#### **AGENDA ITEM # 58**

**KEY FOCUS AREA:** 

**Economic Vibrancy** 

**AGENDA DATE:** 

August 11, 2010

COUNCIL DISTRICT(S):

4, 5, 8

**DEPARTMENT:** 

**Trinity Watershed Management** 

CMO:

Jill A. Jordan, P.E., 670-5299

MAPSCO:

57E Z 67D G H and 68A

#### **SUBJECT**

Authorize a construction contract with Northstar Construction, Inc., lowest responsible bidder of eight, for the construction of a concrete multipurpose trail, decomposed granite trail, installation of a prefabricated bridge, and other miscellaneous items necessary to complete the project for the Trinity Trails, Phase 2 and the Rochester Park Improvement Project - Not to exceed \$2,322,000 - Financing: 1998 Bond Funds (\$1,867,444) and 2003 Certificates of Obligation (\$454,556)

## **BACKGROUND**

Development of the Trinity River Corridor has been identified as a top priority of the City of Dallas. One of the projects identified in the Trinity River Corridor Master Implementation Plan was the Trinity Trails multipurpose trail system. Trinity Trails, Phase 2, which would add another two miles of multipurpose trail to the proposed trail system, including providing a connection to the Trinity River Audubon Center and a crossing over the Trinity River. Another project included improvements to Rochester Park which would create a gateway into the Great Trinity Forest. This project includes trail head amenities such as kiosk, improved landscaping and a decomposed granite trail over the levee into the Great Trinity Forest. The purpose of these projects are to improve public access into the Great Trinity Forest for recreational uses such as hiking, biking, walking and bird watching. The 1998 Bond Fund allocated funds for various types of recreation improvements to be constructed in the Great Trinity Forest.

## **BACKGROUND** (Continued)

This action will authorize the construction of these two projects which will improve public access into the Great Trinity Forest for recreational uses such as hiking, biking, walking and bird watching. The improvements for Rochester Park include expanding an existing parking lot by 11 spaces including two handicap accessible spaces. Additional trailhead amenities will be added such as information kiosk, stone bench and a trash receptacle. A decomposed granite trail will provide pedestrian and bike accesses from the trailhead over the levee to the existing soft surface trail system and future multipurpose trail system that is proposed in this area. This project includes landscape amenities such as trees, shrubs and a retaining wall. Trinity Trails Phase 2 constructs over two miles of trails that tie to Phase 1 along the Simpson Stuart Road right of way and heads north easterly along the Trinity River where it crosses the river onto McCommas Preserve and heads towards the Trinity River Audubon Center. The trail ends at a new trailhead parking lot just north of the Trinity River Audubon Center. This project includes trailhead amenities such as an information kiosk, drinking fountain, trash receptacle and landscaping.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction September 2010

Complete Construction May 2010

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

The Trinity River Corridor Project Committee was briefed on date of briefing, 2010.

## **FISCAL INFORMATION**

1998 Bond Funds - \$1,867,444 2003 Certificates of Obligation - \$454,556

Design Contract \$ 317,310 Construction (this action) \$2,322,000

Total Project Cost \$2,639,310

Council District	<u>Amount</u>	
4	\$ 189,084	
5	\$ 895,825	
8	\$1,237,091	
Total	\$2,322,000	

## **M/WBE INFORMATION**

See attached

## **ETHNIC COMPOSITION**

## Northstar Construction, Inc.

Hispanic Female	1	Hispanic Male	19
African-American Female	0	African-American Male	0
White Female	1	White Male	4
Other Female	0	Other Male	0

## **BID INFORMATION**

The following bids with quotes were received and opened on June 3, 2010:

<sup>\*</sup>Denotes successful bidder

BIDDER	BID AMOUNT
*Northstar Construction, Inc. 3210 Joyce Dr.	\$2,322,000.00
Fort Worth, Texas 76116 Texas Standard Construction, Ltd. The Fain Group, Inc.	\$2,325,222.09 \$2,350,798.26
Rebcon, Inc.	\$2,495,634.05
Rogers-O'Brien Construction Co., Ltd.	\$2,666,087.00
Phillips/May Corporation	\$2,870,333.00
Irricon Construction C. Green Scaping, LP	\$2,870,722.10 \$2,885,210.46
o. Green Scaping, Lr	ΨΖ,000,210.40

## OWNER(S)

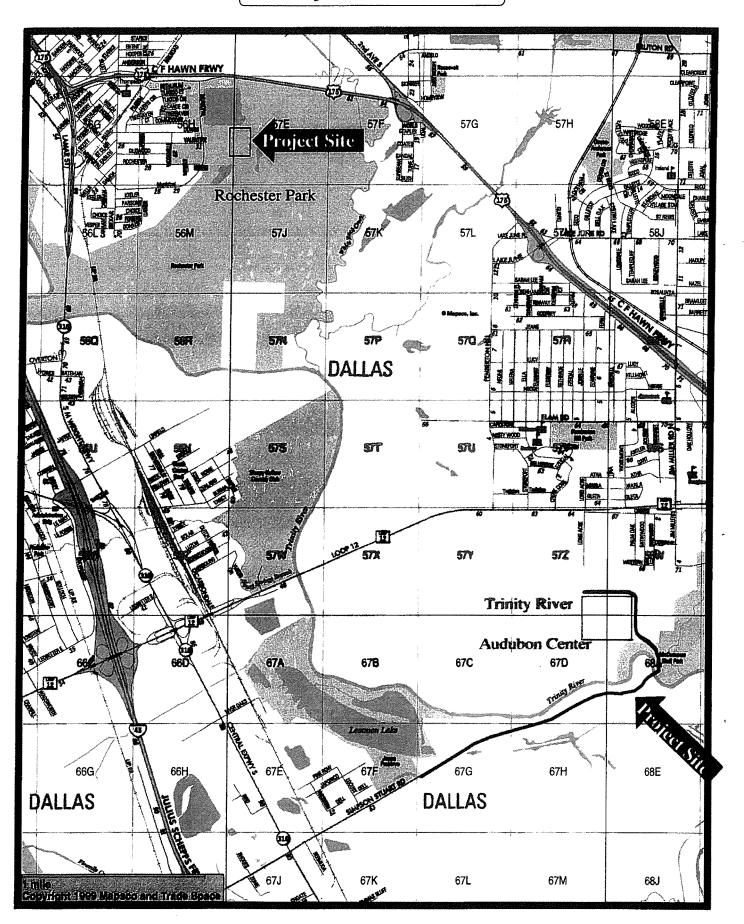
## Northstar Construction, Inc.

Larry Smith, President Michael A. Heimlich, Vice President

## **MAPS**

Attached

# Trinity Trail Phase 2



#### **AGENDA ITEM # 59**

**KEY FOCUS AREA:** Economic Vibrancy

AGENDA DATE: August 11, 2010

COUNCIL DISTRICT(S): 8

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

MAPSCO: 68F

#### <u>SUBJECT</u>

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 10.379 acres of unimproved land, located on the west bank of the Trinity River between Loop 12 and IH 20, for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$36,418 (\$33,218, plus closing costs not to exceed \$3,200) — Financing: U.S. Army Corps of Engineers Project Cooperation Funds

## **BACKGROUND**

This item authorizes the acquisition of approximately 10.379 acres of unimproved land located on the west bank of the Trinity River between Loop 12 and IH 20 which will be used for the Dallas Floodway Extension. The consideration is based upon an independent appraisal.

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

This item has no prior action.

