NOVEMBER 14, 2012 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated November 14, 2012. 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

11/9/12
Date

Bruce Sahm for Edward Scott
Edward Scott
City Controller

11/9/12
Date

2012 NOV -9 PM 6:17
CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 14, 2012
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 - 51
	CONSENT ADDENDUM	Item 1

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier	Items 52 - 62
than 9:15 a.m.	Addendum Item 2

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.	Items 63 - 73

ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 14, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

CONSENT ADDENDUM

Sustainable Development and Construction

1. An ordinance abandoning portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets to Spire Development Holdings, LLC, the abutting owner, containing a total of approximately 43,748 square feet of land located near the intersection of San Jacinto and Hawkins Streets, authorizing the quitclaim and providing for the dedication of approximately 15,362 square feet of land needed for right-of-way - Revenue: $1,887,669 plus the $20 ordinance publication fee

ITEMS FOR INDIVIDUAL CONSIDERATION

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

2. Authorize **(1)** preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of $400,000; **(2)** an increase in appropriations in the amount of $400,000, from $3,400,000 to $3,800,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1 - Financing: No cost consideration to the City

ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 14, 2012

CORRECTIONS:

Water Utilities

51. Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group Inc. to: **(1)** provide construction management and inspection services required for the additional work related to the construction of the Lake Fork Pump Station in the amount of $799,820; **(2)** fund the maintenance and upkeep services during the re-evaluation and re-design process of the pump station in the amount of $470,288; and **(3)** accept $2,102,960 from Jacobs Engineering Group, Inc as compensation for alleged errors and omissions related to the original design of the pump station - Not to exceed $1,270,108, from $9,516,275 to $10,786,383 - Financing: Water Utilities Capital Improvement Funds

City Secretary's Office

~~53~~ 52. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ADDENDUM DATE November 14, 2012

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			14	C	DEV	REV $1,887,669	NA	NA	An ordinance abandoning portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets to Spire Development Holdings, LLC, the abutting owner, containing a total of approximately 43,748 square feet of land located near the intersection of San Jacinto and Hawkins Streets, authorizing the quitclaim and providing for the dedication of approximately 15,362 square feet of land needed for right-of-way
2			All	I	HOU	NC	NA	NA	Authorize preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of $400,000; and a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1

TOTAL **$0.00**

ADDENDUM ITEM # 1

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 14, 2012

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 670-3314

MAPSCO: 45G L

SUBJECT

An ordinance abandoning portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets to Spire Development Holdings, LLC, the abutting owner, containing a total of approximately 43,748 square feet of land located near the intersection of San Jacinto and Hawkins Streets, authorizing the quitclaim and providing for the dedication of approximately 15,362 square feet of land needed for right-of-way - Revenue: $1,887,669 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets to Spire Development Holdings, LLC, the abutting owner. The area will be included with the property of the abutting owner for a mixed use development. The owner will dedicate approximately 15,362 square feet of land needed for right-of-way.

The abandonment fee is based on an independent appraisal.

Notices were sent to 10 property owners located within 300 feet of the proposed abandonment area.

There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $1,887,669 plus the $20 ordinance publication fee

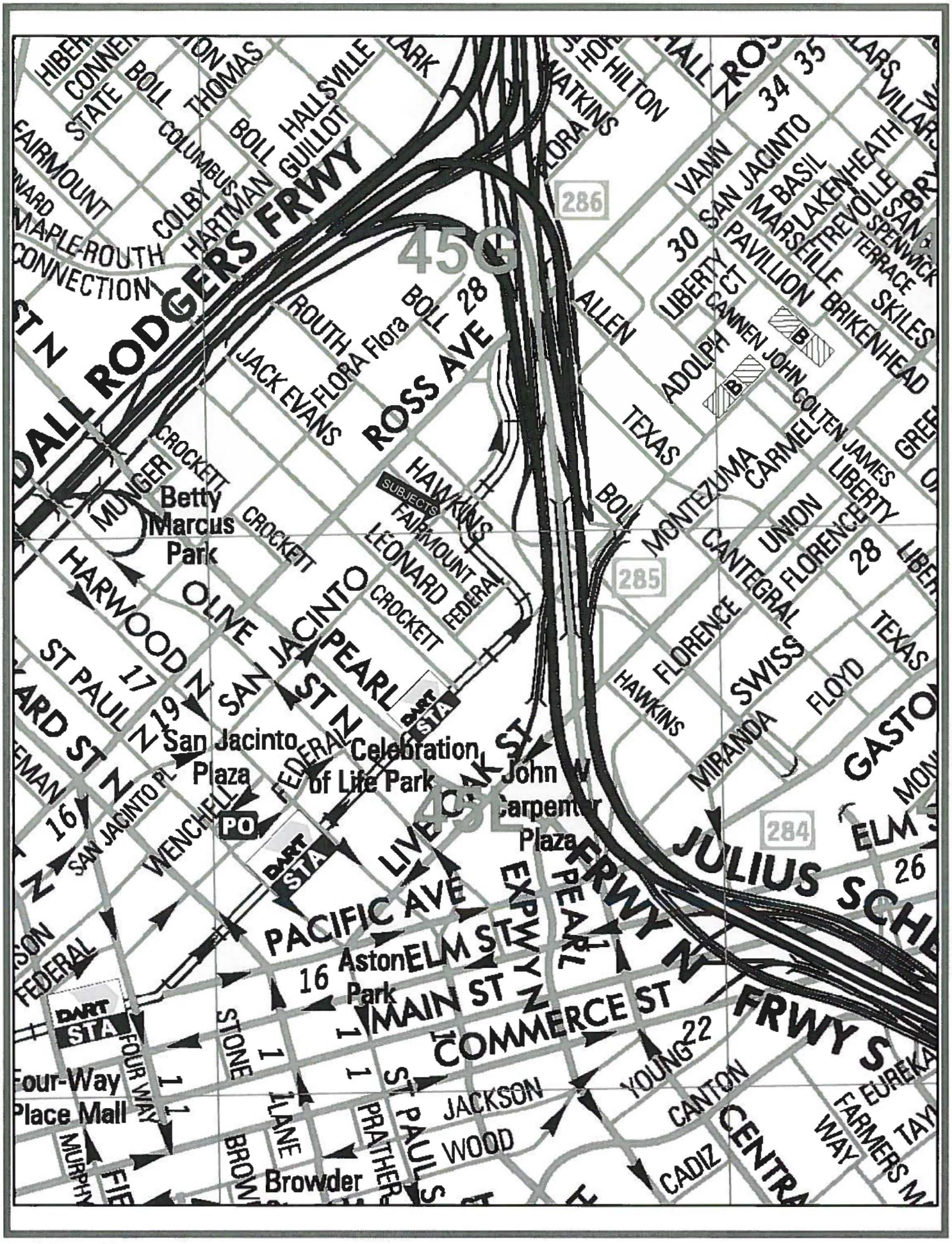
OWNER

Spire Development Holdings, LLC

Caleb Smith, Manager

MAPS

Attached



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MAPSCO 45G L

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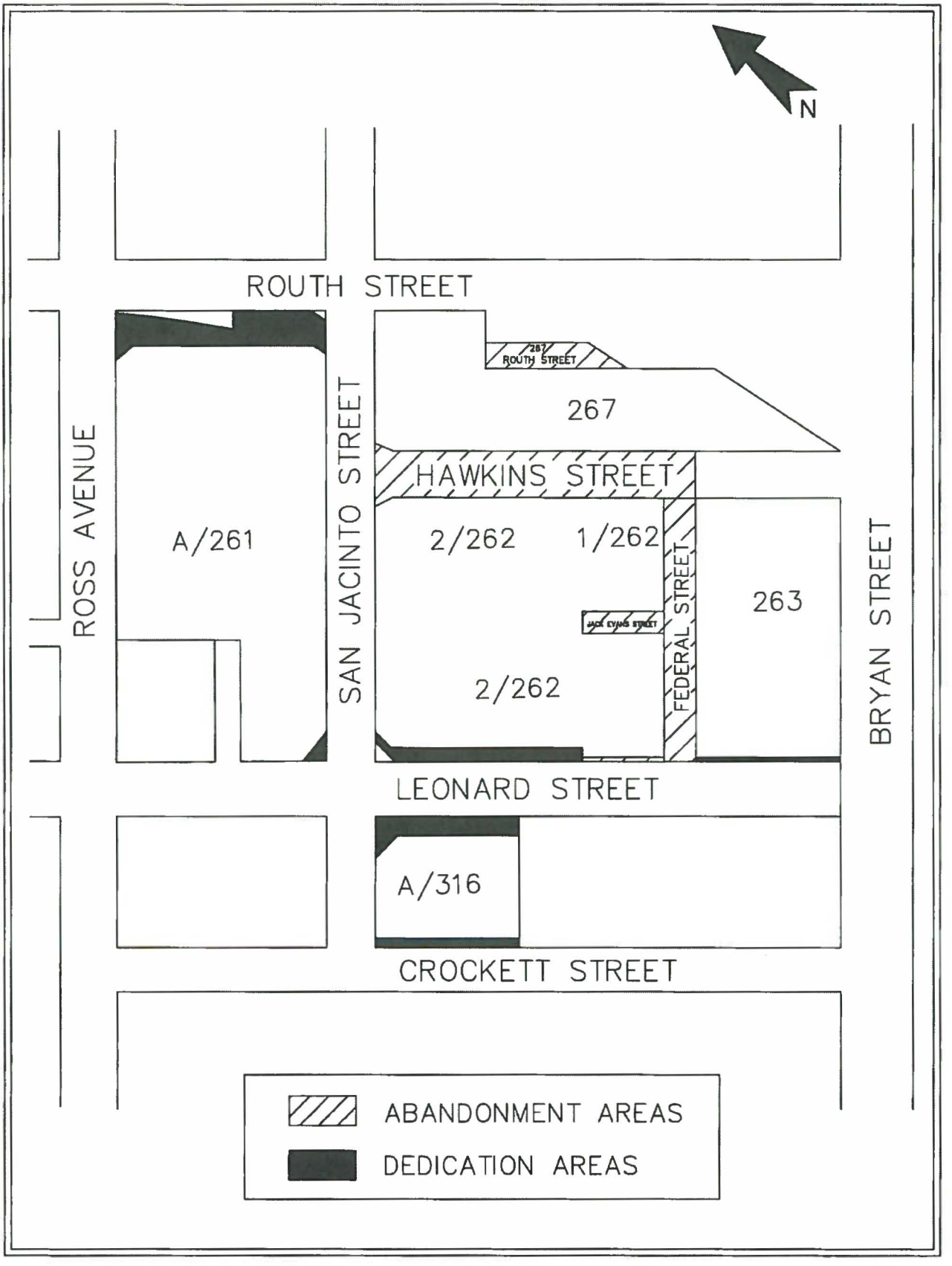
Scale 1 : 8 166


N
ROUTH STREET
ROSS AVENUE
SAN JACINTO STREET
267
ROUTH STREET
267
HAWKINS STREET
A/261
2/262
1/262
JACK EVANS STREET
FEDERAL STREET
263
BRYAN STREET
2/262
LEONARD STREET
A/316
CROCKETT STREET
ABANDONMENT AREAS
DEDICATION AREAS

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Jack Evans, Federal, Hawkins, Routh, and Leonard Streets located adjacent to City Blocks 1/262, 2/262, 263 and 267 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Spire Development Holdings, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; 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; providing a future effective date for this abandonment; providing for the waiver of certain provisions of the Dallas Development Code; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Spire Development Holdings, LLC, a Texas 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 Jack Evans, Federal, Hawkins, Routh, and Leonard Streets 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 those certain provisions of Section 51A-8.506(b) of the Dallas Development Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tracts of land described in Exhibit A, which is attached hereto and

made a part hereof for all purposes, be and the same is 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 3. That for and in monetary consideration of the sum of **ONE MILLION EIGHT HUNDRED EIGHTY-SEVEN THOUSAND, SIX HUNDRED SIXTY-NINE AND NO/100 DOLLARS ($1,887,669.00)** paid by **GRANTEE**, and the further consideration described in Sections 9, 10 and 11, 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 the certain tracts 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 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 5. That the City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-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 6. 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 made a part hereof for all purposes.

