

2000-3 Arapaho Road  
R.O.W. Litigious Documents (Joe's Garage) - 2004

 **Oxford**

NO. 753 1/3

10%



COWLES & THOMPSON

A Professional Corporation

ATTORNEYS AND COUNSELORS

Joe's  
2

ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

March 4, 2004

**ATTORNEY/CLIENT PRIVILEGED  
DO NOT DISCLOSE**

Mr. Ron Whitehead  
City Manager  
Town of Addison  
P.O. Box 9010  
Addison, Texas 75001-9010

**Re: Settlement Conference with Texas Department of Health  
(Asbestos Abatement – Joe's Garage)**


Dear Ron:

As we discussed, the settlement conference regarding the alleged violation at Joe's Auto Body was held and concluded yesterday, March 3, 2004. As a result of our conference and the evidence submitted, the violation will be withdrawn against the Town of Addison and reissued against the consultant. A withdrawal letter will be sent to the mayor with a copy to you.

As was stated in the Notice of Alleged Violation, Becky Exner with the Texas Department of Health Asbestos Enforcement, who conducted the conference, stated that the violation was classified as a Critical Violation, Severity Level I. According to the statute, Title 25 of the Texas Administrative Code, Severity Level I covers violations that are most significant and have a direct negative impact on public health and safety. It is the highest severity level. Ms. Exner also emphasized that under the statute, it is the responsibility of the owner to ensure that the statute is complied with and the owner can be held liable for violations. In this case, however, they are withdrawing the violation against the City and reissuing it to the consultant.

Because of the nature and severity level of the violation and the allowable penalties under the statute, and because history of previous violations and seriousness of violations are considered when penalties are assessed, our office recommends for the protection of the City that in the future a City employee be assigned to monitor deadlines, notification requirements and other matters that are not beyond the scope of his or her level of expertise. Please let me know if you have any questions.

Sincerely,



Angela K. Washington

AKW/yjr

c: Mr. Mike Murphy  
Mr. Kenneth C. Dippel

COWLES & THOMPSON

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ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

February 20, 2004

Mr. Ron Whitehead  
City Manager  
Town of Addison  
P.O. Box 9010  
Addison, Texas 75001-9010

**Re: Settlement Conference with Texas Department of Health  
(Asbestos Abatement - Joe's Garage)**

Dear Ron:

Enclosed for your information and file is the confirmation of the March 3, 2004 settlement conference with the Texas Department of Health that we discussed this morning. I will keep you apprised regarding this matter. If you have any questions, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Angela K. Washington'.

Angela K. Washington

AKW/yjr  
Enclosure

c: Mike Murphy  
Kenneth C. Dippel, w/firm

# ProtectTexas™

Texas Department of Health

Eduardo J. Sanchez, M.D., M.P.H.  
Commissioner of Health

1100 West 4<sup>th</sup> Street  
Austin, Texas 78756-1199

<http://www.tdh.state.tx.us>  
1-800-572-5548

Ben Delgado  
Chief Operating Officer

Nick Curry, M.D., M.P.H.  
Executive Deputy Commissioner

February 25, 2004

Case No. 200401013-a

Ms. Angela Washington  
Representing: Town of Addison  
5300 Belt Line Road  
Dallas, Texas 75254-1606

Fax: 214.672.2344

RE: Settlement Conference

Dear Ms. Washington:

Per our telephone conversation on Wednesday, February 25, 2004 an informal settlement conference has been scheduled for Wednesday, March 03, 2004 at 1:30 p.m. At that time, Ms. Becky Exner will be discussing the case with you, and will be contacting you at 214.672.2144 to conduct the conference. If you have any documentation you wish for Ms. Exner to review prior to the start of the conference, you may fax it to her attention at 512-834-6644.

If you have questions or need to make changes to any of the above information, please contact me at (512) 834-6610, Ext. 2838 or toll free in Texas at (800) 572-5548, Ext. 2838.