## FISCAL INFORMATION

U.S. Army Corps of Engineers Project Cooperation Funds - \$36,418 (\$33,218 plus closing costs not to exceed \$3,200)

#### **OWNERS**

William A. Lechner Lucinda Lechner Johnson Sylvia Jean Lechner Stanberry

## **OWNERS**

Pauline Williams
James Poston
Robert Poston
James Howard Gentry
Virginia Ann Gentry Smelley
Jan Dee Gentry De La Rosa
Lisa Jean Gentry Chambers
Shawn Richard Gentry
Tahnea Leann Sorrells Finley Rericha
Marvin Sorrells Sr.
Sandra Sorrells Gonzales
Ted Sorrells
Tim Sorrells
Sherrill Sorrells Lemons
Billye Marie Poston

## **MAPS**

Attached

## POSTON TRACT TRINITY RIVER FLOODWAY 10.379 ACRES CITY BLOCK NO. 8003

FIELD NOTES FOR A SURVEY OF 10.379 ACRES OR 452,103 SQUARE FEET OF LAND BEING ALL OF THAT CERTAIN TRACT OF LAND (CALLED 8 ACRES MORE OR LESS) AS DESCRIBED IN WARRANTY DEED DATED DECEMBER 7, 1965, TO NORA LETCHNER, CORA GENTRY, MAGGIE TULLIS AND PAULINE WILLIAMS, OUT OF THEIR SEPARATE FUNDS AND ESTATE, AND WILSON POSTON, HORACE POSTON, JAMES POSTON AND ROBERT POSTON, RECORDED IN VOLUME 710, PAGE 1461 DEED RECORDS DALLAS COUNTY, TEXAS (D.R.D.C.T.) BEING IN CITY BLOCK 8003, CITY OF DALLAS, LOCATED IN THE LEVI DIXON LEAGUE AND LABOR ABSTRACT NUMBER 380, DALLAS COUNTY, TEXAS.

BEGINNING at a 5/8 inch iron rod with aluminum cap stamped "Landtech" set for the southwest and beginning corner of the herein described tract and being an interior corner of a called 1333.2 acre tract of land as described in deed to the City of Dallas, recorded in Volume 80111, Page 2361, D.R.D.C.T., and being on the prolongation of the south boundary line of the S. B. McCommas Survey, Abstract No.914, (as called for in Volume 710, Page 1461 D.R.D.C.T.) from which a 1 inch galvanized iron pipe found along said south boundary line bears N 89°07'44"E, 832.22 feet, a 1-1/4 inch galvanized iron pipe found along said south boundary line bears N 89°07'44"E, 3,016.29 feet and the center of existing channel of the Trinity River as determined in April, 2010 bears N 89°07'44"E, 400 feet (called 400 feet in Volume 710, Page 1461 D.R.D.C.T.);

THENCE N 00°52'16" W, along the interior line of said City of Dallas tract, a distance of 1,500.00 feet (called South 1,500 feet more or less) to a 5/8 inch iron rod with aluminum cap stamped "Landtech" set for the northwest corner of the herein described tract, the center of existing channel of the Trinity River as determined in April, 2010 bears N 89°07'44"E, 348 feet (called 250 feet, in Volume 710, Page 1461 D.R.D.C.T.);

THENCE N 59°07'44" E, continuing along the interior line of said City of Dallas tract, at a distance of 250.00 feet pass a 5/8 inch iron rod with aluminum cap stamped "Landtech" set for reference, continuing in all a total distance of 358.26 feet to a point on the gradient boundary line of said Trinity River for the northeast corner of the herein described tract;

THENCE along the gradient boundary line of said Trinity River as surveyed by Nedra N. Foster, Licensed State Land Surveyor during April, 2010 the following courses and distances:

S 06°45'41" E, a distance of 50.79 feet;

S 08°13'34" W, a distance of 192.10 feet;

S 07°19'01" E, a distance of 180.34 feet;

S 09°40'26" W, a distance of 403.43 feet;

## POSTON TRACT TRINITY RIVER FLOODWAY 10.379 ACRES CITY BLOCK NO. 8003

S 05°34'12" E, a distance of 256.29 feet;

