This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated August 8, 2007. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

Mary K. Suhm
City Manager

Edward Scott
City Controller

8-3-07
Date

8-3-07
Date
ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, AUGUST 8, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. INVOCATION AND PLEDGE OF ALLEGIANCE
OPEN MICROPHONE
CLOSED SESSION

MINUTES                          Item 1

CONSENT AGENDA                   Items 2 - 64
CONSENT ADDENDUM                 Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION
No earlier than 9:30 a.m.        Items 65 - 66

PUBLIC HEARINGS AND RELATED ACTIONS
1:00 p.m.                        Items 67 - 84
ADDENDUM
CITY COUNCIL MEETING
AUGUST 8, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

Closed Session
Attorney Briefings (Sec. 551.071 T.O.M.A.)
- Legal issues involving Homeless Assistance Center

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a thirty-six-month master agreement for an Oracle Enterprise License Agreement through the State of Texas Department of Information Resources to be used as the database system for several City initiatives - Mythics - Not to exceed $4,798,676
   - Financing: Current Funds (subject to annual appropriations)

Department of Development Services

2. A resolution authorizing a reduction of the minimum bid amount from $325,000 to $231,000 for an unwanted and unneeded tract of City-owned land containing approximately 76,918 square feet located near the intersection of Wheatland Road and Clark Road - Financing: No cost consideration to the City

3. An ordinance abandoning portions of Coronado Avenue and an alley to Lakewood Development LLC, the abutting owner, containing approximately 25,710 square feet of land located near the intersection of Coronado and East Grand Avenues, authorizing the quitclaim and providing for the dedication of approximately 7,594 square feet of land needed for street and alley rights-of-way - Revenue: $416,677 plus the $20 ordinance publication fee

4. An ordinance abandoning a sanitary sewer easement to Dan L. Dimke, as Trustee for 1226-8 Cullum, the abutting owner, containing approximately 708 square feet of land located near the intersection of Grand Avenue and Robert B. Cullum Boulevard - Revenue: $5,400 plus the $20 ordinance publication fee
DELETION:

Department of Department Services

80. A public hearing to receive comments regarding an application for an amendment to the conditions of Planned Development District No. 691 for mixed uses with a MD-1 Modified Delta Overlay and a D Dry Liquor Control Overlay on a portion of the property, on the northeast corner of Summit Avenue and Lewis Street

Recommendation of Staff and CPC: Denial

Z067-209(WE)
<table>
<thead>
<tr>
<th>ITEM</th>
<th>OK</th>
<th>DEF</th>
<th>DISTRICT</th>
<th>TYPE</th>
<th>DEPT.</th>
<th>DOLLARS</th>
<th>LOCAL</th>
<th>MWBE</th>
<th>DESCRIPTION</th>
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<tr>
<td>1</td>
<td>All</td>
<td>C</td>
<td>PBD, CIS</td>
<td></td>
<td></td>
<td>$4,798,676.00</td>
<td>0.00%</td>
<td>0.00%</td>
<td>Authorize a thirty-six-month master agreement for an Oracle Enterprise License Agreement through the State of Texas Department of Information Resources to be used as the database system for several City initiatives</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>C</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A resolution authorizing a reduction of the minimum bid amount for an unwanted and unneeded tract of City-owned land containing approximately 76,918 square feet located near the intersection of Wheatland Road and Clark Road</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>C</td>
<td>DDS</td>
<td>REV</td>
<td>$416,677</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>An ordinance abandoning portions of Coronado Avenue and an alley to Lakewood Development LLC, the abutting owner, containing appx 25,710 square feet of land located near the intersection of Coronado &amp; East Grand Avenues, authorizing the quitclaim &amp; dedicating appx 7,594 square feet of land needed for street &amp; alley rights-of-way</td>
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<td>7</td>
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<td>DDS</td>
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<td>$5,400</td>
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<td>NA</td>
<td>NA</td>
<td>An ordinance abandoning a sanitary sewer easement to Dan L. Dimke, as Trustee for 1226-8 Cullum, the abutting owner, containing approximately 708 square feet of land located near the intersection of Grand Avenue and Robert B. Cullum Boulevard</td>
</tr>
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**TOTAL**  $4,798,676.00
KEY FOCUS AREA: Staff Accountability

AGENDA DATE: August 8, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

CMO: Dave Cook, 670-7804
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a thirty-six-month master agreement for an Oracle Enterprise License Agreement through the State of Texas Department of Information Resources to be used as the database system for several City initiatives - Mythics - Not to exceed $4,798,676
Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This purchase is for a volume Oracle Enterprise License Agreement (ELA) to be used as the database system for current initiatives such as, Human Resource Management System, Electronic Document Management System, COMSTAT System, Traffic Management System, Court Case Management System and Pay 1. This volume license agreement will provide 100 licenses and annual support as follows:

- First Year Cost of $1,628,620 includes Licenses, Support, Existing License Support and Back Support reflects cost avoidance of $726,548 when compared to an incremental purchase.

- Second Year cost of $1,523,308 includes Licenses, Support, and Existing License Support reflects a cost avoidance of $793,294 when compared to an incremental purchase.

- Third Year cost of $1,646,748 includes Licenses, Support, and Existing License Support reflects a cost avoidance of $703,352 when compared to an incremental purchase.
BACKGROUND (Continued)

- The Oracle ELA total cost over the 3 year agreement is $4,798,676 when compared to an Incremental Purchase total cost of $7,021,870 for a cost avoidance of $2,223,194.

The vendor is Oracle and is the sole provider of the Enterprise License Agreements and is listed with the State of Texas Department of Information Resources. The Oracle ELA Contract is being purchased through Mythics and is listed with the State of Texas Department of Information Resources for the sole purpose of providing 0% interest free financing over the 3 year period of the contract to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$4,798,676.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

This is being purchased through state contract, therefore no M/WBE information is available.

ETHNIC COMPOSITION

Mythics

| Hispanic Female | 1 | Hispanic Male | 1 |
| Black Female    | 1 | Black Male    | 1 |
| Other Female    | 0 | Other Male    | 1 |
| White Female    | 14| White Male    | 40|

BID INFORMATION

These items are being acquired through the Texas Department of Information Resources, a statewide purchasing cooperative that complies with state and federal requirements for bidding.

