

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

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

"CITY": The City of Dallas

"PROPERTY": Approximately 206,057 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

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

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple Title subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B"

"OWNER": Gloria Bradford Rice, 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.

"PURCHASE AMOUNT": \$30,908

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,500

"AUTHORIZED AMOUNT": Not to exceed \$33,408

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 CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

November 14, 2012

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. 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 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

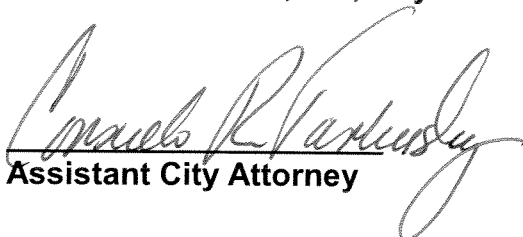
SECTION 6. That in the event this acquisition closes, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund No. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CTDWU706623CPCC. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

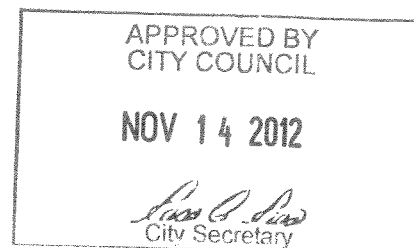
SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

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:
THOMAS P. PERKINS, JR., City Attorney

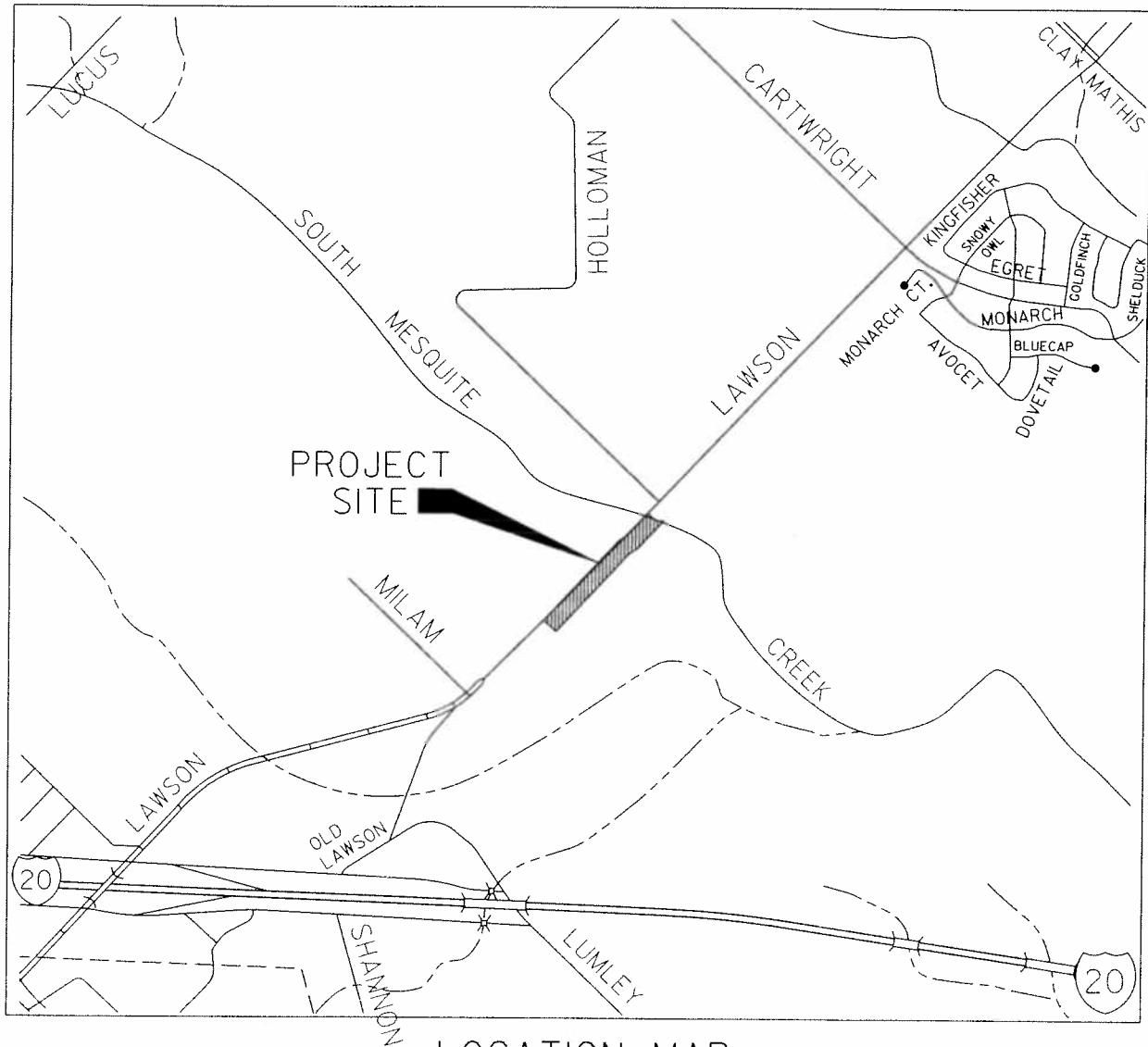
BY


Assistant City Attorney



PARCEL E-018
FIELD NOTES DESCRIBING A
206,057 SQUARE FOOT (4.730 ACRE) TRACT
FOR CITY OF DALLAS FEE ACQUISITION
FROM GLORIA POWER PALMER
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

