## **COUNCIL CHAMBER**

September 12, 2018

WHEREAS, in 1971, the City of Dallas annexed property for the development of Lake Ray Hubbard which expanded the City of Dallas' city limits west of Lake Ray Hubbard, north of Barnes Bridge Road; and

WHEREAS, pursuant to a final judgement dated November 20, 2017, the property was disannexed from the City of Dallas and located in the City of Dallas' extraterritorial jurisdiction; and

**WHEREAS**, Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code require an applicant to request municipal consent to create a Municipal Utility District within a city's extraterritorial jurisdiction; and

**WHEREAS,** Section 51A-8.105 of the Dallas Development Code extends plat regulations to all applicable development activity within the extraterritorial jurisdiction of the City; and

**WHEREAS,** on July 12, 2018, D.R. Horton-Texas, Ltd. filed a completed application/petition with the Sustainable Development and Construction Department requesting the city's consent for the creation of Dallas County Municipal Utility District No. 4 within Dallas' extraterritorial jurisdiction west of Lake Ray Hubbard.

Now. Therefore.

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

**SECTION 1.** That the City of Dallas hereby consents to and the City Manager is instructed to create such documents, if any, as required to evidence the City of Dallas' consent to the creation of a Municipal Utility District to be known as Dallas County Municipal Utility District No. 4, as depicted on the attached property description labelled as Exhibit A, within the City of Dallas' extraterritorial jurisdiction west of Lake Ray Hubbard in Dallas County.

**SECTION 2.** That consent to the creation of the Municipal Utility District within the City of Dallas' extraterritorial jurisdiction includes the requirement that all development must comply with Article VIII, "Plat Regulations," of the Dallas Development Code.

## September 12, 2018

**SECTION 3.** That as a condition of the consent given by the City of Dallas, pursuant to Texas Water Code Section 54.016(e) and (g), the Munipal Utility District shall be subject to the following terms and provisions:

- (a) That the Municipal Utility District must construct all facilities in accordance with plans and specifications which have been approved by the City of Dallas.
- (b) That the City of Dallas shall have the right to inspect all facilities being constructed by the Municipal Utility District.
- (c) That the Municipal Utility District may only issue bonds for the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:
  - (i) provide a water supply for municipal uses, domestic uses, and commercial purposes;
  - (ii) collect, transport, process, dispose of, and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
  - (iii) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the district;
  - (iv) provide roadway improvements; and
  - (v) provide payment of organization expenses, operation expenses during construction, and interest during construction.
- (d) That the City of Dallas shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent juridscition restraining, compelling, or requiring the Municipal Utility District and its officals to observe and comply with the terms and provisions prescribed by this resolution.

**SECTION 4.** That the City Council further hereby notifies the Municipal Utility District, its residents, and property owners that the Texas Local Government Code allows the City of Dallas to annex any portion of the district located within the City of Dallas' extraterritorial jurisdiction, and the City of Dallas hereby requests that the Municipal Utility District include a statement in the form required under Section 49.452 of the Texas Water Code reflecting the possibility of annexation by the City of Dallas.

## September 12, 2018

**SECTION 5.** 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:

CHRISTOPHER J. CASO, Interim City Attorney

Assistant City Attorney

Passed \_\_\_\_\_\_ SEP 1 2 2018

APPROVED BY CITY COUNCIL

SEP 1 2 2018

CITY SECRETARY

## LEGAL DESCRIPTION

BEING 267.019 acres located in the City of Dallas ETJ and in the City of Dallas, Dallas County, Texas, a part of the Balis OC Pound Survey, Abstract No. 1143, a part of the B.O.C. Pound Survey, Abstract No. 1168, being a part of the City of Dallas Block Numbers 8587 and 8588, being a part of a called 326.422 acres tract of land described in a Special Warranty Deed to D.R. Horton-Texas, Ltd., recorded in Document No. 200503632072, of the Official Public Records of Dallas County, Texas, and being further described as follows:

BEGINNING at an iron rod found at the southwest corner of said 326.422 acre tract of land, said point being in the centerline intersection of Barnes Bridge Road (a variable width right-of-way) with Bobtown Road (a variable width right-of-way);