SECTION 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. 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 9. 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 whole and harmless the City of Dallas of, from and 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, 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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the fee simple dedication of not less than 15,362 square feet of needed right-of-way in City Blocks A/261, 2/262, 263 and A/316. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned areas are located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 10, the Director of Department of Sustainable Development and Construction, 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 Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. 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 Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

STREET ABANDONMENT
Part of Jack Evans Street
Adjacent to Blocks 1/262 and 2/262
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 1

BEING a 2,912 square foot (0.067 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; Adjacent to Blocks 1/262 and 2/262; said tract being part of that tract of land being described in the Warranty Deed to the City of Dallas recorded in Volume 65, Page 491 of the Deed Records of Dallas County, Texas; and being part of Lot 11 of Burks Subdivision, an addition to the City of Dallas, according to the plat recorded in Volume W, Page 800 of the Map Records of Dallas County, Texas; and being part of Jack Evans Street with no right-of-way dedication information found and no warranty is made (the southwest line of Jack Evans Street (formerly Fairmount Street/Peak Street) and as referenced in Warranty Deeds recorded in Volume 2233, Page 221; Volume 234, Page 196; Volume 1086, Page 41; Volume 2321; Page 89 and as a 30 foot street in Volume 994, Page 24 of the said Deed Records); said 2,912 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition, an addition to the City of Dallas recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.):

BEGINNING at the intersection of the southwest right-of-way line of said Jack Evans Street (a 29.71-foot right-of-way) and the northwest right-of-way line of Federal Street (a 30-foot wide right-of-way); said point being an easterly corner of Lot 9A, Block 2/262, of said Spire Addition and the south corner of said Lot 11; from said point a 1-inch iron pipe found bears South 27 degrees, 41 minutes West, a distance of 0.5 feet;

THENCE, North 44 degrees, 44 minutes, 48 seconds West, along the said southwest line of Jack Evans Street, the northeast line of said Lot 9A, and the southwest line of said Lot 11, a distance of 97.99 feet to a 60D nail found for corner; said point being the south corner of the right-of-way abandonment of Jack Evans Street abandoned to Spire Development Holdings, LLC by Ordinance No's. 27931 and 28282 and the west corner of said lot 11;

THENCE, North 45 degrees, 28 minutes, 28 seconds East, continuing along the northeast line of said Lot 9A, the southeast line of said right-of-way abandonment, and the northwest line of said Lot 11, a distance of 29.71 feet to a PK nail with shiner found for the east corner of said right-of-way abandonment; said point also being the west corner of a tract of land described as Parcel CBD-4-XS-3 in Special Warranty Deed to Spire Development Holdings, LLC. recorded in Instrument No. 201100251898 of said Official Public Records;

THENCE, South 44 degrees, 44 minutes, 48 seconds East, departing the said northeast line of Lot 9A and the northwest line of Lot 11 and along the northeast right-of-way line of said Jack Evans Street and the southwest line of said Parcel CBD-4-XS-3, a distance of 98.03 feet to a 3/4-inch iron rod found in the southeast line of Lot 11 and at the intersection of said northeast line of Jack Evans Street and the said northwest line of Federal Street; said point being the south corner of said Parcel CBD-4-XS-3;

(For SRG use only)
Reviewed by: JL
Date: 6-28-12
SPRG NO: 2320

STREET ABANDONMENT
Part of Jack Evans Street
Adjacent to Blocks 1/262 and 2/262
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 1

THENCE, South 45 degrees, 33 minutes, 05 seconds West, along the said northwest line of Federal Street and the southeast line of Lot 11, a distance of 29.71 feet the POINT OF BEGINNING;

CONTAINING: 2,912 square feet or 0.067 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the street abandonment tract described.

6/26/12

Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

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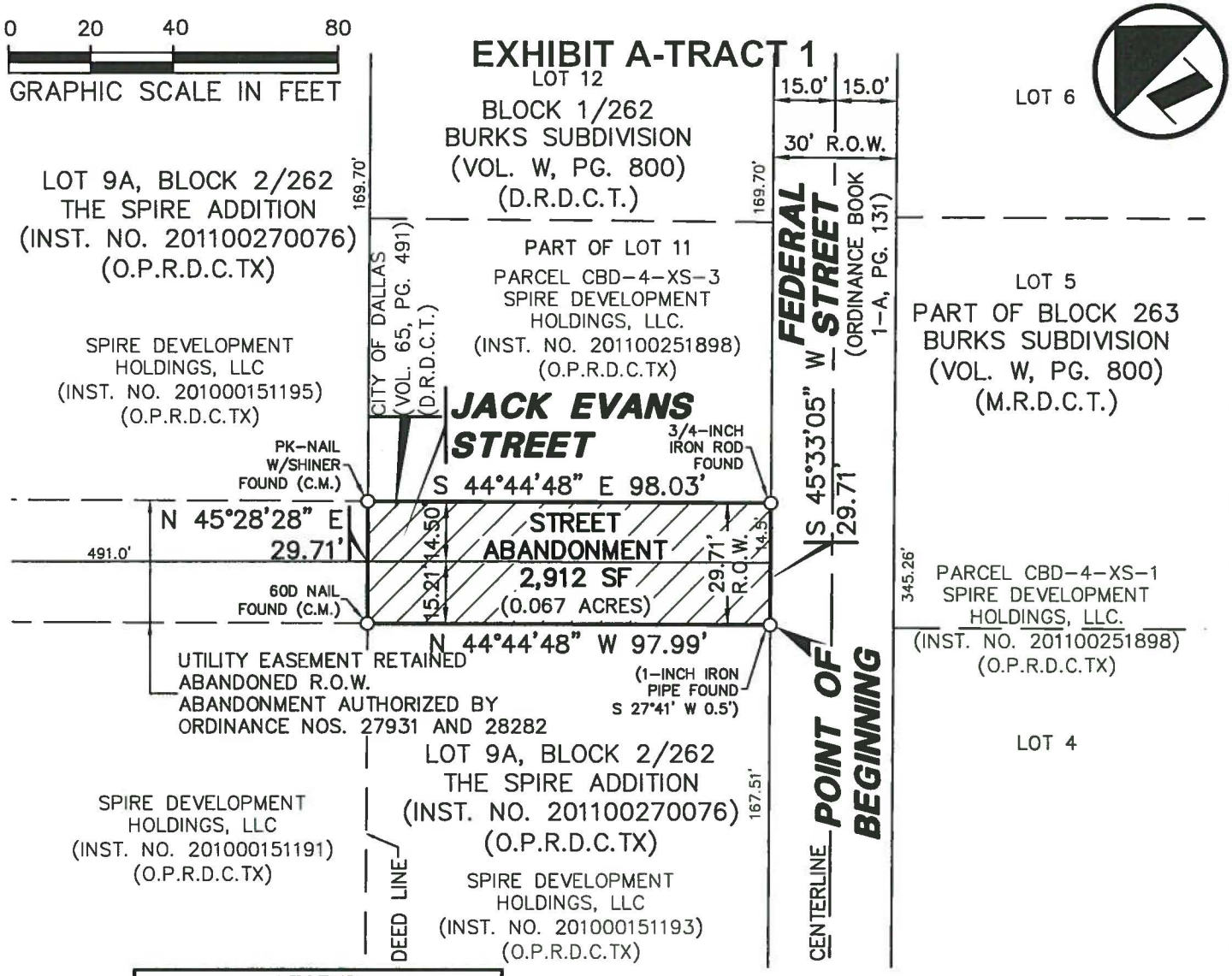
2991-11.109EX4.dwg RMT

(For SRG use only)
Reviewed by: JL
Date: 6-28-12
SPRG NO: 2320

EXHIBIT A-TRACT 1



LEGEND	
———	PROPERTY LINE
———	EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	– CONTROLLING MONUMENT
(D.R.D.C.TX)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.TX)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 6-28-12
SPRG NO: 2320

NOTES:
1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

6/26/12

Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
RMT	MLL	1"=40'	NOV. 2011	2991-11.109

STREET ABANDONMENT

PART OF JACK EVANS STREET ADJACENT
TO BLOCKS 1/262 AND 2/262
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 2991-11.109EX4.DWG

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06/26/2012 - 10:39AM
RTIDWELL

STREET ABANDONMENT
Part of Federal Street
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 2

BEING a 358 square foot (0.008 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Federal Street dedicated by City Ordinance recorded in Book 1-A, Page 131 of the City of Dallas Secretary's Office as shown and recorded in Burks Subdivision, recorded in Volume W, Page, 800 of the Map Records of Dallas County, Texas; said 358 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the plat of The Spire Addition, an addition to the City of Dallas, recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.):

BEGINNING at a "+" cut in concrete set at the intersection of the southeast right-of-way line of said Federal Street (a 30-foot wide right-of-way) and the southwest right-of-way line of Hawkins Street (a 50-foot wide right-of-way); said point being the north corner of City Block 263;

THENCE, South 45 degrees, 33 minutes, 05 seconds West, along the said southeast line of Federal Street and the northwest line of said City Block 263, a distance of 23.87 feet to a 5/8-inch iron rod with "LTRA" cap found for the north corner of that tract of land being described as Parcel CBD-4-XS-1 in the Special Warranty Deed to Spire Development Holdings, LLC. recorded in Instrument No. 201100251898 of the Official Public Records of Dallas County, Texas and the west corner of that tract of land being described as Parcel CBD-6A in the Special Warranty Deed to Dallas Area Rapid Transit, recorded in Volume 94061, Page 4026 of the Deed Records of Dallas County, Texas;

THENCE, North 44 degrees, 44 minutes, 48 seconds West, departing the said southeast line of Federal Street and the said northwest line of City Block 263, a distance of 15.00 feet to a "+" cut in concrete set for corner in the centerline line of said Federal Street;

THENCE, North 45 degrees, 33 minutes, 05 seconds East, along the said centerline line of Federal Street, a distance of 23.87 feet to a "+" cut in concrete set for corner at the intersection of the said centerline line of Federal Street and the said southwest line of Hawkins Street also being the northeast right-of-way line of said Federal Street;

THENCE, South 44 degrees, 44 minutes, 48 seconds East, along the said northeast line of Federal Street and the southwest line of Hawkins Street, a distance of 15.00 feet to the POINT OF BEGINNING;

CONTAINING: 358 square feet or 0.008 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the street abandonment tract described.