Sincerely,



Lola Wiederhold  
Enforcement Technician  
Asbestos Programs Branch

*An Equal Employment Opportunity Employer*

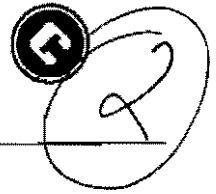
MAY-23-2003 09:12

COWLES & THOMPSON

2146722020 P.01/02

25th Anniversary 1978-2003

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FACSIMILE COVER PAGE

Date: May 23, 2003 Time: \_\_\_\_\_

Total Number of Pages (including this sheet): 2

Normal/Rush: Normal Client/Matter #: 3195/62389

TO: (1) Mike Murphy/Steve Chutchian FAX: 972.450.2837 PHONE: (2) Patricia Sherman Bruce FAX: 214.855.8848 PHONE:

FROM: Angela K. Washington Direct Dial #: (214) 672-2144

MESSAGE: RE: Purchaser's Settlement Statement - Parcel 2 Arapaho Road Project

IF YOU HAVE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL OUR SERVICE CENTER AT (214) 672-2508 or Yolanda Rodriguez at (214) 672-2629 Thank you.

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the law firm of Cowles & Thompson which may be privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee, or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number (214) 672-2000. We will be happy to arrange for the return of this message to us, via the United States Postal Service, at no cost to you.

MAY-23-2003 09:12

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ATTORNEYS AND COUNSELORS



ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

May 23, 2003

*Via Facsimile 972.450.7096*

Mr. Bryan Langley  
Assistant Finance Director  
Town of Addison  
P.O. Box 9010  
Addison, TX 75001-9010

**RE: Purchaser's Settlement Statement -- Parcel 2 Arapaho Road Project**

Dear Bryan:

In connection with Arapaho Road Project Parcel 2, enclosed are the following documents:

1. Purchaser's Settlement Statement; and
2. Copy of the executed Contract of Sale

The Title Company is holding the originals of the Right-of-Way Deed, Parkway Easement and Temporary Construction Easement in escrow until the transaction is complete. Once the settlement statement has been executed and the money forwarded to Republic Title, Republic will forward the purchase price to 15211 Addison Road Joint Venture and file the documents. Wiring instructions are enclosed. If you have any questions or concerns, please give me a call.

Sincerely,

Angela K. Washington

AKW/yjr  
Attachments

- c: Carolyn Burgette (w/Attachments) *Via Facsimile 972.450.7065*  
 Mike Murphy (w/o Attachments) *Via Facsimile 972.450.2837*  
 Steve Chutchian (w/o Attachments) *Via Facsimile 972.450.2837*  
 Kenneth Dippel (w/o Attachments)  
 Patricia Sherman Bruce, Republic Title(w/o Attachments) *Via Facsimile 214.855.8848*

901 MAIN STREET SUITE 4000 DALLAS, TEXAS 75202-3793  
TEL 214.672.2000 FAX 214.672.2020  
WWW.COWLESTHOMPSON.COM

DALLAS TYLER

Document #: 1057466

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Anniversary  
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ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

May 16, 2003

**VIA REGULAR MAIL AND FACSIMILE (214) 521-8013**

Mr. Addison Wilson, III  
Attorney at Law  
5500 Preston Road  
Dallas, TX 75205

**RE: Parcel 2 (15211 Addison Road Joint Venture) Arapaho Extension of Road Project**

Dear Addison:

Republic Title has informed me that it expects the updated title work early next week. Thus, it has set Wednesday, May 21, 2003, as the closing date. Note, however, that Bert Davison with First United Bank & Trust Company has informed the Title Company that he needs certain information from the Seller before he will be able to provide partial releases for the two liens held by the bank. The Title Company will prepare the closing statements once it hears back from Mr. Davison. If you have any questions, please give me a call.