THENCE along the west line of said 326.422 acre tract of land and along centerline of Bobtown Road as follows:

North 01 degrees 35 minutes 31 seconds West, 65.20 feet to a one-half inch iron rod found for corner;

Northwesterly, 205.37 feet along a curve to the left having a radius of 997.98 feet, a central angle of 11 degrees 47 minutes 27 seconds, a tangent of 103.05 feet, and a chord bearing and distance of North 05 degrees 22 minutes 21 seconds West, 205.01 feet to a one-half inch iron rod found for corner;

Northwesterly, 205.35 along a curve to the left having a radius of 938.20 feet, a central angle of 12 degrees 32 minutes 27 seconds, a tangent of 103.09 feet, and a chord bearing and distance of North 17 degrees 03 minutes 32 seconds West, 204.94 feet a one-half inch iron rod found for corner;

Northwesterly, 257.98 feet along a curve to the right having a radius of 1,177.68 feet, a central angle of 12 degrees 33 minutes 05 seconds, a tangent of 129.51 feet. and a chord bearing and distance of North 19 degrees 27 minutes 57 seconds West, 257.47 feet to a one-half inch iron rod found for corner;

Northwesterly, 258.00 feet along a curve to the right having a radius of 1,161.45 feet, a central angle of 12 degrees 43 minutes 39 seconds, a tangent of 129.53, and a chord bearing and distance of North 06 degrees 43 minutes 46 seconds West, 257.47 feet to a one-half inch iron rod found for corner;

North 00 degrees 03 minutes 51 seconds East, 1,646.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

	SPRG use	only)
Reviewed b	y:	·
Date		***
SPRG No.		

### EXHIBIT A

# DALLAS MUD. NO. 4 EXHIBIT BEING IN 326.422 ACRES BALES OC POUND SURVEY, ABSTRACT NO. 1143 BALES OC POUND SURVEY, ABSTRACT NO. 1168 CITY OF DALLAS BLOCK NO. 8587 AND 8588 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 89 degrees 47 minutes 53 seconds East, 1,332.71 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 00 degrees 03 minutes 51 seconds East, 2,130.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the south line of Block 4 of the Highcrest Addition to the City of Garland as recorded in Volume 84064, Page 2890, Deed Records Dallas County, Texas also being in the north line of said 326.422 acre tract of land;

THENCE along the south line of said Highcrest Addition the following courses and distances:

South 89 degrees 06 minutes 14 seconds East, 46.91 feet to a one-half inch iron rod found for corner;

South 88 degrees 15 minutes 38 seconds East, 62.15 feet to a concrete monument found for corner;

North 87 degrees 06 minutes 47 seconds East, 57.95 feet to a one-half inch iron rod found for corner;

North 84 degrees 54 minutes 17 seconds East, 186.15 feet to a five-eighths inch iron rod with a plastic yellow cap stamped "Cotton Surveying" found for corner;

South 75 degrees 36 minutes 30 seconds East, 22.09 feet to a concrete monument found at the southeast corner of Lot 50, Block 4 of said Highcrest Addition also being the southwest corner of a tract of land conveyed to the City of Garland described in Volume 84024, Page, Deed Records Dallas County, Texas;

THENCE along the south line of said City of Garland tract the following courses and distances:

South 75 degrees 22 minutes 54 seconds East, 30.32 feet to a five-eighths inch iron rod with a plastic yellow cap stamped "Cotton Surveying" found for corner;

North 22 degrees 58 minutes 06 seconds East, 35.70 feet to a five-eighths inch iron rod with a plastic yellow cap stamped "Cotton Surveying" found for corner;

North 82 degrees 21 minutes 06 seconds East, 182.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 88 degrees 38 minutes 06 seconds East, 150.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 65 degrees 54 minutes 54 seconds East, 126.16 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

(For S	PRG use	only)
Reviewed by	·	
Date SPRG No.		
SPRG No.		···

South 05 degrees 12 minutes 53 seconds East, 8.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 65 degrees 37 minutes 17 seconds East, 37.52 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 01 degrees 30 minutes 58 seconds West, 46.60 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, being the southwest corner of Lot 12, Block 6 of Anchor Point, an Addition to the City of Garland described in Volume 81004, Page 3280, Deed Records Dallas County, Texas

