

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56 G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harold F. Carmichael, III of approximately 2,688 square feet of land located at the corner of Starks Avenue and US 175/SM Wright for the Trinity Parkway - Not to exceed \$33,800 (\$31,800, plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,688 square feet of land for the reconstruction of a direct connector route between US 175/SM Wright to I-45 to ultimately eliminate "dead-man's curve". The property is improved with a v-face monopole billboard that may require relocation at a future date. This connector is part of the Trinity Parkway, without it the downgrade of SM Wright cannot proceed. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

1998 Bond Funds - \$33,800 (\$31,800, plus closing costs not to exceed \$2,000)

OWNER

Harold F. Carmichael, III

MAPS

Attached

October 13, 2010

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

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

"CITY": The City of Dallas.

"PROPERTY": Approximately 2,688 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Trinity Parkway

"PROPERTY INTEREST": Fee Simple

"OWNER": Harold F. Carmichael, III, 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.

"OFFER AMOUNT": \$31,800

"CLOSING COSTS": Not to exceed \$2,000

"AUTHORIZED AMOUNT": \$33,800

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

October 13, 2010

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller 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 OFFER AMOUNT and CLOSING COSTS payable out of Trinity River Corridor Project Fund, Fund No. 6P14, Department PBW, Unit N965, Activity TRPP, Program No. PB98N965, Object 4210, Encumbrance No. CT- PB98N965KL. The OFFER AMOUNT and the CLOSING COSTS together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

October 13, 2010

SECTION 9. 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 a 2,688 Square Foot (0.0617 Acre) Tract of Land
In City Block 2249, to be Acquired from
Harold F. Carmichael, III**

Being 2,688 Square Feet (0.0617 Acres) of land situated in the John M. Crockett Survey, Abstract No. 353, Dallas County, Texas, and lying in Block 2249 (official City of Dallas Block Numbers), being the remainder of Lot 90 of the Ervay Place addition, an addition to the City of Dallas, recorded in Volume 1, Page 443 of the Map Records of Dallas County, and being all of the property conveyed to Harold F. Carmichael, III by Warranty Deed dated May 30, 1996 and recorded in Volume 96108, Page 3404 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" Dia. Iron Rod with cap marked "CITY OF DALLAS" (hereinafter called "5/8" I.R. w/COD cap") set at the most Southerly corner of a tract of land conveyed to the State of Texas for Highway Purposes, by Deed recorded in Volume 5430, Page 285 of the Deed Records of Dallas County, on the Northwest line of Stark Street (a variable width Right-of-Way) lying also on the Southeast line of said Lot 90 and being the most Southerly Northeast corner of the herein described tract of land:

THENCE South 50°35'02" West along the common line between said Lot 90 and Stark Street a distance of 44.00 feet to a PK Nail set at the most Easterly corner of a tract of land conveyed to D.C. Johnson by Deed dated September 20, 1967 and recorded in Volume 67215, Page 100 of the Deed Records of Dallas County, same being also the most Southerly corner of the herein described tract of land:

THENCE North 38°55'02" West, departing the last said Northwest line of Stark Street and along the common line with said D.C. Johnson tract a distance of 50.00 feet to a 5/8" I.R. w/COD cap set on the common line between said Lots 90 and 91, at the most Westerly corner of the herein described tract of land:

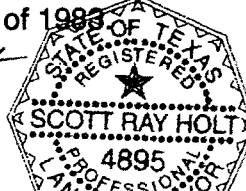
THENCE North 50°35'02" East along the common line between said Lots 90 and 91 a distance of 54.00 feet to a PK Nail set at the most Westerly corner of the above mentioned State of Texas tract, being also the most Northerly corner of the herein described tract of land:

THENCE South 41°47'27" East along the Southwest line of said State of Texas tract a distance of 38.00 feet to a 5/8" I.R. w/COD cap set at an inside corner of said State tract, being also the most Northerly Northeast corner of the herein described tract of land:

THENCE South 05°32'12" West a distance of 17.00 feet to the **POINT OF BEGINNING**, containing 2,688 Square Feet, or 0.0617 Acres of land.

BASIS OF BEARINGS: Bearings are based on the common line between Lots 90 and 91, Block 2249 of the Ervay Place Addition, at South 50°35'02" West, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.

Scott Holt
8-18-09



*Property Transferred to State of Texas for Highway Purposes.

U.S. Highway 175
(Variable Width Right-of-Way)

Set PK Nail
POINT OF
BEGINNING

Geoffrey Security Services
Vol. 96135, Pg. 4453

Unable to
Monument

Hershel Floyd Jr. &
Wife; Effie Jewel Floyd
Vol. 82119, Pg. 2292

D.C. Johnson
Vol. 67215, Pg. 100

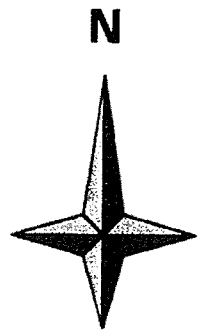
Harold F. Carmichael, III
Vol. 96108, Pg. 3404
2,688 Square Feet

Set 5/8" I.R.
POINT OF
BEGINNING

BLOCK 2249

STARK STREET
(Variable Width Right-of-Way)

ERVAY PLACE ADDITION
Volume 1, Page 443



NOTE: Controlling Monuments do not appear on this drawing.




