

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 589,453 square feet of land located in Kaufman 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": Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"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 herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Barbara H. Coffman, 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": \$213,952

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,650

"AUTHORIZED AMOUNT": Not to exceed \$216,602

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.

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.

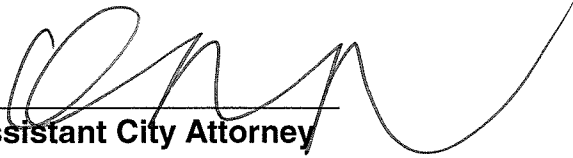
SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer 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 Construction Funds, Fund No. 0102, Department DWU, Unit CW20, Program No. 704041, Object 4210, Encumbrance No. CTDWU704041IA. 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, City Attorney

BY 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 17 2015


City Secretary

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 308

EXHIBIT A

151176

Part 1

BEING a 13.43 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, being part of a called 27.374 acre tract of land described as "First Tract", Exhibit "E", part of a called 105.72 acre tract of land described in Exhibit, "B", and part of a called 40 acre tract of land described in Exhibit "D" in a Successor Trustee's Distribution Deed to Barbara H. Coffman, dated January 24, 2008, as recorded in Volume 3330, Page 392, of the Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said "Exhibit E, First Tract", and the northeast line of a called 24.231 acre tract of land described as "Tract 2" in Warranty Deed with Vendor's Lien to John L. Cooper and Lea Ann Cooper, dated June 6, 1997, as recorded in Volume 1258, Page 975, D.R.K.C.T., said point bears North 49 degrees 37 minutes 40 seconds West, a distance of 275.89 feet from a 1/2-inch iron rod found at the most easterly corner of said "Tract 2":

THENCE North 49 degrees 37 minutes 40 seconds West, with the southwest line of said "Exhibit E, First Tract" and the northeast line of said "Tract 2", a distance of 243.06 feet to a 1/2-inch iron rod with cap set in the southeast line of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 430, Page 364, D.R.K.C.T.:

THENCE North 85 degrees 59 minutes 31 seconds East, departing the southwest line of said "First Tract" and the northeast line of said "Tract 2", passing at a distance of 503.70 feet, the southeast corner of said City of Dallas Water Line Right-of-Way and the southwest corner of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 436, Page 321, D.R.K.C.T., and continuing a total distance of 3,451.40 feet to a 1/2-inch iron rod with cap set in the northeast line of said Exhibit "D" tract and the southwest line of a tract of land described as Lot 48 of the Quail Hollow Subdivision in Warranty Deed to Avina Properties, L.L.C., as recorded in Volume 2743, Page 481, D.R.K.C.T.:

THENCE South 46 degrees 27 minutes 29 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the northeast line of said Exhibit "D" tract and the southwest line of said Lot 48, a distance of 224.05 feet to a 1/2-inch iron rod with cap set;

THENCE South 82 degrees 31 minutes 02 seconds West, departing the northeast line of said Exhibit "D" tract and the southwest line of said Lot 48, a distance of 77.18 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, a distance of 3,351.87 feet to the POINT OF BEGINNING and containing 585,000 square feet or 13.43 acres of land, more or less.

FIELD NOTES APPROVED:

ADK 5/13/14



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS

151176

Parcel: 308

Part 2

BEING a 0.1022 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, being part of a called 27.374 acre tract of land described as "First Tract", Exhibit "E", in a Successor Trustee's Distribution Deed to Barbara H. Coffman, dated January 24, 2008, as recorded in Volume 3330, Page 392, of the Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said "First Tract", and the northeast line of a called 24.231 acre tract of land described as "Tract 2" in Warranty Deed with Vendor's Lien to John L. Cooper and Lea Ann Cooper, dated June 6, 1997, as recorded in Volume 1258, Page 975, D.R.K.C.T., and in the southeast line of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 430, Page 364, D.R.K.C.T.;

THENCE South 51 degrees 58 minutes 47 seconds West, departing the southeast line of said City of Dallas Water Line Right-of-Way, and with a northwest line of said "Tract 2" and the southeast line of said "First Tract", a distance of 113.59 feet to a 1/2-inch iron rod with cap set;

