

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. 15-1197 approved by the Dallas City Council on June 17, 2015.

“FIRST RESOLUTION OFFER AMOUNT”: \$6,600.00.

“OWNER”: Lauren Ashlee Bennick, 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 1,972 square feet in area, lying between the subsurface elevations of 243 feet and 416 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”: \$11,860.00.

“SETTLEMENT AMOUNT”: \$9,860.00.

“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-PBW06T525G70, 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-PBW06T525G71.

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 - \$9,860.00 and the CLOSING COSTS AND TITLE EXPENSES - \$2,000.00 together shall not exceed the REVISED AUTHORIZED AMOUNT - \$11,860.00.

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.

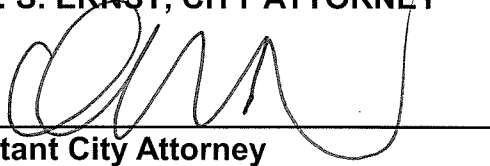
SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M. S. ERNST, CITY ATTORNEY

BY: _____

Assistant City Attorney



APPROVED BY
CITY COUNCIL

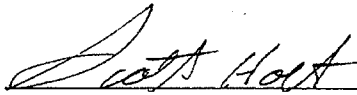
AUG 26 2015


City Secretary

DESCRIPTION OF A 1,972 SQUARE FOOT (0.0453 ACRE)
 SUB-SURFACE DRAINAGE TUNNEL EASEMENT **EXHIBIT A**
 CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522d)
 TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594
 ALL OF LOT 26 OF LOTS 2-34, FLORA STREET TOWNHOMES NO. 1
 JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 FROM CRESCENT ESTATES CUSTOM HOMES, L.P.

BEING situated in the John Grigsby Survey, Abstract No. 495, in City Block 2/594 of the City of Dallas, Dallas County, Texas, and being all of Lot 26 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 the Official Public Records of Dallas County, Texas, and being all of that tract of land described in Special Warranty Deed With Vendor's Lien to Crescent Estate Custom Homes, L.P. recorded in Instrument Number 201200264971 of the Official Public Records of Dallas County, Texas, and containing 1,972 square feet or 0.0453 acre of land, more or less.

This description is approved as to form.



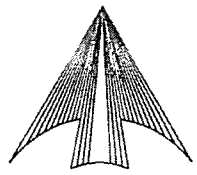
 Scott Holt, RPLS
 Survey Program Manager

12/5/2013
 Date:



FIELD NOTES APPROVED:

PER 11/5/13



NORTH
SCALE: 1"=50'

**I.H. SPUR 345
NORTH CENTRAL EXPRESSWAY
(U.S. HWY 75)**
(VARIABLE WIDTH RIGHT-OF-WAY)

FLORA STREET
(VARIABLE WIDTH RIGHT-OF-WAY)

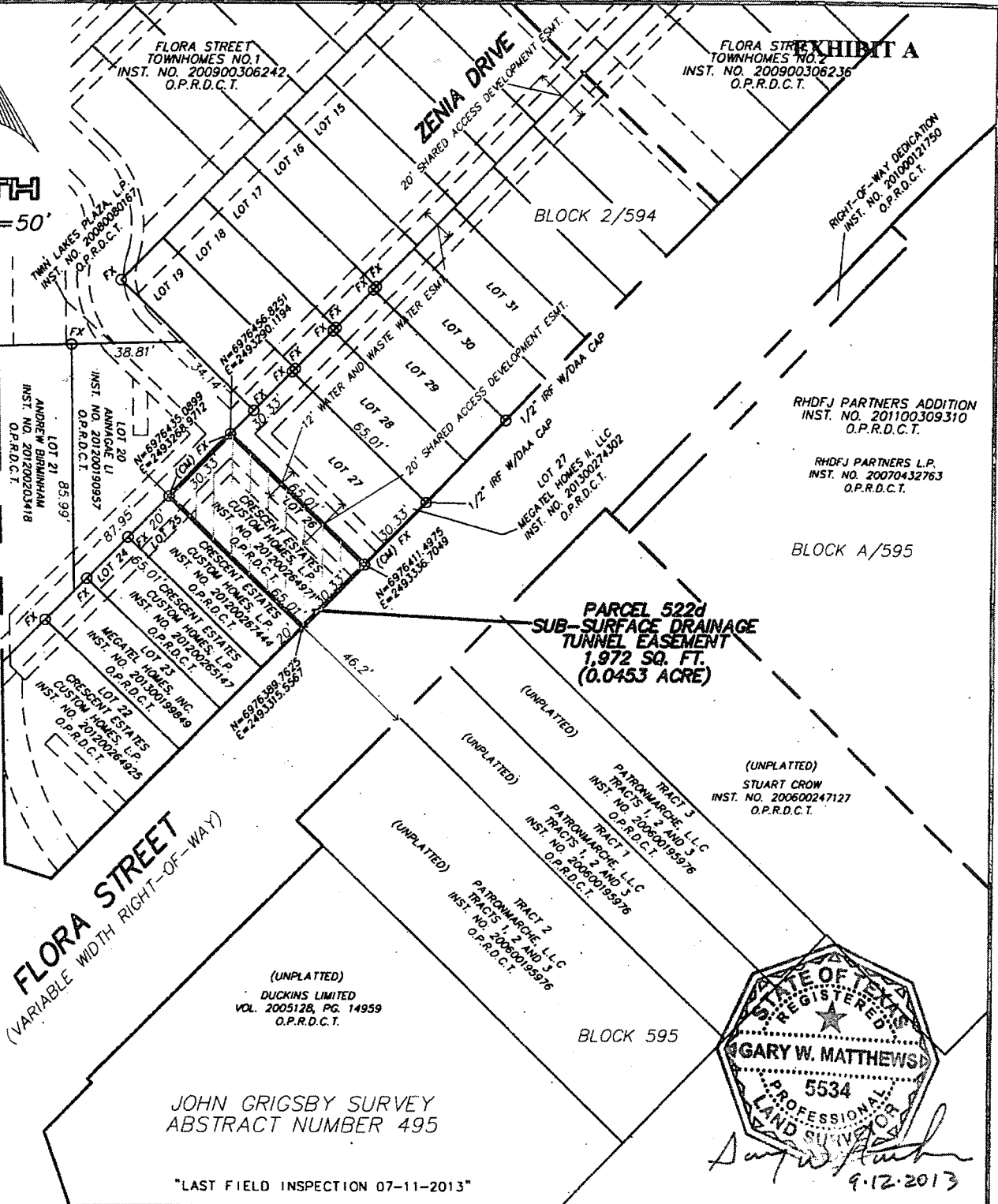


EXHIBIT A

RHDFJ PARTNERS ADDITION
INST. NO. 201100309310
O.P.R.D.C.T.

RHDFJ PARTNERS L.P.
INST. NO. 20070432763
O.P.R.D.C.T.



JOHN GRIGSBY SURVEY
ABSTRACT NUMBER 495

"LAST FIELD INSPECTION 07-11-2013"

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.

1,972 SQ. FT. (0.0453 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 522d) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 2/594, ALL OF LOT 26, FLORA STREET TOWNHOMES NO. 1, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS FROM CRESCENT ESTATES CUSTOM HOMES, L.P.

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
— P —	PROPERTY LINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
CM	CONTROLLING MONUMENT
FPK	FOUND PK NAIL
FX	FOUND "X"

NDM NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

09/12/2013 PARCEL-522.DWG