

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

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

"CITY": The City of Dallas

"PROPERTY": Three tracts of land containing a total of approximately 24.644 square feet of property located in Dallas County, and being the same property particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

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

"USE": The construction, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER", "OFFER AMOUNT", and "AUTHORIZED AMOUNT" are described below:

<u>Parcel No.</u>	<u>Owner</u>	<u>Offer Amount</u>	<u>Closing Costs Not to Exceed</u>	<u>Authorized Amount</u>
E-479	Laura Jernigan Espensen & James W. Jernigan	\$697,704	\$4,796	\$702,500
E-006	Laura Jernigan Espensen & James W. Jernigan	\$328,390	\$4,000	\$332,390
E-007	Laura Jernigan Espensen & James W. Jernigan	\$145,952	4,048	150,000

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.

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

**SECTION 1.** That the USE of the PROPERTY for the PROJECT is 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 Sustainable Development and Construction 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 AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund No. 2115, Department DWU, Unit PW40, Activity MP5A, Program No. 706623, Object 4210, Encumbrance Number as described below. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

<u>Parcel No.</u>	<u>Owner</u>	<u>Offer Amount</u>	<u>Closing Costs Not to Exceed</u>	<u>Authorized Amount</u>	<u>Encumbrance No.</u>
E-479	Laura Jernigan Espensen & James W. Jernigan	\$697,704	\$4,796	\$702,500	CT- DWU706623CPCX
E-006	Laura Jernigan Espensen & James W. Jernigan	\$328,390	\$4,000	\$332,390	CT- DWU706623CPCV
E-007	Laura Jernigan Espensen & James W. Jernigan	\$145,952	\$4,048	\$150,000	CT- DWU706623CPC W

**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 to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

**SECTION 9.** That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

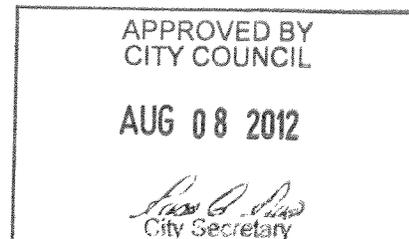
**SECTION 10.** That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue 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.

**SECTION 11.** 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**



**PARCEL E-479**  
**CITY OF DALLAS RIGHT-OF-WAY**  
**18.84 ACRE TRACT**  
**WILLIAM S. LONG SURVEY, ABSTRACT NO. 825**  
**WM. S. ROBINSON SURVEY, ABSTRACT NUMBER 1262**  
**THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,**  
**ABSTRACT NO. 1026,**  
**CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the William S. Long Survey, Abstract No. 825, the Thomas F. McKinney & Samuel M. Williams Survey, Abstract No. 1026, and the Wm. S. Robinson Survey, Abstract No. 1262, City of Mesquite, Dallas County, Texas, and being part of that tract of land described as Tract One in the Correction Executor's Special Warranty Deed Without Title Examination dated June 16, 2004, to Laura Jernigan Espensen and James William Jernigan as recorded in Volume 2004172, Page 10588 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said Tract One being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien dated August 16, 2004, to Laura Jernigan Espensen as recorded in Volume 2004172, Page 10617, O.P.R.D.C.T., said Tract One also being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien dated August 16, 2004, to James William Jernigan as recorded in Volume 2004172, Page 10643, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the most southerly corner of said Tract One, said point being in the northwesterly line of a tract of land described in deed to Charles D. Blakely as recorded in Volume 80159, Page 2308 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and on the northeasterly right-of-way line of Berry Road (a variable width right-of-way), said point also being the beginning of a circular curve to the right having a radius of 5,729.58 feet whose chord bears North 45 degrees 34 minutes 08 seconds West a distance of 324.96 feet;

THENCE Northwesterly, with the common southwesterly line of said Tract One and with said northeasterly right-of-way line of Berry Road and with said curve, through a central angle of 03 degrees 15 minutes 00 seconds, an arc distance of 325.00 feet to the point of tangency from which a 1/2-inch found iron rod bears South 21 degrees 49 minutes 09 seconds West a distance of 0.59 of a foot;

THENCE North 45 degrees 15 minutes 21 seconds West, continuing with said common line, a distance of 2,115.73 feet to the beginning of a non-tangent circular curve to the right having a radius of 686.37 feet whose chord bears North 23 degrees 00 minutes 03 seconds West a distance of 501.75 feet, and from which point a 1/2-inch found iron rod bears South 20 degrees 20 minutes 45 seconds East a distance of 0.36 of a foot;