Property to be Acquired

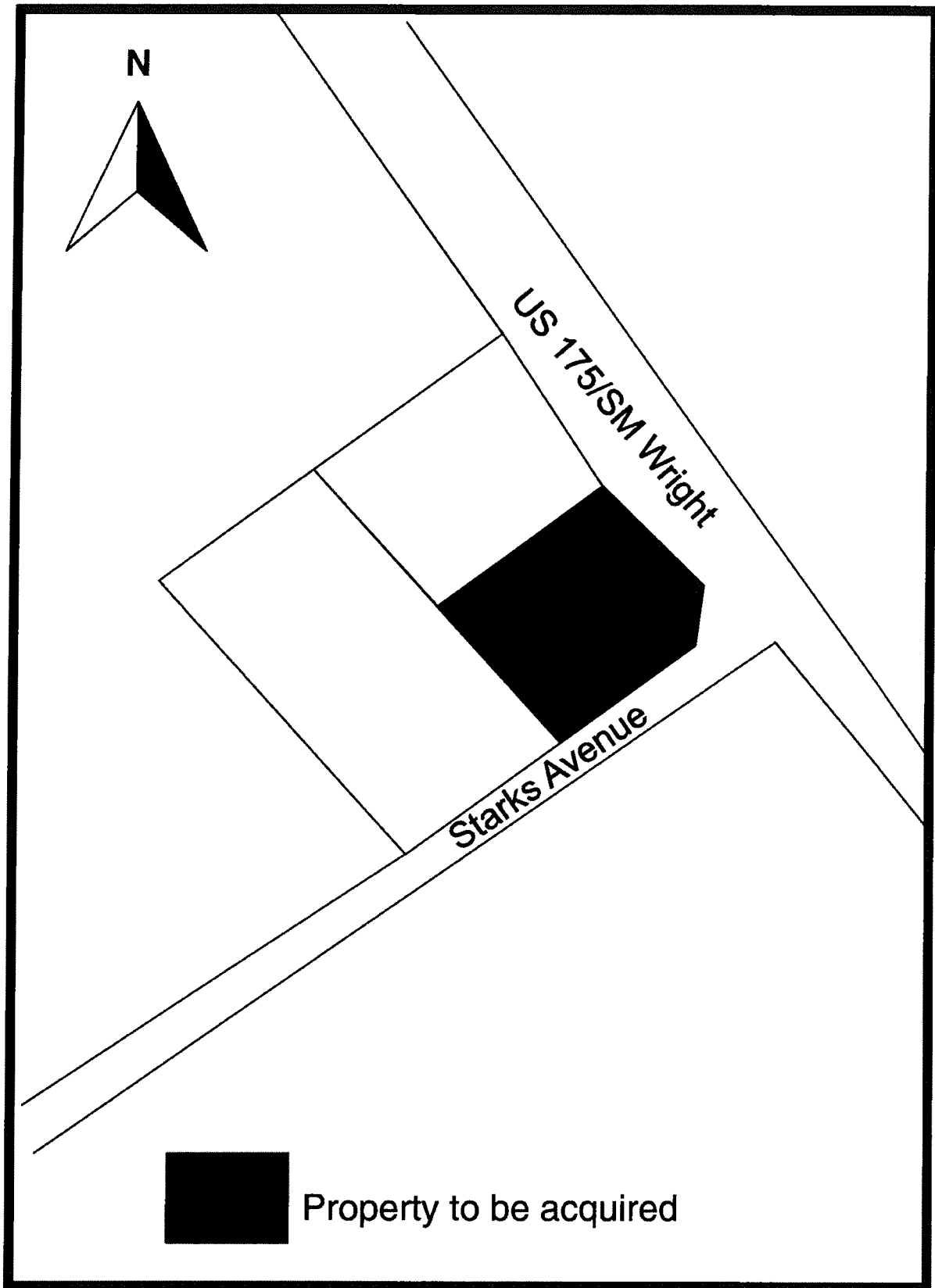
⊙ Set 5/8" Iron Rod w/City of Dallas Cap

□ PK Nail Set

Sheet 2 of 2

LOCATOR MAP: Parcel No. 521

 TRINITY RIVER CORRIDOR			
Tollway Project			
Harold F. Carmichael, III, 5131 Hohen Ave.			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	N:\EMR\SURVEY\HOLT\Trinity\Tollway\Locat\Locat Field Notes.dgn	As Noted	8-7-09
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 2249	320R-408-D



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56 G

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 9,000 square feet from Fermin Lopez and Gloria Lopez located near the intersection of Lamar Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$245,000 (\$242,000 plus closing costs not to exceed \$3,000) - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes a settlement for the acquisition of approximately 9,000 square feet of land for the reconstruction of a direct connector route between US 175/SM Wright to I-45 to ultimately eliminate "dead-man's curve". The property is improved with a commercial building. Relocation assistance may be required at a future date. This connector is part of the Trinity Parkway, without it the downgrade of SM Wright cannot proceed. This settlement will allow acquisition of the property without proceeding further with condemnation proceedings.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on September 23, 2009, by Resolution No. 09-2329.

FISCAL INFORMATION

1998 Bond Funds - \$245,000 (\$242,000 plus closing costs not to exceed \$3,000)

OWNERS

Fermin Lopez

Gloria Lopez

MAPS

Attached

October 13, 2010

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 and/or eminent domain, of the INTERESTS in the PROPERTY held by OWNER for the PROJECT (as such terms are defined herein); and

WHEREAS, OWNER refused the official offer authorized by the FIRST RESOLUTION, but agreed to the CONSIDERATION stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the INTERESTS in the PROPERTY for the CONSIDERATION 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. 09-2329 approved by the Dallas City Council on September 23, 2009

PROJECT: Trinity Parkway

OWNER: Fermin Lopez and Gloria Lopez

INTERESTS: Fee Simple

PROPERTY: Approximately 9,000 square feet in City of Dallas Block No. 2247 Official City Numbers, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

IMPROVEMENTS: Commercial Building

CONSIDERATION: \$242,000

CLOSING COSTS: \$3,000

AUTHORIZED AMOUNT: \$245,000

October 13, 2010

SECTION 2. That the City Manager is authorized to acquire the INTERESTS in the PROPERTY and IMPROVEMENTS from OWNER for the CONSIDERATION, 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 CONSIDERATION, closing costs and title expenses, payable out of Trinity River Corridor Project Fund, Fund 6P14, Dept. PBW, Unit N965, Activity TRPP, Object 4210, Program PB98N965, Encumbrance No. CT-PBW98N965KM, and said payment shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The CONSIDERATION - \$242,000 and the CLOSING COSTS - \$3,000 together shall not exceed the AUTHORIZED AMOUNT - \$245,000.

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.

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, CITY ATTORNEY

BY:


Assistant City Attorney

Exhibit A

Field Notes Describing Land To Be Acquired in Block 2247 From Fermin Lopez and Gloria Lopez

Being 9,000 Square Feet (0.2066 Acres) of land situated in the John M. Crockett Survey, Abstract No. 353, Dallas County, Texas, and lying in Block 2247 (official City of Dallas Block Numbers), being the remainder of Lots 8 and 9 of the Ervay Place addition, an addition to the City of Dallas, recorded in Volume 1, Page 443 of the Map Records of Dallas County, and being all of the property conveyed to Fermin Lopez and Gloria Lopez by deed dated July 17, 2007 and recorded in Instrument 20070259308 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a PK Nail set on the common line between Lots 9 and 10 of said Block 2247, at the most Easterly corner of a tract of land conveyed to the Texas Highway Department by Deed recorded in Volume 2189, Page 221 of the Deed Records of Dallas County, and being the most Southerly corner of the herein described tract of land:

THENCE North 38°54'58" West along the Northeast line of said Texas Highway Department tract, being also the Northeast line of Lamar Street, pass at 50 feet the common line between said Lots 8 and 9, same being also the most Easterly corner of a tract of land conveyed to the Texas Highway Department by Deed recorded in Volume 2188, Page 405 of the Deed Records of Dallas County, and continuing for a total distance of 81.00 feet to an "X" cut in concrete at the Point of Curvature of a Curve to the left:

THENCE Northwesterly along said Curve, having a Radius of 2,914.93 feet, a Central Angle of 0°22'24", an Arc Length of 19.00 feet and a Chord which bears North 39°06'10" West a distance of 19.00 feet to the most Northerly corner of said Texas Highway Department tract, and being also the most Westerly corner of the herein described tract of land (unable to monument) lying on the common line between Lots 7 and 8:

THENCE North 50°35'02" East, departing the said Northeast line of Lamar Street and with the common line between said Lots 7 and 8 a distance of 90.06 feet to a 5/8" Dial. Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD cap") set at the common Northeast corner of said Lots 7 and 8, on the Southwest line of a 15-foot wide alley:

THENCE South 38°54'58" East along the Southwest line of said alley, pass at 50.00 feet a 5/8" I.R. w/COD cap set at the common Northeast corner of said Lots 8 and 9, and continuing for a total distance of 100.00 feet to a 5/8" I.R. w/COD cap set at the common Northeast corner of said Lots 9 and 10:

**Field Notes Describing Land To Be Acquired in Block 2247 From
Fermin Lopez and Gloria Lopez**

THENCE South 50°35'02" West with the common line between said Lots 9 and 10 a distance of 90.00 feet to the **POINT OF BEGINNING**, containing 9,000 Square Feet, or 0.2066 Acres of land.

