

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

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

That Timothy L. Nieman, Jr., and Dorothy Nieman, a married couple (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 SIXTY TWO THOUSAND TWO HUNDRED THIRTY SEVEN AND 00/100 DOLLARS (\$62,237.00) 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, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described premises, 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 premises 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 _____, _____.

Timothy L. Nieman Jr.

Dorothy Nieman

EXHIBIT B

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Timothy L. Nieman Jr.

Notary Public, State of TEXAS

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Dorothy Nieman.

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: Christian Roman

Warranty Deed Log No. 36375

EXHIBIT A

PARCEL E-239

CITY OF DALLAS RIGHT-OF-WAY

0.0661 ACRE TRACT

JOHN M. HARDING SURVEY, ABSTRACT NO. 569

CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the John M. Harding Survey, Abstract No. 569, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated August 26, 1976, to Timothy L. Nieman, Jr., and wife Dorothy Nieman as recorded in Volume 76170, Page 1649 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING in the southeast right-of-way line of Lawson Road (a variable width right-of-way) at a set "X" cut in concrete for the common south corner of that tract of land described in deed to the County of Dallas as recorded in Volume 87097, Page 4408, D.R.D.C.T., and the east corner of that tract of land described in deed to the County of Dallas as recorded in Volume 87139, Page 2634, D.R.D.C.T, both of which establish a portion of said Lawson Road, said point also being in the common southwest line of said Nieman tract and the northeast line of that tract of land described in deed to Eugene Ellis Edmonds and wife, Ruth Edmonds as recorded in Volume 615, Page 1726, D.R.D.C.T., and said point being on a circular curve to the left having a radius of 1,390.00 feet whose chord bears North 46 degrees 28 minutes 50 seconds East a distance of 107.53 feet, and from which point a punch hole in concrete bears South 50 degrees 33 minutes 19 seconds East a distance of 1.49 feet;

THENCE Northeasterly, with said southeast right-of-way line of Lawson Road and with said curve, through a central angle of 04 degrees 26 minutes 01 seconds, an arc distance of 107.56 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of tangency;

THENCE North 44 degrees 15 minutes 50 seconds East, continuing with said southeast right-of-way line of Lawson Road, a distance of 7.55 feet to a point (unable to set) for corner in the common northeast line of said Nieman tract and the southwest line of that tract of land described in deed to Warren Lynch and spouse, Jeanne Lynch, as recorded in Instrument Number 20080160473 of the Official Public Records of Dallas County, Texas, and from which point a 1/2-inch found iron rod bears South 65 degrees 25 minutes 36 seconds East a distance of 1.51 feet;

THENCE South 45 degrees 44 minutes 10 seconds East, departing said southeast right-of-way line of Lawson Road, with said common line, a distance of 25.00 feet to a 1/2-inch set iron rod with cap for corner;

REVIEWED BY *He* 12/22/10

EXHIBIT A

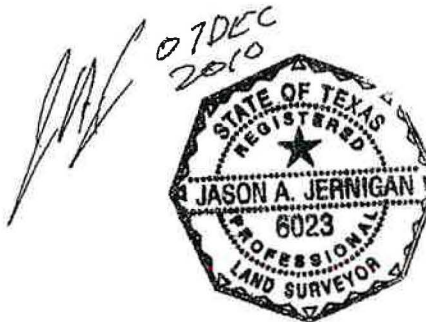
**PARCEL E-239
CITY OF DALLAS RIGHT-OF-WAY
0.0661 ACRE TRACT
JOHN M. HARDING SURVEY, ABSTRACT NO. 569
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

THENCE South 44 degrees 15 minutes 50 seconds West, departing said common line, with a line offset 25 feet southeasterly from and parallel to said southeast right-of-way line of Lawson Road, over and across said Nieman tract, a distance of 7.55 feet to a 1/2-inch set iron rod with cap for the point of curvature of a tangent circular curve to the right having a radius of 1,415.00 feet whose chord bears South 46 degrees 26 minutes 29 seconds West a distance of 107.53 feet;

THENCE Southwesterly, continuing over and across said Nieman tract and with said parallel offset line and with said curve, through a central angle of 04 degrees 21 minutes 18 seconds, an arc distance of 107.55 feet to a 1/2-inch set iron rod with cap for corner in the aforementioned common southwest line of said Nieman tract and the northeast line of said Edmonds tract;

THENCE North 45 degrees 44 minutes 10 seconds West, departing said parallel offset line, with said common line, a distance of 25.07 feet to the POINT OF BEGINNING and containing 2,878 square feet or 0.0661 of an acre of land, more or less.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



