

DRAINAGE EASEMENT EXHIBIT B

THE STATE OF TEXAS §
COUNTY OF DALLAS §

KNOW ALL PERSONS BY THESE PRESENTS:

That MMCW Properties, LLC, a Texas limited liability company (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 TWELVE THOUSAND THREE HUNDRED TWENTY-ONE AND NO/100 DOLLARS (\$12,321.00) 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 constructing, maintaining and using storm water drainage facilities in, under, over, 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 constructing, maintaining and using storm water drainage improvements including the right to make the improvements on such grade and according to such plans and specifications as will, in its opinion, best serve the public purpose. The payment of the purchase price for the property herein conveyed shall be considered full compensation for same and for any diminution in value that may result to remaining property by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

Should one or more of the Grantor(s) 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 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 or proper function of said stormwater drainage facilities.

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 _____, _____.

EXHIBIT B

MMCW Properties, LLC, a Texas limited liability company

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, ^{mtt}Interim City Attorney

By: _____
Margarita C. McWilliams, Member

By: _____
Assistant City Attorney *mtt*

* * * * *

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____
by Margarita C. McWilliams, Member of MMCW Properties, LLC, a Texas limited liability
company, on behalf of said company.

Notary Public, State of TEXAS

* * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Junge

Drainage Easement Log No. 46380

**Field Notes Describing a Drainage Easement
15,211 Square Foot (0.3492 acre)**

Exhibit A

BEING a 15,211 square foot (0.3492 acre) tract of land, situated in the Thomas Lagow Survey, Abstract Number 759, Dallas County, Texas, lying adjacent to a 3 foot right-of-way dedication to the City of Dallas described by plat of Lot 1, Dallas City Block 2643, Circle A Addition, recorded in Volume 86179, Page 2119 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being a portion of Tract 5, Dallas City Block 2643, as described by Warranty Deed to Margarita C. McWilliams, recorded in Volume 98116, Page 1695, (D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a set ½-inch iron rod with red “DAL-TECH” cap: (N=6972199.29, E=2510943.83), for the southwest corner of the herein described tract, in the west line of said Tract 5, same being the northeast corner of Lot 4, Dallas City Block 2642, Fay D. Lagow Addition, recorded in Volume 39, Page 151 (D.R.D.C.T.), and being also the intersection of the south right-of-way line and east right-of-way line of Beall Street (50 foot right-of-way) recorded in Volume 39, Page 151 of the Map Records of Dallas County, Texas (M.R.D.C.T.);

THENCE North 00 degrees 45 minutes 55 seconds West, along said east right-of-way line and said west line, a distance of 50.00 feet to a set “X” in concrete at the northwest corner of said Tract 5, same being the intersection of said east right-of-way line and the north right-of-way line of Beall Street, said point being in the south line of Tract 6, Dallas City Block 2643, as described by deed to Piedra Salomon and Eluid V. Castro recorded in Instrument No. 20080366188 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE North 88 degrees 29 minutes 57 seconds East, passing at 10.3 feet, the southeast corner of said Tract 6, and continuing for a total distance of 307.62 feet to a set ½-inch iron rod with red “DAL-TECH” cap for the northeast corner of the herein described tract, same being the southeast corner of said 3 foot right-of-way dedication, from which the centerline of the Dallas Area Rapid Transit railway, (formerly Southern Pacific Railroad), recorded in Instrument No. 200101438435 (O.P.R.D.C.T.) and described in Volume 736, Page 656 (D.R.D.C.T.), bears South 83 degrees 02 minutes 03 seconds East, a distance of 142.0 feet, said point being in the west right-of-way line of said Dallas Area Rapid Transit railway;

THENCE South 06 degrees 57 minutes 57 seconds West, parallel to and offset 142 feet from the centerline of said Dallas Area Rapid Transit railway, a distance of 50.55 feet to a set ½-inch iron rod with red “DAL-TECH” cap for the southeast corner of the herein described tract, from which the centerline of said Dallas Area Rapid Transit railway bears South 83 degrees 02 minutes 03 seconds East, a distance of 142.0 feet, said point being in the east line of said Tract 5;

THENCE South 88 degrees 29 minutes 57 seconds West, departing the west right-of-way line of said Dallas Area Rapid Transit railway, over and across said Tract 5, a distance of 300.82 feet to the **POINT OF BEGINNING**, and containing 15,211 square feet, or 0.3492 acres of land, more or less.

