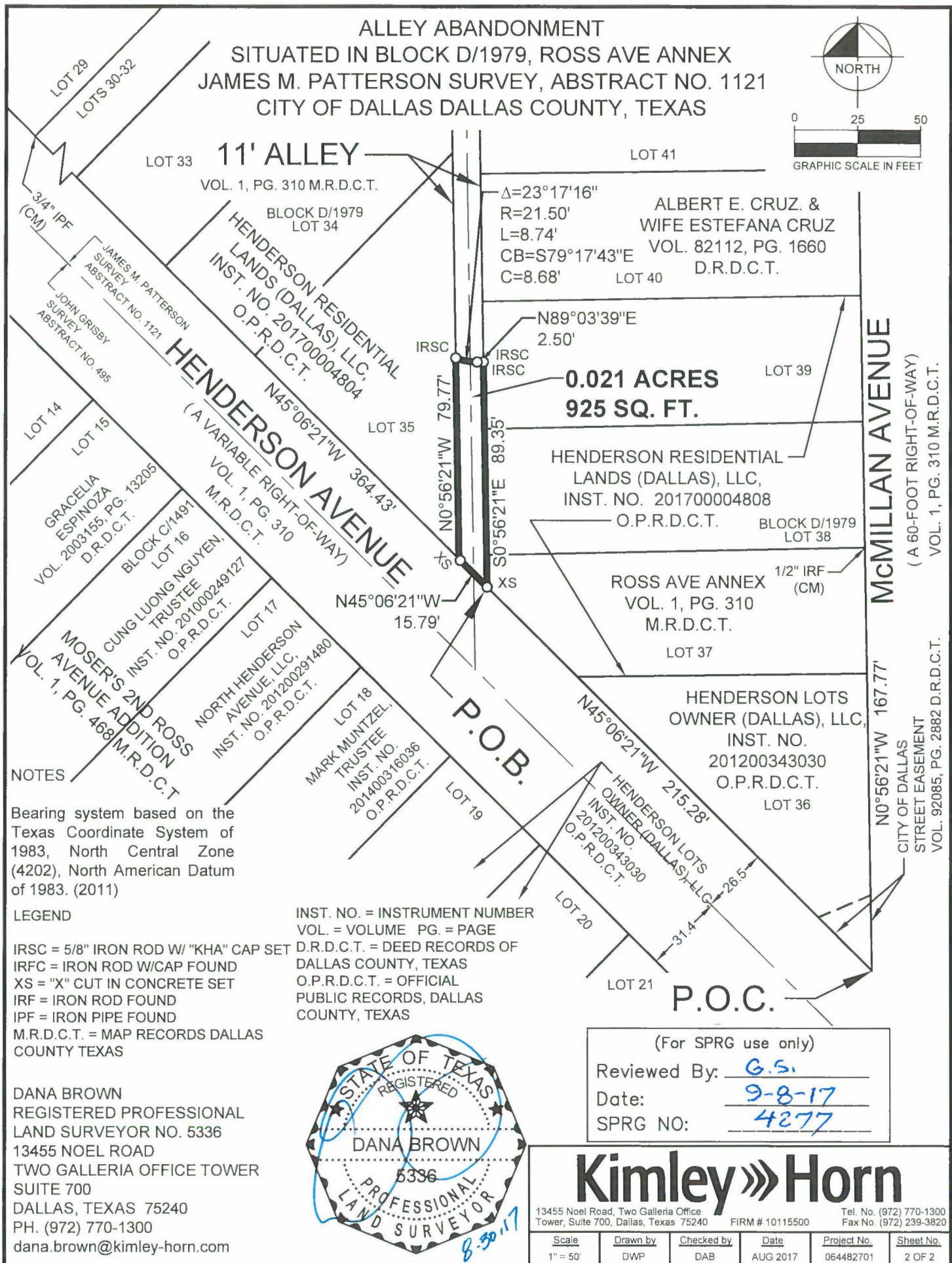
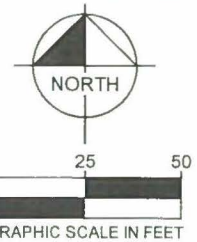
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DWP	DAB	AUG 2017	064482701	1 OF 2



