TOWN OF ADDISON, TEXAS

RESOLUTION NO. R10-026

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS ACCEPTING THE CONVEYANCE OF CERTAIN LAND AS SET FORTH HEREIN FOR PUBLIC STREET AND RELATED PURPOSES AND THE CONVEYANCE OF TEMPORARY CONSTRUCTION EASEMENTS RELATED THERETO; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "<u>City</u>") is in the process of preparing to construct certain street and roadway improvements to Spring Valley Road and Vitruvian Way, each being a public street within the City, and in order to construct those improvements the City is in need of additional right-of-way along each of the streets; and

WHEREAS,

- DCO Springhaven LP, a Delaware limited partnership ("DCO Springhaven") is the owner of a tract of land (the "DCO Springhaven Property") that lies generally south of Spring Valley Road and west of Vitruvian Way and that abuts each of those streets, and
- DCO Glenwood Apartments LP, a Delaware limited partnership ("<u>DCO Glenwood</u>") is the owner of a tract of land (the "<u>DCO Glenwood Property</u>") that lies immediately west of and abuts the DCO Springhaven Property and lies south of and abuts Spring Valley Road; and

WHEREAS, by Special Warranty Deeds (true and correct copies of which are attached to this Resolution) (the "Special Warranty Deeds"), DCO Springhaven has agreed to convey portions of the DCO Springhaven Property, and DCO Glenwood has agreed to convey a portion of the DCO Glenwood Property, to the City for street right-of-way and other purposes as set forth in the said Special Warranty Deeds and for the consideration set forth therein, which conveyances will allow the City to proceed with the construction of improvements along each of Spring Valley Road and Vitruvian Way; and

WHEREAS, in connection with the construction of the Spring Valley Road and Vitruvian Way improvements, the City needs certain temporary construction easements on a portion of the DCO Springhaven Property and a portion of the DCO Glenwood Property, and each of DCO Springhaven and DCO Glenwood have agreed to convey such temporary construction easements to the City as set forth in the Temporary Construction Easements that are attached to this Resolution (the "Temporary Construction Easements"); and

WHEREAS, the City Council desires to accept the conveyance of the land as set forth in the Special Warranty Deeds and the conveyance of the temporary construction easements as set forth in the Temporary Construction Easements.

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

Section 1. The Town of Addison, Texas does hereby accept the conveyance of the land as described in each of the Special Warranty Deeds attached herein, and accept the conveyance of the temporary construction easements as set forth in the each of the Temporary Construction Easements attached to this Resolution.

Section 2. This Resolution shall take effect from and after its date of adoption.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 26th day of October, 2010.

Joe Chow, Mayor

ATTEST:

By:______

Lea Dunn, City Secretary

APPROVED AS TO FORM:

John Hill, City Attorney

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.

STATE OF TEXAS

8 8 8

11/19/2010 10:48:52 AM

201000297748 DEED 1/7

COUNTY OF DALLAS

SPECIAL WARRANTY DEED

DATE:

November 12, 2010

GRANTOR:

DCO Springhaven LP, a Delaware limited partnership

Grantor's Address:

c/o UDR, Inc.

5430 LBJ Freeway, Suite 1250

Dallas, TX 75240

GRANTEE:

Town of Addison, Texas

5300 Belt Line Road Dallas, Texas 75254

CONSIDERATION:

Ten Dollars (\$10.00) in hand paid by Grantee, the receipt and sufficiency of which is acknowledged by Grantor, the benefits to be derived by Grantor and its remaining property as a result of public improvements to the Property, and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged).

PROPERTY (INCLUDING ANY IMPROVEMENTS):

That certain tract or parcel of real property containing 1,245 square feet or 0.029 of an acre of land, more or less, located in the Town of Addison, Texas as more particularly described on Exhibit A attached hereto, which is incorporated herein by reference.

This grant, conveyance and assignment is made and accepted subject to: (i) all zoning, building and development laws, codes and ordinances of the Town of Addison and other governmental entities having jurisdiction over the Property; and (ii) all other easements, restrictions, covenants and conditions affecting the Property, or any part thereof, of record in Dallas County, Texas, to the extent the same are validly existing and applicable to the Property.

Grantor, for the Consideration described above, GRANTS, SELLS, AND CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's successors, and assigns to warrant and forever

defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise.

MISCELLANEOUS:

- (a) The Property hereby conveyed may be used as a right-of-way for the passage of vehicular and pedestrian traffic and for street and road purposes together with all and singular related rights and appurtenances, including (without limitation) the construction, installation, improvement, inspection, reconstruction, replacement, repair, use, operation, maintenance, opening, closing, and removal of streets, roads, sidewalks, utilities (including, without limitation, water and sanitary sewer facilities and related appurtenances), drainage facilities, landscaping, trails, signs, traffic control devices, and other uses of a public right-or-way as Grantee may find necessary or appropriate or which are customary or incidental thereto, and may be used for any and all other public uses and related rights and appurtenance thereto as Grantee may find necessary or appropriate. Improvements may be on such grade and according to such plans and specifications as will, in the opinion of Grantee, best serve the public purpose.
- (b) The consideration described above shall be deemed full compensation for the conveyance of the Property, and for any diminution in value that may result to the remaining property of Grantor by virtue of Grantee's use of the Property.
 - (c) When the context requires it, singular nouns and pronouns include the plural.

EXECUTED effective as of the day first written above.

DCO SPRINGHAVEN LP,

a Delaware limited partnership

By: DCO Realty, Inc., its General Partner

By:

Mark M., Curwell

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on November <u>/2</u>, 2010 by Mark M. Culwell, authorized agent for DCO Realty, Inc., a Delaware corporation, general partner of **DCO** Springhaven LP, a Delaware limited partnership, on behalf of said limited partnership.

Notary Public, State of Texas



AFTER RECORDED, PLEASE RETURN TO: Mr. John M. Hill Cowles & Thompson 901 Main Street, Suite 3900 Dallas, Texas 75202-3793

LEGAL DESCRIPTION

ROW DEDICATION NOAH GOOD SURVEY, ABSTRACT NO. 520 TOWN OF ADDISON, DALLAS COUNTY, TEXAS

Being a tract of land in the Noah Good Survey, Abstract No. 520, Dallas County, Texas, and being located in the Town of Addison, Texas, being part of Springhaven Apartments Addition, an addition to the Town of Addison, Dallas County, Texas according to the map thereof recorded in Volume 78015, Page 1834, Deed Records of Dallas County, Texas, said tract conveyed to DCO Springhaven LP by Special Warranty Deed recorded in County Clerk Instrument No. 20070153048, Deed Records of Dallas County, Texas and being more particularly described as follows:

Beginning at a found ½ inch iron rod for a corner in the northwest line of Vitruvian Way (a 100 foot right of way), said point being the most easterly northeast corner of the said Springhaven Apartment Addition and said point being S 26°22'15" W, a distance of 221.93 feet from a found "x" at the south corner of a circular right of way corner clip at the intersection of the northwest line of Vitruvian Way with the south line of Spring Valley Road (a variable width right of way) and said point being the southeast corner of a tract of land conveyed to Crimson Tide Management, Inc. by deed recorded in Volume 98060, Page 3378, Deed Records of Dallas County, Texas;

THENCE, S 26°22'15" W, with the northwest line of Vitruvian Way, a distance of 129.59 feet to a set 5/8 inch iron rod for corner, said point the beginning of a non-tangent curve to the left with a central angle of 25°46'25", a radius of 293.56 feet, a chord bearing of N 13°29'03" E and a chord distance of 130.94 feet;

THENCE, Northeasterly, departing the northwest line of Vitruvian Way and along said curve, an arc distance of 132.05 feet to a set "x" cut on concrete for a corner in the common line of the said Springhaven Apartments Addition and the said Crimson Tide Management, Inc. tract;

THENCE, S 67°26'00" E, with the said common line, a distance of 29.27 feet to the POINT OF BEGINNING and Containing 1,245 square feet or 0.029 acre of land.

LEGAL DESCRIPTION

ROW DEDICATION NOAH GOOD SURVEY, ABSTRACT NO. 520 TOWN OF ADDISON, DALLAS COUNTY, TEXAS

(The bearing basis for this exhibit is the deed to DCO Clipper Pointe, LP as recorded in County Clerk Instrument No. 20070170325, Deed Records of Dallas County, Texas.)

(A sketch of even survey date herewith accompanies this description.)

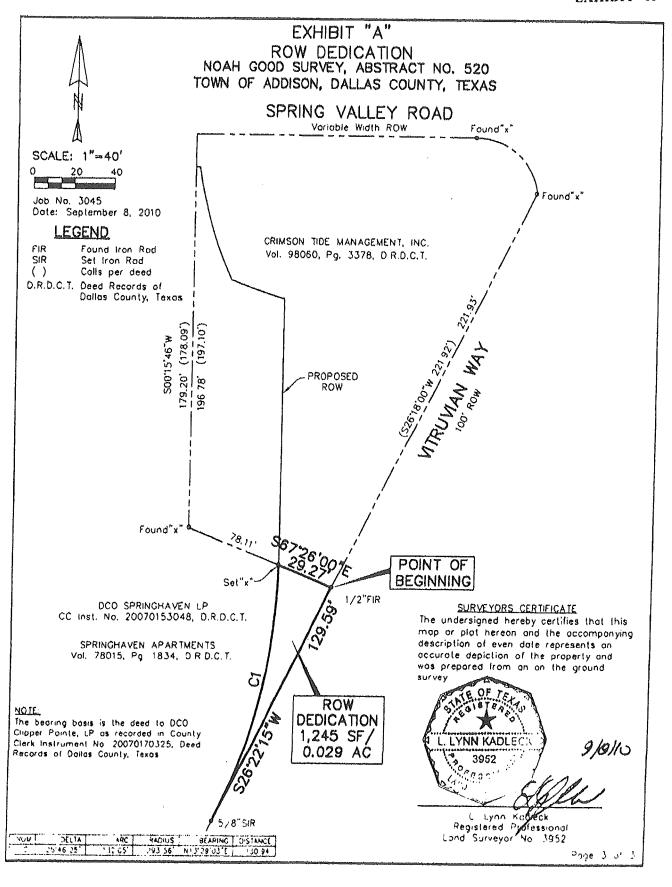
SURVEYOR'S CERTIFICATE

The undersigned hereby certifies the above legal description was prepared from an on the ground survey performed under the supervision of the undersigned and that the legal description accurately sets out the meets and bounds of the right of way dedication tract described.

Dated: September 8, 2010

L. Lynn Kadleck Registered Professional

Land Surveyor No. 3952



Filed and Recorded Official Public Records John F. Warren, County Clerk Dallas County, TEXAS 11/19/2010 10:48:52 AM \$36.00



201000297748

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.

STATE OF TEXAS

§ 11/19/2

11/19/2010 10:48:51 AM

201000297747 DEED 1/8

COUNTY OF DALLAS

!

SPECIAL WARRANTY DEED

DATE:

November /2, 2010

GRANTOR:

DCO Springhaven LP, a Delaware limited partnership

Grantor's Address:

c/o UDR, Inc.

5430 LBJ Freeway, Suite 1250

Dallas, TX 75240

GRANTEE:

Town of Addison, Texas

5300 Belt Line Road Dallas, Texas 75254

CONSIDERATION:

Ten Dollars (\$10.00) in hand paid by Grantee, the receipt and sufficiency of which is acknowledged by Grantor, the benefits to be derived by Grantor and its remaining property as a result of public improvements to the Property, and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged).

PROPERTY (INCLUDING ANY IMPROVEMENTS):

That certain tract or parcel of real property containing 10,983 square feet or 0.2521 of an acre of land, more or less, located in the Town of Addison, Texas as more particularly described on Exhibit A attached hereto, which is incorporated herein by reference.

