

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 52,701 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": James A. Elmore and Sarah E. Elmore, 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": \$18,150

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,850

"AUTHORIZED AMOUNT": Not to exceed \$20,000

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.

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.

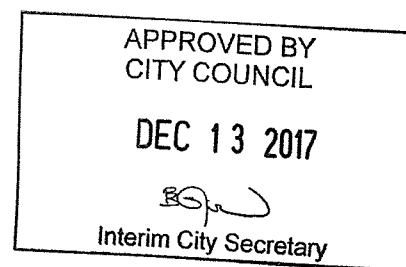
SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND 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-2017-00002885. 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: B. M. S. #
Assistant City Attorney

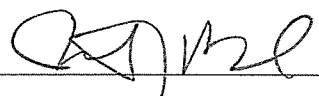


FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 354

BEING a 52,701 square foot (1.210 acre) tract of land in the E. Porter Survey, Abstract No. 823, being all of Lot 70, of the Waco Bay Estates Ranchettes, Phase 4 as recorded in Volume 400, Page 650 of the Plat Records of Hunt County, Texas, said Lot 70 being described in Warranty Deed to James A. and Sarah E. Elmore, dated September 18, 1985, as recorded in Volume 975, Page 1 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: 3.15.14

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



FIELD NOTES APPROVED:

3/25/16



* OWNED AND MAINTAINED BY
TEXAS RESORT PROPERTIES, INC.

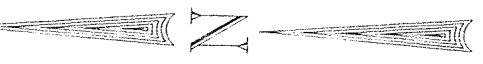
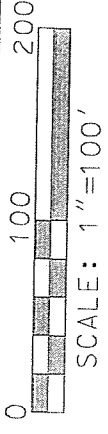
EXHIBIT
OF A

RIGHT-OF-WAY ACQUISITION
SITUATED IN THE

E. PORTER SURVEY ABSTRACT NO. 823
HUNT COUNTY, TEXAS

FOR THE
CITY OF DALLAS

DAL-TECH ENGINEERING, INC. 17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287, TEL. (972)260-5727, FAX (972)260-1714
TDEPLS.FIRM, NO. 10123500



E. PORTER SURVEY
ABSTRACT NO. 823

CITY OF DALLAS
WATER LINE
RIGHT-OF-WAY
(VOL. 592, PG. 417)
D.R.H.C.T.
(VARIABLE WIDTH
RIGHT-OF-WAY)

HUNT COUNTY

S01° 16' 38" W
194.18'

N71° 52' 43" E 442.35'

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

1/2" SIR
W/CAP

70A

S89° 44' 00" E 164.15'

1/2" SIR
W/CAP

70

OWNER:
JAMES A. AND
SARAH E. ELMORE
(VOL. 975, PG. 1)
(D.R.H.C.T.)

PARCEL 354
52,701 S.F.
1.210 AC.

1/2" SIR
W/CAP

APPROXIMATE
SURVEY LINE

3/8" FIR

3/8" FIR

3/8" FIR

3/8" FIR

3/8" FIR

3/8" FIR

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N89° 44' 00" W 425.00'

APPROXIMATE
SURVEY LINE

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E. PORTER
ABSTRACT
NO. 823

WACO BAY ESTATES
RANCHETTES
PHASE 4
(VOL. 400, PG. 650)
(P.R.H.C.T.)

APPROXIMATE
SURVEY LINE

* LAKEVIEW DRIVE

1	80	40	38	1
2	81	41	77	2
3	82	42	78	3

NOTE: THIS SURVEY WAS PERFORMED BASED UPON
RECORD DATA PROVIDED UNDER TITLE RESOURCES
GUARANTY COMPANY COMMITMENT G.F. NUMBER
1182846, WITH AN EFFECTIVE DATE OF NOVEMBER 12, 2013.

