

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": Approximately 4,871 square feet of land located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Goodnight Lane Phase I

"USE": the construction, use, and maintenance of a public thoroughfare

"PROPERTY INTEREST": Fee Simple

"OWNER": Master Cleaning Supply, Inc., 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": \$320,300.00

"CLOSING COSTS": Not to exceed \$5,000.00

"AUTHORIZED AMOUNT": \$325,300.00

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 payable out of Street and Transportation Improvements fund, Fund No. 1T22, Department PBW, Unit U788, Activity THRF, Program No. PB06U788, Object 4210, Encumbrance No. CT-SUSAB036213. The OFFER AMOUNT and the CLOSING COSTS together shall not exceed the AUTHORIZED AMOUNT.

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.

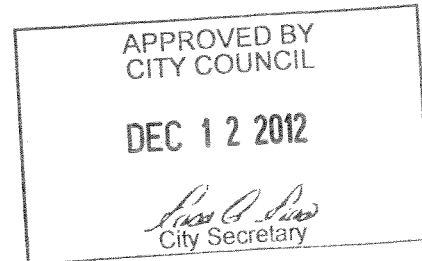
SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check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



GOODNIGHT LANE - PARCEL NO. 3
PROPERTY OF "MASTER CLEANING SUPPLY, INC.,
A TEXAS CORPORATION, DBA MASTER SUPPLY SOURCE"
CITY OF DALLAS, BLOCK 6545
DALLAS COUNTY, TEXAS
WILLIAM COCHRAN SURVEY, ABSTRACT NO. 279

Page 1 of 5
August 25, 2010

BEING a total of 4,871 square feet of land situated in the William Cochran Survey, Abstract No. 279, in the City of Dallas, Dallas County, Texas, and being further located in Block 6545, official City of Dallas numbers and being part of a called 2.2235 acre tract of land conveyed to "Master Cleaning Supply, Inc., a Texas corporation, dba Master Supply Source", by General Warranty Deed recorded in Volume 2005139, Page 01727 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and being more particularly described in two (2) parts by metes and bounds as follows:

PART 1

COMMENCING at the northwest corner of said Master Cleaning Supply, Inc. tract, said corner lying at the intersection of the existing south right of way line of Royal Lane (a variable width right of way) with the northeast corner of Lot 2B in Block 1/6545 of the Glin-Hee Hong Addition, an addition to the City of Dallas, Texas as recorded in Volume 2001070, Page 01115 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), from said point a found ½" iron rod (controlling monument) bears South 00°38'39" East, 3.02 feet;

THENCE North 89°12'15" East, departing the east line of said Glin-Hee Hong Addition and along the common north line of said Master Cleaning Supply, Inc. tract and the existing south right of way line of said Royal Lane, a distance of 100.32 feet to a set P.K. nail and being the **POINT OF BEGINNING**, (grid northing 7012434.82 and grid easting 2458866.06);

THENCE North 89°12'15" East, continuing along said common line, a distance of 55.38 feet to a set "X" cut in concrete located at the northeast corner of said Master Cleaning Supply, Inc. tract and the northwest corner of Lot 1 in Block A/6546 of the Curl Subdivision, an addition to the City of Dallas, Texas as recorded in Volume 78180, Page 1187 (D.R.D.C.T.), same being the northwest corner of a 16,609 square foot tract of land conveyed to Curl Floor Equipment and Supply, Inc. by deeds recorded in Volume 77001, Page 1824 and Volume 78037, Page 1422 (D.R.D.C.T.);

THENCE South 00°28'36" East, departing the existing south right of way line of said Royal Lane and along the common east line of Block 6545, the west line of Block 6546, the east line of said Master Cleaning Supply, Inc. tract and the west line of said Lot 1 in Block A/6546, a distance of 194.56 feet to a set "X" cut in concrete and being the beginning of a non-tangent curve to the left, having a radius of 387.50 feet and a chord which bears North 10°46'54" West, 75.22 feet;

THENCE in a northwesterly direction, departing the last mentioned common line and along said curve to the left, through a central angle of 11°08'24", an arc distance of 75.34 feet to a set "X" cut in concrete and being the beginning of a reverse curve to the right, having a radius of 452.50 feet and a chord which bears North 10°11'40" West, 97.06 feet;

REVIEWED BY *DR 12/14/10*

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CITY OF DALLAS, BLOCK 6545
DALLAS COUNTY, TEXAS
WILLIAM COCHRAN SURVEY, ABSTRACT NO. 279