BASIS OF BEARINGS: Bearings are based on the Northeast line of Lamar Street, at North 38°54'58" West, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.



Scott Holt
8-20-2009

ERVAY PLACE ADDITION Volume 1, Page 443

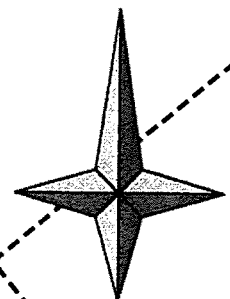
Joel L. Esters
Vol. 95246, Pg. 4518

**BLOCK
2247**



49

N 48



Unable to
Monument

$R=2,914.93'$
 $\Delta=0^{\circ}22'24''$
 $L=19.00'$
Ch: Brs. 19.00'
N39°06'10"W

Texas Hwy. Dept.
Vol. 2188, Pg. 405

Texas Hwy. Dept.
Vol. 2189, Pg. 221

Set PK Nail
POINT OF
BEGINNING

Texas Hwy. Dept.
Vol. 2207, Pg. 371

LAMAR STREET
(Variable Right-of-Way)

90.06' N50°35'02"E
100.00' S38°54'58"E
90.00' S50°35'02"W
81.00' N38°54'58"W

Fermin Lopez & Gloria Lopez
Instr. No. 20070259308
9,000 Square Feet

Brian Famkar and
Seyed Moosavi

Sheet 3 of 3

LOCATOR MAP: Parcel No's. 532 & 536

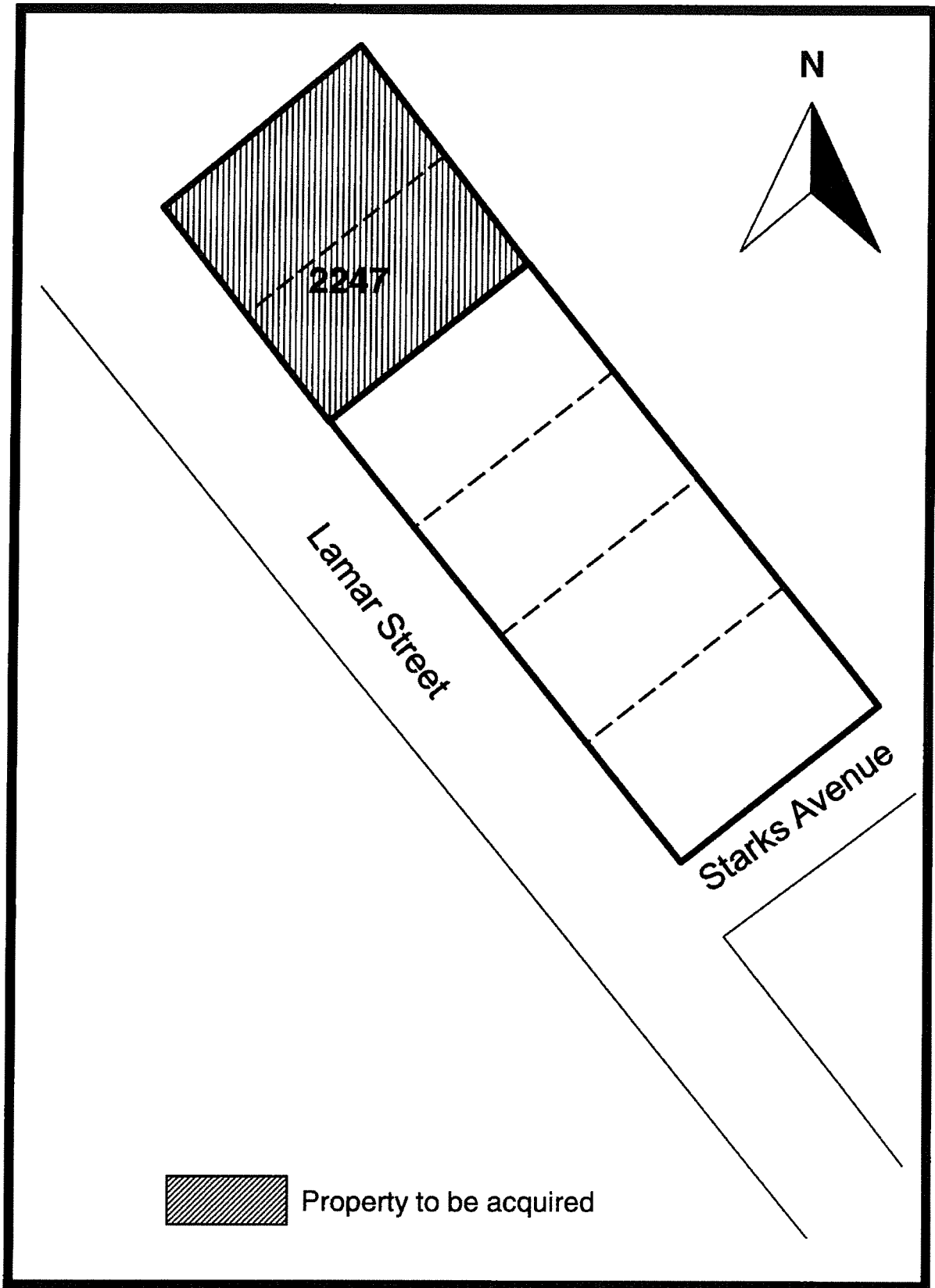
LEGEND:

- ⊙ 5/8" I.R. wCOD Cap Set
- P.K. Nail Set
- × "X" Cut in Concrete



Property to be Acquired

TRINITY RIVER CORRIDOR			
Tollway Project			
Fermin & Gloria Lopez, 5102 & 5106 Lamar Street			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	K:\ENGR\SURVEY\HOLT\Trinity\Tollway\Jocks\Jocks Field Notes.dgn	As Noted	8-12-09
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 2249	320R-408-D



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56H 57E

SUBJECT

Authorize acquisition of a temporary work area easement, from The Housing Authority of the City of Dallas, Texas, on two tracts of land containing a total of approximately 63.29 acres, located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee Project, Phase I – Not to exceed \$ 286,000 (\$283,000, plus closing costs not to exceed \$3,000) – Financing: U.S. Army Corps of Engineers Project Cooperation Funds

