

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

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the INTERESTS in the PROPERTY held by OWNER for the PROJECT (as such terms are defined herein); and

WHEREAS, OWNER refused the official offer authorized by the FIRST RESOLUTION, but agreed to the CONSIDERATION stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the INTERESTS in the PROPERTY for the CONSIDERATION stated herein: **Now, Therefore,**

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

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

FIRST RESOLUTION: Resolution No. 110944 approved by the Dallas City Council on April 13, 2011.

PROJECT: Southwest 120/96-inch Water Transmission Pipeline Project

OWNER: John H. Adams and Dolly D. Adams

INTERESTS: Fee Simple

PROPERTY: Approximately 11,669 square feet of unimproved land located in Dallas County, and being the same property more specifically described in the FIRST RESOLUTION.

IMPROVEMENTS: "None"

CONSIDERATION: \$18,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,800

"AUTHORIZED AMOUNT": \$20,300

SECTION 2. That the City Manager is authorized to acquire the INTERESTS in the PROPERTY and IMPROVEMENTS from OWNER for the CONSIDERATION, and is authorized to execute such documents, after approval of same as to form by the City Attorney, as may be necessary.

SECTION 3. That the City will have possession at closing and will pay all closing costs and title expenses.

SECTION 4. That the City Controller is authorized to draw checks for the CONSIDERATION, closing costs and title expenses, payable out of Water Utilities Capital Improvements Fund 2115, Dept. DWU, Unit PW40, Activity MPSA, Object 4210, Program 706035 CT-DWU706035CPX, \$15,000 and out of Water Utilities Capital Improvement Fund 0115, Dept. DWU, Unit PW40, Activity MPSA, Object 4210, Program 706035, CT-DWU706035CPAG, \$5,300 and said payment shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The CONSIDERATION - \$18,500 and the CLOSING COSTS AND TITLE EXPENSES - \$1,800 together shall not exceed the AUTHORIZED AMOUNT - \$20,300.

SECTION 5. That appropriate acquisition instruments be forwarded to a title insurance company for preparation of the necessary documents for closing, which shall be forwarded to the City Attorney for review and approval as to form and, subsequent to closing, filed with the County Clerk and returned, along with the original Owner's Policy of Title Insurance, to the City Secretary for permanent record.

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:
THOMAS P. PERKINS, CITY ATTORNEY

BY: 

Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 22 2011


City Secretary

20' RIGHT-OF-WAY ACQUISITION FOR WATER

11,669 SQ. FT. PARCEL
GEORGE FLOYD SURVEY, ABSTRACT NO. 463
CITY OF DALLAS BLOCK 8308
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

DESCRIPTION

BEING a 11,669 square foot tract of land situated in the George Floyd Survey, Abstract No. 463, being in Block 8308 of the City of Dallas, Dallas County, Texas, and being a portion of the remainder of a called 20-86/100 acre tract of land described in that certain Warranty Deed (With Vendor's Lien) to John H. Adams and wife, Dolly D. Adams as recorded in Volume 74107, Page 144 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod found for corner at the intersection of the easterly line of the aforementioned Adams tract and the northerly right-of-way line of Telephone Road (variable width right-of-way), said intersection being the northeast corner of that certain Right-of-way Deed to Dallas County as recorded in Volume 4565, Page 306, D.R.D.C.T.;

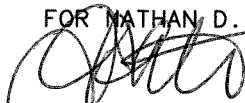
THENCE S 59°40'14" W, with said northerly right-of-way line of Telephone Road, 583.50 feet to a 1/2" iron rod found for corner in the westerly line of said Adams tract, said corner being the northwest corner of said Right-of-way Deed to Dallas County;

THENCE N 30°04'46" W (deed-S 29°15' E), departing said northerly right-of-way line of Telephone Road and with the westerly line of said Adams tract, 20.00 feet to a 1/2 iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 59°40'14" E, departing the westerly line of said Adams tract, 583.36 feet to a 12" cedar for corner in the easterly line of said Adams tract;

THENCE S 30°29'46" E (deed-N 29°25' W), with the easterly line of said Adams tract, 20.00 feet to the POINT OF BEGINNING and containing 0.2679 acres or 11,669 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



REVIEWED BY *dat* 10/19/09

Dallas Water Utilities
Southwest Water Transmission Pipeline

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 22, 2009

7059-EX94.dwg

EXHIBIT "A"
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20' RIGHT-OF-WAY ACQUISITION FOR WATER
11,669 SQ. FT. PARCEL
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CITY OF DALLAS BLOCK 8308
CITY OF DALLAS, DALLAS COUNTY, TEXAS

111721

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NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The rights-of-way and easements granted to Lone Star Gas Company as recorded in Volume 1337, Page 251 and Volume 1337, Page 254 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) as affected by the Partial Release of Easements as recorded in Volume 80098, Page 963, D.R.D.C.T., do not affect the subject property.

The easement and right-of-way granted to Texas Power & Light Company as recorded in Volume 2979, Page 308, D.R.D.C.T., does not affect the subject property.

