

181276

September 12, 2018

WHEREAS, the City of Dallas owns land in northwest Dallas known as L.B. Houston Nature Area, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, the City of Irving has requested use of approximately 1,058 square feet of land and temporary use of approximately 3,233 square feet of land in order to upgrade an existing wastewater pipeline, in order to connect to the Trinity River Authority's upcoming EF-7 project (Elm Fork Relief Interceptor Project) in the same area, as shown on Exhibit A, and the City of Dallas Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the dedication of a portion of L.B. Houston Nature Area to the City of Irving.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on October 24, 2018.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking, and conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. 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 BY
CITY COUNCIL

SEP 12 2018


CITY SECRETARY

**FIELD NOTES DESCRIBING A 1,058 SQUARE FOOT (0.0243 ACRE)
PERMANENT WASTEWATER FACILITY EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370
FROM CITY OF DALLAS**

BEING a 1,058 square foot (0.0243 Acre) tract of land located in Block A/8370 in the Joshua M. Cants Survey, Abstract No. 934, City of Irving, Dallas County, Texas, said 1,058 square foot (0.0243 Acre) tract of land being a portion of that same tract conveyed to **CITY OF DALLAS**, by Warranty Deed as recorded in Volume 221, Page 1797, Official Public Records, Dallas County, Texas, said 1,058 square foot (0.0243 Acre) tract of land being a **Permanent Wastewater Facility Easement** and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" set (hereinafter referred to as an iron rod set) on the north easement line of an existing 50 feet wide easement for Sewer Mains to the City of Irving, by deed as recorded in Volume 510, Page 46, Deed Records, Dallas County, Texas, from said beginning point the southwest property corner of a called 28.408 acre tract of land, identified at "Tract 1" and being conveyed to the City of Irving by deed as recorded in Volume 91238, Page 857, Deed Records, Dallas County, Texas bears South 86°26'32" West, 1,232.54 feet said beginning point having a NAD83 Texas North Central Zone (4202) coordinate of N: 6,999,940.65 and E: 2,453,072.91;

THENCE departing said easement line, over and across the said City of Dallas tract, the following courses and distance:

(1) North 00°00'00" East, 1.93 feet to an iron rod set, from which an "X" cut found at the north lot corner of Lot 3X, Block C, of AMLI at Las Colinas Urban Center, being an Addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 201200218426, Plat Records, Dallas County, Texas, bears North 61°38'56" West, 1,788.49 feet;

(2) North 84°10'41" East, at 58.80 feet passing the west easement line of an existing 50 feet wide easement to Trinity River Authority of Texas (TRA), Dated 12-23-1958, by deed as recorded in Volume 5030, Page 389, Deed Records, Dallas County, Texas continuing in all a total distance of 63.81 feet to an iron rod set;

(3) **THENCE** South 09°37'44" East, 31.16 feet to an iron rod set on said north City of Irving easement line;

(4) **THENCE** North 72°00'00" West, along the said City of Irving easement line, at 5.64 feet passing the said west easement line of the existing TRA easement, continuing in all a total distance of 72.23 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **0.0243 acres (1,058 square feet)** of land more or less.

Exhibit A

181276

page 2 of 8

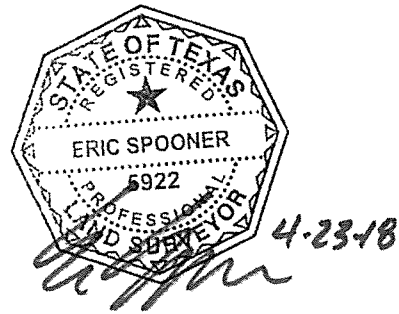
**FIELD NOTES DESCRIBING A 1,058 SQUARE FOOT (0.0243 ACRE)
PERMANENT WASTEWATER FACILITY EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370
FROM CITY OF DALLAS**

The bearings shown hereon are based on a local coordinate system from NAD83 Texas North Central Zone (4202), derived from gps RTK observations using the North Central Texas VRS network (maintained by Western Data Systems). All areas and distances shown hereon are surface values.

SURVEYORS CERTIFICATE*

I do hereby certify that the above legal description was prepared from public records and from an actual and accurate survey upon the ground and that same is true and correct.