BACKGROUND

This item authorizes the acquisition of a temporary work area easement, for a 2-year period, on two tracts of land containing a total of approximately 63.29 acres located at the intersection of U.S. Highway 175 and Municipal Street from The Housing Authority of the City of Dallas, Texas. Approximately 40 acres will be utilized as a staging area for the duration of construction of the Rochester Levee Project, Phase I. Approximately 23 acres will allow for the draining of Rochester Lake to facilitate levee repair and thereafter completing mitigation work to restore and improve the lake ecosystem. 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 - \$286,000 (\$283,000 plus closing costs not to exceed \$3,000)

OWNER

The Housing Authority of the City of Dallas, Texas

MaryAnn Russ, President and CEO

MAPS

Attached

October 13, 2010

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

SECTION 1. That for the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROJECT": Trinity River Corridor Project – Dallas Floodway Extension
Rochester Levee Project , Phase I

"PROPERTY INTEREST": Easement – Temporary Work Area Easement

"PROPERTY": Two tracts of land containing a total of approximately 63.29 acres located in City Block 7066, Dallas, Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"OWNER(S)": The Housing Authority of the City of Dallas, Texas

"OFFER AMOUNT": \$283,000

"CLOSING COSTS": Not to exceed \$3,000

"AUTHORIZED AMOUNT": \$286,000

All of the above PROPERTY being located in the City of Dallas, Dallas County, Texas.

SECTION 2. That the PROJECT is a municipal and public purpose and a public use.

SECTION 3. That it is hereby determined that public necessity requires that the CITY should acquire the PROPERTY INTEREST under, over and across the PROPERTY necessary for the PROJECT.

SECTION 4. That the PROPERTY is hereby determined to be necessary for the PROJECT. That for the purpose of acquiring the PROPERTY INTEREST, the Director of Sustainable Development and Construction Department, or such employee as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY to be acquired and full damages allowable by law, which amount represents its fair cash market value.

SECTION 5. That the CITY determines to appropriate the PROPERTY INTEREST under, over and across the PROPERTY for the PROJECT under the provisions of the Charter of the City of Dallas.

October 13, 2010

SECTION 6. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of the U.S. Army Corps Project Cooperation Funds, Fund No. TP14, Department PBW, Unit N962, Activity TRPP, Object 4210, Encumbrance No. CT-PBW98N962K8. The OFFER AMOUNT - \$283,000 and the CLOSING COSTS - \$3,000 together shall not exceed the AUTHORIZED AMOUNT - \$286,000.

SECTION 7. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs.

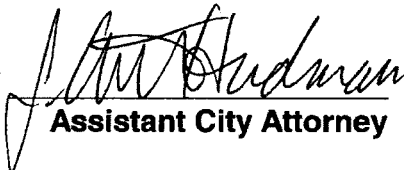
SECTION 8. That the term OWNER in this resolution means all persons having an ownership interest in the PROPERTY regardless of whether those persons are actually named in Section 1. In the event of a conflict between this section and Section 1, this section controls.

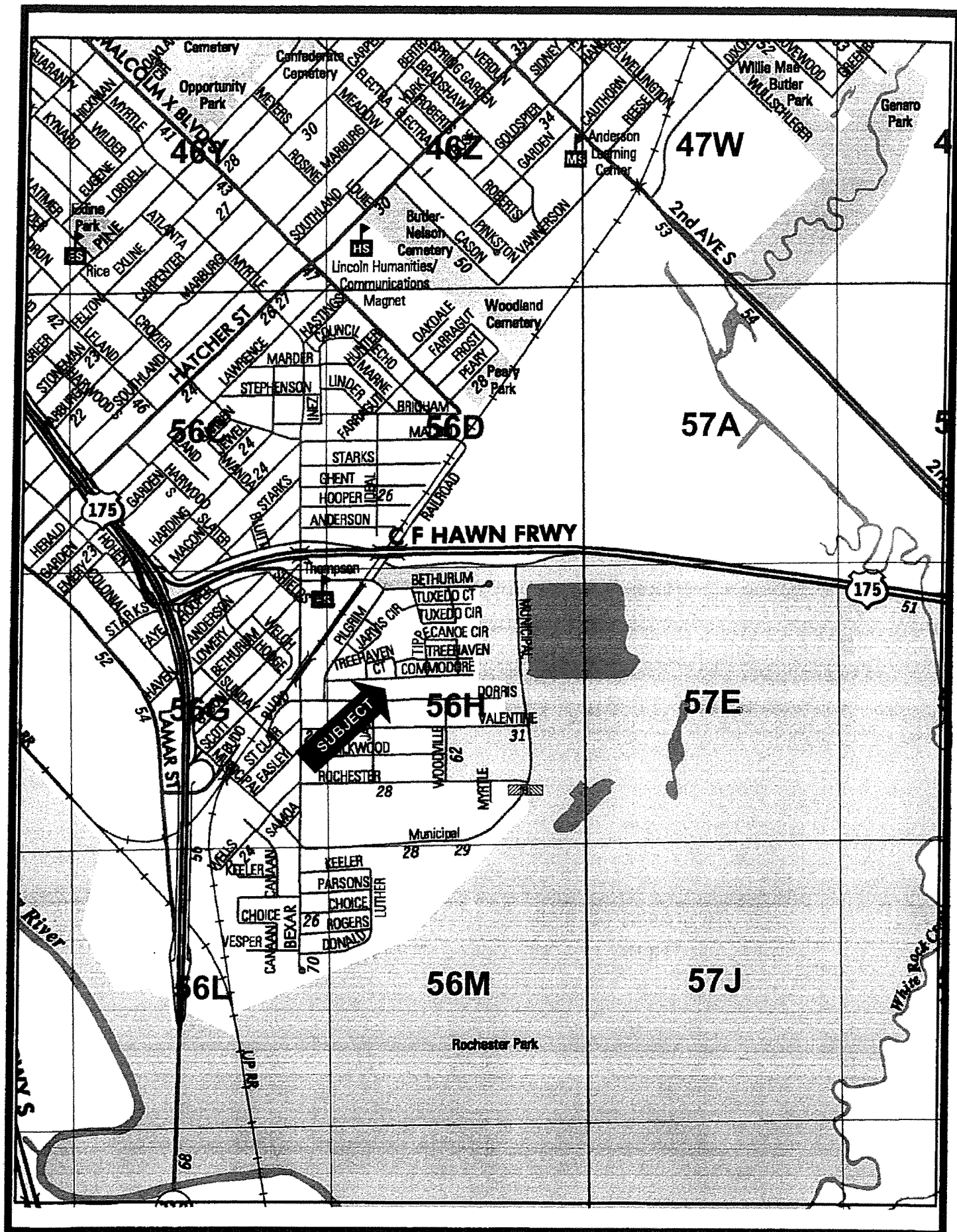
SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