<table>
<thead>
<tr>
<th>Bidder</th>
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<th>Amount of Bid</th>
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<tbody>
<tr>
<td>Mythics</td>
<td>1439 N. Great Neck Rd.</td>
<td>$4,798,676.00</td>
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<tr>
<td></td>
<td>Virginia Beach, VA 23454</td>
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OWNER

Mythics

Robert Scott LaRose, President
Mike Hillier, Chief Operating Officer
Barbara Darr, Chief Financial Officer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month master agreement for an Oracle Enterprise License Agreement through the State of Texas Department of Information Resources to be used as the database system for several City initiatives - Mythics - Not to exceed $4,798,676 - Financing: Current Funds (subject to annual appropriations)

Mythics is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own work force.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
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<th>Percent</th>
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<td>Total local contracts</td>
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</tr>
<tr>
<td>Total non-local contracts</td>
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<tr>
<td><strong>TOTAL CONTRACT</strong></td>
<td><strong>$4,798,676.00</strong></td>
<td><strong>100.00%</strong></td>
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</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
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<td><strong>0.00%</strong></td>
<td><strong>$0.00</strong></td>
<td><strong>0.00%</strong></td>
</tr>
</tbody>
</table>
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That a master agreement for an Oracle Enterprise License Agreement through the State of Texas Department of Information Resources, to be used as the database system for several City initiatives, is authorized with Mythics (515615) in the amount of $4,798,676.00, for a term of thirty-six months.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for the Oracle Enterprise License Agreement through the State of Texas Department of Information Resources to be used as the database system for several City initiatives. If a written contract is required or requested for any or all purchases of Oracle Enterprise License Agreement to be used as the database system for several City initiatives under the master agreement instead of individual purchase orders, the City Manager is authorized to executed the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $4,798,676.00 (subject to annual appropriations).

Section 4. 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.

DISTRIBUTION:

Business Development and Procurement Services, 3FS
Office of Financial Services, 4FS
Communication and Information Services
KEY FOCUS AREA: Economic Development

AGENDA DATE: August 8, 2007

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Development Services

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 71B C

SUBJECT

A resolution authorizing a reduction of the minimum bid amount from $325,000 to $231,000 for an unwanted and unneeded tract of City-owned land containing approximately 76,918 square feet located near the intersection of Wheatland Road and Clark Road - Financing: No cost consideration to the City

BACKGROUND

This item authorizes a reduction of the minimum bid amount from $325,000 to $231,000 for an unwanted and unneeded tract of City-owned land containing approximately 76,918 square feet located near the intersection of Wheatland Road and Clark Road. This land was advertised for sale in the Dallas Morning News on April 16 and 17, 2005; with a minimum bid of $462,000 and no bids were received at the bid opening held on August 30, 2005. This land was advertised for sale in the Dallas Morning News on October 30 and 31, 2005; with a minimum bid of $325,000 and no bids were received at the bid opening held on January 10, 2006. This land was advertised for sale in the Dallas Morning News on April 16 and 17, 2006; with a minimum bid of $325,000 and no bids were received at the bid opening held on June 20, 2006. This land was advertised for sale in the Dallas Morning News on February 4 and 5, 2007; with the minimum bid of $325,000 and no bids were received at the bid opening held on April 10, 2007.

This land will be advertised for sale with a reservation of all oil, gas and other minerals in and under the land and with restriction prohibiting the placement of industrialized housing. The advertisement will be posted in local newspapers and on the Real Estate website. A “for sale” sign will be placed on the land with notices of the sale being sent to: (1) property owners within 300 feet of the property; (2) brokers and agents in the Dallas area; and (3) investors and citizens kept on an internal surplus property mailing list.
**BACKGROUND** (continued)

The current zoning for this land is Neighborhood Service and the tax value is $230,750. The land will return to the tax rolls upon conveyance.

This land has been reviewed by the Housing Department for infill housing and is not desired for this program.

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

Council authorized the reduction of the minimum bid requirement on October 12, 2005, by Resolution No. 05-2909.

Council declared this tract of land unwanted and unneeded on April 13, 2005, by Resolution No. 05-1131.

**FISCAL INFORMATION**

No cost consideration to the City

**MAPS**

Attached
WHEREAS, the City of Dallas is the owner of a tract of unwanted and unneeded land located in Dallas County, Texas and described below; and

WHEREAS, said City property was declared surplus to the City’s needs by Council Resolution No. 05-1131 on April 13, 2005, and authorized to be offered for sale by sealed bid, with a minimum bid of $462,000.00 specified and no bids were received at the bid opening held on August 30, 2005; and

WHEREAS, Council authorized the reduction of the minimum bid to $325,000.00 on October 12, 2005, by Resolution No. 05-2909 and no bids were received at the bid openings held on January 10, 2006, June 20, 2006, and April 10, 2007.

WHEREAS, in order to sell the property, the minimum bid shall be reduced to $231,000.00; and

WHEREAS, said City property is currently developable and must be disposed of by sealed bid in compliance with State law; Now Therefore,

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

SECTION 1. That the following listed City-owned land is declared unwanted and unneeded by the City Council and is to be advertised for sale pursuant to State law, with the minimum bid as specified:

Parcel No. 1, containing approximately 76,918 square feet, Block 8604, Dallas County, Texas, located at 7001 Wheatland Road near the intersection of Wheatland Road and Clark Road, – Minimum Bid $231,000.00

SECTION 2. That the Director of Development Services is authorized to advertise the above described property for sale.