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

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

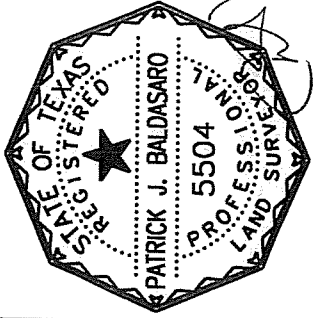


EXHIBIT B

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 we James A. Elmore, and spouse, Sarah E. Elmore (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 EIGHTEEN THOUSAND ONE HUNDRED FIFTY AND 00/100 DOLLARS (\$18,150.00) 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

James A. Elmore

By: *Ben W. Beff*
Assistant City Attorney

Sarah E. Elmore

* * * * *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by James A. Elmore.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by Sarah E. Elmore.

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. 44489

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: 354

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

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

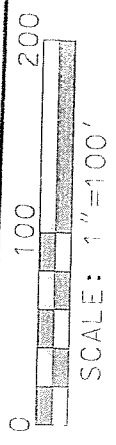
By:  Date: 3.15.14

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



FIELD NOTES APPROVED
Date 3/25/14





E. PORTER SURVEY NO. 823
ABSTRACT

FOUND CONCRETE MONUMENT W/ BRASS DISK STAMPED "CITY OF DALLAS" (C.M.)
N71° 52' 43" E 39.40'
N00° 16' 00" E 54.57'
N71° 52' 43" E 442.35'
WACO BAY ESTATES RANCHETTES PHASE 4 (VOL. 400, PG. 650) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE 1 (VOL. 400, PG. 576) (P.R.H.C.T.)
BLOCK 1C
WACO BAY ESTATES SUBDIVISION PHASE III (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE IV (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE V (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE VI (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE VII (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE VIII (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE IX (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE X (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XI (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XII (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XIII (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XIV (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XV (VOL. 400, PG. 631-633) (P.R.H.C.T.)
WACO BAY ESTATES SUBDIVISION PHASE XVI (VOL. 400, PG. 631-633) (P.R.H.C.T.)
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WACO BAY ESTATES SUBDIVISION PHASE XX (VOL. 400, PG. 631-633) (P.R.H.C.T.)
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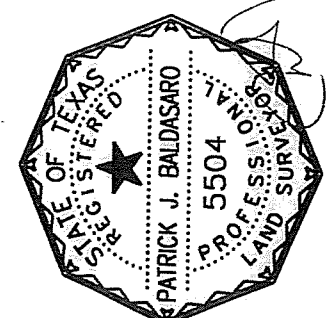
CITY OF DALLAS WATER LINE RIGHT-OF-WAY (VOL. 592, PG. 417) D.R.H.C.T. (VARIABLE WIDTH RIGHT-OF-WAY)

OWNER: JAMES A. AND SARAH E. ELMORE (VOL. 975, PG. 1) (D.R.H.C.T.)
PARCEL 354
52,701 S.F.
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N89° 44' 00" W 425.00'
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E. PORTER SURVEY NO. 823
ABSTRACT

* LAKEVIEW DRIVE

1	80	40	WACO BAY ESTATES SUBDIVISION PHASE III (VOL. 400, PG. 631-633) (P.R.H.C.T.)
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NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182846, WITH AN EFFECTIVE DATE OF NOVEMBER 12, 2013.

- 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
 - W/CAP W/CAP
 - RED PLASTIC CAP
 - "DAL-TECH" OR "DISCAL" FACTOR OF 1.000114077 AS PUBLISHED BY THE CONSTRUCTION DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.
 - SX SET "X" CUT IN CONCRETE
 - FPK FOUND PK. NAIL
 - SPK SET PK. NAIL

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

EXHIBIT OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
E. PORTER SURVEY, ABSTRACT NO. 823
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 17-00 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75207, TEL (972) 260-3727, FAX (972) 260-4774
TBPPLS, FIRM NO. 10129500
DATE: APR 2015, REVISED