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COUNCIL CHAMBER

091466
June 10, 2009

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

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

"CITY": The City of Dallas.

"PROPERTY": The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Trinity River Corridor Project – Dallas Floodway Extension

"PROPERTY INTEREST": Fee Simple

"OWNER": Estate of John Alonzo Petty, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$90,000.00

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

"AUTHORIZED AMOUNT": \$94,000.00

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

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

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS payable out of the Trinity River Corridor Project Cooperation Fund, Fund No. TP14, Department PBW, Unit N962, Activity TRPP, Program No. PB98N962, Object 4210, Encumbrance No. CT-PBW98N962I4. The OFFER AMOUNT (\$90,000.00) and the CLOSING COSTS (\$4,000.00) together shall not exceed the AUTHORIZED AMOUNT (\$94,000.00).

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

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

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

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

091466
June 10, 2009

SECTION 9. 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:
THOMAS P. PERKINS, JR., City Attorney

BY 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 10 2009


City Secretary

TRACT 2
TRINITY RIVER FLOODWAY
21.54 ACRES
CITY BLOCK NO. 7720

FIELD NOTES FOR 21.54 ACRES OR 938,122 SQUARE FEET OF LAND BEING OUT OF THAT CALLED 4.00 ACRE TRACT (TRACT 1) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 2) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 3) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 4) OF LAND, AND THAT CALLED 2.00 ACRE TRACT (TRACT 5) OF LAND, ALL DESCRIBED IN DEED DATED JULY 17, 1991 TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, RECORDED IN VOLUME 91142, PAGE 2517, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T), BEING IN CITY BLOCK NO. 7720, CITY OF DALLAS, LOCATED IN THE WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NO. 448, DALLAS COUNTY, TEXAS.

COMMENCING at a 1/2" iron rod found (controlling monument) on the southeasterly right of way line of Martin Luther King Jr. Boulevard (Formerly Cedar Crest Boulevard) (100 feet wide per Volume 3614, Page 487, D.R.D.C.T., recorded in Volume 3614, Page 490, D.R.D.C.T., and as monumented), for the southwesterly corner of a called 2.069 acre tract of land described in deed dated July 16, 1970 to Dallas Power & Light Company, recorded in Volume 70158, Page 96, D.R.D.C.T., and the and the northwesterly corner of a called 5.618 acre tract (Second Tract) of land described in deed dated November 1, 1993 to Roy H. Lohden recorded in Volume 93213, Page 8161, D.R.D.C.T.;

THENCE N 28°56'41" E, along the southeasterly right of way line of said Martin Luther King Jr. Boulevard, and the northwesterly line of a called 23.160 acre (Third Tract) of land described in deed dated November 1, 1993 to Roy J. Lohden, recorded in Volume 93213, Page 8161, D.R.D.C.T., a distance of 1,174.76 feet to a 5/8" iron rod with aluminum cap stamped "LCP" set for the northwesterly corner of said called 23.160 acre tract (Third Tract), the southwesterly corner of said called 4.00 acre tract (Tract 1), and the **POINT OF BEGINNING** of the herein described tract;

THENCE N 28°56'41" E, continuing along the southeasterly right of way line of said Martin Luther King Jr. Boulevard and the northwesterly line of said called 4.00 acre tract (Tract 1), at 408.86 feet passing a 5/8-inch iron rod with aluminum cap stamped "LCP" set for a reference corner and continuing in all a distance of 508.86 feet to a point on the gradient boundary line of the Trinity River for the northerly corner of said called 4.00 acre tract (Tract 1) tract and the northerly corner of the herein described tract;

THENCE along the gradient boundary line of said Trinity River as surveyed by Nedra J. Foster, Licensed State Land Surveyor during December, 2005 the following courses and distances:

N 86°44'22" E, a distance of 18.31 feet;

S 70°34'25" E, a distance of 159.92 feet;

TRACT 2
TRINITY RIVER FLOODWAY
21.54 ACRES
CITY BLOCK NO. 7720

S 59°25'33" E, a distance of 242.14 feet;

S 42°03'50" E, a distance of 203.50 feet;

S 40°20'36" E, a distance of 254.62 feet;

S 52°56'50" E, a distance of 249.76 feet;

S 56°50'56" E, a distance of 203.80 feet;

S 74°33'27" E, a distance of 199.33 feet;

