

# EXHIBIT B

## WASTEWATER EASEMENT

THE STATE OF TEXAS   §  
  §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS   §

That Delert Investments, Inc., a Texas corporation (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THREE HUNDRED NINETY-THREE THOUSAND THREE HUNDRED TWELVE AND NO/100 DOLLARS (\$393,312.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future in, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit A, attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of laying, constructing, maintaining, repairing and replacing a City wastewater main or mains and appurtenances, and such additional main or mains and appurtenances as are needed in the future, according to such plans and specifications as will, in City's opinion, best serve the public purpose. The payment of the purchase price shall be considered full and adequate compensation for the easement rights herein granted.

Should one or more of the Grantors herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to, the right of ingress and egress over and across said property to and from said easement for the purpose of constructing, reconstructing, maintaining, inspecting or repairing said main or mains and appurtenances.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance, repair or operation of the said main or mains. (Grantor, its successors or assigns, shall not place or store any material upon, or cover, bury, pave over or otherwise obstruct any cleanout, valve, meter or manhole located within the herein described permanent easement.)

Grantor, its successors or assigns, shall not be permitted to plant trees or shrubs of any kind within the boundaries of the herein described permanent easement.

All expenses in the construction and maintenance of said main or mains and appurtenances shall be borne by the City. In the construction of said main or mains and appurtenances, should the City find it necessary to remove any improvements now on the above-described property, all of those expenses shall also be borne by the City. Upon completion of construction, all surplus excavation, debris, trash or litter resulting from construction shall be cleaned up and hauled off the premises, and the easement property, including any fences disturbed, shall be restored to its original contour and condition.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said easement unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

DELERT INVESTMENTS, INC.,  
a Texas corporation

By: \_\_\_\_\_  
Paul Schachter, President

\* \* \* \* \*

STATE OF TEXAS       '  
COUNTY OF DALLAS   '

This instrument was acknowledged before me on \_\_\_\_\_  
by Paul Schachter, President of Delert Investments, Inc., a Texas corporation, on behalf  
of said corporation.

\_\_\_\_\_  
Notary Public, State of TEXAS

\* \* \* \* \*

After recording return to:  
City of Dallas  
Department of Public Works  
Real Estate Division  
320 East Jefferson Boulevard, Room 203  
Dallas, Texas 75203  
attn: Mark Proctor

Wastewater Easement Log No. 40032

22,286 SQUARE FOOT (0.512 ACRE)  
DALLAS CITY BLOCK 11/8190  
WASTEWATER EASEMENT  
DELART INVESTMENTS, INC.

**Exhibit A**

**Tract 1**

**BEING** a 22,286 square foot (0.512 Acre) parcel of land situated in the JOHN BECKNELL SURVEY, ABSTRACT NO. 53, in the City of Dallas, Dallas County, Texas, said parcel being part of a called 1.776 acre tract of land described in a deed to Delart Investments, Inc. recorded in Volume 90213, Page 4296 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), also being part of the western tract of 15900 Preston Place Office Park, an addition to the City of Dallas according to the plat thereof recorded in Volume 81054, Page 2692 of said Deed Records, and being more particularly described as follows:

**BEGINNING** at a ½-inch steel rebar with a cap marked "Britain & Crawford" (controlling monument) found in the east right-of-way of Preston Road (variable right-of-way) for the northwesterly corner of said Delart Investments, Inc. tract;

**THENCE** North 57 degrees 23 minutes 33 seconds East, along the common boundary between said Delart Investments, Inc. tract and said Preston Road, a distance of 21.39 feet to an "X" cut set for corner;

**THENCE** South 04 degrees 22 minutes 26 seconds West, departing said common line and across said Delart Investments, Inc. tract, a distance of 440.51 feet to an "X" cut set for corner;

**THENCE** South 89 degrees 25 minutes 53 seconds East, continuing across said Delart Investments, Inc. tract, a distance of 66.91 feet to a ½-inch steel rebar with a cap marked "AZ&B" set in the east boundary of said Delart Investments, Inc. tract and the west boundary of a called 4.136 acre tract of land described in a deed to Prescott Interests, LTD. recorded in Instrument Number 200600229523 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), which is also the west boundary of Prescott Interests 15900 Preston Road Addition, an addition to the City of Dallas according to the plat thereof recorded in Instrument Number 201000053042 of said Official Public Records;