Sincerely,

Angela K. Washington

AKW/yjr

c: Mr. Mike Murphy  
Mr. Steve Chutchian  
Mr. Ken Dippel



ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

May 13, 2003

**VIA HAND DELIVERY**

Ms. Patricia A. Sherman Bruce, Esq.  
Vice President  
Republic Title of Texas, Inc.  
2626 Howell Street, 10th Floor  
Dallas, TX 75204-4064

**RE: Parcel 2 (Joe's Garage) Arapaho Extension of Road Project  
Your File No. GF 02R14029SJ6**

Dear Patricia:

Enclosed is a copy of executed Contract of Sale in the above-referenced matter. It is my understanding that you already have the originals of the Parkway Easement, Temporary Construction Easement, and Right-of-Way Deed. Please update the Title Commitment and begin the closing process. As the owner is required to give a ninety (90) day notice to all tenants, we would like to schedule the closing date as soon as possible.

Also, please note that an executed copy of your form requesting deletion of the arbitration provision is enclosed. Please let me know if there are other documents or further information that you need to assist in this matter. Thank you for your assistance.

Sincerely,

Angela K. Washington

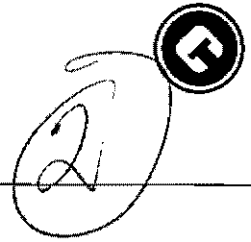
AKW/yjr  
Enclosures

c (w/o Enclosures): Mr. Mike Murphy  
Mr. Steve Chutchian  
Mr. Ken C. Dippel



25th  
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ATTORNEYS AND COUNSELORS



ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

May 13, 2003

Mr. Addison Wilson, III  
Attorney at Law  
5500 Preston Road  
Dallas, TX 75205

**RE: Parcel 2 (Joe's Garage), Arapaho Extension of Road Project**

Dear Addison:

Enclosed is a copy of the fully executed Contract of Sale for the above-referenced property. A copy was delivered to the title company today. I will advise you of the closing date when it is provided to me. I look forward to completion of this transaction.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Angela K. Washington'.

Angela K. Washington

Enclosure

c w/o enclosure: Mr. Mike Murphy  
Mr. Steve Chutchian  
Mr. Ken Dippel

4-9-03 Originals to Kim.  
Like Hand Carried

**COWLES & THOMPSON**  
A Professional Corporation  
ATTORNEYS AND COUNSELORS



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ANGELA K. WASHINGTON  
214.672.2144  
AWASHINGTON@COWLESTHOMPSON.COM

April 8, 2003

**VIA HAND DELIVERY**

Mr. Mike Murphy  
Director of Public Works  
Addison Service Center  
16801 Westgrove Drive  
Addison, TX 75001-5190


SEF:  
PLEASE FILE  
Mike

**RE: Parcel 2, Arapaho Extension of Road**

Dear Mike:

As we discussed, enclosed is the Contract of Sale for Parcel 2, Arapaho Road Project. For your convenience, I am also enclosing a copy. If you have any questions or need anything further, please let me know.

