

ORDINANCE NO. 4655

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
DETERMINING THE NECESSITY OF ACQUIRING REAL
PROPERTY AND AUTHORIZING ITS APPROPRIATION
AND/OR CONDEMNATION FOR PUBLIC USE.

WHEREAS, the City Council of the City of Mesquite, Texas (the "City Council"), upon consideration of this matter, has determined that there is a public need and necessity for the health, safety and welfare of the City of Mesquite ("City") and the public at large to acquire a public trail easement and related temporary construction easement (collectively the "Easement"), the public trail easement being on a parcel of real property generally described as 0.468 acre (20,373 square feet) of property more particularly described in Exhibits "A" and "A-1," attached hereto and made a part hereof for all purposes, and the temporary construction easement on a parcel of real property generally described as 0.431 acre (18,759 square feet) (collectively the "Property") more particularly described in Exhibits "B" and "B-1," attached hereto and made a part hereof for all purposes, and both being located in Dallas County and situated in Lot 2R, Block 1, out of the Towne Center Commercial, an addition to the City of Mesquite, Texas, and the Daniel Tanner Survey, Abstract No. 1462 in Dallas County, Texas, with a street address of 2500 Towne Centre Drive; and

WHEREAS, the City Council finds acquisition of the Easement and Property is necessary for constructing, using, maintaining and operating a municipal hike and bike trail and related public improvements as a part of the Mesquite Heritage Trail, Phase 2 (the "Project"), also a part of the North Central Texas Council of Governments 2045 Regional Veloweb and the City of Mesquite Trails Master Plan for use by the citizens of the City of Mesquite and the general public (the "Public Uses"); and

WHEREAS, the City Council has investigated and determined that the Project constitutes a public use for a public purpose; and

WHEREAS, the City Council finds that the descriptions of the Property, attached hereto as Exhibits "A," "A-1," "B" and "B-1," to be acquired by eminent domain for the Project, complies with applicable law in that the same provides the property owners in and around the area reasonable notice that the owner's property may be subject to condemnation proceedings during the planning or construction of the Project; and

WHEREAS, the City is required to make an initial offer as defined by and in compliance with Texas Property Code § 21.0111 ("Initial Offer") and a bona fide offer, as defined by and in compliance with Texas Property Code § 21.0113 ("Bona Fide Offer") to acquire the Easement on the Property for public use, voluntarily, from the subject landowners prior to moving forward with the acquisition by eminent domain; and

WHEREAS, the City Council now deems it necessary to authorize the City Attorney or his designee (hereinafter collectively referred to as the "City Attorney") to initiate condemnation proceedings in order to acquire the necessary Easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council hereby finds and determines that the recitals made in the preamble of this Ordinance are true and correct, and incorporates such recitals in the body of this Ordinance as if copied in their entirety.

SECTION 2. That the City Council hereby finds and determines that a public use and necessity exists for the Public Uses and authorizes acquisition of the necessary property rights in and to the Property for such purposes, as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under and through those certain lots, tracts or parcels of lands.

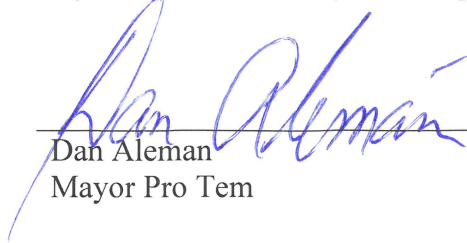
SECTION 3. That the City Council authorizes the City Attorney to negotiate for and to acquire the required property rights for the City, and to acquire said rights in compliance with State and any other applicable law. Moreover, the City Attorney, or designee, is specifically authorized and directed to do each and every act necessary to acquire the needed property rights including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts, to retain and designate a qualified appraiser of the property interests to be acquired, as well as any other experts or consultants that he deems necessary for the acquisition process and, if necessary, to institute proceedings in eminent domain.

SECTION 4. That the City Manager, or designee, is appointed as negotiator for the acquisition of the needed property interests and, as such, the City Manager or designee is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference, subject to the availability of funds appropriated by the City Council for such purpose. Further, the City Manager or designee is specifically authorized to establish the just compensation for the acquisition of the Property. Additionally, if the City Manager or designee determines that an agreement as to damages or compensation cannot be reached, then the City Attorney is hereby authorized and directed to file or cause to be filed, against the owner(s) and interested parties of the needed property interests, proceedings in eminent domain to acquire the above-stated interests in the Property.

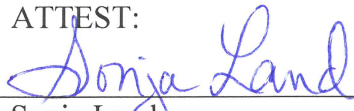
SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That this ordinance shall take effect immediately from and after its passage, and it is accordingly so passed and approved.

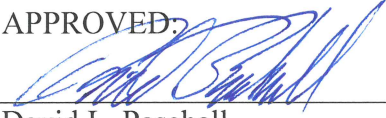
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 4th day of March 2019.



Dan Aleman
Mayor Pro Tem

ATTEST:


Sonja Land
City Secretary

APPROVED:


David L. Paschall
City Attorney

EXHIBIT "A"

BEING a 0.468 acre parcel or tract of land situated in the Daniel Tanner Survey, Abstract Number 1462, in the City of Mesquite, Dallas County, Texas, and being part of Lot 2R, Block 1 of Towne Centre Commercial, an addition to the City of Mesquite as recorded in Instrument Number 200600166908, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and being part of a tract of land described to Extra Property Holdings, LLC in a deed as recorded in Instrument Number 201900005280, O.P.R.D.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 1-inch pipe found for the south corner of said Lot 2R, said point being in the northwest line of a tract of land described to Dallas Power & Light Company as recorded in Volume 5529, Page 630, Deed Records, Dallas County, Texas (D.R.D.C.T.) and said point being in the northeast line of Lot 1 of Pyramid Addition, an addition to the City of Mesquite as recorded in Volume 95007, Page 1297, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE North 45° 44' 47" West departing the northwest line of said Dallas Power & Light Company tract and following the common line of said Lot 1, Pyramid Addition and said Lot 2R for a distance of 115.95 feet to a 5/8-inch iron rod found for a southwest corner of said Lot 2R and the south corner of Lot 1, Block 1, Towne Centre Commercial, an addition to the City of Mesquite as recorded in Volume 2002040, Page 20, M.R.D.C.T.;

THENCE North 03° 56' 43" East departing the northeast line of said Lot 1, Pyramid Addition, and following the common line of said Lot 1, Block 1 and said Lot 2R, at a distance of 369.58 feet passing the common line of Lot 3, Block 1 of said Towne Centre Commercial addition and said Lot 2R, continuing for a total distance of 485.74 feet to a northwest corner of said Lot 3, Block 1 and a northeast corner of said Lot 1, Block 1;

THENCE North 21° 23' 20" West continuing along the common line of said Lot 1, Block 1 and said Lot 3, Block 1 for a distance of 49.25 feet to the northwest corner of said Lot 3, Block 1, said point being in the southeast line of Towne Centre Drive (a variable width right-of-way) and said point being at the beginning of a curve to the left whose chord bears North 59° 41' 38" East, 144.01 feet;