# Exhibit A

ALLEY ABANDONMENT  
 SITUATED IN BLOCK D/1979, ROSS AVE ANNEX  
 JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121  
 CITY OF DALLAS DALLAS COUNTY, TEXAS



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

LEGEND  
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET  
 IRFC = IRON ROD W/CAP FOUND  
 XS = "X" CUT IN CONCRETE SET  
 IRF = IRON ROD FOUND  
 IPF = IRON PIPE FOUND  
 M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS

INST. NO. = INSTRUMENT NUMBER  
 VOL. = VOLUME PG. = PAGE  
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

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: 9-8-17  
 SPRG NO: 4277

## Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	DWP	DAB	AUG 2017	064482701	2 OF 2

# 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 TRACT 1

RIGHT-OF-WAY DEDICATION  
ROSS AVE ANNEX  
LOTS 33-35, BLOCK D/1979  
JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121  
CITY OF DALLAS DALLAS COUNTY, TEXAS

**BEING** a 1,260 square foot 0.029 acres tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of Lots 33-35, Block D/1979, Ross Ave. Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Map Records, Dallas County, Texas, and being part of the tracts of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC recorded in Instrument Numbers 201200343034, 201700004804 & 201700004805, Official Public Records, Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at the intersection of the northeast right-of-way line of Henderson Avenue (a variable width right-of-way) created in plat of said Ross Ave Annex and with the west line of an 11-foot alley created in plat of said Ross Ave Annex, from which a 3/4-inch iron pipe found at the west corner of Lot 30, Block D/1979, bears North 45°06'21" West, a distance of 364.43 feet;

**THENCE** departing said northwest right-of-way line of Henderson Avenue and with the east line of said Lot 35, Block D/1979, and west right-of-way line of said 11-foot alley, North 0°56'21" West, a distance of 79.77 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**, and being the beginning of a non-tangent curve to the right having a central angle of 66°42'44", a radius of 21.50 feet, a chord bearing and distance of North 34°17'43" West, 23.64 feet;

**THENCE** departing said west right-of-way line of the 11-foot alley and east line of Lot 35, Block D/1979, over and across said Lots 33-35, Block D/1979, the following courses and distances to wit:

In a northwesterly direction, with said curve to the right, an arc distance of 25.03 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

North 0°56'21" West, a distance of 48.50 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

North 15°45'37" East, a distance of 31.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

North 0°56'21" West, a distance of 24.93 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 44°10'00", a radius of 40.00 feet, a chord bearing and distance of North 23°01'21" West, 30.08 feet;

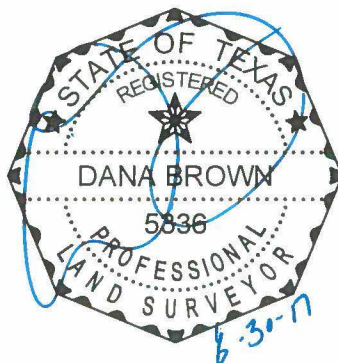
In a northwesterly direction, with said curve to the left, an arc distance of 30.83 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the southwest right-of-way line of said 11-foot alley and being in the northeast line of said Lot 33, Block D/1979;

**THENCE** with said southwest right-of-way line of the 11-foot alley and northeast line of said Lot 33, Block D/1979, South 45°06'21" East, passing at a distance of 10.34 feet a 1/2-inch iron rod found at the east corner of said Lot 33, Block D/1979, continuing with the northeast line of said Lot 34, Block D/1979 in all a total distance of 21.97 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" found for the west corner of said Lot 34, Block D/1979;

**THENCE** with said west right-of-way line of the 11-foot alley and east lines of said Lot 34 & 35, Block D/1979, South 0°56'21" East, a distance of 135.29 feet to the **POINT OF BEGINNING** and containing 1,260 square feet or 0.029 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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dana.brown@kimley-horn.com



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Reviewed By: G.S.  
Date: 9-8-17  
SPRG NO: 4209