Sincerely,



Angela K. Washington

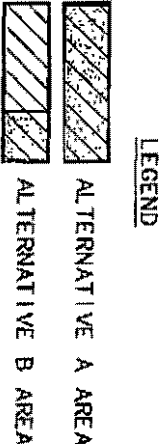
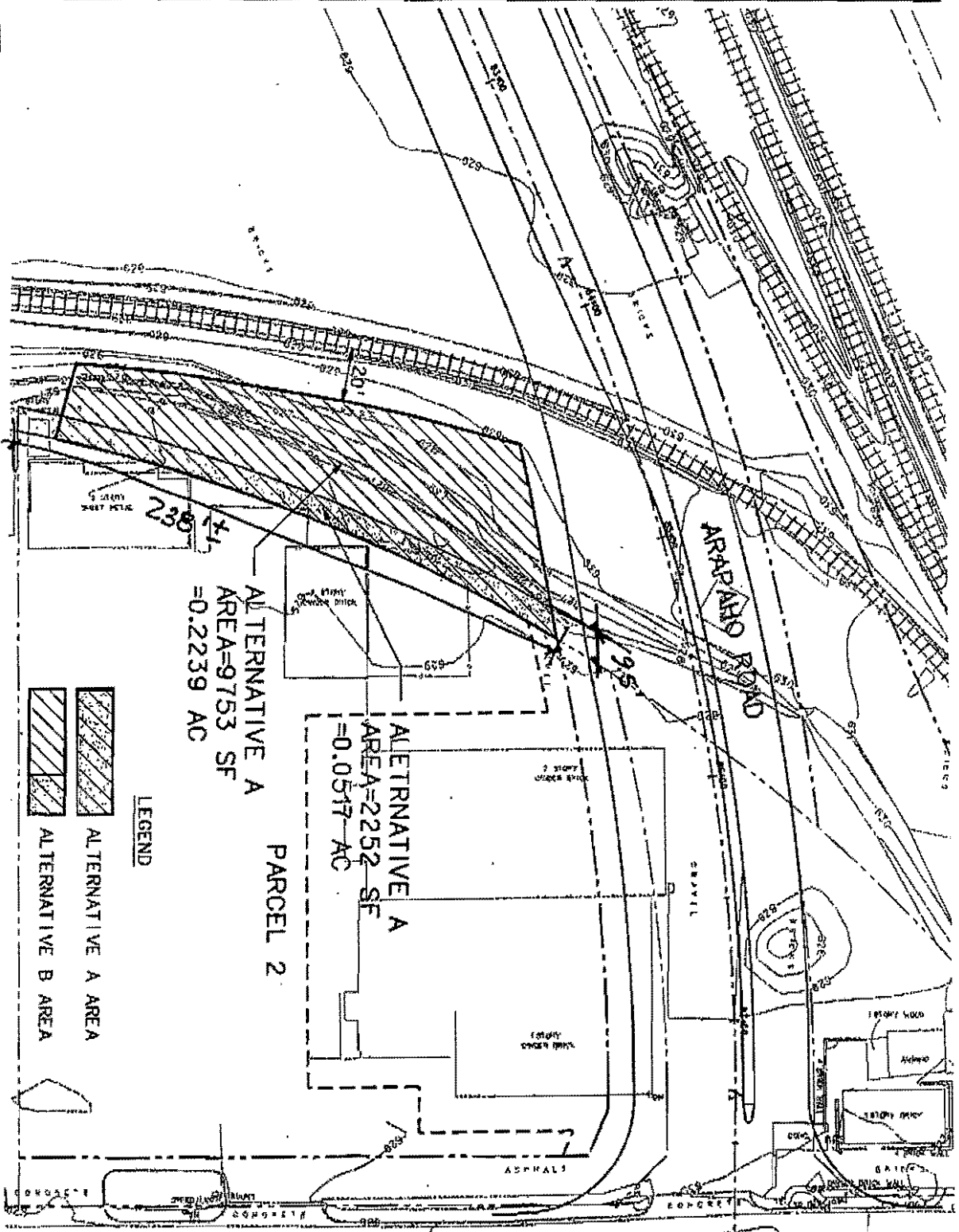
AKW/yjr  
Enclosures

c: Mr. Ken Dippel

HNTB

21-FEB-2003 15:46  
21-25768-ph3\K1\Exhibits\Parcel2PropOptions.dgn

**HNTB**  
ADMINISTRATIVE PLANNERS



ALTERNATIVE A  
AREA=9753 SF  
=0.2239 AC

ALTERNATIVE A  
AREA=2252 SF  
=0.0517 AC

PARCEL 2

ADDISON ROAD

SCALE: 1" = 100'



PARCEL 2  
ADDITIONAL PROPER  
OPTION 1

FEBRUARY 2003