

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR AN AMOUNT HIGHER THAN THE FIRST RESOLUTION OFFER AMOUNT.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the PROPERTY INTEREST in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

WHEREAS, OWNER refused the FIRST RESOLUTION OFFER AMOUNT, but has agreed to the SETTLEMENT AMOUNT stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the PROPERTY INTEREST in the PROPERTY for the SETTLEMENT AMOUNT stated herein;

Now, Therefore,

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

SECTION 1. That the following definitions shall apply to this resolution:

“CITY”: The City of Dallas.

“CLOSING COSTS AND TITLE EXPENSES”: Not to exceed \$2,000.00.

“FIRST RESOLUTION”: Resolution No. 15-1196 approved by the Dallas City Council on June 17, 2015.

“FIRST RESOLUTION OFFER AMOUNT”: \$10,721.00.

“OWNER”: Amrik Singh, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest in the PROPERTY, regardless of whether those persons are actually named herein.

“PROJECT”: Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project.

“PROPERTY”: Located under approximately 2,246 square feet in area, lying between the subsurface elevations of 243 feet and 417 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being more particularly described in “Exhibit A”, attached hereto and made a part hereof for all purposes.

"PROPERTY INTEREST": Flood Control Tunnel Easement.

"REVISED AUTHORIZED AMOUNT": \$14,373.00.

"SETTLEMENT AMOUNT": \$12,373.00.

"USE": The below ground construction, installation, use and maintenance of a deep tunnel for the storage and transmission of stormwater drainage.

SECTION 2. 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 the CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyance instrument 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 the transaction.

SECTION 3. That the Chief Financial Officer is authorized to draw checks for the SETTLEMENT AMOUNT, payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT- PBW06T525G78, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT- PBW06T525G79.

SECTION 4. That the payment referenced in Section 3 shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney.

SECTION 5. The SETTLEMENT AMOUNT - \$12,373.00 and the CLOSING COSTS AND TITLE EXPENSES - \$2,000.00 together shall not exceed the REVISED AUTHORIZED AMOUNT - \$14,373.00.

SECTION 6. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing.

SECTION 7. That the 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.

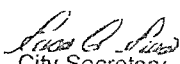
SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**APPROVED AS TO FORM:
WARREN M. S. ERNST, CITY ATTORNEY**

BY: 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

AUG 26 2015


City Secretary

151573

FIELD NOTES DESCRIBING A 2,246 SQUARE FOOT (0.0516 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 523) EXHIBIT A
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594
PART OF LOT 20 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM ANNAGAE LI

BEING a 2,246 square foot (0.0516 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, in City Block 2/594 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in General Warranty Deed to Annagae Li recorded in Instrument Number 201200190957 of the Official Public Records of Dallas County, Texas, and being part of Lot 20 of Lots 2-34, Block 2/594, Flora Street Townhomes No. 1, an addition to the City of Dallas recorded in Instrument Number 200900306242 of said Official Public Records, and being more particularly described as follows:

(Note: Subsurface easement corners not monumented are so noted hereon.)

BEGINNING at an X cut (controlling monument) having coordinates of N=6976465.0120, E=2493298.0854 found for the most easterly corner of said Lot 20 and south corner of Lot 19 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition;

THENCE South 44 degrees 12 minutes 57 seconds West, with the southeasterly line of said Lot 20 and the northwesterly line of Lot 27 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition, at 11.42 feet passing the west corner of said Lot 27 and north corner of Lot 26 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition and departing said northwesterly line of Lot 27 and with the northwesterly line of Lot 26 and continuing with said southeasterly line of Lot 20, at a cumulative distance of 41.75 feet passing an X cut (controlling monument) found for the west corner of said Lot 26 and north corner of Lot 25 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition, and departing said northwesterly line of Lot 26 and with the northwesterly line of Lot 25 and continuing with said southeasterly line of Lot 20, at a cumulative distance of 61.75 feet passing an X cut (controlling monument) found for the west corner of said Lot 25 and north corner of Lot 24 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition, and departing said northwesterly line of Lot 25 and with the northwesterly line of Lot 24 and continuing with said southeasterly line of Lot 20, at a cumulative distance of 81.75 feet passing an X cut (controlling monument) found for the west corner of said Lot 24 and north corner of Lot 23 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition, and departing said northwesterly line of Lot 24 and with the northwesterly line of Lot 23 and continuing with said southeasterly line of Lot 20 for a total of 87.95 feet to the south corner having coordinates of N=6976401.9885, E=2493236.7637 of said Lot 20 and southeast corner of Lot 21 of said Lots 2-34, Block 2/594, Flora Street Townhomes No. 1 addition;