REVIEWED BY *Off 12/22/10*

EXHIBIT A

JOHN M. HARDING SURVEY, ABSTRACT NO. 569

JOHN P. ANDERSON
SURVEY,
ABSTRACT NO. 1



$\Delta = 04^{\circ}26'01''$
 $R = 1,390.00'$
 $T = 53.81'$
 $L = 107.56'$
 $CL = 107.53'$
 $CB = N46^{\circ}28'50''E$

COUNTY OF DALLAS
(VOL. 87097, PG. 4408)

$N44^{\circ}15'50''E$
7.55'

Approx. $\frac{1}{2}$ TP&L
Easement
(VOL. 2112, PG. 220)
(VOL. 3527, PG. 191)

POINT OF
BEGINNING

MILAM RD.
(60' RIGHT-OF-WAY)

SET "X" CUT
(Punch hole in
concrete Bears=
 $S50^{\circ}33'19''E$
1.49')

COUNTY OF DALLAS
(VOL. 87139, PG. 2634)

$N45^{\circ}44'10''W$
25.07'

PATRICIA THOMAS COE
(VOL. 94106, PG. 04745)

(Basis of Bearing
rotated counterclockwise
 $00^{\circ}24'10''$ from deed
bearing of $N45^{\circ}20'W$)

LAWSON ROAD
(VARIABLE WIDTH
RIGHT-OF-WAY)
(VOL. 87097, PG. 4408)
(VOL. 87139, PG. 2634)

$S45^{\circ}44'10''E$
25.00'
 $S44^{\circ}15'50''W$
7.55'

TIMOTHY L. NIEMAN, JR.
AND WIFE
DOROTHY NIEMAN
(VOL. 76170, PG. 1649)

Approx. $\frac{1}{2}$ TP&L
Easement
(VOL. 871, PG. 390)

$\Delta = 04^{\circ}21'18''$
 $R = 1,415.00'$
 $T = 53.80'$
 $L = 107.55'$
 $CL = 107.53'$
 $CB = S46^{\circ}26'29''W$

PARCEL E-239
2,878 SQ. FT.
OR
0.0661 ACRE

UTS
($\frac{1}{2}$ " FIR
Bears= $S65^{\circ}25'36''E$
1.51')

(OWNER)
WARREN LYNCH AND SPOUSE,
JEANNE LYNCH
(INST. #20080160473)

$\frac{1}{2}$ " FIR W/
"RPLS 5310"
CAP(C.M.)

$\frac{1}{2}$ " FIR W/
"RPLS 5310"
BEARS $N09^{\circ}02'09''W$
1.15'

JOHN M. HARDING
SURVEY,
ABSTRACT NO. 569

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.
2. Metes and Bounds description of tract shown hereon was prepared of even

PARCEL E-239
CITY OF DALLAS RIGHT-OF-WAY
0.0661 ACRE TRACT

JOHN M. HARDING SURVEY, ABSTRACT NUMBER 569,
CITY OF MESQUITE, DALLAS COUNTY, TEXAS



1201 N. BOWSER ROAD RICHARSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DEC., 2010

AVO.: 25143

PAGE 3 OF 3

LEGEND

$\frac{1}{2}$ " SIR	$\frac{1}{2}$ -INCH SET IRON ROD WITH YELLOW
W/CAP	PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROL MONUMENT
UTS	UNABLE TO SET
INST. #	INSTRUMENT NUMBER



REVIEWED BY

Rich25_HPB100_8-5-11.dwg

Design

12/7/2010 4:24:32 PM 8/15/06 HALFF H35000425143/CADD/EXHIBIT/VIEW/208-20143.DGN

EXHIBIT B

EASEMENT – ACCESS [Specific Location]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Area") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Property, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the Easement Property will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Property in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Property and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