**THENCE** South 33 degrees 03 minutes 15 seconds West, along the common line between said Delart Investments, Inc. tract and Prescott Interests, LTD. tract, a distance of 14.04 feet to a ½-inch steel rebar with a cap marked "AZ&B" set;

**THENCE** South 44 degrees 29 minutes 47 seconds West, continuing along said common line, a distance of 146.12 feet to a ½-inch steel rebar with a cap marked "AZ&B" set in the east right-of-way of Preston Road at the southwest corner of said Delart Investments, Inc. tract and the northwest corner of said Prescott Interests tract;

**THENCE** North 02 degrees 05 minutes 05 seconds East, along the common line between said Delart Investments, Inc. tract and Preston Road, a distance of 286.56 feet to a ½-inch steel rebar with a cap marked "AZ&B" set for corner;

22,286 SQUARE FOOT (0.512 ACRE)  
DALLAS CITY BLOCK 11/8190  
WASTEWATER EASEMENT  
DELART INVESTMENTS, INC.

**THENCE** North 09 degrees 27 minutes 59 seconds East, continuing along said common line, a distance of 193.97 feet to an "X" cut (controlling monument) found for a westerly corner of said Delart Investments, Inc. tract;

**THENCE** North 13 degrees 49 minutes 53 seconds East, continuing along said common line, a distance of 68.65 feet to the **POINT OF BEGINNING** and containing 22,286 square feet, or 0.512 acre of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983, North American Datum (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

A survey plat of even date accompanies this property description.

I the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this description and the accompanying survey plat were prepared from an actual survey made on the ground in the month of August, 2011.

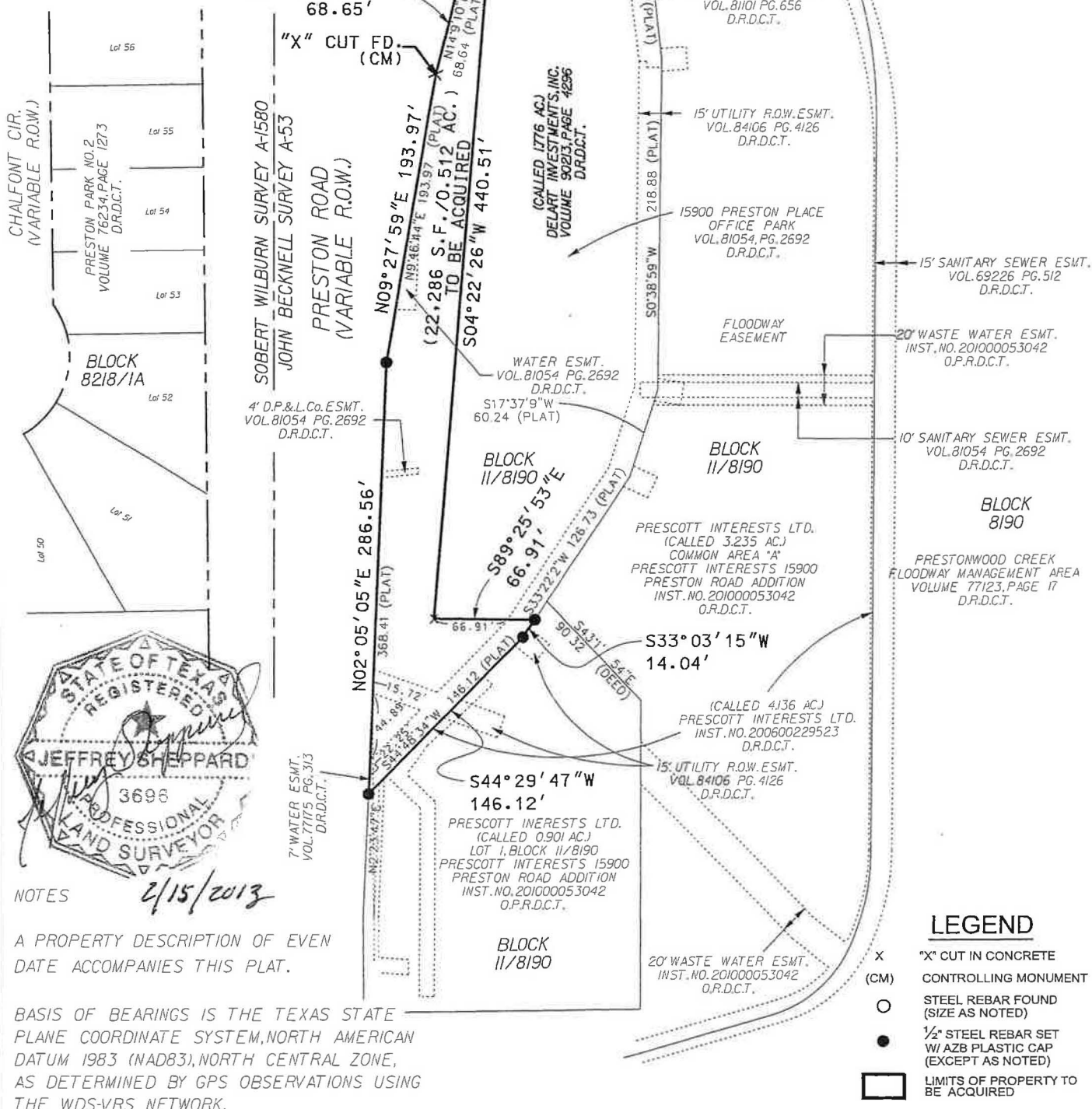
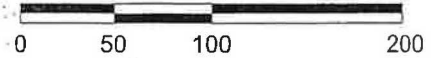
  