S 17°58'09" E, a distance of 101.86 feet;

S 07°03'03" E, a distance of 252.83 feet;

S 09°41'06" E, a distance of 181.16 feet;

THENCE S 11°15'17" E, continuing along the gradient boundary line of said Trinity River, a distance of 81.28 feet to a point on said prolongation of the south boundary line of the S. B. McCommas Survey, Abstract No. 914, and an interior line of said City of Dallas tract, for the southeast corner of the herein described tract;

THENCE S 89°07'44" W, along said prolongated line of said S. B. McCommas Survey and interior line of said City of Dallas tract, at a distance of 102.08 feet pass a 5/8 inch iron rod with aluminum cap stamped "Landtech" set for reference, continuing in all a total distance of 352.08 feet to the **POINT OF BEGINNING** and containing 10.379 acres or 452,103 square feet of land.

Bearings are referenced to the Texas Coordinate System, North Central Zone, North American datum of 1983 and referenced to National Geodetic Survey Monument "DALA", PID AB2821)

Metes and Bounds description contains a mathematical calculated closure of 1/391,578.

June 8, 2010 Landtech Consultants, Inc.

REVIEWED

Scott M. Fertak

Reg. Prof. Land Surveyor No. 5257

Job No. 1020028.00

## Exhibit A

- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE. NORTH AMERICAN DATUM OF 1983.
- 2). THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. SURVEYOR DID NOT PERFORM A COMPLETE ABSTRACT OF THE SUBJECT PROPERTY. EASEMENTS, RIGHT OF WAYS AND OTHER MATTERS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- 3). BEARINGS AND DISTANCES IN PARENTHESIS INDICATE DEED OR RECORD CALLS.
- 4). SEE ATTACHED METES AND BOUNDS DESCRIPTION.
- 5). GRADIENT BOUNDARY ALONG TRINITY RIVER PERFORMED BY NEDRA J. FOSTER, LSLS DURING THE MONTH OF APRIL 2010.

SURVEY OF 10.379 ACRES OR 452,103 SQUARE FEET OF LAND, BEING ALL OF THAT CERTAIN TRACT OF LAND (CALLED 8 AC. MORE OR LESS) AS DESCRIBED IN WARRANTY DEED DATED DECEMBER 7, 1965, TO NORA LECHNER, CORA GENTRY. MAGGIE TULLIS AND PAULINE WILLIAMS, OUT OF THEIR SEPARATE FUNDS AND ESTATE, AND WILSON POSTON, HORACE POSTON, JAMES POSTON AND ROBERT POSTON, RECORDED IN VOLUME 710, PAGE 1461 DEED RECORDS DALLAS COUNTY, TEXAS (D.R.D.C.T.) BEING IN CITY BLOCK 8003, CITY OF DALLAS, LOCATED IN THE LEVI DIXON LEAGUE AND LABOR, ABSTRACT NUMBER 380, DALLAS COUNTY, TEXAS.

#### CHECKING PLOT

CHECKED BY\_\_\_\_\_ DATE \_\_\_ BACK CHECK BY\_\_\_\_\_ DATE\_\_ CORRECTED BY\_\_\_\_\_ DATE\_\_\_ EDITED BY\_\_\_\_\_ DATE\_\_\_

#### LEGEND

DALLAS COUNTY DEED RECORDS D.C.D.R. DALLAS COUNTY MAP RECORDS D.C.M.R. O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

I.R. IRON ROD I.P. IRON PIPE

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCING

P PROPERTY LINE

Ł SURVEY LINE

VOL. VOLUME

PG. PAGE

SET%" IR W/ ALUMINUP CAP STAMPED "LANDTECH" UNLESS NOTED 0

I, SCOTT M. FERTAK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY CORRECTLY REFLECTS THE LOCATION OF THE PROPERTY LINES AND OTHER MATTERS OF RECORD. THIS MAP IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF APRIL, 2010.