THENCE along the south line of said Anchor Point Addition the following courses and distances:

South 79 degrees 32 minutes 07 seconds East, 51.66 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 68 degrees 41 minutes 01 seconds East, 48.71 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 71 degrees 32 minutes 54 seconds East, 77.97 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 37 degrees 17 minutes 54 seconds East, 42.52 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 18 degrees 47 minutes 23 seconds West, 93.48 feet to a one-half inch iron rod set for corner;

North 21 degrees 16 minutes 08 seconds East, 63.60 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 43 degrees 24 minutes 59 seconds East, 59.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 86 degrees 34 minutes 34 seconds East, 81.23 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 14 degrees 09 minutes 08 seconds West, 55.60 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 41 degrees 02 minutes 42 seconds East, 43.39 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 60 degrees 52 minutes 00 seconds East, 27.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 53 degrees 17 minutes 13 seconds East, 134.52 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 83 degrees 04 minutes 09 seconds East, 291.36 feet to a five-eighths inch iron rod with a plastic yellow cap stamped "Cotton Surveying" found for corner;

North 03 degrees 35 minutes 32 seconds East, 242.66 feet to a one-half inch iron rod found at a fence line intersection;

	PRG use only)
Reviewed by	
Date	
SPRG No.	

THENCE South 87 degrees 21 minutes 51 seconds East, 298.78 feet to a concrete monument found at the southeast corner of Lot 4, Block 6 of said Anchor Point Addition, also being at a point of intersection in the west line of a tract of land conveyed to the City of Dallas described in Volume 860, Page 1012, Deed Records Dallas County, Texas;

THENCE along the south line of said City of Dallas tract the following courses and distances:

South 01 degrees 45 minutes 28 seconds West, 280.57 feet to a concrete monument found for corner;

South 82 degrees 00 minutes 36 seconds East, 312.74 feet to a concrete monument found for corner;

South 37 degrees 37 minutes 07 seconds East, 513.59 feet to a concrete monument found for corner;

South 78 degrees 33 minutes 37 seconds East, 166.32 feet to a concrete monument found for the northwest corner of a tract of land conveyed to the City of Dallas described in Volume 67048, Page, Deed Records Dallas County, Texas;

THENCE along the west line of said City of Dallas tract the following courses and distances:

South 41 degrees 47 minutes 13 seconds East, 422.36 feet to a concrete monument found for corner;

South 27 degrees 42 minutes 20 seconds East, 40.47 feet to a concrete monument found for corner;

South 00 degrees 28 minutes 25 seconds West, 408.96 feet to a point for corner in the west line of said City of Dallas tract of land;

THENCE South 46 degrees 07 minutes 49 seconds West, 1,273.54 feet departing said west line to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

THENCE along a line 20 feet north and west of and parallel to an existing fence line the following courses and distances:

South 11 degrees 40 minutes 40 seconds West, 278.55 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 11 degrees 41 minutes 07 seconds West, 95.45 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

(For SPRG u	ise only)
Reviewed by:	
Date	
SPRG No	

South 10 degrees 33 minutes 03 seconds West, 44.77 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 65 degrees 51 minutes 45 seconds West, 36.23 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 65 degrees 57 minutes 13 seconds West, 654.22 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 66 degrees 06 minutes 48 seconds West, 293.77 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 65 degrees 52 minutes 04 seconds West, 209.91 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 21 degrees 04 minutes 05 seconds West, 538.06 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 21 degrees 10 minutes 36 seconds West, 285.82 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 21 degrees 05 minutes 20 seconds West, 365.34 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 20 degrees 59 minutes 37 seconds West, 311.73 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 21 degrees 05 minutes 54 seconds West, 290.42 feet to a five-eighths iron rod with yellow cap stamped "Cotton Surveying" found for corner;

South 21 degrees 05 minutes 46 seconds West, 295.79 feet to an iron rod found at the southeast corner of said 326.422 acre tract of land, said point being in the centerline of Barnes Bridge Road;

THENCE along the south line of said 326.422 acre tract of land and along the centerline of Barnes Bridge Road as follows:

North 89 degrees 47 minutes 53 seconds West, 1,270.80 feet to an iron rod found for corner;

North 89 degrees 26 minutes 30 seconds West, 56.42 feet to the POINT OF BEGINNING and containing 11,631,342 square feet or 267.019 acres of land.