The herein described property is subject to the instrument entitled "Order Requiring Repair Or Correction Of An Urban Nuisance Within A Specified Period Of Time" as recorded in Volume 94212, Page 1407, D.R.D.C.T., as affected by the instrument entitled "Failure To Make Required Repairs/Right To An Administrative Appeal" as recorded in Volume 95224, Page 261, D.R.D.C.T.

REVIEWED BY *DB* 11/19/09

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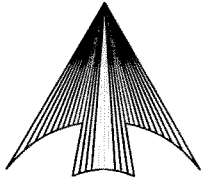
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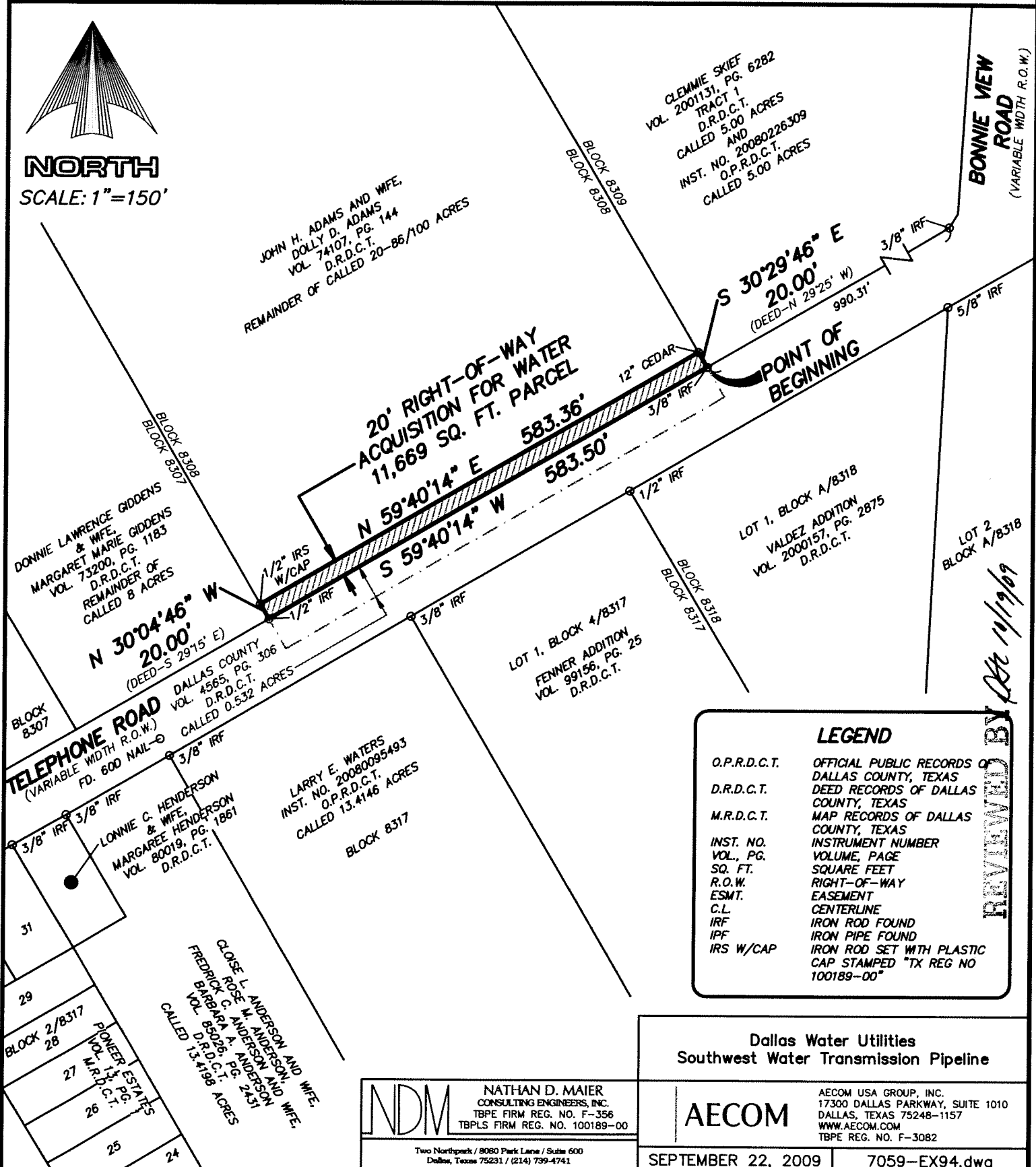
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NORTH
 SCALE: 1"=150'



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF
D.R.D.C.T.	DALLAS COUNTY, TEXAS
M.R.D.C.T.	DEED RECORDS OF DALLAS
	COUNTY, TEXAS
INST. NO.	MAP RECORDS OF DALLAS
VOL., PG.	COUNTY, TEXAS
SQ. FT.	INSTRUMENT NUMBER
R.O.W.	VOLUME, PAGE
ESMT.	SQUARE FEET
C.L.	RIGHT-OF-WAY
IRF	EASEMENT
IPF	CENTERLINE
IRS W/CAP	IRON ROD FOUND
	IRON PIPE FOUND
	IRON ROD SET WITH PLASTIC
	CAP STAMPED "TX REG NO
	100189-00"

Dallas Water Utilities
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