REVIEWED BY *AKC* 12/22/10

PARCEL E-479  
CITY OF DALLAS RIGHT-OF-WAY  
18.84 ACRE TRACT  
WILLIAM S. LONG SURVEY, ABSTRACT NO. 825  
WM. S. ROBINSON SURVEY, ABSTRACT NUMBER 1262  
THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
ABSTRACT NO. 1026,  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE Northwesterly, continuing with said common line and with said curve, through a central angle of 42 degrees 52 minutes 40 seconds, an arc distance of 513.65 feet to a 1/2-inch found iron rod stamped "RPLS 5129" for the end of said curve in the common west line of said Tract One and the east right-of-way line of Faithon P. Lucas Sr. Blvd. (a variable width right-of-way);

THENCE North 00 degrees 44 minutes 03 seconds West, with said common line, a distance of 2,568.21 feet to a 1/2-inch set iron rod with cap for corner at the intersection of said common line with the south line of that tract of land described as Third Tract in deed to Texas Interurban Railway as recorded in Volume 908, Page 644, D.R.D.C.T., said Third Tract being the same as that tract of land described as Tract No. Five in Deed to the County of Dallas, Texas, as recorded in Volume 2158, Page 314, D.R.D.C.T.;

THENCE South 78 degrees 23 minutes 43 seconds East, departing said common line, with said south line, a distance of 153.55 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 00 degrees 44 minutes 03 seconds East, departing said south line, with a line offset 150 feet east of and parallel to said common west line of said Tract One and said east right-of-way line of Faithon P. Lucas Sr. Boulevard, over and across said Tract One, a distance of 1,729.72 feet to a point for corner;\*\*

THENCE North 89 degrees 00 minutes 27 seconds East, departing said parallel offset line, continuing over and across said Tract One, with the projected north right-of-way line of Creek Crossing (a 60 foot wide right-of-way as shown on the plat of CREEK CROSSING ESTATES NO. 13(A), AN AMENDING PLAT OF CREEK CROSSING ESTATES NO. 13, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 94006, Page 2489, D.R.D.C.T.), a distance of 2.64 feet to a point for corner;\*\*

THENCE South 00 degrees 59 minutes 33 seconds East, departing said projected right-of-way line, continuing over and across said Tract One, with a line offset 250 feet east of and parallel to the common west right-of-way line said Faithon P. Lucas Sr. Boulevard and the east line of said CREEK CROSSING ESTATES NO. 13(A) addition, a distance of 732.41 feet to the point of curvature of a tangent circular curve to the right having a radius of 1,200.00 feet whose chord bears South 01 degree 33 minutes 22 seconds West a distance of 106.72 feet;\*\*

REVIEWED BY *DLK* 12/24/10

PARCEL E-479  
CITY OF DALLAS RIGHT-OF-WAY  
18.84 ACRE TRACT  
WILLIAM S. LONG SURVEY, ABSTRACT NO. 825  
WM. S. ROBINSON SURVEY, ABSTRACT NUMBER 1262  
THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
ABSTRACT NO. 1026,  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE Southerly, continuing over and across said Tract One and with said 250 foot parallel offset line and with said curve, through a central angle of 05 degrees 05 minutes 49 seconds, an arc distance of 106.75 feet to a point for the intersection of said 250 foot parallel offset line with a line offset 150 feet northeasterly from and parallel to the aforementioned common southwesterly line of Tract One and said northeasterly right-of-way line of Berry Road, said point also being the beginning of a non-tangent circular curve to the left having a radius of 536.37 feet whose chord bears South 24 degrees 50 minutes 46 seconds East a distance of 357.85 feet;\*\*

THENCE Southeasterly, continuing over and across said Tract One, departing said 250 foot parallel offset line, with said 150 foot parallel offset line and with said curve, through a central angle of 38 degrees 58 minutes 24 seconds, an arc distance of 364.84 feet to a point for the end of said curve;\*\*

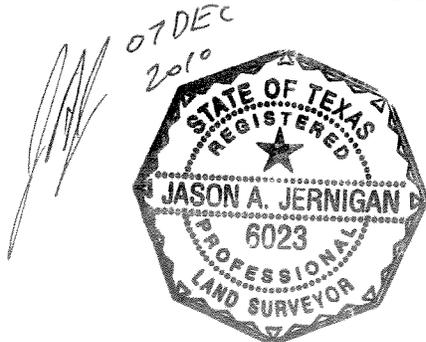
THENCE South 45 degrees 15 minutes 21 seconds East, continuing over and across said Tract One and with said 150 foot parallel offset line, a distance of 2,116.32 feet to the beginning of a non-tangent circular curve to the left having a radius of 5,579.58 feet whose chord bears South 45 degrees 35 minutes 18 seconds East a distance of 323.66 feet;\*\*

THENCE Southeasterly, continuing over and across said Tract One and with said 150 foot parallel offset line and with said curve, through a central angle of 03 degrees 19 minutes 27 seconds, an arc distance of 323.71 feet to a 1/2-inch set iron rod with cap for the end of said curve in the common southeasterly line of said Tract One and the aforementioned northwesterly line of said Blakely tract;

THENCE South 44 degrees 54 minutes 37 seconds West, departing said 150 foot parallel offset line, with said common line, a distance of 150.10 feet to the POINT OF BEGINNING and containing 820,828 square feet or 18.84 acres of land, more or less.