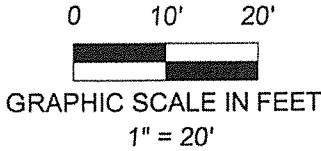
Surveyors Name: Eric S. Spooner
Registered Professional Land Surveyor, Texas No. 5922
Spooner and Associates, Inc.
Texas Board of Professional Land Surveying No. 10054900
Surveyed on the ground April-2017



SEE ATTACHED LEGAL DESCRIPTION ON PAGES 1 & 2 HEREIN

Exhibit A
page 3 of 8

NOTE: THE BEARINGS SHOWN HEREON ARE BASED ON A LOCAL COORDINATE SYSTEM FROM NAD83 TEXAS NORTH CENTRAL ZONE (4202), DERIVED FROM GPS RTK OBSERVATIONS USING THE NORTH CENTRAL TEXAS VRS NETWORK (MAINTAINED BY WESTERN DATA SYSTEMS). ALL AREAS AND DISTANCES SHOWN HEREON ARE SURFACE VALUES.



LEGEND

VOL.	VOLUME
PG.	PAGE
D.C.C.I.	DALLAS COUNTY CLERKS INSTRUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DALLAS COUNTY, TEXAS
CIRS	5/8" IRON ROD WITH CAP STAMPED "SPOONER AND ASSOCIATES SET

BLOCK A/8370

"TRACT 2"
CITY OF DALLAS
VOL. 221, PG. 1797
D.R.D.C.T.

"X"-CUT FOUND AT THE NORTH LOT CORNER OF LOT 3X, BLOCK C, OF AMLI AT LAS COLINAS URBAN CENTER, AN ADDITION TO THE CITY OF IRVING, INS. NO. 201200218426, P.R.D.C.T., BEARS N61°38'56"W - 1,788.49', N=7,000,791.89, E= 2,451,498.94

SOUTHWEST PROPERTY CORNER OF CITY OF IRVING PARK PROPERTY CALLED 28.408 ACRES "TRACT 1" VOL. 91238, PG. 857, D.R.D.C.T. BEARS S86°26'32"W - 1,232.54', N=6,999,864.16, E= 2,451,842.74