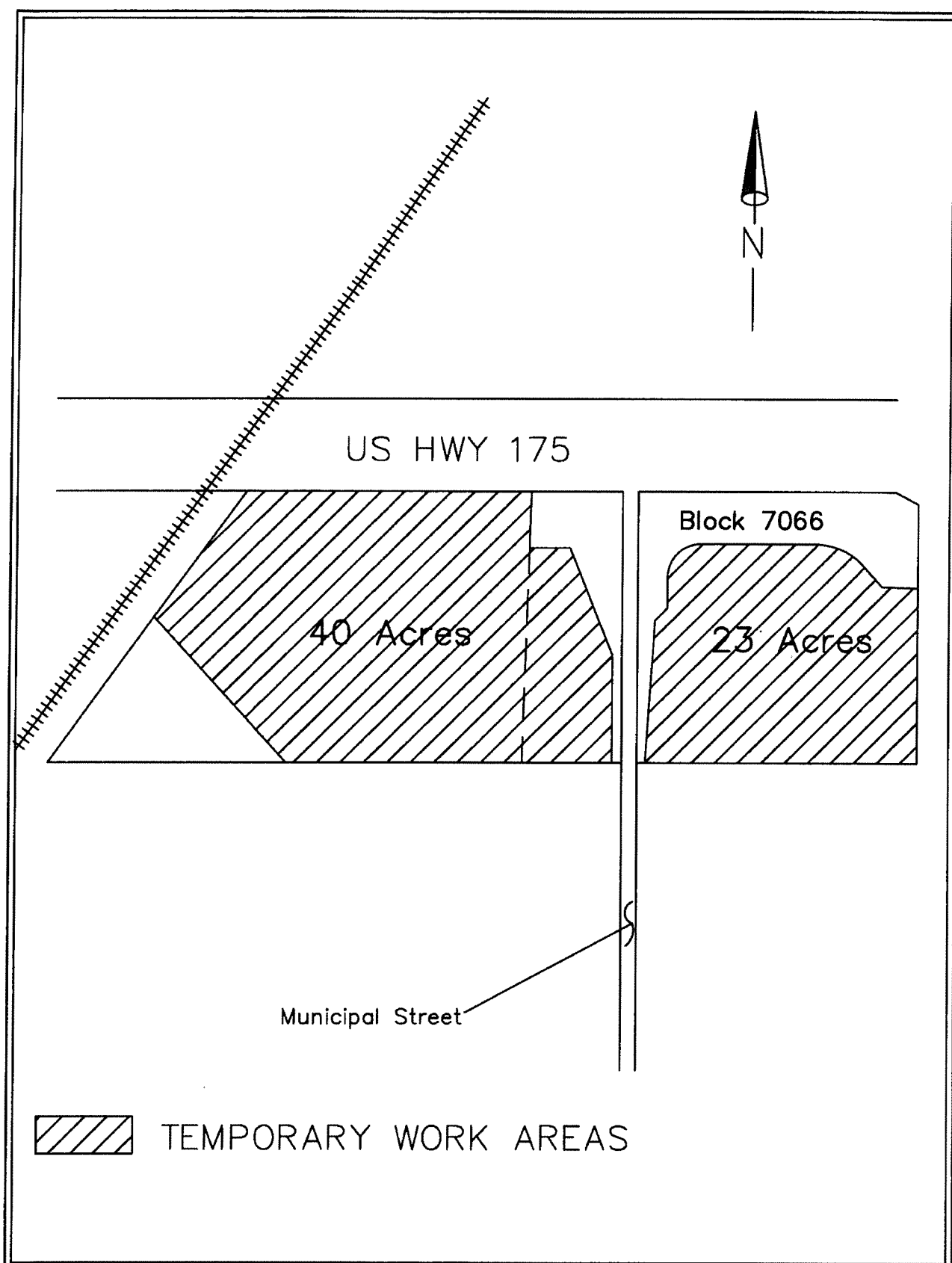
APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY


Assistant City Attorney





TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 ACRES
CITY BLOCK 7066

FIELD NOTES FOR 40.047 ACRES (1,744,445 SQUARE FEET) OF LAND BEING OUT OF A CALLED 90.14 ACRE TRACT DESCRIBED IN DEED DATED OCTOBER 18, 1951 TO THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS RECORDED IN VOLUME 3575, PAGE 275, DALLAS COUNTY DEED RECORDS; SAID 40.047 ACRES OF LAND BEING OUT OF CITY BLOCK 7066, CITY OF DALLAS, LOCATED IN THE SOLOMON SILKWOOD SURVEY, ABSTRACT NO. 1345, DALLAS COUNTY, TEXAS:

COMMENCING at a point in the west line of a called 73.985 acre tract described as "Tract No. 1" in deed dated June 7, 1961 to City of Dallas recorded in Volume 5564, Page 585, Dallas County Deed Records for the northeast corner of a called 24.992 acre tract described as "Second Tract" in deed dated October 18, 1962 to City of Dallas recorded in Volume 5887, Page 357, Dallas County Deed Records and the southeast corner of said 90.14 acre tract, from which a found 1/2 inch iron rod with cap stamped "RPLS# 3688" (Controlling Monument) bears North 10°12'50" East, 2.99 feet; said point also being in the west survey line of the S.A. & M.G. R.R. Survey, Abstract No. 1415 and the east survey line of said Solomon Silkwood Survey;

THENCE, South 89°05'47" West, along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 1,297.64 feet to a 5/8 inch iron rod with cap stamped "Landtech" set for the southeast corner and the POINT OF BEGINNING of the herein described tract;

THENCE, South 89°05'47" West, continuing along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 47.16 feet to an angle point of the herein described tract;

THENCE, South 89°02'17" West, continuing along the south line of said 90.14 acre tract, a distance of 733.80 feet to a 1/2 inch iron rod with cap found in the west right-of-way line of Woodville Street (50 feet wide per Volume 8, Page 190, Dallas County Map Records) for the northeast corner of Block 4, Rochester Park Addition recorded in Volume 8, Page 190, Dallas County Map Records and an angle point of the herein described tract;

THENCE, South 88°23'17" West, continuing along the south line of said 90.14 acre tract, a distance of 388.92 feet to the most southerly southwest corner of the herein described tract;

THENCE, North 41°16'07" West, a distance of 1,045.21 feet to a point in the southeast line of the Houston and Texas Central Railroad Company tract as recorded in Volume 738, Page 597, Dallas County Deed Records, for the most westerly southwest corner of the herein described tract;

REVIEWED BY:

Dott Hart 8.3.10

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 ACRES
CITY BLOCK 7066

THENCE, North 34°32'47" East, along the southeast line of said Houston and Texas Central Railroad Company tract, a distance of 480.69 feet to the intersection of the northwest right-of-way line of Railroad Avenue (25 feet wide, no deed of record found) and the south right-of-way line of Bethurum Avenue (25 feet wide, unimproved, no deed of record found), for the northwest corner of said 90.14 acre tract and of the herein described tract; said point also being in the south survey line of William Scroggins Survey, Abstract No. 1342, and the north survey line of said Solomon Silkwood Survey;

