

# Memorandum

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CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

DATE 10 January, 2013

TO Trinity River Corridor Project Committee Members: Linda Koop (Vice Chair), Monica Alonzo, Scott Griggs, Angela Hunt, and Delia Jasso

SUBJECT Trinity River Corridor Project Council Committee Meeting Agenda

**Monday, 14 January 2013, 3:00 P.M.**

Dallas City Hall – 6ES, 1500 Marilla Street, Dallas, TX 75201

The agenda for the meeting is as follows:

1. Approval of 10 December 2012 Meeting Minutes (Estimated 3 minutes) Vonciel Jones Hill, Chair
2. Margaret McDermott Bridge Update (Estimated 10 minutes) Liz Fernandez, P.E., LEED AP
3. Dallas Floodway System Study Update (Estimated 40 minutes) Colonel Charles H. Klinge, USACE  
Rob Newman, USACE
4. Upcoming Potential Council Agenda Item(s) for 23 January 2013 (Estimated 5 minutes)

- Authorize settlement, in lieu of proceeding with condemnation, for an unimproved tract of land containing approximately 17 acres from Saber Development Corporation, located near the intersection of Leath Street and Ingersoll Street for continued operation and maintenance of the West Levee – Not to exceed \$55,000 (\$50,790, plus closing costs not to exceed \$4,210) - Financing: 2006 Bond Funds (**DRAFT**)

- **Margaret McDermott (IH 30) Bicycle and Pedestrian Improvements**

Authorize a Project Specific Agreement with Dallas County for funding participation for the design and construction of IH30 bicycle and pedestrian connections between Riverfront Boulevard and Beckley Avenue – Financing: No cost consideration to the City

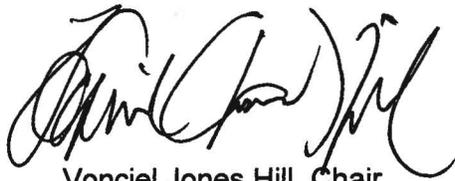
Authorize (1) receipt and deposit of \$5,000,000 from the Trinity Trust Foundation for the construction of IH30 Bridge Pedestrian and Bicycle components; (2) receipt and deposit of \$450,000 from the Dallas Foundation; (3) an increase in appropriations in the IH30 Bridge Donation Fund in the amount of \$6,327,780; and (4) payment to the Texas Department of Transportation (TxDOT) for the construction of the bicycle and pedestrian components of the Margaret McDermott (IH30) Bridge over the Trinity Floodway - Not to exceed \$8,197,805 –

Financing: 2003 Bond Funds (\$646,247), 2006 Bond Funds (\$1,223,778) and  
IH30 Bridge Donation Funds (\$6,327,780)  
**DRAFT for potential inclusion on JANUARY 23, 2013 ADDENDUM**

- Authorize a professional services contract with Pacheco Koch Consulting Engineers for surveying services associated with the Trinity Forest Golf Course and the Texas Horse Park. A tree and topographic survey will be completed as part of this agreement.  
**DRAFT for potential inclusion on JANUARY 23, 2013 ADDENDUM**

5. Adjourn  
(Estimated 4:30 P.M.)

Should you have any questions, please do not hesitate to contact me.



Vonciel Jones Hill, Chair  
Trinity River Corridor Project Council Committee



THE TRINITY  
DALLAS

c: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
A. C. Gonzalez, First Assistant City Manager  
Ryan S. Evans, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Forest E. Turner, Assistant City Manager  
Joey Zapata, Assistant City Manager

Liz Fernandez, Director, Trinity Watershed Management  
Sarah Standifer, Assistant Director, Trinity Watershed Management  
Barbara Kindig, (I) Director, Park and Recreation  
Theresa O'Donnell, Director, Sustainable Development & Construction  
Rosa A. Rios, City Secretary  
Stephanie Cooper, Assistant to the City Manager – Council  
Frank Libro, PIO

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

# Trinity River Corridor Project Council Committee Meeting Record

**Meeting Date:** 10 December 2012    **Convened:** 3:14 P.M.    **Adjourned:** 4:38 P.M.

<b><u>Councilmembers:</u></b>	<b><u>Presenter(s):</u></b>
Vonciel Jones Hill, Chair	Liz Fernandez, Director – Trinity Watershed Mgmt.
Linda Koop, Vice-Chair	Sarah Standifer, Assistant Director – Trinity Watershed Mgmt.
Monica Alonzo	
Angela Hunt	
Scott Griggs	
Delia Jasso	
<b><u>Councilmembers Absent:</u></b>	
None	
<b><u>Staff Present:</u></b> Sarah Standifer, Jennifer Cottingham, Natalie Wilson, Ileana Fernandez, and Adelia Gonzalez	

**AGENDA:**

1. **Approval of the 8 October 2012 Meeting Minutes**

**Presenter(s):** Vonciel Jones Hill, Chair

**Information Only:** \_\_\_\_\_

**Action Taken/Committee Recommendation(s):** Motion to approve the 8 October 2012 meeting minutes

Motion made by: Linda Koop

Item passed unanimously: X

Item failed unanimously: \_\_\_\_\_

Motion seconded by: Monica Alonzo

Item passed on a divided vote: \_\_\_\_\_

Item failed on a divided vote: \_\_\_\_\_

2. **Site Visit – Texas Horse Park and Trinity Forest Golf Course**

**Presenter(s):** Liz Fernandez and Sarah Standifer

**Information Only:** X

**Action Taken/Committee Recommendation(s):** Councilmembers recessed at 3:19 P.M. to tour Texas Horse Park and Trinity Forest Golf Course. Reconvened at City Hall at 4:38 P.M.

3. **Upcoming Council Agenda Item(s) for 12 December 2012**

**Presenter(s):** Liz Fernandez

**Information Only:**

**Action Taken/Committee Recommendation(s):** Motion to move forward to full council with this committee’s recommendation for approval

Motion made by: Linda Koop

Item passed unanimously:

Item failed unanimously: \_\_\_\_\_

Motion seconded by: Delia Jasso

Item passed on a divided vote: X

Item failed on a divided vote: \_\_\_\_\_

Councilmember Angela Hunt opposed moving forward with the recommendation of approval.

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Vonciel Jones Hill, Chair  
Trinity River Corridor Project Council Committee



DRAFT

# Memorandum



DATE January 11, 2013

TO Trinity River Corridor Project Committee Members: Vonciel Jones Hill (Chair)  
Linda Koop (Vice Chair), Monica Alonzo, Scott Griggs, Angela Hunt, and Delia Jasso

SUBJECT **Margaret McDermott Bridge Update**

At the next Trinity River Corridor Project Council Committee Meeting on Monday, January 14, 2013, the attached briefing will be presented to you. This briefing will provide an update on the Margaret McDermott Bridge.

Please contact me if you have questions.



Jill A. Jordan, P.E.  
Assistant City Manager



#### Attachment

Cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
A. C. Gonzalez, First Assistant City Manager  
Ryan S. Evans, Assistant City Manager  
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Rosa A. Rios, City Secretary  
Stephanie Cooper, Assistant to the City Manager – Council  
Frank Libro, PIO

*Rendering of Margaret McDermott (IH30) Bridge*



# Margaret McDermott (IH30) Bridge Update

Trinity River Corridor Project Committee  
January 14, 2013



# In Summary

- TxDOT is ready to start construction on the “Horseshoe” project which includes the Margaret McDermott (IH30) Bridge, IH35 Bridge and mixmaster
- All funding has been identified for the entire project

# Introduction

- Since 1993, thousands of citizens have supported/worked on the Trinity River Corridor Project. This support includes over \$50M in private sector donations
- One of the critical components of this planning initiative has been signature bridges

# Introduction (Cont'd)

- Completed in 2012, the City's first Calatrava bridge, the Margaret Hunt Hill Bridge, has become a catalyst in creating significant economic development investments in West Dallas

# MARGARET HUNT HILL BRIDGE – PUBLICITY FOR DALLAS

- Buildipedia.com
- Great Brewers
- New Geographer

**AD**  
ARCHITECTURAL DIGEST

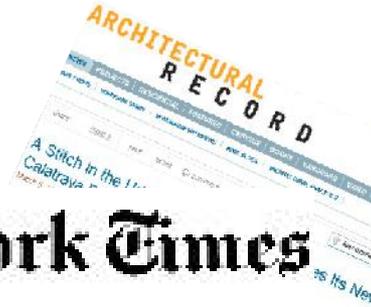
SANTIAGO CALATRAVA'S MARGARET HUNT HILL BRIDGE IN DALLAS

The innovative architect unveils his new addition to the city's skyline  
Photo: Stephen Karlsson



Photo: Stephen Karlsson

The main entrance addition to the Dallas skyline in recent memory comes in the form of a parabolic pylon of gleaming white steel. Rising 400 feet above the banks of the Trinity River, it acts as the central support for the



## The New York Times

Fun (Actually in the Water!) on the Trinity River

By [Name] June 18, 2011

In Fort Worth, the \$600 million Trinity Vision venture is centered on the creation of a Trinity Uptown addition to downtown, with residential and commercial developments clustered around a San Antonio-inspired river walk.