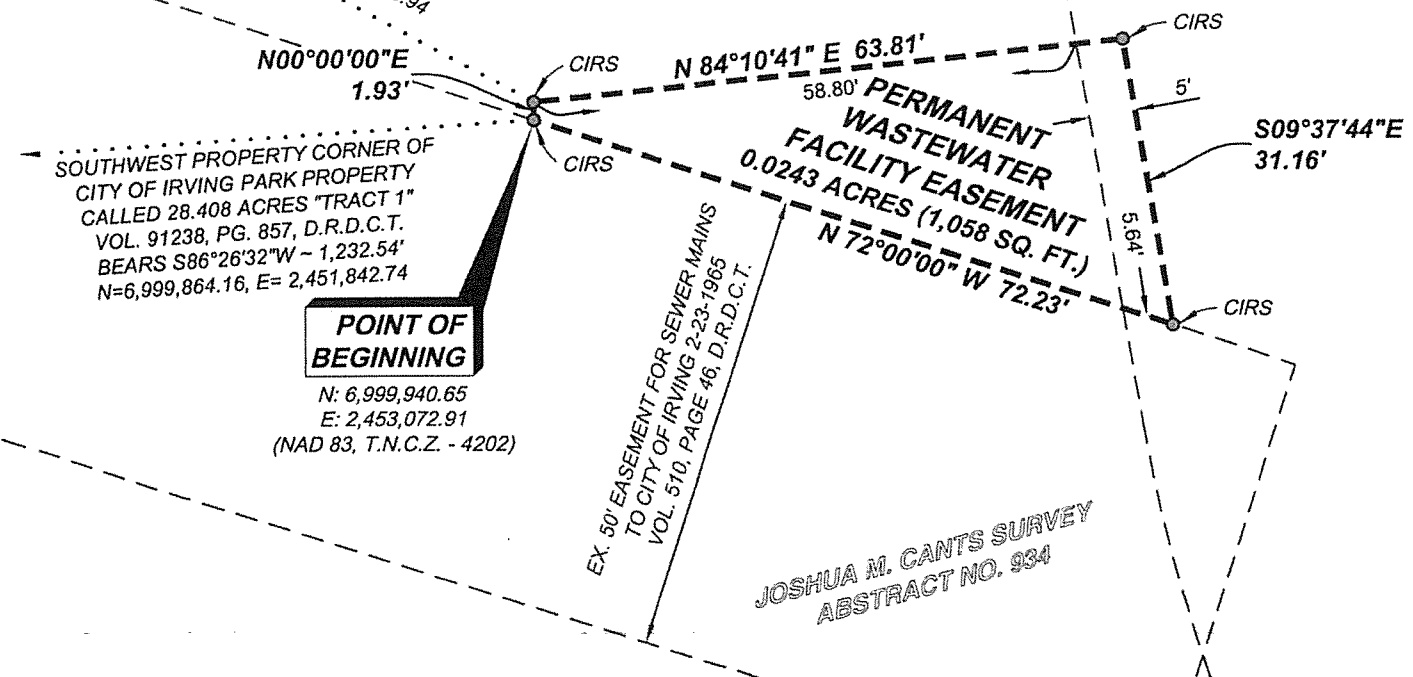
POINT OF BEGINNING

N: 6,999,940.65
E: 2,453,072.91
(NAD 83, T.N.C.Z. - 4202)

EX. 50' EASEMENT FOR SEWER MAINS TO CITY OF IRVING 2-23-1965 VOL. 510, PAGE 46, D.R.D.C.T.

JOSHUA M. CANTS SURVEY ABSTRACT NO. 934

50'
ELM FORK PARALLEL SEGMENT 1-B
EXISTING EASEMENT TO TRINITY RIVER AUTHORITY OF TEXAS DATED 12-23-1958 VOL. 5030, PG. 389, D.R.D.C.T.



CITY OF DALLAS BEING IN "TRACT 2",
PERMANENT SEWER FACILITY EASEMENT
CITY OF IRVING, DALLAS COUNTY, TEXAS

REV: 04/23/2018

PROPERTY: CITY OF DALLAS, "TRACT 2", VOL. 221, PG. 1797, D.R.D.C.T.
16-019 IRVING URBAN CENTER LIFT STATION_SAN SEW ESMNT.dwg

S&A JOB NO.: 16-019
DATE: 02/23/2018

DRAWN BY: J.B.N.
CHECKED BY: E.S.S.

PAGE 3 OF 3

FILE NO.

FOLDER NO.



SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 25 YEARS OF SERVICE

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

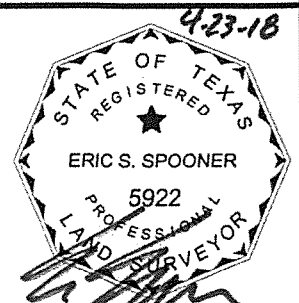
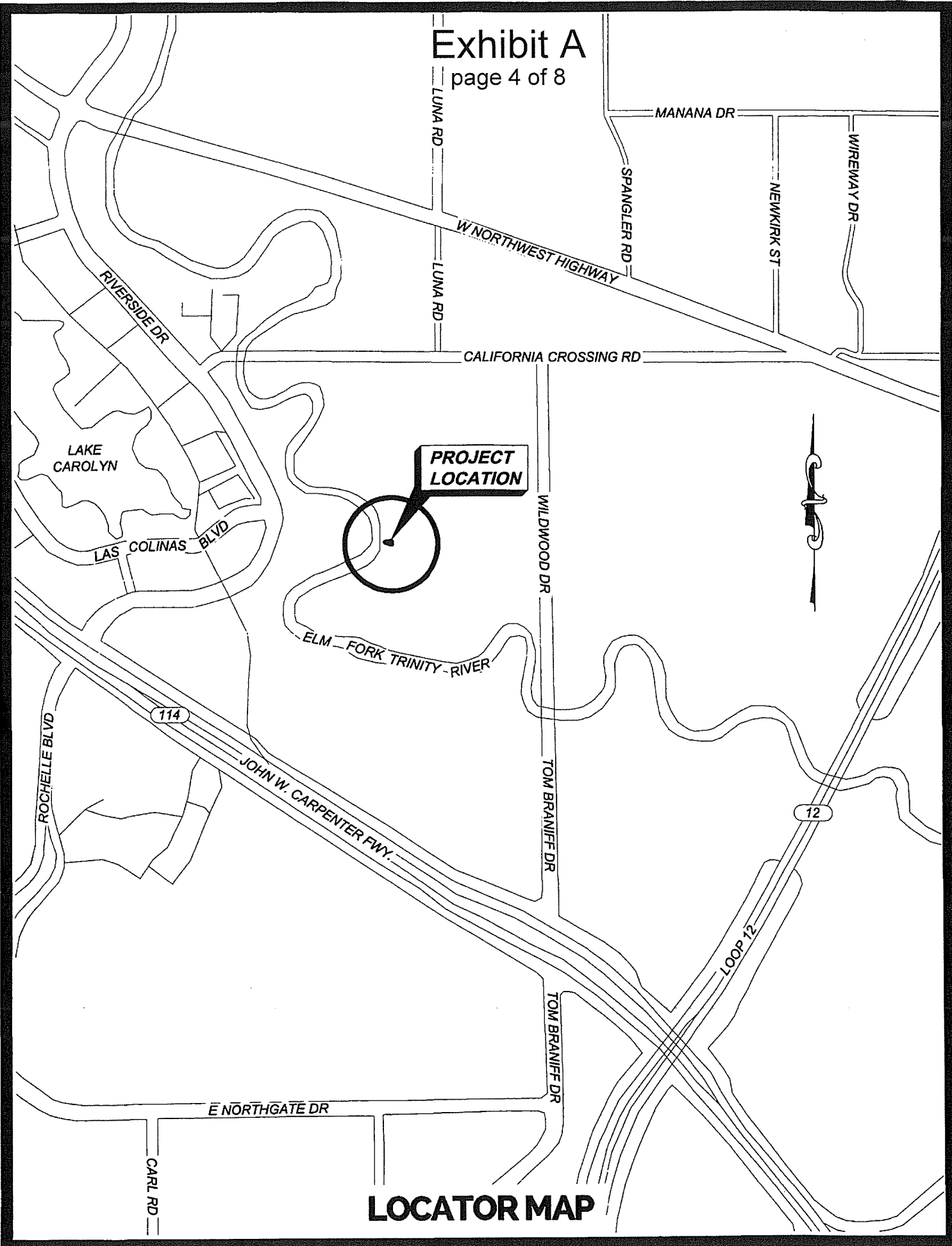