THENCE departing the east line of said Lot 1, Block 1 and following the common line of said Towne Centre Drive and said Lot 3, Block 1 in a northeasterly direction along said curve to the left having a central angle of 17° 50' 06", a radius of 464.50 feet, and an arc length of 144.59 feet to the POINT OF BEGINNING, said point being the northwest corner of said Lot 2R and the north corner of Lot 3, Block 1, and said point being at the beginning of a curve to the left whose chord bears North 47° 32' 04" East , 52.54 feet

THENCE following the common line of said Towne Centre Drive and said Lot 2R, in a northeasterly direction along said curve to the left having a central angle of 06° 29' 02" , a radius of 464.50 feet, an arc length of 52.57 feet to a point for corner;

THENCE North 44° 17' 34" East continuing along said common line for a distance of 680.73 feet to the north corner of said Lot 2R, said point being the northwest corner of a tract of land described to the City of Mesquite in a deed as recorded in Volume 90158, Page 2356, D.R.D.C.T.;

THENCE South 13° 36' 32" East departing the southeast line of said Towne Centre Drive and following the common line of said Lot 2R and said City of Mesquite tract for a distance of 12.93 feet to a point for corner;

THENCE departing the common line of said Lot 2R and said City of Mesquite tract, over and across said Lot 2R the following courses and distances:

TRACT 1

0.468 ACRES (20,973 SQ. FT.)

**LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEARING BASIS:
BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).



Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 1 OF 8

EXHIBIT "A"

South 44° 09' 40" West for a distance of 84.37 feet to a point for corner at the beginning of a curve to the right whose chord bears South 65° 39' 20" East , 17.87 feet;

In a southeasterly direction along said curve to the right having a central angle of 09° 30' 35" , a radius of 107.78 feet, and an arc length of 17.89 feet to a point for corner;

South 23° 49' 03" West for a distance of 18.26 feet to a point for corner at the beginning of a curve to the right whose chord bears South 46° 04' 47" East , 38.28 feet;

In a southeasterly direction along said curve to the right having a central angle of 41° 26' 23" , a radius of 54.10 feet, and an arc length of 39.13 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 11° 38' 07" East , 13.46 feet;

In a southeasterly direction along said curve to the right having a central angle of 28° 56' 59" , a radius of 26.93 feet, and an arc length of 13.61 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 31° 35' 16" West , 16.84 feet;

In a southwesterly direction along said curve to the right having a central angle of 59° 12' 02" , a radius of 17.05 feet, an arc length of 17.62 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 11° 43' 57" East , 17.89 feet;

In a southerly direction along said curve to the right having a central angle of 07° 09' 11" , a radius of 143.41 feet, and an arc length of 17.90 feet to a point for corner;

South 07° 11' 56" East for a distance of 106.88 feet to a point for corner at the beginning of a curve to the left whose chord bears South 18° 22' 27" East , 30.89 feet;

In a southeasterly direction along said curve to the left having a central angle of 22° 21' 01" , a radius of 79.69 feet, and an arc length of 31.09 feet to a point for corner;

South 28° 30' 34" East for a distance of 8.38 feet to a point for corner;

South 61° 29' 26" West for a distance of 9.00 feet to a point for corner;

South 28° 30' 34" East for a distance of 27.01 feet to a point for corner at the beginning of a curve to the right whose chord bears South 23° 08' 00" East, 20.61 feet;

In a southeasterly direction along said curve to the right having a central angle of 10° 45' 08" , a radius of 110.00 feet, and an arc length of 20.64 feet to a point for corner;

South 17° 47' 11" East for a distance of 190.60 feet to a 1/2-inch capped iron rod found in the southeast line of said Lot 2R, said point being the southwest corner of Lot 4, Block B of Mesquite Commons, an addition to the City of Mesquite as recorded in Volume 2001094, Page 2151, M.R.D.C.T., and said point being a northwest corner of Lot 3, Block A of Mesquite Commons, an addition to the City of Mesquite as recorded in Volume 2002079, Page 4, M.R.D.C.T.;

THENCE South 44° 21' 10" West following the common line of said Lot 2R and said Lot 3 for a distance of 22.14 feet to a point for corner;

TRACT 1

0.468 ACRES (20,373 SQ. FT.)

**LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEARING BASIS:

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NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).



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JOB No. 2163-01

DFM/SPR

SHEET 2 OF 8

EXHIBIT "A"

THENCE departing the common line of said Lot 2R and said Lot 3, over and across said Lot 2R the following courses and distances:

North 22° 33' 05" West for a distance of 6.28 feet to a point for corner;

North 17° 45' 26" West for a distance of 194.70 feet to a point for corner at the beginning of a curve to the left whose chord bears North 23° 08' 00" West , 16.86 feet;

In a northwesterly direction along said curve to the left having a central angle of 10° 45' 08" , a radius of 90.00 feet, and an arc length of 16.89 feet to a point for corner;

North 28° 30' 34" West for a distance of 36.63 feet to a point for corner at the beginning of a curve to the right whose chord bears North 17° 50' 53" West , 40.70 feet;

In a northwesterly direction along said curve to the right having a central angle of 21° 19' 23", a radius of 110.00 feet, and an arc length of 40.94 feet to a point for corner;

North 07° 11' 11" West for a distance of 104.05 feet to a point for corner at the beginning of a curve to the left whose chord bears North 25° 00' 22" West , 71.00 feet;

In a northwesterly direction along said curve to the left having a central angle of 35° 38' 22", a radius of 116.00 feet, and an arc length of 72.16 feet to a point for corner;

South 45° 50' 10" West for a distance of 15.00 feet to a point for corner;

North 45° 44' 03" West for a distance of 14.01 feet to a point for corner;

South 42° 15' 19" West for a distance of 137.25 feet to a point for corner at the beginning of a curve to the right whose chord bears South 42° 40' 01" West , 44.69 feet;

In a southwesterly direction along said curve to the right having a central angle of 01° 39' 00" , a radius of 1552.07 feet, and an arc length of 44.69 feet to a point for corner;

South 44° 17' 35" West for a distance of 276.66 feet to a point for corner at the beginning of a curve to the right whose chord bears South 50° 00' 13" West , 125.40 feet;

In a southwesterly direction along said curve to the right having a central angle of 11° 17' 19", a radius of 637.51 feet, and an arc length of 125.61 feet to a point for corner in the common line of said Lot 2R and said Lot 3, Block 1;

THENCE North 39° 13' 27" West following the common line of said Lot 2R and said Lot 3, Block 1 for a distance of 2.06 feet to the POINT OF BEGINNING and containing an area of 20,373 Square Feet or 0.468 Acres of land, more or less.