**Chicago Tribune**  
The emerging Dallas New 'frontlawn,' bridge part of transformation



**ASCE** AMERICAN SOCIETY OF CIVIL ENGINEERS

# VANITY FAIR

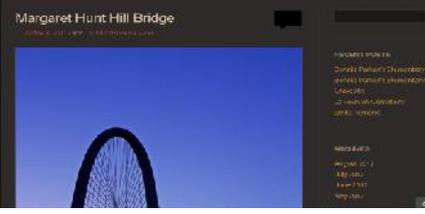
— Spotlight —

## NEXT STOP, MANHATTAN

to secure to find, the lawyer. "That's what we have: even better. Where do they get the stuff?" But Jennifer always is the subject of rumors, especially the "dick" kind. They spread like wild fire through the walls of closing doors and



Architect Santiago Calatrava



# Purpose

- This briefing provides an update for the Margaret McDermott (IH30) Bridge
  - Margaret McDermott, Philanthropist, is an extraordinary benefactor to medicine, education, the arts, and the City of Dallas, including both Dallas Public Libraries and the Trinity River Corridor Project

# IH30 Bridge History

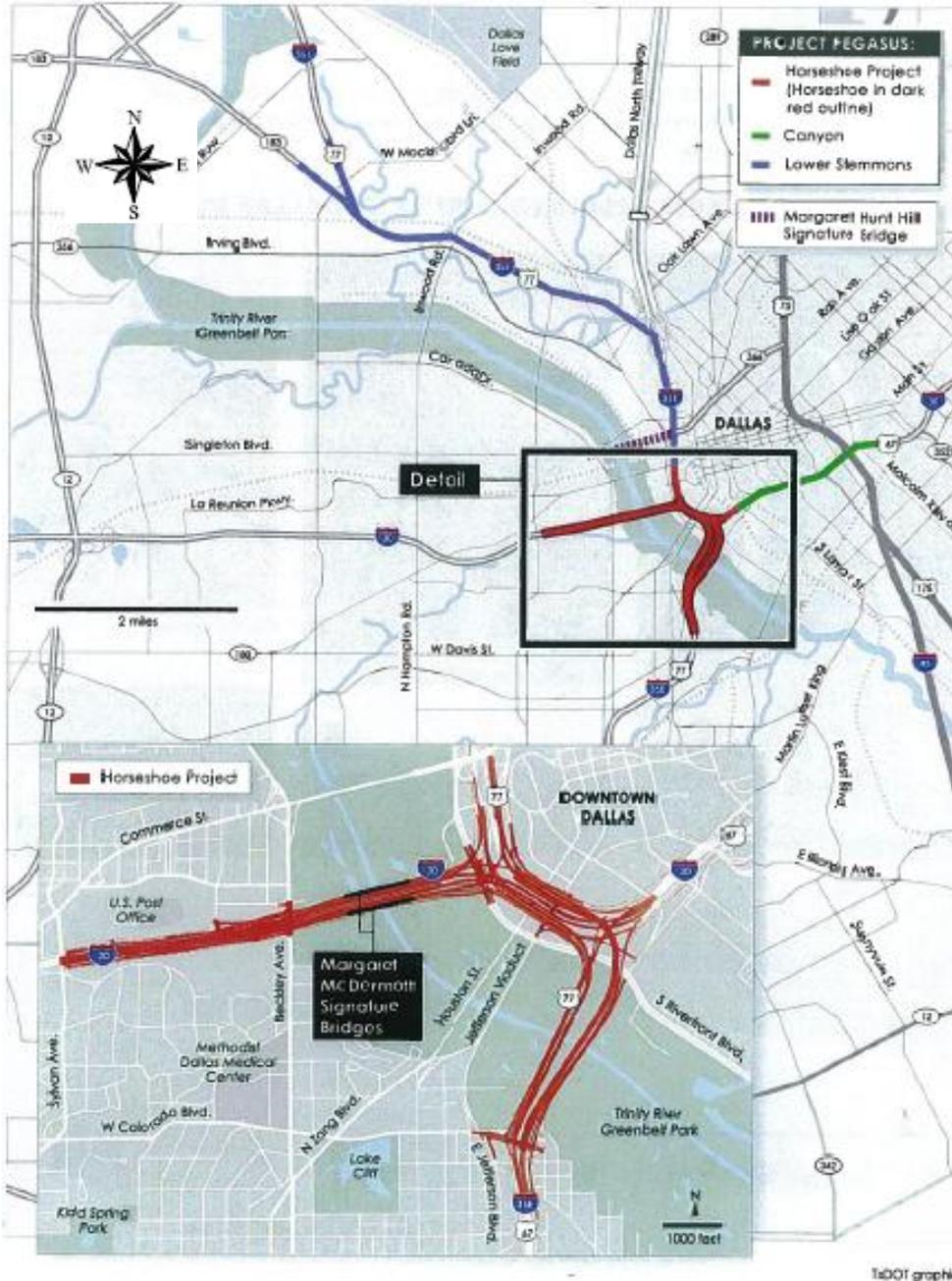
- The current IH30 Bridge crossing the Trinity River was designed and constructed as part of the highway infrastructure improvements in the late 1950s - early 1960s
- The bridge has reached the end of its useful life and must be replaced
- Since the early 2000's, the City has been working to secure construction funding for the signature elements to the IH30 Bridge, while TxDOT has been working to obtain funding for the remainder of the bridge
  - The Dallas area Congressional delegation has secured ~\$91.3M in federal funding for signature elements

# IH30 Bridge History (Cont'd)

- Funding was recently identified by TxDOT to replace the IH30 and IH35 Trinity Bridges, as well as the freeway segment connecting these bridges known as the downtown “mixmaster”
  - The design-build project is known as the “Horseshoe” Project
- Santiago Calatrava designed the bicycle and pedestrian facilities portion of the Margaret McDermott (IH30) Bridge
- The bicycle and pedestrian facilities will be constructed as part of the “Horseshoe” Project
  - In June 2012, Council authorized a construction agreement with TxDOT to fund any differences in the construction costs

# “Horseshoe” Project Scope

- Replacement of the IH30 and IH35E Trinity River Bridges
- Reconstruction of the “Mixmaster”
- IH30 bicycle and pedestrian features with connections to Riverfront and Beckley

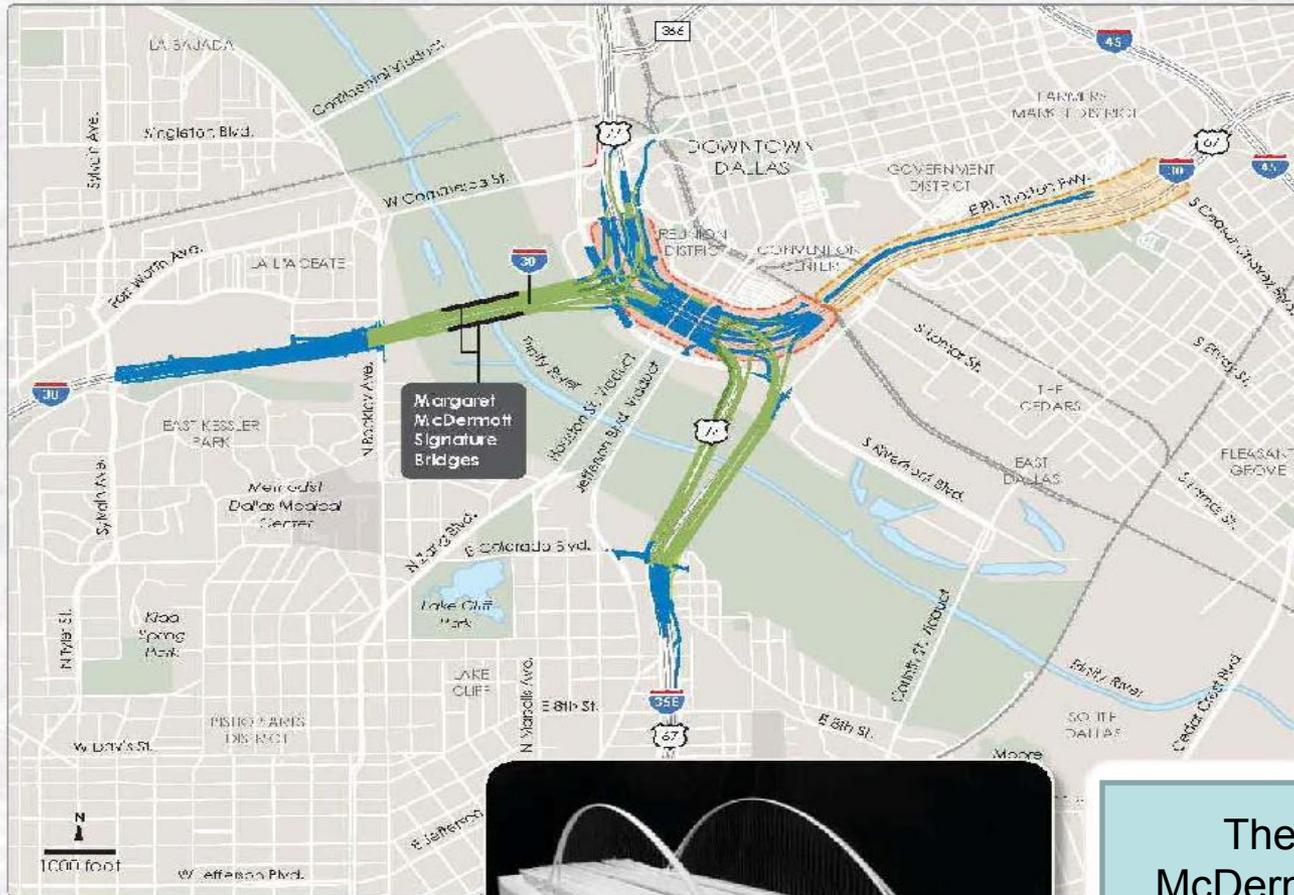


# Horseshoe Project

- IH30 Bridge
  - 10 main lanes
  - 1 reversible HOV lane
  - 4 frontage road lanes
  - Bicycle and pedestrian facilities
- IH35 Bridge
  - 17 main lanes
  - 1 reversible HOV lane
  - Pedestrian facilities