6/19/12

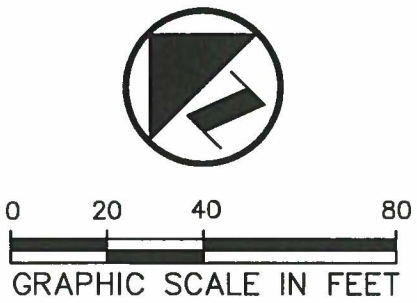
Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

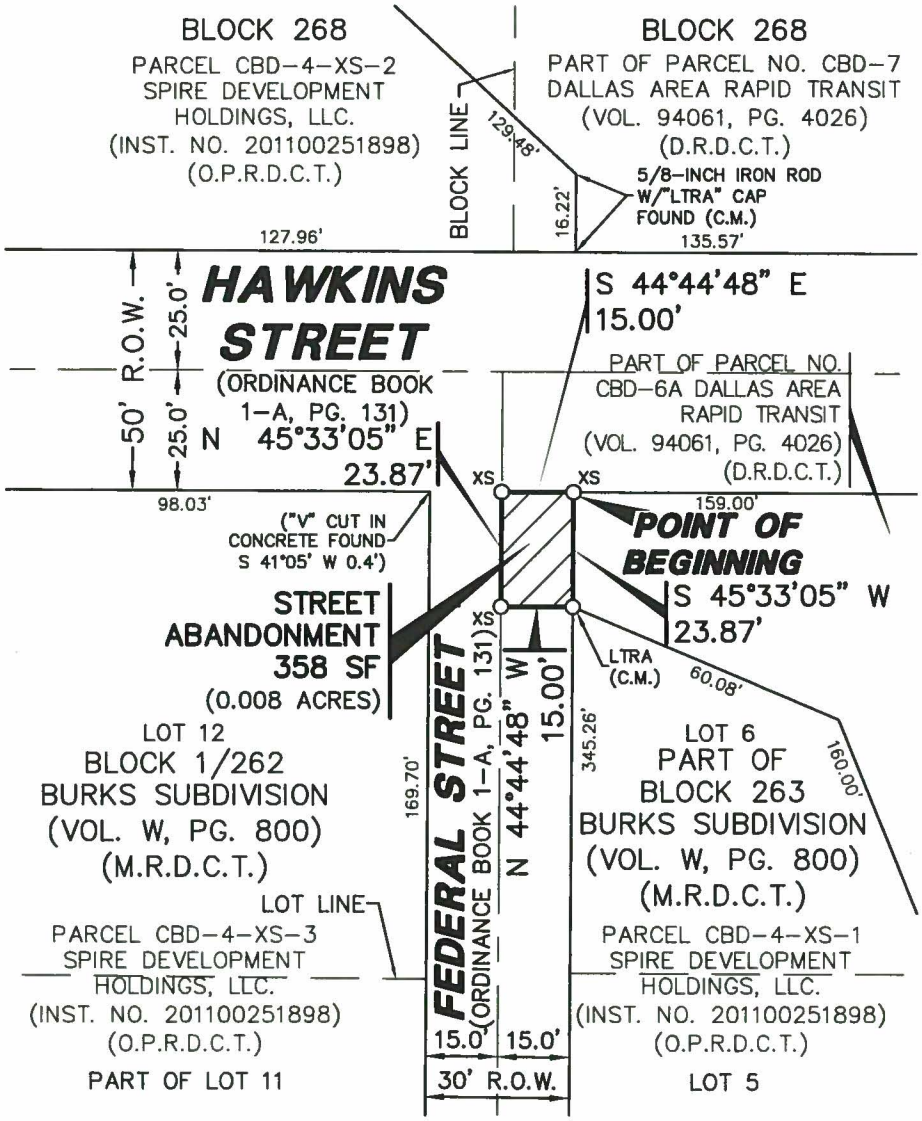
STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

2991-11.109EX11.doc
2991-11.109EX11.dwg jad

(For SRG use only)
Reviewed by: JL
Date: 7-23-12
SPRG NO: 2324

EXHIBIT A-TRACT 2





(For SPRG use only)	
Reviewed By:	JL
Date:	7-23-12
SPRG NO:	2324

LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
LTRA	5/8-INCH IRON ROD W/"LTRA" CAP FOUND
XS	"+" CUT IN CONCRETE SET
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.T.)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the street abandonment tract described.

6/19/12

Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD	MLL	1"=40'	DEC. 2011	2991-11.109

STREET ABANDONMENT

PART OF FEDERAL STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

DWG FILE: 2991-11.109EX11.DWG

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06/19/2012 - 3:35PM
PDANIELS

STREET ABANDONMENT
Part of Federal Street
Adjacent to Blocks 1/262, 2/262 and 263
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 3

BEING a 10,675 square foot (0.245 acre) tract of land situated adjacent to Blocks 1/262, 2/262, and 263 in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Federal Street dedicated by City Ordinance recorded in Book 1-A, Page 131 of the City of Dallas Secretary's Office as shown and recorded in Burks Subdivision, recorded in Volume W, Page 800 of the Map Records of Dallas County, Texas; said 10,675 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the plat of The Spire Addition, an addition to the City of Dallas, recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.):

BEGINNING at a 5/8-inch iron rod with "LTRA" cap found in the southeast right-of-way line of said Federal Street (a 30-foot wide right-of-way); said point being South 45 degrees, 33 minutes, 05 seconds West, a distance of 23.87 feet from the intersection of the said southeast line of Federal Street and the southwest right-of-way line of said Hawkins Street (a 50-foot wide right-of-way); said point being the north corner of City Block 263, the north corner of that tract of land being described as Parcel CBD-4-XS-1 in Special Warranty Deed to Spire Development Holdings, LLC. recorded in Instrument No. 201100251898 of said Official Public Records, and the west corner of that tract of land described as Parcel CBD-6A in Special Warranty Deed to Dallas Area Rapid Transit recorded in Volume 94061, Page 4026 of the Deed Records of Dallas County, Texas;

THENCE, South 45 degrees, 33 minutes, 05 seconds West, along the said southeast line of Federal Street and the northwest line of said City Block 263, a distance of 343.91 feet to a "+" cut in concrete set for corner; said point being in the northeast right-of-way line of Leonard Street being parallel and 27.50 feet northeast of the centerline of said Leonard Street; from said point a "+" cut in concrete found bears South 45 degrees, 33 minutes, 05 seconds West, a distance of 1.40 feet for the west corner of said Parcel CBD-4-XS-1;

THENCE, North 44 degrees, 46 minutes, 03 seconds West, departing the said southeast line of Federal Street and the said northwest line of City Block 263 and along the northwest line of said Leonard Street, being parallel and 27.50 feet northeast of the centerline of said Leonard Street, a distance of 30.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner at the intersection of the said northeast line of said Leonard Street and the northwest right-of-way line of said Federal Street; said point being the southwest corner of Lot 9A, Block 2/262, The Spire Addition, an addition to the City of Dallas, according to the plat recorded in Instrument No. 201100270076 of said Official Public Records;

THENCE, North 45 degrees, 33 minutes, 05 seconds East, along the said northwest line of Federal Street and the southeast line of said Lot 9A, passing at a distance of 168.38 feet a point at the intersection of the said northwest line of Federal Street and the southwest right-of-way line of Jack Evans Street (a 29.71-foot wide right-of-way) from which a 1-inch iron pipe bears South 27 degrees, 41 minutes West a distance of 0.5 feet, continuing along the said northwest line of Federal Street and the southeast line of said Jack Evans Street, passing at a distance of 29.71 feet a 3/4-inch iron rod found at the intersection of the said northwest line of Federal Street and the said Northeast line of Jack Evans Street and being the south corner of that tract of land being described as Parcel CBD-4-XS-3 in the Special Warranty Deed to Spire Development Holdings, LLC. Recorded in Instrument No. 201100251898 of said Official Public Records, continuing along the said northwest line of Federal Street and the southeast line of said Parcel CBD-4-XS-3, in all a total distance of 367.79 feet to a point for corner at the intersection of the said northwest line of Federal Street and the said southwest line of Hawkins Street; said point being the southeast corner Lot 12 of said Burks Subdivision; from said point a "V" cut in concrete found bears South 41 degrees, 05 minutes West, a distance of 0.4 feet;

(For SRG use only)
Reviewed by: JL
Date: 6-26-12
SPRG NO: 2323

STREET ABANDONMENT
Part of Federal Street
Adjacent to Blocks 1/262, 2/262 and 263
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 3

THENCE, South 44 degrees, 44 minutes, 48 seconds East, departing the said southeast corner of Lot 12, and along the said northwest line of Federal Street and the southwest line of Hawkins Street, a distance of 15.00 feet to a "+" cut in concrete set for corner at the intersection of the centerline line of said Federal Street and the said southwest line of Hawkins Street also being the northeast right-of-way line of said Federal Street;

THENCE, South 45 degrees, 33 minutes, 05 seconds West, along the said centerline line of Federal Street, a distance of 23.87 feet to a "+" cut in concrete set for corner;

THENCE, South 44 degrees, 44 minutes, 48 seconds East, departing the said centerline line of Federal Street, a distance of 15.00 feet to the POINT OF BEGINNING;

CONTAINING: 10,675 square feet or 0.245 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the abandonment tract described.

6/19/12

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

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(For SRG use only)
Reviewed by: JL
Date: 6-26-12
SPRG NO: 2323

EXHIBIT A-TRACT 3

0 20 40 80

GRAPHIC SCALE IN FEET

(For SPRG use only)
Reviewed By: JL
Date: 6-26-12
SPRG NO: 2323

LEGEND	
———	PROPERTY LINE
═══	EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
XS	"+" CUT IN CONCRETE SET
LTRF	5/8-INCH IRON ROD W/"LTRA" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.TX)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.TX)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the abandonment tract described.

6/19/12
Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

STATE OF TEXAS REGISTERED MICHAEL LARRY LEWIS, JR. 5773 PROFESSIONAL LAND SURVEYOR

BLOCK 268
PARCEL CBD-4-XS-2
SPIRE DEVELOPMENT
HOLDINGS, LLC.
(INST. NO. 201100251898)
(O.P.R.D.C.TX)

BLOCK 268
PART OF PARCEL NO. CBD-7
DALLAS AREA RAPID TRANSIT
(VOL. 94061, PG. 4026)

BLOCK LINE
129.48'
16.22'
5/8-INCH IRON ROD W/"LTRA" CAP FOUND (C.M.)
127.96'
135.57'

HAWKINS STREET
(ORDINANCE BOOK 1-A, PG. 131)
50' R.O.W.
25.0'
25.0'

S 44°44'48" E
15.00'
S 45°33'05" W
23.87'
POINT OF BEGINNING

98.03'
("V" CUT IN CONCRETE FOUND S 41°05' W 0.4')
XS
XS
159.00'
PART OF PARCEL NO. CBD-6A DALLAS AREA RAPID TRANSIT
(VOL. 94061, PG. 4026)
(D.R.D.C.T.)
LTRF (C.M.)
60.08'

LOT 12
BLOCK 1/262
BURKS SUBDIVISION
(VOL. W, PG. 800)
(M.R.D.C.T.)

101.35'
23.87'
15.0' 15.0'
30' R.O.W.
N 45°33'05" E 367.79'
S 44°44'48" E 15.00'
S 45°33'05" W 343.91'

LOT 6

PARCEL CBD-4-XS-3
SPIRE DEVELOPMENT
HOLDINGS, LLC.
(INST. NO. 201100251898)
(O.P.R.D.C.TX)

PARCEL CBD-4-XS-1
SPIRE DEVELOPMENT
HOLDINGS, LLC.
(INST. NO. 201100251898)
(O.P.R.D.C.TX)

PART OF LOT 11
STREET ABANDONMENT
10,675 SF
(0.245 ACRES)
68.35'

FEDERAL STREET
(ORDINANCE BOOK 1-A, PG. 131)

LOT 5
PART OF BLOCK 263
BURKS SUBDIVISION
(VOL. W, PG. 800)
(M.R.D.C.T.)