N 77°52'28" E, a distance of 235.35 feet;

N 57°25'16" E, continuing along the gradient boundary line of said Trinity River, a distance of 17.63 feet to a point on the northwesterly right of way line of a tract of land as described in deed dated November 18, 1891 to the Burlington Northern Santa Fe Railway (formerly Missouri Kansas and Texas Railway Company) (100 feet wide per Volume 156, Page 153, D.R.D.C.T., and as monumented) for the northeasterly corner of said called 2.00 acre (Tract 5), and the easterly corner of the herein described tract;

THENCE S 20°10'34" W, along the northwesterly right of way line of the Burlington Northern Santa Fe Railway (Missouri Kansas and Texas Railway Company) and the easterly line of said called 2.00 acre tract (Tract 5), a distance of 372.35 to a 5/8" iron rod with aluminum cap stamped "LCI" set for the northerly corner of a called 105,445 square foot tract (Tract No. 2) of land as described in deed dated October 7, 1988 to the City of Dallas, recorded in Volume 88197, Page 2250, D.R.D.C.T. for a southeasterly corner of the herein describe tract;

THENCE S 48°44'34" W, along the northerly line of said called 105,445 square foot tract (Tract No. 2), the northwesterly line of a called 15.72 acre remainder tract described in deed dated April 15, 1985 to Roy H. Lohden, recorded in Volume 85080, Page 1770, D.R.D.C.T. and the southerly line of said called 2.00 acre tract (Tract 5), a distance of 431.70 feet to a 5/8" iron rod with aluminum cap stamped "LCI" set for the northeasterly corner of said called 23.160 acre tract, the southwesterly corner of said called 2.00 acre tract (Tract 5), the southeasterly corner of said called 4.00 acre tract (Tract 4), and an angle point in the herein described tract;

TRACT 2
TRINITY RIVER FLOODWAY
21.54 ACRES
CITY BLOCK NO. 7720

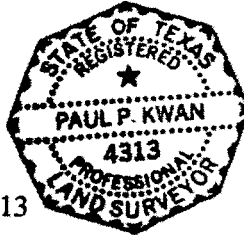
THENCE N 52°57'19" W, along the northeasterly line of said called 23.160 acre tract, the southwesterly line of said called 4.00 acre tract (Tract 4), the southwesterly line of said called 4.00 acre tract (Tract 3), the southwesterly line of said called 4.00 acre tract (Tract 2), and the southwesterly line of said called 4.00 acre tract (Tract 1), a distance of 1,602.54 feet to the **POINT OF BEGINNING** and containing 21.54 acres or 938,122 square feet of land. (Bearings are referenced to the Texas Coordinate System, North Central Zone, North American datum of 1983 and referenced to the National Geodetic Survey Monument "DALA", PID AB2821).

Metes and Bounds description contains a mathematical calculated closure of 1/818,709.

8 February 2007
Landtech Consultants, Inc.

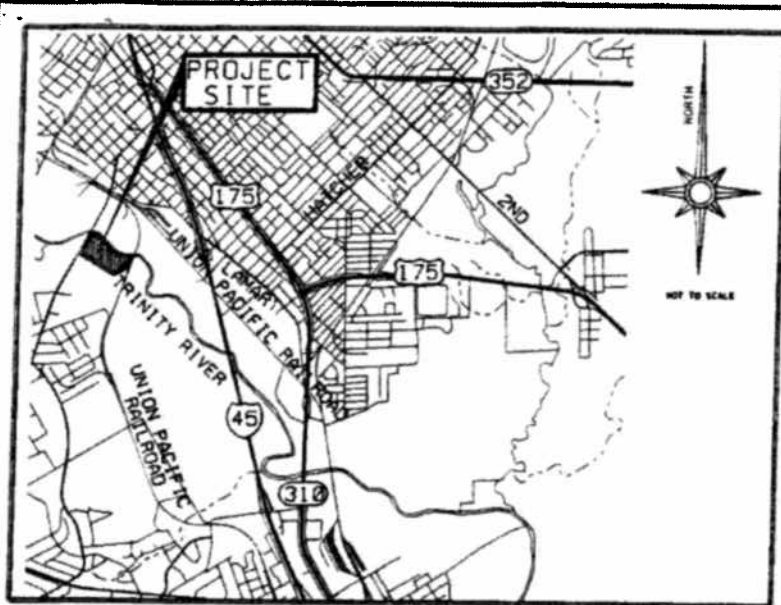
Paul P. Kwan

Paul P. Kwan
Reg. Prof. Land Surveyor No. 4313



xxfn1431.xx
Dwg. No. 1431-D-
Job No. 0520266.00

REVIEWED BY



VICINITY MAP
NOT TO SCALE

Exhibit A

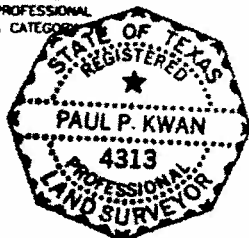
- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 REFERENCED TO NOS STATION DALA, PID (A82821).
- 2). THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT, OF NO. 05R06386A ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY. SURVEYOR DID NOT PERFORM A COMPLETE ABSTRACT OF THE SUBJECT PROPERTY. EASEMENTS, RIGHT OF WAYS AND OTHER MATTERS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- 3). SEE ATTACHED METES AND BOUNDS DESCRIPTION.
- 4). ALL CORNERS SET ARE 5/8 INCH IRON RODS WITH ALUMINUM CAPS STAMPED "LQ" UNLESS NOTED.
- 5). SUBJECT PROPERTY LIES WITHIN THE 100 YEAR FLOOD PLAIN (ZONE AE), ACCORDING TO FLOOD INSURANCE RATE MAP NO. 48113C0345J, DATED AUGUST 23, 2001, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 6). BEARINGS OR DISTANCES IN PARENTHESES INDICATED DEED OR RECORD CALLS.
- 7). GRADIENT BOUNDARY SURVEY ALONG THE TRINITY RIVER PERFORMED BY NEDRA J. FOSTER, LSLS, DURING THE MONTH OF DECEMBER, 2005.
- 8). BACKGROUND TOPOGRAPHY FURNISHED BY UNITED STATES ARMY CORPS OF ENGINEERS FORT WORTH DISTRICT.

SURVEY OF 21.54 ACRES OR 938,122 SQUARE FEET OF LAND BEING OUT OF THAT CALLED 4.00 ACRE TRACT (TRACT 1) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 2) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 3) OF LAND, THAT CALLED 4.00 ACRE TRACT (TRACT 4) OF LAND, AND THAT CALLED 2.00 ACRE TRACT (TRACT 5) OF LAND, ALL DESCRIBED IN DEED DATED JULY 17, 1991 TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, RECORDED IN VOLUME 91142, PAGE 2517, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T), BEING IN CITY BLOCK NO. 7720, CITY OF DALLAS, LOCATED IN THE WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NO. 448, DALLAS COUNTY, TEXAS.

I, PAUL P. KWAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY CORRECTLY REFLECTS THE LOCATION OF THE PROPERTY LINES AND OTHER MATTERS OF RECORD. THIS MAP IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF DECEMBER, 2005 AND COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY II SURVEY.

Paul P. Kwan

PAUL P. KWAN
REG. PROF. LAND SURVEYOR, NO. 4313



ITEMS CORRESPONDING TO SCHEDULE "B" OF FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 05R06386A WITH AN EFFECTIVE DATE OF OCTOBER 2, 2005.

- 10a. The surveyed tract is not subject to easement granted by W. C. Baedeker et al to City of Dallas, dated 10/30/1947, filed 11/03/1947, recorded in Volume 2898, Page 154, Deed Records of Dallas County, Texas.
- 10b. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 12/31/1914, filed 05/19/1917, recorded in Volume 708, Page 187, Deed Records of Dallas County, Texas.
- 10c. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 03/21/1928, filed 03/24/1928, recorded in Volume 1470, Page 383, Deed Records of Dallas County, Texas.
- 10d. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 05/01/1930, filed 05/23/1930, recorded in Volume 1623, Page 386, Deed Records of Dallas County, Texas.
- 10e. The surveyed tract is subject to easement granted by John A. Petty to City of Dallas, dated 05/08/1988, filed 06/29/1988, recorded in Volume 88168, Page 2884, Deed Records of Dallas County, Texas.