THENCE, North 88°39'47" East, along the south right-of-way line of said Bethurum Avenue, the south line of a residue of a called 303,764 square feet tract described as "Tract No. 1" in deed dated October 26, 1961 to City of Dallas recorded in Volume 5656, Page 88, Dallas County Deed Records, and the north line of said 90.14 acre tract and along the south survey line of said William Scroggins Survey and the north survey line of said Solomon Silkwood Survey, a distance of 1,220.10 feet to the most northerly northeast corner of the herein described tract;

THENCE, South 00°45'19" East, a distance of 232.14 feet to an angle point;

THENCE, North 89°47'51" East, a distance of 189.73 feet to the most easterly northeast corner of the herein described tract;

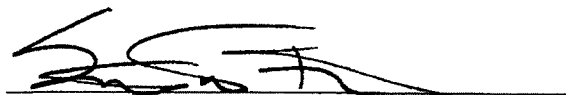
THENCE, South 16°52'56" East, a distance of 509.92 feet to an angle point;

THENCE, South 03°09'49" East, a distance of 467.32 feet to the POINT OF BEGINNING and containing 40.047 acres (1,744,445 square feet) of land.

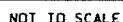
Metes and Bounds description contains a mathematical calculated closure of 1/514,151.

REVIEWED BY: Bearings are referenced to the Texas Coordinate System of 1983, North Central Zone, North American Datum of 1983 (1993 adjustment), based on the most easterly, southern line of a called 90.14 acre tract of land as described in Volume 3575, Page 275 D.C.D.R., calculated South 89°05'47" West (deed call North 89°40' East), based on GPS survey performed in March 2003, referenced to National Geodetic Survey Monument "DAL A" (AB2821). To obtain grid values multiply surface values by Project Surface Factor (PSF) of 0.999861718217, Surface * PSF = Grid. Unit of measure is US Survey Foot.

July 26, 2010
Landtech Consultants, Inc.


Scott M. Fertak
Registered Professional Land Surveyor
No. 5257





- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT), BASED ON THE MOST EASTERLY, SOUTHERN LINE OF A CALLED 90.14 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 3575, PAGE 275 D.C.D.R., CALCULATED SOUTH 89 05'47" WEST (DEED CALL NORTH 89 40' EAST), BASED ON GPS SURVEY PERFORMED IN MARCH 2003, REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENT "DAL A" (AB2821).
- 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). ALL COORDINATES AND DISTANCES ARE SURFACE VALUES. TO OBTAIN GRID VALUES MULTIPLY SURFACE VALUES BY PROJECT SCALE FACTOR (PSF) OF 0.999861718217, SURFACE PSF - GRID. UNIT OF MEASURE IS US SURVEY FOOT.



EDITED BY _____ DATE _____

PG.	PAGE
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SCOTT M. FERTAK
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FAX NO. (713) 881-4131



US Army Corps
of Engineers
District or Division

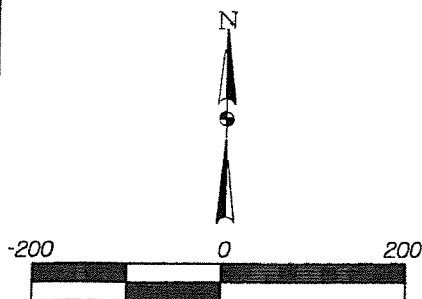
DATE:	JUNE 2010				
Don by:	KAC				
Ord by:	SP				
Reviewed by:	SP	Mark	Description	Date	Amount

WILLIAM SCROGGINS SURVEY A-1342

CITY BLOCK 7953

CITY OF DALLAS
VOL. 5656, PG. 88
D.C.D.R.
RESIDUE OF CALLED
303,764 SQ. FT.
(TRACT NO. 1)
OCTOBER 26, 1961

LINE TABLE		
NO.	BEARING	DIST.
L1	S 89° 05' 47" W	47.16'
L2	S 88° 23' 17" W	388.92'
L3	N 89° 47' 51" E	189.73'



SCALE: 1"=200'

BETHURUM AVE. (UNIMPROVED)
(25' R.O.W.)
NO DEED OF RECORD FOUND

N 88° 39' 47" E 1,220.10'

S 00° 45' 19" E
232.14'

SOLOMON SILKWOOD SURVEY A-1345

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 AC.
(1,744,445 SQ. FT.)

WEST LINE OF A CALLED
45.256 AC. LEASE TRACT
FOR PARK AND PLAYGROUND
PURPOSES TO CITY OF DALLAS
RECORDED IN VOL. 4309,
PG. 255, D.C.D.R.

CYNTHIA THORNBURG
C.F. NO. 200900025341
D.C.O.P.R.

ANDERSON HUGHES, ET UX
VOL. 72111, PG. 928
D.C.D.R.

MARY ANN HUGHES
VOL. 72078, PG. 1269
D.C.D.R.

FND. 1/2" I.R.
W/CAP

7.5' ALLEY
(PER PLAT)

L2

7.5' ALLEY
(PER PLAT)

S 89° 02' 17" W 733.80'

P.O.B.

SET 5/8" I.R.
W/"LANDTECH" CAP
N=6,958,774.29
E=2,508,182.11

CITY BLOCK 7066

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

CITY OF DALLAS
VOL. 5564, PG. 585
D.C.D.R.
CALLED 73.985 AC.
(TRACT NO. 1)
JUNE 7, 1961

P.O.C.
FND. 1/2" I.R. W/
"RPLS # 3688" CAP
BEARS N 10° 12' 50" E,
2.99'
(CONTROLLING
MONUMENT)
N=6,958,794.75
E=2,509,479.59

S 89° 05' 47" W
1,297.64'

CITY BLOCK
7069

CITY OF DALLAS
VOL. 92038, PG. 2014
D.C.D.R.

CITY OF DALLAS
VOL. 5887, PG. 357
D.C.D.R.
CALLED 24.992 AC.
(SECOND TRACT)
OCTOBER 18, 1962

NELVIN JACKSON
C.F. NO. 200600340805
D.C.O.P.R.

CITY BLOCK 7067

ROSEBROOK CORPORATION
SUBDIVISION REVISED
VOL. 42, PG. 28
D.C.M.R.

ROCHESTER PARK
ADDITION
VOL. 8, PG. 190
D.C.M.R.

CITY BLOCK 4/7072

WOODVILLE ST.
(50' R.O.W.)
(VOL. 8, PG. 190, D.C.M.R.)

S.A. & M.G. R.R.
SURVEY A-1415
CITY BLOCK 7950

LANDTECH CONSULTANTS, INC.

CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL NO. (713) 861-7068 FAX NO. (713) 861-4131



US Army Corps
of Engineers
District of Engineers

DATE:	JUNE 2010				
Drawn by:	SA				
Checked by:	SP				
Reviewed by:	SP				
		Mark	Description	Date	Appr.