Jeffrey Sheppard  
Registered Professional Land Surveyor No. 3696



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SCALE (IN FEET)



NOTES  
 A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.  
 BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), NORTH CENTRAL ZONE, AS DETERMINED BY GPS OBSERVATIONS USING THE WDS-VRS NETWORK.

- LEGEND**
- X "X" CUT IN CONCRETE (CM)
  - O STEEL REBAR FOUND (SIZE AS NOTED)
  - 1/2" STEEL REBAR SET W/ AZB PLASTIC CAP (EXCEPT AS NOTED)
  - LIMITS OF PROPERTY TO BE ACQUIRED

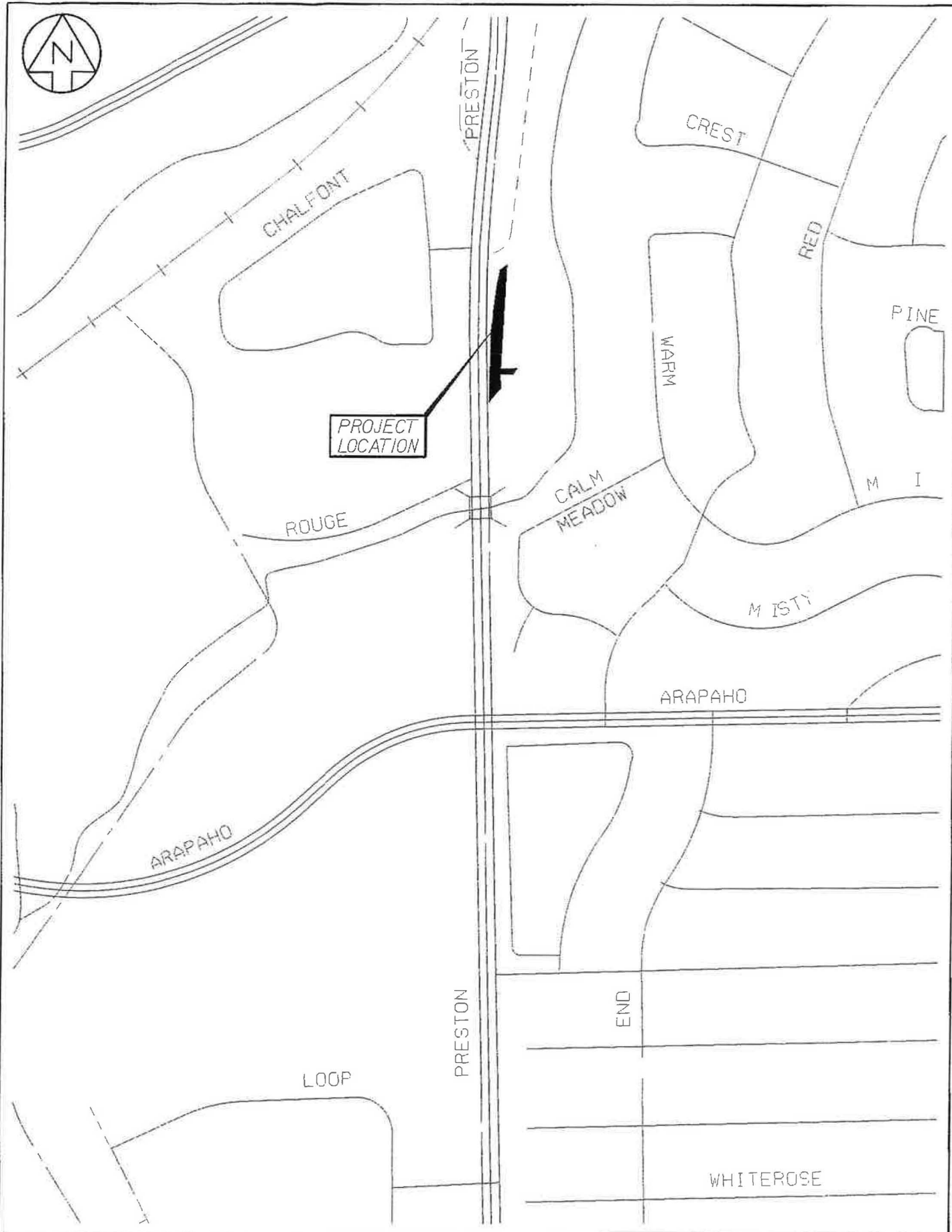
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DRAWN	RME CKD	JHS
SUPERVISOR	E.D. UTZMAN	
DATE	3-14-12	
SCALE	1" = 100'	

REVISION HISTORY	

**AZ&B**  
 ARREDONDO, ZEPEDA & BRUNZ, INC.  
 11355 MICREE ROAD  
 DALLAS, TX 75239  
 PH. 214-341-9900  
 FAX 214-341-9925  
 email - office@azb-engrs.com

22,286 SQUARE FOOT (0.512 ACRE)  
 DALLAS CITY BLOCK 11/8190  
 WASTEWATER EASEMENT  
 DELTART INVESTMENTS, INC

SHEET 3 OF 3 DWG No. REV



PROJECT  
LOCATION

COMPUTED \_\_\_\_\_ CKD \_\_\_\_\_  
 DRAWN \_\_\_\_\_ CKD \_\_\_\_\_  
 SUPERVISOR \_\_\_\_\_  
 DATE \_\_\_\_\_  
 SCALE \_\_\_\_\_

**AZ&B**  
 ARREDONDO, ZEPEDA  
 & BRUNZ, INC  
 11355 McCREE ROAD  
 DALLAS, TX. 75238  
 PH. 214-341-9900  
 FAX 214-341-9925  
 email - office@azb-engrs.com

**LOCATOR MAP**  
 21,422 S.F. (0.492 ACRE) PARCEL  
 JOHN BECKNELL SURVEY - ABSTRACT NO. 53  
 DALLAS CITY BLOCK 11/8190

SHEET	OF	DWG No.	REV
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**772 SQUARE FOOT (0.018 ACRE)  
DALLAS CITY BLOCK 11/8190  
WASTEWATER EASEMENT  
DELART INVESTMENTS, INC.**

**Exhibit A**

**Tract 2**

**BEING** a 772 square foot (0.018 Acre) parcel of land situated in the JOHN BECKNELL SURVEY, ABSTRACT NO. 53, in the City of Dallas, Dallas County, Texas, said parcel being part of a called 1.776 acre tract of land described in a deed to Delart Investments, Inc. recorded in Volume 90213, Page 4296 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and also being part of the western tract of 15900 Preston Place Office Park, an addition to the City of Dallas according to the plat thereof recorded in Volume 81054, Page 2692 of said Deed Records, and being more particularly described as follows:

**COMMENCING** at a ½-inch steel rod with cap marked "Britain & Crawford" (controlling monument) found in the east right-of-way line of Preston Road (S.H. 289 – variable width right-of-way) for the northwest corner of said Delart tract, from which an "X" cut on concrete (controlling monument) found at an angle point in the west boundary of said Delart tract and the east right-of-way line of said Preston Road bears South 13 degrees 49 minutes 53 seconds West, a distance of 68.65 feet;