\*\*NOTE: Corner monumentation was not set for this point because right of entry was denied.

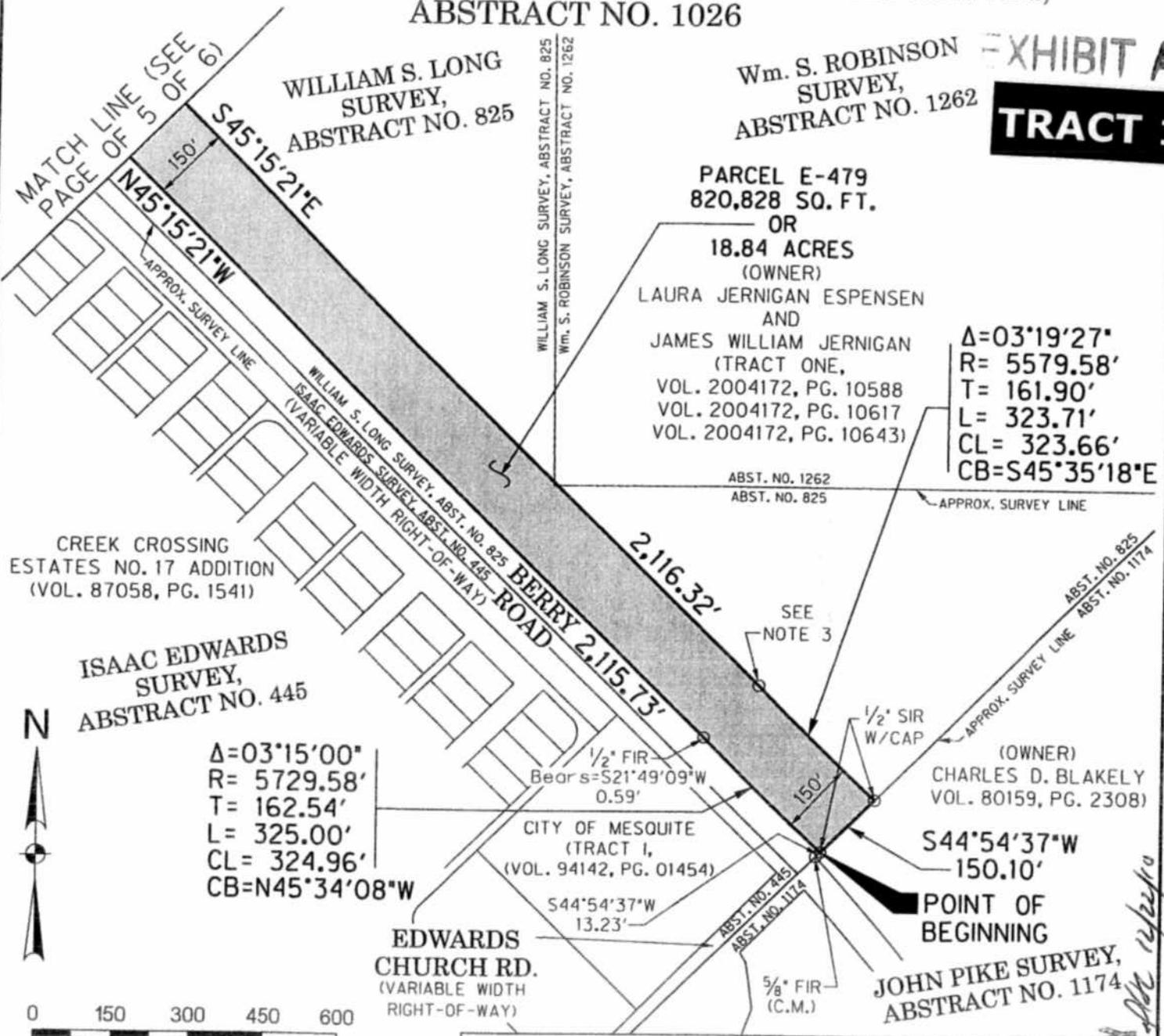
The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



REVIEWED BY *AKK* 12/22/10

WILLIAM S. LONG SURVEY, ABSTRACT NO. 825  
 WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262  
 THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
 ABSTRACT NO. 1026

121942  
**EXHIBIT A**  
**TRACT 1**



CREEK CROSSING  
 ESTATES NO. 17 ADDITION  
 (VOL. 87058, PG. 1541)

ISAAC EDWARDS  
 SURVEY,  
 ABSTRACT NO. 445

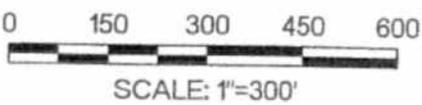
$\Delta=03^{\circ}15'00''$   
 $R= 5729.58'$   
 $T= 162.54'$   
 $L= 325.00'$   
 $CL= 324.96'$   
 $CB=N45^{\circ}34'08''W$