THENCE continuing in a northwesterly direction along said reverse curve, through a central angle of 12°18'48", an arc distance of 97.25 feet to a set "X" cut in concrete;

THENCE North 46°34'05" West, a distance of 35.45 feet to the **POINT OF BEGINNING** and containing approximately 3,702 square feet or 0.0849 acre of land;

PART 2

COMMENCING at the northeast corner of said Master Cleaning Supply, Inc. tract, same being the northwest corner of said Lot 1 in Block A/6546;

THENCE South 00°28'36" East, departing the existing south right of way line of said Royal Lane and along the common east line of Block 6545, the west line of Block 6546, the east line of said Master Cleaning Supply, Inc. tract and the west line of said Lot 1 in Block A/6546, passing at a distance of 234.92 feet the most southerly corner of said Lot 1 in Block A/6546 at a set 5/8" iron rod with cap marked "LTRA" (hereafter referred to as set 5/8" iron rod) and continuing along the westerly line of a called 5,053 square foot tract conveyed to the County of Dallas by Right of Way Deed recorded in Volume 90245, Page 1791 (D.R.D.C.T.), a total distance of 291.79 feet to a set 5/8" iron rod and being the **POINT OF BEGINNING**, (grid northing 7012143.86 and grid easting 2458923.85);

THENCE South 00°28'36" East continuing along the east line of said Master Cleaning Supply, Inc. tract and the west line of said County of Dallas Right of Way tract, passing at 62.36 feet the northwest corner of a tract of land conveyed to Dallas County, Texas by deed recorded in Volume 1672, Page 616 (D.R.D.C.T.) and continuing along the westerly line of same, a total distance of 329.19 feet to the northeast corner of Tract II as conveyed to David W. Anderson and Jacquelyn H. Anderson by deed recorded in Volume 97192, Page 05163 (D.R.D.C.T.) and to a point lying inside a 24" Oak Tree;

THENCE South 89°12'15" West, departing the west line of said Dallas County, Texas tract and along the common north line of said David W. Anderson and Jacquelyn H. Anderson tract and the south line of said Master Cleaning Supply, Inc. tract, a distance of 6.44 feet to a set 5/8" iron rod for the beginning of a non-tangent curve to the right, having a radius of 452.50 feet and a chord which bears North 00°49'15" West, 25.04 feet;

THENCE in a northerly direction, departing the common north line of said David W. Anderson and Jacquelyn H. Anderson tract and the south line of said Master Cleaning Supply, Inc. tract and along said curve to the right, through a central angle of 03°10'17", an arc distance of 25.05 feet to the end of said curve and a set 5/8" iron rod;


REVIEWED BY *Don 12/14/10*

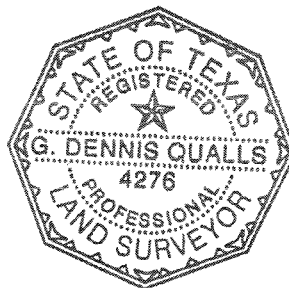
GOODNIGHT LANE - PARCEL NO. 3
PROPERTY OF "MASTER CLEANING SUPPLY, INC.,
A TEXAS CORPORATION, DBA MASTER SUPPLY SOURCE"
CITY OF DALLAS, BLOCK 6545
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WILLIAM COCHRAN SURVEY, ABSTRACT NO. 279

THENCE North 00°45'54" East, a distance of 304.26 feet to the **POINT OF BEGINNING** and containing approximately 1,169 square feet or 0.0268 acre of land in Part 2 of this description wherein the total area for Part 1 and Part 2 contains approximately 4,871 square feet or 0.1117 acre of land and being subject to a Wastewater Easement recorded in Volume 92056, Page 1182, a Water Easement recorded in Volume 92056, Page 1178, and a Drainage Easement recorded in Volume 91072, Page 3119.

A Survey Plat of even date accompanies this property description.

BASIS OF BEARING is a line between City of Dallas Control Monument for Goodnight Lane No. 112 (North 7011511.819, East 2459043.674 Grid Coordinates) and City of Dallas Control Monument for Goodnight Lane No. 100 (North 7012435.857, East 2458944.275 Grid Coordinates), North American Datum 1983 (1993), which is North 06°08'23" West - Texas State Plane, North Central Zone (4202). Coordinates may be converted using a grid to surface adjustment factor of 1.000136506.