Bearings based on monuments found along the south line of that called 326.422 acre tract of land described in a Special Warranty Deed to D.R. Horton-Texas, Ltd., recorded in Document No. 200503632072, of the Official Public Records of Dallas County, Texas.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

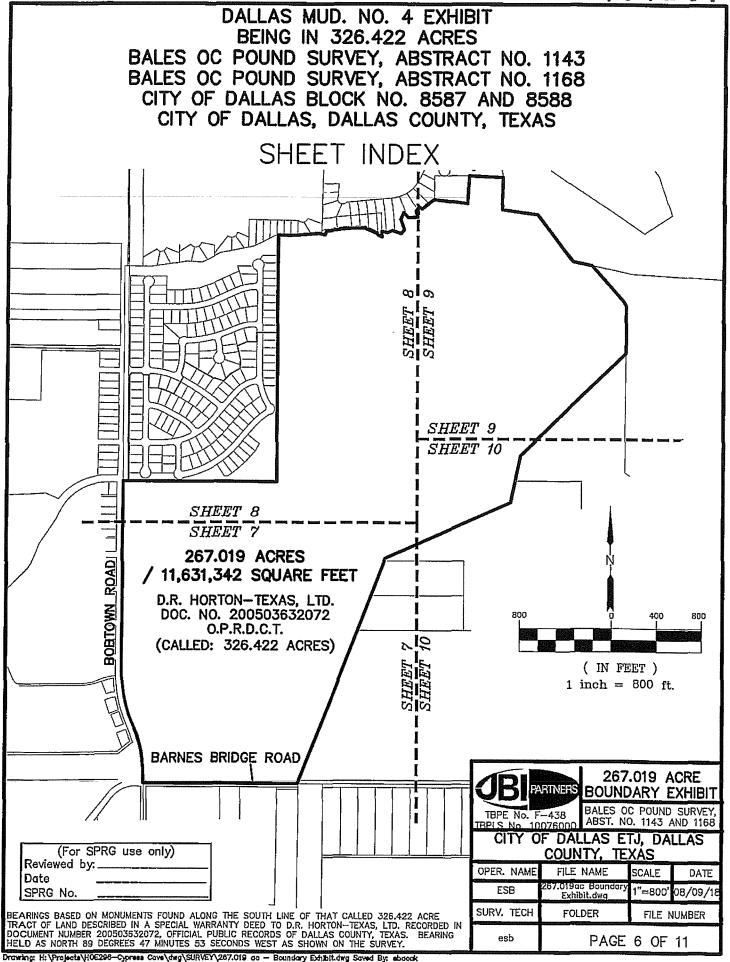
EDWARD R.P.L.S. Doted: A Formatting of the political subdivision for which it was prepared.