THENCE North 39 degrees 54 minutes 58 seconds West, with a northeast line of said "Tract 2" and a southwest line of said "First Tract", a distance of 78.44 feet to a 1/2-inch iron rod with cap set in the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 85 degrees 59 minutes 31 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 140.16 feet to the POINT OF BEGINNING and containing 4,453 square feet or 0.1022 acres of land, more or less.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

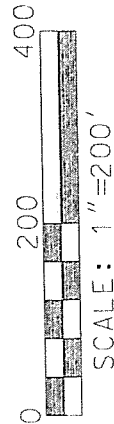
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: [Signature] Date: 5.12.14

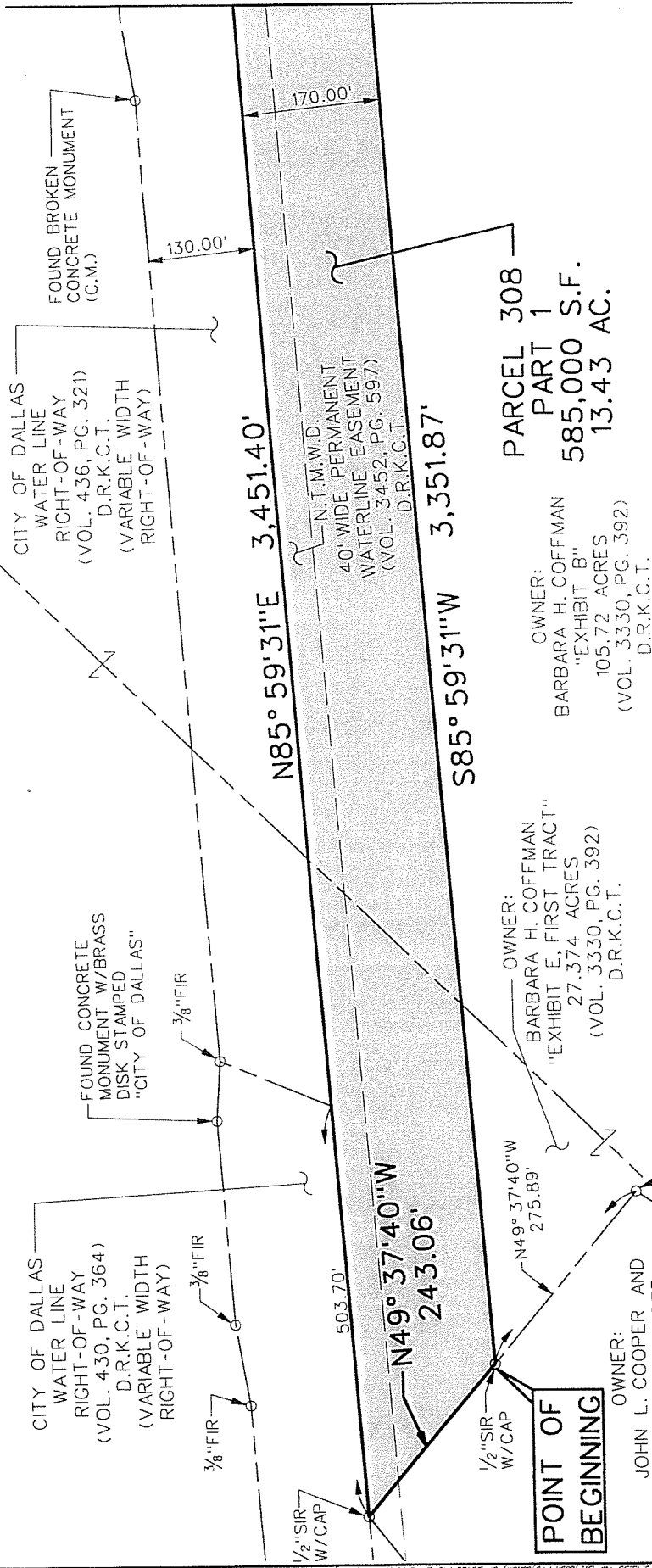
Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504





OWNER:
BARBARA H. COFFMAN
"EXHIBIT B"
105.72 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, FIRST TRACT"
27.374 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

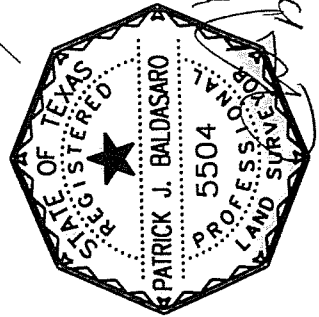


PARCEL 308
PART 1
585,000 S.F.
13.43 AC.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT B"
105.72 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, FIRST TRACT"
27.374 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
JOHN L. COOPER AND
LEA ANN COOPER
"TRACT 2"
(VOL. 1258, PG. 975)
D.R.K.C.T.



NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORRS ARP, DALLAS CORRS ARP, KAUFMAN CORRS ARP, TYLER CORRS ARP, AND PARIS CORRS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ 1/2" SIR	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ W/CAP	WATERLINE CAP
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK. NAIL
○ SPK	SET PK. NAIL

EXHIBIT OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
A MAXAMILLA SURVEY, ABSTRACT NO 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY., SUITE 100
DALLAS, TEXAS 75287. TEL (972)950-2727, FAX (972)950-2728



CITY OF DALLAS
WATER LINE
RIGHT-OF-WAY
(VOL. 436, PG. 321)
D.R.K.C.T.
(VARIABLE WIDTH
RIGHT-OF-WAY)

FOUND CONCRETE
MONUMENT W/BRASS
DISK STAMPED
"CITY OF DALLAS"
(C.M.)

**POINT OF
BEGINNING**

OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, SECOND TRACT"
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, FIRST TRACT"
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
JOHN L. COOPER AND
LEA ANN COOPER
"TRACT 1"
(VOL. 1258, PG. 975)
D.R.K.C.T.

N85° 59' 31" E
140.16'

N39° 54' 58" W
78.44'

**PARCEL 308
PART 2
4,453 S.F.
0.1022 AC.**

OWNER:
JOHN L. COOPER AND
LEA ANN COOPER
"TRACT 2"
(VOL. 1258, PG. 975)
D.R.K.C.T.

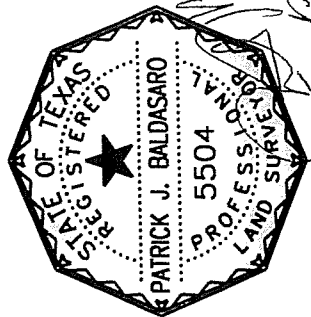
OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, FIRST TRACT"
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT B"
(VOL. 3330, PG. 392)
D.R.K.C.T.

N.T.M.W.D.
40' WIDE PERMANENT
WATERLINE EASEMENT
(VOL. 3452, PG. 597)
D.R.K.C.T.

N.T.M.W.D.
40' WIDE PERMANENT
WATERLINE EASEMENT
(VOL. 3013, PG. 308)
D.R.K.C.T.

CITY OF DALLAS
WATER LINE
RIGHT-OF-WAY
(VOL. 430, PG. 364)
D.R.K.C.T.
(VARIABLE WIDTH
RIGHT-OF-WAY)



NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ 1/2" SIR	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ W/CAP	W/ CAP
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK., NAIL
○ SPK	SET PK., NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN COUS ARP, DALLAS COUS ARP, KAUFMAN COUS ARP, TYLER COUS ARP, AND PARIS COUS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT A

151176

EXHIBIT

OF A

RIGHT-OF-WAY ACQUISITION

SITUATED IN THE
A MAXAMILLA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS

FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY. SUITE 110
DALLAS, TEXAS 75247. TEL (972) 250-2727. FAX (972) 250-2773

SCALE: 1"=200'

DATE: JAN 14 1999

SHEET 5 OF 5

* * * * *

STATE OF TEXAS '
COUNTY OF _____'

This instrument was acknowledged before me on _____

by Barbara H. Coffman.