PAX NO. (712) 861-4181

SCOTT M. FERTAK

REG. PROF. LAND SURVEYOR, NO. 5257

#### LANDTECH CONSULTANTS, INC. CIVIL ENGINEERING - LAND SURVEYING

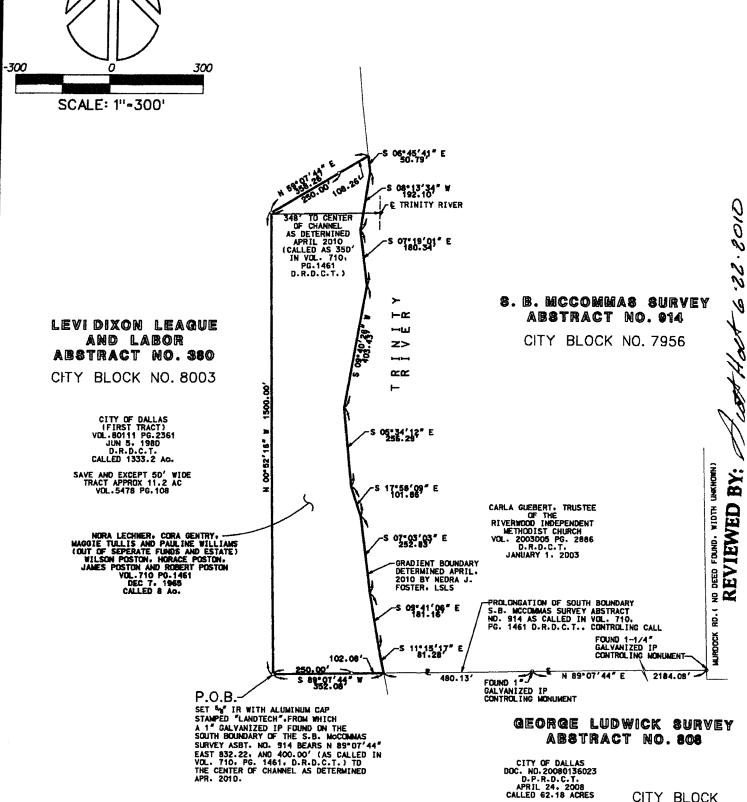
TKL NO. (713) 861-7068

2525 NORTH LOOP WEST SUITE 300 HOUSTON, TEXAS 77008

US Army Corps of Engineers Forth Worth District

SHEET 3 OF 4





LANDTECH CONSULTANTS, INC.

CIVIL ENGINEERING - LAND SURVEYING 2525 NORTH LOOP WEST SUITE 300

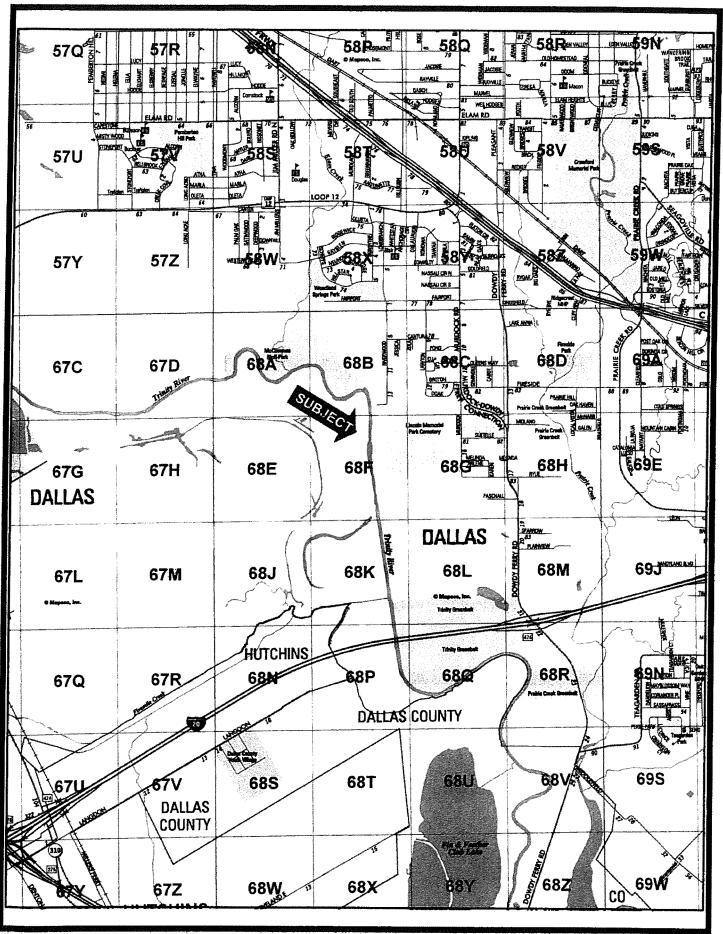
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US Army Corps of Engineers Fort Worth District