**THENCE** North 57 degrees 23 minutes 33 seconds East, along the northerly line of said Delart Investments, Inc. tract and the east right-of-way line of Preston Road, a distance of 137.63 feet to a point for the northeasterly corner of said Delart Investments, Inc. tract and being on the westerly line of a called 4.136 acre tract of land described in a deed to Prescott Interests, LTD. recorded in Instrument Number 200600229523 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

**THENCE** South 06 degrees 57 minutes 18 seconds East, along the common line between said Delart Investments, Inc. tract and said Prescott Interests, LTD. tract, a distance of 132.67 feet;

**THENCE** South 00 degrees 20 minutes 12 seconds West along said common line a distance of 200.90 feet to a ½-inch steel rod with a cap marked "AZ&B" set for the **POINT OF BEGINNING**;

**THENCE** South 00 degrees 20 minutes 12 seconds West, continuing along said common line a distance of 17.99 feet to a ½-inch steel rod with a cap marked "AZ&B" set;

**THENCE** South 17 degrees 18 minutes 22 seconds West, continuing along said common line a distance of 49.47 feet to a ½-inch steel rod with a cap marked "AZ&B" set;

**THENCE** North 04 degrees 43 minutes 29 seconds West, departing said common line and across said Delart Investments, Inc. tract, a distance of 63.77 feet to a ½-inch steel rod with a cap marked "AZ&B" set;

FIELD NOTES APPROVED:

*11/6 10/2012*





**772 SQUARE FOOT (0.018 ACRE)  
DALLAS CITY BLOCK 11/8190  
WASTEWATER EASEMENT  
DELART INVESTMENTS, INC.**

**THENCE** North 85 degrees 16 minutes 31 seconds East, continuing across said Delart Investments, Inc. tract, a distance of 20.14 feet to the **POINT OF BEGINNING** and containing 772 square feet, or 0.018 acre of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone No. 4202, as determined by GPS observations using the WDS-VRS network.