# Margaret McDermott (IH30) Bridge

■ New Bridges    
 ■ New Roadway Pavement    
 ■ Mixmaster Area    
 ■ Canyon Area



**LENGTH OF ARCH:**  
1125'-0"

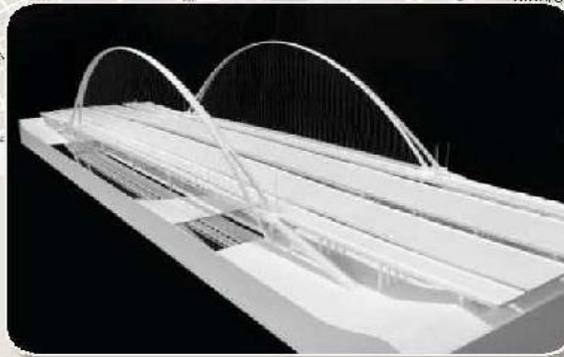
**HEIGHT OF ARCH:**  
286' above the roadway surface

340' above the proposed floodway elevation

**CABLES:**  
98' 1-1/8" DIA Galvanized Structural Strand  
Longest: 275'  
Shortest: 46'

**CORRIDOR WIDTH:**  
20'-4" Total  
7'-0" Sidewalk  
11'-0" Bike Path

**STRUCTURAL STEEL:**  
Arch: 3,900,000 lbs  
Superstructure: 2,700,000 lbs



The Margaret McDermott bicycle & pedestrian facilities – Designed by Santiago Calatrava

**DALLAS HORSESHOE/ IH 30 FRONTAGE ROAD PEDESTRIAN BRIDGES,**  
Dallas, Texas

# Margaret McDermott (IH30) Bridge

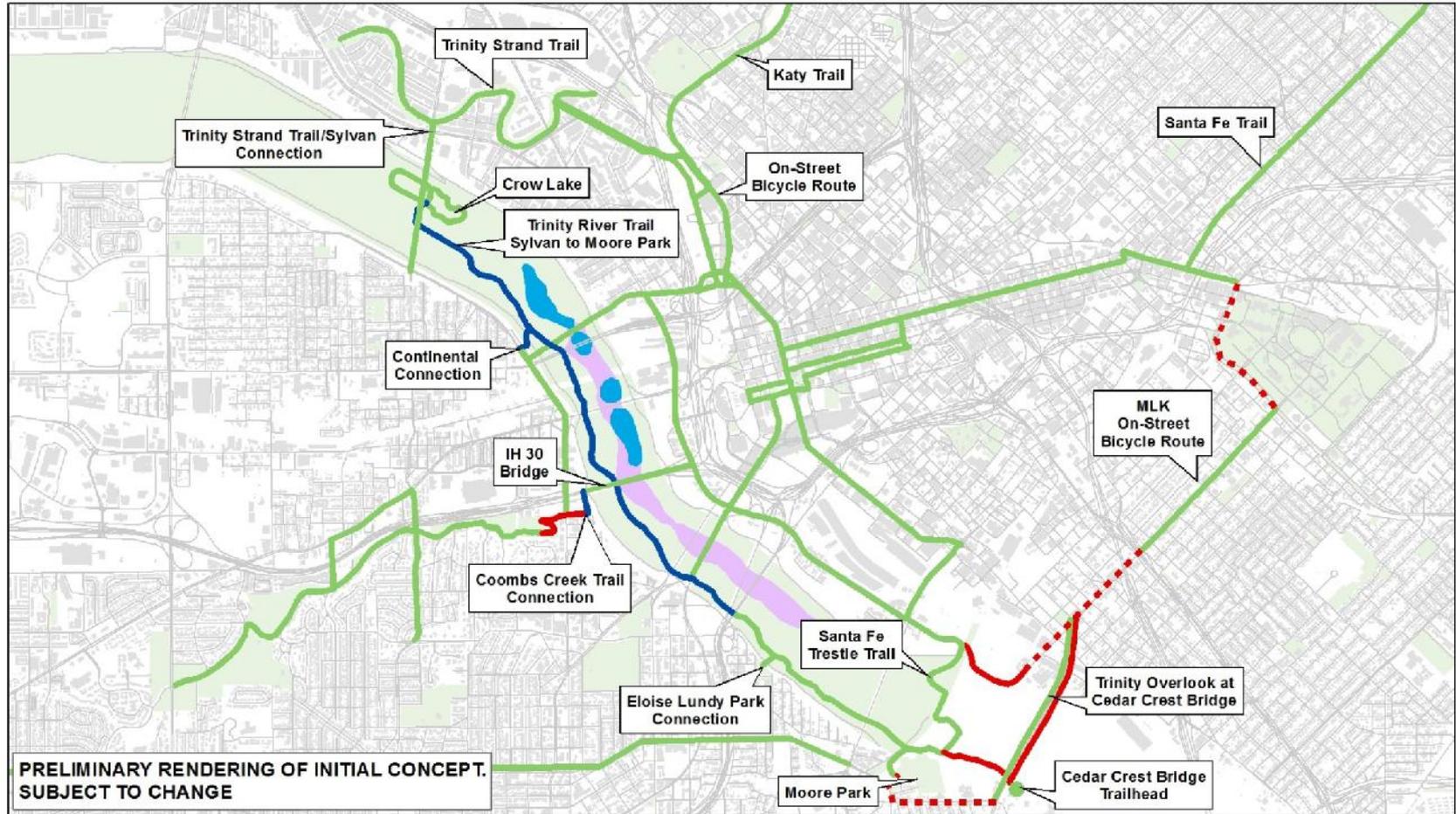
*Rendering of Margaret McDermott (IH30) Bridge*



# Bicycle and Pedestrian Facilities

- The IH30 bicycle and pedestrian facilities are part of an overall Trinity Trail plan
  - Provides a connection between Riverfront Boulevard (east side) and Beckley Avenue (west side)
  - The current design calls for 18 feet wide across the main span of the bridge
    - North side is for pedestrians only
    - South side is for bicycles only