122761



LOCATION MAP

NOT TO SCALE

**PARCEL E-018
FIELD NOTES DESCRIBING A
206,057 SQUARE FOOT (4.730 ACRE) TRACT
FOR CITY OF DALLAS FEE ACQUISITION
FROM GLORIA POWER PALMER
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEING a 206,057 square foot (4.730 acre) tract of land situated in the John M. Harding Survey, Abstract No. 569, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed (With Vendor's Lien) dated November 5, 1965, to George Lynn Palmer and wife, Gloria Power Palmer as recorded in Volume 699, Page 0281 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), same being that tract of land described in Quit Claim Deed dated April 1969 from George Lynn Palmer to Gloria Power Palmer, as recorded in Volume 89024, Page 2921, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a point for the north corner of that tract of land described in deed to Warren Lynch and spouse, Jeanne Lynch as recorded in Instrument Number 20080160473 of the Official Pubic Records of Dallas County, Texas, said point also being in the southeast right-of-way line of Lawson Road (a variable width right-of-way established in part by instruments recorded in Volume 95120, Page 01738 and Volume 2002180, Page 06077, both D.R.D.C.T.), and from which a 1/2-inch found iron rod with cap stamped "RPLS 5310" bears South 41 degrees 58 minutes 49 seconds East a distance of 1.10 feet;

THENCE with the said southeast right-of-way of Lawson Road through the following courses and distances:

North 44 degrees 16 minutes 48 seconds East, a distance of 997.64 feet to 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

North 57 degrees 40 minutes 21 seconds East, a distance of 86.35 feet to 1/2-inch found iron rod with "NDM RPLS# 2609" cap for corner;

North 44 degrees 16 minutes 48 seconds East, a distance of 282.47 feet to point in the middle of South Mesquite Creek, same being the common northeast line of said Palmer tract and the southwest line of that tract of land described as First Tract in deed to the City of Mesquite, Texas as recorded in Volume 4896, Page 83, D.R.D.C.T.;

THENCE South 43 degrees 26 minutes 12 seconds East, with the middle of said South Mesquite Creek and with said common line, a distance of 92.43 feet to point for corner;

THENCE South 86 degrees 56 minutes 12 seconds East, continuing with the middle of said South Mesquite Creek and with said common line, a distance of 76.63 feet to a 1/2-inch set iron rod with cap for corner;

REVIEWED BY *ldr* 5/12/11

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CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE over and across said Palmer tract and with a line offset 150 feet southeasterly from and parallel to said southeast right-of-way line of Lawson Road through the following courses and distances:

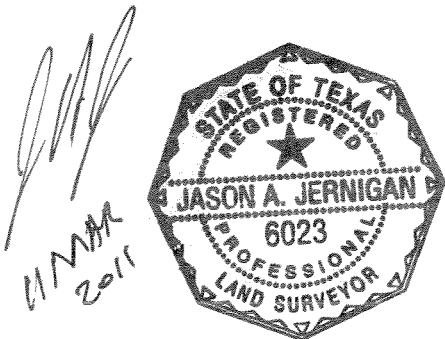
South 44 degrees 16 minutes 48 seconds West, departing the middle of said South Mesquite Creek and said common line, a distance of 346.89 feet to a 1/2-inch set iron rod with cap for corner;

South 57 degrees 40 minutes 21 seconds West a distance of 86.35 feet to a 1/2-inch set iron rod with cap for corner;

South 44 degrees 16 minutes 48 seconds West a distance of 980.23 feet to a 1/2-inch set iron rod with cap for corner on the northeast line of the aforementioned Lynch tract;

North 45 degrees 38 minutes 31 seconds West, departing said parallel offset line, with said northeast line of said Lynch tract, a distance of 150.00 feet to the POINT OF BEGINNING and containing 206,057 square feet (4.730 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.