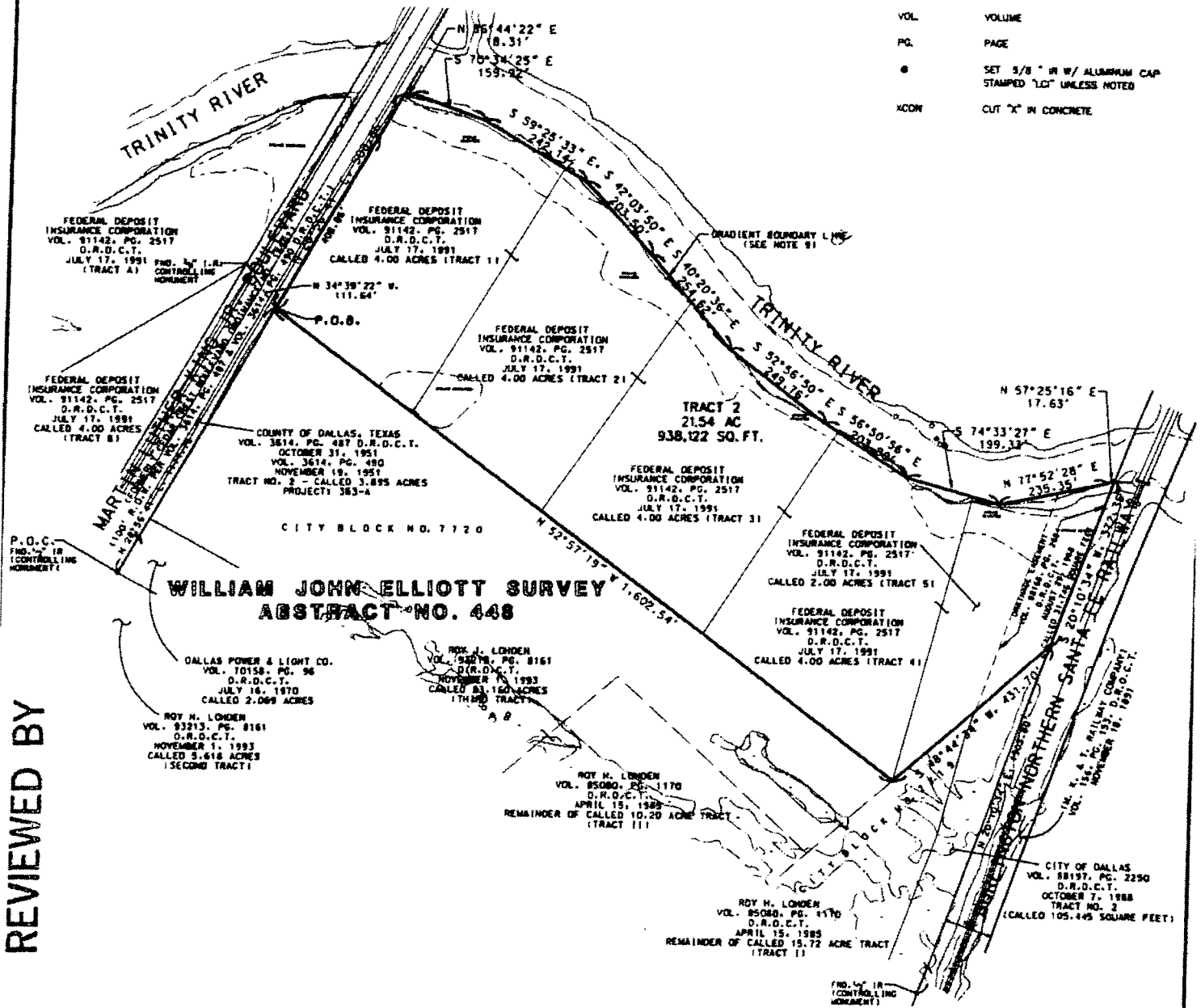
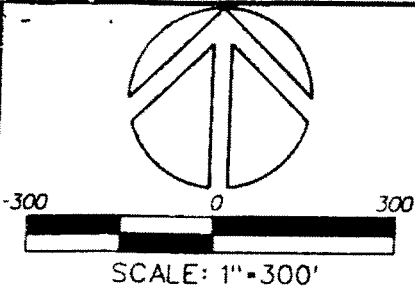
REVIEWED BY

<p>LANDTECH CONSULTANTS, INC. CIVIL ENGINEERING - LAND SURVEYING 2627 NORTH LOOP WEST SUITE 224 HOUSTON, TEXAS 77006 TEL. NO. (713) 861-7000 FAX NO. (713) 861-4151</p>		 <p>US Army Corps of Engineers District or Division</p>
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Exhibit A

