

Memorandum

171180



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CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE November 2, 2018

TO City Secretary
SUBJECT Correction to CR 171180

This is the first correction to the subject Council Resolution. If no, attach copies of any previous approved correction memos.

The subject Council Resolution was approved on 08/09/17 authorizing

A resolution authorizing the conveyance of a storm sewer drainage easement containing approximately 2,281 square feet to the City of Garland across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike - Revenue: \$5,360

Change(s) is/are needed to correct (select all applicable):

Typo Financial/funding information Obvious error from CR context

Council Resolution Section 2 should read as follows:

SECTION 2. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519, ~~Water and Sewer Revenue Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8428~~ and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011. Any remaining proceeds shall be transferred to the Water and Sewer Revenue Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8428

Department: Sustainable Development and Construction Services, Real Estate Division

Director (or designee.): [Signature] 11/12/18
Signature Date
Ashley Zuber
Print Name

Attachment for reference: Council Resolution 171180

OFS: Approved Denied Is ATT Approval Needed? Y N

OFS: [Signature] 11-19-2018
Signature Date
Kent R. Austin
Print Name

8/11/18/19

17 1180

ATT: Approved Denied

Assistant City Attorney: B. N. Samples, II 12/13/2018
Signature Date

Benjamin N. Samples, II
Print Name

WHEREAS, the City of Dallas owns a tract of land which is used for Lake Ray Hubbard; and

WHEREAS, the City of Garland has requested a storm sewer easement on said land for the construction, maintenance and use of drainage facilities containing approximately 2,281 square feet across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike, City of Garland, Dallas County, Texas; and being more fully described in Exhibit "A" attached hereto and made a part of hereof for all purposes; and

WHEREAS, the Interlocal Agreement and Lease between the City of Dallas and City of Garland dated July 20, 1999, contemplates the granting of easement rights.

Now, Therefore,

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

SECTION 1. That upon receipt of **FIVE THOUSAND THREE HUNDRED SIXTY DOLLARS AND NO/100 (\$5,360.00)** from the City of Garland, the City Manager or designee is hereby authorized to execute a storm sewer easement, to be attested by the City Secretary, approved as to form by the City Attorney.


SECTION 2. That the sale proceeds shall be deposited into the Water and Sewer Revenue Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8428 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the costs of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement processed shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011.

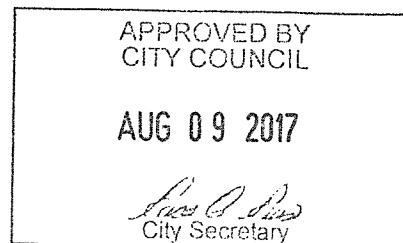
SECTION 3. That this contract is designated as Contract No. DEV-2017-00002322.

SECTION 4. 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:
LARRY E. CASTO, City Attorney

BY:


Assistant City Attorney



**FIELD NOTES DESCRIBING A 2,281 SQ. FT. [0.052 ACRE]
OFFSITE 20' PRIVATE STORM SEWER EASEMENT TO BE ACQUIRED BY
VIA BAYOU INC. WITHIN THE LIMITS OF LAKE RAY HUBBARD
FROM THE CITY OF DALLAS
REBECCA BATEMAN SURVEY, ABSTRACT NO. 89
CITY OF GARLAND, DALLAS COUNTY, TEXAS**

BEING that certain 2,281 square foot [0.052 acre] tract of land situated in the Rebecca Bateman Survey, Abstract No. 89, City of Garland, Dallas County, Texas, being a portion of the property conveyed by Confirmation Warranty Deed to City of Dallas as recorded under Volume 67047, Page 654, Deed Records, Dallas County, Texas, and further shown in a survey done by Forrest and Cotten and recorded in Volume 67072, Page 203, said Deed Records, and being more particularly described as follows:

COMMENCING at concrete monument with brass disk stamped "City of Dallas Monument K4-1A" found for a southerly corner of said City of Dallas tract, same being in the northwesterly right-of-way line of Zion Road (a called 60 foot right-of-way to County of Dallas, by deed recorded in Volume 2041, Page 444, said Deed Records)(variable width right-of-way per found monumentation), from which another concrete monument with brass disk stamped "City of Dallas Monument K4-1" found bears North 85 deg. 22 min. 48 sec. West, 41.07 feet;