SECTION 3. That the advertisement of the property shall state:

(a) that the City of Dallas reserves the right to reject any and all bids received and all sales are subject to approval by the Dallas City Council;

(b) that the sale shall be by Deed Without Warranty in a form approved by the City Attorney;

(c) that the sale shall be subject to the terms, covenants, conditions, reservations, restrictions and exceptions of this authorizing resolution, including without limitation the following:
(i) a restriction prohibiting the placement of industrialized housing on the property;

(ii) that the City of Dallas in the deed of conveyance shall reserve all oil, gas, and other minerals in and under the property with a waiver of surface access rights relating to said minerals;

(iii) any and all visible and apparent easements and encroachments, whether of record or not;

(iv) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record and applicable to the property or any part thereof; and

(v) standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes, and assessments being assumed by grantee;

(d) that, to the maximum extent allowed by law, the sale shall be strictly on an “AS IS, WHERE IS, WITH ALL FAULTS” basis; and

(e) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 4. That as a material part of the consideration for the sale, the grantee and the City shall acknowledge and agree and provided in any relevant instrument that, to the maximum extent allowed by law, (a) grantee is taking the Property “AS IS, WHERE IS, WITH ALL FAULTS”, (b) the City disclaims responsibility as to the accuracy or completeness of any information relating to the Property, (c) grantee assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders, and (d) the City expressly disclaims and grantee expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property. Without limiting the foregoing, the City makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and
uses which grantee may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, “environmental substances” means the following: (a) any “hazardous substance” under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any “hazardous substance” under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated.

SECTION 5. That all closing costs and title expenses, including without limitation costs of title insurance, if desired, shall be paid by grantee.

SECTION 6. That the property is now on the exempt tax roll, and taxes for the remaining part of the then current calendar year shall be assessed from the date of closing.

SECTION 7. 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 [Signature]
Assistant City Attorney
ADDENDUM ITEM # 3

KEY FOCUS AREA: Economic Development

AGENDA DATE: August 8, 2007

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Development Services

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 37X 47B

SUBJECT

An ordinance abandoning portions of Coronado Avenue and an alley to Lakewood Development LLC, the abutting owner, containing approximately 25,710 square feet of land located near the intersection of Coronado and East Grand Avenues, authorizing the quitclaim and providing for the dedication of approximately 7,594 square feet of land needed for street and alley rights-of-way – Revenue: $416,677 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Coronado Avenue and an alley to Lakewood Development LLC, the abutting owner. The area to be abandoned will be included with the property of the abutting owner for the construction of a multifamily development that includes 57 rental townhomes and 252 apartment units. The dedication areas will be used for a street turnaround and an alley turnout. The abandonment fee is based on an independent appraisal.

Notices were sent to 8 property owners within 300 feet of the area to be abandoned. There were no responses received in opposition to this request.

This transaction is consistent with recommendations of the Real Estate Task Force.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $416,677 plus the $20 ordinance publication fee
OWNER

Lakewood Development LLC

IFG Lakewood Development, LP, Managing Member
INCAP Financial Group, Ltd., General Partner
INCAP Holdings, LLC, General Partner
Alan McDonald, President

MAPS

Attached
ORDINANCE NO. _____________

An ordinance providing for the abandonment of portions of Coronado Avenue and an alley located adjacent to City Blocks 2698, A/2698 and 2699 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Lakewood Development LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and the relocation of existing facilities; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the conveyance of needed land to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Lakewood Development LLC, a Delaware limited liability company, hereinafter referred to as GRANTEE, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to GRANTEE, and is of the opinion that, subject to the terms and conditions herein provided, said portions of Coronado Avenue and an alley are not needed for public use, and same should be abandoned and quitclaimed to GRANTEE, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to GRANTEE for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

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

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same are abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.
SECTION 2. That for and in monetary consideration of the sum of FOUR HUNDRED SIXTEEN THOUSAND SIX HUNDRED SEVENTY-SEVEN AND NO/100 ($416,677.00) DOLLARS paid by GRANTEE, and the further consideration described in Sections 8, 9, 11 and 12, the City of Dallas does by these presents FOREVER QUITCLAIM unto the said GRANTEE, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A. TO HAVE AND TO HOLD all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said GRANTEE forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, GRANTEE accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the City Controller is authorized to deposit the sum paid by GRANTEE pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Development Services - Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and for all intents and purposes made a part hereof.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon GRANTEE, its successors and assigns.
SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, its successors and assigns, agree to indemnify, defend, release and hold the City of Dallas whole and harmless against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which GRANTEE, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. GRANTEE, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended, (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15
U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall convey by General Warranty Deed to the City of Dallas, within 60 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Blocks 2698 and A/2698, containing a total of approximately 7,594 square feet of land, descriptions of which are attached hereto and made a part hereof as Exhibit C. Failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 10. That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the Deed Records of Dallas County, Texas and thereafter returned to the City Secretary for permanent record.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 9 above.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall:

(a) submit detailed plans for the construction of a street turnaround, an alley turnout and storm sewer inlets within existing City of Dallas right-of-way and/or the areas described in Exhibit C to the Director of Development Services, or designee for review and approval, execute a private development contract for the construction of the street turnaround, alley turnout and storm sewer inlets and GRANTEE shall, at its sole cost and expense, construct the street turnaround, alley turnout and storm sewer inlets in accordance with approved plans and the executed private
development contract and have all work accepted in writing by the Director of Development Services, or designee. Failure by GRANTEE, its successors and assigns, to comply with this provision within one year from the passage of this ordinance, shall render this ordinance null and void and of no further effect;

(b) immediately upon the effective date of the abandonment and quitclaim in accordance with Section 13, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Development Services. GRANTEE's responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street and/or alley improvements and intersection returns are removed by GRANTEE, its successors and assigns, to the satisfaction of the Director of Development Services; and

(c) file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by GRANTEE in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas.

SECTION 13. That the abandonment and quitclaim made herein shall not become effective until and unless the General Warranty Deed is conveyed to the City of Dallas in accordance with Section 9 and the street turnaround, alley turnout and storm sewer inlets are constructed in accordance with Section 12(a). Failure to convey the General Warranty Deed and construct the street turnaround, alley turnout and storm sewer inlets as herein provided shall render this ordinance null and void, and of no further effect.