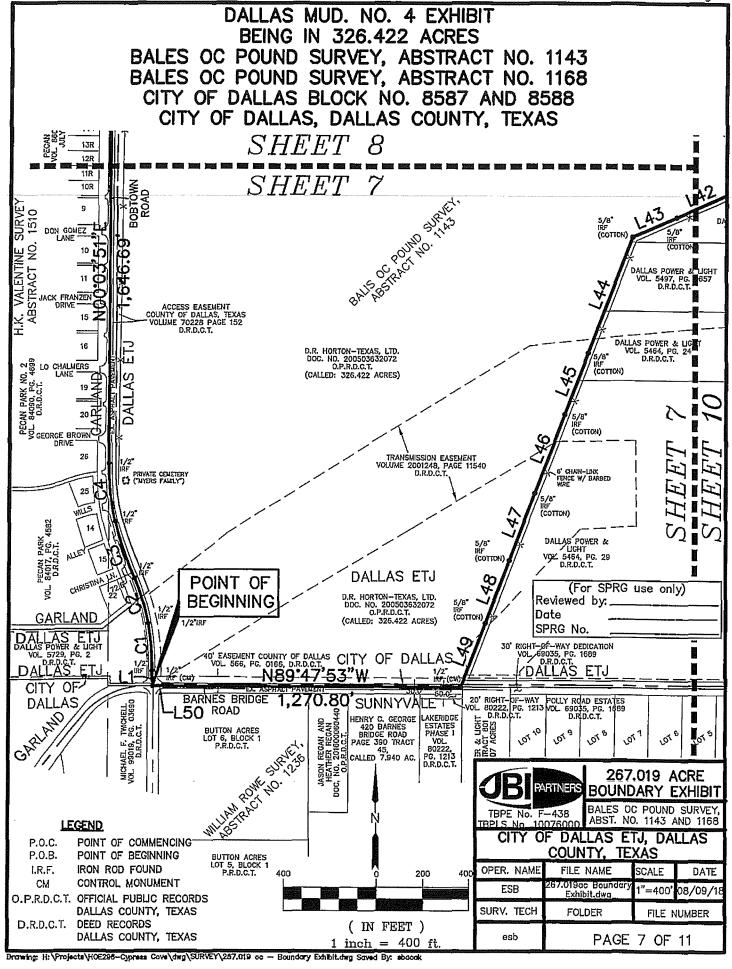
EDWARD SCOTT BACAK, R.P.L.S. #6248 Dated: August 09, 2018

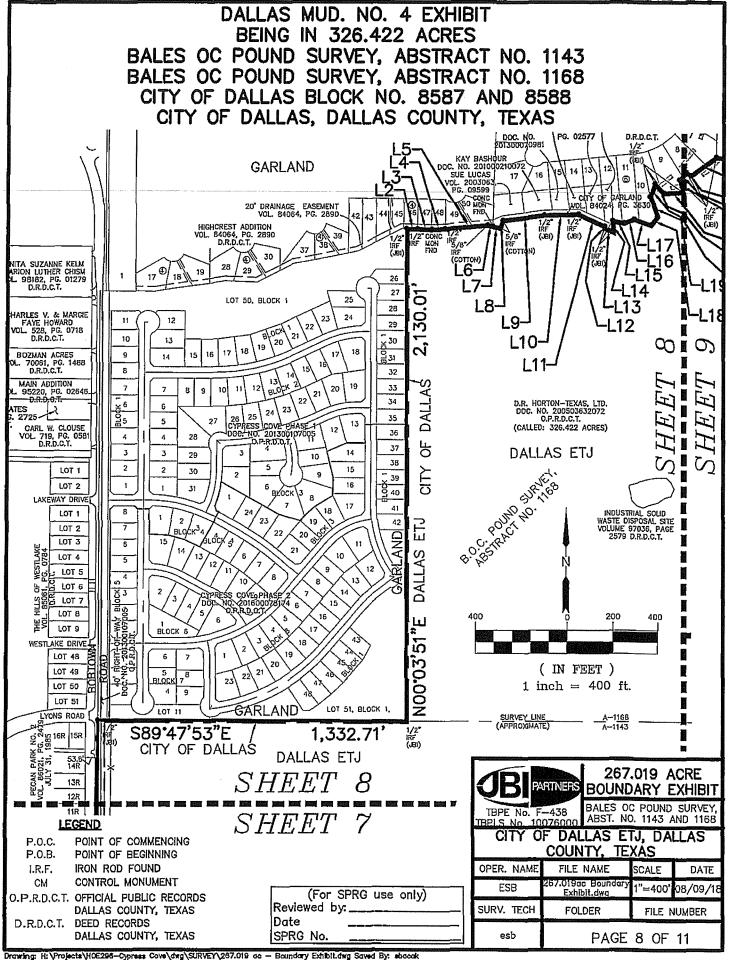
(For SPRG use only)
Reviewed by: \_\_\_\_\_\_
Date \_\_\_\_\_
SPRG No.

