

December 13, 2017

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 14,578 square feet of land located in Hunt 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 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": Garry Lane, 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": \$40,865

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,135

"AUTHORIZED AMOUNT": Not to exceed \$44,000

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.

December 13, 2017

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 hereby 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 Improvement Funds, Fund 3115, Department DWU, Unit PW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00003048. 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:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

DEC 13 2017

Interim City Secretary

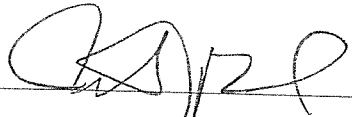
FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 372

BEING a 14,578 square foot (0.3347 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 69-77, Block X of the Waco Bay Estates Subdivision, Phase III as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 69-77 being described in Warranty Deed with Vendor's Lien to Garry Lane, dated May 24, 2001, as recorded in Volume 759, Page 629 of the Deed Records of Hunt County, Texas.

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

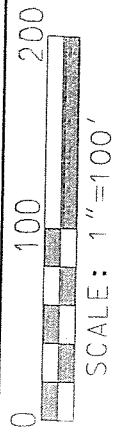
By:  Date: 4.28.15

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



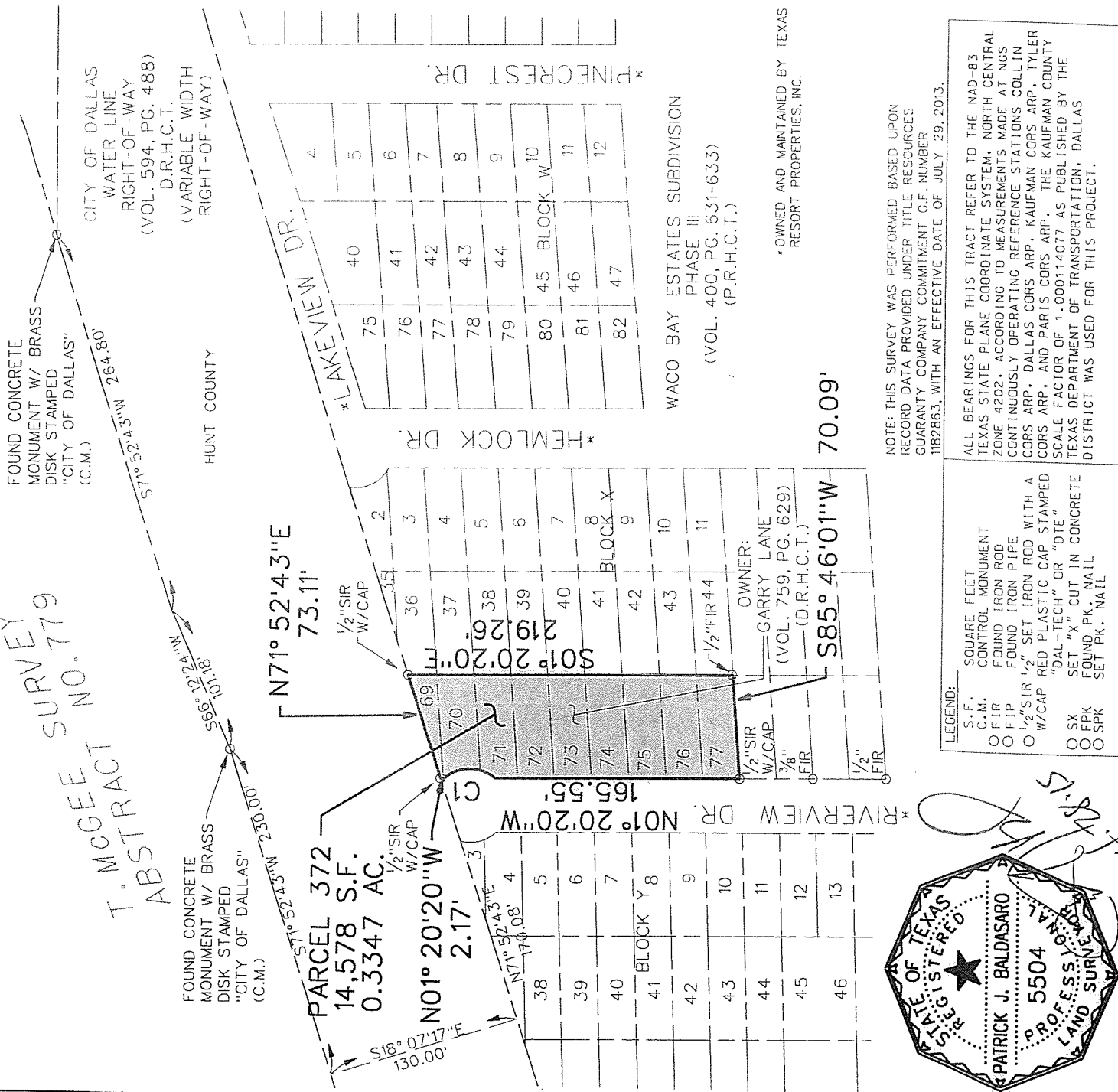
FIELD NOTES APPROVED:
Doc 6/1/15





SCALE: 1" = 100'

C1
 $\Delta = 85^\circ 36'14''$ (LT)
 $R = 25.00'$
 $L = 37.35'$
 $CB = N01^\circ 20' 20'' W$
 $C = 33.97'$



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

CITY OF DALLAS WATER LINE RIGHT-OF-WAY (VOL. 594, PG. 488) D.R.H.C.T. (VARIABLE WIDTH RIGHT-OF-WAY)

HUNT COUNTY

* PINECREST DR.

4	75	40
5	76	41
6	77	42
7	78	43
8	79	44
9	80	45
10	81	46
11	82	47

WACO BAY ESTATES SUBDIVISION PHASE III (VOL. 400, PG. 631-633) (P.R.H.C.T.)

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

70.09'

T. MCGEE SURVEY ABSTRACT NO. 779

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

PARCEL 372
 14,578 S.F.
 0.3347 AC.

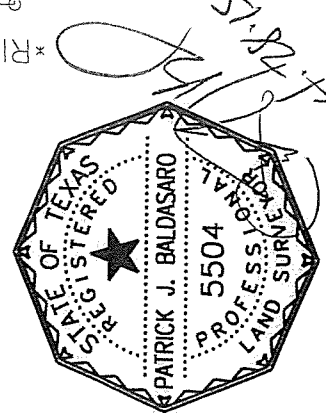
N01° 20' 20" W
 2.17'

* RIVERVIEW DR. N01° 20' 20" W 165.55'

69	70	71	72	73	74	75	76	77
35	36	37	38	39	40	41	42	43
1	2	3	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18

OWNER: GARRY LANE (VOL. 759, PG. 629) (D.R.H.C.T.)

S85° 46' 01" W
 70.09'



NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT C.F. NUMBER 1182863, WITH AN EFFECTIVE DATE OF JULY 29, 2013.

- LEGEND:
- S-F. SQUARE FEET
 - C.M. CONTROL MONUMENT
 - FOUND IRON ROD
 - FOUND IRON PIPE
 - 1/2" SIR 1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
 - SET "X" CUT IN CONCRETE
 - SPK 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 COPS ARP, DALLAS COPS ARP, KAUFMAN COPS ARP, TYLER COPS ARP, AND PARIS COPS 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
RIGHT-OF-WAY ACQUISITION
 SITUATED IN THE
 T. MCGEE SURVEY ABSTRACT NO 779
 HUNT COUNTY, TEXAS
 FOR THE
CITY OF DALLAS

BY
 DAL TECH ENGINEERING, INC. 17400 DALLAS PKWY, SUITE 110
 DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
 TEMPL. FIRM. NO. 10123500

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 HUNT §

That Garry Lane, a single man (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Hunt, State of Texas, for and in consideration of the sum of FORTY THOUSAND EIGHT HUNDRED SIXTY FIVE AND 00/100 DOLLARS (\$40,865.00) 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 _____, _____.

Approved As To Form:
LARRY E. CASTO
City Attorney

Garry Lane

By: 
Assistant City Attorney

* * * * *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by Garry Lane.