SECTION 14. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Development Services, or designee. Upon receipt of the monetary consideration set forth in Sections 2 and 11, plus the fee for the publishing of this ordinance, which GRANTEE shall likewise pay, the conveyance of the General Warranty Deed in accordance with Section 9 and the construction of the street turnaround, alley turnout and storm sewer inlets in accordance
with Section 12(a), the Director of Development Services, or designee: (i) shall deliver to GRANTEE a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a QUITCLAIM DEED with regard to the areas abandoned herein, to GRANTEE hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Development Services, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 15. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
City Attorney

THERESA O'DONNELL
Director of Development Services

BY Assistant City Attorney

BY Assistant Director

Passed ____________________.
LEGAL DESCRIPTION
VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT
PART OF CORONADO AVENUE
ADJACENT TO CITY OF DALLAS BLOCK NO. 2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 14,911.83 square foot, (0.3423 acre), tract of land, situated in the William Jones Survey, Abstract No. 686 and being part of Block 2698 in the City of Dallas, Dallas County, Texas, same being part of Coronado Avenue dedicated to the City of Dallas by the Walter Helm Addition No. 2, an addition to the City of Dallas, according to the plat thereof recorded in Volume 73205, Page 53 of the Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the most Easterly corner of said Coronado Avenue and the Southerly corner of a tract of land conveyed to Lakewood Development LLC, a Delaware limited liability company by deed recorded in Instrument No. 200600409166, Official Public Records, Dallas County, Texas on a Northwest line of Lot 6A, Block A/2698 of a Replat of Part of Lot 5 and all of Lot 6, Block A/2698 of the Walter Helm Addition No. 2 and Part of Block 2701, an addition to the City of Dallas, according to the plat thereof recorded in Volume 88160, Page 662, Deed Records, Dallas County, Texas;

THENCE South 39 degrees 48 minutes 00 seconds West, along the Northwest line of Lot 6A and the Southeast line of said Coronado Avenue, a distance of 31.89 feet to a 1/2 inch iron rod found at the most Southerly corner of said Coronado Avenue and an interior corner of said Lot 6A;

THENCE North 44 degrees 53 minutes 26 seconds West, along the Northeast line of said Lot 6A and the Southwest line of said Coronado Avenue, a distance of 11.20 feet to a 1/2 inch iron rod found at the beginning of a non-tangent curve to the right having a central angle of 106 degrees 11 minutes 38 seconds, a radius of 50.00 feet and a chord bearing and distance of North 46 degrees 39 minutes 09 seconds West, 79.97 feet;

THENCE along said curve to the right and continuing along said Lot 6A and said Coronado Avenue common line, an arc length of 92.67 feet to a 3/8 inch iron rod found;

THENCE North 46 degrees 15 minutes 46 seconds West, continuing along said Lot 6A and said Coronado Avenue common line, a distance of 358.57 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC at the beginning of a non-tangent curve to the left having a central angle of 36 degrees 47 minutes 37 seconds, a radius of 50.00 feet and a chord bearing and distance of North 59 degrees 28 minutes 58 seconds East, 31.56 feet;

THENCE along said curve to the left, an arc length of 32.11 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC on the Southwest line of aforementioned Lakewood Development LLC tract recorded in Instrument No. 200600409166 and on the Northwest line of said Coronado Avenue;

THENCE South 46 degrees 29 minutes 12 seconds East, along said Lakewood Development LLC tract Southwest line and said Northwest line of Coronado Avenue, a distance of 438.98 feet to the POINT OF BEGINNING and containing 14,911.83 square feet or 0.3423 acres of land.

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29’12"E)

REVIEWED BY

BRYAN CONNALLY
R.P.L.S. NO. 5513
REVISED DATE: FEBRUARY 13, 2007
VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT
PART OF CORONADO AVENUE
ADJACENT TO CITY OF DALLAS BLOCK NO. 2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29'12"E)

2) $ = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED DCA INC.

PROPOSED RIGHT-OF-WAY DEDICATION

CENTRAL ANGLE=36°47'37"
RADIUS=50.00'
ARC L=32.11'
CHORD B=N59°28'58"E
CHORD L=31.56'

RIGHT-OF-WAY ABANDONMENT
14,911.83 SQUARE FEET
0.3423 ACRES

LAKEWOOD DEVELOPMENT LLC,
A DELAWARE LIMITED LIABILITY COMPANY
INSTRUMENT NO. 200600409166

BRYAN CONNALLY
R.P.L.S. NO. 5513
REVISED DATE: FEBRUARY 13, 2007

DOUG CONNALLY & ASSOCIATES, INC.
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REVIEWS BY

REVIEWED BY

OCT. 26, 2007

SHEET 2 OF 2
JOB NO. 0608806-2
ABANDONMENT
DRAWN BY: BOB
VICINITY MAP
VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT
PART OF CORONADO AVENUE
ADJACENT TO CITY OF DALLAS BLOCK NO. 2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP NOT TO SCALE
MAPSCO PAGE 37-X

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BEING a 10,798.45 square foot, (0.2478 acre), tract of land, situated in the William Jones
Survey, Abstract No. 686 adjacent to the City of Dallas Block A/2698, Dallas County, Texas,
same being part of a 15 foot alley conveyed to the City of Dallas by deed recorded in
Volume 2235, Page 125, Deed Records, Dallas County, Texas and part of a variable width
alley conveyed to the City of Dallas by Walter Helm Addition No. 1, an addition to the City
of Dallas, according to the plat thereof recorded in Volume 71225, Page 2250, Deed
Records, Dallas County, Texas and being more particularly described by metes and bounds
as follows:

BEGINNING at a 1/2 inch iron rod found at the most Southerly corner of Lot 3, Block
A/2698 of said Walter Helm Addition No. 1 and the intersection of the Northwest line of
said alley with the Northeast line of La Vista Drive, (a 55 foot right-of-way at this point),
said 1/2 inch iron rod found being in a curve to the left having a central angle of 92
degrees 21 minutes 39 seconds, a radius of 10.00 feet and a chord bearing and distance
of North 86 degrees 45 minutes 08 seconds East, 14.43 feet;

THENCE around said curve to the left and along the common line of said Lot 3 and said
alley, an arc length of 16.12 feet to a 1/2 inch iron rod found with yellow plastic cap
stamped DCA INC;

THENCE North 40 degrees 34 minutes 18 seconds East, continuing along said common line
of Lot 3 and said alley, a distance of 89.63 feet to a 1/2 inch iron rod found with yellow
plastic cap stamped DCA INC at the beginning of a tangent curve to the left having a
central angle of 87 degrees 37 minutes 18 seconds, a radius of 40.00 feet and a chord
bearing and distance of North 03 degrees 14 minutes 21 seconds West, 55.38 feet;