Exhibit A

page 4 of 8



LOCATOR MAP

Exhibit A

page 5 of 8

**FIELD NOTES DESCRIBING A 3,233 SQUARE FOOT (0.0742 ACRE)
TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370
FROM CITY OF DALLAS**

BEING a 3,233 square foot (0.0742 Acres) tract of land located in Block A/8370 in the Joshua M. Cants Survey, Abstract No. 934, City of Irving, Dallas County, Texas, said 3,233 square foot (0.0742 Acres) tract of land being a portion of that same tract conveyed to **CITY OF DALLAS**, by Warranty Deed as recorded in Volume 221, Page 1797, Official Public Records, Dallas County, Texas, said 3,233 square foot (0.0742 Acres) tract of land being a **Temporary Construction Easement** and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" on the north line of a future permanent wastewater facility easement, to be acquired by separate instrument, from said beginning point, the southwest property corner of a called 28.408 acre tract of land specifically identified as Tract 1 and being conveyed to the City of Irving by deed as recorded in Volume 91238, Page 857, Deed Records, Dallas County, Texas bears South 86°21'10" West, 1,232.67 feet, said beginning point having a NAD83 Texas North Central Zone (4202) coordinate of N: 6,999,942.58 and E: 2,453,072.91;

THENCE departing said future easement line, over and across the said City of Dallas tract, the following courses and distance:

- (1) North 05°52'01" East, 44.33 feet, to a point from which an "X" cut found at the north lot corner of Lot 3X, Block C, of AMLI at Las Colinas Urban Center, being an Addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 201200218426, Plat Records, Dallas County, Texas, bears North 62°58'24" West, 1,772.01 feet;
- (2) North 42°06'27" East, 59.64 feet to the west easement line of an existing 50 feet wide easement to Trinity River Authority of Texas (TRA), Dated 12-23-1958, by deed as recorded in Volume 5030, Page 389, Deed Records, Dallas County, Texas;
- (3) **THENCE** South 09°37'44" East, along said TRA easement line, 83.56 feet to the said future north easement line;
- (4) **THENCE** South 84°10'41" West, along the said future easement line, 58.80 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **0.0742 acres (3,233 square feet)** of land more or less.