## 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	DWP	DAB	AUG 2017	064482701	1 OF 3

# EXHIBIT C TRACT 1

## RIGHT-OF-WAY DEDICATION

### ROSS AVE ANNEX

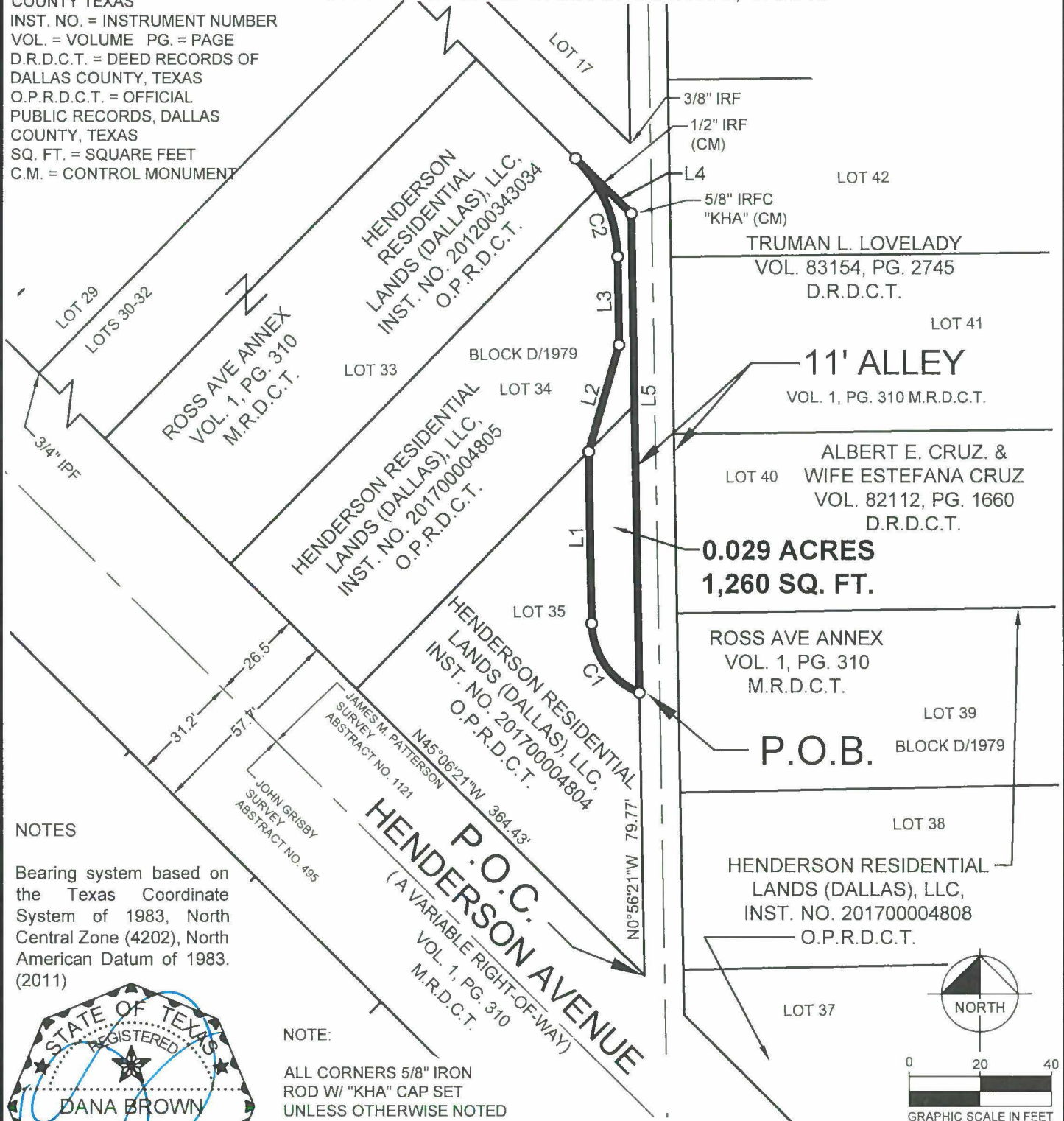
LOTS 33-35, BLOCK D/1979

JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121

CITY OF DALLAS DALLAS COUNTY, TEXAS

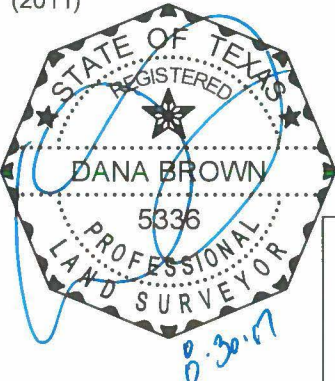
**LEGEND**

- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- XS = "X" CUT IN CONCRETE SET
- IRF = IRON ROD FOUND
- IPF = IRON PIPE FOUND
- M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS
- INST. NO. = INSTRUMENT NUMBER
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- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- SQ. FT. = SQUARE FEET
- C.M. = CONTROL MONUMENT



**NOTES**

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



**NOTE:**

ALL CORNERS 5/8" IRON ROD W/ "KHA" CAP SET UNLESS OTHERWISE NOTED

(For SPRG use only)

Reviewed By: G.S.

Date: 9-8-17

SPRG NO: 4209

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	DWP	DAB	AUG 2017	064482701	2 OF 3

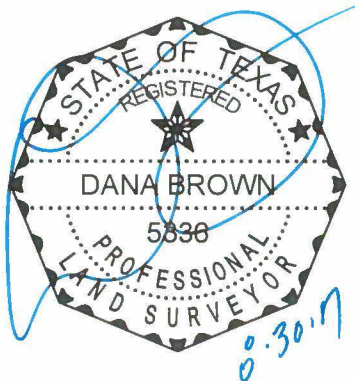


# EXHIBIT C TRACT 1

RIGHT-OF-WAY DEDICATION  
 ROSS AVE ANNEX  
 LOTS 33-35, BLOCK D/1979  
 JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121  
 CITY OF DALLAS DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°56'21"W	48.50'
L2	N15°45'37"E	31.32'
L3	N00°56'21"W	24.93'
L4	S45°06'21"E	21.97'
L5	S00°56'21"E	135.29'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	66°42'44"	21.50'	25.03'	N34°17'43"W	23.64'
C2	44°10'00"	40.00'	30.83'	N23°01'21"W	30.08'



(For SPRG use only)

Reviewed By: G.S.