# Bicycle and Pedestrian Facilities

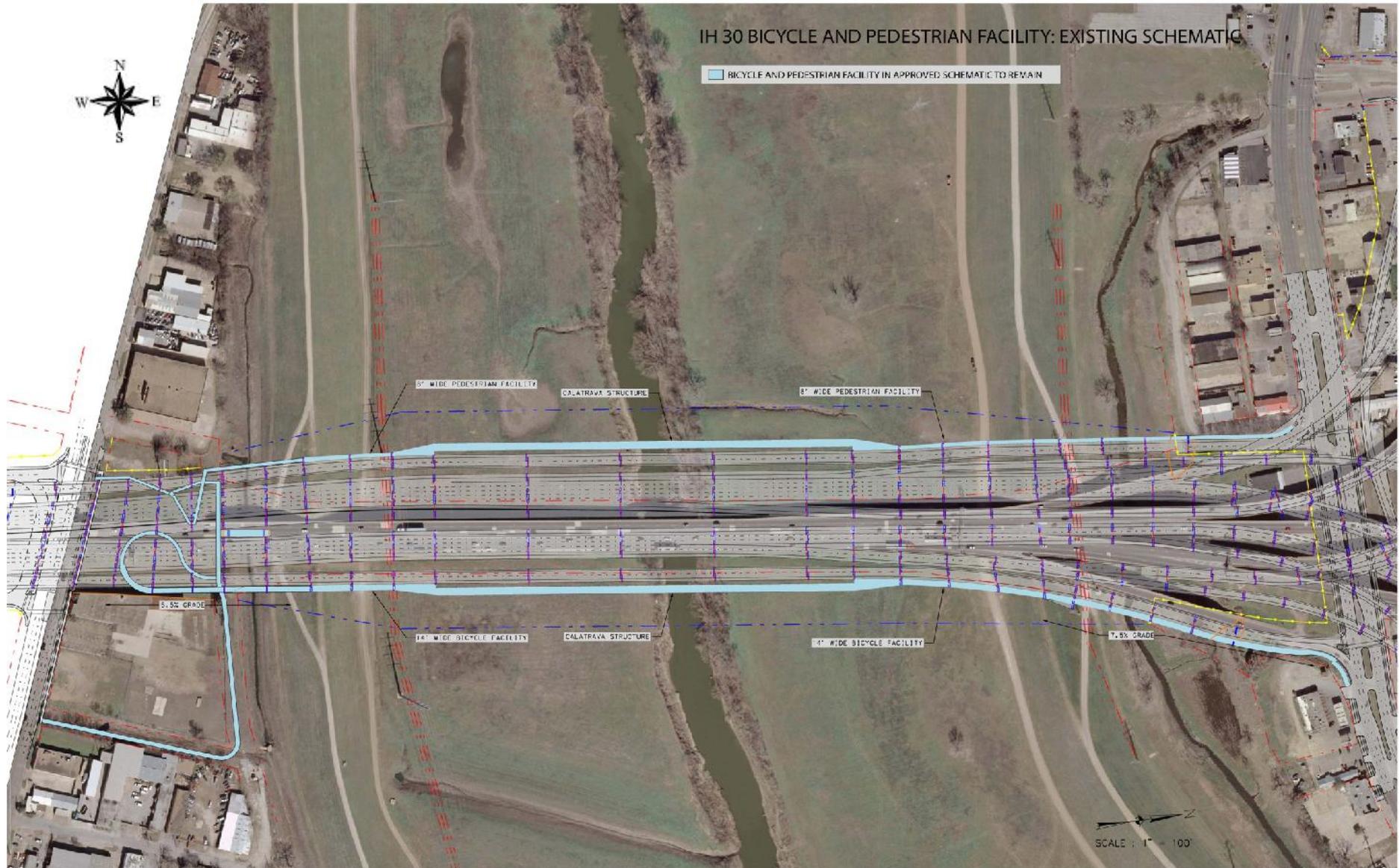


Trinity Trail

- Ultimate Lake Footprint
- Proposed Phase I Urban Lake
- Existing/Funded Projects
- 2012 Connection Projects
- Future Linkage Opportunities
- On-Street Bicycle Route Gap



# IH30 Bicycle/Pedestrian Connections



# Margaret McDermott (IH30) Bridge

- City's goal is to enhance the IH30 bicycle and pedestrian facilities when funding becomes available to accommodate bicycles and pedestrians on both sides of the bridge
- Dallas County has committed \$2M towards providing multi-use IH30 bicycle and pedestrian facilities between Riverfront and Beckley
  - On January 23, 2013, the City Council will be asked to consider authorizing a Project Specific Agreement with Dallas County for IH30 bicycle and pedestrian connections between Riverfront and Beckley

# Project Cost and Funding

- TxDOT conditionally awarded the design-build Horseshoe Project to Pegasus Link Constructors (PLC) on November 15, 2012
  - Total project cost is **\$798 M which includes the IH30 frontage roads, and bicycle and pedestrian facilities**
- PLC's bid for the frontage roads and signature bicycle and pedestrian facilities is **\$114.9 M**, leaving a funding difference of **\$12 M**
  - Available funding for the IH30 frontage road and the bicycle and pedestrian facilities:

Federal funding	\$91.3 M
Regional Transportation Council funding	<u>\$11.6 M</u>
<b>Total</b>	<b>\$102.9 M</b>

# Project Cost and Funding

- Per the construction funding agreement with TxDOT authorized on June 27, 2012, by Council Resolution No. 12-1739, the City is responsible for providing funding or identifying value engineering cost savings for the funding difference

- Proposed construction funding sources:

Value Engineering Cost Savings (preliminary)*	~\$3.8 M
Private Donations **	~\$6.3 M
2003 and 2006 Street Proposition Public Art Funds***	<u>~\$1.9 M</u>

**Total            \$12 M**

\* Final value engineering cost savings are still being negotiated with TxDOT, Pegasus Link Constructors and Santiago Calatrava.

\*\* New donations from Trinity Trust (\$5M); Previously donated signature bridge funds (\$1.3M)

\*\*\* Public Art 1998 Bond funds (\$1.233M) were also used on the Margaret Hunt Hill signature bridge.

# Horseshoe Project/Margaret McDermott Bridge Construction Schedule

- ✓ December 2011 - TxDOT issued Request for Qualifications (RFQ)
- ✓ March 2012 – TxDOT short-listed three best qualified design-build proposers
- ✓ June 2012 – City Council authorized construction funding agreement with TxDOT
- ✓ July 2012 – TxDOT issued Request for Proposals (RFP)
- ✓ September 2012 – Short-listed design-build teams submitted Final Proposals
- ✓ November 15, 2012 – TxDOT conditionally awarded project to Pegasus Link Constructors
- January 2013 – TxDOT requires total funding to be at the State prior to executing contract with Pegasus Link Constructors
- May 2013 – Construction estimated to begin
- May 2017 – Construction estimated to be completed

# Margaret McDermott (IH30) Bridge

## Next Steps

- On January 23, 2012, Council will be asked to consider:
  - Authorizing a Project Specific Agreement with Dallas County for IH30 bicycle and pedestrian connections between Riverfront and Beckley
  - Acceptance of a grant from the Trinity Trust
  - Authorizing construction payment to TxDOT
- Brief Council at a later date on the progress of the planned enhancements to the IH30 bicycle and pedestrian connections and construction sequencing of the bridge

# Questions and Discussion

*Rendering of Margaret McDermott (IH30) Bridge*



# Memorandum



DATE January 11, 2013

TO Trinity River Corridor Project Committee Members: Vonciel Jones Hill (Chair)  
Linda Koop (Vice Chair), Monica Alonzo, Scott Griggs, Angela Hunt, and Delia Jasso

SUBJECT **Dallas Floodway System Study Update**

At the next Trinity River Corridor Project Council Committee Meeting on Monday, January 14, 2013, the attached briefing will be presented by Colonel Charles H. Klinge and Rob Newman, Director, Trinity River Corridor Project, Fort Worth District, with the United States Army Corps of Engineers. This briefing will provide an update on the Dallas Floodway System study.

Please contact me if you have questions.



Jill A. Jordan, P.E.  
Assistant City Manager



THE TRINITY  
DALLAS

#### Attachment

Cc: Honorable Mayor and Members of the City Council  
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# DALLAS FLOODWAY SYSTEM STUDY UPDATE

**Col. Charles H. Klinge**

Commander, Fort Worth District,  
U.S. Army Corps of Engineers

**Rob Newman**

Director, Trinity River Corridor Project,  
Fort Worth District

Jan. 14, 2013



# Purpose of Today's Briefing

- Provide an update on the Dallas Floodway System Study, which includes proposed improvements to the levee system, in advance of the Corps public meeting on January 29, 2013



# Outline

- Study Area Map
- Background
- Where are we now?
- System Study Update – Proposed improvements to the levees
- Path forward





# Background

- 1998 – Corps and City began a System Study to raise the levee system
- 2007 – Water Resources Development Act (WRDA) Section 5141 was authorized to raise the levees up to 2 feet, provide recreation and improve pump stations
- 2009 – Periodic Inspection resulted in unacceptable rating for the levees



# Background

- 2010-2012 – City Began 100-year levee improvements to gain levee recertification and designed and constructed various pump stations
- 2010-2012 – Corps completed a Risk Assessment and explored additional levee improvements for the full performance of the levee system and those results will be presented today

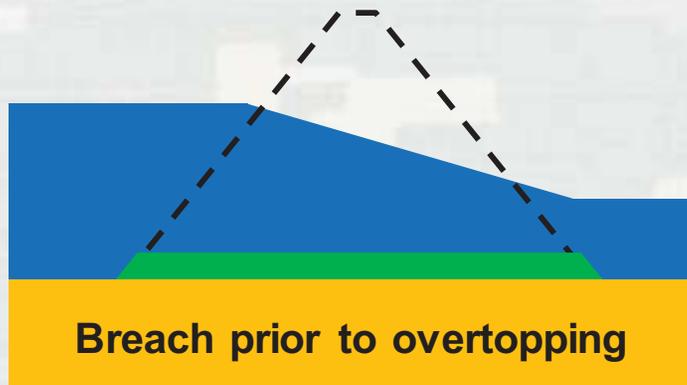
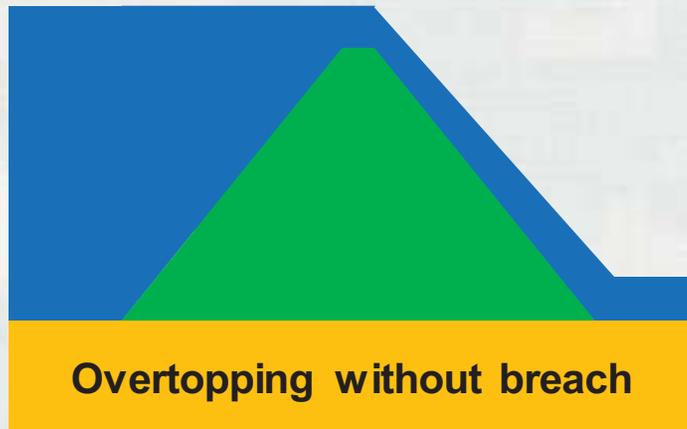


# Background

- Risk Assessment Results:
  - June 2012 TRPC was briefed on the results
  - 13 potential failure modes were identified
  - Of those only 2 failure appeared to be significant
    - Overtopping and breach of the East and West levees
    - Overtopping of the East levee floodwall
  - One additional failure mode was potentially significant
    - Internal Erosion through the foundation



# Background – General Failure Modes



 **Internal erosion**



# Where Are We Now?

## Steps completed

- ✓ Continued to utilize Risk Assessment; incorporating results into ongoing System Study
- ✓ Narrowed down proposed flood risk management measures
- ✓ Determined economical viability resulting in Federal interest; justify ability to cost-share during construction
- ✓ Coordinate with other stakeholders to develop schedules for the System Study