THENCE around said curve to the left and continuing along said common line of Lot 3 and
said alley, an arc length of 61.17 feet to a 1/2 inch iron rod found with yellow plastic
cap stamped DCA INC;

THENCE North 47 degrees 03 minutes 00 seconds West, continuing along said common line
of Lot 3 and said alley, a distance of 506.18 feet to a 1/2 inch iron rod set with yellow
plastic cap stamped DCA INC;

THENCE North 43 degrees 34 minutes 37 seconds East, a distance of 15.00 feet to a 1/2
inch iron rod set with yellow plastic cap stamped DCA INC on the Northeast line of said
alley and the Southwest line of a tract of land conveyed to Gulf States Multi-Family VII, LP,
a Delaware limited partnership by deed recorded in Instrument No. 20070157349, Official
Public Records, Dallas County, Texas;

THENCE South 47 degrees 03 minutes 00 seconds East, along said Gulf States tract and
said alley common line, at a distance of 26.03 feet, passing the West corner of Lot 6A,
Block A/2698, of a Replat of a part of Lot 5, All of Lot 6 Block A/2698 of the Walter
Helm Addition No. 2, an addition to the City of Dallas, according to the plat thereof
recorded in Volume 88160, Page 0662, Deed Records, Dallas County, Texas and continuing
along the common line of said Lot 6A and said alley, a total distance of 558.78 feet to an
"X" found at an interior corner of said Lot 6A and the most Easterly corner of said alley;
VARIABLE WIDTH ALLEY ABANDONMENT
ADJACENT TO CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

THENCE South 40 degrees 34 minutes 18 seconds West, continuing along the common line of said Lot 6A and said alley, a distance of 153.39 feet to a 1/2 inch iron rod found with yellow plastic cap stamped DCA INC at the most Southerly Southwest corner of said Lot 6A and the most Easterly corner of aforementioned La Vista Drive;

THENCE North 47 degrees 09 minutes 45 seconds West, along the Northeast right-of-way line of said La Vista Drive, a distance of 25.43 feet to the POINT OF BEGINNING and containing 10,798.45 square feet or 0.2478 acres of land.

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE SOUTHWEST LINE OF LOT 6A, BLOCK A/2698 OF A REPLAT OF A PART OF LOT 5, ALL OF LOT 6, BLOCK A/2698 OF THE WALTER HELM ADDITION, NO. 2 AND A PART OF CITY OF DALLAS BLOCK 2701, RECORDED IN VOLUME 88160, PAGE 0662, DEED RECORDS, DALLAS COUNTY, TEXAS. (S 47'03'00" E)

(For SPRG use only)
Reviewed By: __________
Date: ________________
SPRG NO.: ____________
VARIABLE WIDTH ALLEY ABANDONMENT
ADJACENT TO CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

CURVE TABLE

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<th>LENGTH</th>
<th>CHORD BEARING</th>
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GENERAL NOTES:

1) BEARINGS ARE BASED ON THE SOUTHWEST LINE OF LOT 6A, BLOCK A/2698 OF A REPLAT OF A PART OF LOT 5, ALL OF LOT 6, BLOCK A/2698 OF THE WALTER HELM ADDITION, NO. 2 AND A PART OF CITY OF DALLAS BLOCK 2701, RECORDED IN VOLUME 88160, PAGE 0662, DEED RECORDS, DALLAS COUNTY, TEXAS. (S 47°03'00" E)

SCALE: 1" = 100'

REVIEWED BY

BRYAN CONNALLY
R.P.L.S. NO. 5513
DATE: MAY 22, 2007
REVISED: JULY 2, 2007

SPRG NO.: ____________

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VARIABLE WIDTH ALLEY ABANDONMENT
ADJACENT TO CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

VICINITY MAP
NOT TO SCALE
MAPSCO PAGE 37-X
EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE’S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE’S successors and assigns. Should GRANTEE’S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE’S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

ABAN.EXB (revised 11/9/00)
LEGAL DESCRIPTION

VARIABLE WIDTH RIGHT-OF-WAY DEDICATION
FOR CORONADO AVENUE
PART OF CITY OF DALLAS BLOCK NO. 2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 3,946.74 square foot, (0.0906 acre), tract of land, situated in the William Jones Survey, Abstract No. 686 and being part of Block 2698 in the City of Dallas, Dallas County, Texas, same being part of a tract of land conveyed to Lakewood Development LLC, a Delaware limited liability company by deed recorded in Instrument No. 200600409166, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the West corner of said Lakewood Development LLC tract and the most Southerly corner of a tract of land conveyed to Camden Property trust, a Texas Real Estate Investment Trust by deed recorded in Volume 94189, Page 5366, Deed Records, Dallas County, Texas on the Northwest right-of-way line of Coronado Avenue, (a called 30 foot right-of-way);

THENCE North 43 degrees 16 minutes 00 seconds East, along the Northwest line of said Lakewood Development LLC tract and the Southeast line of said Camden Property trust tract, a distance of 26.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC;

THENCE South 46 degrees 29 minutes 12 seconds East, a distance of 14.61 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC at the beginning of a non-tangent curve to the right having a central angle of 143 degrees 21 minutes 15 seconds, a radius of 50.00 feet and a chord bearing and distance of South 30 degrees 35 minutes 28 seconds East, 94.93 feet;

THENCE along said curve to the right, an arc length of 125.10 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC on the Southwest line of aforementioned Lakewood Development LLC tract and on the Northeast line of said Coronado Avenue;

THENCE North 46 degrees 29 minutes 12 seconds West, along said Lakewood Development LLC tract Southwest line and said Northeast line of Coronado Avenue, a distance of 105.80 feet to the POINT OF BEGINNING and containing 3,946.74 square feet or 0.0906 acres of land.

