


2000-3-Arapaho Road

R.O.W. Litigious Documents (Bullough / Lykes)-2004

Bullough-Lykos

11

ANGELA K. WASHINGTON
214.672.2144
AWASHINGTON@COWLESTHOMPSON.COM

May 6, 2004

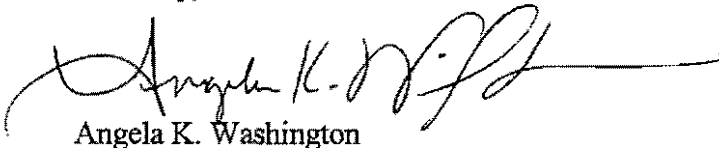
Mr. Douglas H. Conner
Boyle & Lowry
4201 Wingren, Suite 108
Irving, TX 75062

RE: *Town of Addison v. Bullough/Lykos Office Building No. 1, L.P., et al.*
Cause No. 02-14363-B

Dear Doug:

On May 4, 2004, the Town of Addison staff viewed the subject property to determine if it contains items that need to be removed. The truck that we discussed a few weeks ago still remains on the property. In addition, staff informs me that a large amount of scrap metal that was stacked up against the building has now been moved onto the subject property. There is also a trailer parked on the property. Please let me know if you have any questions or need any additional information.

Sincerely,



Angela K. Washington

AKW/yjr

c: Mr. Mike Murphy
Mr. Steve Chutchian
Mr. Kenneth Dippel, w/firm

CAUSE NO. 02 - 14363 - B

11

5/13/03

TOWN OF ADDISON)
)
 Plaintiff,)
)
 v.)
)
 BULLOUGH/LYKOS OFFICE)
 BUILDING NO. 1, L.P., et al.)
)
 Defendant.)
)

IN THE COUNTY COURT
AT LAW NUMBER 2
DALLAS COUNTY, TEXAS

COMMISSIONERS' COST BILL

FOR:

Services rendered as Special Commissioners in the above entitled and numbered eminent domain proceeding:

NAME OF COMMISSIONERS:	Total Hours:	Total Compensation:
Ed Neal	<u>2 1/2</u>	<u>850.00</u>
Jean Towell	<u>3</u>	<u>850.00</u>
Charles Fiscus	<u>4</u>	<u>850.00</u>

Filed with me and approved this 18 day of March, 2003, such amount to be paid directly to the Special Commissioners by the condemning authority without further intervention of this Court.

JUDGE, COUNTY COURT AT LAW NO. 2
DALLAS COUNTY TEXAS

MAY-09-2003 09:32

COWLES & THOMPSON

2146722020 P.01/03

25th Anniversary 1978-2003

COWLES & THOMPSON A Professional Corporation ATTORNEYS AND COUNSELORS

FAXED 05/09/03

TO: Randy

11

FACSIMILE COVER PAGE

Date: May 9, 2003 Time: _____

Total Number of Pages (including this sheet): 3

Normal/Rush: Normal Client/Matter #: 3195/62391

TO: (1) Sue Ellen FAX: 972.450.2837 PHONE:

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

MESSAGE: Commissioners' Report and Award - Addison v. Bullough/Lykos Office Building No. 1, L.P., et al.

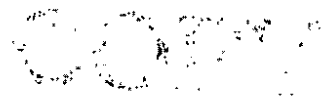
IF YOU HAVE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL Yolanda Rodriguez at (214) 672-2629 Thank you.

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-09-2003 09:32

COWLES & THOMPSON

2146722020 P.02/03



CAUSE NO. 02 - 14363 - B

TOWN OF ADDISON)	IN THE COUNTY COURT
)	
Plaintiff,)	AT LAW NUMBER 2
)	
v.)	DALLAS COUNTY, TEXAS
)	
BULLOUGH/LYKOS OFFICE)	
BUILDING NO. 1, L.P., et al.)	
)	
Defendant.)	
)	

COMMISSIONERS' REPORT AND AWARD

We, the undersigned Special Commissioners, were appointed by the Judge of the County Court of Dallas County at Law No. 2, Dallas County, Texas, are all disinterested freeholders of Dallas County, Texas, and have sworn to assess the damages in this cause fairly and impartially and in accordance with law. We submit the following report and award to the Court:

In accordance with law, your Commissioners promptly set a time and place for hearing the parties. Written notice of the hearing was issued, served on each party and returned as prescribed by law. At 10:00 A.M. on the 18th day of March, 2003, at Court Room of County Court at Law No. 2 of Dallas County, Texas the time and place set for the hearing, your Special Commissioners proceeded to hear the testimony of the following parties, who appeared either in person or by attorney:

Evidence of the local market value and damages, if any, resulting from City of Addison's taking was presented in accordance with the rules of damages established by law. Having heard the evidence, your Special Commissioners find that compensation should be paid by the City of Addison to defendants named jointly in this action such to Bullough/Lykos Office Building No. 1, L. P.; Applied Property Management Co.; Thomas J. Lykos, Jr., individually and as officer of Applied Property Management Co.; Kircrow Enterprises, Inc.; First Bank & Trust; David F. Weaver, Trustee; and DCB Investment Company, Dallas Independent School District.

TOTAL AWARD.....\$ 27,537⁰⁰/₁₀₀

We find and order that the costs of this proceeding should be paid by the City of Addison.

The property being condemned in this proceeding is described in the Statement in Condemnation on file with the Court and incorporated by reference.

SIGNED AND FILED with the Judge of Dallas County Court at Law No. 1, this 18th day of MARCH, 2003.

[Signature]
Judge

[Signature]

[Signature]

[Signature]
SPECIAL COMMISSIONERS

HP LaserJet 3200se



HP LASERJET 3200

MAY-9-2003 10:23AM

Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
311	5/ 9/2003	10:22:08AM	Send	7065	1:12	3	OK

TOWN OF
ADDISON

PUBLIC WORKS

To: Randy From: Joe Ellen

Company: _____

Phone: 972/450-
Fax: 972/450-2837

FAX #: _____

Date: 5-9-03

16801 Westgrove
P.O. Box 9010
Addison, TX 75001-9010

No. of pages (including cover): 3

Bullough/Lycos

FAXED
4/24/03

TO Randy

11

CAUSE NO. 02 - 14363 - B

TOWN OF ADDISON)	IN THE COUNTY COURT
)	
Plaintiff,)	AT LAW NUMBER 2
)	
v.)	DALLAS COUNTY, TEXAS
)	
BULLOUGH/LYKOS OFFICE)	
BUILDING NO. 1, L.P., et al.)	
)	
Defendant.)	
)	

COMMISSIONERS' REPORT AND AWARD

We, the undersigned Special Commissioners, were appointed by the Judge of the County Court of Dallas County at Law No. 2, Dallas County, Texas, are all disinterested freeholders of Dallas County, Texas, and have sworn to assess the damages in this cause fairly and impartially and in accordance with law. We submit the following report and award to the Court:

In accordance with law, your Commissioners promptly set a time and place for hearing the parties. Written notice of the hearing was issued, served on each party and returned as prescribed by law. At 10:00 A.M. on the 18th day of March, 2003, at Court Room of County Court at Law No. 2 of Dallas County, Texas the time and place set for the hearing, your Special Commissioners proceeded to hear the testimony of the following parties, who appeared either in person or by attorney:

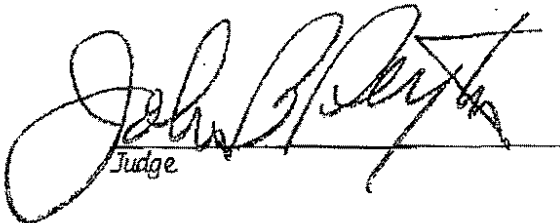
Evidence of the local market value and damages, if any, resulting from City of Addison's taking was presented in accordance with the rules of damages established by law. Having heard the evidence, your Special Commissioners find that compensation should be paid by the City of Addison to defendants named jointly in this action such to Bullough/Lykos Office Building No. 1, L. P.; Applied Property Management Co.; Thomas J. Lykos, Jr., individually and as officer of Applied Property Management Co.; Kircrow Enterprises, Inc.; First Bank & Trust; David F. Weaver, Trustee; and DCB Investment Company, Dallas Independent School District.

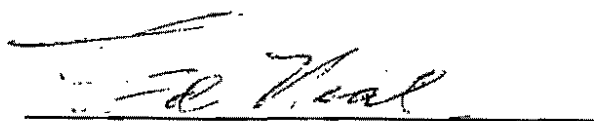
TOTAL AWARD.....\$ 27,537⁰⁰
XX

We find and order that the costs of this proceeding should be paid by the City of Addison.

The property being condemned in this proceeding is described in the Statement in Condemnation on file with the Court and incorporated by reference.

SIGNED AND FILED with the Judge of Dallas County Court at Law No. 1, this 18th day of March, 2003.