The bearings shown hereon are based on a local coordinate system from NAD83 Texas North Central Zone (4202), derived from gps RTK-observations using the North Central Texas VRS network (maintained by Western Data Systems). All areas and distances shown hereon are surface values.

Exhibit A

181276

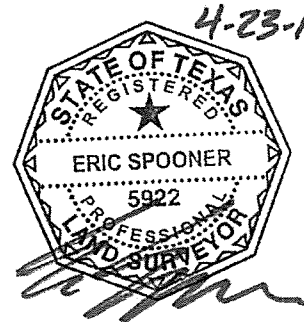
page 6 of 8

**FIELD NOTES DESCRIBING A 3,233 SQUARE FOOT (0.0742 ACRE)
TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370
FROM CITY OF DALLAS**

SURVEYORS CERTIFICATE

I do hereby certify that the above legal description was prepared from public records and from an actual and accurate survey upon the ground and that same is true and correct.

Surveyors Name: Eric S. Spooner
Registered Professional Land Surveyor, Texas No. 5922
Spooner and Associates, Inc.
Texas Board of Professional Land Surveying No. 10054900
Surveyed on the ground April-2017



JOSHUA M. CANTS
SURVEY
ABSTRACT NO. 934

NOTE: THE BEARINGS SHOWN HEREON ARE BASED ON A LOCAL COORDINATE SYSTEM FROM NAD83 TEXAS NORTH CENTRAL ZONE (4202), DERIVED FROM GPS RTK OBSERVATIONS USING THE NORTH CENTRAL TEXAS VRS NETWORK (MAINTAINED BY WESTERN DATA SYSTEMS). ALL AREAS AND DISTANCES SHOWN HEREON ARE SURFACE VALUES.

SEE ATTACHED LEGAL DESCRIPTION ON PAGE 1 HEREIN

BLOCK A/8370

"TRACT 2"
CITY OF DALLAS
VOL. 221, PG. 1797
D.R.D.C.T.

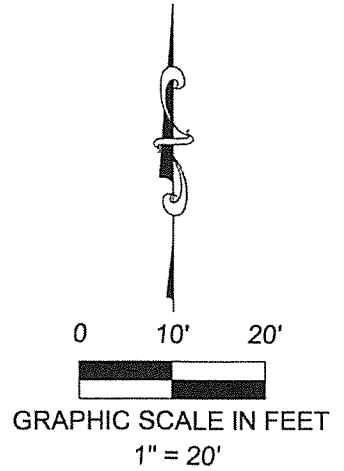
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50'
ELM FORK PARALLEL SEGMENT 1-B
EXISTING EASEMENT TO TRINITY RIVER AUTHORITY OF TEXAS DATED 12-23-1958 VOL. 5030, PG. 389, D.R.D.C.T.

LEGEND

- VOL. VOLUME
- PG. PAGE
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- P.R.D.C.T. PLAT RECORDS, DALLAS COUNTY, TEXAS
- CIRS 5/8" IRON ROD WITH CAP STAMPED "SPOONER AND ASSOCIATES SET

TEMPORARY CONSTRUCTION EASEMENT
0.0742 ACRES
(3,233 SQ. FT.)



POINT OF BEGINNING

N: 6,999,942.58
E: 2,453,072.91
(NAD 83, T.N.C.Z. - 4202)

N 05°52'01" E 44.33'

N 42°06'27" E 59.64'

S 09°37'44" E 83.56'

S 84°10'41" W 58.80'

SOUTHWEST PROPERTY CORNER OF CITY OF IRVING PARK PROPERTY CALLED 28.408 ACRES "TRACT 1" VOL. 91238, PG. 857, D.R.D.C.T. BEARS S86°21'10"W - 1,232.67'

EX. 50' EASEMENT FOR SEWER MAINS TO CITY OF IRVING 2-23-1965 VOL. 570, PAGE 46, D.R.D.C.T.