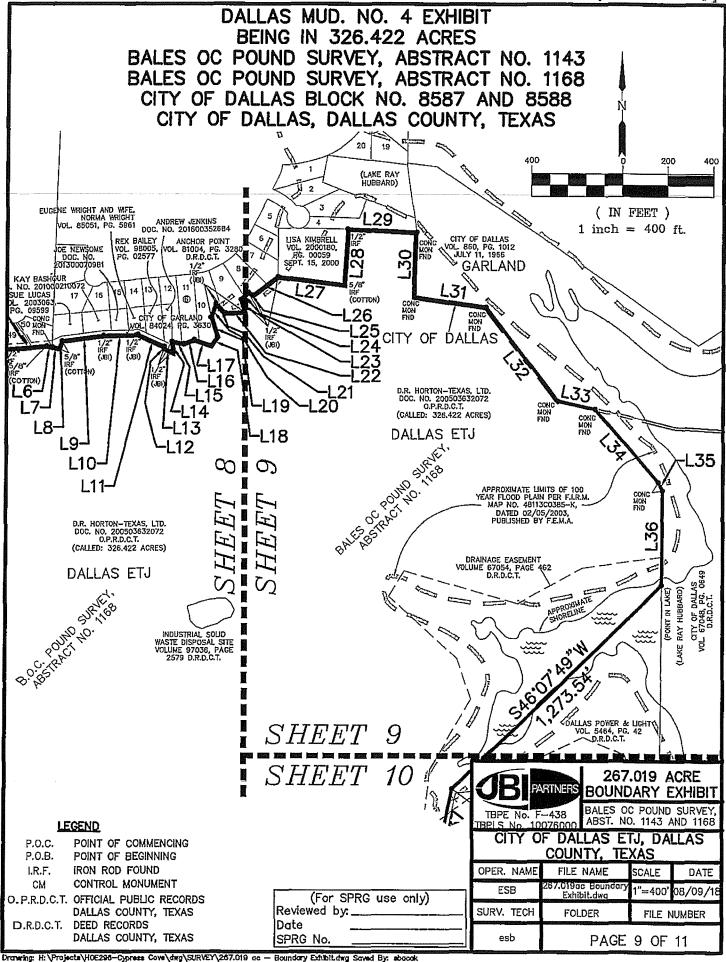
SHEET 5 OF 11

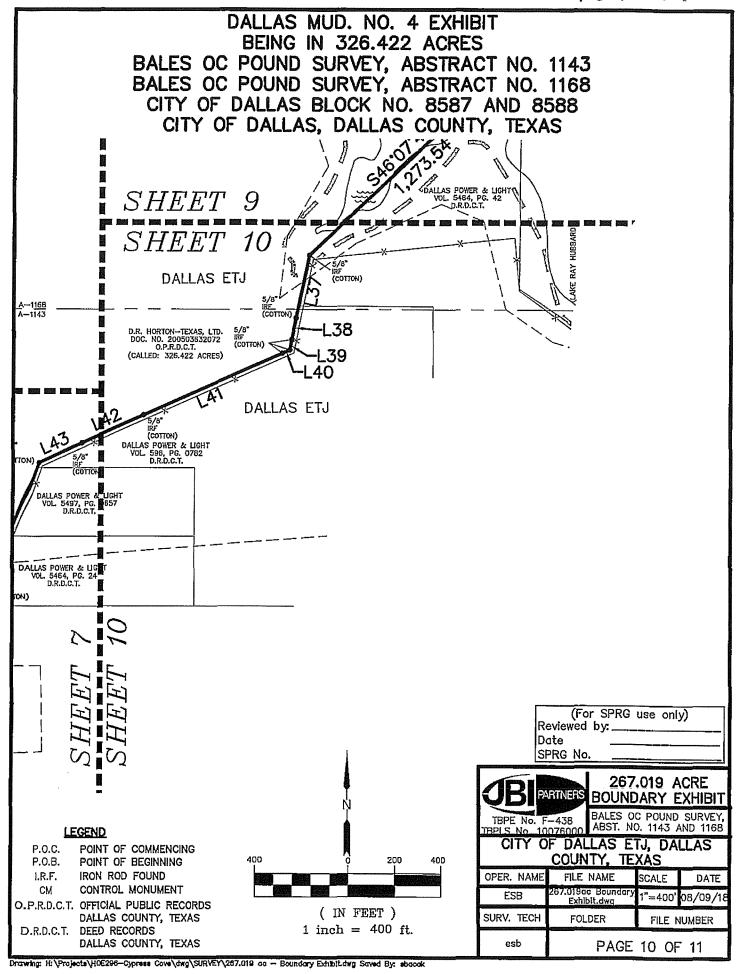
**EDWARD SCOTT BACAH** 









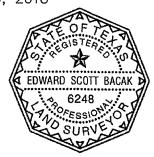


LINE TABLE					
NO.	BEARING	LENGTH			
L1	N01°35'31"W	65.20			
L2	S89'06'14"E	46.91'			
L3	S8815'38"E	62.15'			
L4	N87'06'47"E	57.95			
L5	N84'54'17"E	186.15			
L6	S75*36'30"E	22.09'			
L7	S75'22'54"E	30.32			
L8	N22'58'06"E	35.70'			
L9	N82'21'06"E	182.00'			
L10	N88'38'06"E	150.04'			
L11	S65*54'54"E	126.16'			
L12	S0512'53"E	8.99'			
L13	S65'37'17"E	37.52'			
L14	N01'30'58"W	46.60'			
L15	S79'32'07"E	51.66'			
L16	N68'41'01"E	48.71			
L17	S71°32'54"E	77.97			
L18	N3717'54"E	42.52'			
L19	N18'47'23"W	93.48'			
L20	N2176'08"E	63.60'			

LINE TABLE				
NO.	BEARING	LENGTH		
L21	S43°24'59"E	59.17'		
L22	N86'34'34"E	81.23		
L23	N14'09'08"W	55.60'		
L24	N41"02'42"E	43.39'		
L25	S60'52'00"E	27.32'		
L26	N5377'13"E	134.52		
L27	S83°04'09"E	291.36		
L28	N03'35'32"E	242.66		
L29	S87'21'51"E	298.78		
L30	S01'45'28"W	280.57'		
L31	S82'00'36"E	312.74		
L32	S37'37'07"E	513.59		
L33	S78'33'37"E	166.32		
L34	S41*47'13"E	422.36'		
L35	S27'42'20"E	40.47'		