David F. McCullah
David F. McCullah,
Texas Registered Professional Land
Surveyor No. 4023
February 12, 2019

2-12-19



BEARING BASIS:
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NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

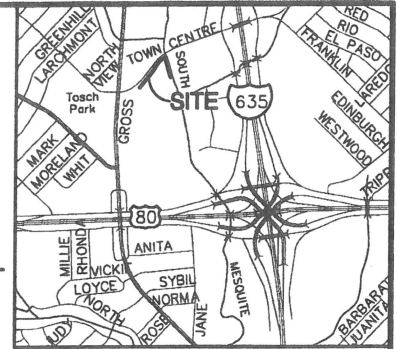
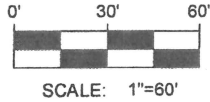
TRACT 1
0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS



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JOB No. 2163-01 DFM/SPR SHEET 3 OF 8

EXHIBIT "A-1"



Vicinity Map

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

Match Line ~ Sheet 5

L=144.59
CB=N59°41'38"E
CL=144.01
DELTA=17°50'06"
R=464.50

N21°23'20"W
49.25'

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

LOT 1, BLOCK 1
TOWNE CENTRE COMMERCIAL
VOLUME 2002040, PG. 20
M.R.D.C.T.

LOT 3, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

FEMA Zone 'X'

EXTRA PROPERTY
HOLDINGS, LLC
INST. NO. 20190005280
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

N03°56'43"E ~ 485.74'
369.58'

LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY
IPF	IRON PIN FOUND
PT.	PART

25' DRAINAGE & UTILITY ESMT.
VOL. 2001164, PG. 52
D.R.D.C.T.

5/8" CIRF

N45°44'47"W ~ 115.95'

LOT 1

PYRAMID ADDITION
VOLUME 95007, PG. 1297
M.R.D.C.T.

P.O.C.
N: 6978034.30
E: 2542182.82
1" PIPE FND

30' DRAINAGE ESMT.
VOL. 2001164, PG. 52
DALLAS POWER & LIGHT
COMPANY RIGHT-OF-WAY
VOL. 5529, PG. 630
D.R.D.C.T.

LOT 2

TRACT 1

0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

FLOOD NOTE:

ALL FLOODPLAIN INFORMATION ON THIS SURVEY IS FOR GRAPHICAL DEPICTION ONLY, AS SCALED OFF OF FEMA FIRM PANEL NO. 48113C03705, EFFECTIVE JULY 7, 2014. INHERENT INACCURACIES OF THESE MAPS PRECLUDE A SURVEYOR FROM CERTIFYING TO THE ACCURACIES OF LOCATIONS BASED ON SUCH MAPS.



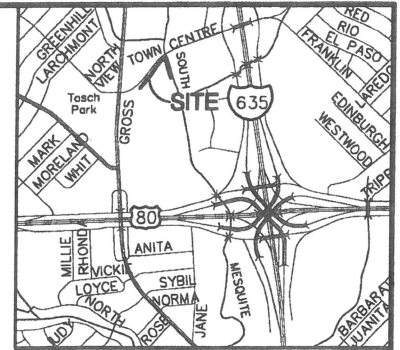
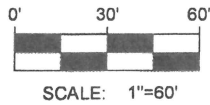
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JOB No. 2163-01 DFM/SPR SHEET 4 OF 8

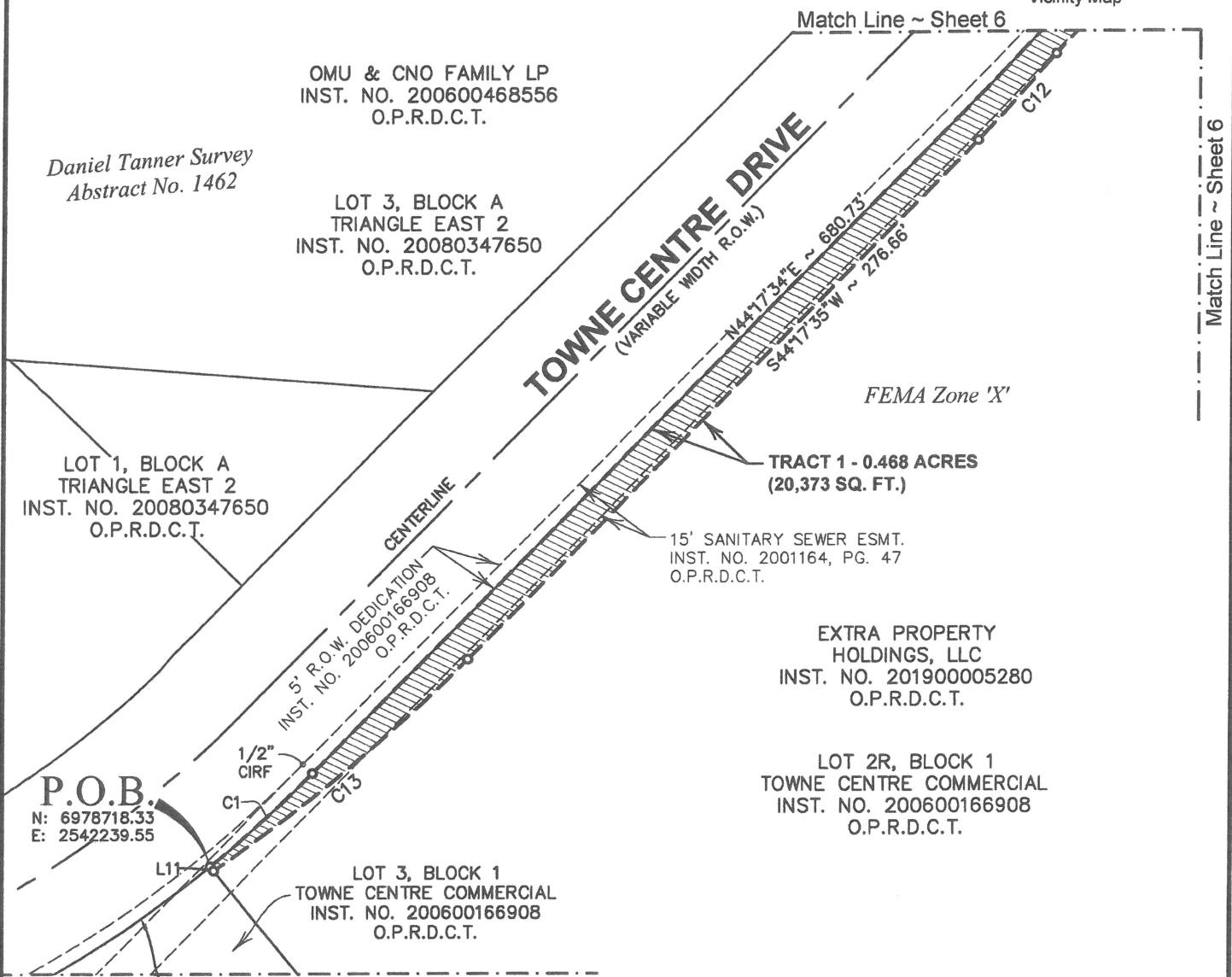
LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
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IRF	IRON ROD FOUND
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M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY
IPF	IRON PIN FOUND
PT.	PART

EXHIBIT "A-1"



Vicinity Map



OMU & CNO FAMILY LP
INST. NO. 200600468556
O.P.R.D.C.T.