FUTURE PERMANENT WASTEWATER FACILITY ESMNT. BY SEPARATE INSTRUMENT

Exhibit A
page 7 of 8

CITY OF DALLAS BEING IN "TRACT 2",
TEMPORARY CONSTRUCTION EASEMENT
CITY OF IRVING, DALLAS COUNTY, TEXAS

REV: 04/23/2018

PROPERTY: CITY OF DALLAS, "TRACT 2", VOL. 221, PG. 1797, D.R.D.C.T.
16-019 IRVING URBAN CENTER LIFT STATION_TEMP CONST. ESMNT.dwg

S&A JOB NO.: 16-019
DATE: 02/23/2018

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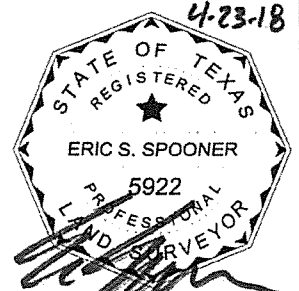
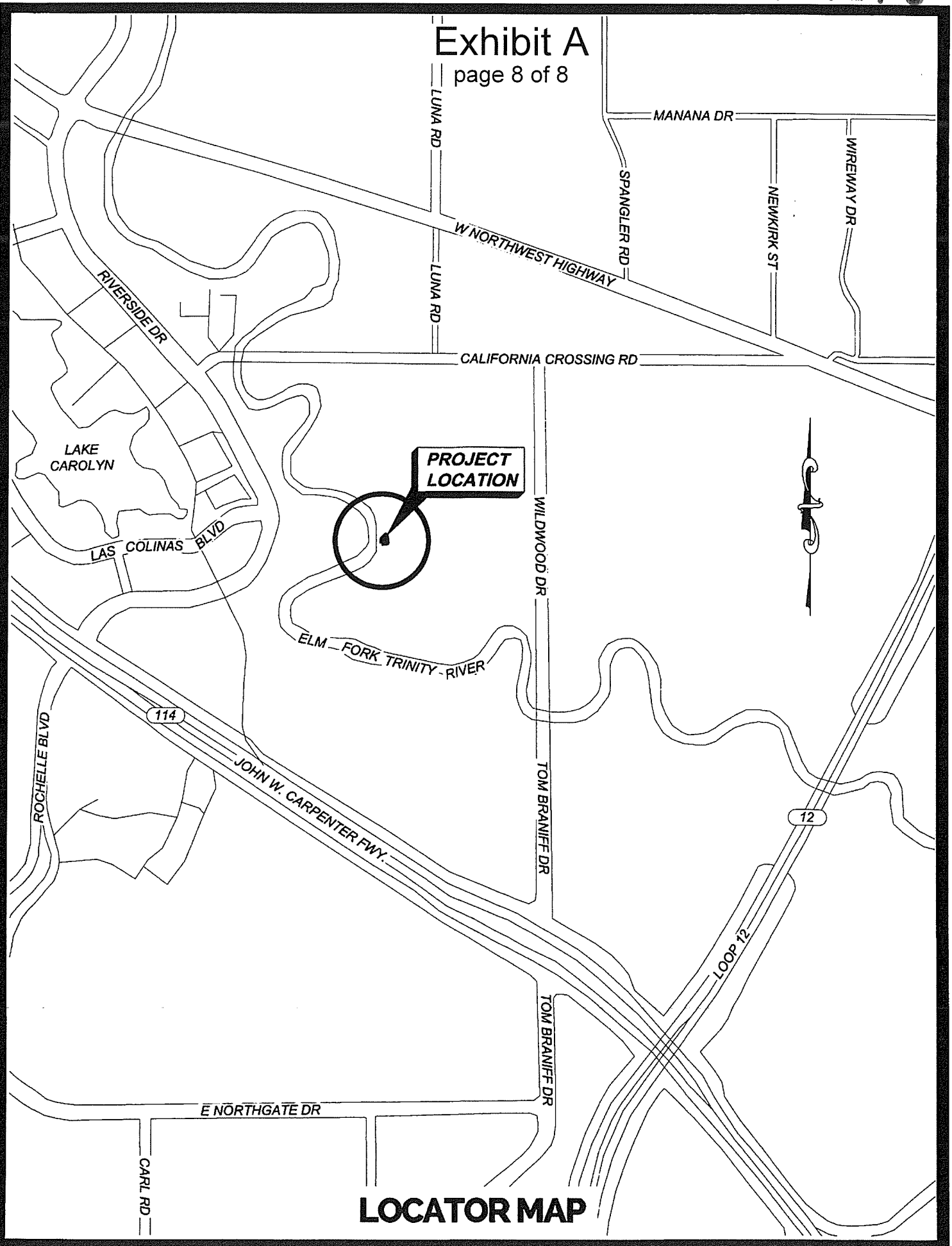


Exhibit A

page 8 of 8



LOCATOR MAP