# Where Are We Now?

## Identified Next Steps:

- Public Meeting January 29<sup>th</sup>
- Prepare Draft Report and Environmental Impact Statement (EIS) and update the Trinity River Corridor Project Committee in late 2013
- Draft Report/EIS 45-day Public Comment Period – Late 2013
- Complete System Study and sign a Record of Decision (ROD) – July 2014



# Flood Risk Management Planning Objectives

- Reduce risk to life and health, and improve the welfare of the residents in the study area
- Reduce risk of property damage in the study area
- Reduce risk of significant national and regional economic losses in the study area
- Provide greater opportunities for increasing the public awareness of residual risk in the study area



# Planning Selection Criteria

- First, an alternative must not increase total risk for the Dallas Floodway System
- Second, the alternative with the most net economic benefit will be the National Economic Development Plan
- Finally, additional alternatives that reduce life safety risk will be considered to see if they are cost effective and can be implemented



# Plan Formulation

## Non-structural management measures considered

- **Flood Forecasting and Warning**
- **Emergency Response and Public Awareness**
- Floodplain Management
- Flood Proofing
- Raising Structures in Place
- Structural Relocation
- Permanent Evacuation



# Plan Formulation

## Structural management measures considered

- **AT&SF Bridge modification**
- Channel widening
- Vegetation removal
- Floodwalls
- **Levee height modification**
- **Armoring**
- **Cut-off walls**
- **Controlled overtopping with levee raises**



# Plan Formulation

## Array of alternatives carried forward

- Levee height modification
- Armoring
- Cut-off walls
- Controlled overtopping with levee raise that controls a flow of 277,000 cubic feet per second



# Plan Formulation Results - Levee Height Modifications

	260K Raise	265K Raise	269K Raise	273K Raise	277K Raise	289K Raise
<b>ESTIMATED FIRST COST</b>	\$2,360,000	\$2,411,000	\$2,954,000	\$4,205,000	<b>\$6,211,000</b>	\$11,113,000
<b>TOTAL BENEFITS</b>	\$452,000	\$841,000	\$1,133,000	\$1,210,000	<b>\$1,544,000</b>	\$1,772,000
<b>TOTAL ANNUAL CHARGES</b>	\$117,000	\$120,000	\$148,000	\$220,000	<b>\$330,000</b>	\$590,000
<b>NET ANNUAL BENEFITS</b>	\$335,000	\$721,000	\$985,000	\$989,000	<b>\$1,214,000</b>	\$1,182,000



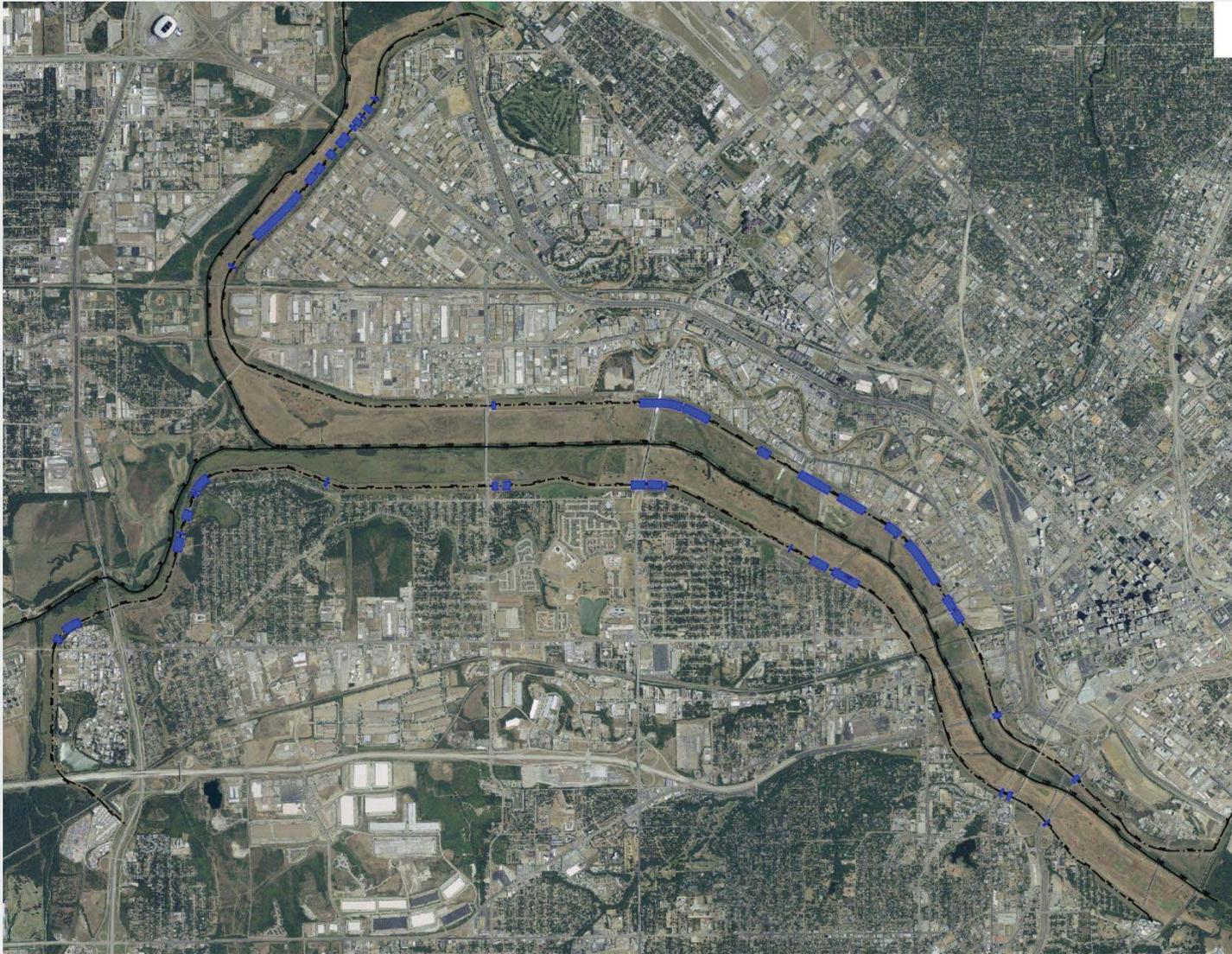
# Plan Formulation Results

## Levee height modifications

- 277K (a storm that has a 1/2,500 probability of happening in any given year) has the greatest **net annual benefits at \$1.2M** with a **first cost of \$6.2M**
- The 277K levee raise has over a **60% reduction in annualized life loss and failure probability**
- A 277K levee raise was carried forward for consideration in combination with other measures



# 277K Levee Raise



# Plan Formulation Results - Armoring

	255K Armoring	260K Armoring	265K Armoring	269K Armoring	273K Armoring	277K Armoring	289K Armoring	302K Armoring
<b>ESTIMATED FIRST COST</b>	\$4,317,000	\$4,580,000	<b>\$7,065,000</b>	\$32,743,000	\$53,634,000	\$76,606,000	\$166,148,000	\$211,279,000
<b>TOTAL BENEFITS</b>	\$421,000	\$653,000	<b>\$832,000</b>	\$1,123,000	\$1,503,000	\$2,545,000	\$2,545,000	\$2,545,000
<b>TOTAL ANNUAL CHARGES</b>	\$206,000	\$225,000	<b>\$358,000</b>	\$1,708,000	\$2,798,000	\$3,996,000	\$8,667,000	\$11,021,000
<b>NET ANNUAL BENEFITS</b>	\$215,000	\$428,000	<b>\$474,000</b>	(\$585,000)	(\$1,295,000)	(\$1,451,000)	(\$6,121,000)	(\$8,475,000)



# Armoring Technique



# Plan Formulation Results

## Armoring

- The 265K has the greater **net annual benefits at \$474K** with a **first cost of \$7.1M**
- The 277K levee raise provided greater net benefits than the 265K armoring plan
- This measure was removed from further consideration



# Plan Formulation Results

## Cut-Off Walls

- Analyzed cut-off walls in select locations
  - 3 miles the city already constructed for the 100-year Section 408
  - 5 additional miles for **8 miles total** for full performance of the levees
- The cut-off walls would provide life safety benefits the **greatest overall reduction in annualized life loss and failure probability at over 90%**
- Due to the low probability of occurrence cut-off walls provided **negative net annual economic benefits of \$1.0M** with a **first cost of \$36.1M**
- However, cut-off walls will be considered for their benefits to the Balanced Vision Plan for river relocation features



# Plan Formulation Results

## Controlled Overtopping With the 277K (about 1/2,500 probability per year event ) Levee Raise

- Considered an area at the lower end of the levees and near Hampton Pump Station
- Provided a lower level of protection because there would not be any designed freeboard with the 277K levee raise
- Most benefit with a notch 2 feet deep and 3,000 feet long at the Hampton location
- Preliminary Hydrology and Hydraulics analysis indicated minimal change in inundation depths



# Flood Risk Management Tentatively Selected Plan Identification

## Flood Risk Management National Economic Development (NED) Plan

- Levee height modification to contain 277K cfs (about 1/2,500 per year event) with AT&SF bridge modification
  - Cost \$6.2M
  - \$1.2M in net annual benefits, Benefit to Cost Ratio
  - Over 60% reduction in annualized life loss and failure probability for the overtopping with breach failure mode
- Additional improvements to the Emergency Action Plan will be considered



# Path Forward

## Next steps identified

- Public Meeting January 29<sup>th</sup>
- Prepare Draft Report and Environmental Impact Statement (EIS) and update the Trinity River Corridor Project Committee in late 2013
- Draft Report/EIS 45-day Public Comment Period – Late 2013
- Complete System Study and sign a Record of Decision (ROD) – July 2014



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 23, 2013  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 42 K

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**SUBJECT**

Authorize settlement, in lieu of proceeding with condemnation, for an unimproved tract of land containing approximately 17 acres from Saber Development Corporation, located near the intersection of Leath Street and Ingersoll Street for continued operation and maintenance of the West Levee – Not to exceed \$55,000 (\$50,790, plus closing costs and title expenses not to exceed \$4,210) - Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes a settlement for the acquisition of an unimproved tract of land containing approximately 17 acres from Saber Development Corporation. This property is located near the intersection of Leath Street and Ingersoll Street. This property will be used for continued operation and maintenance of the West Levee. This settlement will allow acquisition of the property without proceeding with condemnation.