Daniel Tanner Survey
Abstract No. 1462

LOT 3, BLOCK A
TRIANGLE EAST 2
INST. NO. 20080347650
O.P.R.D.C.T.

LOT 1, BLOCK A
TRIANGLE EAST 2
INST. NO. 20080347650
O.P.R.D.C.T.

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

FEMA Zone 'X'

TRACT 1 - 0.468 ACRES
(20,373 SQ. FT.)

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

EXTRA PROPERTY
HOLDINGS, LLC
INST. NO. 201900005280
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

LOT 3, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

P.O.B.
N: 6978718.33
E: 2542239.55

L=144.59
CB=N59°41'38"E
CL=144.01
DELTA=17°50'06"
R=464.50

TRACT 1
0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

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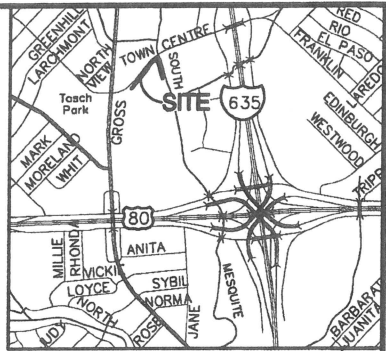
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48113C03705, EFFECTIVE JULY 7, 2014. INHERENT INACCURACIES OF
THESE MAPS PRECLUDE A SURVEYOR FROM CERTIFYING TO THE
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TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 5 OF 8

EXHIBIT "A-1"



LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

5' R.O.W. DEDICATION
INST. NO. 200600166908
O.P.R.D.C.T.

TRACT 1
0.468 ACRES
(20,373 SQ. FT.)

CITY OF MESQUITE
VOL. 90158, PG. 2356
D.R.D.C.T.

FEMA Zone 'AE'

South Mesquite Creek

VARIABLE WIDTH DRAINAGE & UTILITY EASEMENT
VOL. 2001164, PG. 42
O.P.R.D.C.T.

Daniel Tanner Survey
Abstract No. 1462

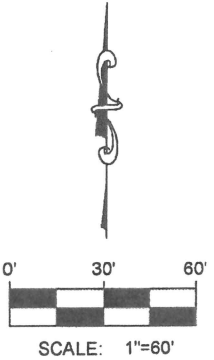
EXTRA PROPERTY HOLDINGS, LLC
INST. NO. 201900005280
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

Match Line ~ Sheet 5

Match Line ~ Sheet 5

Match Line ~ Sheet 7



TRACT 1

0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

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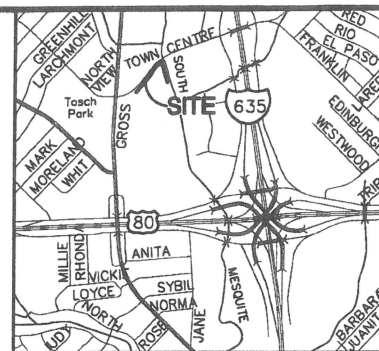
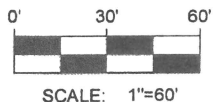
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TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 6 OF 8

LEGEND

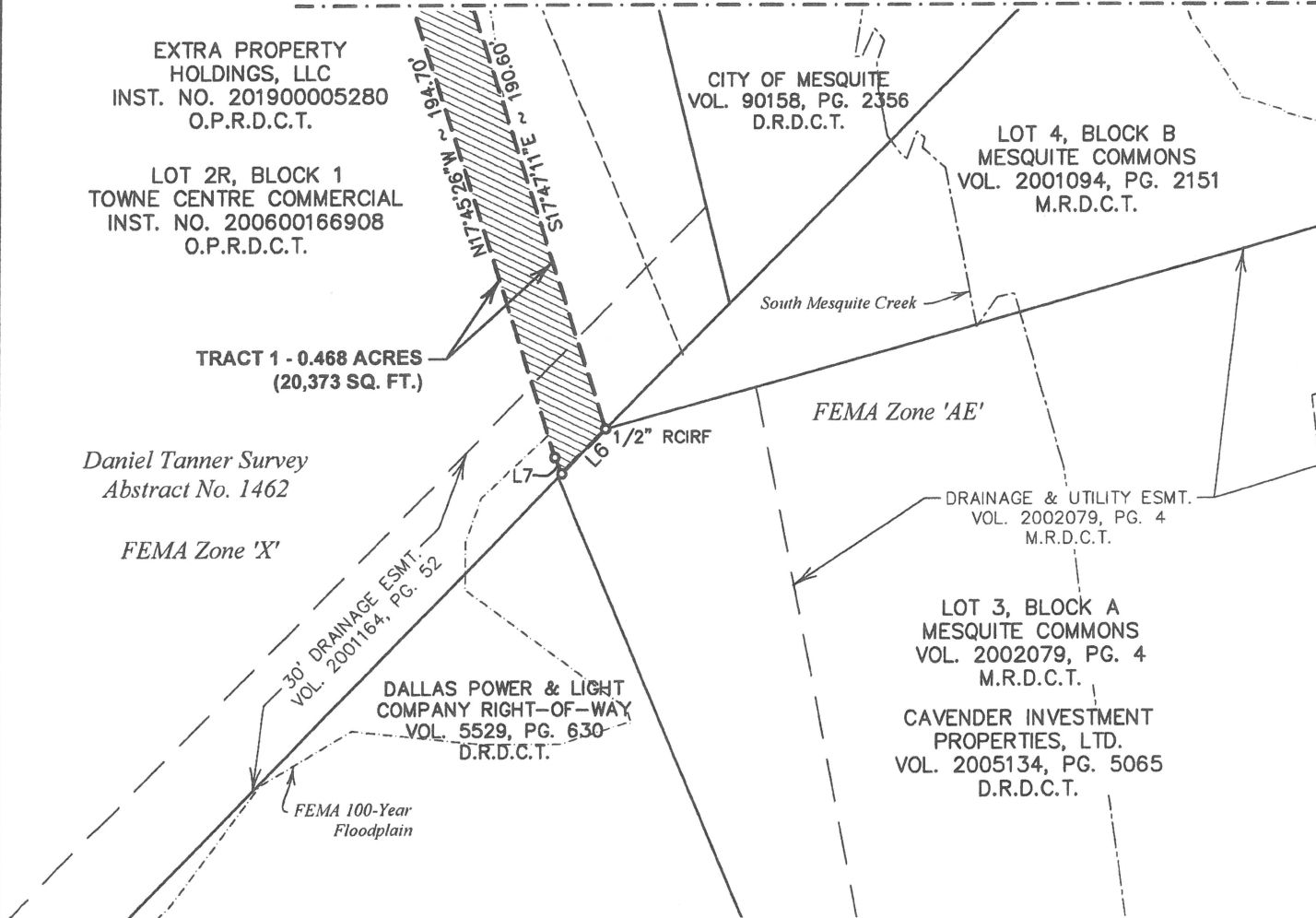
INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY

EXHIBIT "A-1"



Vicinity Map

Match Line ~ Sheet 6



TRACT 1

0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

FLOOD NOTE:

ALL FLOODPLAIN INFORMATION ON THIS SURVEY IS FOR GRAPHICAL DEPICTION ONLY, AS SCALED OFF OF FEMA FIRM PANEL NO. 48113C03705, EFFECTIVE JULY 7, 2014. INHERENT INACCURACIES OF THESE MAPS PRECLUDE A SURVEYOR FROM CERTIFYING TO THE ACCURACIES OF LOCATIONS BASED ON SUCH MAPS.