ATTACHMENT 1

**ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-239
501 SQUARE FOOT (0.0115 ACRE) TRACT
TIMOTHY L. NIEMAN, JR., AND WIFE DOROTHY NIEMAN
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEING a 501 square foot (0.0115 acre) tract of land situated in the John M. Harding Survey, Abstract No. 569, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated August 26, 1976, to Timothy L. Nieman, Jr., and wife Dorothy Nieman as recorded in Volume 76170, Page 1649 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a set "X" cut in concrete in the southeast right-of-way line of Lawson Road (a variable width right-of-way) for the common south corner of that tract of land described in deed to the County of Dallas as recorded in Volume 87097, Page 4408, D.R.D.C.T., and the east corner of that tract of land described in deed to the County of Dallas as recorded in Volume 87139, Page 2634, D.R.D.C.T., both of which establish a portion of said Lawson Road, said point also being in the common southwest line of said Nieman tract and the northeast line of that tract of land described in deed to Eugene Ellis Edmonds and wife, Ruth Edmonds as recorded in Volume 615, Page 1726, D.R.D.C.T., said point being on a circular curve to the left having a radius of 1,390.00 feet whose chord bears North 48 degrees 17 minutes 03 seconds East a distance of 20.05 feet, and from which point a punch hole in concrete bears South 50 degrees 33 minutes 19 seconds East a distance of 1.49 feet;

THENCE Northeasterly, with said southeast right-of-way line of Lawson Road and with said curve, through a central angle of 00 degrees 49 minutes 35 seconds, an arc distance of 20.05 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of tangency;

THENCE South 45 degrees 44 minutes 10 seconds East, departing said southeast right-of-way line of Lawson Road, over and across said Nieman tract, a distance of 25.05 feet to a 1/2-inch set iron rod with cap for the point of curvature of a non-tangent circular curve to the right having a radius of 1,415.00 feet whose chord bears South 48 degrees 12 minutes 47 seconds West a distance of 20.05 feet;

THENCE Northeasterly, with said curve and with a line offset 25 feet southeasterly from and parallel to said southeast right-of-way line of Lawson Road, continuing over and across said Nieman tract, through a central angle of 00 degrees 48 minutes 42 seconds, an arc distance of 20.05 feet to a 1/2-inch set iron rod with cap for corner in the aforementioned common southwest line of said Nieman tract and the northeast line of said Edmonds tract;

REVIEWED BY *AKC* 7/12/11

ATTACHMENT 1

**ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-239
501 SQUARE FOOT (0.0115 ACRE) TRACT
TIMOTHY L. NIEMAN, JR., AND WIFE DOROTHY NIEMAN
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

THENCE North 45 degrees 44 minutes 10 seconds West, departing said parallel offset line, with said common line, a distance of 25.07 feet to the POINT OF BEGINNING and containing 501 square feet (0.0115 of an acre) of land, more or less

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

[Handwritten signature]
11 MAR
2011



REVIEWED BY *[Handwritten signature]* 5/12/11

JOHN M. HARDING SURVEY, ABSTRACT NO. 569

ATTACHMENT 1

JOHN P. ANDERSON
SURVEY,
ABSTRACT NO. 1

Approx. @ TP&L
Easement
(VOL. 2112, PG. 220)
(VOL. 3527, PG. 191)

$\Delta = 00^{\circ}49'35''$
 $R = 1,390.00'$
 $T = 10.02'$
 $L = 20.05'$
 $CL = 20.05'$
 $CB = N48^{\circ}17'03''E$

$\Delta = 03^{\circ}36'25''$
 $R = 1,390.00'$
 $T = 43.77'$
 $L = 87.51'$
 $CL = 87.49'$
 $CB = N46^{\circ}04'03''E$

COUNTY OF DALLAS
(VOL. 87097, PG. 4408)

$N44^{\circ}15'50''E$
7.55'

LAWSON ROAD
(VARIABLE WIDTH
RIGHT-OF-WAY)
(VOL. 87097, PG. 4408)
(VOL. 87139, PG. 2634)

0 50 100 150 200
SCALE: 1"=100'

WARREN LYNCH AND SPOUSE,
JEANNE LYNCH
(INST. #20080160473)

CURRENT ACQUISITION LINE
FOR PARCEL E-239

ACCESS EASEMENT
501 SQ. FT.
OR
0.0115 ACRE

$\Delta = 00^{\circ}48'42''$
 $R = 1,415.00'$
 $T = 10.02'$
 $L = 20.05'$
 $CL = 20.05'$
 $CB = S48^{\circ}12'47''W$

Approx. @ TP&L
Easement
(VOL. 871, PG. 390)

$S45^{\circ}44'10''E$
25.05'

$\frac{1}{2}$ " SIR
W/CAP

$\frac{1}{2}$ " SIR
W/CAP

EUGENE ELLIS EDMONDS
AND WIFE
RUTH EDMONDS
(VOL. 615, PG. 1726)

TIMOTHY L. NIEMAN, JR.
AND WIFE
DOROTHY NIEMAN
(VOL. 76170, PG. 1649)

$\frac{1}{2}$ " FIR
"RPLS 5310" CAP (C.M.)