**PRIOR ACTION / REVIEW (COUNCIL BOARDS, COMMISSIONS)**

Authorized acquisition on June 13, 2012, by Resolution No. 12-1562, for a total authorized amount of not more than \$45,000.

**FISCAL INFORMATION**

2006 Bond Funds - \$55,000 (\$50,790, plus closing costs and title expenses not to exceed \$4,210)

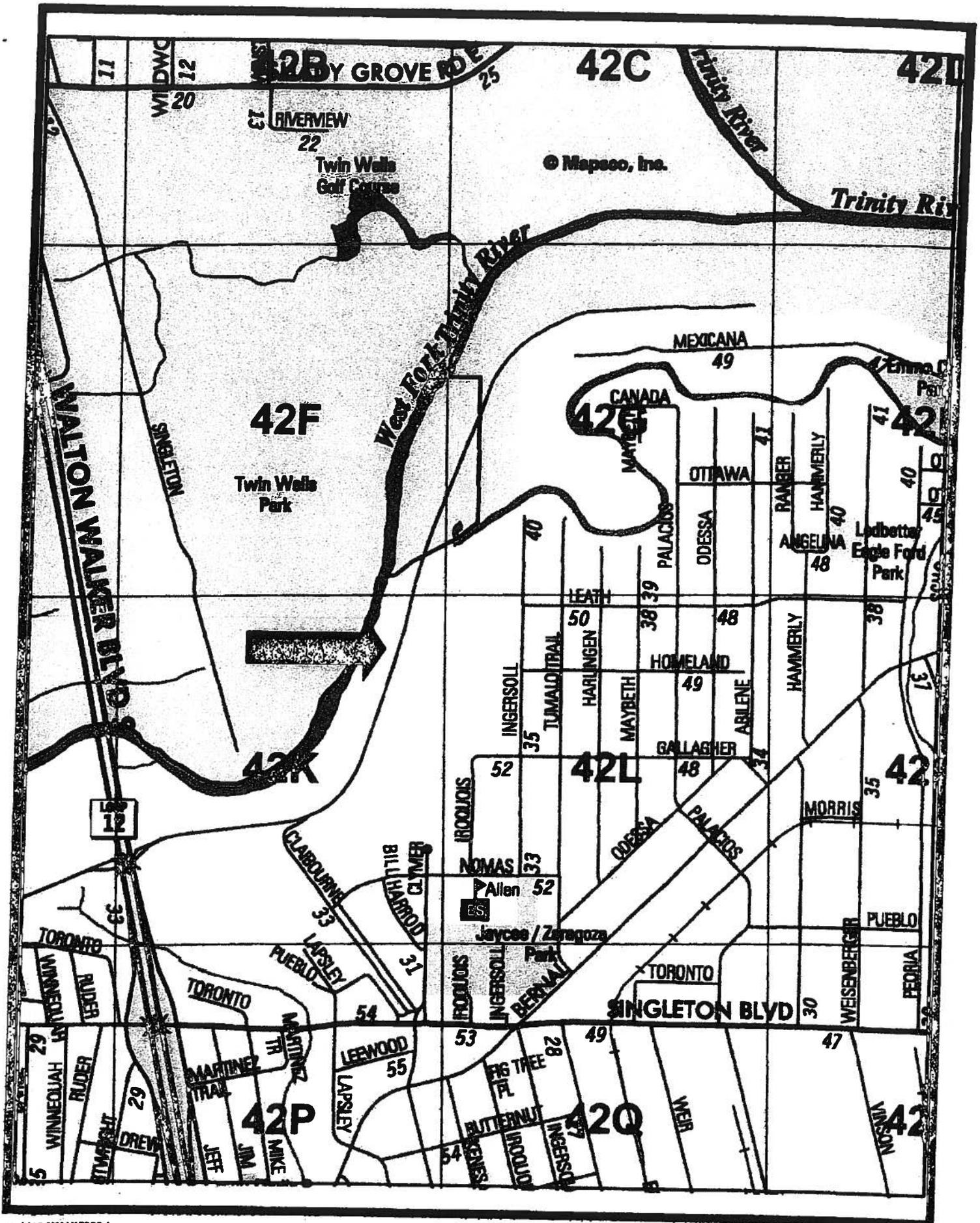
**OWNER**

**Saber Development Corporation**

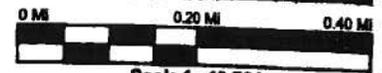
Robert Farrow, Director/President

**MAPS**

Attached



© Mapco, Inc.





January 23, 2013

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR A NEGOTIATED PRICE HIGHER THAN THE AUTHORIZED OFFER.**

**WHEREAS**, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase or eminent domain, of the PROPERTY INTEREST in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

**WHEREAS**, OWNER refused the official OFFER AMOUNT authorized by the FIRST RESOLUTION, but agreed to the PURCHASE AMOUNT stated herein; and

**WHEREAS**, the City Council desires to authorize the City Manager to acquire the PROPERTY INTEREST in the PROPERTY for the PURCHASE AMOUNT stated herein; Now, Therefore,

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

**SECTION 1.** That the following definitions shall apply to this resolution:

“FIRST RESOLUTION”: Resolution No. 12-1562 approved by the Dallas City Council on June 13, 2012.

“PROJECT”: Trinity Project – Dallas Floodway.

“USE”: The construction, use, and maintenance of the Dallas Floodway 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.

“OWNER”: Saber Development Corporation, 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.

“PROPERTY INTEREST”: Fee simple, subject to the exceptions, reservations, covenants, conditions and interests, if any provided in the form instrument more particularly described in Exhibit “B” attached hereto and made a part hereof for all purposes.

“PROPERTY”: Approximately 17 acres of land located in Dallas County, Texas, and being the same property more particularly described in “Exhibit A”, which is attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining hereto.

January 23, 2013

"OFFER AMOUNT": \$42,000.00

"PURCHASE AMOUNT": \$50,790.00

"ADDITIONAL AMOUNTS": \$8,790.00, the difference between the OFFER AMOUNT and the PURCHASE AMOUNT, plus \$1,210.00 in additional closing costs and title expenses.

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$4,210

"AUTHORIZED AMOUNT": \$55,000.00

**SECTION 2.** That the City Manager is authorized to acquire the PROPERTY INTEREST in the PROPERTY from OWNER for the PURCHASE AMOUNT, and is authorized to execute such documents, after approval of same as to form by the City Attorney, as may be necessary.

**SECTION 3.** That the City will have possession at closing and will pay all CLOSING COSTS AND TITLE EXPENSES.

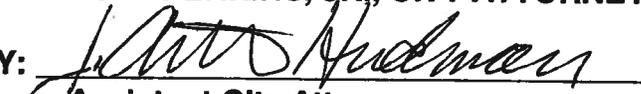
**SECTION 4.** That the City Controller is authorized to draw checks for the PURCHASE AMOUNT, CLOSING COSTS AND TITLE EXPENSES, payable out of Floodplain and Storm Drainage Improvements Fund, Fund BT23, Dept. TWM, Unit P646, Activity TRPP, Object 4210, Program TWM06P646, CT-TWM06P646G1, in the ADDITIONAL AMOUNTS, and these payments shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The PURCHASE AMOUNT - \$50,790 and the CLOSING COSTS AND TITLE EXPENSES - \$4,210 together shall not exceed the AUTHORIZED AMOUNT - \$55,000.

**SECTION 5.** That appropriate acquisition instruments be forwarded to a title insurance company for preparation of the necessary documents for closing, which shall be forwarded to the City Attorney for review and approval as to form and, subsequent to closing, filed with the County Clerk and returned, along with the original Owner's Policy of Title Insurance, to the City Secretary for permanent record.

