

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 72,032 square feet of land located in Collin 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”: Sunstone Group, Inc. 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”: \$6,600,000.00

“CLOSING COSTS AND TITLE EXPENSES”: Not to exceed \$30,000.00

“AUTHORIZED AMOUNT”: Not to exceed: \$6,630,000.00

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.

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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.

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 OH17VJ06, Object 4210, Encumbrance/Contract No. OHS-2021-00015128. 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



EXHIBIT A**FIELD NOTES DESCRIBING LAND TO BE ACQUIRED IN BLOCK 22/8736
FROM THE SUNSTONE GROUP, INCORPORATED**

BEING situated in the William Traugber Survey, Abstract No. 905, City of Dallas Block 22/8736, Collin County, Texas and being all of Lot 2A, Block 22/8736, of the Microtel-190 Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Cabinet M, Page 499 of the Map Records of Collin County, Texas, and being all of the property conveyed to the Sunstone Group, Incorporated as recorded in Instrument No. 20161118001568730 of the Deed Records of Collin County, Texas and containing 72,032 Square Feet, or 1.6536 Acres of land according the map or plat thereof.

This description is approved as to form.



Scott Holt, RPLS
Survey Program Manager
City of Dallas

November 13, 2020
Date:

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.

SPECIAL WARRANTY DEED

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

That Sunstone Group, Inc., a Texas corporation (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Collin, State of Texas, for and in consideration of the sum of SIX MILLION SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,600,000.00) 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 _____, 2020.

Sunstone Group, Inc.,
a Texas corporation

By: _____
Rakesh Patel, President

* * * * *

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____
By Rakesh Patel, President of Sunstone Group, Inc., a Texas corporation, on behalf of
said corporation.

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. 49890 / Lot 2A, Block 22/8736

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This description is approved as to form.



Scott Holt, RPLS
Survey Program Manager
City of Dallas

November 18, 2020

Date: