

RESOLUTION NO. 37-2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE EXCHANGE OF PROPERTY WITH THE MESQUITE INDEPENDENT SCHOOL DISTRICT (“MISD”) FOR THE FUTURE CONSTRUCTION OF A PUBLIC SCHOOL ON APPROXIMATELY 15 ACRES OF CITY-OWNED PROPERTY LOCATED AT 1800 MCKENZIE ROAD, MESQUITE, TEXAS, IN EXCHANGE FOR APPROXIMATELY 22 ACRES OF MISD PROPERTY LOCATED AT OR ABOUT 992599 MCKENZIE ROAD, MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXCHANGE AGREEMENT WITH MISD AND ALL DOCUMENTS NECESSARY TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED IN THE EXCHANGE AGREEMENT.

WHEREAS, the Mesquite Independent School District (“**MISD**”) owns approximately 22 acres consisting of multiple tracts of land located at or about 992599 McKenzie Road, City of Mesquite, Dallas County, Texas (“**MISD Tracts**”), said MISD Tracts being more particularly described in Exhibit A attached to the Agreement For Exchange of Real Property attached hereto as Exhibit 1 and made a part hereof for all purposes (“**Exchange Agreement**”); and

WHEREAS, the City of Mesquite (“**City**”) owns an approximately 15 acres located at 1800 McKenzie Road, City of Mesquite, Dallas County, Texas (“**City Tract**”), said City Tract being more particularly described in Exhibit B attached to the Exchange Agreement; and

WHEREAS, the City Tract and MISD Tracts are depicted on Exhibit 2 hereto, with the City Tract designated as area “B” and the MISD Tracts designated as area “A”; and

WHEREAS, the City Tract and the MISD Tracts are in close proximity to each other; and

WHEREAS, both City and MISD are governmental entities with the power of eminent domain; and

WHEREAS, the City and MISD are proposing a mutual property exchange to support long-term community growth and planning; and

WHEREAS, the City will convey the 15-acre City Tract to MISD, which has been identified as a site for the construction of a future public school facility (“**Project**”); and

WHEREAS, the City will receive the 22-acres of the MISD Tracts currently owned by MISD, strategically setting up the City for future growth and expansion of parks and recreation services; and

WHEREAS, the City Council makes the findings and decisions more fully set forth herein.

Administration / Property Exchange with MISD

October 5, 2026

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Mesquite, Texas (“**City Council**”), and they are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. The City Council hereby finds and determines that: (i) the Project requires the use or taking of the City Tract; (ii) there is no feasible and prudent alternative to the use or taking of the City Tract; and (iii) the Project includes all reasonable planning to minimize harm to the City Tract as a park resulting from such use or taking.

SECTION 3. The City Council approves the Project and the transfer of the City Tract to the MISD in exchange for the transfer of the MISD Tracts to the City.

SECTION 4. The City Council approves the terms and provisions of the Exchange Agreement attached hereto as Exhibit 1 and authorizes the City Manager to execute the Exchange Agreement and all documents necessary to consummate the transactions contemplated therein including, without limitation, all documents necessary to transfer the City Tract to MISD in exchange for the transfer of the MISD Tracts to the City.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 5th day of October 2026.

Signed by:

Daniel Alemán, Jr.

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Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

DocuSigned by:

Sonja Land

C2518095973F46A...

Sonja Land
City Secretary

Signed by:

David L. Paschall

666E18891208434...

David L. Paschall
City Attorney

EXHIBIT 1

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

AGREEMENT FOR EXCHANGE OF REAL PROPERTY

This agreement for the exchange of real property is made by and between Mesquite Independent School District (“**MISD**”) and the City of Mesquite (“**City**”).

Recitals

MISD is an independent school district duly organized and existing under and by virtue of the laws of the State of Texas.

City is a Texas home rule municipality duly organized and existing under and by virtue of the laws of the State of Texas.

MISD owns fee simple title to the real property legally described in **Exhibit A** appended to this agreement.

City owns fee simple title to the real property legally described in **Exhibit B** appended to this agreement.

City desires to acquire fee simple title to the real property described in Exhibit A from MISD for the public purpose of parkland expansion. MISD desires to acquire fee simple title to the real property described in Exhibit B from City for the public purpose of construction of a public school.

The tracts of real property described in Exhibits A and B are located in close proximity to each other and are of equal value and similar size.

MISD and City have found and determined, and by this agreement find and determine, that the properties described in Exhibits A and B will carry out a purpose, when conveyed to the other, that benefits the public interest of each granting political subdivision.

MISD and City desire and intend to make an exchange of the properties described in Exhibits A and B pursuant to authority granted to City and MISD by Section 272.001(1) Texas Local Government Code.

Both MISD and City are governmental entities with the power of eminent domain to condemn each other's lands for a paramount public use or need.

Due to the site requirements for the MISD's school construction and future expansion of the City's park area, there is no feasible alternative to the use of the tracts to be exchanged.

The exchange contemplated by this agreement includes all reasonable planning to minimize harm to the land being exchanged.

Accordingly, for Ten Dollars (\$10.00) and other good and valuable consideration, MISD and City agree as follows:

Agreement, Terms and Conditions

1. The Recitals contained above, and Exhibits A and B hereto, are incorporated in this agreement for all purposes.
2. MISD agrees to transfer the real property described in Exhibit A to City.
3. City agrees to transfer the real property described in Exhibit B to MISD.
4. MISD warrants and represents to City that, at time of closing, it will convey good and indefeasible fee simple title to the real property described in Exhibit A to City subject to any easements, reservations, conditions, agreements, instruments, covenants and restrictive covenants

which are visible or apparent or as the same appear of record in the public records of Dallas County, Texas.

5. City warrants and represents to MISD that, at time of closing, it will convey good and indefeasible fee simple title to the real property described in Exhibit B to MISD subject to any easements, reservations, conditions, agreements, instruments, covenants and restrictive covenants which are visible or apparent or as the same appear of record in the public records of Dallas County, Texas.

6. The closing under this agreement shall take place within thirty (30) days of the enactment of resolutions of MISD's Board of Trustees and City's City Council approving this transaction, or such other time as mutually agreed by MISD and the City.

7. At closing, MISD shall deliver a Special Warranty Deed to City transferring the real property described in Exhibit A to the City subject to the matters set forth in Section 4 above; and, City shall deliver a Special Warranty Deed to MISD transferring the real property described in Exhibit B to MISD subject to the matters set forth in Section 5 above.

8. MISD agrees the real property described in Exhibit B shall be used for the public purpose of construction of a public school.

9. City agrees the real property described in Exhibit A shall be used for the public purpose of a public park.

10. All closing costs shall be paid equally by MISD and City.

11. This agreement contains the complete agreement between the parties and cannot be modified except through the written agreement of the parties.

12. The terms of this agreement shall survive closing and shall not merge with any deeds delivered by the parties.

13. This agreement shall be construed and interpreted under and in accordance with the laws of the State of Texas; and, is wholly performable in Dallas County, Texas.

14. Any party to this agreement who is a prevailing party in a legal proceeding against the other party brought under or in relation to this agreement shall not be entitled to recover from the other party reasonable attorney's fees and costs of litigation.

16. MISD and City agree that the title and right to possession of the real properties described in Exhibits A and B shall revert to the granting political subdivision if the acquiring political subdivision ceases to use the land in carrying out the public purpose set out and defined in this agreement.

Dated: _____, 2026.

Attest:

Mesquite Independent School District

Secretary

By: _____
Board President

Attest:

City of Mesquite

City Secretary

By: _____
Cliff Keheley, City Manager

EXHIBIT A

MISD Property to be Conveyed to City

DESCRIPTION – TRACT 1

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, said tract being shown as Lake Side Road in Block K, Meadow Lake Addition, an unrecorded plat and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with DAA cap found in the northeast right-of-way line of McKenzie Road (60' right-of-way), said iron rod being the most southerly corner of The Hills at Tealwood, Phase 2, an addition to the City of Mesquite, as recorded in Volume 2003227, Page 00237, Plat Records, Dallas County, Texas, from whence a 1/2 inch iron rod found with AB&A cap bears S 30°30'06" W, a distance of 12.97 feet;

THENCE with the southeast line of said The Hills at Tealwood, Phase 2, the following;

North 44°25'47" East, leaving said right-of-way, a distance of 238.38 feet to a 5/8 inch iron rod found for corner;

Along a curve to the right, an arc length of 125.86 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 77°52'26", a radius of 92.60 feet, a tangent length of 74.82 feet, a chord bearing of N 83°21'49" E, and a chord length of 116.39 feet;

South 57°47'38" East, a distance of 100.36 feet to a 1/2 inch iron rod found for corner;

Along a curve to the left, an arc length of 109.85 feet to a 1/2 inch iron rod found for corner, said curve having a central angle of 54°34'06", a radius of 115.34 feet, a tangent length of 59.49 feet, a chord bearing of S 84°58'24" E, and a chord length of 105.74 feet;

North 67°39'28" East, a distance of 114.55 feet to a 1/2 inch iron rod found for corner;

Along a curve to the left, an arc length of 222.11 feet to a 1/2 inch iron rod found for corner, said curve having a central angle of 58°46'52", a radius of 216.50 feet, a tangent length of 121.94 feet, a chord bearing of N 38°12'11" E, and a chord length of 212.50 feet;