January 23, 2013

**SECTION 6.** 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:  
THOMAS P. PERKINS, JR., CITY ATTORNEY**

**BY:**   
Assistant City Attorney

# Exhibit A

**FIELD NOTES DESCRIBING PARCEL 3014  
16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM  
SABER DEVELOPMENT COMPANY  
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,  
OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE  
J. B. EARHART SURVEY, ABSTRACT NUMBER 436,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 16.93 acre (737,332 square feet) tract of land situated in the J. B. Earhart Survey, Abstract Number 436, City of Dallas, Dallas County, Texas, Official City of Dallas Block Number 7166, and being all of that called 17.04 acre tract of land described as Tract I in Special Warranty Deed to Saber Development Company, as recorded in Volume 89249, Page 1235 of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a found concrete monument for the common southeast corner of said J. B. Earhart Survey, the northeast corner of the M. B. Reynolds Survey, Abstract Number 1227, the southeast corner of that called 7.322 acre tract of land described as Tract I in Warranty Deed to John M. Bushman, Trustee of the C & J Revocable Trust, as recorded in Volume 86176, Page 4136, D.R.D.C.T., the southwest corner of that called 14.204 acre tract of land described as Tract II in Warranty Deed to John M. Bushman, Trustee of the C & J Revocable Trust, as recorded in Volume 86176, Page 4136, D.R.D.C.T., the northeast corner of that called 25.278 acre tract of land described as Tract III in Warranty Deed to John M. Bushman, Trustee of the C & J Revocable Trust, as recorded in Volume 86176, Page 4136, D.R.D.C.T., and the most westerly northwest corner of Joe Irwin No. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 10, Page 165 of the Map Records of Dallas County, Texas, said point being the intersection of the north right-of-way line of Bickers Street (a 50 foot wide right-of-way) with the west right-of-way line of Iroquois Street, formerly known as Matthews Avenue, (a 60 foot wide right-of-way), from which point a found 24-inch Elm tree marked "X" bears North 09 degrees 38 minutes 06 seconds West, a distance of 13.89 feet;

THENCE North 89 degrees 48 minutes 00 seconds West, with the common south line of said J. B. Earhart Survey, the north line of said M. B. Reynolds Survey, the south line of said called 7.322 acre tract, and the north line of said called 25.278 acre tract, passing at a distance of 562.00 feet a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the southeast corner of that called 0.769 acre tract of land described in Warranty Deed with Vendor's Lien to Sterling W. Kenty and Sidney L. Hoover, as recorded in Volume 79017, Page 1281, D.R.D.C.T., and continuing with the common south line of said J. B. Earhart Survey, the north line of said M. B. Reynolds Survey, the north line of said called 25.278 acre tract, and the south line of said called 0.769 acre tract, in all, a total distance of 615.00 feet to a 1/2-inch set iron rod with cap for the POINT OF BEGINNING, said point being the common southwest corner of said called 0.769 acre tract and the southeast corner of said called 17.04 acre tract;

THENCE North 89 degrees 48 minutes 00 seconds West, continuing with the common south line of said J. B. Earhart Survey, the north line of said M. B. Reynolds Survey and the south line of said called 17.04 acre tract, passing at a distance of 450.00 feet a 1/2-inch set iron rod with cap for witness, and continuing with said common line in all, a total distance of 627.23 feet to a point for corner on the east bank of the West Fork of the Trinity River (unable to set);

THENCE North 34 degrees 55 minutes 00 seconds East, departing said common line and with the east bank of the West Fork of the Trinity River, a distance of 304.84 feet to a calculated point for corner (unable to set);

FIELD NOTES O.K.

Done to Report 2/17/11

**FIELD NOTES DESCRIBING PARCEL 3014  
16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM  
SABER DEVELOPMENT COMPANY  
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,  
OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE  
J. B. EARHART SURVEY, ABSTRACT NUMBER 436,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

FIELD NOTES OK,  
John G. Korcok 2/17/11

THENCE North 23 degrees 18 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, a distance of 446.30 feet to a point for corner (unable to set);

THENCE North 14 degrees 14 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, a distance of 583.70 feet to a point for corner (unable to set);

THENCE North 21 degrees 03 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, a distance of 192.00 feet to a point for corner (unable to set);

THENCE North 55 degrees 32 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, passing at a distance of 110.00 feet a 1/2-inch set iron rod with cap for witness, and continuing with said east bank of the West Fork of the Trinity River, in all, a total distance of 163.40 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 81 degrees 25 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, a distance of 125.40 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 70 degrees 53 minutes 00 seconds East, continuing with said east bank of the West Fork of the Trinity River, a distance of 275.00 feet to a 1/2-inch set iron rod with cap for the most easterly northeast corner of said called 17.04 acre tract, said point being on the common southeast line of said called 17.04 acre tract, the northwest line of that called 0.442 acre tract of land described in Quit Claim Deed to Jose Luis Cardoza and Timoteo Silva and Associates, as recorded in Volume 85084, Page 4005, D.R.D.C.T.;

THENCE South 12 degrees 07 minutes 00 seconds West, departing said east bank of the West Fork of the Trinity River and with said common line, passing at a distance of 95.82 feet a 1/2-inch set iron rod with cap for a northwest corner of that called 5.000 acre tract of land described in Special Warranty Deed to Pedro Montoya, as recorded in Volume 89247, Page 1180, D.R.D.C.T., and continuing with the common southeast line of said called 17.04 acre tract and the northwest line of said called 5.000 acre tract, in all, a total distance of 200.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 70 degrees 53 minutes 00 seconds West, departing said common line and with the common southwest line of said called 17.04 acre tract and the northeast line of said called 5.000 acre tract, passing at a distance of 53.64 feet a 1/2-inch set iron rod with cap for a common northwest corner of said called 5.000 acre tract and the northeast corner of that called 0.550 acre tract of land described in Quit Claim Deed to Jose Luis Cardoza and Timoteo Silva and Associates, as recorded in Volume 85084, Page 4005, D.R.D.C.T., and continuing with the common southwest line of said called 17.04 acre tract and the northeast line of said called 0.550 acre tract, in all, a total distance of 100.00 feet to a 1/2-inch set iron rod with cap for corner;

**FIELD NOTES DESCRIBING PARCEL 3014  
16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM  
SABER DEVELOPMENT COMPANY  
FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,  
OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE  
J. B. EARHART SURVEY, ABSTRACT NUMBER 436,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

*FIELD NOTES O.K.  
AOK 2/17/11*

THENCE South 12 degrees 07 minutes 00 seconds West, with the common southeast line of said called 17.04 acre tract and the northwest line of said called 0.550 acre tract, passing at a distance of 620.49 feet a 1/2-inch set iron rod with cap for the common southwest corner of said called 0.550 acre tract and the northwest corner of said called 0.769 acre tract, and continuing with the common southeast line of said called 17.04 acre tract and the northwest line of said called 0.769 acre tract, in all, a total distance of 720.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 17 degrees 42 minutes 00 seconds West, continuing with said common line, a distance of 550.00 feet to the POINT OF BEGINNING AND CONTAINING 737,332 square feet or 16.93 acres of land, more or less.

Basis of Bearing is defined as NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by VRS RTK GPS from City of University Park control station DUNP. Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds." Combined Surface Adjustment Scale Factor = 1.000136506.

Surveyor's Certification

This plat of survey was prepared under my supervision as surveyed on the ground on November 16, 2010. Items in Schedule B of the Title Commitment GF#10R32094 CR7, issued by First American Title Insurance Company November 5, 2010, effective October 10, 2010, have either been noted or shown hereon.

  
Colin J. Henry, R.P.L.S.  
Registered Professional Land Surveyor  
State of Texas Number 5230



PARCEL 3014  
 16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM  
 SABER DEVELOPMENT COMPANY  
 FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,  
 OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE  
 600 U. B. EARHART SURVEY, ABSTRACT NUMBER 436,  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1"=300'

0' 150' 300'



3014

(OWNER)  
 SABER DEVELOPMENT  
 COMPANY, TRACT I  
 VOL. 89249,  
 PG. 1235  
 D. R. D. C. T.  
 (CALLED 17.04 AC.)  
 737,332 SQ. FT.  
 OR  
 16.93 ACRES

CITY OF IRVING

U. T. S.

CITY OF DALLAS

U. T. S.

APPROXIMATE  
 CITY LIMIT  
 LINE

TRACT II  
 UNPLATTED

UNPLATTED  
 BLOCK  
 7166

UN-  
 PLATTED

TRACT I  
 UNPLATTED

BLOCK  
 7168

TRACT III  
 UNPLATTED

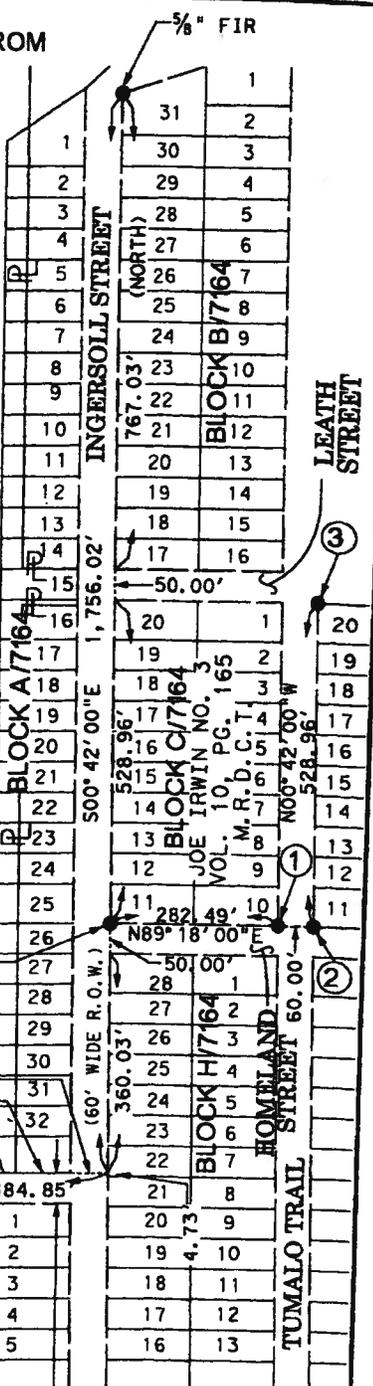
IROQUOIS  
 STREET

(60' WIDE R.O.W.)  
 (FORMERLY KNOWN AS  
 MATTHEWS AVENUE)