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29'12"E)

REVIEWED BY

[Signature]
02/16/2007

BRYAN CONNALLY
R.P.L.S. NO. 5513
REVISED DATE: FEBRUARY 13, 2007

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SHEET 1 OF 2
JOB NO. 0608806-2
DEDICATION-1
DRAWN BY: BOB
VARIABLE WIDTH RIGHT-OF-WAY DEDICATION
FOR CORONADO AVENUE
PART OF CITY OF DALLAS BLOCK NO. 2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CAMDEN PROPERTY TRUST,
A TEXAS REAL ESTATE
INVESTMENT TRUST
VOLUME 94189, PAGE 5366

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29'12"E)
2) @ = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED DCA INC.

CENTRAL ANGLE=143°21'15"
RADIUS=50.00'
ARC L=125.10'
CHORD B=S30°35'28"E
CHORD L=94.93'

RIGHT-OF-WAY
DEDICATION
3,946.74 SQUARE FEET
0.0906 ACRES

BLOCK 2698

LAKEWOOD DEVELOPMENT LLC,
A DELAWARE LIMITED LIABILITY COMPANY
INSTRUMENT NO. 200600409166

LOT 6A, BLOCK A/2698
REPLAT OF PART OF LOT 5 AND
ALL OF LOT 6, BLOCK A/2698 OF
THE WALTER HELM ADDITION NO. 2
AND PART OF BLOCK 2701
VOLUME 88160, PAGE 662

LAKEWOOD DEVELOPMENT LLC,
A DELAWARE LIMITED LIABILITY COMPANY
INSTRUMENT NO. 200600409165

SCALE: 1" = 60'

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SHEET 2 OF 2
JOB NO. 0608806-2
DEDICATION-1
DRAWN BY: BOB
LEGAL DESCRIPTION
VARIABLE WIDTH RIGHT-OF-WAY DEDICATION
FOR CORONADO AVENUE
PART OF CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,275.95 square foot, (0.0292 acre), tract of land, situated in the William Jones Survey, Abstract No. 686 in the City of Dallas, Dallas County, Texas and being part of Lot 6A, Block A/2698 of a Replat of Part of Lot 5 and All of Lot 6, Block A/2698 of the Walter Helm Addition No. 2 and Part of Block 2701, an addition to the City of Dallas, according to the plat thereof recorded in Volume 88160, Page 662, Deed Records, Dallas County, Texas, same being part of a tract of land conveyed to Lakewood Development LLC, a Delaware limited liability company by deed recorded in Instrument No. 200600409165, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found at the most Westerly North corner of said Lot 6A and the East corner of a tract of land conveyed to Susan E. Singer by deed recorded in Volume 2005106, Page 3297, Deed Records, Dallas County, Texas on the Southwest right-of-way line of Coronado Avenue, (a called 30 foot right-of-way);

THENCE South 46 degrees 15 minutes 46 seconds East, along the Northeast line of said Lot 6A and along said Southwest right-of-way line of Coronado Avenue, a distance of 82.76 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC at the beginning of a non-tangent curve to the right having a central angle of 111 degrees 42 minutes 55 seconds, a radius of 50.00 feet and a chord bearing and distance of North 46 degrees 15 minutes 46 seconds West, 82.76 feet;

THENCE along said curve to the right, an arc length of 97.49 feet to the POINT OF BEGINNING and containing 1,275.95 square feet or 0.0292 acres of land.

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED
RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29'12"E)

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SHEET 1 OF 2
JOB NO. 0608806–2
DEDICATION–2
DRAWN BY: BOB
VARIABLE WIDTH RIGHT-OF-WAY DEDICATION
FOR CORONADO AVENUE
PART OF CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CAMDEN PROPERTY TRUST,
A TEXAS REAL ESTATE
INVESTMENT TRUST
VOLUME 94189, PAGE 5366

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE NORTHEAST LINE OF CORONADO AVENUE PER DEED RECORDED IN INSTRUMENT NO. 200600409166, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S46°29'12"E)
2) ½ = ½ INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED DCA INC.

SUSAN E. SINGER
VOLUME 2005106, PAGE 3297

CENTRAL ANGLE=111°42'55"
RADIUS=50.00'
ARC L=97.49'
CHORD B=N46°15'46"W
CHORD L=82.76'

POINT OF BEGINNING
5/8 INCH IRON ROD FOUND
CONTROLLING MONUMENT

50.00'

1,275.95 SQUARE FEET
0.0292 ACRES

PROPOSED
RIGHT-OF-WAY
DEDICATION

LAKEMOOR DEVELOPMENT LLC,
A DELAWARE LIMITED LIABILITY COMPANY
INSTRUMENT NO. 200600409166

LAKEWOOD DEVELOPMENT LLC,
A DELAWARE LIMITED LIABILITY COMPANY
INSTRUMENT NO. 200600409165

LOT 6A, BLOCK A/2698
REPLAT OF PART OF LOT 5 AND
ALL OF LOT 6, BLOCK A/2698 OF
THE WALTER HEIM ADDITION NO. 2
AND PART OF BLOCK 2701
VOLUME 88160, PAGE 662

60' 30' 0 60' 120'
SCALE: 1" = 60'

BRYAN CONNALLY
R.P.L.S. NO. 5513
DATE: FEBRUARY 13, 2007

DOUG CONNALLY & ASSOCIATES, INC.
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11545 Pagemill Road • Suite 200 • Dallas, Texas 75243
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www.dcafdw.com

SHEET 2 OF 2
JOB NO. 0608806-2
DEDICATION-2
DRAWN BY: BOB
15 FOOT ALLEY DEDICATION 
EXHIBIT C – Tract 3
IN CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

CURVE TABLE

<table>
<thead>
<tr>
<th>CURVE</th>
<th>DELTA</th>
<th>RADIUS</th>
<th>LENGTH</th>
<th>CHORD BEARING</th>
<th>CHORD</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>90'14'21&quot;</td>
<td>40.00'</td>
<td>63.00'</td>
<td>N88'41'25&quot;E</td>
<td>56.69'</td>
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LINE TABLE

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<td>N47'01'00&quot;W</td>
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<td>L2</td>
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<tr>
<td>L3</td>
<td>55.17'</td>
<td>N47'03'00&quot;W</td>
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<tr>
<td>L4</td>
<td>96.22'</td>
<td>N43'34'37&quot;E</td>
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<tr>
<td>L5</td>
<td>15.00'</td>
<td>S47'01'00&quot;E</td>
</tr>
</tbody>
</table>

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE SOUTHWEST LINE 
OF LOT 6A, BLOCK A/2698 OF A REPLAT OF A PART 
OF LOT 5, ALL OF LOT 6, BLOCK A/2698 OF THE 
WALTER HELM ADDITION, NO. 2 AND A PART OF CITY 
OF DALLAS BLOCK 2701, RECORDED IN VOLUME 
88160, PAGE 0662, DEED RECORDS, DALLAS COUNTY, 
TEXAS. (S 47'03'00" E)

\( \Theta \) = 1/2 INCH IRON ROD SET WITH YELLOW 
PLASTIC CAP STAMPED DCA INC

REVIEWED BY: 
DOUG CONNALLY & ASSOCIATES, INC.