CITY OF MESQUITE  
 (TRACT 1,  
 (VOL. 94142, PG. 01454)

EDWARDS  
 CHURCH RD.  
 (VARIABLE WIDTH  
 RIGHT-OF-WAY)

(OWNER)  
 CHARLES D. BLAKELY  
 VOL. 80159, PG. 2308)

POINT OF  
 BEGINNING  
 JOHN PIKE SURVEY,  
 ABSTRACT NO. 1174



**LEGEND**

1/2" SIR	1/2-INCH SET IRON ROD WITH YELLOW
W/CAP	PLASTIC CAP STAMPED 'HALFF'
(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD

NOTES:  
 1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.  
 2. Metes and Bounds description of tract shown hereon was prepared of even date.  
 3. Corner monumentation was not set for this point because right of entry was denied.

**PARCEL E-479**  
**CITY OF DALLAS RIGHT-OF-WAY 18.84 ACRE TRACT**  
**WILLIAM S. LONG SURVEY, ABSTRACT NO. 825**  
**WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262**  
**THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,**  
**ABSTRACT NO. 1026**  
**CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



1201 N. BOWSER ROAD RICHARSON, TEXAS 75081  
 TELE. (214)346-6200 FAX (214)739-0095

DATE: DEC., 2010
AVO.: 25143
PAGE 4 OF 6

REVIEWED BY *John W. Halff*

RCHV25\_HPB100\_8-3x11.plt  
 Design  
 12/7/2010 4:28:11 PM ah1808 HALFF I:\25006\25143\CADD\EXHIBIT\EXB-478A-25143.dgn

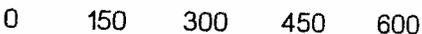
**WILLIAM S. LONG SURVEY, ABSTRACT NO. 825**  
**WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262**  
**THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY, ABSTRACT NO. 1026**

MATCH LINE (SEE PAGE OF 6 OF 6)

N

**CREEK CROSSING**

(60' RIGHT-OF-WAY AS SHOWN ON VOL. 94006, PG. 2489)



SCALE: 1"=300'

**HEIRS OF SAMUEL HOUSTON SURVEY, ABSTRACT NO. 1661**

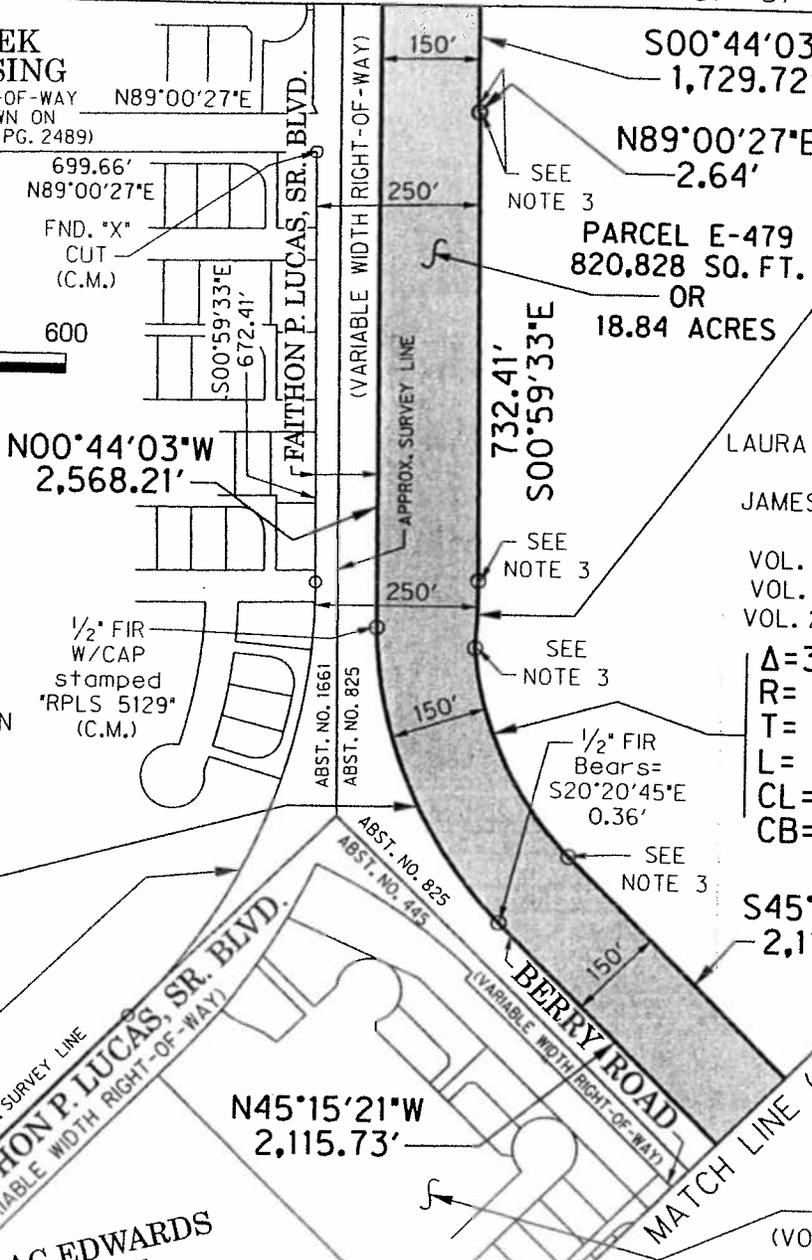
CREEK CROSSING ESTATES NO. 13(A), AN AMENDING PLAT OF CREEK CROSSING ESTATES NO. 13 ADDITION (VOL. 94006, PG. 2489)