 **FIELD NOTES APPROVED:**
Scott Holt
9/19/2019

**Field Notes Describing a Drainage Easement
15,211 Square Foot (0.3492 acre)**

Exhibit A

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500




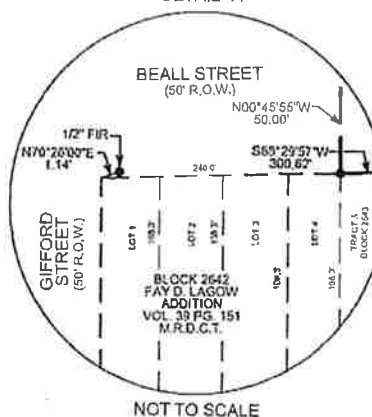
By:  Date: 8/29/2019
Surveyor's Name: Gregory Scott Kays
Registered Professional Land Surveyor
Texas No. 5040

Exhibit A

DETAIL "A"



DALLAS AREA RAPID TRANSIT
INSTRUMENT NO. 200101438435
DESCRIBED IN VOL. 736, PG. 656
D.R.D.C.T.

SCALE: 1"=60'



MILITARY PARKWAY
(VARIABLE WIDTH R.O.W.)

Parcel Line

LOTS 3-6
BLOCK 2643

PIEDRA SALOMON
& ELIUD V CASTRO
INST. NO. 20080366188
O.P.R.D.C.T.

THOMAS LAGOW SURVEY
ABSTRACT NO. 759

LOT 1
BLOCK 2643
CIRCLE A
ADDITION
VOL. 86179 PG. 2119
D.R.D.C.T.

S & S FOOD CORP
VOL. 98178, PG. 5343
D.R.D.C.T.

EXISTING 10' SANITARY SEWER EASEMENT
STRIP NO. 3
VOL. 4216, PG. 284

CENTERLINE
RAILROAD
(CM)
N=5,972,344.60
E=2,511,404.33
(GRID)

3' R.O.W. DEDICATION
VOL. 86179, PG. 2119
D.R.D.C.T.

BEALL STREET
(50' R.O.W.)

VOL. 39, PG. 151
M.R.D.C.T.

MARGARITA C MCWILLIAMS
VOL. 98116, PG. 1695
D.R.D.C.T.

DRAINAGE
EASEMENT
15,211 SQ. FT.
(0.3492 ACRES)

EXISTING 10' SANITARY SEWER EASEMENT
STRIP NO. 1
VOL. 4216, PG. 284

P.O.B.
N=6,972,199.29
E=2,510,943.83
(GRID)

TRACT 5
BLOCK 2643

MARGARITA C. MCWILLIAMS
VOL. 98116, PG. 1695
D.R.D.C.T.

BLOCK 2642
FAY D. LAGOW
ADDITION
VOL. 39 PG. 151
M.R.D.C.T.

10' SANITARY SEWER EASEMENT
STRIP NO. 1
VOL. 4216, PG. 284

LEGEND

- SET "X" IN CONCRETE
- SET 1/2" IRON ROD
- W/RED "DAL-TECH" CAP
- (CM) CONTROLLING MONUMENT
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- FIR FOUND IRON ROD
- FIP FOUND IRON PIPE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- SUBDIVISION LINE
- VOL., PG. VOLUME, PAGE
- ESMT. EASEMENT
- SQ. FT. SQUARE FEET
- P.O.B. POINT OF BEGINNING
- CENTER LINE

BEARINGS ARE ON THE NAD-83 TEXAS STATE PLANE
COORDINATE SYSTEM, GEOID 2011, NORTH CENTRAL
ZONE 4202. ALL DISTANCES ARE SURFACE. ALL
COORDINATES ARE GRID, NO SCALE, NO PROJECTION.
TXDOT SCALE FACTOR OF 1.000138506 WAS USED.



Gregory Scott Kays, R.P.L.S. No. 5040 - Date

8/26/2019

DRAINAGE EASEMENT

DAL-TECH
ENGINEERING, INC.

17400 DALLAS PKWY, SUITE 110
DALLAS, TEXAS 75287
O (972) 250-2727
F (972) 250-4774
TBPLS FIRM NO. 10123500

DATE: 8/29/2019

Drainage_ESMT.dgn