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JOB No. 2163-01 DFM/SPR SHEET 7 OF 8

EXHIBIT "A-1"

Line Table		
Line #	Length	Direction
L1	12.93'	S13°36'32"E
L2	18.26'	S23°49'03"W
L3	8.38'	S28°30'34"E
L4	9.00'	S61°29'26"W
L5	27.01'	S28°30'34"E
L6	22.14'	S44°21'10"W
L7	6.28'	N22°33'05"W
L8	36.63'	N28°30'34"W
L9	15.00'	S45°50'10"W
L10	14.01'	N45°44'03"W
L11	2.06'	N39°13'27"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	52.57'	464.50'	6°29'02"	N47°32'04"E	52.54'
C2	17.89'	107.78'	9°30'35"	S65°39'20"E	17.87'
C3	39.13'	54.10'	41°26'23"	S46°04'47"E	38.28'
C4	13.61'	26.93'	28°56'59"	S11°38'07"E	13.46'
C5	17.62'	17.05'	59°12'02"	S31°35'16"W	16.84'
C6	17.90'	143.41'	7°09'11"	S11°43'57"E	17.89'
C7	31.09'	79.69'	22°21'01"	S18°22'27"E	30.89'
C8	20.64'	110.00'	10°45'08"	S23°08'00"E	20.61'
C9	16.89'	90.00'	10°45'08"	N23°08'00"W	16.86'
C10	40.94'	110.00'	21°19'23"	N17°50'53"W	40.70'
C11	72.16'	116.00'	35°38'22"	N25°00'22"W	71.00'
C12	44.69'	1552.07'	1°39'00"	S42°40'01"W	44.69'
C13	125.61'	637.51'	11°17'19"	S50°00'13"W	125.40'

TRACT 1

**0.468 ACRES (20,373 SQ. FT.)
 LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
 IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
 NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).



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JOB No. 2163-01 DFM/SPR SHEET 8 OF 8

**TEMPORARY CONSTRUCTION EASEMENT
BEING 18,759 SQUARE FEET (0.431 ACRES)
PART OF LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BEING a 0.431-acre parcel or tract of land situated in the Daniel Tanner Survey, Abstract Number 1462, in the City of Mesquite, Dallas County, Texas, and being part of Lot 2R, Block 1 of Towne Centre Commercial, an addition to the City of Mesquite as recorded in Instrument Number 200600166908, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and being part of a tract of land described to Extra Property Holdings, LLC in a deed as recorded in Instrument Number 201900005280, O.P.R.D.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a one-inch pipe found for the south corner of said Lot 2R, said point being in the northwest line of a tract of land described to Dallas Power & Light Company as recorded in Volume 5529, Page 630, Deed Records, Dallas County, Texas (D.R.D.C.T.) and in the northeast line of Lot 1 of Pyramid Addition, an addition to the City of Mesquite as recorded in Volume 95007, Page 1297, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE North 45 degrees 44 minutes 47 seconds West, along the common line of said Lot 1, Pyramid Addition and said Lot 2R for a distance of 115.95 feet to a five-eighths inch capped iron rod found at the southwest corner of said Lot 2R and the south corner of Lot 1, Block 1, Towne Centre Commercial, an addition to the City of Mesquite as recorded in Volume 2002040, Page 20, M.R.D.C.T.;

THENCE North 03 degrees 56 minutes 43 seconds East, departing the northeast line of said Lot 1, Pyramid Addition and following the common line of said Lot 1, Block 1 and said Lot 2R, at a distance of 369.58 feet passing the common line of Lot 3, Block 1 of said Towne Centre Commercial addition and said Lot 2R, continuing for a total distance of 485.74 feet to a northwest corner of said Lot 3, Block 1 and a northeast corner of said Lot 1, Block 1;

THENCE North 21 degrees 23 minutes 20 seconds West continuing along the common line of said Lot 1, Block 1 and said Lot 3, Block 1 for a distance of 49.25 feet to the northwest corner of said Lot 3, Block 1, said point being in the southeast line of Towne Centre Drive (a variable width right-of-way) and the beginning of a non-tangent curve to the left;

THENCE departing the east line of said Lot 1, Block 1 and following the common line of said Towne Centre Drive and said Lot 3, Block 1 and in a northeasterly direction along said non-tangent curve to the left, having a central angle of 17 degrees 50 minutes 06 seconds, a radius of 464.50 feet, and a chord bearing and distance of North 59 degrees 41 minutes 38 seconds East, 114.01 feet, an arc distance of 144.59 feet to a point for corner, said point being the northwest corner of said Lot 2R, the north corner of Lot 3, Block 1 and the end of said non-tangent curve;

THENCE South 39 degrees 13 minutes 27 seconds East, departing the common line of said Town Centre Drive and said Lot 2R, 2.06 feet to a point for corner, said point being the POINT OF BEGINNING and the beginning of a non-tangent curve to the left;

THENCE over and across said Lot 2R the following courses and distances:

In a northeasterly direction along said non-tangent curve to the left, having a central angle of 11 degrees 17 minutes 19 seconds, a radius of 637.51 feet, and a chord bearing and distance of North 50 degrees 00 minutes 13 seconds East, 125.40 feet, an arc length of 125.61 feet to a point for corner, said point being the end of said non-tangent curve;

**TEMPORARY CONSTRUCTION
EASEMENT
18,759 SQ. FT. (0.431 ACRES)
PART OF LOT 2R, BLOCK 1, TOWNE CENTRE
COMMERCIAL
DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



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EXHIBIT "B"

North 44 degrees 17 minutes 35 seconds East, 276.66 feet to a point for corner, said point being the beginning of a non-tangent curve to the left;

In a northeasterly direction along said non-tangent curve to the left, having a central angle of 01 degrees 39 minutes 00 seconds, a radius of 1,552.07 feet, and a chord bearing and distance of North 42 degrees 40 minutes 01 seconds East, 44.69 feet, an arc length of 44.69 feet to a point for corner, said point being the end of said tangent curve;

North 42 degrees 15 minutes 19 seconds East, 137.25 feet to a point for corner;

South 45 degrees 44 minutes 03 seconds East, 14.01 feet to a point for corner;