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: Christian Roman

Warranty Deed Log No. 44020

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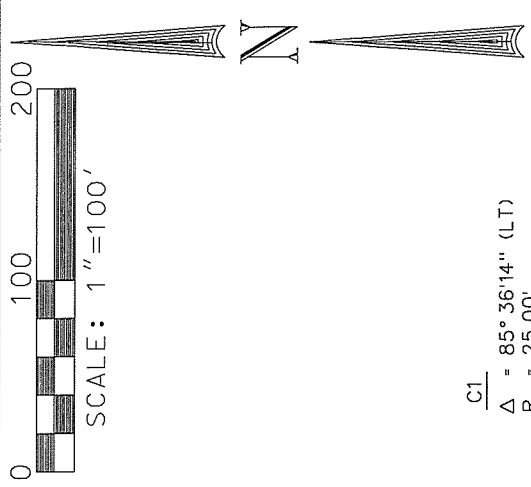
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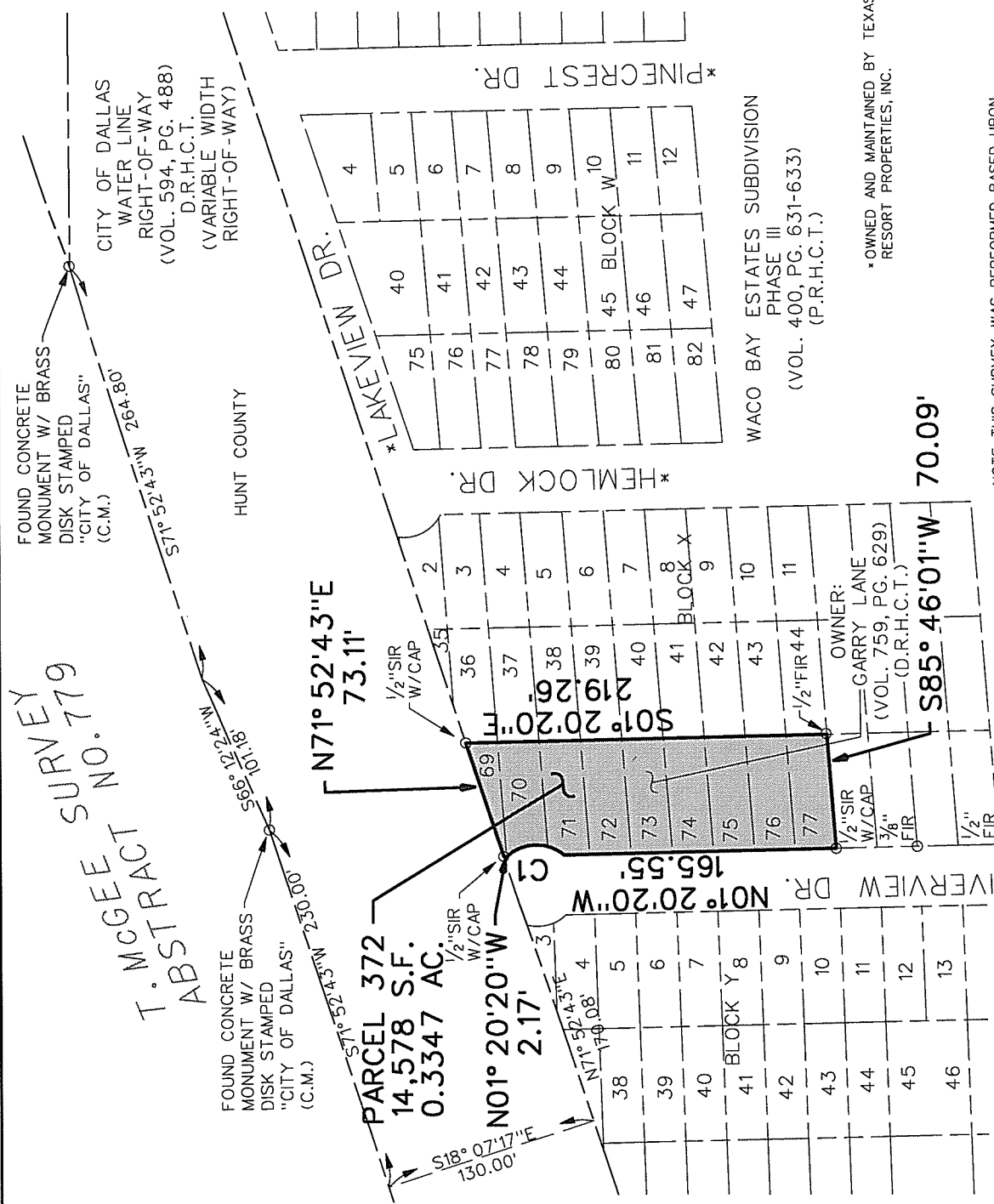
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HUNT COUNTY

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 * HEMLOCK DR.
 * RIVERVIEW DR.

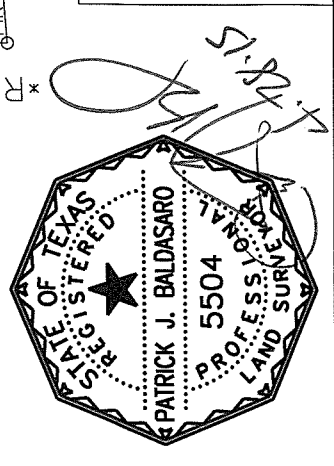
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171844

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 SHEET 2 OF 2