

December 8, 2021

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 498,075 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Dallas Floodway Extension

"USE": The installation, use, and maintenance of a levee, swale, channel or other improvements as may be necessary for the control of drainage and flooding provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Estate subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Columbia Packing of Texas, Ltd., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$405,303.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$5,000.00

"AUTHORIZED AMOUNT": Not to exceed \$410,303.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

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SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT payable out of the Flood Protection and Storm Drainage Facilities Fund, Fund 3T23, Department SDM, Unit W632, Activity TRPP, Program PB98W397, Object 4210, Encumbrance/Contract No. SDM-2021-00017096; and CLOSING COSTS AND TITLE EXPENSES payable out of the Flood Protection and Storm Drainage Facilities Fund, Fund 3T23, Department SDM, Unit W632, Activity TRPP, Program PB98W397, Object 4230, Encumbrance/Contract No. SDM-2021-00017097. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, City Attorney

BY 
Assistant City Attorney

**DALLAS FLOODWAY EXTENSION
CADILLAC LEVEE, TRACT CL-100**

Field Notes Describing a 498,075 Square Foot (11.434 Acre)
Tract of Land to be Acquired in City Block 4651

BEING a 498,075 Square Foot (11.434 Acre) tract of land out of the William J. Elliot Survey, Abstract No. 448, Dallas County, Texas and the W.S. Beatty Survey, Abstract No. 57, Dallas County, Texas, lying in City Block 4651, City of Dallas, Dallas County, Texas, also being out of that tract of land conveyed to Columbia Packing of Texas, Ltd., by deed recorded in Volume 93020, Page 5398 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being more particularly described by metes and bounds as follows:

Don Holt
FIELD NOTES APPROVED:
5/10/01


NOTE: All distances are surface projection, using a scale factor of 1.000136506.

BEGINNING at ½-inch iron rod found (Controlling Monument) at the southwesterly corner (N=6958774.4255, E=2493982.6464) of said Columbia Packing of Texas tract, said point also being in the northerly right-of-way line of Eleventh Street (a 60-foot right-of-way at this point)(Volume 3, Page 360, Map Records of Dallas County, Texas, (M.R.D.C.T.)), said point also being the southeasterly corner of Lot 1, Block A/4652 of Coria Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Instrument No. 201100221932 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE North 12° 31' 10" West, departing the northerly right-of-way line of said Eleventh Street, and along the westerly line of said Columbia Packing of Texas tract, a distance of 1,084.43 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" (N=6959832.9310, E=2493747.6085) in the southerly line of a tract of land conveyed to the City of Dallas, Texas, according to the deed thereof recorded in Volume 2001085, Page 5004, D.R.D.C.T.;

THENCE along the common line of said Columbia Packing of Texas and City of Dallas tracts, the following course and distances:

South 48° 53' 35" East, a distance of 61.81 feet to a point (not monumented);

South 46° 26' 19" East, a distance of 135.70 feet to a point (not monumented);

South 66° 02' 30" East, a distance of 167.88 feet a point (not monumented);

South 73° 44' 47" East, a distance of 77.40 feet to a point (not monumented);

South 53° 47' 08" East, a distance of 28.29 feet to a point (not monumented);

South 21° 02' 11" East, a distance of 25.08 feet to a point (not monumented);

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South 83° 58' 05" East, a distance of 33.88 feet to a point (not monumented);

North 71° 01' 22" East, a distance of 113.86 feet to a point (not monumented);

North 51° 03' 25" East, a distance of 186.95 feet a point (not monumented);

North 15° 14' 07" East, a distance of 48.56 feet to a point (not monumented);

North 01° 01' 59" West, a distance of 127.34 feet to a point (not monumented);

North 14° 44' 48" West, a distance of 82.33 feet to a point (not monumented);

THENCE North 13° 09' 52" East, continuing along the common line of said Columbia Packing of Texas and City of Dallas tracts, a distance of 51.35 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the most southerly corner of a tract of land conveyed to Dallas Power & Light Company (DP&L) (predecessor in title to the Texas Utilities Electric Company) by deed recorded in Volume 91119, Page 3503, D.R.D.C.T.;

THENCE North 41° 30' 02" East, continuing along the common line of said Columbia Packing of Texas and DP&L tracts, a distance of 40.65 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the most westerly corner of a tract of land conveyed to DP&L (predecessor in title to the Oncor Electric Delivery Company) by deed recorded in Volume 70031, Page 1766, D.R.D.C.T.;

THENCE South 58° 43' 07" East, continuing along the common line of said Columbia Packing of Texas and DP&L tracts, a distance of 24.99 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the northwesterly corner (N=6960041.0226, E=2494488.2274) of a tract of land conveyed to Joseph Carl Ondrusek and Barbara Ann Ondrusek Wolfe by deed recorded in Instrument No. 201700218412, O.P.R.D.C.T.;

THENCE South 12° 31' 10" East, along the common line of said Columbia Packing of Texas and Ondrusek tracts, a distance of 945.74 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" (N=6959117.8887, E=2494693.2094);

THENCE North 80° 34' 27" West, departing the common line of said Columbia Packing of Texas and Ondrusek tracts, over and across said Columbia Packing of Texas tract, a distance of 200.13 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the beginning of a circular curve to the left having a radius of 170.00 feet and a chord that bears South 63° 32' 51" West, a distance of 199.26 feet;