G. Dennis Qualls Date
Registered Professional Land Surveyor
Texas No. 4276



Lina T. Ramey & Associates, Inc.
1349 Empire Central, Suite 900
Dallas, Texas 75247
Ph. 214-979-1144

REVIEWED BY 

LTRA

LINA T. RAMEY & ASSOCIATES, INC.
1349 Empire Central, Suite 900
Dallas, Texas 75247
FIRM REGISTRATION NO. F-782

PAGE
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OF

**PARCEL 3
GOODNIGHT LANE
RIGHT OF WAY ACQUISITION
FROM: MASTER CLEANING
SUPPLY, INC.
BLOCK:6545**

123012
EXHIBIT A

SCALE: 1"=40'

LEGEND

- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCING
- I.R. = IRON ROD
- I.P. = IRON PIPE
- 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
- CM = CONTROLLING MONUMENT
- = SET '5/8" IRON ROD WITH
CAP MARKED 'LTRA'
(UNLESS OTHERWISE NOTED)
- = FOUND MONUMENT

MATCH LINE PAGE 4 OF 5

BLOCK 6545

**WILLIAM COCHRAN
SURVEY
ABSTRACT NO. 279**

**MASTER CLEANING
SUPPLY, INC., A
TEXAS CORPORATION,
DBA MASTER
SUPPLY SOURCE**

**2.2235 AC.
VOL. 2005139, PG. 01727
O.P.R.D.C.T.**

**PART 1 - 3,702 SQ. FT.
PART 2 - 1,169 SQ. FT.
TOTAL - 4,871 SQ. FT., 0.1118 ACRES**

GLIN-HEE HONG ADDITION
VOL. 2001070, PG. 01115
D.R.D.C.T.

S00°38'39"E 517.70'

P

FND. 12" I.R.
CM

**BLOCK
16545**

LOT 2B

COUNTY OF DALLAS,
DRAINAGE EASEMENT
20,971 SQ. FT.
VOL. 91072, PG. 3119
D.R.D.C.T.

R-452.50'
L-25.05'
DELTA-03°10'17"
CB-N00°49'15"W
CD-25.04'

TRACT II
DAVID W. ANDERSON AND
JACQUELYN H. ANDERSON
VOL. 97192, PG. 05163
D.R.D.C.T.

889°12'15"W
6.44'
24" OAK TREE

WATER EASEMENT
VOL. 92056, PG. 1178

15' SAN. SEWER ESMT.
VOL. 92056, PG. 1182

N00°45'54"E 304.26'

266.83'

S00°28'36"E

**PART 2
1,169 SQ. FT.
0.0268 AC.**

20' WASTE WATER ESMT.
VOL. 92013, PG. 4814

WATER EASEMENT
VOL. 92013, PG. 4818

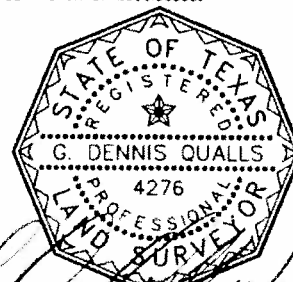
COUNTY OF DALLAS,
VOL. 90245, PG. 791
D.R.D.C.T.

CITY OF DALLAS,
DRAINAGE EASEMENT
VOL. 92013, PG. 4824
D.R.D.C.T.

DALLAS COUNTY, TEXAS
VOL. 1672, PG. 616
D.R.D.C.T.

NOTE:
PARCEL ESTABLISHED PER CITY OF DALLAS - COUNCIL
APPROVED ALIGNMENT - FILE: 220-25 ON FILE IN THE
CITY OF DALLAS PUBLIC WORKS & TRANSPORTATION
SURVEY RECORDS VAULT.

BASIS OF BEARINGS IS A LINE BETWEEN CITY OF
DALLAS CONTROL MONUMENT FOR GOODNIGHT LN.
NO. 02 (NORTH 70°51.819', EAST 2459043.674
GRID COORDINATES) & CITY OF DALLAS CONTROL
MONUMENT FOR GOODNIGHT LN. NO. 100 (NORTH
70°2435.857', EAST 2458944.275 GRID COORDINATES).
NORTH AMERICAN DATUM 1983 (1993), WHICH IS
N06°08'23"W TEXAS STATE PLANE, NORTH CENTRAL
ZONE (4202). ALL COORDINATES SHOWN ARE SURFACE
UNLESS OTHERWISE NOTED AND MAY BE CONVERTED
TO GRID BY DIVIDING BY THE TxDOT COMBINED
SCALE FACTOR OF 1.000136506.