$\Delta = 42^{\circ}52'40''$   
 $R = 686.37'$   
 $T = 269.52'$   
 $L = 513.65'$   
 $CL = 501.75'$   
 $CB = N23^{\circ}00'03''W$

$\Delta = 45^{\circ}55'36''$   
 $R = 950.00'$   
 $T = 402.53'$   
 $L = 761.49'$   
 $CL = 741.27'$   
 $CB = S21^{\circ}58'15''W$

**LEGEND**

- 1/2" SIR 1/2-INCH SET IRON ROD WITH YELLOW W/CAP
- (C.M.) PLASTIC CAP STAMPED "HALFF"
- FIR CONTROL MONUMENT
- FOUND IRON ROD



**WILLIAM S. LONG SURVEY, ABSTRACT NO. 825**

$\Delta = 05^{\circ}05'49''$   
 $R = 1200.00'$   
 $T = 53.41'$   
 $L = 106.75'$   
 $CL = 106.72'$   
 $CB = S01^{\circ}33'22''W$

(OWNER)  
 LAURA JERNIGAN ESPENSEN AND  
 JAMES WILLIAM JERNIGAN (TRACT ONE,  
 VOL. 2004172, PG. 10588  
 VOL. 2004172, PG. 10617  
 VOL. 2004172, PG. 10643)

$\Delta = 38^{\circ}58'24''$   
 $R = 536.37'$   
 $T = 189.80'$   
 $L = 364.84'$   
 $CL = 357.85'$   
 $CB = S24^{\circ}50'46''E$

$S45^{\circ}15'21''E$   
 2,116.32'

CREEK CROSSING ESTATES NO. 19, ADDITION (VOL. 96206, PG. 02353)

**NOTES:**

1. The Basis of Bearing Is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.
2. Metes and Bounds description of tract shown hereon was prepared of even date with this plat.
3. Corner monumentation was not set for this point because right of entry was not obtained.

**PARCEL E-479**  
**CITY OF DALLAS RIGHT-OF-WAY 18.84 ACRE TRACT**  
**WILLIAM S. LONG SURVEY, ABSTRACT NO. 825**  
**WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262**  
**THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY, ABSTRACT NO. 1026**  
**CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



1201 N. BOWSER ROAD RICHARSON, TEXAS 75081  
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DATE: DEC., 2010

AVO.: 25143

PAGE 5 OF 6

REVIEWED BY

Date 12/22/10

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WILLIAM S. LONG SURVEY, ABSTRACT NO. 825  
 WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262  
 THOMAS F. McKINNEY & SAMUEL M. WILLIAMS SURVEY, ABSTRACT NO. 1026

121942  
 EXHIBIT A  
**TRACT 1**

REUBEN W. ROWE SURVEY  
 ABSTRACT NO. 1631

THOMAS F. McKINNEY  
 & SAMUEL M. WILLIAMS  
 SURVEY,  
 ABSTRACT NO. 1026

PHASE B  
 CREEK CROSSING ESTATES  
 NO. 16 ADDITION  
 (VOL. 99167, PG. 00915)