Date: 9-8-17

SPRG NO: 4209

**Kimley»Horn**

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = ##	DWP	DAB	AUG. 2017	064482701	3 OF 3

RIGHT-OF-WAY DEDICATION  
 ROSS AVE ANNEX  
 LOT 39, BLOCK D/1979  
 JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121  
 CITY OF DALLAS DALLAS COUNTY, TEXAS

**BEING** a 2,799 square foot 0.064 acres tract of land situated in the James M. Patterson Survey, Abstract No. 1121, City of Dallas, Dallas County, Texas, in City of Dallas Block D/1979 and being part of Lot 39, Block D/1979, Ross Ave. Annex, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 1, Page 310, Map Records, Dallas County, Texas, and being part of the tract of land described in General Warranty Deed to Henderson Residential Lands (Dallas), LLC, recorded in Instrument Number 201700004808 Official Public Records, Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a 5/8-inch iron rod with plastic cap stamped "KHA" found in the west right-of-way line of McMillan Avenue (a 60-foot right-of-way) created in plat of said Ross Ave Annex and being the northeast corner of said Lot 39, Block D/1979;

**THENCE** with said west right-of-way line of McMillan Avenue and east line of said Lot 39, Block D/1979, South 0°56'21" East, a distance of 15.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set, from which a 1/2-inch iron rod found for the southeast corner of Lot 38, Block D/1979 bears South 0°56'21" East, a distance of 85.00 feet;

**THENCE** departing said west right-of-way line of McMillan Avenue, over and across said Lot 39, Block D/1979, the following courses and distances to wit:

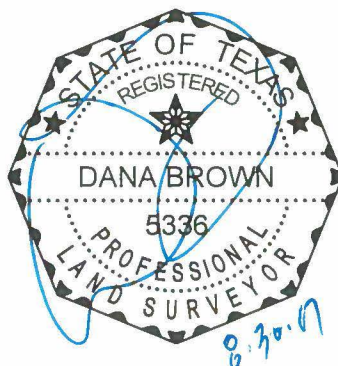
- South 89°03'39" West, a distance of 74.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
- South 72°21'42" West, a distance of 31.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;
- South 89°03'39" West, a distance of 46.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the east right-of-way line of an 11-foot alley created in plat of said Ross Avenue Annex;

**THENCE** with said east right-of-way line of the 11-foot alley and the west line of said Lot 39, Block D/1979, North 0°56'21" West, a distance of 24.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Lot 39, Block D/1979;

**THENCE** departing said east right-of-way line of the 11-foot alley and with the north line of said Lot 39, Block D/1979, and south line of Lot 40, Block D/1979, North 89°03'39" East, a distance of 150.00 feet to the **POINT OF BEGINNING** and containing 2,799 square feet or 0.064 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  
 DALLAS, TEXAS 75240  
 PH. (972) 770-1300  
 dana.brown@kimley-horn.com



(For SPRG use only)

Reviewed By: G.S.  
 Date: 9-8-17  
 SPRG NO: 4276

**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	DWP	DAB	AUG 2017	064482701	1 OF 2



# EXHIBIT C TRACT 2

## RIGHT-OF-WAY DEDICATION

### ROSS AVE ANNEX

#### LOT 39, BLOCK D/1979

JAMES M. PATTERSON SURVEY, ABSTRACT NO. 1121  
CITY OF DALLAS DALLAS COUNTY, TEXAS

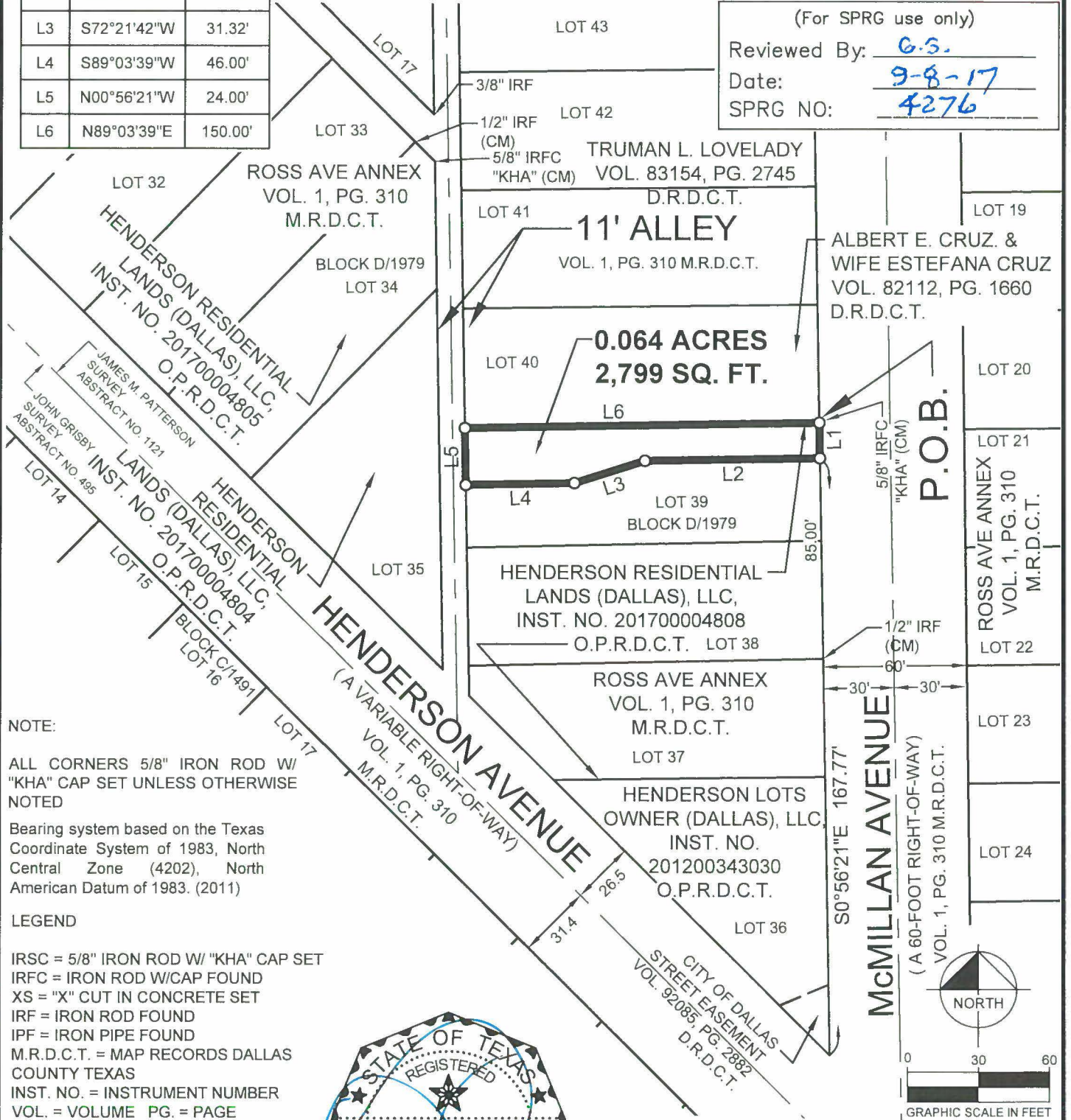
LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°56'21"E	15.00'
L2	S89°03'39"W	74.00'
L3	S72°21'42"W	31.32'
L4	S89°03'39"W	46.00'
L5	N00°56'21"W	24.00'
L6	N89°03'39"E	150.00'