$\frac{1}{2}$ " FIR W/
"RPLS 5310" CAP
BEARS $N09^{\circ}02'09''W$
1.15'

$\frac{1}{2}$ " FIR
(Leaning)
(C.M.)

JOHN M. HARDING
SURVEY,
ABSTRACT NO. 569

$N45^{\circ}44'10''W$
25.07'

PATRICIA THOMAS COE
(VOL. 94106, PG. 04745)

CURRENT ACQUISITION LINE
FOR PARCEL E-240

(Basis of Bearing
rotated counterclockwise
 $00^{\circ}24'10''$ from deed
bearing of $N45^{\circ}20'W$)

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-239
501 SQUARE FOOT (0.0115 ACRE) TRACT
TIMOTHY L. NIEMAN, JR., AND WIFE DOROTHY NIEMAN
CITY OF MESQUITE, DALLAS COUNTY, TEXAS



HALFF

1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: MARCH, 2011

AVO.: 25143

LEGEND

$\frac{1}{2}$ " SIR 1/2-INCH SET IRON ROD WITH YELLOW
W/CAP PLASTIC CAP STAMPED "HALFF"
(C.M.) CONTROL MONUMENT
UTS UNABLE TO SET
INST. # INSTRUMENT NUMBER



11 MAR 2011

REVIEWED BY: [Signature]

JOHN M. HARDING SURVEY, ABSTRACT NO. 569

ATTACHMENT 2

JOHN P. ANDERSON
SURVEY,
ABSTRACT NO. 1

Approx. @ TP&L
Easement
(VOL. 2112, PG. 220)
(VOL. 3527, PG. 191)

$\Delta = 00^{\circ}49'35''$
 $R = 1,390.00'$
 $T = 10.02'$
 $L = 20.05'$
 $CL = 20.05'$
 $CB = N48^{\circ}17'03''E$

$\Delta = 03^{\circ}36'25''$
 $R = 1,390.00'$
 $T = 43.77'$
 $L = 87.51'$
 $CL = 87.49'$
 $CB = N46^{\circ}04'03''E$

COUNTY OF DALLAS
(VOL. 87097, PG. 4408)

$N44^{\circ}15'50''E$
7.55'

$1/2"$ SIR
W/CAP

UTS
($1/2"$ FIR
Bears= $S65^{\circ}25'36''E$
1.51')

WARREN LYNCH AND SPOUSE,
JEANNE LYNCH
(INST. #20080160473)

CURRENT ACQUISITION LINE
FOR PARCEL E-239

ACCESS EASEMENT
501 SQ. FT.
OR
0.0115 ACRE

$\Delta = 00^{\circ}48'42''$
 $R = 1,415.00'$
 $T = 10.02'$
 $L = 20.05'$
 $CL = 20.05'$
 $CB = S48^{\circ}12'47''W$

Approx. @ TP&L
Easement
(VOL. 871, PG. 390)

$1/2"$ SIR
W/CAP

TIMOTHY L. NIEMAN, JR.
AND WIFE DOROTHY NIEMAN
(VOL. 76170, PG. 1649)

Dominant Estate
 $S45^{\circ}44'10''E$
EUGENE ELLIS EDMONDS
AND WIFE RUTH EDMONDS
(VOL. 615, PG. 1726)

$N45^{\circ}44'10''W$
25.07'

PATRICIA THOMAS COE
(VOL. 94106, PG. 04745)

CURRENT ACQUISITION LINE
FOR PARCEL E-240

(Basis of Bearing
rotated counterclockwise
 $00^{\circ}24'10''$ from deed
bearing of $N45^{\circ}20'W$)

$1/2"$ FIR
(Leaning)
(C.M.)
JOHN M. HARDING
SURVEY,
ABSTRACT NO. 569

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

ACCESS EASEMENT ACROSS
CITY OF DALLAS ACQUISITION PARCEL E-239
501 SQUARE FOOT (0.0115 ACRE) TRACT
TIMOTHY L. NIEMAN, JR., AND WIFE DOROTHY NIEMAN
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

LEGEND

$1/2"$ SIR 1/2-INCH SET IRON ROD WITH YELLOW
W/CAP PLASTIC CAP STAMPED "HALFF"
(C.M.) CONTROL MONUMENT
UTS UNABLE TO SET
INST. # INSTRUMENT NUMBER



1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: MARCH, 2011

AVO.: 25143

REVIEWED BY
Date 5/12/11