THENCE North 57 deg. 20 min. 12 sec. East, along the southeasterly line of said City of Dallas tract, and the northwesterly right-of-way line of said Zion Road, a distance of 235.22 feet to a 1/2 inch iron rod set with green plastic cap stamped "EASEMENT RPLS 6122" (hereinafter referred to as 1/2 inch iron rod set) for the southwest corner of the herein described tract, same being the **POINT OF BEGINNING**;

THENCE through the interior of said City of Dallas tract as follows:

North 32 deg. 09 min. 14 sec. West, a distance of 115.21 feet to a 1/2 inch iron rod set for the northwest corner of the herein described tract;

North 64 deg. 02 min. 22 sec. East, a distance of 20.12 feet to a 1/2 inch iron rod set for the northeast corner of the herein described tract;

South 32 deg. 09 min. 14 sec. East, a distance of 112.87 feet to a 1/2 inch iron rod set for the southeast corner of the herein described tract, same being in the southeasterly line of said City of Dallas tract, same being in the northwesterly right-of-way line of aforesaid Zion Road, from which a concrete monument with brass disk stamped "City of Dallas Monument K2-1" found bears North 57 deg. 20 min. 12 sec. East, 252.52 feet;

THENCE South 57 deg. 20 min. 12 sec. West, along the southeasterly line of said City of Dallas tract, and the northwesterly right-of-way line of said Zion Road, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 2,281 square feet or 0.052 acre of computed land, more or less.

NOTES

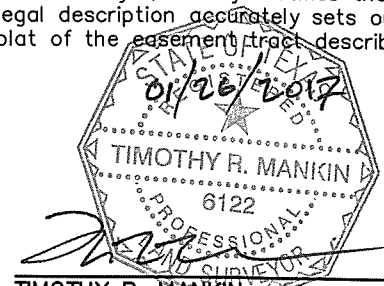
- Bearings for this description cited are based on Grid NAD83 tied to the Texas Coordinate System of 1983, North Central Zone using City of Garland Geodetic Control (2002 datum) Monuments:
 - GPS 069: 2" brass disk stamped "69", located on located on the BC approx. 45' N or the Intersection of Locust Grove & Peninsula Way, elevation = 477.16'
 - GPS 064: 2" brass disk stamped "64", located on located in the SW @ the SE end of the bridge on Zion Road over I-30, approx. 26' E. of the Cl of Zion, and approx. 10' N. of the SE end of the bridge, elevation = 516.19'
- Maintenance of easement shall not be the responsibility of The City of Dallas, Texas. Utility Line and Easement will be maintained by Via Bayou Inc., and or its successors and assigns.
- See City of Dallas Maps 610R-1 and 612D-1, Sheet 191.



FIELD NOTES APPROVED:

TJM 5/16/17

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the plat of the easement tract described.



TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

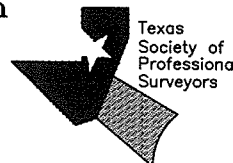
JOB NO.: 15-1117DE
DATE: 12/12/2016
REVISION: 01/26/2017

NOT TO SCALE

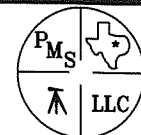
DRAWN: T.R.M.

**PEISER & MANKIN
SURVEYING, LLC**

www.peisersurveying.com
FIRM NO. 100999-00
623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00