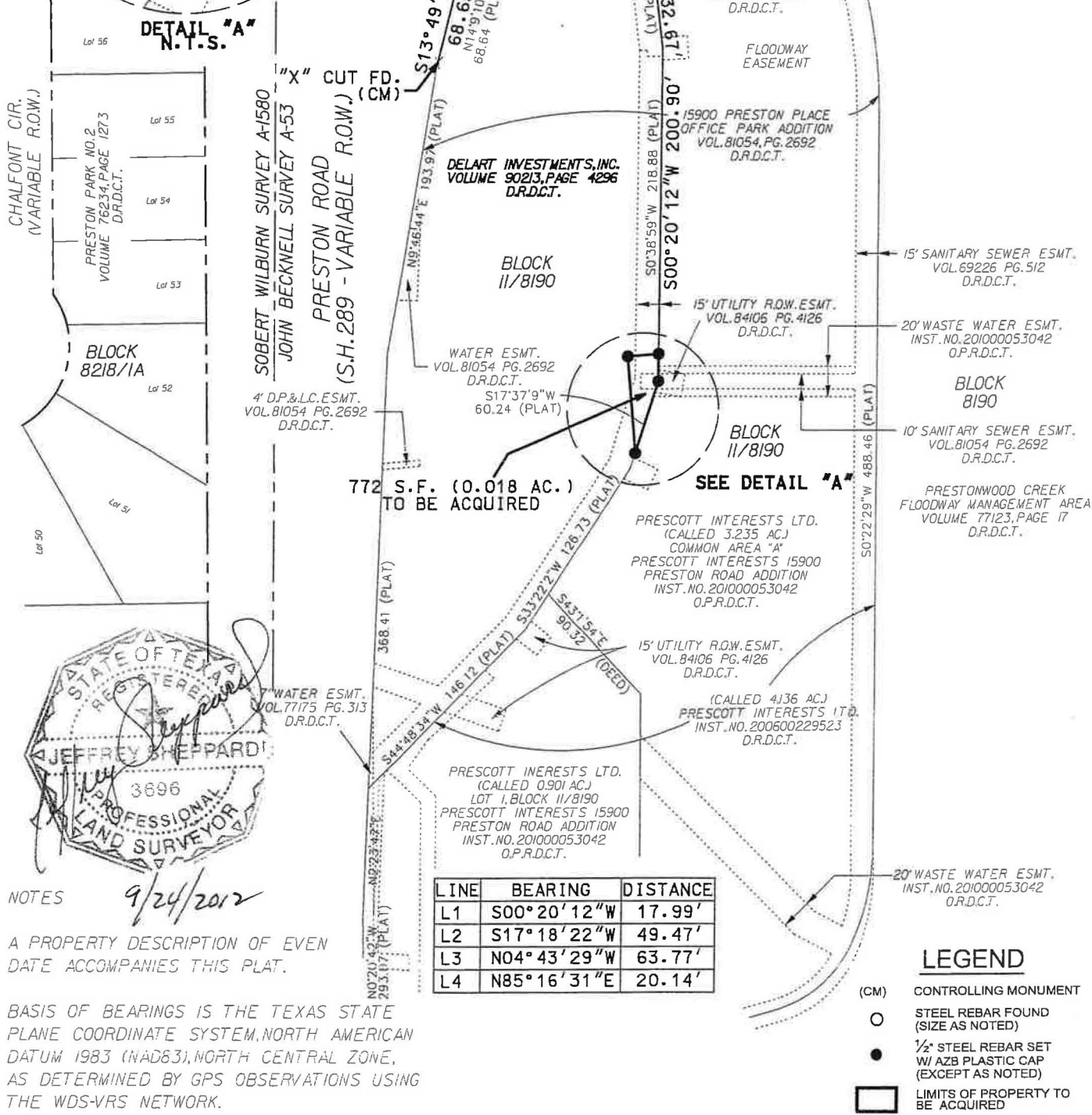
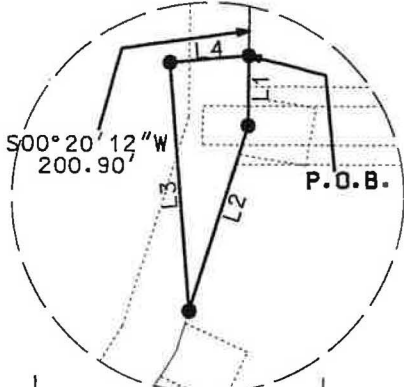
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\_\_\_\_\_  
Jeffrey Sheppard  
Registered Professional Land Surveyor No. 3696



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NOTES  
 9/24/2012  
 A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83), NORTH CENTRAL ZONE, AS DETERMINED BY GPS OBSERVATIONS USING THE WDS-VRS NETWORK.

LINE	BEARING	DISTANCE
L1	S00°20'12"W	17.99'
L2	S17°18'22"W	49.47'
L3	N04°43'29"W	63.77'
L4	N85°16'31"E	20.14'

- LEGEND**
- (CM) CONTROLLING MONUMENT
  - STEEL REBAR FOUND (SIZE AS NOTED)
  - 1/2" STEEL REBAR SET W/ AZB PLASTIC GAP (EXCEPT AS NOTED)
  - LIMITS OF PROPERTY TO BE ACQUIRED