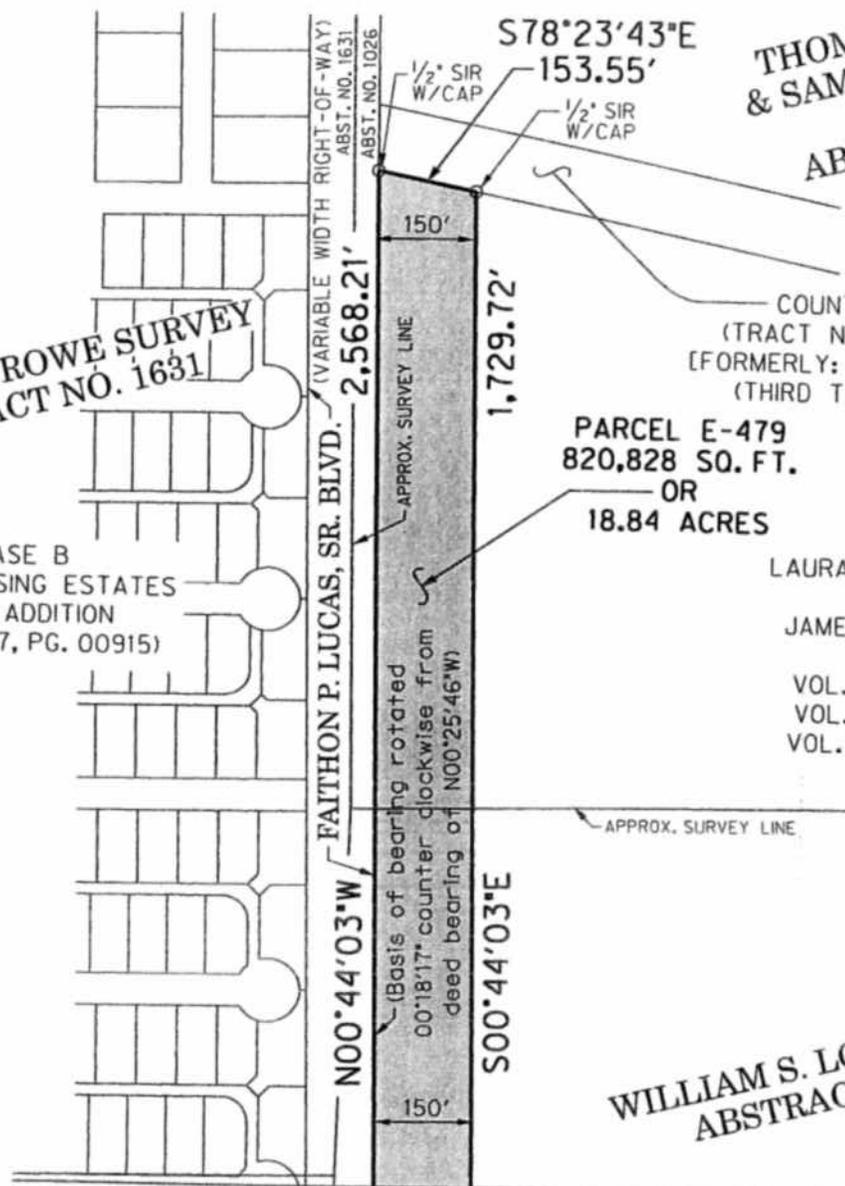
(OWNER)  
 COUNTY OF DALLAS, TEXAS  
 (TRACT NO. FIVE, VOL. 2158, PG. 314)  
 [FORMERLY: TEXAS INTERURBAN RAILWAY  
 (THIRD TRACT, VOL. 908, PG. 644)]

PARCEL E-479  
 820,828 SQ. FT.  
 OR  
 18.84 ACRES

(OWNER)  
 LAURA JERNIGAN ESPENSEN  
 AND  
 JAMES WILLIAM JERNIGAN  
 (TRACT ONE,  
 VOL. 2004172, PG. 10588  
 VOL. 2004172, PG. 10617  
 VOL. 2004172, PG. 10643)

ABST. NO. 1026  
 ABST. NO. 825

WILLIAM S. LONG SURVEY,  
 ABSTRACT NO. 825



SCALE: 1"=300'  
 LEGEND

- 1/2" SIR W/CAP (C.M.) FIR
- 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED 'HALFF'
- CONTROL MONUMENT
- FOUND IRON ROD

*Handwritten signature and date: 07 DEC 2010*



NOTES:  
 1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.  
 2. Metes and Bounds description of tract shown hereon was prepared of even date.  
 3. Corner monumentation was not set for this point because right of entry was denied.

PARCEL E-479  
 CITY OF DALLAS RIGHT-OF-WAY 18.84 ACRE TRACT  
 WILLIAM S. LONG SURVEY, ABSTRACT NO. 825  
 WM. S. ROBINSON SURVEY, ABSTRACT NO. 1262  
 THOMAS F. McKINNEY & SAMUEL M. WILLIAMS SURVEY,  
 ABSTRACT NO. 1026  
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS

**HALFF**  
 1201 N. BOWSER ROAD RICHARSON, TEXAS 75081  
 TELE. (214)346-6200 FAX (214)739-0095

DATE: DEC., 2010  
 AVO.: 25143  
 PAGE 6 OF 6

REVIEWED BY *John [unclear]*

RCH425\_HF8100\_8-8x11.plt Design 12/7/2010 4:26:22 PM ah1808 HALFF 1:260004251431CADDEXHBITVEXB-479C-25143.dgn