FIELD NOTES APPROVED:

DK 1/20/13

151573

FIELD NOTES DESCRIBING A 2,246 SQUARE FOOT (0.0516 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 523) EXHIBIT A
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594
PART OF LOT 20 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM ANNAGAE LI

THENCE North 01 degree 17 minutes 20 seconds West, departing said northwesterly line of Lot 23 and said southeasterly line of Lot 20 with the west line of said Lot 20 and east line of said Lot 21, 71.26 feet to the point of curvature having coordinates of N=6976473.2179, E=2493235.1612 (not monumented) of a non-tangent circular curve to the left having a central angle of 02 degrees 38 minutes 18 seconds, a radius of 1,355.00 feet, a tangent of 31.20 feet and a chord which bears South 83 degrees 18 minutes 40 seconds East 62.39 feet;

THENCE Easterly, departing said west line of Lot 20 and said east line of Lot 21 and across said Lot 20 with said curve to the left, an arc distance of 62.40 feet to the end of said curve having coordinates of N=6976465.9518, E=2493297.1195 (not monumented), said end of curve being on the northeasterly line of said Lot 20 and southwesterly line of the aforementioned Lot 19;

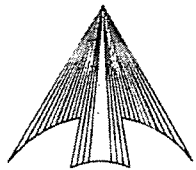
THENCE South 45 degrees 47 minutes 03 seconds East, with said northeasterly line of Lot 20 and said southwesterly line of Lot 19, 1.35 feet to the POINT OF BEGINNING and containing 2,246 square feet (0.0516 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