3/4-INCH IRON ROD FOUND

98.03'
JACK EVANS STREET
(NO R.O.W. DEED FOUND)
(BY USE AND OCCUPATION)
14.50'
15.21'
29.71'
R.O.W.
97.99'

CENTERLINE
345.26'

PARCEL CBD-4-XS-1
SPIRE DEVELOPMENT
HOLDINGS, LLC.
(INST. NO. 201100251898)
(O.P.R.D.C.TX)

(1-INCH IRON PIPE FOUND S 27°41' W 0.5')
168.38

MATCHLINE (SEE SHEET 4)

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD/PMD	MLL	1"=40'	NOV. 2011	2991-11.109

STREET ABANDONMENT

PART OF FEDERAL STREET
ADJACENT TO BLOCKS 1/262, 2/262 AND 263
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

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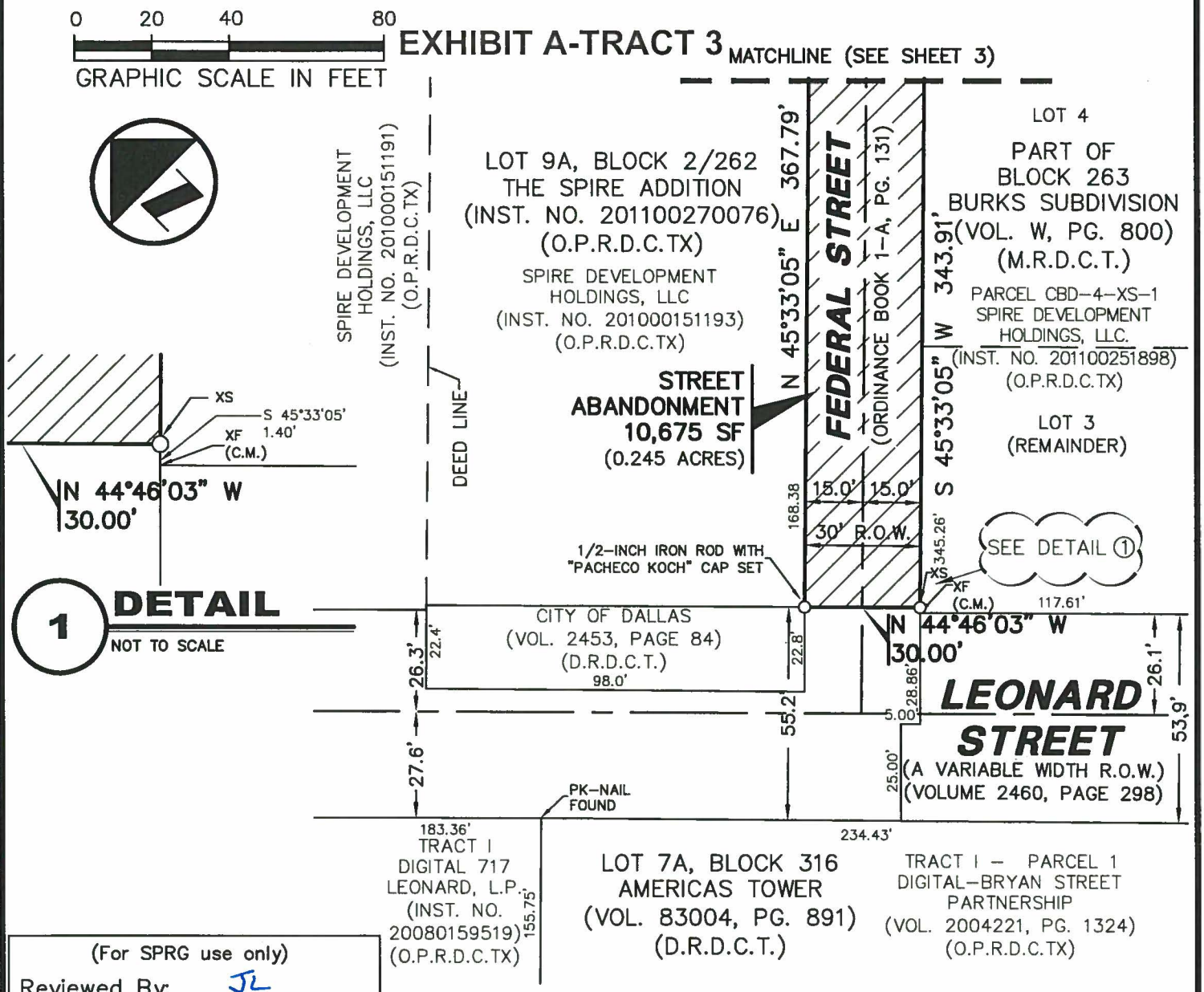
PDANIELS



(For SPRG use only)

Reviewed By: JL

Date: 6-26-12

SPRG NO: 2323

LEGEND

———	PROPERTY LINE
———	EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
XS	"+" CUT IN CONCRETE SET
LTRF	5/8-INCH IRON ROD W/"LTRA" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.TX)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.TX)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

Pacheco Koch
DALLAS ▪ FORT WORTH ▪ HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD/PMD	MLL	1"=40'	NOV. 2011	2991-11.109

STREET ABANDONMENT

PART OF FEDERAL STREET
ADJACENT TO BLOCKS 1/262, 2/262 AND 263
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 4

DWG FILE: 2991-11.109EX5.DWG

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PDANIELS

STREET ABANDONMENT **EXHIBIT A-TRACT 4**

Part of Hawkins Street
Part of Lot 18, Block 267 Burks Subdivision
Part of Lot 9A, Block 2/262 Spire Addition
And Part of Two Street Easements
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

BEING a 26,108 square foot (0.599 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Hawkins Street (a 50-foot right-of-way) in the plat of Burks Subdivision recorded in Volume W, Page 800 of the Map Records of Dallas County, Texas; and being part of Lot 18, Block 267 Burks Subdivision, an addition to the City of Dallas, recorded in Volume W, Page 800 of said Deed Records; and being part of Lot 9A, Block 2/262 The Spire Addition, an addition to the City of Dallas, recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas; and being part of the Street Easements to the City of Dallas, recorded in Volume 86113, Page 644 and Volume 86113, Page 648, both of said Deed Records; said 26,108 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the said plat of The Spire Addition.):

BEGINNING at a "+" cut in concrete set at the intersection of the southwest right-of-way line of said Hawkins Street and the southeast right-of-way line of Federal Street (a 30-foot wide right-of-way); said point being the north corner of City Block 263;

THENCE, North 44 degrees, 44 minutes, 48 seconds West, along the said southwest line of Hawkins Street and the northeast lines of City Blocks 1/262 and 2/262, a distance of 510.11 feet to a "+" cut in concrete set for an angle point;

THENCE, North 89 degrees, 40 minutes, 40 seconds West, departing said southwest line of Hawkins Street, the northeast line of Lot 9A, Block 2/262, The Spire Addition, an addition to the City of Dallas according to the plat recorded in Instrument No. 201100270076 of the said Official Public Records, and the said northeast line of City Block 2/262, along the southwest line of said Street Easement recorded in Volume 86113, Page 644, through said Lot 9A, a distance of 14.17 feet to a "+" cut in concrete set for corner in the southeast line of said Street Easement;

THENCE, North 45 degrees, 27 minutes, 00 seconds East, departing the said southwest lines of the Street Easement recorded in Volume 86113, Page 644 and along the said southeast line of San Jacinto Street, a distance of 60.01 feet to a "+" cut in concrete set for corner in the southwest line of said Lot 18 and in the southwest line of said Street Easement recorded in Volume 86113, Page 648 and City Block 267; said point being the north corner of said Hawkins Street;

THENCE, South 44 degrees, 44 minutes, 48 seconds East, continuing along the said northeast line of Hawkins Street, the said southwest line of Lot 18, the said southwest line of City Block 267 and the said southwest line of the Street Easement recorded in Volume 86113, Page 648, a distance of 0.91 feet to a "+" cut in concrete set for corner;

THENCE, North 45 degrees, 21 minutes, 02 seconds East, departing the said northeast line of Hawkins Street, the said southwest line of City Blocks 267 and the said southwest line of the Street Easement recorded in Volume 86113, Page 648, through said Lot 18, a distance of 10.00 feet to a "+" cut in concrete set for an angle point in the southeast line of said Street Easement recorded in Volume 86113, Page 648;

(For SRG use only)
Reviewed by: JL
Date: 6-26-12
SPRG NO: 2322

STREET ABANDONMENT **EXHIBIT A-TRACT 4**
Part of Hawkins Street
Part of Lot 18, Block 267 Burks Subdivision
Part of Lot 9A, Block 2/262 Spire Addition
And Part of Two Street Easements
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, South 00 degrees, 18 minutes, 07 seconds West, continuing through said Lot 18 and along the said southeast line of said Street Easement recorded in Volume 86113, Page 648, a distance of 14.13 feet to a "+" cut in concrete set for corner in the said northeast line of Hawkins Street; said point also being the south corner of said Street Easement recorded in Volume 86113, Page 648 and in the said southwest line of said Block 267;

THENCE, South 44 degrees, 44 minutes, 48 seconds East, along the said northeast line of Hawkins Street and the southwest lines of City Blocks 267 and 268, a distance of 509.29 feet to a 5/8-inch iron rod with "LTRA" cap found for corner; said point being the south corner of that tract of land described as Parcel CBD-4-XS-2 in the Special Warranty Deed to Spire Development Holdings, LLC. Recorded in Instrument No. 201100251898 of the Official Public Records of Dallas County, Texas and the west corner of that tract of land described as Parcel CBD-7 in the Special Warranty Deed to Dallas Area Rapid Transit recorded in Volume 94061, Page 4026 of said Deed Records;

THENCE, South 45 degrees, 33 minutes, 05 seconds West, departing the said north line of Hawkins Street and the said southwest line of said Block 268, a distance of 50.00 feet to the POINT OF BEGINNING;

CONTAINING: 26,108 square feet or 0.599 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the street abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

6/19/12

Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

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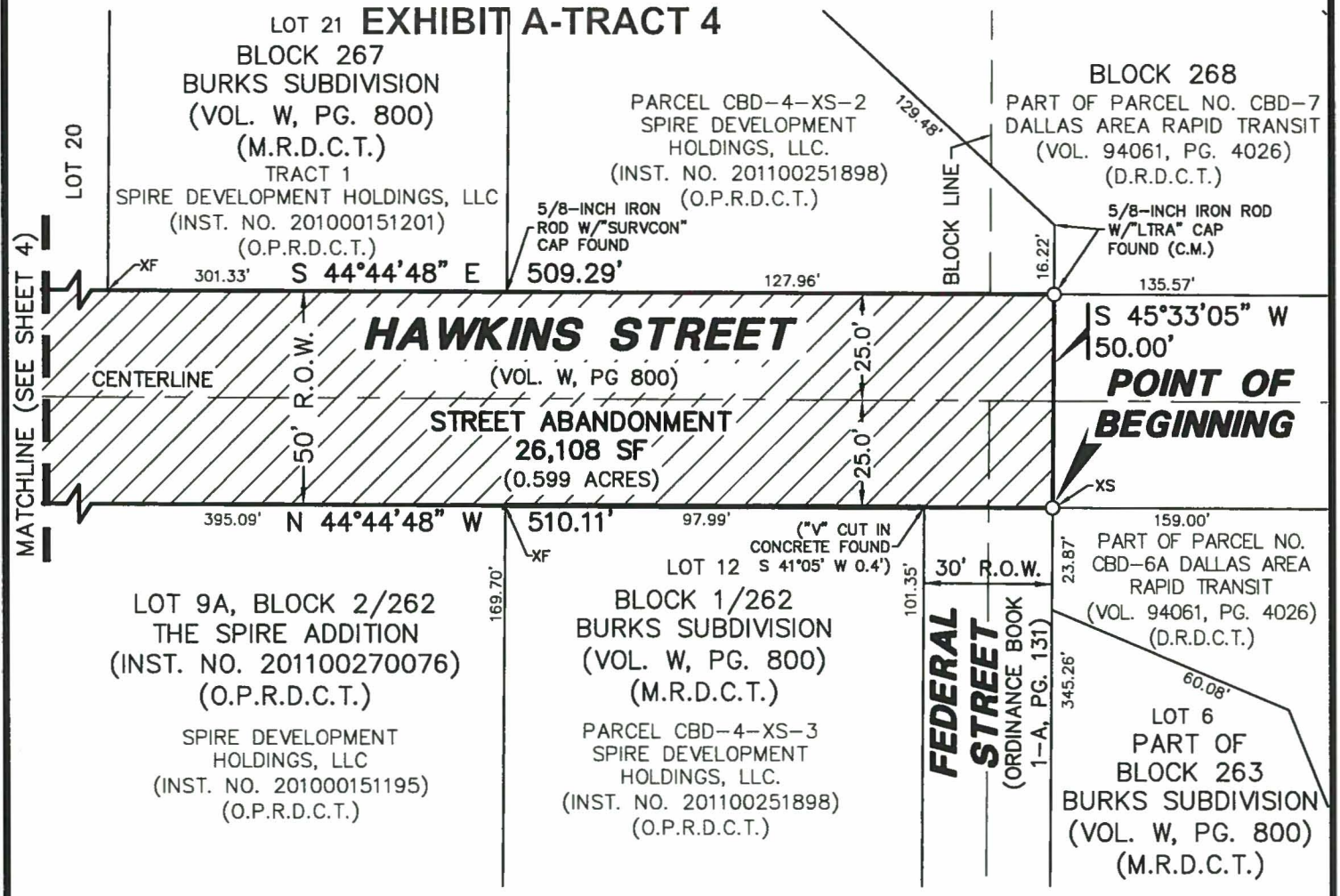
2991-11.109EX6.dwg jad

(For SRG use only)
Reviewed by: JL
Date: 6-26-12
SPRG NO: 2322

EXHIBIT A-TRACT 4



LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
XS	"+" CUT IN CONCRETE SET
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.T.)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

0 20 40 80

GRAPHIC SCALE IN FEET

(For SPRG use only)
Reviewed By: JL
Date: 6-26-12
SPRG NO: 2322

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the street abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

6/19/12

Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

STREET ABANDONMENT

PART OF HAWKINS STREET
PART OF LOT 18, BLOCK 267 BURKS SUBDIVISION
PART OF LOT 9A, BLOCK 2/262 SPIRE ADDITION
AND PART OF TWO STREET EASEMENTS
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

Pacheco Koch
DALLAS ▪ FORT WORTH ▪ HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD	MLL	1"=40'	DEC. 2011	2991-11.109

DWG FILE: 2991-11.109EX6.DWG

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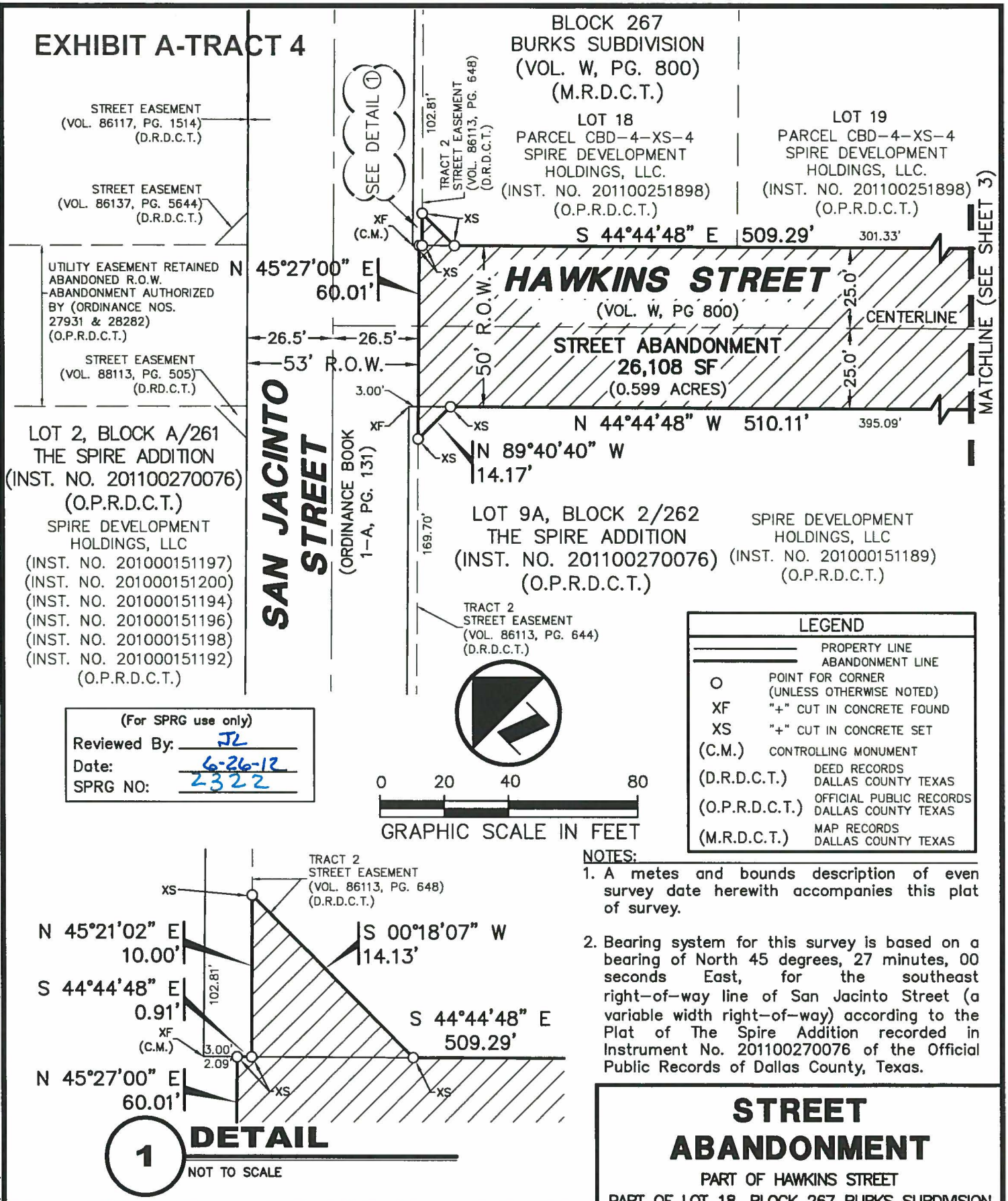
PDANIELS

EXHIBIT A-TRACT 4



LEGEND	
———	PROPERTY LINE
═══	ABANDONMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
XS	"+" CUT IN CONCRETE SET
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.T.)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS

(For SPRG use only)	
Reviewed By:	JL
Date:	6-26-12
SPRG NO:	2322

1 DETAIL
NOT TO SCALE

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

STREET ABANDONMENT

PART OF HAWKINS STREET
PART OF LOT 18, BLOCK 267 BURKS SUBDIVISION
PART OF LOT 9A, BLOCK 2/262 SPIRE ADDITION
AND PART OF TWO STREET EASEMENTS
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 4

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD	MLL	1"=40'	DEC. 2011	2991-11.109

DWG FILE: 2991-11.109EX6.DWG

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06/19/2012 - 3:52PM
PDANIELS

STREET ABANDONMENT
Part of Routh Street
Block 267
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 5

BEING a 3,611 square foot (0.083 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Routh Street dedicated by Deeds to the City of Dallas recorded in Volume 70227, Page 1596, Volume 70227, Page 1599, Volume 70213, Page 1890, Volume 69169, Page 770 and Volume 71006, Page 2192 all of the Deed Records of Dallas County, Texas; and being City Block 267; said tract being part of Lots 20 and 21, Burks Subdivision, according to the plat recorded in Volume W, Page 800 in the Map Records of Dallas County, Texas; said 3,611 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the plat of The Spire Addition, an addition to the City of Dallas recorded in Instrument No. 201100270076 in the Official Public Records of Dallas County, Texas):

BEGINNING at a 5/8-inch iron rod with "PACHECO KOCH" cap set in the southwest right-of-way line of Routh Street (a variable width right-of-way); said point being the northeast corner of Lot 19, said Burks Subdivision and the southwest corner of that tract of land described as Parcel No. CBD-9 in the Special Warranty Deed to Dallas Area Rapid Transit recorded in Volume 94061, Page 4026 of said Official Public Records; from said point a 5/8-inch iron rod with "LTRA" cap found bears South 55 degrees, 41 minutes West, a distance of 0.7 feet;

THENCE, South 44 degrees, 35 minutes, 51 seconds East, departing the said southwest line of Routh Street, a distance of 207.32 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the interior ell corner of that tract of land to City of Dallas recorded in Volume 69169, Page 770 in said Deed Records;

THENCE, South 02 degrees, 03 minutes, 49 seconds East, a distance of 24.25 feet to a point for corner in the said southwest line of Routh Street; from said point a 5/8-inch iron rod with "LTRA" cap found bears North 25 degrees, 38 minutes East, a distance of 0.3 feet; said point being the north corner of that tract of land described as CBD-7 in the Special Warranty Deed to Dallas Area Rapid Transit recorded in Volume 94061, Page 4026 in said Deed Records, the northeast corner of that tract of land described as Parcel CBD-4-XS-2 in the Special Warranty Deed to Spire Development Holdings, LLC. Recorded in Instrument No. 201100251898 of said Official Public Records, and the beginning of a non-tangent curve to the left; having a radius of 715.94 feet, a central angle of 00 degrees, 03 minutes, 53 seconds, a chord bearing and distance of North 44 degrees, 42 minutes, 52 seconds West, 0.81 feet;

THENCE, along the said southwest line of Routh Street, the following two (2) calls:

In a northwesterly direction, along the said curve, an arc distance of 0.81 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;

North 44 degrees, 44 minutes, 48 seconds West, through said Lots 20 and 21, a distance of 224.43 feet to a "+" cut in concrete found for corner in north corner of a tract of land being described as Tract 2 in the General Warranty Deed to Spire Development Holdings, LLC recorded in Instrument No. 201000151201 of said Official Public Records; said point also being in the southeast line of said Parcel CBD-4-XS-4;

(For SPRG use only)	
Reviewed By:	JL
Date:	10-23-12
SPRG NO:	2321

STREET ABANDONMENT
Part of Routh Street
Block 267
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 5

THENCE, North 45 degrees, 34 minutes, 33 seconds East, along the said southeast line of Parcel CBD-4-XS-4, a distance of 16.98 feet to the POINT OF BEGINNING;

CONTAINING: 3,611 square feet or 0.083 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the abandonment tract described.

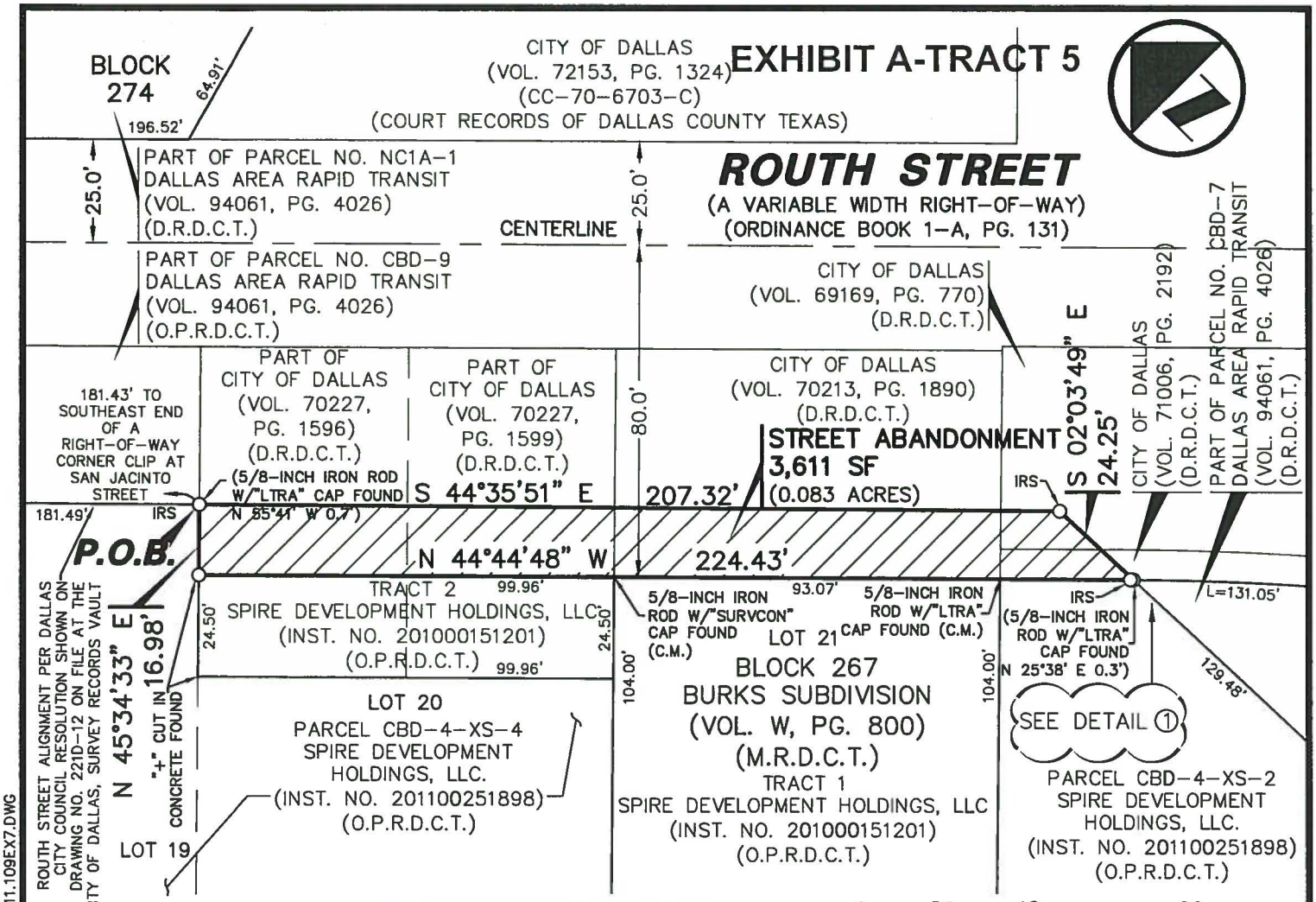
10/23/12

Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

2991-11.109EX7.doc
2991-11.109EX7.dwg jad

(For SPRG use only)	
Reviewed By:	JC
Date:	10-23-12
SPRG NO:	2321

EXHIBIT A-TRACT 5



LEGEND	
———	PROPERTY LINE
═══	ABANDONMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRS	5/8-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.T.)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS
P.O.B.	POINT OF BEGINNING