This grant, conveyance and assignment is made and accepted subject to: (i) all zoning, building and development laws, codes and ordinances of the Town of Addison and other governmental entities having jurisdiction over the Property; and (ii) all other easements, restrictions, covenants and conditions affecting the Property, or any part thereof, of record in Dallas County, Texas, to the extent the same are validly existing and applicable to the Property.

Grantor, for the Consideration described above, GRANTS, SELLS, AND CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's successors, and assigns to warrant and forever

defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise.

MISCELLANEOUS:

- (a) The Property hereby conveyed may be used as a right-of-way for the passage of vehicular and pedestrian traffic and for street and road purposes together with all and singular related rights and appurtenances, including (without limitation) the construction, installation, improvement, inspection, reconstruction, replacement, repair, use, operation, maintenance, opening, closing, and removal of streets, roads, sidewalks, utilities (including, without limitation, water and sanitary sewer facilities and related appurtenances), drainage facilities, landscaping, trails, signs, traffic control devices, and other uses of a public right-or-way as Grantee may find necessary or appropriate or which are customary or incidental thereto, and may be used for any and all other public uses and related rights and appurtenance thereto as Grantee may find necessary or appropriate. Improvements may be on such grade and according to such plans and specifications as will, in the opinion of Grantee, best serve the public purpose.
- (b) The consideration described above shall be deemed full compensation for the conveyance of the Property, and for any diminution in value that may result to the remaining property of Grantor by virtue of Grantee's use of the Property.
 - (c) When the context requires it, singular nouns and pronouns include the plural.

EXECUTED effective as of the day first written above.

DCO SPRINGHAVEN LP,

a Delaware limited partnership

By: DCO Realty, Inc., its General Partner

By:

Mark∕M. Culwell

STATE OF TEXAS

8 8 2

COUNTY OF DALLAS

This instrument was acknowledged before me on November <u>/Z</u>, 2010 by Mark M. Culwell, authorized agent for DCO Realty, Inc., a Delaware corporation, general partner of **DCO** Springhaven LP, a Delaware limited partnership, on behalf of said limited partnership.

JULIE HOLLIS

Notary Public, State of Texas

My Commission Expires

March 25, 2014

Notary Public, State of Texas

AFTER RECORDED, PLEASE RETURN TO: Mr. John M. Hill Cowles & Thompson 901 Main Street, Suite 3900 Dallas, Texas 75202-3793

LEGAL DESCRIPTION

RIGHT-OF-WAY PARCEL 2

BEING a tract of land situated in the Noah Good Survey, Abstract Number 520, Town of Addison, Dallas County, Texas, and being part of SPRINGHAVEN APARTMENTS ADDITION, an addition to the Town of Addison, Dallas County, Texas, as recorded in Volume 78015, Page 1834 of the Deed Records of Dallas County, Texas, said tract also being part of that tract of land described in deed to DCO Springhaven LP as recorded in Instrument Number 20070153048 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of that tract of land described in deed to DCO Glenwood Apartments LP as recorded in Instrument Number 20070159781, O.P.R.D.C.T.;

THENCE North 00 degrees 21 minutes 45 seconds East, with the east line of said Glenwood Apartments tract, at a distance of 7.28 feet passing a point for the southwest comer of said SPRINGHAVEN APARTMENTS ADDITION from which a 1/2-inch found iron rod with red cap stamped "FD" bears South 51 degrees 23 minutes 45 seconds West a distance of 0.27 of a foot, continuing with the common west line of said SPRINGHAVEN APARTMENTS ADDITION and said east line of said Glenwood Apartments tract, a total distance of 525.80 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 BEGINNING at the intersection of said common line with the proposed south right-of-way line of Spring Valley Road (a proposed variable width right-of-way);

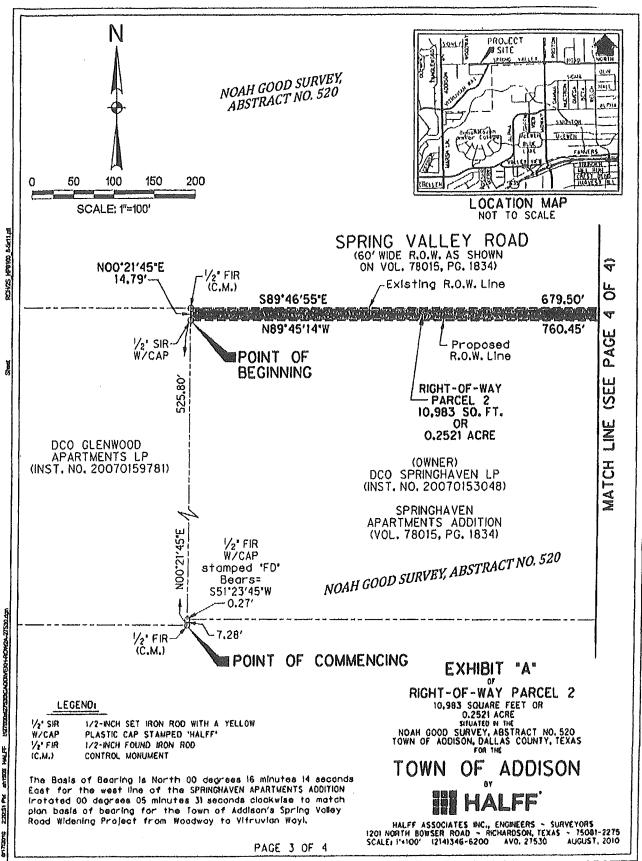
THENCE North 00 degrees 21 minutes 45 seconds East, continuing with said common line, a distance of 14.79 feet to a 1/2-inch found iron rod for the common northwest corner of said SPRINGHAVEN APARTMENTS ADDITION and the northeast corner of said Glenwood Apartments tract, said point being on existing south right-of-way line of Spring Valley Road (a 60 foot wide right-of-way as shown on said SPRINGHAVEN APARTMENTS ADDITION plat);

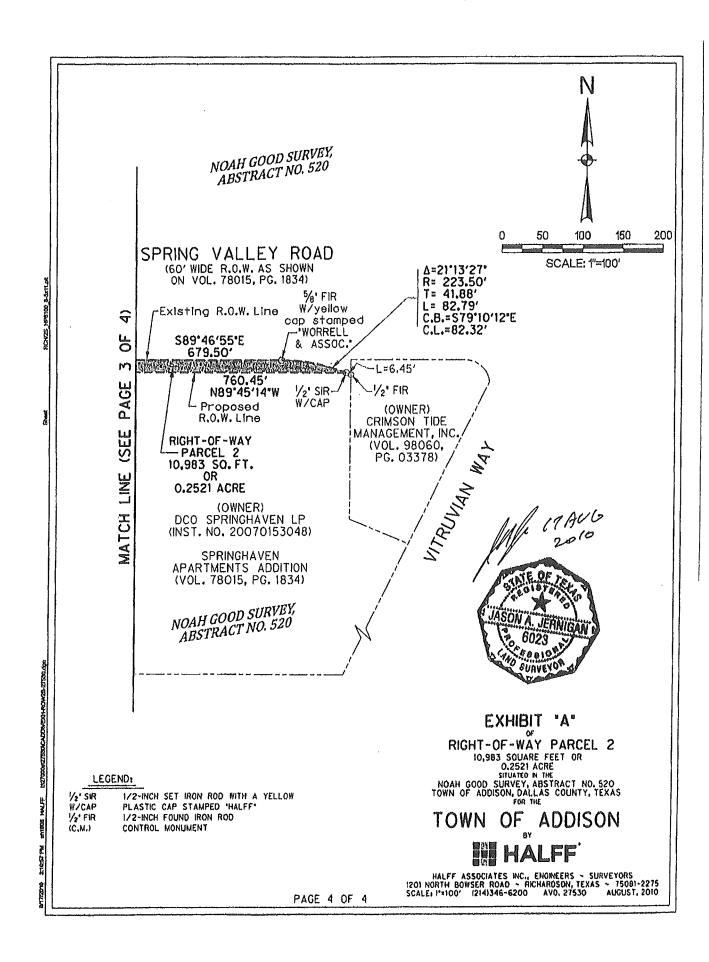
THENCE South 89 degrees 46 minutes 55 seconds East, departing said common line, with the common north line of said SPRINGHAVEN APARTMENTS ADDITION and the north line of said Glenwood Apartments tract, a distance of 679.50 feet to a 5/8-inch found iron rod with yellow plastic cap stamped "WORRELL & ASSOC." for the point of curvature of a tangent circular curve to the right having a radius of 223.50 feet whose chord bears South 79 degrees 10 minutes 12 seconds East a distance of 82.32 feet;

THENCE Easterly, continuing with said common line, with said curve, through a central angle of 21 degrees 13 minutes 27 seconds, an arc distance of 82.79 feet to a 1/2-inch set iron rod with cap for intersection of said common line with the aforementioned proposed south right-of-way line of Spring Valley Road;

Page 2 of 4

THENCE North 89 degrees 45 minutes 14 seconds West, departing said common line, over and across said SPRINGHAVEN APARTMENTS ADDITION, with said proposed south right-of-way line of Spring Valley Road, a distance of 760.45 feet to the POINT OF BEGINNING and containing 10,983 square feet or 0.2521 of an acre of land, more or less.





Filed and Recorded Official Public Records John F. Warren, County Clerk Dallas County, TEXAS 11/19/2010 10:48:51 AM \$40.00



201000297747

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.

STATE OF TEXAS

§ § 11/19/2010 10:48:53 AM

201000297749 DEED 1/7

COUNTY OF DALLAS

SPECIAL WARRANTY DEED

DATE:

November 12, 2010

GRANTOR:

DCO Glenwood Apartments LP, a Delaware limited partnership

Grantor's Address:

c/o UDR, Inc.

5430 LBJ Freeway, Suite 1250

Dallas, TX 75240

GRANTEE:

Town of Addison, Texas 5300 Belt Line Road Dallas, Texas 75254

CONSIDERATION:

Ten Dollars (\$10.00) in hand paid by Grantee, the receipt and sufficiency of which is acknowledged by Grantor, the benefits to be derived by Grantor and its remaining property as a result of public improvements to the Property, and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged).

PROPERTY (INCLUDING ANY IMPROVEMENTS):

That certain tract or parcel of real property containing 5,950 square feet or 0.1366 of an acre of land, more or less, located in the Town of Addison, Texas as more particularly described on Exhibit A attached hereto, which is incorporated herein by reference.

This grant, conveyance and assignment is made and accepted subject to: (i) all zoning, building and development laws, codes and ordinances of the Town of Addison and other governmental entities having jurisdiction over the Property; and (ii) all other easements, restrictions, covenants and conditions affecting the Property, or any part thereof, of record in Dallas County, Texas, to the extent the same are validly existing and applicable to the Property.

Grantor, for the Consideration described above, GRANTS, SELLS, AND CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's successors, and assigns to warrant and forever

defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise.

MISCELLANEOUS:

- (a) The Property hereby conveyed may be used as a right-of-way for the passage of vehicular and pedestrian traffic and for street and road purposes together with all and singular related rights and appurtenances, including (without limitation) the construction, installation, improvement, inspection, reconstruction, replacement, repair, use, operation, maintenance, opening, closing, and removal of streets, roads, sidewalks, utilities (including, without limitation, water and sanitary sewer facilities and related appurtenances), drainage facilities, landscaping, trails, signs, traffic control devices, and other uses of a public right-or-way as Grantee may find necessary or appropriate or which are customary or incidental thereto, and may be used for any and all other public uses and related rights and appurtenance thereto as Grantee may find necessary or appropriate. Improvements may be on such grade and according to such plans and specifications as will, in the opinion of Grantee, best serve the public purpose.
- (b) The consideration described above shall be deemed full compensation for the conveyance of the Property, and for any diminution in value that may result to the remaining property of Grantor by virtue of Grantee's use of the Property.
 - (c) When the context requires it, singular nouns and pronouns include the plural.

EXECUTED effective as of the day first written above.

DCO GLENWOOD APARTMENTS LP,

a Delaware limited partnership

By: DCO Realty, Inc., its General Partner

By:

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on November /2, 2010 by Mark M. Culwell, authorized agent for DCO Realty, Inc., a Delaware corporation, general partner of DCO Glenwood Apartments LP, a Delaware limited partnership, on behalf of said limited partnership.

JULIE HOLLIS

Notary Public, State of Texas

My Commission Expires

March 25, 2014

Notary Public, State of Texas

AFTER RECORDED, PLEASE RETURN TO: Mr. John M. Hill Cowles & Thompson 901 Main Street, Suite 3900 Dallas, Texas 75202-3793

LEGAL DESCRIPTION

RIGHT-OF-WAY PARCEL 1

BEING a tract of land situated in the Noah Good Survey, Abstract Number 520, Town of Addison, Dallas County, Texas, and being part of that tract of land described in deed to DCO Glenwood Apartments LP as recorded in Instrument Number 20070159781 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of said Glenwood Apartments tract;

THENCE North 00 degrees 21 minutes 45 seconds East, with the east line of said Glenwood Apartments tract, at a distance of 7.28 feet passing a point for the southwest corner of SPRINGHAVEN APARTMENTS ADDITION, an addition to the Town of Addison, Dallas County, Texas, as recorded in Volume 78015, Page 1834 of the Deed Records of Dallas County, Texas, and from which a 1/2-inch found iron rod with red cap stamped "FD" bears South 51 degrees 23 minutes 45 seconds West a distance of 0.27 of a foot, continuing with the common west line of said SPRINGHAVEN APARTMENTS ADDITION and said east line of said Glenwood Apartments tract, a total distance of 525.80 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 BEGINNING at the intersection of said common line with the proposed south right-of-way line of Spring Valley Road (a proposed variable width right-of-way);

THENCE North 89 degrees 45 minutes 14 seconds West, departing said common line, over and across said Glenwood Apartments tract, with said proposed south right-of-way line of Spring Valley Road, a distance of 266.93 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 889.00 feet whose chord bears North 87 degrees 38 minutes 49 seconds West a distance of 65.37 feet;

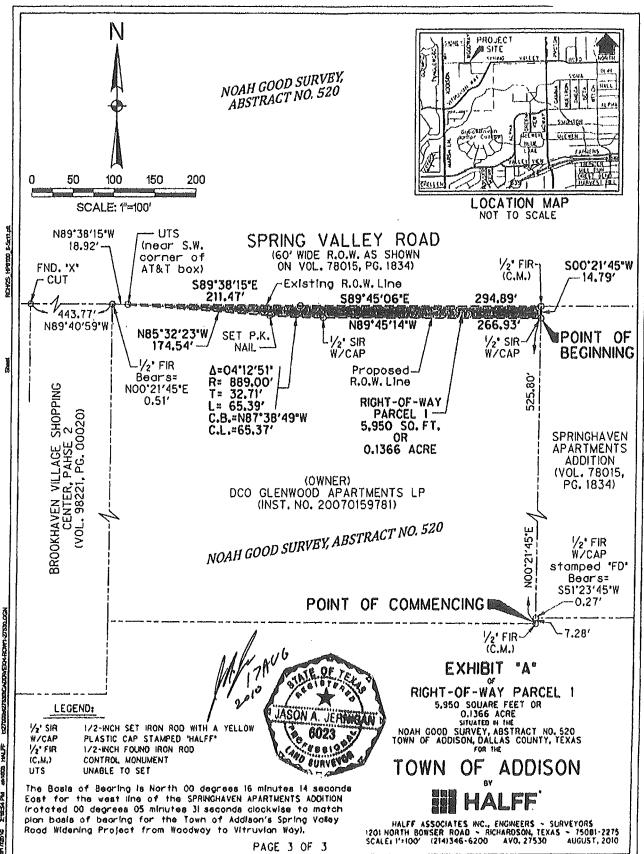
THENCE Westerly, continuing over and across said Glenwood Apartments tract and with said proposed south right-of-way line of Spring Valley Road, with said curve, through a central angle of 04 degrees 12 minutes 51 seconds, an arc distance of 65.39 feet to a set PK nail for the point of tangency;

THENCE North 85 degrees 32 minutes 23 seconds West, continuing over and across said Glenwood Apartments tract and with said proposed south right-of-way line of Spring Valley Road, a distance of 174.54 feet to a point (unable to set) near the southwest corner of an AT&T box for the intersection of said proposed south right-of-way line with the common north line of said Glenwood Apartments tract and the existing south right-of-way line of Spring Valley Road (a 60 foot wide right-of-way as shown on said SPRINGHAVEN APARTMENTS ADDITION plat);

THENCE South 89 degrees 38 minutes 15 seconds East, departing said proposed south right-of-way line of Spring Valley Road, with said common line, a distance of 211.47 feet to a point for corner;

THENCE South 89 degrees 45 minutes 06 seconds East, continuing with said common line, a distance of 294.89 feet to a 1/2-inch found iron rod for the common northeast corner of said Glenwood Apartments tract and the northwest corner of said SPRINGHAVEN APARTMENTS ADDITION;

THENCE South 00 degrees 21 minutes 45 seconds West, departing said common line, with the aforementioned common line between said Glenwood Apartments tract and said SPRINGHAVEN APARTMENTS ADDITION, a distance of 14.79 feet to the POINT OF BEGINNING and containing 5,950 square feet or 0.1366 of an acre of land, more or less.



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Filed and Recorded Official Public Records John F. Warren, County Clerk Dallas County, TEXAS 11/19/2010 10:48:53 AM \$36.00



201000297749



201000297751 EASEMENT 1/7

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.

