

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 15,000 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": San Leon Avenue Project

"USE": The widening and improvements to San Leon Avenue, 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 subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B".

"OWNER": Raymondo M. Garcia, Maria M. Garcia aka Maria M. Fuller and Florentino J. Hernandez, 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": \$6,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000.00

"AUTHORIZED AMOUNT": Not to exceed \$8,000.00

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

October 8, 2013

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 Street and Transportation Funds, Fund No 8T22, Department PBW, Unit U301, Activity STPT, Program No. PB06U301, Object 4210, Encumbrance No. SUSU301LK22. 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:

WARREN M. S. ERNST, Interim City Attorney

BY


Assistant City Attorney

APPROVED BY
CITY COUNCIL

OCT - 8 2013


City Secretary

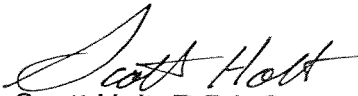
EXHIBIT A

131768

**Field Notes Describing Land to Be Sold in Lake June Addition in City of
Dallas Block 28/6662**

Being situated in the Joel Roberts Survey, Abstract Number 1224 Dallas County, Texas, and being all of Lot F of Block 28 (Block 28/6662, Official City of Dallas Block Numbers) of the Lake June Addition, an addition to the City of Dallas, recorded in Volume 3, Page 371, Map Records of said county, and being a part of the property conveyed to Raymondo M. and wife, Maria M. Garcia (1/2 Interest) and Florentino J. Hernandez (1/2 Interest) by Deed, dated December 1, 1983 and recorded in Volume 83243, Page 2200, Deed Records of said county and containing 15,000 square feet or 0.344 acres of land as shown on said Lake June Addition plat.

This description is approved as to form.


Scott Holt, R.P.L.S.
Survey Program Manager

Date: 3/8/2013

EXHIBIT B

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 Raymondo M. Garcia and Maria M. Garcia aka Maria M. Fuller of a undivided one-half interest and Florentino J. Hernandez, a single person of a undivided one-half interest (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 SIX THOUSAND AND 00/100 DOLLARS (\$6,000.00) 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 _____, _____.

 Raymondo M. Garcia

 Maria M. Garcia
 aka Maria M. Fuller

 Florentino J. Hernandez

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Raymondo M. Garcia.

Notary Public, State of TEXAS

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Maria M. Garcia aka Maria M. Fuller.

Notary Public, State of TEXAS

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Florentino J. Hernandez.

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: Lois King


Warranty Deed Log No. 36753

EXHIBIT A
131768

**Field Notes Describing Land to Be Sold in Lake June Addition in City of
Dallas Block 28/6662**

Being situated in the Joel Roberts Survey, Abstract Number 1224 Dallas County, Texas, and being all of Lot F of Block 28 (Block 28/6662, Official City of Dallas Block Numbers) of the Lake June Addition, an addition to the City of Dallas, recorded in Volume 3, Page 371, Map Records of said county, and being a part of the property conveyed to Raymondo M. and wife, Maria M. Garcia (1/2 Interest) and Florentino J. Hernandez (1/2 Interest) by Deed, dated December 1, 1983 and recorded in Volume 83243, Page 2200, Deed Records of said county and containing 15,000 square feet or 0.344 acres of land as shown on said Lake June Addition plat.

This description is approved as to form.


Scott Holt, R.P.L.S.
Survey Program Manager

Date: 3/8/2013