0 20 40 80

GRAPHIC SCALE IN FEET

(For SPRG use only)
Reviewed By: JL
Date: 10-23-12
SPRG NO: 2321

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the street abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

10/23/12
Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

Pacheco Koch
DALLAS ▪ FORT WORTH ▪ HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD	MLL	1"=40'	DEC. 2011	2991-11.109

STREET ABANDONMENT

PART OF ROUTH STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

DWG FILE: 2991-11.109EX7.DWG

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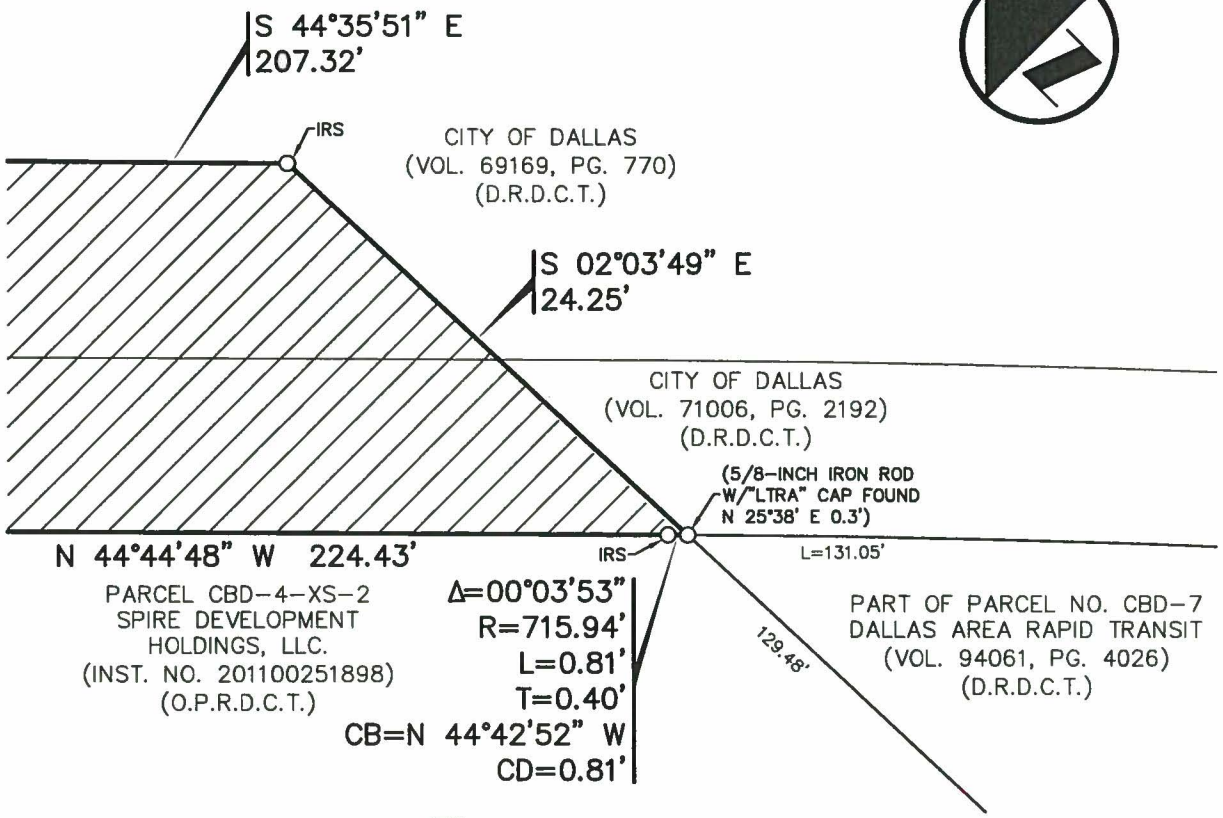
PDANIELS

EXHIBIT A-TRACT 5



1 DETAIL

NOT TO SCALE

(For SPRG use only)	
Reviewed By:	JL
Date:	10-23-12
SPRG NO:	2321

LEGEND	
———	PROPERTY LINE
═══	ABANDONMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRS	5/8-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.T.)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.T.)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T.)	MAP RECORDS DALLAS COUNTY TEXAS
P.O.B.	POINT OF BEGINNING

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

Pacheco Koch
DALLAS ▪ FORT WORTH ▪ HOUSTON
6000 WESTERN PLACE, SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

STREET ABANDONMENT

PART OF ROUTH STREET
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 4

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD	MLL	NONE	DEC. 2011	2991-11.109

DWG FILE: 2991-11.109EX7.DWG

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10/23/2012 - 8:38AM
PDANIELS

STREET ABANDONMENT
Part of Leonard Street
Adjacent to Block 2/262
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 6

BEING an 84 square foot (0.002 acre) tract of land situated adjacent to Block 2/262 in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Leonard Street; said tract also being part of that tract of land being described in the Warranty Deed to the City of Dallas recorded in Volume 2453, Page 84 of the Deed Records of Dallas County, Texas; said 84 square foot tract being more particularly described as follows (Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the plat of The Spire Addition, an addition to the City of Dallas, recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.):

BEGINNING at a 1/2-inch iron rod found at the intersection of the northeast right-of-way line of Leonard Street (a variable width right-of-way, 56-feet wide at this point) and the northwest right-of-way line of Federal Street (a 30-foot wide right-of-way); said point being the south corner of Lot 9A, Block 2/262, The Spire Addition, an addition to the City of Dallas, according to the plat recorded in Instrument No. 201100270076 of said Official Public Records;

THENCE, South 45 degrees, 33 minutes and 05 seconds West, along the southeast line of the said City of Dallas tract, a distance of 0.86-feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set;

THENCE, North 44 degrees, 46 minutes, 03 seconds West, being parallel to and 27.5 feet northeast of the said centerline of Leonard Street, a distance of 97.99 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in the northeast right-of-way line of said Leonard Street;

THENCE, North 45 degrees, 33 minutes, 05 seconds East, along the said northeast line of Leonard Street and the northwest line of said City of Dallas tract, a distance of 0.85 feet to a 1/2-inch iron rod found for corner; said point being the east corner of said Lot 9A;

THENCE, South 44 degrees, 46 minutes, 34 seconds East, continuing along the said northeast line of Leonard Street and the southwest line of said Lot 9A, a distance of 97.99 feet to the POINT OF BEGINNING;

CONTAINING: 84 square feet or 0.002 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the abandonment tract described.

6/14/12

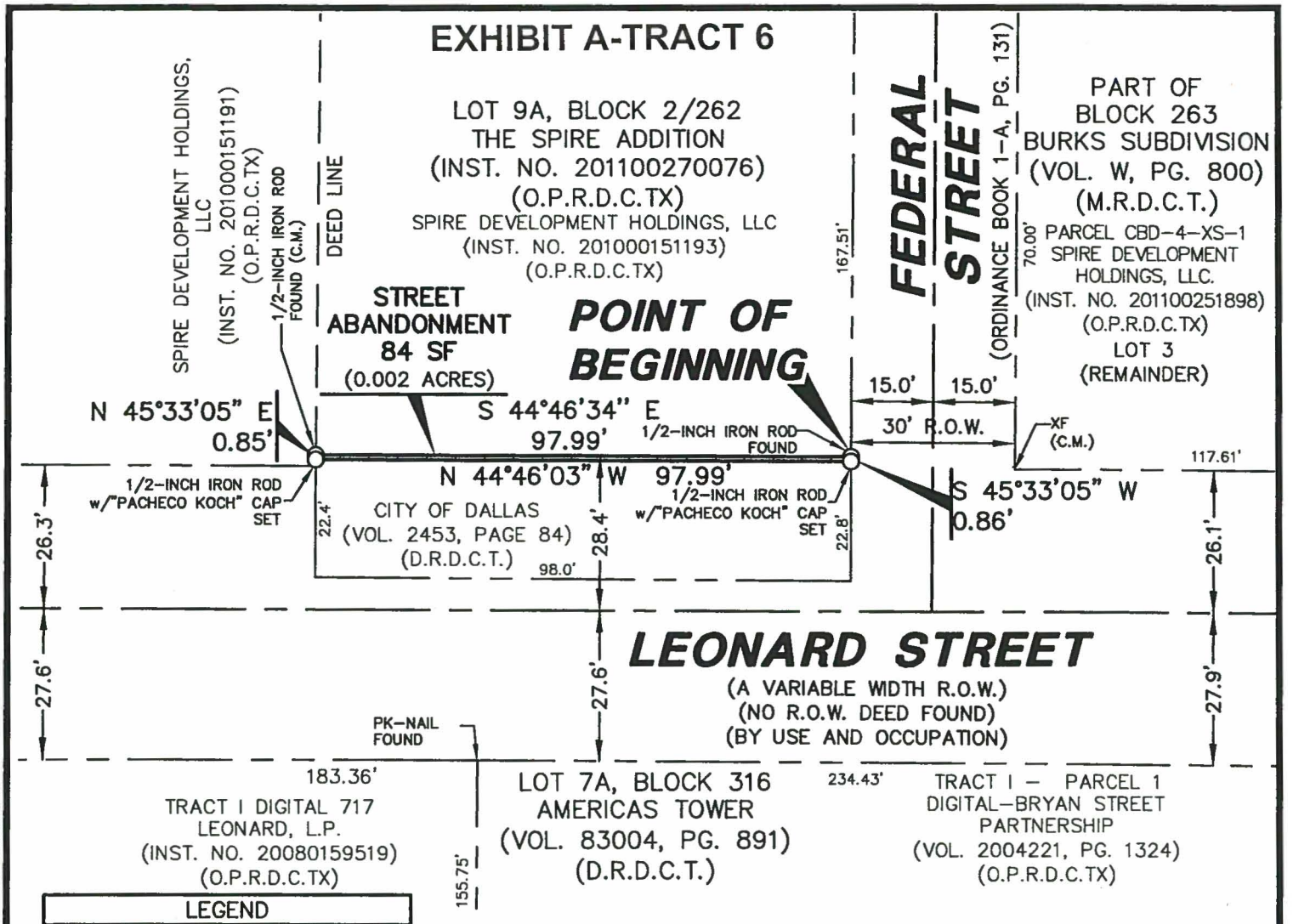
Michael Larry Lewis, Jr.
Registered Professional Land Surveyor No. 5773
Pacheco Koch Consulting Engineers, Inc.
6000 Western Place, #625, Fort Worth TX 76017
(817) 412-7155
TX Reg. Surveying Firm LS-100080-01

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

2991-11.109EX16.doc
2991-11.109EX16.dwg

(For SPRG use only)
Reviewed By: JL
Date: 6-18-12
SPRG NO: 2362

EXHIBIT A-TRACT 6



LEGEND	
———	PROPERTY LINE
———	EASEMENT LINE
O	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
XS	"+" CUT IN CONCRETE SET
LTRF	5/8-INCH IRON ROD W/"LTRA" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
(D.R.D.C.TX)	DEED RECORDS DALLAS COUNTY TEXAS
(O.P.R.D.C.TX)	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
(M.R.D.C.T)	MAP RECORDS DALLAS COUNTY TEXAS

0 15 30 60

GRAPHIC SCALE IN FEET

(For SPRG use only)
Reviewed By: JL
Date: 6-18-12
SPRG NO: 2362

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 27 minutes, 00 seconds East, for the southeast right-of-way line of San Jacinto Street (a variable width right-of-way) according to the Plat of The Spire Addition recorded in Instrument No. 201100270076 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the abandonment tract described.