BRYAN CONNALLY
R.P.L.S. NO. 5513

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1/2 INCH IRON ROD FOUND

STATE OF TEXAS
REGISTERED LAND SURVEYOR
5513

(SHEET 1 OF 4)
DEDICATION NO. 0608806-2
DRAWN BY: BOB
15 FOOT ALLEY DEDICATION
IN CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

BEING a 2,371.21 square foot, (0.0544 acre), tract of land, situated in the William Jones Survey, Abstract No. 686, in the City of Dallas, Dallas County, Texas and being part of Lot 5, Block A/2698 of Walter Helm Addition No. 2, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 73205, Page 53, Deed Records, Dallas County, Texas, same being conveyed to Gulf States Multi-Family VII, LP, a Delaware limited partnership by deed recorded in Instrument No. 20070157349, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 3/8 inch iron rod found at the East corner of said Gulf States tract and the most Northerly corner of Lot 6A, Block A/2698, A Replat of a part of Lot 5, All of Lot 6, Block A/2698 of The Walter Helm Addition No. 2, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 88160, Page 0662, Deed Records, Dallas County, Texas on the Southwest right-of-way line of Coronado Avenue, (a variable width right-of-way);

THENCE North 47 degrees 01 minutes 00 seconds West, along the Northeast line of said Gulf States tract and along said Southwest right-of-way line of Coronado Avenue, a distance of 18.36 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC and the POINT OF BEGINNING;

THENCE South 43 degrees 34 minutes 37 seconds West, a distance of 135.77 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC on the Southwest line of said Gulf States tract and the Northeast line of a 15 foot alley;

THENCE North 47 degrees 03 minutes 00 seconds West, along the Southwest line of said Gulf States tract and said Northeast line of a 15 foot alley, a distance of 55.17 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC at the West corner of said Gulf States tract and the South corner of Lot 8, Block A/2698 of Coronado Court, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 96230, Page 01087, Deed Records, Dallas County, Texas, said 1/2 inch iron rod set being at the beginning of a non-tangent curve to the left having a central angle of 90 degrees 14 minutes 21 seconds, a radius of 40.00 feet and a chord bearing and distance of North 88 degrees 41 minutes 25 seconds East, 56.69 feet;

THENCE around said curve to the left, an arc length of 63.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC;

THENCE North 43 degrees 34 minutes 37 seconds East, a distance of 96.22 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC on aforementioned Northeast line of said Gulf States tract and the Southwest right-of-way line of Coronado Avenue;

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REVIEWED BY
\[\text{Reviewed By:} \quad 07.06.2007\]

SPRG NO.: ____________________

For SPRG use only

SHEET 2 OF 4

DEDICATION

JOB NO. 0608806-2

DEDICATION

DRAWN BY: BOB
15 FOOT ALLEY DEDICATION
IN CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

THENCE South 47 degrees 01 minutes 00 seconds East, along the Northeast line of said Gulf States tract and along said Southwest right-of-way line of Coronado Avenue, a distance of 15.00 feet to the POINT OF BEGINNING and containing 2,371.21 square feet or 0.0544 acres of land.

GENERAL NOTES:
1) BEARINGS ARE BASED ON THE SOUTHWEST LINE OF LOT 6A, BLOCK A/2698 OF A REPLAT OF A PART OF LOT 5, ALL OF LOT 6, BLOCK A/2698 OF THE WALTER HELM ADDITION, NO. 2 AND A PART OF CITY OF DALLAS BLOCK 2701, RECORDED IN VOLUME 88160, PAGE 0662, DEED RECORDS, DALLAS COUNTY, TEXAS. (S 47°03'00" E)
15 FOOT ALLEY DEDICATION
IN CITY OF DALLAS BLOCK NO. A/2698
CITY OF DALLAS, DALLAS COUNTY, TEXAS
IN THE WILLIAM JONES SURVEY, ABSTRACT NO. 686

VICINITY MAP
NOT TO SCALE
MAPSCO PAGE 37-X

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Reviewed By: __________
Date: ________________
SPRG NO.: ____________
ADDENDUM ITEM # 4

KEY FOCUS AREA: Economic Development

AGENDA DATE: August 8, 2007
COUNCIL DISTRICT(S): 7
DEPARTMENT: Department of Development Services
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 46P

SUBJECT
An ordinance abandoning a sanitary sewer easement to Dan L. Dimke, as Trustee for 1226-8 Cullum, the abutting owner, containing approximately 708 square feet of land located near the intersection of Grand Avenue and Robert B. Cullum Boulevard - Revenue: $5,400 plus the $20 ordinance publication fee

BACKGROUND
This item authorizes the abandonment of a sanitary sewer easement to Dan L. Dimke, as Trustee for 1226-8 Cullum, the abutting owner. The proposed area to be abandoned will be included in the property of the abutting property owner for the construction of a Jack In The Box restaurant. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

This transaction is consistent with the recommendations of the Real Estate Task Force.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)
This item has no prior action.