LEGEND

- D.R.D.C.T. DEED RECORDS DALLAS COUNTY TEXAS
- M.R.D.C.T. MAP RECORDS DALLAS COUNTY TEXAS
- I.R. IRON ROD
- I.P. IRON PIPE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- "P&P" POWELL & POWELL
- "WLA" WENDY LOPEZ & ASSOCIATES
- "LCI" LANDTECH CONSULTANTS, INC.
- VOL. VOLUME
- PG. PAGE
- ⊙ SET 5/8" IR W/ ALUMINUM CAP STAMPED "LCI" UNLESS NOTED
- XCON CUT "X" IN CONCRETE



REVIEWED BY

CHECKING PLOT


CHECKED BY _____ DATE _____

BACK CHECK BY _____ DATE _____

CORRECTED BY _____ DATE _____

EDITED BY _____ DATE _____

LANDTECH CONSULTANTS, INC.
 CIVIL ENGINEERING - LAND SURVEYING
 2827 NORTH LOOP WEST
 SUITE 224
 HOUSTON, TEXAS 77008
 TEL. NO. (713) 861-7088 FAX NO. (713) 861-4131


US Army Corps of Engineers
 District or Division

TRACT 2-A
 TRINITY RIVER FLOODWAY
 6.695 ACRES
 CITY BLOCK NO. 7720

Exhibit A

FIELD NOTES FOR 6.695 ACRES OR 291,650 SQUARE FEET OF LAND BEING OUT OF THAT CERTAIN TRACT OF LAND CALLED TRACT A AND TRACT B, BOTH DESCRIBED IN DEED DATED JULY 17, 1991 TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, RECORDED IN VOLUME 91142, PAGE 2517, DEED RECORDS OF DALLAS COUNTY TEXAS (D.R.D.C.T), BEING IN CITY BLOCK NO. 7720, CITY OF DALLAS, LOCATED IN THE WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NO. 448, DALLAS COUNTY, TEXAS.

BEGINNING at a 3/8" iron rod found on the northwesterly right of way line of Martin Luther King Jr. Boulevard (Formerly Cedar Crest Boulevard) (100 feet wide per Volume 3614, Page 487, D.R.D.C.T., Volume 3614, Page 490, D.R.D.C.T., and as monumented) for the southeasterly corner of said called Tract A and the northeasterly corner of said called Tract B;

THENCE S 28°56'41" W, along the northwesterly right of way line of said Martin Luther King Jr. Boulevard and the southeasterly line of said called Tract B, a distance of 1,120.25 feet to a 5/8" iron rod with aluminum cap stamped "LCP" set for the northeasterly corner of that called 0.176 acre tract described in deed dated August 17, 1970 to Dallas Power & Light Company, recorded in Volume 70162, Page 1538, D.R.D.C.T. and the southeasterly corner of said called Tract B;

THENCE N 58°43'37" W, along the northeasterly line of said called 0.176 acre tract and the southwesterly line of said called Tract B, a distance of 49.92 feet to a 5/8" iron rod with aluminum cap stamped "LCP" set on the southeasterly right of way line of Forest Avenue as recorded in Volume 694, Page 607, D.R.D.C.T. (width varies per Volume 718, Page 513, D.R.D.C.T., and per Volume 720, Page 506, D.R.D.C.T.) for the northwesterly corner of said called 0.176 acre tract and the southwesterly corner of said called Tract B;

THENCE N 17°30'28" E, along the southeasterly right of way line of said Forest Avenue and the northwesterly line of said called Tract B, a distance of 744.75 feet to a 5/8" iron rod with aluminum cap stamped "LCP" set for an angle point;

THENCE N 20°23'32" W, along the southeasterly right of way line of said Forest Avenue, the northwesterly line of said called Tract B, and the westerly line of said called Tract A, at 224.91 feet passing a 5/8-inch iron rod with aluminum cap stamped "LCP" set for a reference corner and continuing in all a distance of 324.91 feet to a point on the gradient boundary line of the Trinity River for the northwesterly corner of said called Tract A;

THENCE along the gradient boundary line of said Trinity River as surveyed by Nedra J. Foster, Licensed State Land Surveyor during December, 2005 the following courses and distances:

S 79°40'28" E, a distance of 34.12 feet;

REVIEWED BY *J. Foster*

TRACT 2-A
TRINITY RIVER FLOODWAY
6.695 ACRES
CITY BLOCK NO. 7720

N 64°58'57" E, a distance of 148.05 feet;

N 55°43'54" E, a distance of 198.17 feet;

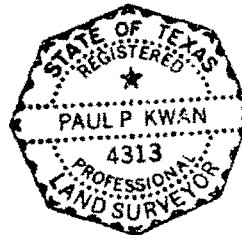
N 65°58'48" E, a distance of 279.51 feet;

N 86°44'22" E, continuing along the gradient boundary line of said Trinity River, a distance of 79.09 feet to a point on the northwesterly right of way line of said Martin Luther King Jr. Boulevard for the northeasterly corner of said called Tract A;

THENCE S 28°56'41" W, along the northwesterly right of way line of the Martin Luther King Jr. Boulevard and the easterly line of said called Tract A, at 100.00 feet passing a 5/8-inch iron rod with aluminum cap stamped "LCP" set for a reference corner and continuing in all a distance of 396.24 feet to the **POINT OF BEGINNING** and containing 6.695 acre or 291,650 square feet of land. (Bearings are referenced to the Texas Coordinate System, North Central Zone, North American datum of 1983 and referenced to the National Geodetic Survey Monument "DALA", PID AB2821).

Metes and Bounds description contains a mathematical calculated closure of 1/829,508.

8 February 2007
Landtech Consultants, Inc.



Paul P. Kwan

Paul P. Kwan
Reg. Prof. Land Surveyor No. 4313

xxfn1431.xx
Dwg. No. 1431-D-
Job No. 0520266.00

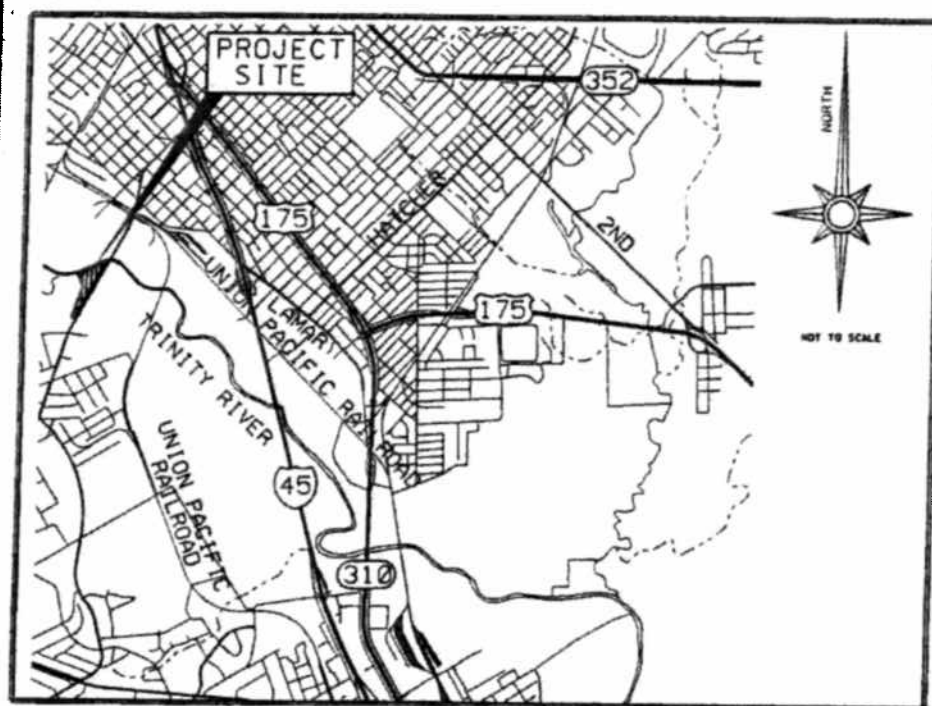


Exhibit A

LEGEND

D.R.D.C.T.	DEED RECORDS DALLAS COUNTY TEXAS
M.R.D.C.T.	MAP RECORDS DALLAS COUNTY TEXAS
I.R.	IRON ROD
I.P.	IRON PIPE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
"P&P"	POWELL & POWELL
"WLA"	WENDY LOPEZ & ASSOCIATES
"LC"	LANDTECH CONSULTANTS, INC.
VOL.	VOLUME
PG.	PAGE
●	SET 5/8" IR W/ ALUMINUM CAP STAMPED "LC" UNLESS NOTED
XCON	CUT "X" IN CONCRETE