CITY BLOCK NO. 8539

HAH.

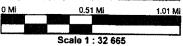
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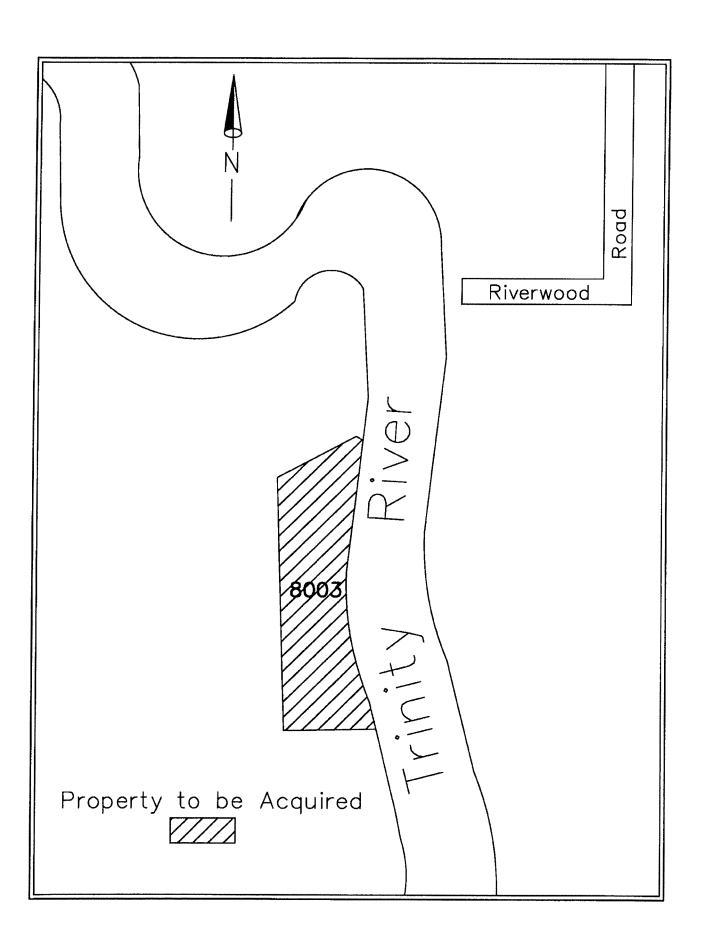


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**MAPSCO 68F** 





**KEY FOCUS AREA:** Economic Vibrancy

AGENDA DATE: August 11, 2010

COUNCIL DISTRICT(S): 5

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

MAPSCO: 57 Z

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## **SUBJECT**

Authorize the deposit of a Special Commissioners' Award in the lawsuit styled, <u>City of Dallas v. James Robert McDaniel</u>, Cause No. 10-01370-E for acquisition from James Robert McDaniel of approximately 49,047 square feet of land located near the intersection of Long Acre Lane and Loop 12 for the Trinity River Corridor Project Audubon Center – not to exceed \$309,217 (\$305,217, plus closing costs not to exceed \$4,000) - Financing: 1998 Bond Funds

## **BACKGROUND**

This item authorizes deposit of a Special Commissioners' Award for the acquisition of approximately 49,047 square feet of land. The property is improved with a multi-tenant commercial service yard. The original offer of \$170,000 was based on an independent appraisal. The offer was not accepted by the owner and an eminent domain case was filed to acquire the land. The Special Commissioners awarded \$305,217.