SHEET 4 OF 5

WILLIAM SCROGGINS SURVEY A-1342

CITY BLOCK 7953

CITY OF DALLAS
VOL. 5656, PG. 88
D.C.D.R.
RESIDUE OF CALLED
303,764 SQ. FT.
(TRACT NO. 1)
OCTOBER 26, 1961

RAILROAD AVE.
(25' R.O.W.)
NO DEED OF
RECORD FOUND

CITY BLOCK 7953

N 88° 39' 47" E 1,220.10'

BETHURUM AVE. (UNIMPROVED)
(25' R.O.W.)
NO DEED OF RECORD FOUND

SOLOMON SILKWOOD SURVEY A-1345

CITY BLOCK 7066

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 AC.
(1,744,445 SQ. FT.)

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

APPROXIMATE REMNANT AREA
11.4 ACRES WITHIN THIS CORNER

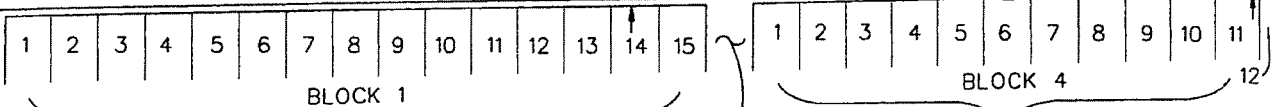
7.5' ALLEY
(PER PLAT)

7.5' ALLEY
(PER PLAT)

S 88° 23' 17" W
388.92'

REVIEWED BY: *Just Hart B. 3.10*

BEXAR ST.
(R.O.W. VARIES
NO DEED OF
RECORD FOUND)



O.E. TAYLOR ADDITION
VOL. 8, PG. 233
D.C.M.R.

JARVIS ST.
(50' R.O.W.)
(VOL. 8, PG. 190, D.C.M.R.)

ROCHESTER PARK
ADDITION
VOL. 8, PG. 190
D.C.M.R.

CITY BLOCK 4/7072

CITY BLOCK A/7071

LANDTECH CONSULTANTS, INC.

CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL NO. (713) 861-7088 FAX NO. (713) 861-4131



US Army Corps
of Engineers
District or Division

DATE:	APR 2010				
Drawn by:	SP				
Reviewed by:	SP				
Mark	Description	Date	Appr.		

SHEET 5 OF 5

MATCH LINE SHEET 4

TEMPORARY WORKING EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
23.241 ACRES
CITY BLOCK 7066

FIELD NOTES FOR 23.241 ACRES (1,012,391 SQUARE FEET) OF LAND BEING OUT OF A CALLED 90.14 ACRE TRACT DESCRIBED IN DEED DATED OCTOBER 18, 1951 TO THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS RECORDED IN VOLUME 3575, PAGE 275, DALLAS COUNTY DEED RECORDS; SAID 23.241 ACRES OF LAND BEING OUT OF CITY BLOCK 7066, CITY OF DALLAS, LOCATED IN THE SOLOMON SILKWOOD SURVEY, ABSTRACT NO. 1345, DALLAS COUNTY, TEXAS:

BEGINNING at a point in the west line of a called 73.985 acre tract described as "Tract No. 1" in deed dated June 7, 1961 to City of Dallas recorded in Volume 5564, Page 585, Dallas County Deed Records for the northeast corner of a called 24.992 acre tract described as "Second Tract" in deed dated October 18, 1962 to City of Dallas recorded in Volume 5887, Page 357, Dallas County Deed Records and the southeast corner of said 90.14 acre tract and of the herein described tract, from which a found 1/2 inch iron rod with cap stamped "RPLS# 3688" bears North 10°12'50" East, 2.99 feet; said point also being in the west survey line of the S.A. & M.G. R.R. Survey, Abstract No. 1415 and the east survey line of said Solomon Silkwood Survey;

THENCE, South 89°05'47" West, along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 1,158.18 feet to the southwest corner of the herein described tract;

THENCE, North 02°29'32" East, a distance of 531.54 feet to an angle point;

THENCE, North 05°07'21" East, a distance of 86.16 feet to an angle point;

THENCE, North 36°08'31" East, a distance of 73.20 feet to an angle point;

THENCE, North 03°42'25" East, a distance of 162.12 feet to the point of curvature of a curve to the right for the most westerly northwest corner of the herein described tract;

THENCE, along said curve to the right, having a radius of 140.00 feet, an arc length of 217.62 feet, a central angle of 89°03'39", and a chord which bears North 48°14'15" East, 196.36 feet to the point of tangency for the most northerly northwest corner of the herein described tract;

THENCE, South 87°13'56" East, a distance of 180.15 feet to an angle point;

THENCE, South 89°17'57" East, a distance of 312.17 feet to the point of curvature of a curve to the right;

REVIEWED BY:

Post Hook 8.3.10

TEMPORARY WORKING EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
23.241 ACRES
CITY BLOCK 7066

THENCE, along said curve to the right, having a radius of 265.00 feet, an arc length of 202.29 feet, a central angle of $43^{\circ}44'16''$, a chord which bears South $67^{\circ}25'49''$ East, 197.42 feet to the point of tangency;

THENCE, South $45^{\circ}33'41''$ East, a distance of 153.96 feet to an angle point;

THENCE, South $89^{\circ}43'54''$ East, a distance of 130.47 feet to a point in the west line of said 73.985 acre tract, the west survey line of said S.A. & M.G. R.R. Survey, the east line of said 90.14 acre tract, and the east survey line of said Solomon Silkwood Survey for the northeast corner of the herein described tract;

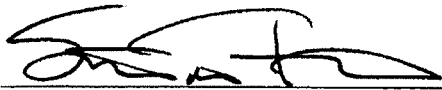
THENCE, South $00^{\circ}56'13''$ East, along the west line of said 73.985 acre tract, the west survey line of said S.A. & M.G. R.R. Survey, the east line of said 90.14 acre tract, and the east survey line of said Solomon Silkwood Survey, a distance of 753.67 feet to the POINT OF BEGINNING and containing 23.241 acres (1,012,391 square feet) of land.

Metes and Bounds description contains a mathematical calculated closure of 1/536,239.

REVIEWED BY:

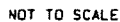
Bearings are referenced to the Texas Coordinate System of 1983, North Central Zone, North American Datum of 1983 (1993 adjustment), based on the most easterly, southern line of a called 90.14 acre tract of land as described in Volume 3575, Page 275 D.C.D.R., calculated South $89^{\circ}05'47''$ West (deed call North $89^{\circ}40'$ East), based on GPS survey performed in March 2003, referenced to National Geodetic Survey Monument "DAL A" (AB2821). To obtain grid values multiply surface values by Project Surface Factor (PSF) of 0.999861718217, Surface * PSF = Grid. Unit of measure is US Survey Foot.

June 26, 2010
Landtech Consultants, Inc.