VICINITY MAP

NOT TO SCALE

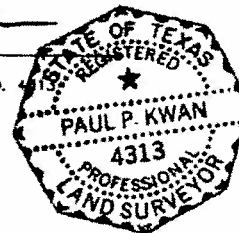
NOTES

- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 REFERENCED TO NGS STATION DALLA, PID (AB2821).
- 2). THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. SURVEYOR DID NOT PERFORM A COMPLETE ABSTRACT OF THE SUBJECT PROPERTY. EASEMENTS, RIGHT OF WAYS AND OTHER MATTERS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- 3). SEE ATTACHED METES AND BOUNDS DESCRIPTION.
- 4). ALL CORNERS SET ARE 5/8 INCH IRON RODS WITH ALUMINUM CAPS STAMPED "LC" UNLESS NOTED.
- 5). SUBJECT PROPERTY LIES WITHIN THE 100 YEAR FLOOD PLAIN (ZONE AE), ACCORDING TO FLOOD INSURANCE RATE MAP NO. 48113C0345J, DATED AUGUST 23, 2001, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 6). BEARINGS OR DISTANCES IN PARENTHESIS INDICATE DEED OR RECORD CALLS.
- 7). GRADIENT BOUNDARY SURVEY ALONG THE TRINITY RIVER PERFORMED BY NEDRA J. FOSTER, LSLs DURING THE MONTH OF DECEMBER, 2005.
- 8). BACKGROUND TOPOGRAPHY FURNISHED BY UNITED STATES ARMY CORPS OF ENGINEERS FORT WORTH DISTRICT.

I, PAUL P. KWAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY CORRECTLY REFLECTS THE LOCATION OF THE PROPERTY LINES AND OTHER MATTERS OF RECORD; THIS MAP IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF DECEMBER, 2005 AND COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

Paul P. Kwan

PAUL P. KWAN
REG. PROF. LAND SURVEYOR, NO. 4313



ITEMS CORRESPONDING TO SCHEDULE "B" OF FREE AMERICAN INSURANCE COMPANY TITLE COMMITMENT NO. 0540436 WITH AN EFFECTIVE DATE OF MARCH 22, 2005.

- 10a. The surveyed tract is not subject to easement granted by W. C. Donohoe et al to City of Dallas, dated 10/30/1942, filed 11/03/1947, recorded in Volume 2886, Page 154, Deed Records of Dallas County, Texas.
- 10b. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 12/21/1914, filed 08/19/1917, recorded in Volume 708, Page 187, Deed Records of Dallas County, Texas.
- 10c. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 03/21/1928, filed 03/24/1928, recorded in Volume 1470, Page 383, Deed Records of Dallas County, Texas.
- 10d. The surveyed tract is not subject to easement granted by L.A. Keating to City of Dallas, dated 05/01/1930, filed 05/23/1930, recorded in Volume 1823, Page 284, Deed Records of Dallas County, Texas.
- 10e. The surveyed tract is subject to the terms, provisions, conditions and easements set out in Condominium Case #7A-14887-C, recorded in Volume 74206, Page 1489, Deed Records, Dallas County, Texas. Also evidenced by easement recorded in Volume 75005, Page 1700, Deed Records of Dallas County, Texas.

SURVEY OF 6.895 ACRES OR 291,850 SQUARE FEET OF LAND BEING OUT OF THAT CERTAIN TRACT OF LAND CALLED TRACT A AND TRACT B, BOTH DESCRIBED IN DEED DATED JULY 17, 1991 TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, RECORDED IN VOLUME 91142, PAGE 2517, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.) BEING IN CITY BLOCK NO. 7720, CITY OF DALLAS, LOCATED IN THE WILLIAM JOHN ELLIOTT SURVEY, ABSTRACT NO. 448, DALLAS COUNTY, TEXAS.

LANDTECH CONSULTANTS, INC.