FISCAL INFORMATION
Revenue: $5,400 plus the $20 ordinance publication fee

MAPS
Attached
ORDINANCE NO. ____________

An ordinance providing for the abandonment and relinquishment of a six-foot sanitary sewer easement, located in City Block 1376 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Dan L. Dimke, as Trustee for 1226-8 Cullum; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Dan L. Dimke, as Trustee for 1226-8 Cullum, a business trust; hereinafter referred to as GRANTEE, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to GRANTEE, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to GRANTEE as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to GRANTEE for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS paid by GRANTEE, and the further consideration described in Section 8, the City of Dallas does by these presents FOREVER QUITCLAIM unto the said GRANTEE, subject to the conditions,
reservations, and exceptions hereinafter made and with the restrictions and upon the
covenants below stated, all its right, title and interest in and to that certain tract or parcel
of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right,
title and interest in and to the property and premises, subject aforesaid, together with all
and singular the rights, privileges, hereditaments and appurtenances thereto in any
manner belonging unto the said **GRANTEE** forever.

**SECTION 3.** That upon payment of the monetary consideration set forth in Section 2,
**GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

**SECTION 4.** That the City Controller is authorized to deposit the sum paid by
**GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV,
Balance Sheet 0519 and Department of Development Services - Real Estate Division
shall be reimbursed for the cost of obtaining the legal description, appraisal and other
administrative costs incurred. The reimbursement proceeds shall be deposited in
General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining
proceeds shall be transferred to the General Capital Reserve Fund 0625, Department
BMS, Unit 8888, Revenue Source 8416.

**SECTION 5.** That the abandonment, relinquishment and quitclaim provided for herein
are made subject to all present zoning and deed restrictions, if the latter exist, and are
subject to all existing easement rights of others, if any, whether apparent or
non-apparent, aerial, surface, underground or otherwise.

**SECTION 6.** That the terms and conditions contained in this ordinance shall be binding
upon **GRANTEE**, its successors and assigns.

**SECTION 7.** That the abandonment, relinquishment and quitclaim provided for herein
shall extend only to that interest the Governing Body of the City of Dallas may legally
and lawfully abandon, relinquish and quitclaim.

**SECTION 8.** That as a condition of this abandonment and as a part of the
consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and
assigns, agree to indemnify, defend, release and hold the City of Dallas whole and
harmless against any and all claims for damages, fines, penalties, costs or expenses to
persons or property that may arise out of, or be occasioned by or from: (i) the use and
occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which GRANTEE, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. GRANTEE, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any “hazardous substances” under the Comprehensive, Environmental Response, Compensation Liability Act, 42 U.S.C. Section 9601 et seq., as amended, (b) any “hazardous substance” under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils, (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended, (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Development Services, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which GRANTEE shall likewise pay, the Director of Development Services, or designee shall deliver to GRANTEE a certified copy of this
ordinance. The Director of Development Services, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
City Attorney

BY
Assistant City Attorney

THERESA O'DONNELL
Director of Development Services

BY
Assistant Director

Passed ____________________.
SANITARY SEWER
EASEMENT RELEASE
LOT 10, BLOCK 1376
HOWARDS FOURTH AVENUE ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 1 OF 2

BEING a 708 square foot tract of land and being all that certain sanitary sewer easement recorded in Volume 2142, Page 425, Deed Records, Dallas County, Texas, and being situated in the Thomas Lagow Survey, Abstract No. 759, City of Dallas, Dallas County, Texas, and being part of Lot 10, Block 1376 of Howards Fourth Avenue Addition, an unrecorded Addition in the City of Dallas, Dallas County, Texas, and being part of that certain tract of land conveyed to Dan L. Dimke, as Trustee for 1226-8 Cullum by Warranty Deed recorded in Volume 96191, Page 1285, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with yellow plastic cap marked "SHIELDS & LEE" set in the northeast line of J. B. Jackson Jr. Boulevard (formerly 4th Avenue) (50 foot R.O.W.) at the west corner of Lot 9, Block 1376 of said Addition, same being located South 44 degrees 46 minutes 17 seconds East, a distance of 293.99 feet from the intersection of said northeast line with the southeast line of Grand Avenue, and being the south corner of Lot 6A, Block 1376 of McGulf Addition, an Addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 81176, Page 1462, Deed Records, Dallas County, Texas, thence South 44 degrees 46 minutes 17 seconds East along the northeast line of said J. B. Jackson Jr. Boulevard, a distance of 50.00 feet to the common southerly corner of said Lots 9 and 10; thence North 43 degrees 10 minutes 53 seconds East along the common line of Lots 9 and 10, a distance of 100.00 feet to the PLACE OF BEGINNING;

THENCE North 43 degrees 10 minutes 53 seconds East along the common line of Lots 9 and 10, a distance of 117.71 feet for corner in the southwest line of Robert B. Cullum Boulevard AKA State Highway No. 352 (variable width R.O.W.), same being located South 48 degrees 05 minutes 21 seconds East, a distance of 23.78 feet from a highway monument found;

THENCE South 48 degrees 05 minutes 21 seconds East along the southwest line of said Robert B. Cullum Boulevard, a distance of 6.00 feet for corner, same being located North 48 degrees 05 minutes 21 seconds West, a distance of 31.65 feet from a highway monument found;

THENCE South 43 degrees 10 minutes 53 seconds West being 6.0 feet Southeast of and parallel to the common line of Lots 9 and 10, a distance of 117.85 feet for corner;

THENCE North 46 degrees 49 minutes 07 seconds West, a distance of 6.00 feet to the PLACE OF BEGINNING, and containing 708 square feet of land, more or less.

BEARING SOURCE: Deed Vol. 96191, Pg. 1285, DR/DCT.
REFERENCE BEARING USED: N 44°46'17" W along northeast line of J. B. Jackson (formerly 4th Avenue).
SANITARY SEWER EASEMENT RELEASE
LOT 10, BLOCK 1376
HOWARDS FOURTH AVENUE ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

REVIEWED BY

W.R. Lee
Registered Professional Land Surveyor No. 2038

BEARING INFORMATION:
BEARING SOURCE: Deed Vol. 96191, Pg. 1285, DR/DCT.
REFERENCE BEARING USED: N 44°46'17" W along northeast line of J. B. Jackson Blvd.
MONUMENTS:
Monuments shown IRS hereon are with yellow plastic cap marked "SHIELDS & LEE".
Monuments shown (CM) hereon were used as controlling monuments for purposes of this survey.

Shields & Lee Job No. X22902-A