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. 40560

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 308

EXHIBIT A
151176

Part 1

BEING a 13.43 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, being part of a called 27.374 acre tract of land described as "First Tract", Exhibit "E", part of a called 105.72 acre tract of land described in Exhibit, "B", and part of a called 40 acre tract of land described in Exhibit "D" in a Successor Trustee's Distribution Deed to Barbara H. Coffman, dated January 24, 2008, as recorded in Volume 3330, Page 392, of the Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said "Exhibit E, First Tract", and the northeast line of a called 24.231 acre tract of land described as "Tract 2" in Warranty Deed with Vendor's Lien to John L. Cooper and Lea Ann Cooper, dated June 6, 1997, as recorded in Volume 1258, Page 975, D.R.K.C.T., said point bears North 49 degrees 37 minutes 40 seconds West, a distance of 275.89 feet from a 1/2-inch iron rod found at the most easterly corner of said "Tract 2";

THENCE North 49 degrees 37 minutes 40 seconds West, with the southwest line of said "Exhibit E, First Tract" and the northeast line of said "Tract 2", a distance of 243.06 feet to a 1/2-inch iron rod with cap set in the southeast line of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 430, Page 364, D.R.K.C.T.;

THENCE North 85 degrees 59 minutes 31 seconds East, departing the southwest line of said "First Tract" and the northeast line of said "Tract 2", passing at a distance of 503.70 feet, the southeast corner of said City of Dallas Water Line Right-of-Way and the southwest corner of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 436, Page 321, D.R.K.C.T., and continuing a total distance of 3,451.40 feet to a 1/2-inch iron rod with cap set in the northeast line of said Exhibit "D" tract and the southwest line of a tract of land described as Lot 48 of the Quail Hollow Subdivision in Warranty Deed to Avina Properties, L.L.C., as recorded in Volume 2743, Page 481, D.R.K.C.T.;

THENCE South 46 degrees 27 minutes 29 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the northeast line of said Exhibit "D" tract and the southwest line of said Lot 48, a distance of 224.05 feet to a 1/2-inch iron rod with cap set;

THENCE South 82 degrees 31 minutes 02 seconds West, departing the northeast line of said Exhibit "D" tract and the southwest line of said Lot 48, a distance of 77.18 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, a distance of 3,351.87 feet to the POINT OF BEGINNING and containing 585,000 square feet or 13.43 acres of land, more or less.

FIELD NOTES APPROVED:

APR 5/13/14



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 308

151176

Part 2

BEING a 0.1022 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, being part of a called 27.374 acre tract of land described as "First Tract", Exhibit "E", in a Successor Trustee's Distribution Deed to Barbara H. Coffman, dated January 24, 2008, as recorded in Volume 3330, Page 392, of the Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said "First Tract", and the northeast line of a called 24.231 acre tract of land described as "Tract 2" in Warranty Deed with Vendor's Lien to John L. Cooper and Lea Ann Cooper, dated June 6, 1997, as recorded in Volume 1258, Page 975, D.R.K.C.T., and in the southeast line of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 430, Page 364, D.R.K.C.T.;

THENCE South 51 degrees 58 minutes 47 seconds West, departing the southeast line of said City of Dallas Water Line Right-of-Way, and with a northwest line of said "Tract 2" and the southeast line of said "First Tract", a distance of 113.59 feet to a 1/2-inch iron rod with cap set;


THENCE North 39 degrees 54 minutes 58 seconds West, with a northeast line of said "Tract 2" and a southwest line of said "First Tract", a distance of 78.44 feet to a 1/2-inch iron rod with cap set in the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 85 degrees 59 minutes 31 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 140.16 feet to the POINT OF BEGINNING and containing 4,453 square feet or 0.1022 acres of land, more or less.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By:  Date: 5.12.14

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



EXHIBIT B**EASEMENT – ACCESS
[Specific Location]**

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Area") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Property, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the Easement Property will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Property in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Property and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR A 30' ACCESS
EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION
MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 308ACE

BEING a 0.1674 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 27.374 acre tract of land described as "First Tract", Exhibit "E", in a Successor Trustee's Distribution Deed to Barbara H. Coffman, dated January 24, 2008, as recorded in Volume 3330, Page 392, of the Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set in the southwest line of said "First Tract", and the northeast line of a called 24.231 acre tract of land described as "Tract 2" in Warranty Deed with Vendor's Lien to John L. Cooper and Lea Ann Cooper, dated June 6, 1997, as recorded in Volume 1258, Page 975, D.R.K.C.T., said point bears North 49 degrees 37 minutes 40 seconds West, a distance of 275.89 feet from a 1/2-inch iron rod found at the most easterly corner of said "Tract 2";