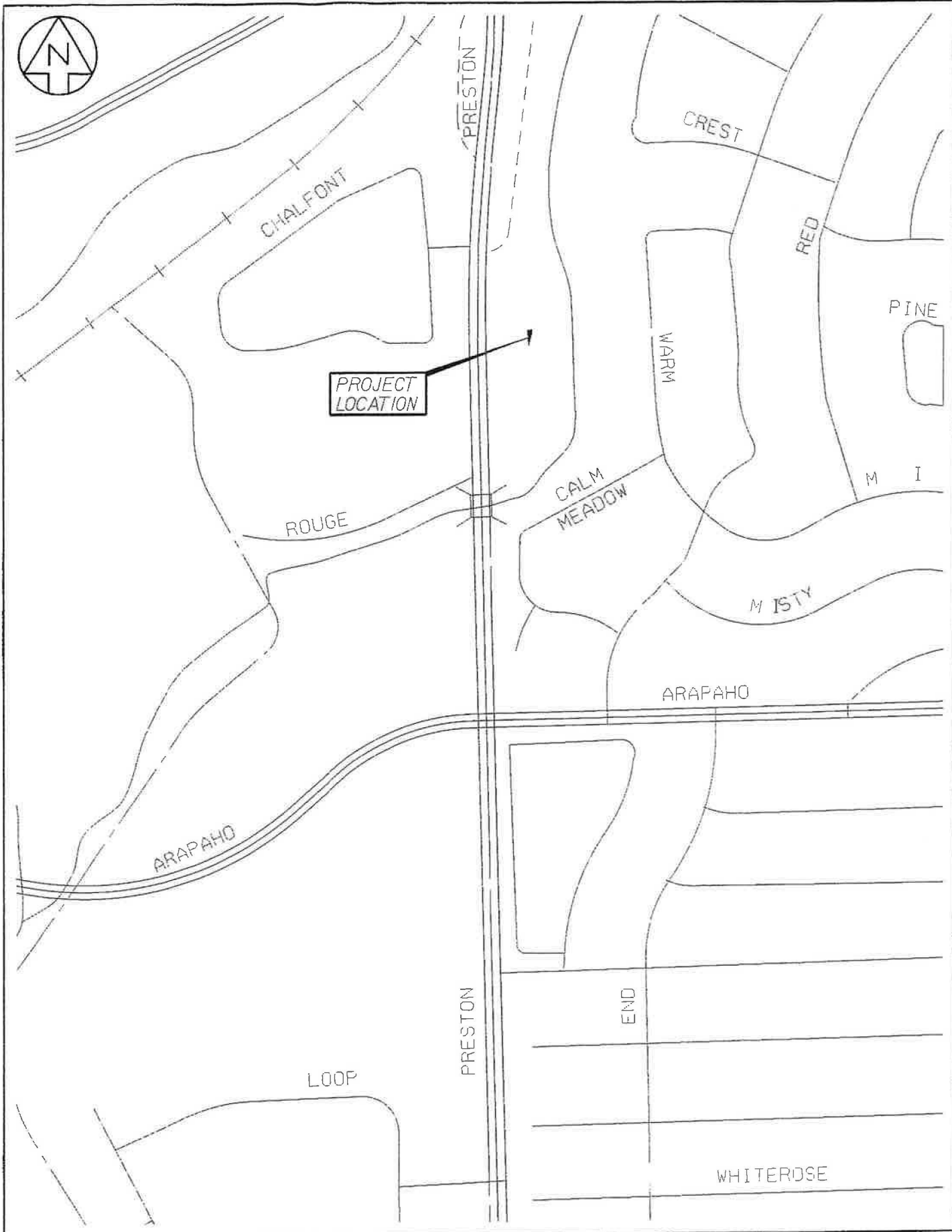
COMPUTED BY RME CKD JHS  
 DRAWN BY RME CKD JHS  
 SUPERVISOR E.D. UTZMAN  
 DATE 08-22-11  
 SCALE 1"=100'

NO.	DATE	DESCRIPTION

**AZ&B**  
 ARREDONDO, ZEPEDA & BRUNZ, INC.  
 11355 McCREE ROAD  
 DALLAS, TX 75228  
 PH. 214-341-9900  
 FAX 214-341-9925  
 email - office@azb-engrs.com

772 SQUARE FOOT (0.018 ACRE)  
 DALLAS CITY BLOCK 11/8190  
 WASTEWATER EASEMENT  
 DELART INVESTMENTS, INC.

SHEET 3 OF 3 DWG No. REV



COMPUTED \_\_\_\_\_ CKD \_\_\_\_\_  
 DRAWN \_\_\_\_\_ CKD \_\_\_\_\_  
 SUPERVISOR \_\_\_\_\_  
 DATE \_\_\_\_\_  
 SCALE \_\_\_\_\_

**AZ&B**  
 ARREDONDO, ZEPEDA  
 & BRUNZ, INC.  
 11355 MCGREE ROAD  
 DALLAS, TX, 75228  
 PH. 214-341-9925  
 FAX 214-341-9925  
 email - office@azb-engr.com

**LOCATOR MAP**  
 772 S.F. (0.018 ACRE) PARCEL  
 JOHN BECKNELL SURVEY ~ ABSTRACT NO. 53  
 DALLAS CITY BLOCK 11/8190

SHEET	OF	DWG No.	REV
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