

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on June 13, 2012, City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520 as amended; and

WHEREAS, the City desires to enter into a real property tax abatement agreement with The Grocers Supply Co., Inc. for added value to real property located at the intersection of Cleveland Road and Blanco Road within an Enterprise Zone.

NOW, THEREFORE,

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

Section 1. That the City Manager upon approval as to form by the City Attorney is hereby authorized to execute a real property tax abatement agreement with The Grocers Supply Co., Inc. for added value to the real property in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

Section 2. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 3. That the real property which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within an Enterprise Zone.

Section 4. That the tax abatement agreement shall provide, among other provisions, the following:

- (a) The Property subject to tax abatement shall be located entirely within an Enterprise Zone, City of Dallas, Texas.
- (b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

Section 4. (Continued)

- (c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.
- (d) The City will provide The Grocers Supply Co., Inc. a 90 percent abatement of the added value to the real property for a period of ten years for real property located within an Enterprise Zone as provided in **Exhibit A (Metes and Bounds)**. The tax abatement will commence on or before January 1, 2015.
- (e) That the \$50,000,000 in proposed real property improvements will be substantially completed by December 31, 2014. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.
- (f) That the company shall employ minimum 250 full time employees at the facility by April 15, 2015 and retain a minimum of 250 employees for the remainder of the term of the tax abatement.
- (g) That a proportionate percentage of the property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if improvements to real property are not made as provided by the tax abatement agreement.
- (h) A description of the kind, number, location and costs of all proposed improvements to the Property will be provided to the Office of Economic Development.
- (i) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.
- (j) A requirement that the owner of the Property certify annually to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement.
- (k) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.

Section 4. (Continued)

- (l) That the tax abatement agreement shall be personal to The Grocers Supply Co. Inc. and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

Section 5. That this resolution 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 BY
CITY COUNCIL

JUN 12 2013


City Secretary

EXHIBIT A**METES & BOUNDS****DLH Master Parcel # 43**

129.09 Acres

W.H. Newton Survey, Abstract No. 1074

C.C. Overton Survey, Abstract No. 1102

City of Dallas, Dallas County, Texas

TRACT 1

BEING a tract of land situated in the W.F. Newton Survey, Abstract No.1084 and the C.C. Overton Survey, Abstract No. 1102, in Dallas city Block No. 8279, in the City of Dallas, Dallas county, Texas, and being a portion of a 129.089 acre tract of land described in deed to DLH Master Parcel ##42-52 as described in a Special Warranty Deed recorded in Instrument No. 200600038747 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a nail found for the intersection of the approximate centerline of Blanco road (a variable width prescriptive right of way) and the approximate centerline of Cleveland road (a variable width prescriptive right-of-way) for the northwest corner of said 129.089 acre tract;

THENCE N 85°38'07" E, along the north line of said 129.089 acre tract and the approximate centerline of said Cleveland road, a distance of **2,244.35 feet** to a 5/8-inch iron rod with "KHA" cap set for corner at the beginning of a curve to the left, through a central angle of 31°05'07", a radius of 1,300.00 feet and a chord bearing and distance of South 22°09'38" West, 696.69 feet;

THENCE along said curve to the left, an arc length of **705.30 feet** to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE South 06°37'04" West, a distance of **1967.34 feet** to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE South 25°41'39" West, a distance of **70.95 feet** to a 5/8-inch iron rod with "KHA" cap set for corner at the beginning of a curve to the left, through a central angle of 11°38'40", a radius of 703.80 feet and a chord bearing and distance of South 19°52'19" West, 142.79 feet;

THENCE along said curve to the left, an arc length of **143.04 feet** to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE South 14°02'59" West, a distance of **367.29 feet** to a 5/8-inch iron rod with "KHA" cap set for corner on the east right of way line of said Blanco road;

THENCE South 62°51'56" West, along the south line of said 129.089 acre tract and the approximate centerline of said Blanco Road, a distance of **551.85 feet** to a p.k. nail found for the southwest corner of said 129.089 acre tract in the east line of a tract of land described in deed to Dallas Power and Light Company, as recorded in Volume 70131, Page 423, of the Deed Records of Dallas County, Texas;