North 45 degrees 50 minutes 10 seconds East, 15.00 feet to a point for corner, said point being the beginning of a non-tangent curve to the right;

In a southeasterly direction along said non-tangent curve to the right, having a central angle of 35 degrees 38 minutes 22 seconds, a radius of 116.00 feet, and a chord bearing and distance of South 25 degrees 00 minutes 22 seconds East, 71.00 feet, an arc length of 72.16 feet to a point for corner, said point being the end of said non-tangent curve;

South 07 degrees 11 minutes 11 seconds East, 104.05 feet to a point for corner, said point being the beginning of a tangent curve to the left;

In a southerly direction along said tangent curve to the left, having a central angle of 21 degrees 19 minutes 23 seconds, a radius of 110.00 feet, and a chord bearing and distance of South 17 degrees 50 minutes 53 seconds East, 40.70 feet, an arc length of 40.94 feet to a point for corner, said point being the end of said tangent curve;

South 28 degrees 30 minutes 34 seconds East, 36.63 feet to a point for corner, said point being the beginning of a tangent curve to the right;

In a southerly direction along said tangent curve to the right, having a central angle of 10 degrees 45 minutes 08 seconds, a radius of 90.00 feet, and a chord bearing and distance of South 23 degrees 08 minutes 00 seconds East, 16.86 feet, an arc length of 16.89 feet to a point for corner, said point being the end of said tangent curve;

South 17 degrees 45 minutes 26 seconds East, 167.80 feet to a point for corner;

South 44 degrees 12 minutes 59 seconds West, 55.50 feet to a point for corner;

North 00 degrees 53 minutes 49 seconds East, 38.01 feet to a point for corner;

North 00 degrees 45 minutes 07 seconds West, 35.02 feet to a point for corner;

North 12 degrees 06 minutes 48 seconds West, 22.66 feet to a point for corner;

North 07 degrees 18 minutes 27 seconds West, 33.89 feet to a point for corner;

North 12 degrees 33 minutes 14 seconds West, 28.04 feet to a point for corner;

North 18 degrees 00 minutes 08 seconds West, 28.75 feet to a point for corner;

North 27 degrees 31 minutes 16 seconds West, 65.87 feet to a point for corner;

North 27 degrees 31 minutes 25 seconds West, 15.94 feet to a point for corner;

**TEMPORARY CONSTRUCTION
EASEMENT**

18,759 SQ. FT. (0.431 ACRES)

**PART OF LOT 2R, BLOCK 1, TOWNE CENTRE
COMMERCIAL**

**DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



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Q:\NTX_Survey\Survey Data\Mesquite- Heritage Trail\04_CAD_Temp Const Esmt\2163-00_ESMT01_MHT.dwg 2019-02-12-09:32 jiondon

EXHIBIT "B"

North 21 degrees 33 minutes 17 seconds West, 9.18 feet to a point for corner;
North 11 degrees 27 minutes 16 seconds West, 46.60 feet to a point for corner;
North 09 degrees 49 minutes 16 seconds West, 48.38 feet to a point for corner;
North 05 degrees 40 minutes 34 seconds West, 35.59 feet to a point for corner;

Due North, 5.95 feet to a point for corner;

North 69 degrees 04 minutes 41 seconds West, 28.75 feet to a point for corner;

South 46 degrees 44 minutes 33 seconds West, 554.16 feet to a point for corner, said point being in the common line of said Lot 2R and said Lot 3, Block 1;

THENCE North 39 degrees 13 minutes 27 seconds West, with said common line, 12.94 feet to the POINT OF BEGINNING, and containing a total area of 0.4307 acres (18,759 square feet) of land, more or less.

All bearings shown hereon are correlated to the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, adjustment realization 2011.

A plat of survey of even date shown hereon has been prepared in conjunction with this legal description.

David F. McCullah 2-12-19

David F. McCullah Date
Registered Professional Land Surveyor No. 4023
BGE, Inc.
2595 Dallas Pkwy, Ste. 101, Frisco, TX 75034
(972) 484-4800
TBPLS Licensed Surveying Firm No. 10193953



**TEMPORARY CONSTRUCTION
EASEMENT**
18,759 SQ. FT. (0.431 ACRES)
**PART OF LOT 2R, BLOCK 1, TOWNE CENTRE
COMMERCIAL**
**DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



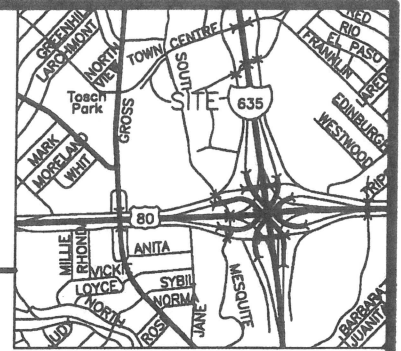
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EXHIBIT "B-1"

TOWNE CENTRE DRIVE
(VARIABLE-WIDTH RIGHT-OF-WAY)

MATCH LINE - SHEET 5



VICINITY MAP

LOT 2R, BLOCK 1
TOWNE CENTRE
COMMERCIAL
INST. NO.
200600166908
O.P.R.D.C.T.
EXTRA PROPERTY
HOLDINGS, LLC
INST. NO. 201900005280
O.P.R.D.C.T.

LOT 1, BLOCK 1
TOWNE CENTRE
COMMERCIAL
VOL. 2002040, PG. 20
M.R.D.C.T.

LOT 3, BLOCK 1
TOWNE CENTRE
COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

$\Delta = 17^{\circ}50'06''$
 $R = 464.50'$
 $CB = N59^{\circ}41'38''E$
 $CD = 144.01'$
 $L = 144.59'$

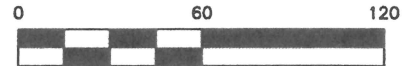
$N21^{\circ}23'20''W$
49.25'

20

485.74'

$N03^{\circ}56'43''E$

369.58'



1 INCH = 60 FEET

25' DRAINAGE & UTILITY ESMT.
VOL. 2001164, PG. 52
D.R.D.C.T.

5/8" CIRF (C.M.)

LOT 1

PYRAMID ADDITION
VOL. 95007, PG. 1297
M.R.D.C.T.

$N45^{\circ}44'47''W$

30' DRAINAGE ESMT.
VOL. 2001164, PG. 52

115.95'

DALLAS POWER & LIGHT
COMPANY RIGHT-OF-WAY
VOL. 5529, PG. 630
D.R.D.C.T.

LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS

TEMPORARY CONSTRUCTION EASEMENT

18,759 SQ. FT. (0.431 ACRES)
PART OF LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL

DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS



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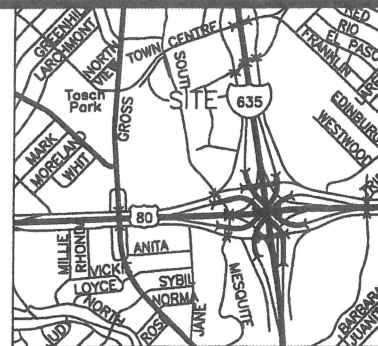
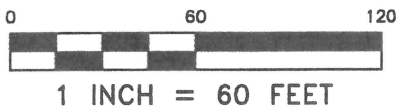
A LEGAL DESCRIPTION OF EVEN DATE SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THIS PLAT OF SURVEY.