REVIEWED BY *AKK* 5/12/11

JOHN M. HARDING SURVEY,
ABSTRACT NO. 569

EXHIBIT A

122761

JOHN P. ANDERSON SURVEY,
ABSTRACT NO. 1

0 150 300 450 600

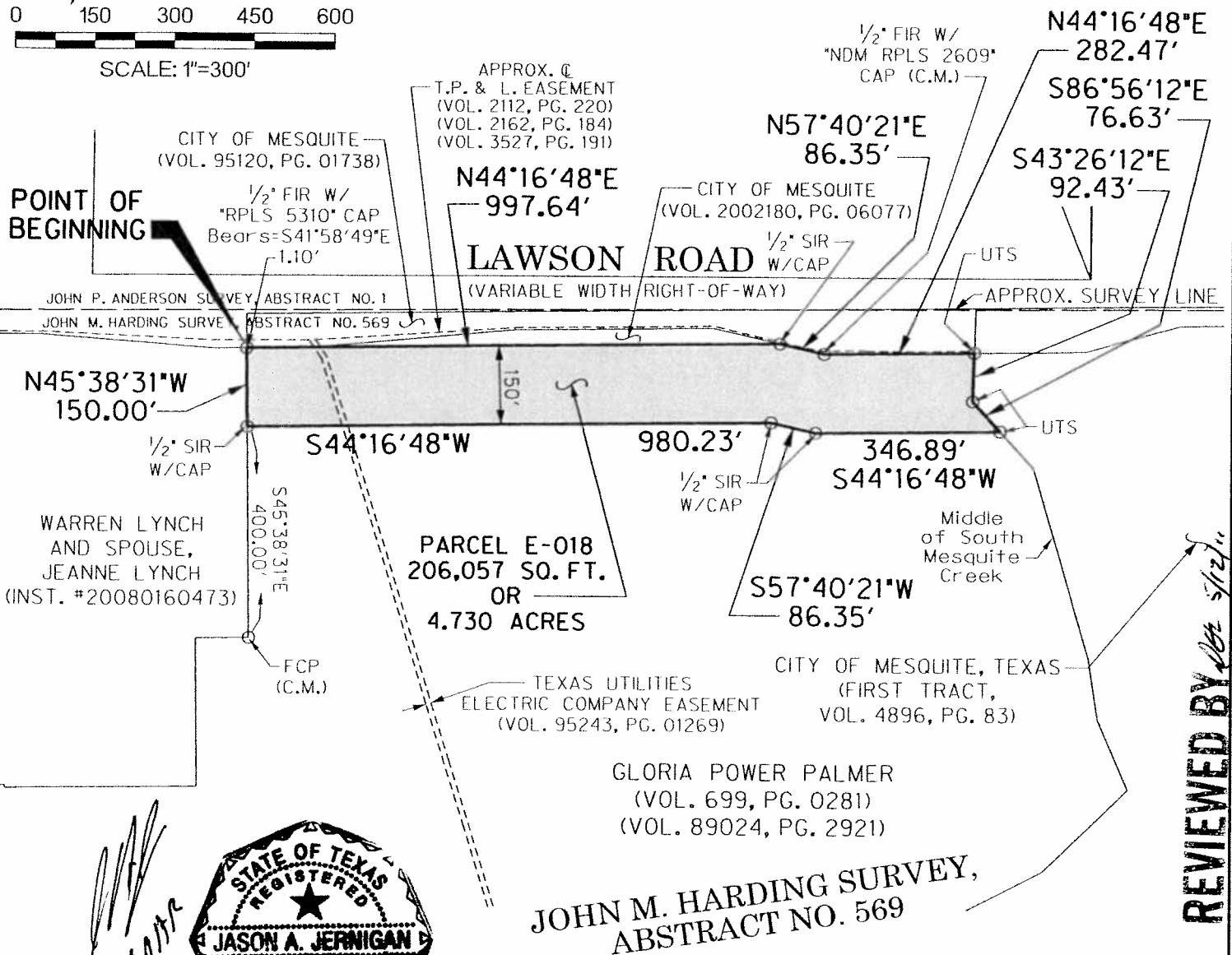
SCALE: 1"=300'

2S_HP8100_MON_FS_FW.plt

Design

1:250000x25143/CADD/EXHIBIT/VEB-018-25143.DGN

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REVIEWED BY *Per 5/12/11*

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.

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CITY OF MESQUITE, DALLAS COUNTY, TEXAS



HALFF*

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

DATE: MARCH, 2011

AVO.: 25143

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Gloria Bradford Rice and Michael Ray Rice, a married couple (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THIRTY THOUSAND NINE HUNDRED EIGHT AND 00/100 DOLLARS (\$30,908.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Gloria Bradford Rice

Michael Ray Rice

* * * * * 122761

STATE OF TEXAS '

COUNTY OF DALLAS '

This instrument was acknowledged before me on _____

by Gloria Bradford Rice.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '

COUNTY OF DALLAS '

This instrument was acknowledged before me on _____

by Michael Ray Rice.

Notary Public, State of TEXAS

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Andrews

Warranty Deed Log No. 36757