G. DENNIS QUALLS, R.P.L.S. NO. 4276 DATE 12/2/2010

REVIEWED BY *CKR* 12/14/10



LINA T. RAMEY & ASSOCIATES, INC.
1349 Empire Central, Suite 900
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FIRM REGISTRATION NO. F-782

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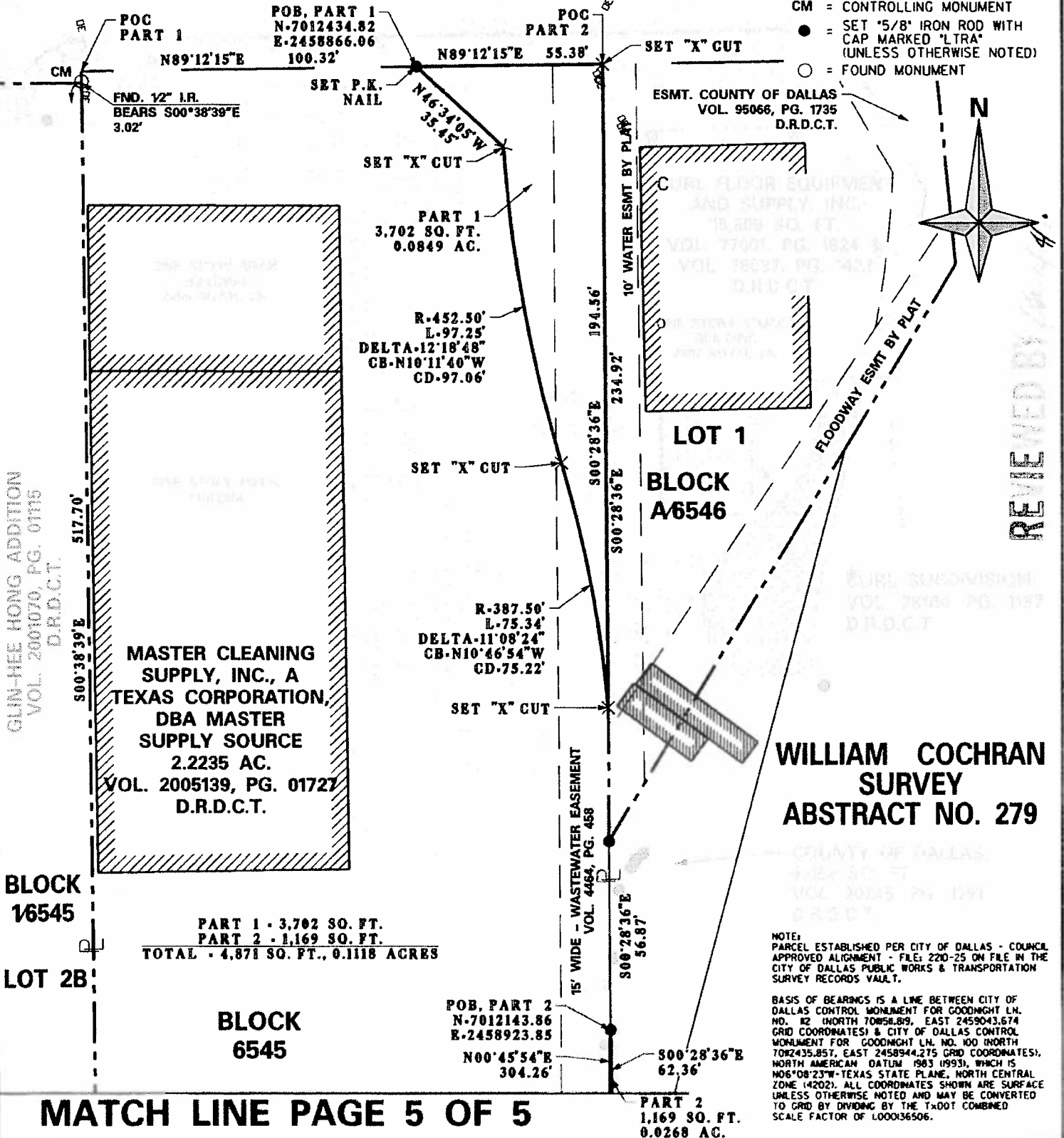
**PARCEL 3
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- = FOUND MONUMENT

**ROYAL LANE
(VARIABLE WIDTH RIGHT-OF-WAY)**



MATCH LINE PAGE 5 OF 5