LOT 2 P.O.C.
1" PIPE FND (C.M.)

LEGEND

INST. NO. INSTRUMENT NUMBER
 D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 PG. PAGE
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCING
 VOL. VOLUME
 IRF IRON ROD FOUND
 (CM) CONTROLLING MONUMENT
 M.R.D.C.T. MAP RECORDS, DALLAS COUNTY

EXHIBIT "B-1"



VICINITY MAP

OMU & CNO FAMILY LP
 INST. NO. 200600468556
 O.P.R.D.C.T.

DANIEL TANNER SURVEY
 ABSTRACT NUMBER 1462

LOT 3, BLOCK A
 TRIANGLE EAST 2
 INST. NO.
 20080347650
 O.P.R.D.C.T.

LOT 1, BLOCK A
 TRIANGLE EAST 2
 INST. NO.
 20080347650
 O.P.R.D.C.T.

TOWNE CENTRE DRIVE
 (VARIABLE WIDTH RIGHT-OF-WAY)
 TRAIL ESMT.

N44°17'35"E 276.66'
 S46°44'33"W 554.16'

ZONE "X"

15' SANITARY SEWER ESMT.
 INST. NO. 2001164, PG. 47
 O.P.R.D.C.T.

LOT 2R, BLOCK 1
 TOWNE CENTRE
 COMMERCIAL
 INST. NO.
 200600166908
 O.P.R.D.C.T.

**TEMPORARY
 CONSTRUCTION ESMT.
 (0.431 ACRES)**

EXTRA PROPERTY
 HOLDINGS, LLC
 INST. NO. 201900005280
 O.P.R.D.C.T.

**TEMPORARY CONSTRUCTION
 EASEMENT**

**18,759 SQ. FT. (0.431 ACRES)
 PART OF LOT 2R, BLOCK 1, TOWNE CENTRE
 COMMERCIAL**

**DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS**



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 4202, NORTH AMERICAN DATUM OF 1983, (2011).

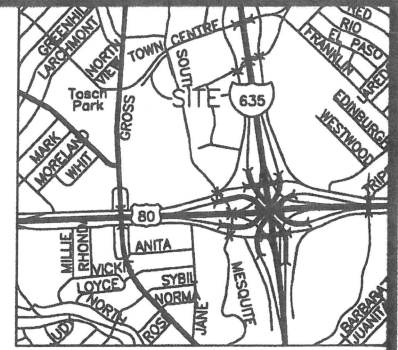
A LEGAL DESCRIPTION OF EVEN DATE SHOWN
 HEREON WAS PREPARED IN CONJUNCTION WITH
 THIS PLAT OF SURVEY.

Q:\NTX Survey\Survey Data\Mesquite- Heritage Trail\04_CAD\Temp Const Esmt\2163-00_ESMT01_MHT.dwg 2019-02-12-09:32 jiondon

LEGEND

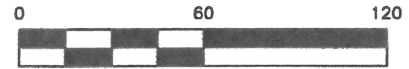
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O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY

EXHIBIT "B-1"



VICINITY MAP

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.



1 INCH = 60 FEET

CITY OF MESQUITE
VOL. 90158, PG. 2356
D.R.D.C.T.

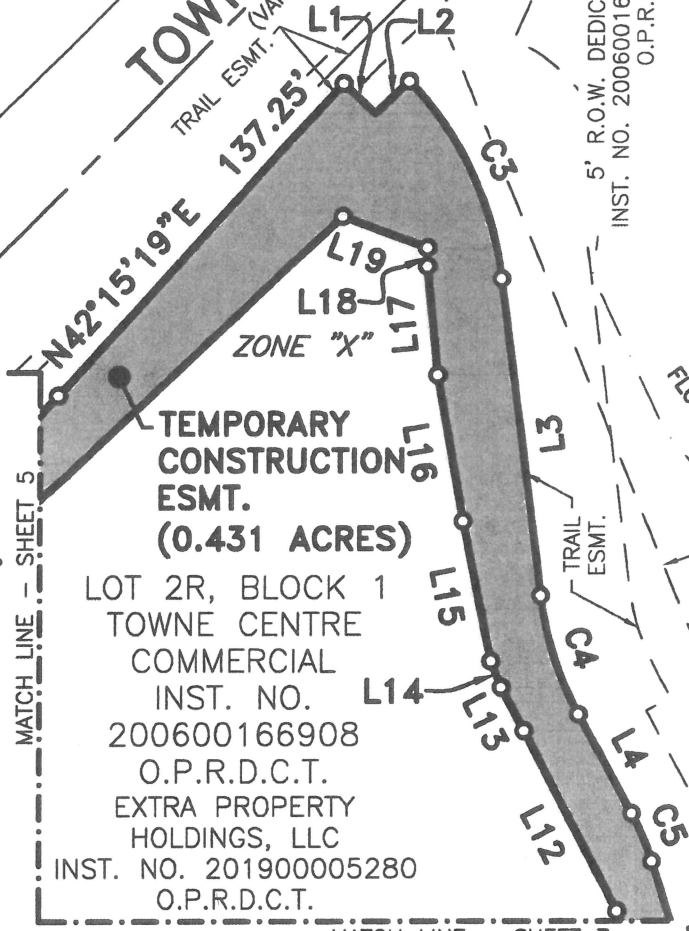
ZONE "AE"

SOUTH MESQUITE CREEK

VARIABLE WIDTH DRAINAGE & UTILITY EASEMENT
VOL. 2001164, PG. 42
O.P.R.D.C.T.

DANIEL TANNER SURVEY
ABSTRACT NUMBER 1462

TOWNE CENTRE DRIVE
(VARIABLE WIDTH RIGHT-OF-WAY)



TEMPORARY CONSTRUCTION ESMT. (0.431 ACRES)

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.
EXTRA PROPERTY HOLDINGS, LLC
INST. NO. 201900005280
O.P.R.D.C.T.