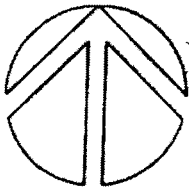
CIVIL ENGINEERING - LAND SURVEYING
2627 NORTH LOOP WEST
SUITE 224
HOUSTON, TEXAS 77008
TEL. NO. (713) 866-7088 FAX NO. (713) 861-4131



US Army Corps of Engineers
District or Division

DATE	REV.		
09/14/06	1		
09/14/06	2		
09/14/06	3		

Exhibit A



SCALE: 1"=200'

WILLIAM S. BEATTY SURVEY
ABSTRACT NO. 87

GRADIENT BOUNDARY LINE
(SEE NOTE 7)

TRINITY RIVER

CITY BLOCK 1720
"TRACT A"

FEDERAL DEPOSIT
INSURANCE CORPORATION
VOL. 91142, PG. 2517
D.R.D.C.T.
JULY 17, 1991

P.O.B.
FED. I.R.
CONTROLLING
MONUMENT

FEDERAL DEPOSIT
INSURANCE CORPORATION
VOL. 91142, PG. 2517
D.R.D.C.T.
JULY 17, 1991
CALLED 4.00 ACRES (TRACT 1)

GRADIENT BOUNDARY LINE
(SEE NOTE 7)

12' EASEMENT FOR ELECTRICAL AND TELEPHONE
CONDUITS IN FAVOR OF CITY OF DALLAS
VOL. 75086, PG. 1700
D.R.D.C.T.
DECEMBER 29, 1924

APPROXIMATE SURVEY LINE

CITY BLOCK 4651

CITY OF DALLAS
VOL. 200818, PG. 02839
D.R.D.C.T.
JUNE 10, 2005
PARCEL 3-CALLED 12.986 ACRES

TRACT 2-A
6.695 AC
291,650 SQ. FT.
CITY BLOCK 7720

MARTIN LUTHER KING JR. BOULEVARD
(FORMERLY CEDAR CREST BOULEVARD
ORDINANCE NO. 16567)
100' R.O.W. VOL. 3614, PG. 487 &
VOL. 3614, PG. 490, D.R.D.C.T. I

WILLIAM JOHN ELLIOTT SURVEY
ABSTRACT NO. 448

LINE	BEARING	DISTANCE
L1	N 58°43'37" W	49.92'
L2	S 79°40'28" E	34.12'
L3	N 64°58'57" E	148.05'
L4	N 55°43'54" E	198.17'
L5	N 62°58'48" E	279.51'
L6	N 86°44'22" E	79.09'

FOREST AVENUE
(R.O.W. VARIES PER VOL. 684, PG. 607, VOL. 718,
PG. 513 AND VOL. 720, PG. 508, D.R.D.C.T. I
(ABANDONED PER D.C.C.C. VOL. 50, PG.
425, DECEMBER 13 1953)
(REVERSIONARY INTEREST IN C.A.
KEATING, AND THE EXECUTORS, ADMINISTRATORS, AND ASSIGNS
THERE OF PER VOL. 684, PG. 607 D.C.C.C.T. I)

ROY J. LONDER
VOL. 93213, PG. 8161
D.R.D.C.T.
NOVEMBER 1, 1993
CALLED 23,160 ACRES
(THING TRACT)

FED. I.R.
W/CAP
CONTROLLING
MONUMENT

DALLAS POWER &
LIGHT COMPANY
VOL. 10031, PG. 1786
D.R.D.C.T.
FEBRUARY 13, 1970
CALLED 2.087 ACRES

DALLAS POWER &
LIGHT COMPANY
VOL. 10142, PG. 1538
D.R.D.C.T.
AUGUST 17, 1970
CALLED 0.176 ACRES

FED. I.R.
CONTROLLING
MONUMENT


DALLAS POWER &
LIGHT COMPANY
VOL. 70158, PG. 88
D.R.D.C.T.
JULY 16, 1970
CALLED 2.068 ACRES

REVIEWED BY

CHECKING PLOT

CHECKED BY _____ DATE _____
BACK CHECK BY _____ DATE _____
CORRECTED BY _____ DATE _____
EDITED BY _____ DATE _____

LANDTECH CONSULTANTS, INC.
CIVIL ENGINEERING - LAND SURVEYING
2627 NORTH LOOP WEST
SUITE 224
HOUSTON, TEXAS 77008
TEL. NO. (713) 861-7088 FAX NO. (713) 861-4128


 US Army Corps
of Engineers
District or Division

DATE	BY	REVISION