TEMPORARY CONSTRUCTION EASEMENT

DCO Springhaven LP, a Delaware limited partnership ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien or encumbrance, expressed or implied, is retained, has this day Granted and Conveyed and by these presents does Grant and Convey unto Town of Addison, Texas ("Grantee"), and whose address is 5300 Belt Line Road, Dallas, Texas 75254, a non-exclusive temporary construction easement, for the purposes of grading and temporary sidewalks (the "Improvements"), upon and across the following described land (the "Easement Property"):

that certain tract or parcel of real property containing 7,657 square feet or 0.1758 of an acre of land, more or less, located in the Town of Addison, Texas as more particularly described on <u>Exhibit A</u> attached hereto, which is incorporated herein by reference.

The easement granted herein is non-exclusive. The Grantee's temporary easement as described herein shall terminate and be of no further force and effect upon the earlier to occur of (a) August 31, 2011 or (b) completion of Improvements. Grantee shall notify Grantor promptly upon determination of the date of completion of construction of the Improvements. Grantee shall execute such documents in recordable form confirming termination of the temporary easement in favor of Grantee upon Grantor's request. If construction of the Improvements has not been completed by August 31, 2011, this temporary easement in favor of Grantee shall automatically terminate on said expiration date, thereafter being null and void, and Grantee, its successors and assigns, shall have no further rights hereunder and no written release hereof by Grantee shall be required or necessary.

Following the installation of a temporary sidewalk by Grantee within the Easement Property and the termination of the temporary easement in favor of Grantee as described herein, Grantor, its successors and assigns shall maintain the temporary sidewalk in good condition until such time as a new sidewalk is constructed by Grantor, it successors and assigns, to replace the temporary sidewalk.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 12 day of November, 2010.

GRANTOR:

DCO SPRINGHAVEN LP,

a Delaware limited partnership By: DCO Realty, Inc., its General Partner

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on November 12, 2010 by Mark M. Culwell, authorized agent for DCO Realty, Inc., a Delaware corporation, general partner of DCO Springhaven LP, a Delaware limited partnership, on behalf of said limited partnership.

JULIE HOLLIS Jotary Public, State of Texas My Commission Expires March 25, 2014

AFTER RECORDED, PLEASE RETURN TO:

Mr. John M. Hill Cowles & Thompson 901 Main Street, Suite 3900 Dallas, Texas 75202-3793

LEGAL DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT 2

BEING a tract of land situated in the Noah Good Survey, Abstract Number 520, Town of Addison, Dallas County, Texas, and being part of SPRINGHAVEN APARTMENTS ADDITION, an addition to the Town of Addison, Dallas County, Texas, as recorded in Volume 78015, Page 1834 of the Deed Records of Dallas County, Texas, said tract also being part of that tract of land described in deed to DCO Springhaven LP as recorded in Instrument Number 20070153048 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of that tract of land described in deed to DCO Glenwood Apartments LP as recorded in Instrument Number 20070159781, O.P.R.D.C.T.;

THENCE North 00 degrees 21 minutes 45 seconds East, with the east line of said Glenwood Apartments tract, at a distance of 7.28 feet passing a point for the southwest corner of said SPRINGHAVEN APARTMENTS ADDITION from which a 1/2-inch found iron rod with red cap stamped "FD" bears South 51 degrees 23 minutes 45 seconds West a distance of 0.27 of a foot, continuing with the common west line of said SPRINGHAVEN APARTMENTS ADDITION and said east line of said Glenwood Apartments tract, a total distance of 515.80 feet to the POINT OF BEGINNING;

THENCE North 00 degrees 21 minutes 45 seconds East, continuing with said common line, a distance of 10.00 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") at the intersection of said common line with the proposed south right-of-way line of Spring Valley Road (a proposed variable width right-of-way);

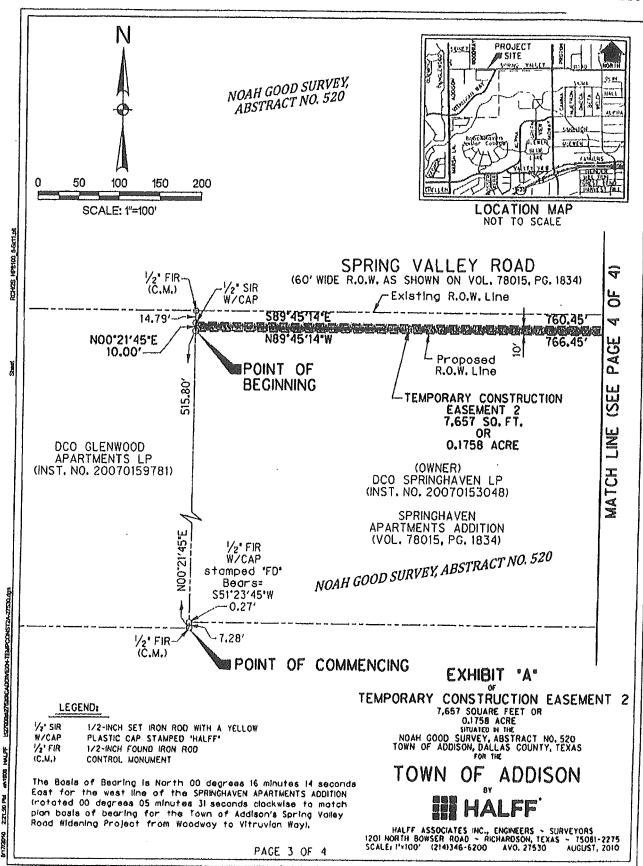
THENCE South 89 degrees 45 minutes 14 seconds East, departing said common line, over and across said SPRINGHAVEN APARTMENTS ADDITION, with said proposed south right-of-way line of Spring Valley Road, distance of 760.45 feet to 1/2-inch set iron rod with cap for the intersection of said proposed south right-of-way line with the common north line of said SPRINGHAVEN APARTMENTS ADDITION and the existing south right-of-way line of Spring Valley Road (a 60 foot wide right-of-way as shown on said SPRINGHAVEN APARTMENTS ADDITION plat), said point also being the beginning of a non-tangent circular curve to the right having a radius of 223.50 feet whose chord bears South 67 degrees 43 minutes 52 seconds East a distance of 6.45 feet;