DLH Master Parcel # 43

EXHIBIT A

THENCE **North 31°22'30" West**, along the west line of said 129.089 acre tract and the common east line of said Dallas Power and Light Company tract, a distance of **1,261.56 feet** to a railroad spike found for corner in the approximate centerline of said Blanco Road;

THENCE along the west line of said 129.089 acre tract and the approximate centerline of said Blanco road, the following courses and distances:

North 28°59'45" East, a distance of **204.11 feet** to a railroad spike found for corner;

North 23°29'36" East, a distance of **32.31 feet** to a railroad spike found for corner;

North 19°11'49" East, a distance of **65.19 feet** to a railroad spike found for corner;

North 03°35'15" East, a distance of **56.17 feet** to a railroad spike found for corner;

North 03°14'35" West, a distance of **342.63 feet** to a nail found for corner;

North 16°02'07" West, a distance of **49.07 feet** to a p.k. nail found for corner;

North 29°46'07" West, a distance of **53.54 feet** to a nail found for corner;

North 37°34'00" West, a distance of **135.06 feet** to a nail found for corner;

North 28°19'45" West, a distance of **83.20 feet** to a nail found for corner;

North 18°53'15" West, a distance of **104.08 feet** to a nail found for corner;

North 17°15'36" West, a distance of **140.30 feet** to a nail found for corner;

North 24°55'16" West, a distance of **37.96 feet** to a nail found for corner;

North 33°28'20" West, a distance of **89.49 feet** to a nail found for corner;

North 23°01'09" West, a distance of **80.73 feet** to a nail found for corner;

North 16°08'45" West, a distance of **338.80 feet** to a nail found for corner;

North 15°39'36" West, a distance of **304.67 feet** to a nail found for corner;

North 12°02'18" West, a distance of **185.42 feet** to the **POINT OF BEGINNING** and containing 103.722 acres or 4,518,139 sq. ft. of land, more or less.

EXHIBIT A**TRACT 2**

BEING a tract of land situated in the C.C. Overton Survey, Abstract No. 1102, in Dallas city Block No. 8279, in the City of Dallas, Dallas county, Texas, and being a portion of a 129.089 acre tract of land described in deed to DLH Master Parcel ##42-52 as described in a Special Warranty Deed recorded in Instrument No. 200600038747 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a nail found for the intersection of the approximate centerline of Blanco road (a variable width prescriptive right of way) and the approximate centerline of Cleveland road (a variable width prescriptive right-of-way) for the northwest corner of said 129.089 acre tract;

THENCE North 85°38'07" East, along the north line of said 129.089 acre tract and the approximate centerline of said Cleveland road, a distance of **2,244.35 feet** to a 5/8-inch iron rod with "KHA" cap set for corner, said corner being the **POINT OF BEGINNING**;

THENCE North 85°38'07" East, a distance of **423.70 feet** to a nail found for corner on the west line of the M.K. & T. Railroad right of way, same being the beginning of a curve to the left, through a central angle of 24°40'27", a radius of 2,873.89 feet and a chord bearing and distance of **South 19°08'27" West, 1,228.08 feet**;

THENCE along said curve to the left, an arc length of **1,237.62 feet** to a 5/8-inch iron rod with "KHA" cap set for corner;

THENCE South 06°48'13" West, a distance of **1,800.68 feet** to a point;

THENCE South 62°51'56" West, a distance of **521.90 feet** to a point;

THENCE North 14°02'59" East, a distance of **367.29 feet** to a point at the beginning of a curve to the right, through a central angle of 11°38'40", a radius of 703.80 feet and a chord bearing and distance of **North 19°52'19" East, 142.79 feet**;

THENCE along said curve to the right, an arc length of **143.04 feet** to a 5/8-inch iron rod with "KHA" cap set for corner; **THENCE North 25°41'39" East**, a distance of **70.95 feet** to a 5/8-inch iron rod with "KHA" cap set for corner;