TEMPORARY CONSTRUCTION EASEMENT

18,759 SQ. FT. (0.431 ACRES)
PART OF LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL

DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS



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FLOOD NOTE:

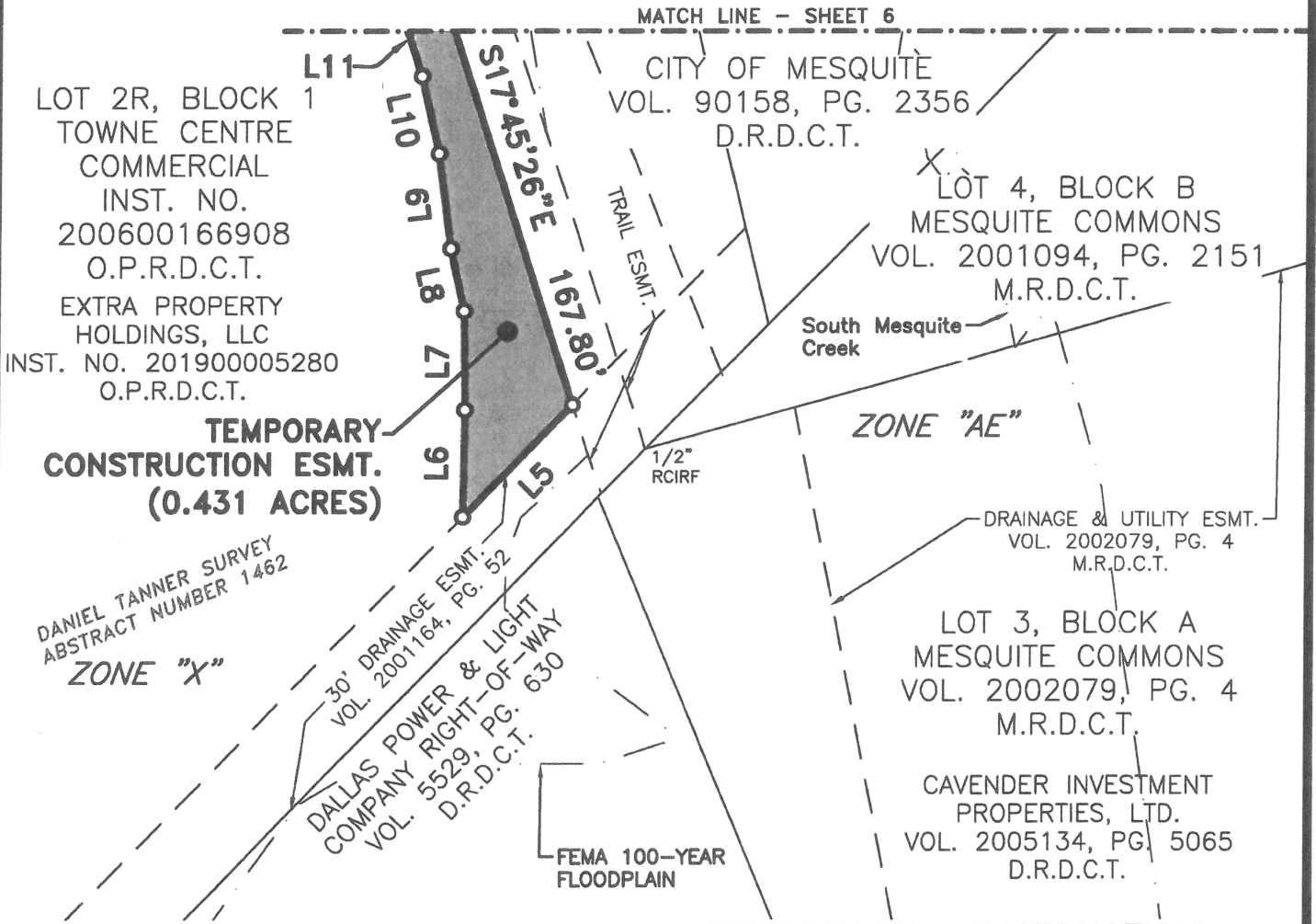
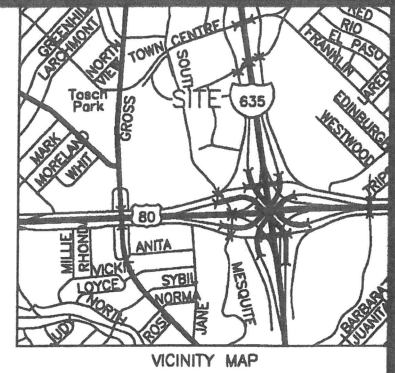
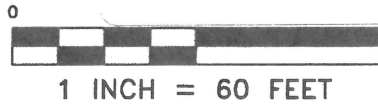
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A LEGAL DESCRIPTION OF EVEN DATE SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THIS PLAT OF SURVEY.

LEGEND

INST. NO. INSTRUMENT NUMBER
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 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 PG. PAGE
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCING
 VOL. VOLUME
 IRF IRON ROD FOUND
 (CM) CONTROLLING MONUMENT
 M.R.D.C.T. MAP RECORDS, DALLAS COUNTY
 ROW RIGHT OF WAY

EXHIBIT "B-1"



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 OF FEMA FIRM PANEL NO. 48113C03705,
 EFFECTIVE JULY 7, 2014. INHERENT
 INACCURACIES OF THESE MAPS PRECLUDE A
 SURVEYOR FROM CERTIFYING TO THE ACCURACIES
 OF LOCATIONS BASED ON SUCH MAPS.

**TEMPORARY CONSTRUCTION
 EASEMENT**
18,759 SQ. FT. (0.431 ACRES)
**PART OF LOT 2R, BLOCK 1, TOWNE CENTRE
 COMMERCIAL**
**DANIEL TANNER SURVEY, ABSTRACT NUMBER 1462
 CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

BGE, Inc.
 2595 Dallas Parkway, Suite 101, Frisco, TX 75034
 Tel: 972-464-4800 • www.bgeinc.com
 TBPLS Licensed Surveying Firm No. 10193953

A LEGAL DESCRIPTION OF EVEN DATE SHOWN
 HEREON WAS PREPARED IN CONJUNCTION WITH
 THIS PLAT OF SURVEY.

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EXHIBIT "B-1"

LINE TABLE			LINE TABLE		
NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE
L1	S45°44'03"E	14.01'	L11	N18°00'08"W	28.75'
L2	N45°50'10"E	15.00'	L12	N27°31'16"W	65.87'
L3	S07°11'11"E	104.05'	L13	N27°31'25"W	15.94'
L4	S28°30'34"E	36.63'	L14	N21°33'17"W	9.18'
L5	S44°12'59"W	55.50'	L15	N11°27'16"W	46.60'
L6	N00°53'49"E	38.01'	L16	N09°49'16"W	48.38'
L7	N00°45'07"W	35.02'	L17	N05°40'34"W	35.59'
L8	N12°06'48"W	22.66'	L18	N00°00'00"E	5.95'
L9	N07°18'27"W	33.89'	L19	N69°04'41"W	28.75'
L10	N12°33'14"W	28.04'	L20	N39°13'27"W	12.94'

CURVE TABLE					
NUMBER	DELTA	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	11°17'19"	637.51'	125.61'	N50°00'13"E	125.40'
C2	1°39'00"	1552.07'	44.69'	N42°40'01"E	44.69'
C3	35°38'22"	116.00'	72.16'	S25°00'22"E	71.00'
C4	21°19'23"	110.00'	40.94'	S17°50'53"E	40.70'
C5	10°45'08"	90.00'	16.89'	S23°08'00"E	16.86'

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EASEMENT**

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