EDWIN REID SURVEY,  
 ABSTRACT NO. 1212

FOUND CONCRETE  
 MONUMENT  
 W/ NAIL BEARS  
 S48° 34' 47" W  
 0.75'

FOUND CONCRETE  
 MONUMENT  
 FOUND 24" ELM TREE  
 MARKED "X" BEARS  
 N09° 38' 06" W  
 13.89'



FIELD NOTES

2/17/11

2/17/11

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2/17/11

NOTE: SEE PAGE 5 OF 5  
 FOR OWNERSHIP, WITNESS CALLS,  
 PLAT INFORMATION  
 AND FOUND MONUMENTS

LEGEND

- ( ) RECORD CALLS
- 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" (UNLESS OTHERWISE NOTED)
- FOUND MONUMENT (AS NOTED)
- U.T.S. UNABLE TO SET
- FIR FOUND IRON ROD
- M.R.D.C.T. MAP RECORDS DALLAS COUNTY TEXAS
- D.R.D.C.T. DEED RECORDS DALLAS COUNTY TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

PARCEL 3014  
 16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM  
 SABER DEVELOPMENT COMPANY  
 FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,  
 OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE  
 J. B. EARHART SURVEY, ABSTRACT NUMBER 436,  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
 TELE. (214) 346-6200 FAX (214) 739-0095

DATE: FEB. 2011  
 AVO.: 17826 W059  
 PAGE 4 OF 5

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**PARCEL 3014**  
**16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM**  
**SABER DEVELOPMENT COMPANY**  
**FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,**  
**OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE**  
**J. B. EARHART SURVEY, ABSTRACT NUMBER 436,**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

①  
 5/8" FIR BEARS  
 S00°42'00"E  
 0.29'

②  
 1" FIP

③  
 5/8" FIR

④

JOHN M. BUSHMAN, TRUSTEE OF  
 THE C & J REVOCABLE TRUST  
 TRACT II  
 VOL. 86176, PG. 4136  
 D.R.D.C.T.  
 (CALLED 14.204 AC.)  
 UNPLATTED

⑤

PEDRO MONTOYA  
 VOL. 89247, PG. 1180  
 D.R.D.C.T.  
 (CALLED 5.000 AC.)  
 UNPLATTED

⑥

JOHN M. BUSHMAN, TRUSTEE OF  
 THE C & J REVOCABLE TRUST, TRACT I  
 VOL. 86176, PG. 4136  
 D.R.D.C.T.  
 (CALLED 7.322 AC.)  
 UNPLATTED

⑦

JOHN M. BUSHMAN, TRUSTEE OF  
 THE C & J REVOCABLE TRUST  
 TRACT III  
 VOL. 86176, PG. 4136  
 D.R.D.C.T.  
 (CALLED 25.278 AC.)  
 UNPLATTED

⑧

CITY AND COUNTY  
 OF DALLAS  
 (PER DALLAS CENTRAL  
 APPRAISAL DISTRICT)  
 UNPLATTED

⑨

STERLING W. KENTY AND  
 SIDNEY L. HOOVER  
 VOL. 79017, PG. 1281  
 D.R.D.C.T.  
 (CALLED 0.769 AC.)  
 UNPLATTED

⑩  
 JOSE LUIS CARDOZA AND  
 TIMOTEO SILVA AND ASSOCIATES  
 VOL. 85084, PG. 4005  
 D.R.D.C.T.  
 (CALLED 0.550 AC.)  
 UNPLATTED

⑪

JOSE LUIS CARDOZA AND  
 TIMOTEO SILVA AND ASSOCIATES  
 VOL. 85084, PG. 4005  
 D.R.D.C.T.  
 (CALLED 0.442 AC.)  
 UNPLATTED

⑫

EASEMENT AND ROW FOR  
 STORM SEWER DRAIN FACILITY  
 TO CITY OF DALLAS  
 VOL. 72187, PG. 1887  
 D.R.D.C.T.  
 ACCESS EASEMENT  
 VOL. 79017, PG. 1228  
 D.R.D.C.T.

⑬

LOT 1, BLOCK A OF  
 TWIN WELLS GOLF COURSE  
 VOL. 87138, PG. 4320  
 D.R.D.C.T.

**LINE TABLE**

LINE NO.	BEARING	DISTANCE
L1	N89°48'00"W	627.23'
(L1)	(N89°54'00"E)	(630.00')
L2	N34°55'00"E	304.84'
(L2)	(S34°37'00"W)	(330.80')
L3	N23°18'00"E	446.30'
(L3)	(S23°00'00"W)	(446.30')
L4	N14°14'00"E	583.70'
(L4)	(S13°56'00"W)	(583.70')
L5	N21°03'00"E	192.00'
(L5)	(S20°45'00"W)	(192.00')
L6	N55°32'00"E	163.40'
(L6)	(S55°14'00"W)	(163.40')
L7	S81°25'00"E	125.40'
(L7)	(N81°43'00"W)	(125.40')
L8	S70°53'00"E	275.00'
(L8)	(N71°11'00"W)	(275.00')
L9	S12°07'00"W	200.00'
(L9)	(N11°49'00"E)	(200.00')
L10	N70°53'00"W	100.00'
(L10)	(S70°54'40"E)	(103.45')
L11	S12°07'00"W	720.00'
(L11)	(N11°49'00"E)	(720.43')
L12	S17°42'00"W	550.00'
(L12)	(N17°40'20"E)	(550.00')

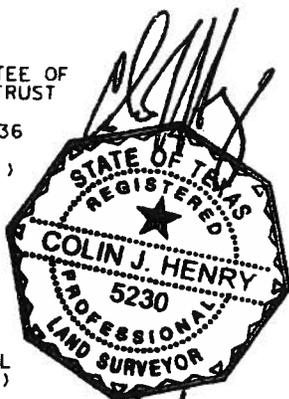
**NOTES**

1. Basis of Bearing is defined as NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by VRS RTK GPS from City of University Park control station DUNP. Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds." Combined Surface Adjustment Scale Factor = 1.000136506.

2. Terms and Conditions of Ordinance No. 71-100, as recorded in Volume 82173, Page 0178 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), affect the subject property.

3. The Easement to the City and County of Dallas Levee Improvement District of Dallas County, Texas, as recorded in Volume 1502, Page 407, D.R.D.C.T., affects the subject property.

**PARCEL 3014**  
**16.93 ACRES (737,332 SQUARE FEET) TO BE ACQUIRED FROM**  
**SABER DEVELOPMENT COMPANY**  
**FOR TRINITY RIVER LEVEE RIGHT-OF-WAY,**  
**OFFICIAL CITY OF DALLAS BLOCK NO. 7166, IN THE**  
**J. B. EARHART SURVEY, ABSTRACT NUMBER 436,**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**



**HALFF**

TBPE FIRM #F-312  
 1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081  
 TELE. (214)346-6200 FAX (214)739-0095

DATE: FEB. 2011

AVO.: 17826 W059

PAGE 5 OF 5

FIELD NOTES O.K.

2/10/11

**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 DALLAS    §

That Saber Development Corporation, a Texas corporation (also known as Saber Development Company), acting by and through its duly authorized officer, on behalf of said corporation, (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 FIFTY THOUSAND SEVEN HUNDRED NINETY AND NO/100 DOLLARS (\$50,790.00) 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: See Exhibit B

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 \_\_\_\_\_, \_\_\_\_\_.

Saber Development Corporation,  
a Texas Corporation

By: \_\_\_\_\_  
Robert Farrow, President

\* \* \* \* \*

STATE OF TEXAS :  
COUNTY OF DALLAS :

This instrument was acknowledged before me on \_\_\_\_\_ by  
Robert Farrow, President of Saber Development Corporation, a Texas corporation, on  
behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

\* \* \* \* \*

After recording return to:  
City of Dallas,  
Trinity Watershed Management Department, Real Estate Division  
1500 Marilla Street, Room 6B South  
Dallas, Texas 75201  
attn: Dianne Hahn

Approved As To Form:  
THOMAS P. PERKINS, JR.,  
City Attorney

By: \_\_\_\_\_ RD  
Assistant City Attorney

Warranty Deed Log No. TRC276

## **EXHIBIT B**

### **MINERAL RESERVATION**

Grantor does hereby reserve for Grantor and Grantor's successors, and assigns forever all oil, gas, and other minerals in and under and that may be produced from the property described in Exhibit "A". Grantor fully and completely waives and conveys to Grantee the right of ingress and egress to and from the property relating to the portion of the mineral estate owned by Grantor. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the property described in Exhibit "A"; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the property described in Exhibit "A" but enter or bottom under said property, provided that these operations in no manner interfere with the surface and/or any improvements constructed or to be constructed on or use of the property described in Exhibit "A".