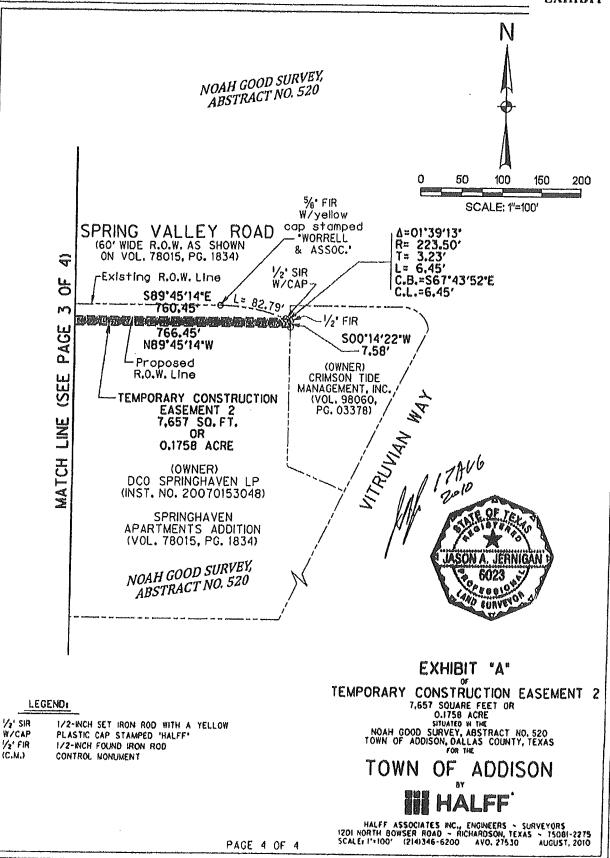
THENCE Southeasterly, departing said proposed south right-of-way line, with said common line and with said curve, through a central angle of 01 degree 39 minutes 13 seconds, an arc distance of 6.45 feet to a 1/2-inch found iron rod for the northeast corner of said SPRINGHAVEN APARTMENTS ADDITION on the west line of that tract of land described in deed to Crimson Tide Management, Inc. as recorded in Volume 98060, Page 03378 of the Deed Records of Dallas County, Texas;

Page 2 of 4

THENCE South 00 degrees 14 minutes 22 seconds West, departing said common line, with the common east line of said SPRINGHAVEN APARTMENTS ADDITION and said west line of said Crimson Tide Management tract, a distance of 7.58 feet to point for corner;

THENCE North 89 degrees 45 minutes 14 seconds West, departing said common line, over and across said SPRINGHAVEN APARTMENTS ADDITION, with a line offset 10.00 feet southerly from and parallel to said proposed south right-of-way line of Spring Valley Road, a distance of 766.45 feet to the POINT OF BEGINNING and containing 7,657 square feet or 0.1758 of an acre of land, more or less.





THE PARTY OF STREET IN

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/19/2010 10:48:55 AM
\$36.00



201000297751



201000297750 EASEMENT 1/6

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.

TEMPORARY CONSTRUCTION EASEMENT

DCO Glenwood Apartments L.P., a Delaware limited partnership ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien or encumbrance, expressed or implied, is retained, has this day Granted and Conveyed and by these presents does Grant and Convey unto Town of Addison, Texas ("Grantee"), and whose address is 5300 Belt Line Road, Dallas, Texas 75254, a non-exclusive temporary easement, for the purposes of grading and temporary sidewalks (the "Improvements"), upon and across the following described land (the "Easement Property"):

that certain tract or parcel of real property containing 5,245 square feet or 0.1204 of an acre of land, more or less, located in the Town of Addison, Texas as more particularly described on Exhibit A attached hereto, which is incorporated herein by reference.

The easement granted herein is non-exclusive. The Grantee's temporary easement as described herein shall terminate and be of no further force and effect upon the earlier to occur of (a) August 31, 2011 or (b) completion of Improvements. Grantee shall notify Grantor promptly upon determination of the date of completion of construction of the Improvements. Grantee shall execute such documents in recordable form confirming termination of the temporary easement in favor of Grantee upon Grantor's request. If construction of the Improvements has not been completed by August 31, 2011, this temporary easement in favor of Grantee shall automatically terminate on said expiration date, thereafter being null and void, and Grantee, its successors and assigns, shall have no further rights hereunder and no written release hereof by Grantee shall be required or necessary.

Following the installation of a temporary sidewalk by Grantee within the Easement Property and the termination of the temporary easement in favor of Grantee as described herein, Grantor, its successors and assigns shall maintain the temporary sidewalk in good condition until such time as a new sidewalk is constructed by Grantor, it successors and assigns, to replace the temporary sidewalk.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this <u>///</u> day of November, 2010.

GRANTOR:

DCO GLENWOOD APARTMENTS LP,

a Delaware limited partnership By: DCO Realty, Inc., its General Partner

By:

Mark M. Culwell

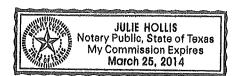
STATE OF TEXAS

§

COUNTY OF DALLAS

8

This instrument was acknowledged before me on November 12, 2010 by Mark M. Culwell, authorized agent for DCO Realty, Inc., a Delaware corporation, general partner of DCO Glenwood Apartments LP, a Delaware limited partnership, on behalf of said limited partnership.



grary Public, State of Texas

AFTER RECORDED, PLEASE RETURN TO: Mr. John M. Hill Cowles & Thompson 901 Main Street, Suite 3900 Dallas, Texas 75202-3793

LEGAL DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT 1

BEING a tract of land situated in the Noah Good Survey, Abstract Number 520, Town of Addison, Dallas County, Texas, and being part of that tract of land described in deed to DCO Glenwood Apartments LP as recorded in Instrument Number 20070159781 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of said Glenwood Apartments tract;