6/14/12

Michael Larry Lewis, Jr. Date
Registered Professional
Land Surveyor No. 5773

STATE OF TEXAS
REGISTERED
MICHAEL LARRY LEWIS, JR.
5773
PROFESSIONAL
LAND SURVEYOR

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
6000 WESTERN PLACE. SUITE 625
FORT WORTH, TX 76107 817.412.7155
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-01

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAD/PMD	MLL	1"=30'	NOV. 2011	2991-11.109

STREET ABANDONMENT

PART OF LEONARD STREET
AND ADJACENT TO BLOCK 2/262
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

DWG FILE: 2991-11.109EX16.DWG

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PDANIELS

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.

ADDENDUM ITEM # 2

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 14, 2012

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize **(1)** preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of $400,000; **(2)** an increase in appropriations in the amount of $400,000, from $3,400,000 to $3,800,000 to be used for similar eligible activities; and **(3)** a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1 – Financing: No cost consideration to the City

BACKGROUND

In July 2008, the Housing and Economic Recovery Act of 2008 (HERA) was enacted into law. HERA appropriated $3.92 billion to assist states and localities in redevelopment efforts, particularly for foreclosed or abandoned housing properties. The Program is referred to as the Neighborhood Stabilization Program (NSP) and is considered a Special Allocation of 2008 Community Development Block Grant Funds.

On September 26, 2008, the City of Dallas was notified of its allocation of $7,932,555 of NSP funds. Allocations to states and localities were based on percentage and number of home foreclosures, homes financed by sub prime mortgage related loans, and homes in default or delinquency.

Localities who wished to accept the allocation of NSP funds submitted an amendment to their Consolidated Plan on December 1, 2008. The City of Dallas amendment included identification of the “Areas of Greatest Need” based upon the greatest percentage of home foreclosures, the highest percentage of homes financed by subprime mortgage loans, and areas identified as likely to face a significant rise in foreclosures.

BACKGROUND (continued)

The NSP funds may benefit low, moderate and middle income persons up to 120% Area Median Family Income (AMFI) for Dallas and 25% of the NSP funds must benefit low income persons up to 50% AMFI. The use of the funds must comply with the requirements under the HERA; the Community Development Block Grant regulations; the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, and other federal requirements.

Notice of the allocation of NSP funds was provided to the public on October 23, 2008 and comments as to the use of funds were requested. On November 17, 2008, the Housing Committee of the City Council was briefed on the NSP and reviewed recommendations for the use of funds. On November 19, 2008, City Council authorized the FY 2008-09 Consolidated Plan Reprogramming Budget #1 for the NSP funds, which included $2.5 million for Acquisition, Demolition, and Redevelopment of Foreclosed and Abandoned Properties (ADR), $4,639,300 for Acquisition, Rehabilitation, and Sell or Rent Foreclosed Properties (ARSR), and $793,255 to provide for the administration, planning, oversight, reporting and implementation of projects to be funded by NSP over a four year period.

This council action will authorize (1) preliminary adoption of Substantial Amendment No. 16 to the 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) the receipt and deposit of program income in the amount of $400,000; (2) an increase in appropriations in the amount of $400,000, from $3.4 $3.8 to be used for similar eligible activities; and (3) a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the NSP1.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 2, 2008, the City Council Housing Committee was briefed on the City of Dallas foreclosure activity.

On November 3, 2008, the City Council Housing Committee was briefed on Dallas Foreclosure and Code Compliance Updates which included information regarding the pending Neighborhood Stabilization Program (NSP) allocations.

On November 17, 2008, the City Council Housing Committee was briefed on the NSP allocation and reviewed recommendations for the use of funds.

On November 19, 2008, the City Council authorized the FY 2008-09 Consolidated Plan Reprogramming Budget #1 for the NSP funds by Resolution No. 08-3195.

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

On February 25, 2009, the City Council authorized the acceptance of the NSP funds by Resolution No. 09-0530.

On December 9, 2009, the City Council authorized substantial amendment No. 4 to the FY 2008-09 Consolidated Plan for the NSP Program by Resolution No. 09-3019.

On June 23, 2010, the City Council authorized a public hearing for (1) Substantial Amendment No. 5 to the FY 2008-2009 Consolidated Plan to amend the program statement to include Activity 4- Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties (2) Reprogram of funds from Activity 2-Acquisition, Rehabilitation, & Sale/Rent (ARSR) Foreclosed Properties to Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; and, (3) Reprogram $1,300,000 from Activity 2-ARSR to Activity 1-Acquisition, Demolition, Maintenance, Redevelopment, & Sale for Land Banking Program (ADR) by Resolution No. 10-1671.

On August 25, 2010, the City Council approved final adoption of (1) Substantial Amendment No. 5 to the FY 2008-2009 Consolidated Plan to amend the program statement to include Activity 4 Acquisition, Redevelopment, and Sale of Foreclosed/Abandon Properties (2) Reprogramming of funds from Activity 2-Acquisition, Rehabilitation, and Sale/Rent (ARSR) Foreclosed Properties to Activity 4-Acquisition, Redevelopment, and Sale of Foreclosed/Abandon Properties and (3) Reprogramming $1,300,000 from Activity 2-ARSR to Activity 1-Acquisition, Demolition, Maintenance, Redevelopment, and Sale for Land Banking Program (ADR) by Resolution No. 2184.

On November 10, 2010, the City Council authorized a public hearing for (1) Substantial Amendment No. 7 to the FY 2008-2009 Consolidated Plan to amend the Neighborhood Stabilization Program Statement, Attachment A, Activity 1, Terms and Grants and Loans from a tiered grant to a flat grant of up to $25,000 per unit; (2) the receipt and deposit of program income in the amount of $2.2M in the Neighborhood Stabilization Program Fund; and, (3) the establishment of appropriations in the amount of $2.2M in the Neighborhood Stabilization Program Fund by Resolution No. 10-2869.

On December 8, 2010, the City Council approved final adoption of Substantial Amendment No. 7 to the FY 2008-2009 Consolidated Plan to (1) amend the Neighborhood Stabilization Program Statement, Attachment A, Activity 1, Terms and Grants and Loans from a tiered grant to a flat grant of up to $25,000 per unit; (2) the receipt and deposit of program income in the amount of $2.2M in the Neighborhood Stabilization Program Fund; and, (3) the establishment of appropriations in the amount of $2.2M in the Neighborhood Stabilization Program Fund by Resolution No. 10-3051.

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

On October 26, 2011, the City Council approved final adoption of Substantial Amendment No. 10 to the FY 2008-2009 Consolidated Plan for (1) the receipt and deposit of program income in the amount of $3.4M in the Neighborhood Stabilization Program Fund; and, (2) the establishment of appropriations in the amount of $3.4M in the Neighborhood Stabilization Program Fund by Resolution No. 11-2876.

FISCAL INFORMATION

No cost consideration to the City

WHEREAS, on September 2, 2008, the City Council Housing Committee was briefed on the City of Dallas foreclosure activity; and

WHEREAS, on November 3, 2008, the City Council Housing Committee was briefed on Dallas Foreclosure and Code Compliance Updates which included information regarding the pending Neighborhood Stabilization Program (NSP) allocations; and

WHEREAS, on November 17, 2008, the City Council Housing Committee was briefed on the NSP allocation and reviewed recommendations for the use of funds; and

WHEREAS, on November 19, 2008, the City Council authorized the FY 2008-09 Consolidated Plan Reprogramming Budget #1 for the NSP funds by Resolution No. 08-3195; and,

WHEREAS, on February 25, 2009, the City Council authorized the acceptance of the NSP funds by Resolution No. 09-0530; and,

WHEREAS, on December 9, 2009, the City Council authorized Substantial Amendment No. 4 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 09-3019; and,

WHEREAS, on June 23, 2010, the City Council authorized a public hearing for the adoption of Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-1671; and

WHEREAS, on August 25, 2010, the City Council authorized final adoption of Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-2184; and

WHEREAS, on November 10, 2010, the City Council authorized a public hearing for the adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-2869; and

WHEREAS, on December 8, 2010, the City Council authorized final adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-3051; and

WHEREAS, on October 26, 2011, the City Council authorized final adoption of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 11-2876; and

WHEREAS, Program income generated through Neighborhood Stabilization Program activities must be used for other Neighborhood Stabilization Program eligible activities;

NOW, THEREFORE,

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

SECTION 1. That the City Council hereby authorize (1) preliminary adoption of Substantial Amendment No. 16 to the 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to receive and deposit program income in the amount of $400,000; (2) an increase in appropriations in the amount of $400,000, from $3,400,000 to $3,800,000 to be used for similar eligible activities; and (3) a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan.

SECTION 2. That the City Controller is hereby authorized to receive and deposit the NSP1 Program Income funds in the amount of $400,000 in the Neighborhood Stabilization Program Fund NS08, Department HOU, Unit 413A, Revenue Source Code 8474.

SECTION 3. That the City Manager is hereby authorized to increase established appropriations from $3,400,000 to $3,800,000 in Fund NS08, Department HOU, Unit 413A.

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.

REVISED AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 14, 2012

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group Inc. to: **(1)** provide construction management and inspection services required for the additional work related to the construction of the Lake Fork Pump Station in the amount of $799,820; **(2)** fund the maintenance and upkeep services during the re-evaluation and re-design process of the pump station in the amount of $470,288; and **(3)** accept $2,102,960 from Jacobs Engineering Group, Inc as compensation for alleged errors and omissions related to the original design of the pump station - Not to exceed $1,270,108, from $9,516,275 to $10,786,383 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Lake Fork Pump Station is a newly constructed 240 million gallons per day raw water pump station located approximately 95 miles east of Dallas, on the west side of Lake Fork near Alba, Texas. The pump station, along with a recently completed 27 mile long, 108-inch diameter pipeline can transfer raw water from Lake Fork to Lake Tawakoni and/or to the Interim Balancing Reservoir located in Terrell, Texas via two existing pipelines.

The construction project of the pump station began in October 2005. Upon substantial completion in July 2009, start-up procedures ensued to make the pump station operational. Throughout the process, the pump station would not operate as intended by the original design company, Carter and Burgess, Inc. Re-evaluation of the pump station configuration was performed by Jacobs Engineering Group who is now the responsible company due to its purchase of Carter and Burgess in November 2007. Jacobs' engineers has recommended necessary modifications to the electrical system, control valves, and discharge piping for the four pumps at the Lake Fork Pump Station for the system to properly operate. The modifications will be performed by BAR Contractors as a change order on a separate agenda item on November 14, 2012, subject to approval by the City Council.

BACKGROUND (Continued)

This Supplemental Agreement No. 4 with Jacobs will provide on-site personnel to inspect the installation of work and manage the construction activities related to the construction change order. Jacob's services are required due to the proximity of the pump station from Dallas and the necessary expertise required for work. Additionally, Jacobs is being compensated for providing maintenance and upkeep services during the re-evaluation and re-engineering of the pump station. The total cost of these services is $1,270,108. Lastly, as compensation for alleged errors and omissions, Jacobs has agreed to reimburse the City the total amount of $2,102,960 for their cost share related to the change order construction work.

ESTIMATED SCHEDULE OF PROJECT

Began Construction October 2005
Complete Construction November 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Carter & Burgess, Inc., n/k/a Jacobs Engineering Group Inc., for the design and construction administration of the Lake Fork Pump Station on October 11, 2000, by Resolution No. 00-3055.

Authorized Supplemental Agreement No. 1 to the professional services contract with Carter & Burgess, Inc., n/k/a Jacobs Engineering Group Inc., that includes additional hydraulic modeling to maximize operation of the Lake Fork system, design of additional facilities resulting from the modeling, recovery and analysis of Native American artifacts, and additional inspection services for the Phase Two pipeline construction on June 25, 2003, by Resolution No. 03-1826.

