

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURPOSE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

“CITY”: The City of Dallas

“PROPERTY”: Approximately 35,133 square feet of land located in Dallas County, Texas and being the same property 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”: COVID-19 Supportive Housing

“USE”: To be developed for COVID-19 supportive housing for persons experiencing homelessness 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 with closing conditions to include all improvements and tenant lease(s) if any, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the conveyance instrument approved as to form by the City Attorney and such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

“OWNER”: Hotel Miramar, LLC 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”: \$3,500,000.00

“CLOSING COSTS AND TITLE EXPENSES”: Not to exceed \$18,000.00

“AUTHORIZED AMOUNT”: Not to exceed: \$3,518,000.00

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 9, 2020

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, including the assignment to and assumption by City of any existing tenant lease(s).

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained independent appraisals 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 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 payable out of the U.S. Department of the Treasury – Coronavirus Relief Funds, Fund F620, Department MGT, Unit 935F, Program OH17VJ08, Object 4210, Encumbrance/Contract No. OHS-2021-00015129. 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:
Christopher J. Caso, City Attorney

BY 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

DEC 09 2020

CITY SECRETARY

EXHIBIT A

BEING A PORTION OF BLOCK D/5930, HAMPTON PLAZA ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11, PAGES 127 AND 128, MAP RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THAT TRACT OF LAND CONVEYED TO AMIN AND MODY PARTNERSHIP, A TEXAS GENERAL PARTNERSHIP, BY DEED RECORDED IN VOLUME 2000007, PAGE 3141, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID CORNER BEING ON THE SOUTH LINE OF FORT WORTH AVENUE (120 FOOT PUBLIC RIGHT-OF-WAY) AND THE EAST LINE OF TARRANT PLACE (80 FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 67 DEGREES 42 MINUTES 57 SECONDS EAST, ALONG THE SOUTH LINE OF SAID FORT WORTH AVENUE, A DISTANCE OF 292.96 FEET TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAID CORNER BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO SHARON FAVORS AND THOMAS HAYES, BY DEED RECORDED IN CLERK'S FILE NO. 201300237866, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 20 DEGREES 35 MINUTES 12 SECONDS EAST, ALONG THE WEST LINE OF SAID FAVORS/HAYES TRACT, A DISTANCE OF 120.02 FEET TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAID CORNER BEING ON THE NORTH LINE OF A 30 FOOT ALLEY AND THE SOUTHWEST CORNER OF SAID FAVORS/HAYES TRACT;

THENCE SOUTH 67 DEGREES 43 MINUTES 05 SECONDS WEST, ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 292.80 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID CORNER BEING ON THE EAST LINE OF SAID TARRANT PLACE;

THENCE NORTH 20 DEGREES 39 MINUTES 54 SECONDS WEST, ALONG THE EAST LINE OF SAID TARRANT PLACE, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 35,133 SQUARE FEET OR 0.807 ACRES OF LAND.

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.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Hotel Miramar, LLC, a Texas limited liability company (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THREE MILLION FIVE HUNDRED EIGHTEEN AND NO/100 DOLLARS (\$3,518,000.00) 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, by, through or under Grantor, but not otherwise.

EXECUTED this _____ day of _____, _____.

Hotel Miramar, LLC,
a Texas limited liability company

By: _____
Ratnakar Mody, Sole Manager

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
By Ratnakar Mody, Sole Manager of Hotel Miramar, LLC, a Texas limited liability
company, on behalf of said limited liability company.

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: Mark Proctor, Real Estate Manager

Special Warranty Deed Log No. 49891 / Block d/5930

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