THENCE Westerly and Southwesterly, along said curve to the left, through a central angle of 71° 45' 25", an arc distance of 212.91 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" at the end of said curve;

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THENCE South 76° 37' 56" West, continuing over and across said Columbia Packing of Texas tract, a distance of 359.22 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC";

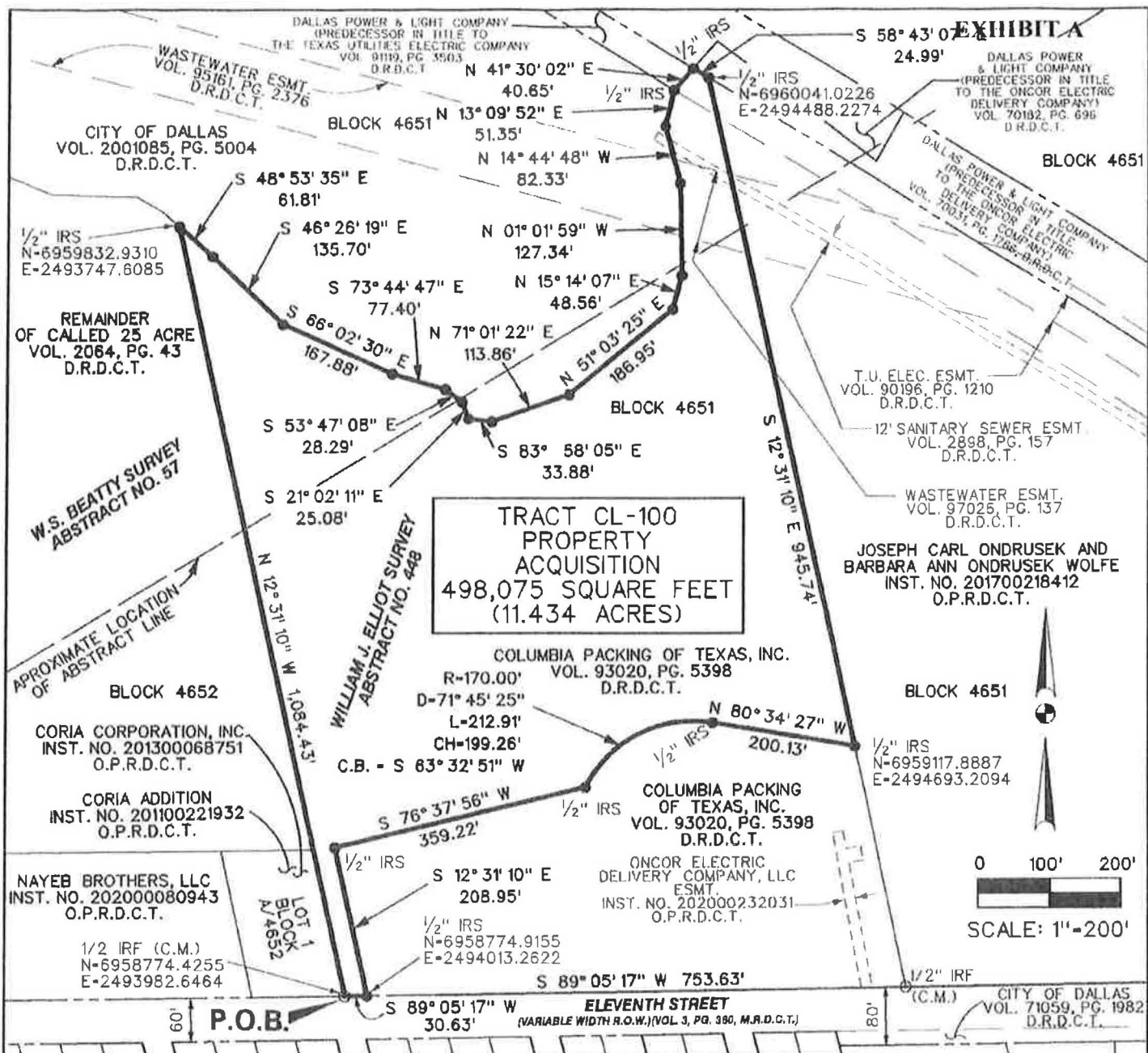
THENCE South 12° 31' 10" East, continuing over and across said Columbia Packing of Texas tract, a distance of 208.95 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" (N=6958774.9155, E=2494013.2622) in the southerly line of said Columbia Packing of Texas tract and the northerly right-of-way line of said Eleventh Street;

THENCE South 89°05'17" West, along the southerly line of said Columbia Packing of Texas tract and the northerly right-of-way line of said Eleventh Street, a distance of 30.63 feet to the **POINT OF BEGINNING**, containing 498,075 Square Feet, or 11.434 Acres of land.

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

COORDINATES: All Coordinates are State Plane Values, No Scale, No Projection.





NOTES:

1. BASIS OF BEARING is the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).
2. All Coordinates are State Plane Values, No Scale, No Projection. All distances are surface projection, using a scale factor of 1.000136506.

LEGEND:

- C.M. - CONTROLLING MONUMENT
- I.R.S. - 1/2-INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "LIM ASSOC"
- O.I.R.F. - IRON ROD FOUND
- X SET - CUT "X" SET
- 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

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Surveying Firm 101238-00
1112 N. Zang Boulevard, Suite 200
Dallas, Texas 75203
Tel. (214) 942 1888 Fax (214) 942-0881