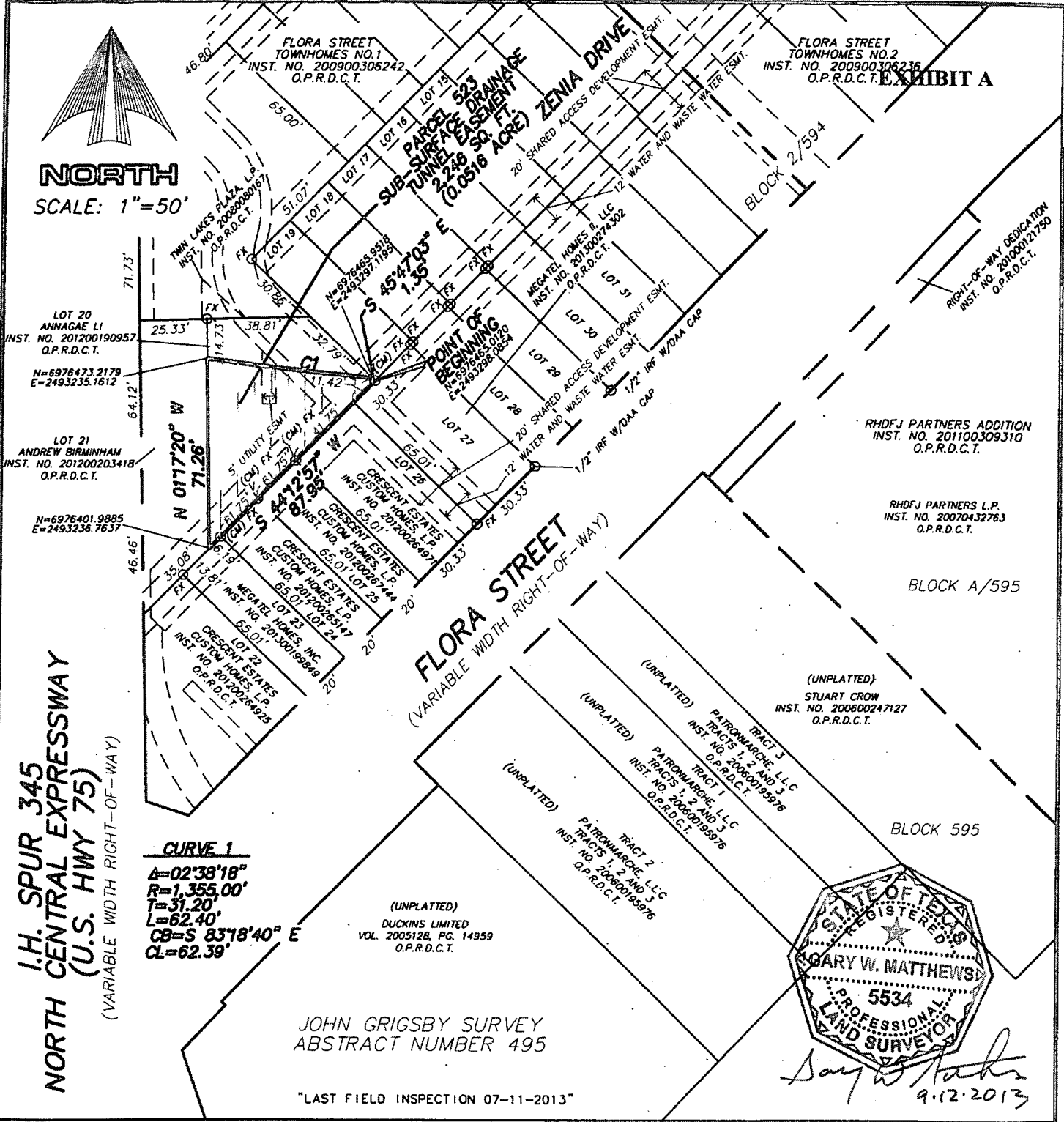
For Nathan D. Maier Consulting Engineers, Inc.


Gary W. Matthews
Registered Professional Land Surveyor
Texas No. 5534 9.12.2013





NORTH
SCALE: 1"=50'

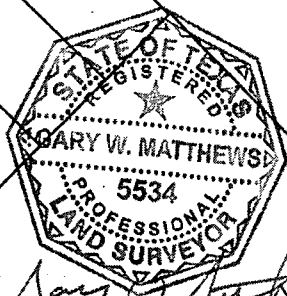


CURVE 1
 $A=02^{\circ}38'18''$
 $R=1,355.00'$
 $T=31.20'$
 $L=62.40'$
 $CB=S 83^{\circ}18'40'' E$
 $CL=62.39'$

(UNPLATTED)
 DUCKINS LIMITED
 VOL. 200512B, PG. 14959
 O.P.R.D.C.T.

JOHN GRIGSBY SURVEY
 ABSTRACT NUMBER 495

"LAST FIELD INSPECTION 07-11-2013"



Gary W. Matthews
 9.12.2013

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

LEGEND	
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
ESMT.	EASEMENT
SQ. FT.	SQUARE FEET
---	RIGHT-OF-WAY LINE
---	EASEMENT LINE
---	SUBDIVISION LINE
---	PROPERTY LINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
CM	CONTROLLING MONUMENT
FK	FOUND PK NAIL
FX	FOUND "X"

2,246 SQ. FT. (0.0516 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 523) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594, PART OF LOT 20, FLORA STREET TOWNHOMES NO. 1, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS FROM ANNAGAE LI

NDM NATHAN D. MAIER
 CONSULTING ENGINEERS, INC.
 TBPE FIRM REG. NO. F-356
 TBPLS FIRM REG. NO. 100189-00

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