Authorized Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc., n/k/a Jacobs Engineering Group Inc., to provide design modifications and construction inspection for the Lake Fork Pump Station and 108-inch raw water transmission main on August 24, 2005, by Resolution No. 05-2425.

Authorized Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc., n/k/a Jacobs Engineering Group Inc., for construction inspection of the 108-inch Lake Fork raw water transmission line on August 9, 2006, by Resolution No. 06-1991.

FISCAL INFORMATION

$1,270,107.84 - Water Utilities Capital Improvement Funds
$2,102,960.00 - Revenue

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jacobs Engineering Group Inc.

Hispanic Female	2	Hispanic Male	8
Black Female	4	Black Male	4
Other Female	4	Other Male	11
White Female	17	White Male	54

OWNER

Jacobs Engineering Group Inc.

Craig L. Martin, President and Chief Executive

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group Inc. to: **(1)** provide construction management and inspection services required for the additional work related to the construction of the Lake Fork Pump Station in the amount of $799,820; **(2)** fund the maintenance and upkeep services during the re-evaluation and re-design process of the pump station in the amount of $470,288; and **(3)** accept $2,102,960 from Jacobs Engineering Group, Inc as compensation for alleged errors and omissions related to the original design of the pump station - Not to exceed $1,270,108, from $9,516,275 to $10,786,383 - Financing: Water Utilities Capital Improvement Funds

Jacobs Engineering Group Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultant.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$1,270,107.84	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$1,270,107.84	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
CP & Y, Inc.	PMMB51505Y1212	$42,900.00	3.38%
Total Minority - Local		$42,900.00	3.38%

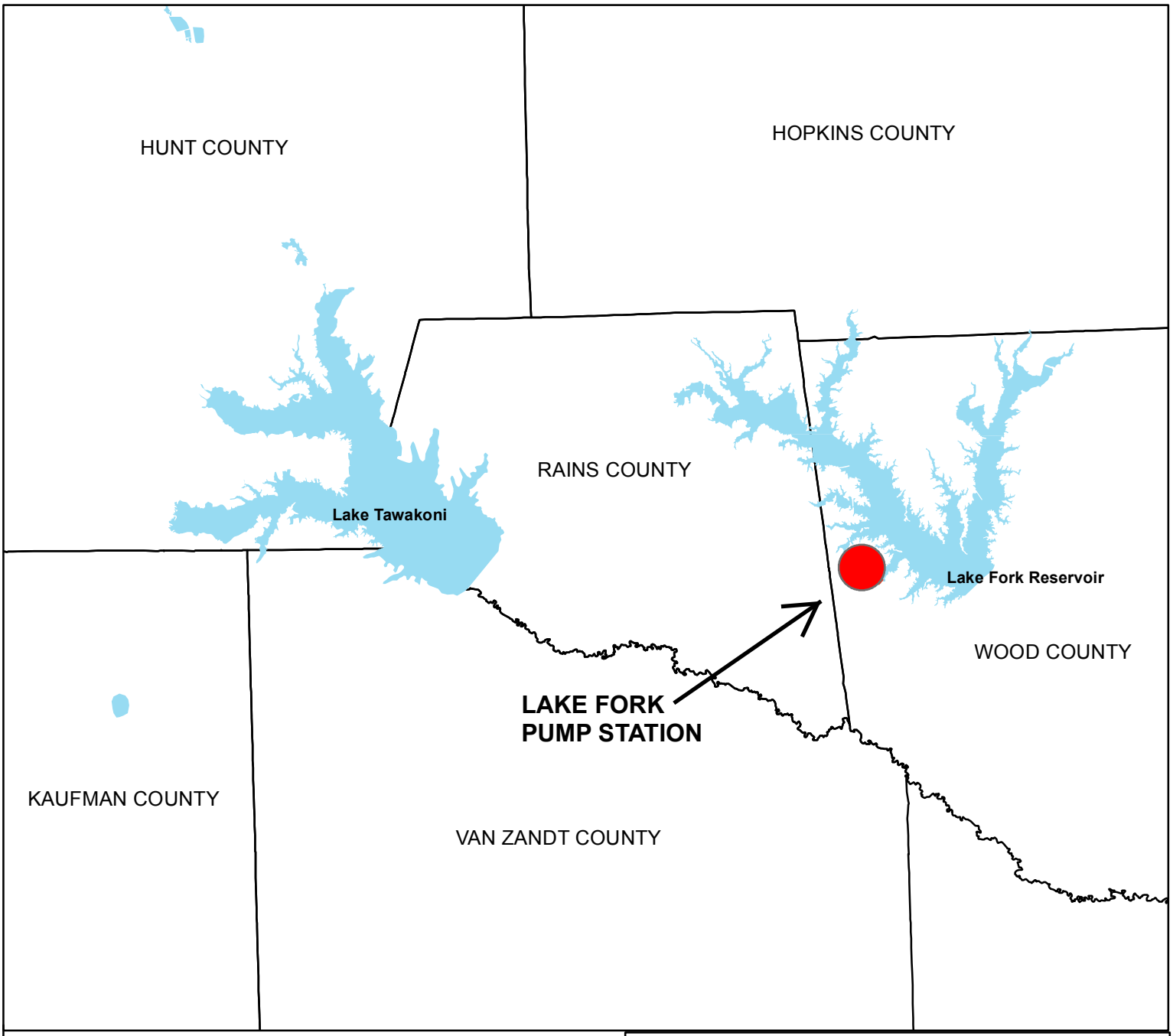
Non-Local Contractors / Sub-Contractors

None

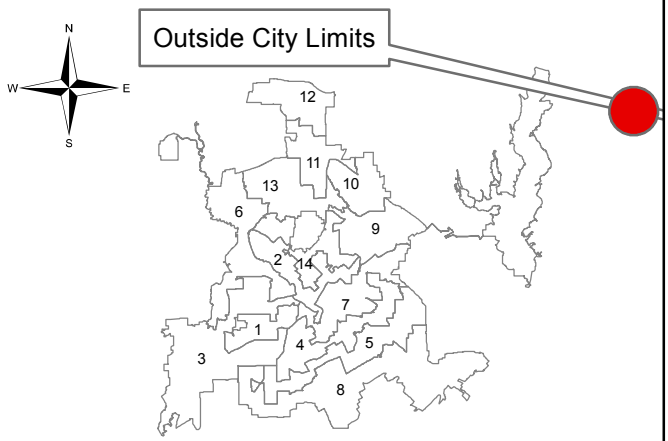
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$1,238,986.51	11.49%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$42,900.00	3.38%	$1,038,150.00	9.62%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$501,312.00	4.65%
Total	$42,900.00	3.38%	$2,778,448.51	25.76%



Mapsco: N/A
Council District: Outside City Limits



Water Utilities Department
Contract No. 05-349
Change Order No. 1
Lake Fork Pump Station Construction

WHEREAS, on October 11, 2000, by Resolution No. 00-3055, the City Council awarded Contract No. 00-269E, in the amount of $3,577,321.00, to Carter and Burgess, Inc., for the design and construction administration of the Lake Fork Pump Station ("the Contract"); and,

WHEREAS, on June 25, 2003, by Resolution No. 03-1826, the City Council awarded Supplemental Agreement No. 1, in the amount of $1,754,543.47, to Carter & Burgess, Inc., for additional services, including hydraulic modeling to maximize operation of the Lake Fork system, the design of additional facilities resulting from the modeling, the recovery and analysis of Native American artifacts, and additional inspection services for the Phase Two pipeline construction; and,

WHEREAS, on August 24, 2005, by Resolution No. 05-2425, the City Council awarded Supplemental Agreement No. 2, in the amount of $2,847,217.00, to Carter & Burgess, Inc., to provide design modifications and construction inspection for the Lake Fork Pump Station and 108-inch raw water transmission main; and,

WHEREAS, on August 9, 2006, by Resolution No. 06-1991, the City Council awarded Supplemental Agreement No. 3, in the amount of $1,337,193.00, to Carter & Burgess, Inc., for construction inspection of the 108-inch Lake Fork raw water transmission line; and,

WHEREAS, Jacobs Engineering Group Inc. purchased certain assets of Carter & Burgess, Inc. in November 2007; and,

WHEREAS, Carter & Burgess, Inc. assigned all rights, duties and obligations in the Contract to Jacobs Engineering Group Inc on July 1, 2012 and,

WHEREAS, the City has alleged that certain claims and issues have arisen with the design and construction of the Lake Fork Pump Station facilities; and,

WHEREAS, Jacobs Engineering Group Inc. and Carter & Burgess, Inc. dispute such allegations regarding the services provided under the Contract for the Lake Fork Pump Station facilities; and,

WHEREAS, Jacobs Engineering Group Inc., as assignee under the Contract, has been working with the City to resolve such alleged errors and omissions and has maintained the facilities throughout the pendency of the negotiations; and,

WHEREAS, Jacobs Engineering Group Inc. and City have agreed on a modified design of a component of the Lake Fork Pump Station as proposed by Jacobs Engineering Group Inc. and**,**

WHEREAS, as a result of the modified design work and construction, it is necessary to closely supervise, coordinate, and manage the day-to-day activities of design changes to be implemented pursuant to this change order at the Lake Fork Pump Station; and,

WHEREAS, professional services in the form of construction and inspection management services are also necessary to satisfy the requirements stated above; and,

WHEREAS, inspection services were provided by Jacobs Engineering Group Inc. on the original construction of the Lake Fork Pump Station without prior compensation; and,

WHEREAS, Jacobs Engineering Group Inc. has submitted an acceptable proposal for all of the above-mentioned services; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 00-269E be increased by $1,270,107.84, from $9,516,274.47 to $10,786,382.31; and,

WHEREAS, Jacobs Engineering Group Inc. will, in turn, pay the City the sum of $2,102,960.28 within 30 business days after Council's adoption of this resolution, as settlement for the claims and issues related to the original design of the Lake Fork Pump Station, without any admission of fault; **Now, Therefore**,

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

Section 1. That the proposed Supplemental Agreement No. 4 be accepted and that Contract No. 00-269E with Jacobs Engineering Group Inc., be revised accordingly.

Section 2. That the City Manager be and is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller be and is hereby authorized to pay the amount of $1,270,107.84 from the Water Capital Improvement Fund as follows:

FUND	DEPT	UNIT	ACT	OBJ	PRO	REP	ENCUMBRANCE	VENDOR
2115	DWU	PW20	RWPT	4111	700269	W2ZX	CTDWU700269CP	VS0000023961

Jacobs Engineering Group Inc. - (Contract No. 00-269E) - $1,270,107.84

Section 4. That the City Manager be and is hereby authorized to accept funds in the amount of $2,102,960.28 from Jacobs Engineering Group Inc. as settlement for the claims and issues related to the original design of the Lake Fork Pump Station, without any admission of fault.

Section 5. That the City Controller be and is hereby authorized to deposit funds from Jacobs Engineering Group Inc. in the amount of $2,102,960.28 in Fund 0102, Department DWU, Unit CW20, Revenue Source 9928.

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.

AGENDA ITEM # 53

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: November 14, 2012

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A. Rios, 670-3738

SUBJECT

Receive the report of the Ad Hoc City Council Canvassing Committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the November 6, 2012 election for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding street improvements, flood protection and storm drainage facilities, and economic development programs - Financing: No cost consideration to the City

BACKGROUND

Chapter IV, Section 9 of the City Charter provides that the City Council shall canvass and certify the results of a city election in accordance with the provisions of the Texas Election Code. Section 67.003(b) of the Texas Election Code provides, "Each local authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not earlier than the eighth day or later than the 11th day after election day."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Resolution No. 12-2438 passed by the City Council on September 26, 2012, authorized the appointment of the Ad Hoc City Council Canvassing Committee to review the returns of the November 6, 2012 special election and submit a canvass report to the full City Council on November 14, 2012.

FISCAL INFORMATION

No cost consideration to the City.