PARCEL E-007  
CITY OF DALLAS RIGHT-OF-WAY  
3.942 ACRE TRACT  
THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
ABSTRACT NO. 1026,  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Thomas F. McKinney & Samuel M. Williams Survey, Abstract No. 1026, City of Mesquite, Dallas County, Texas, and being part of that tract of land described as Tract One in the Correction Executor's Special Warranty Deed Without Title Examination to Laura Jernigan Espensen and James William Jernigan as recorded in Volume 2004172, Page 10588 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said Tract One being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien to Laura Jernigan Espensen as recorded in Volume 2004172, Page 10617, D.R.D.C.T., said Tract One also being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien to James William Jernigan as recorded in Volume 2004172, Page 10643, D.R.D.C.T., and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod for the northwest corner of said Tract One at the intersection of the southerly right-of-way line of Seyene Road (60 foot wide roadway by usage) with the east right-of-way line of Faithon P. Lucas Sr. Boulevard (a variable width right-of-way);

THENCE South 00 degrees 49 minutes 25 seconds East, with the common west line of said Tract One and said east right-of-way line of Faithon P. Lucas Boulevard, at a distance of 501.75 feet passing a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the northwest corner of a 100 foot wide right-of-way to the County of Dallas as recorded in Volume 84076, Page 1954, D.R.D.C.T., continuing with the common west line of said County of Dallas tract and said east right-of-way line of Faithon P. Lucas Boulevard, in all a total distance of 601.75 feet to a 1/2-inch set iron rod with cap for the southwest corner of said County of Dallas right-of-way tract and for the POINT OF BEGINNING;

THENCE North 89 degrees 04 minutes 55 seconds East, departing said common line, with the south right-of-way line of said County of Dallas tract, a distance of 171.37 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 00 degrees 44 minutes 03 seconds East, departing said south right-of-way line, over and across said Tract One, a distance of 1,128.51 feet to a 1/2-inch set iron rod with cap for corner on the north line of that tract of land described as Third Tract in deed to Texas Interurban Railway as recorded in Volume 908, Page 644, D.R.D.C.T.;

REVIEWED BY *Doc 1/10/11*

PARCEL E-007  
CITY OF DALLAS RIGHT-OF-WAY  
3.942 ACRE TRACT  
THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
ABSTRACT NO. 1026,  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE North 78 degrees 23 minutes 43 seconds West, with said north line, a distance of 153.55 feet to a 1/2-inch set iron rod with cap for the intersection of said south line with the aforementioned common west line of said Tract One and said east right-of-way line of Faithon P. Lucas Sr. Boulevard;

THENCE North 00 degrees 44 minutes 03 seconds West, departing said north line, with said common line, a distance of 370.12 feet to a 1/2-inch found iron rod stamped "RPLS 5129" for corner;

THENCE North 00 degrees 50 minutes 41 seconds West, continuing with said common line, a distance of 354.00 feet to a point for corner from which a 5/8-inch found iron rod stamped "CLS 5129" bears North 65 degrees 36 minutes 54 seconds West a distance of 0.27 of a foot;

THENCE North 04 degrees 39 minutes 41 seconds West, continuing with said common line, a distance of 300.48 feet to a found "X" cut in concrete for corner;

THENCE North 00 degrees 49 minutes 25 seconds West, continuing with said common line, a distance of 71.25 feet to the POINT OF BEGINNING and containing 171,709 square feet or 3.942 acres of land, more or less.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

*JA*  
24 SEP  
2010



REVIEWED BY *DBE* 1/18/11

THOMAS F. McKINNEY & SAMUEL M. WILLIAMS **121942**  
 SURVEY, ABST. NO. 1026

**EXHIBIT A**  
**TRACT 2**

JAMES M. SEWELL SURVEY,  
 ABSTRACT NO. 1358

JAMES M. B...  
 ABST...

POINT OF COMMENCING

(OWNER)  
 LAURA JERNIGAN ESPENSEN  
 AND  
 JAMES WILLIAM JERNIGAN  
 (TRACT TWO,  
 VOL. 2004172, PG. 10588)

POINT OF BEGINNING

EASTGLEN BLVD.  
 (100' R.O.W.)

FAITHON P.  
 LUCAS, SR. BLVD.

501.75'  
 500°49'25"E  
 601.75'

5/8" FIR  
 (C.M.)

(OWNER)  
 LAURA JERNIGAN ESPENSEN AND  
 JAMES WILLIAM JERNIGAN  
 (TRACT ONE,  
 VOL. 2004172, PG. 10588)

ABST. NO. 85  
 ABST. NO. 1026

N89°04'55"E  
 171.37'

100' R.O.W. COUNTY OF DALLAS  
 (VOL. 84076, PG. 1954)

N00°49'25"W  
 71.25'

N04°39'41"W  
 300.48'

FND. "X"  
 (C.M.)