THENCE North 49 degrees 37 minutes 40 seconds West, with the southwest line of said "First Tract" and the northeast line of said "Tract 2", a distance of 243.06 feet to a 1/2-inch iron rod with cap set in the southeast line of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 430, Page 364, D.R.K.C.T.;

THENCE North 85 degrees 59 minutes 31 seconds East, departing the southwest line of said "First Tract" and the northeast line of said "Tract 2" and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 42.89 feet to a 1/2-inch iron rod with cap set;

THENCE South 49 degrees 37 minutes 40 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 243.06 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, a distance of 42.89 feet to the POINT OF BEGINNING and containing 7,292 square feet or 0.1674 acres of land, more or less.

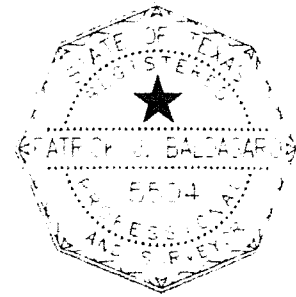
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

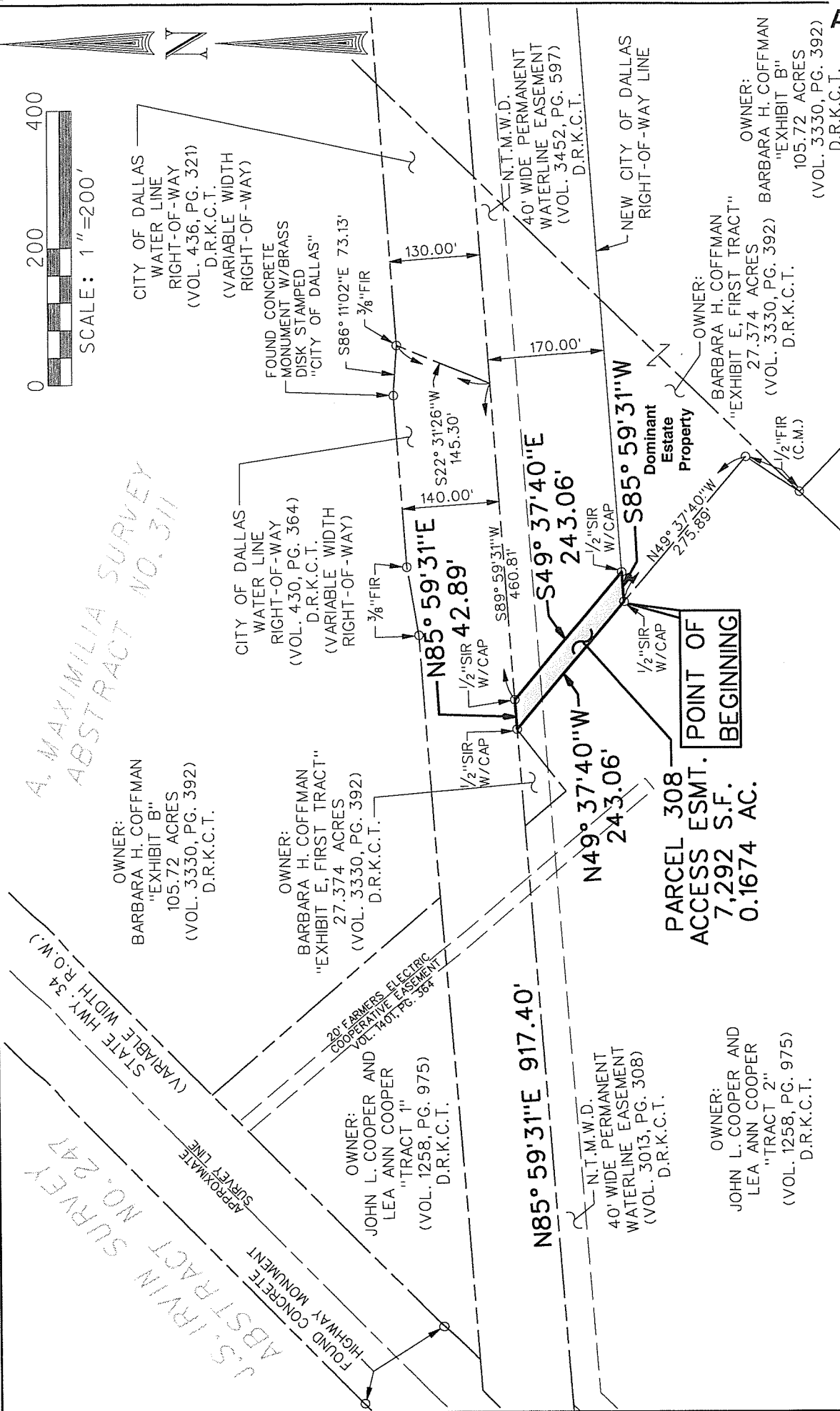
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: *[Signature]* Date: 5.12.14

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

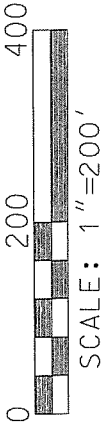


FIELD NOTES APPROVED:
[Signature]
5/12/14



A. MAXIMILIA SURVEY
ABSTRACT NO. 311

U.S. IRVIN SURVEY
ABSTRACT NO. 247



NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:	SQUARE FEET
S.F.	CONTROL MONUMENT
C.M.	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2" SIR	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O W/CAP	W/CAP CUT IN CONCRETE
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NOS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

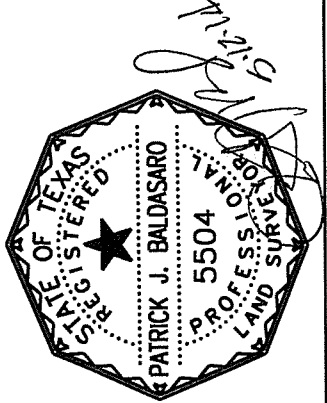


EXHIBIT OF A
30' ACCESS EASEMENT
SITUATED IN THE
A. MAXIMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 100
DALLAS, TEXAS 75287, TEL (972)250-2727, FAX (972)250-4774

OWNER:
BARBARA H. COFFMAN
"EXHIBIT B"
105.72 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
BARBARA H. COFFMAN
"EXHIBIT E, FIRST TRACT"
27.374 ACRES
(VOL. 3330, PG. 392)
D.R.K.C.T.

OWNER:
JOHN L. COOPER AND
LEA ANN COOPER
"TRACT 2"
(VOL. 1258, PG. 975)
D.R.K.C.T.

OWNER:
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D.R.K.C.T.

EXHIBIT C**EASEMENT -- GRAZING AND AGRICULTURAL USE**

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Exhibit "A" for agricultural and/or grazing purposes in connection with Grantor's use of Grantor's adjoining or abutting property and in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

In no event may the holder of the easement construct or install, or cause to be constructed or installed, in the easement any permanent improvements, roads, pavement, utilities, structures, buildings, cattle tanks and/or stock ponds. Any activity by the holder of the easement involving excavation, contouring, and/or grading beyond normal agricultural tillage and installation of fence posts is strictly prohibited. Any activity by the holder of the easement causing or likely to cause excessive erosion, as determined by City, is strictly prohibited. In no event and under no circumstances may the holder of the easement operate within the easement any vehicles, equipment or machinery exceeding 15,000 lbs in weight. The holder of the easement shall not grow any trees, shrubs, vines or other excessive undergrowth that would prevent or unreasonably impair aerial inspection of the property by City.

The holder of this easement may fence the boundaries of the easement (but no cross fencing) to control livestock and wildlife; provided, however, adequate gates, cattle guards and other means of access are provided and maintained by the holder of the easement to facilitate City's full and unlimited access to, from and across the easement at all times for any and all purposes.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey to others easements that do not unreasonably impair or obstruct this easement. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the property described in Exhibit "A" and covered by this easement, without any liability for damages to planted, growing or mature crops and/or to the turf that may be growing thereon. City and City's successors and assigns will repair any boundary fences it may cut or damage by its activities and will endeavor to exercise due care to avoid damage to or the escape of livestock that may be pastured in the easement.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the easement and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

This easement shall terminate if and when the holder of the easement no longer owns or uses adjoining or abutting property for agricultural and/or grazing purposes.