North 09°03'03" East, a distance of 39.97 feet to a 1/2 inch iron rod with DAA cap found for corner, said iron rod also being the most southerly corner of The Hills at Tealwood, Phase 1, an addition to the City of Mesquite, as recorded in Volume 2003168, Page 00094, Plat Records, Dallas County, Texas;

THENCE North 78°56'14" East, with the southerly line of said The Hills At Tealwood, Phase 1, a distance of 63.90 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE South 09°03'05" West, a distance of 61.69 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the right, an arc length of 283.67 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 58°46'52", a radius of 276.50 feet, a tangent length of 155.74 feet, a chord bearing S 38°12'11" W, and a chord length of 271.39 feet;

THENCE South 67°39'28" West, a distance of 114.70 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the right, an arc length of 166.88 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 54°31'57", a radius of 175.34 feet, a tangent length of 90.37 feet, a chord bearing N 84°59'29" W, and a chord length of 160.66 feet;

THENCE North 57°47'38" West, a distance of 100.46 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the left, an arc length of 44.31 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 77°52'26", a radius of 32.60 feet, a tangent length of 26.34 feet, a chord bearing S 83°21'49" W, and a chord length of 40.98 feet;

THENCE South 44°25'47" West, a distance of 238.27 feet to a 1/2 inch iron rod with NDM cap set for corner in the northeast right-of-way of the aforementioned McKenzie Road;

THENCE North 45°40'36" West, with said northeast right-of-way, a distance of 60.00 feet to the POINT OF BEGINNING and containing 1.3506 acres or 58,832 square feet of land, more or less.

DESCRIPTION – TRACT 2

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, said tract also known as Lots 13 – 34, Block K of Meadow Lake Addition, an unrecorded plat, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with NDM cap set for corner in the northeast right-of-way line of McKenzie Road (60' right-of-way) from whence a 1/2 inch iron rod found with DAA yellow cap found for the most southerly corner of The Hills at Tealwood, Phase 2, an addition to the City of Mesquite, as recorded in Volume 2003227, Page 00237, Plat Records, Dallas County, Texas bears N 45°40'36" W, a distance of 60.00 feet;

THENCE North 44°25'47" East, leaving said right-of-way, a distance of 238.27 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the right, an arc length of 44.31 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 77°52'26", a radius of 32.60 feet, a tangent length of 26.34 feet, a chord bearing N 83°21'49" E, and a chord length of 40.98 feet;

THENCE South 57°47'38" East, a distance of 100.46 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the left, an arc length of 166.88 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 54°31'57", a radius of 175.34 feet, a tangent length of 90.37 feet, a chord bearing S 84°59'29" E, and a chord length of 160.66 feet;

THENCE North 67°39'28" East, a distance of 114.70 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE along a curve to the left, an arc length of 283.67 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 58°46'52", a radius of 276.50 feet, a tangent length of 155.74 feet, a chord bearing N 38°12'11" E, and a chord length of 271.39 feet;

THENCE North 09°03'05" East, a distance of 61.69 feet to a 1/2 inch iron rod with NDM cap set for corner in the southerly line of The Hills at Tealwood, Phase 1, an addition to the City of Mesquite, as recorded in Volume 2003168, Page 00094, Plat Records, Dallas County, Texas;

THENCE North 78°56'14" East, with said southerly line, a distance of 221.19 feet to a 1/2 inch iron rod found for a southerly corner of said The Hills at Tealwood, Phase 1, and the most westerly corner of a tract of land described as Tract 1 to the City of Mesquite as recorded in Volume 94131, Page 00491, Deed Records, Dallas County, Texas, from whence a 5/8 inch iron rod found bears S 75°13'32" E, a distance of 1.21 feet;

THENCE South 44°54'50" East, with a southwest line of said Tract 1, a distance of 606.98 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE South 44°17'22" West, leaving said southwest line of Tract 1, a distance of 833.06 feet to a 1/2 inch iron rod with NDM cap set for corner in the aforementioned northeast right-of-way line of McKenzie Road;

THENCE with said northeast right-of-way the following;

Along a curve to the left, an arc length of 130.24 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 08°58'25", a radius of 831.58 feet, a tangent length of 65.25 feet, a chord bearing N 71°20'40" W, and a chord length of 130.11 feet;

Along a curve to the right, an arc length of 401.59 feet to a 1/2 inch iron rod with NDM cap set for corner, from whence a 3/4 inch iron rod found bears N 79°02'52" W, a distance of 1.86 feet, said curve having a central angle of 30°05'16", a radius of 764.74 feet, a tangent length of 205.54 feet, a chord bearing N 60°43'14" W, and a chord length of 396.99 feet;

North 45°40'36" West, a distance of 462.06 feet to the POINT OF BEGINNING and containing 16.8248 acres or 732,888 square feet of land, more or less.