Scott M. Fertak
Registered Professional Land Surveyor No.
5257





- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT), BASED ON THE MOST EASTERLY, SOUTHERN LINE OF A CALLED 90.14 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 3575, PAGE 275 D.C.D.R., CALCULATED SOUTH 89 05'47" WEST (DEED CALL NORTH 89 40' EAST), BASED ON GPS SURVEY PERFORMED IN MARCH 2003, REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENT "DAL A" (AB2821).
- 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). ALL COORDINATES AND DISTANCES ARE SURFACE VALUES. TO OBTAIN GRID VALUES MULTIPLY SURFACE VALUES BY PROJECT SCALE FACTOR (PSF) OF 0.999861718217, SURFACE PSF - GRID. UNIT OF MEASURE IS US SURVEY FOOT.



CHECKED BY _____ DATE _____

BACK CHECK BY _____ DATE _____

CORRECTED BY _____ DATE _____

EDITED BY _____ DATE _____

D.C.D.R.	DALLAS COUNTY DEED RECORDS
D.C.M.R.	DALLAS COUNTY MAP RECORDS
I.R.	IRON ROD
I.P.	IRON PIPE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
ℙ	PROPERTY LINE
§	SURVEY LINE
VOL.	VOLUME
P.G.	PAGE



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.

SCOTT M. FERTAK
REG. PROF. LAND SURVEYOR, NO. 5257

LANDTECH CONSULTANTS, INC.
CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL. NO. (713) 881-7088 FAX NO. (713) 881-4131



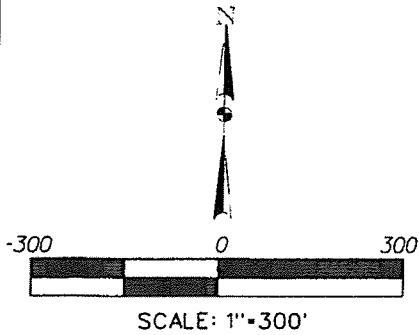
US Army Corps
of Engineers
District or Division

DATE:	JUNE 2010				
Don by:	KAE				
Chk by:	SP				
Reviewed by:	SP	Mark	Description	Date	Amount

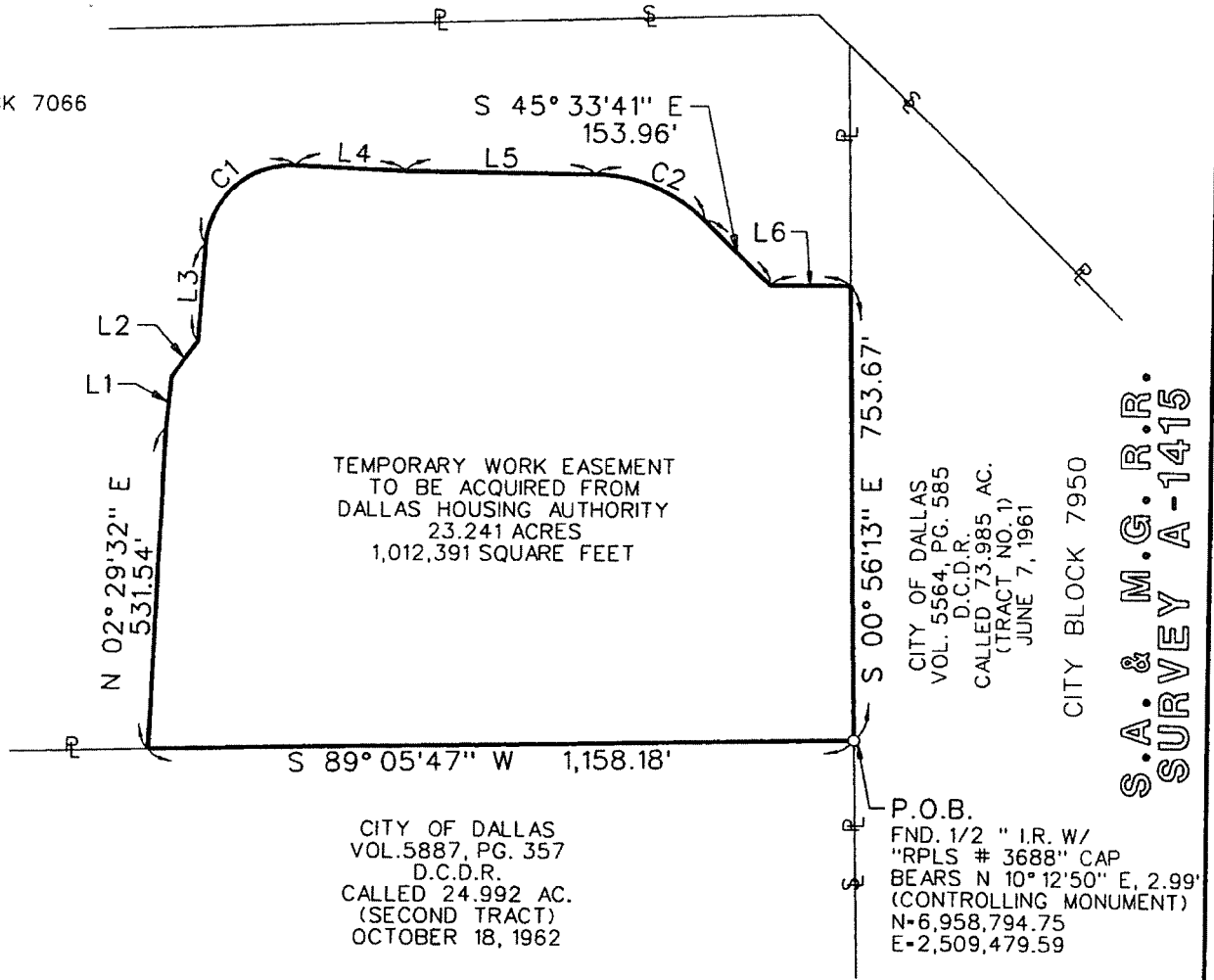
REVIEWED BY: *Don Hart 8.3.10*

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

CURVE TABLE					
NO.	RADIUS	LENGTH	DELTA	CH. BEARING	CH. LEN.
C1	140.00'	217.62'	89° 03' 39"	N 48° 14' 15" E	196.36'
C2	265.00'	202.29'	43° 44' 16"	S 67° 25' 49" E	197.42'



CITY BLOCK 7066



S.A. & M.G. R.R.
SURVEY A-1415

CITY BLOCK 7069

SOLOMON SILKWOOD SURVEY A-1345

LINE TABLE		
NO.	BEARING	DIST.
L1	N 05° 07' 21" E	86.16'
L2	N 36° 08' 31" E	73.20'
L3	N 03° 42' 25" E	162.12'
L4	S 87° 13' 56" E	180.15'
L5	S 89° 17' 57" E	312.17'
L6	S 89° 43' 54" E	130.47'

LANDTECH CONSULTANTS, INC.
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SUITE 300
HOUSTON, TEXAS 77008
TEL NO. (713) 881-7088 FAX NO. (713) 881-4131

US Army Corps
of Engineers
District or Division

DATE: JUNE 2010
Drawn by: KAX
Checked by: SP
Reviewed by: SP

Mark Description Date Appr.

SHEET 4 OF 4