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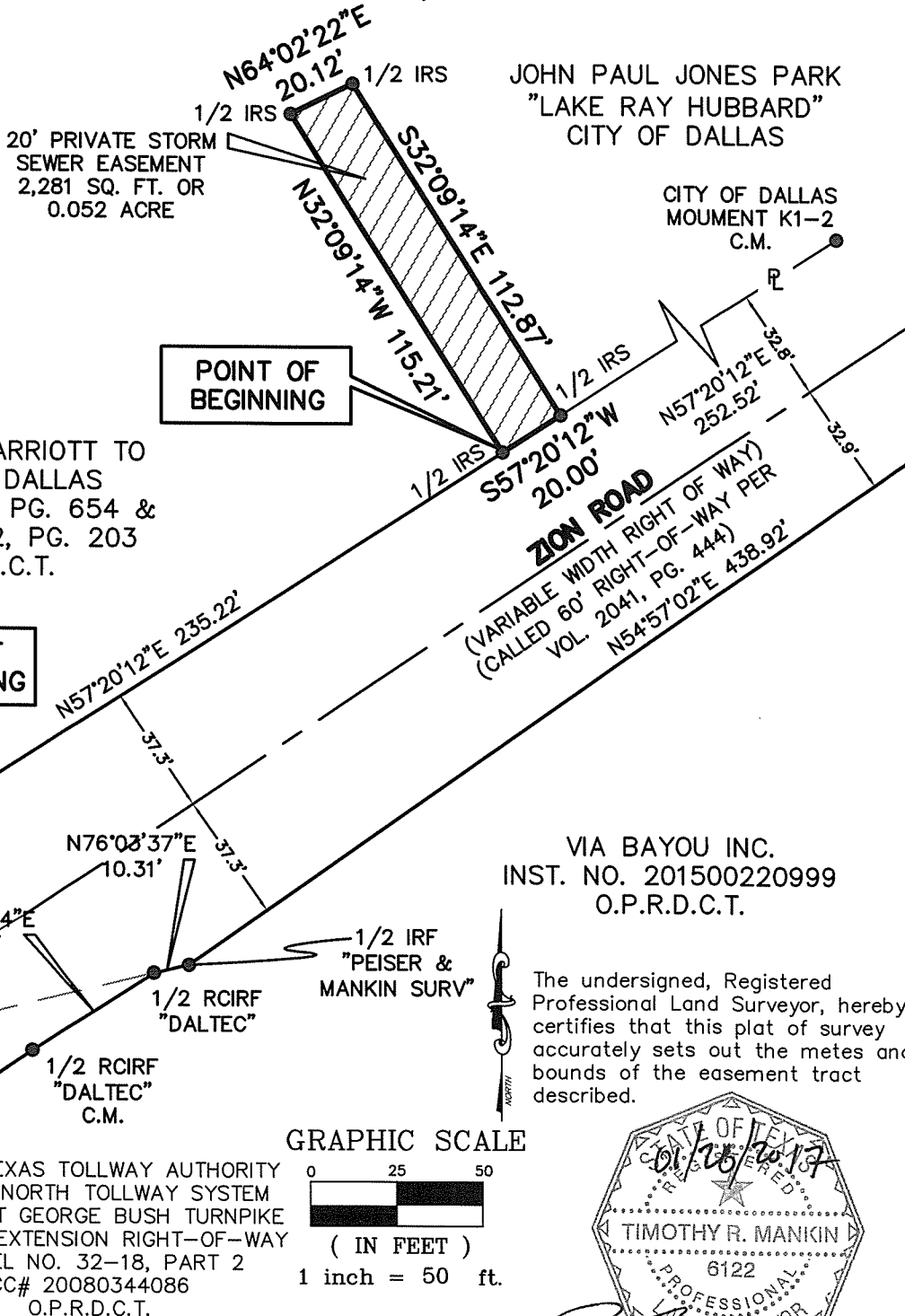
EXHIBIT A

171180

20'/0.052 ACRE OFFSITE PRIVATE STORM SEWER EASEMENT
TO BE ACQUIRED BY VIA BAYOU INC. WITHIN THE LIMITS
OF LAKE RAY HUBBARD FROM THE CITY OF DALLAS
REBECCA BATEMAN SURVEY, ABSTRACT NO. 89
CITY OF GARLAND, DALLAS COUNTY, TEXAS

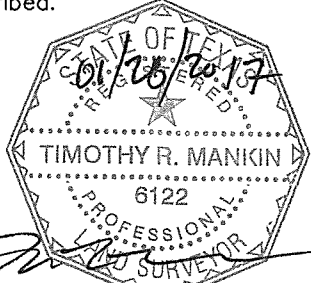
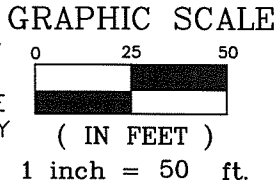
SHEET 2 OF 2

- LEGEND
- IRF - Iron Rod Found
 - IRS - Iron Rod Set with Green Plastic Cap
Stamped "EASEMENT RPLS 6122"
 - D.R.D.C.T. - Deed Records, Dallas County, Texas
 - O.P.R.D.C.T. - Official Public Records, Dallas County, Texas
 - INST. NO. - Instrument Number
 - SQ. FT. - Square Feet
 - C.M. - Controlling Monument



VIA BAYOU INC.
INST. NO. 201500220999
O.P.R.D.C.T.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

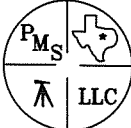


TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-1117DE
DATE:	12/12/2016
REVISION	01/26/2017
SCALE:	1" = 50'
DRAWN:	T.R.M.

**PEISER & MANKIN
SURVEYING, LLC**

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