DESCRIPTION – TRACT 3

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, said tract being shown as an unnamed road in Block K, Meadow Lake Addition, an unrecorded plat and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with NDM cap set in the northeast right-of-way line of McKenzie Road (60' right-of-way), from whence a 1/2 inch iron rod set for a westerly corner of a tract of land described as Tract 1 to the City of Mesquite as recorded in Volume 94131, Page 00491, Deed Records, Dallas County, Texas bears S 57°38'04" E, a distance of 161.48 feet;

THENCE with said northeast right-of-way, along a curve to the left, an arc length of 52.99 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 03°39'04", a radius of 831.58 feet, a tangent length of 26.51 feet, a chord bearing N 65°01'55" W, and a chord length of 52.98 feet;

THENCE North 44°17'22" East, leaving said right-of-way, a distance of 833.06 feet to a 1/2 inch iron rod with NDM cap set for corner in a southwesterly line of the aforementioned City of Mesquite Tract 1;

THENCE South 44°54'50" East, with said City of Mesquite Tract 1, a distance of 50.00 feet to a 1/2 inch iron rod with NDM cap set for corner;

THENCE South 44°17'22" West, leaving said City of Mesquite Tract 1, a distance of 814.83 feet to the POINT OF BEGINNING and containing 0.9454 acres or 41,182 square feet of land, more or less.

DESCRIPTION – TRACT 4

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, said tract also known as Lots 1 – 12, Block K of Meadow Lake Addition, an unrecorded plat, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with NDM cap set for corner in the northeast right-of-way line of McKenzie Road (60' right-of-way), said iron rod also being a westerly corner of a tract of land described as Tract 1 to the City of Mesquite as described in Volume 94131, Page 00491, Deed Records, Dallas County, Texas;

THENCE with said right-of-way, along a curve to the left, an arc length of 161.74 feet to a 1/2 inch iron rod with NDM cap set for corner, said curve having a central angle of 11°08'38", a radius of 831.58 feet, a tangent length of 81.13 feet, a chord bearing N 57°38'04" W, and a chord length of 161.48 feet;

THENCE North 44°17'22" East, leaving said right-of-way, a distance of 814.83 feet to a 1/2 inch iron rod with NDM cap set for corner in a southwesterly line of said City of Mesquite Tract 1;

THENCE South 44°54'50" East, with said southwesterly line, a distance of 158.02 feet to a 1 inch iron pipe found for corner;

THENCE South 44°17'22" West, with a northwesterly line of said City of Mesquite Tract 1, a distance of 779.27 feet to the POINT OF BEGINNING and containing 2.8813 acres or 125,511 square feet of land, more or less.

EXHIBIT B

City Property to be Conveyed to MISD

LEGAL DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, being part of a called 55.0108 acre tract of land conveyed to the City of Mesquite as recorded in Volume 94131, Page 491 of the Deed Records of Dallas County, Texas, and being more particularly described in metes and bounds as follows;

BEGINNING in the northeast intersection of Faithon P. Lucas Sr. Boulevard and McKenzie Road at a 1/2" iron rod with yellow plastic cap stamped "4613" set for the northwest corner of the called 55.0108 acre tract of land;

THENCE N 44°26'07" E with the south Right-of-Way (ROW) line of Faithon P. Lucas Sr. Boulevard for a distance of 580.57' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner in the west line of the called 55.0108 acre tract of land;

THENCE S 45°33'53" E across the called 55.0108 acre tract of land for a distance of 1305.45' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner in the north line of a 60' ROW Dedication as recorded in Instrument No. 202300120690 of the Official Records of Dallas County, Texas;

THENCE along the north ROW line of said 60' ROW Dedication the following (4) four calls:

THENCE N 88°21'54" W a distance of 67.90' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 600.00', an arc length of 494.27', having a central angle of 47°12'00", a chord bearing of S 68°02'06" W, and a chord length of 480.42', THENCE with said curve to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner;

THENCE S 44°26'07" W a distance of 84.20' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner;

THENCE S 89°26'07" W a distance of 14.14' to a 1/2" iron rod with yellow plastic cap stamped "4613" set for corner in the east ROW line of McKenzie Road (60' ROW);

THENCE N 45°33'53" W with the east ROW line of McKenzie Road for a distance of 1053.30' to a to the POINT OF BEGINNING, and containing 653,415 Square Feet or 15.000 acres of land.