(OWNER)  
 LAURA JERNIGAN ESPENSEN AND  
 JAMES WILLIAM JERNIGAN  
 (TRACT THREE,  
 VOL. 2004172, PG. 10588)

FAITHON P. LUCAS, SR. BLVD.  
 (VARIABLE WIDTH RIGHT-OF-WAY)

N00°50'41"W  
 354.00'

5/8" FIR  
 W/CAP  
 \*CLS 5129\*  
 Bears=N65°36'54"W  
 0.27'

1/2" FIR  
 W/CAP  
 \*RPLS 5129\*

S00°44'03"E  
 1,128.51'

(OWNER)  
 LAURA JERNIGAN ESPENSEN AND  
 JAMES WILLIAM JERNIGAN  
 (TRACT ONE,  
 VOL. 2004172, PG. 10588  
 VOL. 2004172, PG. 10617  
 VOL. 2004172, PG. 10643)

PARCEL E-007  
 171,709 SQ. FT.  
 OR  
 3.942 ACRES

NEWSOM ROAD (VARIABLE R.O.W.)

N00°44'03"W  
 370.12'

N78°23'43"W  
 153.55'

TEXAS INTERURBAN RAILWAY  
 (THIRD TRACT, VOL. 908, PG. 644)



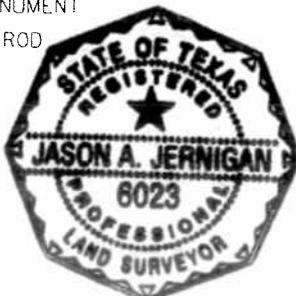
0 150 300 450 600

SCALE: 1"=300'

LEGEND

- 1/2" SIR 1/2-INCH SET IRON ROD WITH YELLOW
- W/CAP PLASTIC CAP STAMPED "HALFF"
- (C.M.) CONTROL MONUMENT
- FIR FOUND IRON ROD

*Handwritten signature and date: 24 SEP 2010*



NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.
2. Metes and Bounds description of tract shown hereon was prepared of even date.

PARCEL E-007  
 CITY OF DALLAS RIGHT-OF-WAY  
 3.942 ACRE TRACT  
 THOMAS F. McKINNEY & SAMUEL M. WILLIAMS SURVEY,  
 ABSTRACT NO. 1026  
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS



1201 N. BOWSER ROAD RICHARSON, TEXAS 75081  
 TELE. (214)346-6200 FAX (214)739-0095

DATE: SEPT., 2010

AVG.: 25143

PAGE 3 OF 3

REVIEWED BY *DATE 1/18/11*

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Design

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PARCEL E-006  
CITY OF DALLAS RIGHT-OF-WAY  
1.862 ACRE TRACT  
JAMES M. BENNETT SURVEY, ABSTRACT NUMBER 85  
THOMAS F. MCKINNEY & SAMUEL M. WILLIAMS SURVEY,  
ABSTRACT NO. 1026  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Thomas F. McKinney & Samuel M. Williams Survey, Abstract No. 1026, and the James Bennett Survey, Abstract No. 85, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described as Tract One in the Correction Executor's Special Warranty Deed Without Title Examination to Laura Jernigan Espensen and James William Jernigan as recorded in Volume 2004172, Page 10588 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said Tract One being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien to Laura Jernigan Espensen as recorded in Volume 2004172, Page 10617, D.R.D.C.T., said Tract One also being the same as that tract of land described in Trustee's Special Warranty Deed Without Title Examination With Vendor's Lien to James William Jernigan as recorded in Volume 2004172, Page 10643, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 5/8-inch found iron rod for the northwest corner of said Tract One at the intersection of the southerly right-of-way line of Scyene Road (60 foot wide public right-of-way as described in said Volume 2004172, Page 10588, D.R.D.C.T.) with the east right-of-way line of Faithon P. Lucas Boulevard (a variable width right-of-way);

THENCE South 71 degrees 48 minutes 17 seconds East, with the common north line of said Tract One and said southerly right-of-way line of said Scyene Road, a distance of 182.17 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

THENCE South 00 degrees 44 minutes 03 seconds East, departing said common line, over and across said Tract One, a distance of 442.10 feet to a 1/2-inch set iron rod with cap for corner said on the north right-of-way line of a 100 foot wide right-of-way to the County of Dallas as recorded in Volume 84076, Page 1954, D.R.D.C.T.;

THENCE South 89 degrees 04 minutes 55 seconds West, with said north line, a distance of 171.53 feet to a 1/2-inch set iron rod with cap for the northwest corner of said 100 foot wide County of Dallas right-of-way, said point also being on said east right-of-way line of said Faithon P. Lucas Boulevard;

THENCE North 00 degrees 49 minutes 25 seconds West, departing said north right-of-way line, along the common west line of said Tract One and said east right-of-way line of said Faithon P. Lucas Boulevard, a distance of 501.75 feet to the POINT OF BEGINNING and containing 81,123 square feet or 1.862 acres of land, more or less.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

*MAJ*  
24 SEP  
2010