(For SPRG use only)

Reviewed By: G.S.

Date: 9-8-17

SPRG NO: 4276



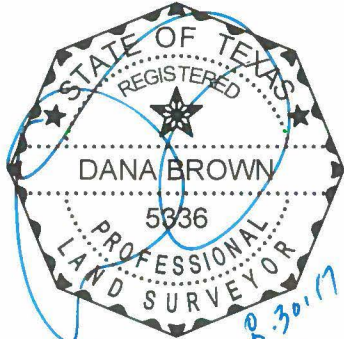
NOTE:

ALL CORNERS 5/8" IRON ROD W/ "KHA" CAP SET UNLESS OTHERWISE NOTED

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

LEGEND

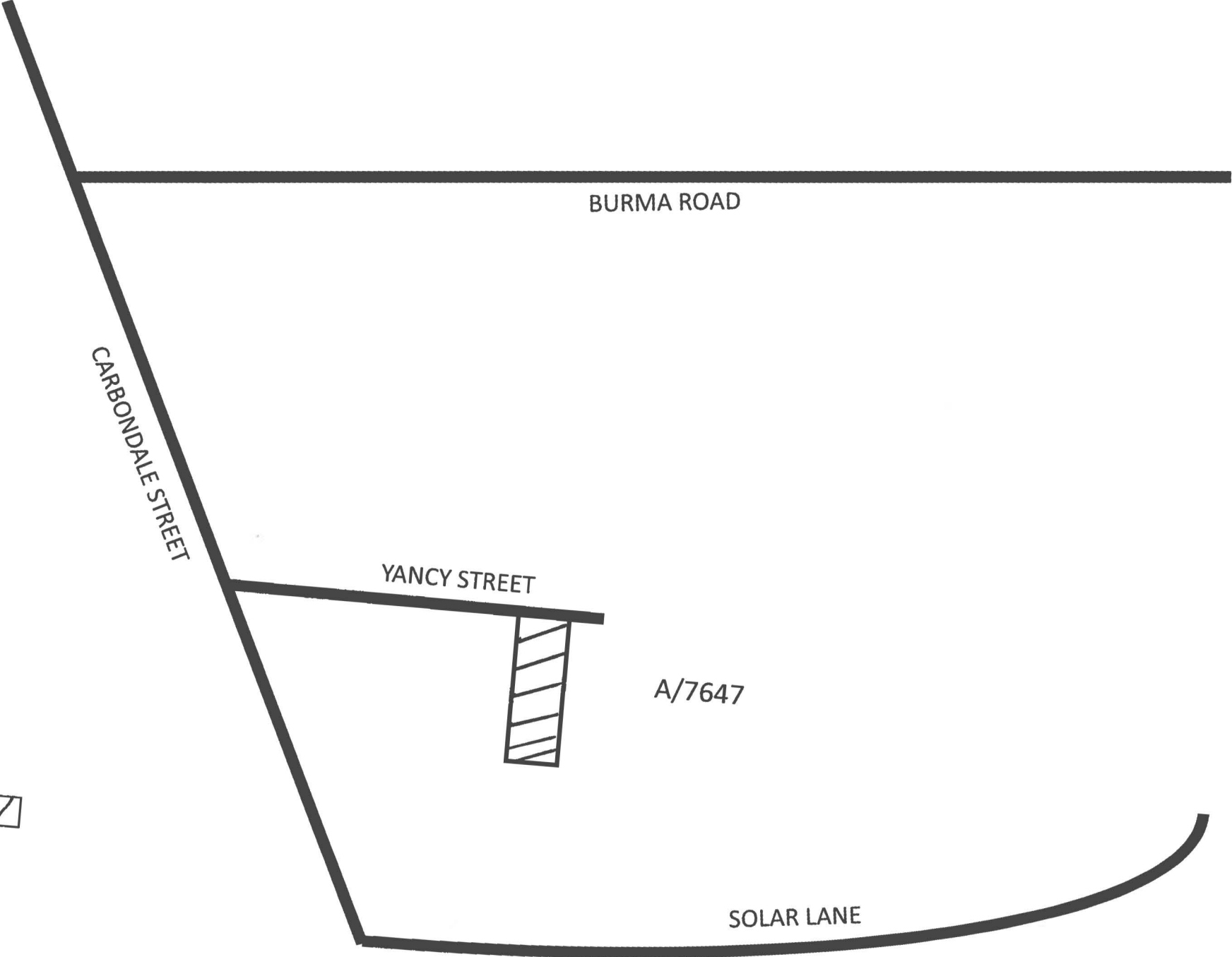
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET  
 IRFC = IRON ROD W/CAP FOUND  
 XS = "X" CUT IN CONCRETE SET  
 IRF = IRON ROD FOUND  
 IPF = IRON PIPE FOUND  
 M.R.D.C.T. = MAP RECORDS DALLAS COUNTY TEXAS  
 INST. NO. = INSTRUMENT NUMBER  
 VOL. = VOLUME PG. = PAGE  
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
 SQ. FT. = SQUARE FEET  
 C.M. = CONTROL MONUMENT



## 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 1" = 60'	Drawn by DWP	Checked by DAB	Date AUG 2017	Project No. 064482701	Sheet No. 2 OF 2
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BURMA ROAD

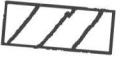
CARBONDALE STREET

YANCY STREET

SOLAR LANE

A/7647



SUBJECT: 

March 28, 2018**SECTION 5.** (continued)

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

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

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

BY:   
Assistant City Attorney

# EXHIBIT A

## FIELD NOTES DESCRIBING LAND TO BE ACQUIRED IN CITY BLOCK A/7647 FROM JAMES W. THOMAS

**BEING** situated in the L. Van Cleve Survey, Abstract No. 1503, Dallas County, Texas, and being all of Lot 11 in Block A/7647, of Central Avenue Addition. No. 2 Addition, an addition to the City of Dallas, according to the map of plat thereof, recorded in Volume 8, Page 183, Map Records Dallas County, Texas and being all of the property conveyed to James W. Thomas in a Quitclaim Deed dated February 21, 2003 and recorded in Volume 2003046, Page 128, Deed Records Dallas County, Texas, and containing approximately 7,085 square feet or 0.163 acres of land, based on the dimensions of the above referenced plat.

This description is approved as to form.

  
Scott Holt, R.P.L.S.  
Survey Program Manager

Date: 7/5/2014