L36	S00'28'25"W	408.96		
L37	S11'40'40"W	278.55		
L38	S11'41'07"W	95.45		
L39	S10'33'03"W	44.77		
L40	S65'51'45"W	36.23'		

LINE TABLE				
NO.	BEARING	LENGTH		
L41	S65*57'13"W	654.22		
L42	S66'06'48"W	293.77'		
L43	S65'52'04"W	209.91		
L44	S21'04'05"W	538.06'		
L45	S21"10'36"W	285.82		
L46	S21'05'20"W	365.34'		
L47	S20'59'37"W	311.73		
L48	S21'05'54"W	290.42'		
L49	S21'05'46"W	295.79		
L50	N89'26'30"W	56.42'		

EDWARD SCOTT BACAK, R.P.L.S. #6248 Dated: August 09, 2018



(For SPRG use only)
Reviewed by: \_\_\_\_\_
Date \_\_\_\_\_
SPRG No. \_\_\_\_

	CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	205.37	011'47'27"	997.98	103.05'	N05'22'21"W	205.01
C2	205.35	012'32'27"	938.20'	103.09'	N17'03'32"W	204.94
С3	257.98	012'33'05"	1177.68	129.51	N19'27'57"W	257. <b>4</b> 7'
C4	258.00'	012'43'39"	1161.45'	129.53'	N06*43'46"W	257.47'

	<b>JBI</b>	RTNERS	BOUND	ARY	ACKE EXHIBIT
$\  \ $	TBPE No. F	-438 076000	BALES OF ABST. NO	C POUNI D. 1143	SURVEY, AND 1168
1	CITY 0		LAS E TY, TE		ALLAS
11	OPER. NAME			SCALE	DATE
┚┃	ESB 257.019a Exhi		c Boundary oit.dwg	1"=400	08/09/18
	SURV. TECH FOL		DER	FILE NUMBER	
	esb		PAGE	11 01	= 11