THENCE North 00 degrees 21 minutes 45 seconds East, with the east line of said Glenwood Apartments tract, at a distance of 7.28 feet passing a point for the southwest corner of SPRINGHAVEN APARTMENTS ADDITION, an addition to the Town of Addison, Dallas County, Texas, as recorded in Volume 78015, Page 1834 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and from which a 1/2-inch found iron rod with red cap stamped "FD" bears South 51 degrees 23 minutes 45 seconds West a distance of 0.27 of a foot, continuing with the common west line of said SPRINGHAVEN APARTMENTS ADDITION and said east line of said Glenwood Apartments tract, a total distance of 515.80 feet to the POINT OF BEGINNING;

THENCE North 89 degrees 45 minutes 14 seconds West, departing said common line, over and across said Glenwood Apartments tract, with a line offset 10.00 feet southerly from and parallel to the proposed south right-of-way line of Spring Valley Road (a proposed variable width right-of-way), a distance of 266.91 feet to the point of curvature of a tangent circular curve to the right having a radius of 899.00 feet whose chord bears North 87 degrees 38 minutes 49 seconds West a distance of 66.11 feet;

THENCE Westerly, continuing over and across said Glenwood Apartments tract and with said parallel offset line, with said curve, through a central angle of 04 degrees 12 minutes 51 seconds, an arc distance of 66.12 feet to the point of tangency;

THENCE North 85 degrees 32 minutes 23 seconds West, continuing over and across said Glenwood Apartments tract and with said parallel offset line, a distance of 192.80 feet to a point for corner on the common west line of said Glenwood Apartments tract and the east line of BROOKHAVEN VILLAGE SHOPPING CENTER, PHASE 2, an addition to the Town of Addison, Dallas County, Texas, as recorded in Volume 98221, Page 00020, D.R.D.C.T.;

THENCE North 00 degrees 21 minutes 45 seconds East, departing said parallel offset line, with said common line, a distance of 8.67 feet to a point for the common northwest corner of said Glenwood Apartments tract and the northeast corner of said BROOKHAVEN VILLAGE SHOPPING CENTER, PHASE 2 addition, said point being on the existing south right-of-way line of Spring Valley Road (a 60 foot wide right-of-way as shown on said SPRINGHAVEN APARTMENTS ADDITION plat), and from which point a 1/2-inch found iron rod bears North 00 degrees 21 minutes 45 seconds East a distance of 0.51 of a foot;

THENCE South 89 degrees 38 minutes 15 seconds East, departing said common line, with the common north line of said Glenwood Apartments tract and said existing south right-of-way line of Spring Valley Road, a distance of 18.92 feet to a point (unable to set) near the southwest corner of an AT&T box for the intersection of said common line with the aforementioned proposed south right-of-way line of Spring Valley Road;

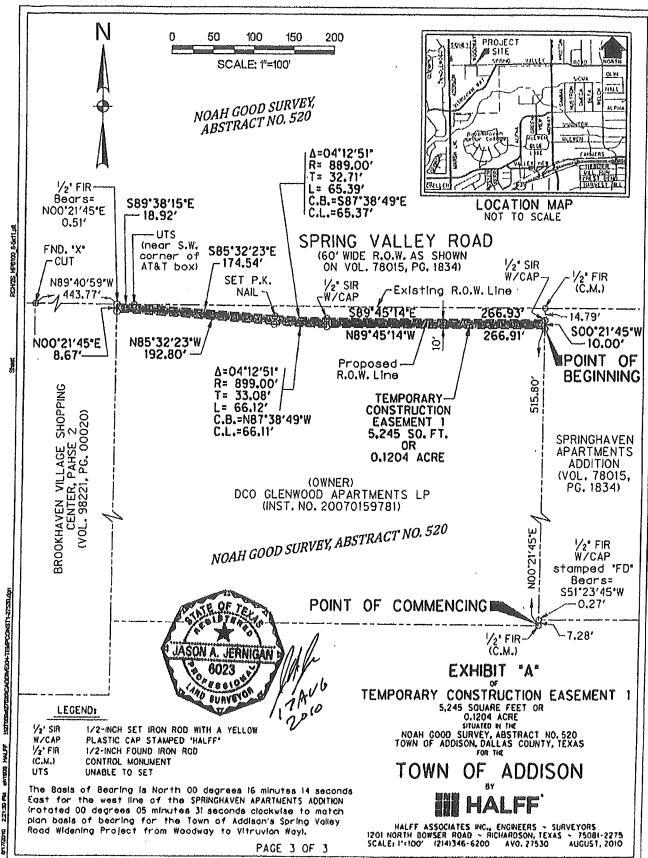
THENCE South 85 degrees 32 minutes 23 seconds East, departing said common line, over and across said Glenwood Apartments tract, with said proposed south right-of-way line of Spring Valley Road, a distance of 174.54 feet to a set PK nail for the point of curvature of a tangent circular curve to the left having a radius of 889.00 feet whose chord bears South 87 degrees 38 minutes 49 seconds East a distance of 65.37 feet;

THENCE Easterly, continuing over and across said Glenwood Apartments tract and with said proposed south right-of-way line of Spring Valley Road, with said curve, through a central angle of 04 degrees 12 minutes 51 seconds, an arc distance of 65.39 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 89 degrees 45 minutes 14 seconds East, continuing over and across said Glenwood Apartments tract and with said proposed south right-of-way line of Spring Valley Road, a distance of 266.93 feet to a 1/2-inch set iron rod with cap for the intersection of said proposed south right-of-way line with the aforementioned common line between said Glenwood Apartments tract and said SPRINGHAVEN APARTMENTS ADDITION;

THENCE South 00 degrees 21 minutes 45 seconds West, departing said proposed south right-of-way line, with said common line, a distance of 10.00 feet to the POINT OF BEGINNING and containing 5,245 square feet or 0.1204 of an acre of land, more or less.





Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/19/2010 10:48:54 AM
\$32.00



201000297750