The City has no control over Special Commissioners appointed by the county court at law judges or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession and proceed with its improvements, must deposit the Commissioners' Award in the Registry of the Court.

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

Authorized acquisition on September 10, 2008, by Resolution No. 08-2485.

## **FISCAL INFORMATION**

1998 Bond Funds - \$309,217 (\$305,217, plus closing costs not to exceed \$4,000)

## <u>OWNER</u>

**James Robert McDaniel** 

## **MAPS**

Attached

## Exhibit A

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# FIELD NOTES DESCRIBING 1.126 Acres (49,047 Sq. Ft.) OF LAND IN BLOCK 6263, TO BE ACQUIRED FROM JAMES ROBERT McDANIEL

BEING a 1.126 Acre (49,047 Sq. Ft.) tract of land in the George Markham Survey, Abstract Number 980, Dallas County, Texas, lying in Block 6263, Official City of Dallas Numbers, and being all of the land conveyed to James Robert McDaniel from Edith Eleneta Copeland, by Warranty Deed with Vendor's Lien dated October 30, 1968 and recorded in Volume 68217, Page 1480 of the Deed Records of Dallas County, and being more particularly described as follows:

**COMMENCING** at a wooden Railroad Tie fence corner with a PK nail set in the top, found in the South line of Carter Road (a variable-width Right-of-Way) at the Northwest corner of a tract of land conveyed to LaPoleon Denson, Jr., by deed dated April 14, 1995, recorded in Volume 95077, Page 03368 of the Dallas County Deed Records, same being the most Easterly Northeast corner of a tract of land conveyed to North Benson, Inc., by deed dated April 4, 2003 and recorded in Volume 2003065, Page 05458 of said deed records:

THENCE North 89°34'18" West, along the North line of said North Benson, Inc. tract, same being the South line of said Carter Road, a distance of 688.76 feet to an "X" cut in a concrete sign base at the most Westerly Northwest corner of said North Benson, Inc. tract, being also the Northeast corner of said James Robert McDaniel tract and the **POINT OF BEGINNING**:

**THENCE** South 00°28'36" East departing the last said South line of Carter Road, with the West line of said North Benson, Inc. tract a distance of 498.81 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the Southeast corner of this tract:

**THENCE** South 89°56'36" West a distance of 98.07 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the common South corner of this tract with a tract of land conveyed to Lanny and Steve Gatlin, by Deed dated February 3, 1988 and recorded in Volume 88027, Page 4256 of the Dallas County Deed Records:

**THENCE** North 00°31'03" West with the common line between said McDaniel and Gatlin tracts at distance of 499.64 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the common North corner of said McDaniel and Gatlin tracts, in the South line of the above said Carter Road:

**THENCE** South 89°34'18" East with the said South line of Carter Road a distance of 98.44 feet to the **POINT OF BEGINNING**, containing 1.126 acres (49,047 Sq. Ft.) of land.

# FIELD NOTES DESCRIBING 1.126 Acres (49,047 Sq. Ft.) OF LAND IN BLOCK 6263, TO BE ACQUIRED FROM JAMES ROBERT McDANIEL

BASIS OF BEARINGS is the Texas State Plane, North Central Zone, Geodetic bearing as established by Global Positioning System observations taken from the U.S.C. & G.S. Triangulation Station "BUCKNER RESET," North American Datum of 1983.