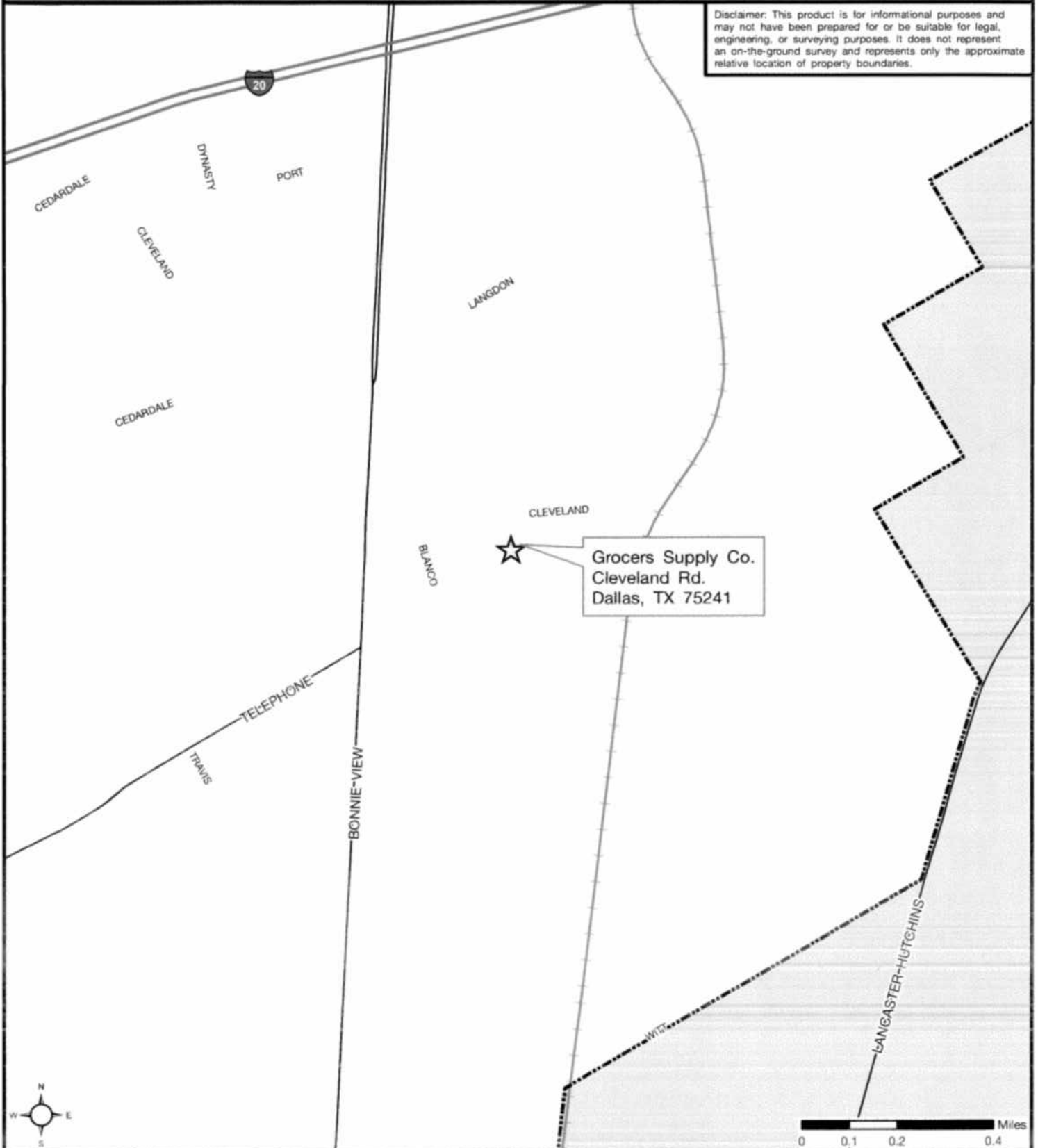
THENCE North 06°37'04" East, a distance of **1967.34 feet** to a 5/8-inch iron rod with "KHA" cap set for corner at the beginning of a curve to the right, through a central angle of 31°05'07", a radius of 1300.00 feet and a chord bearing and distance of **North 22°09'38" East, 696.69 feet**;

THENCE along said curve to the right, an arc length of **705.30 feet** to a 5/8-inch iron rod with "KHA" cap set for corner to the **POINT OF BEGINNING** and containing 25.367 acres or 1,104,975 sq. ft. of land, more or less.

DLH Master Parcel # 43

Exhibit B: Grocers Supply Co.

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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ECONOMIC
DEVELOPMENT

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Legend

- City of Dallas
- Freight Rail
- Freeway

- Arterial
- Local Road

Source: City of Dallas, 2013