Judge






SPECIAL COMMISSIONERS



ANGELA K. WASHINGTON
214.672.2144
AWASHINGTON@COWLESTHOMPSON.COM

January 31, 2003

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

RE: Parcel 11 (Bullough/Lykos), Arapaho Road Project

Dear Mike:

Enclosed is a file-marked copy of the Town's First Amended Original Petition in Condemnation for the above-referenced property. As you are aware, this case has been assigned to County Court at Law No. 2 and Commissioners have been appointed. We will let you know when we obtain a hearing date.

Sincerely,

Angela K. Washington

AKW/yjr
Enclosure

c(w/o Enclosure): Mr. Steve Chutchian
Mr. Kenneth Dippel, City Attorney

FILED
2003 JAN 13 PM 2:19

TOWN OF ADDISON

V.

BULLOUGH/LYKOS OFFICE
BUILDING NO. 1, L.P., ET AL.

§
§
§
§
§
§

IN THE COUNTY COURT

AT LAW NUMBER 2

DALLAS COUNTY, TEXAS

COURT CLERK
DALLAS COUNTY

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION IN CONDEMNATION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Town of Addison , hereinafter referred to as Plaintiff, having by law the right of eminent domain and power of condemnation, acting herein by and through its duly elected City Council (the "Council"), for and on behalf of the Town of Addison, and files this its First Amended Original Petition In Condemnation complaining of Bullough/Lykos Office Building No. 1, L.P.; Applied Property Management Co.; Thomas J. Lykos, Jr., individually and as officer of Applied Property Management Co.; Kircrow Enterprises, Inc.; First Bank & Trust; David F. Weaver, Trustee; and DCB Investment Company, hereinafter referred to as Defendants; and for cause of action Plaintiff respectfully represents to the Court as follows:

I.

The Plaintiff, Town of Addison, a municipal corporation, has determined that the public necessity requires that certain land should be acquired from the Defendants herein.

II.

The Defendants are owners or claimants of some interest in the property being acquired who have been identified by diligent search by Plaintiff. Their respective addresses for service of process are:

Bullough/Lykos Office Building No. 1, L.P.
4101 Centurion Way
Addison, Texas 75001

Dale C. Bullough, Registered Agent
Applied Property Management Co.
4101 Centurion Way
Addison, Texas 75001

Thomas J. Lykos, Jr.
4101 Centurion Way
Addison, TX 75001

Douglas W. Kirkley, Registered Agent
Kircrow Enterprises, Inc.
753 Robin Lane
Coppell, Texas 75019

First Bank & Trust
Attn: Chris Hopkins
2101 Gateway Drive
Irving, Texas 75038-2399

David F. Weaver
First Bank & Trust
2101 Gateway Drive
Irving, Texas 75038-2399

Dale C. Bullough, Registered Agent
DCB Investment Company
4101 Centurion Way
Addison, Texas 75001

Dallas County, Texas
Earl Bullock, County Clerk
Records Building, 2nd Floor
Dallas, TX 75202

Dallas Independent School District
3700 Ross Avenue
Dallas, TX 75204

III.

The public purpose of the acquisition is for the construction, relocation and extension of Arapaho Road, a public street in Addison, Texas, as well as for a temporary construction easement to be utilized in the building of said street for a period of thirty (30) months.

IV.

The Addison City Council has by resolution determined that a fee simple estate is necessary for the construction, relocation and extension of the above-specified new street project. The land to be acquired in fee will be used for such purposes as specified in Paragraph III and although the remainder of Defendant's land will not have access to the new street project, it will maintain its current access to and from Centurion Way. The temporary construction easement will be used for thirty (30) months from the date of possession by Plaintiff as specified in Paragraph VII and returned to the owner thereof.

V.

Plaintiff is entitled to condemn the fee title in such land for said purposes and asks that it be condemned for such purposes.

VI.

The fee simple estate being acquired for the street is described in Exhibit A, attached hereto and made a part of this petition for all purposes.

VII.

Exhibit B, attached hereto and made a part of this petition for all purposes, describes a temporary construction easement that runs parallel to the street right-of-way which easement is to be used during construction for work areas including the removal of improvements located within the right-of-way being acquired and for other related construction uses. All improvements

will be removed from the temporary construction easement and it will be returned to its pre-existing grade and condition except that no improvements will be reconstructed thereon. This temporary construction easement will be thirty (30) months in duration, said months to run from date of possession by the Plaintiff of the easement, and to expire automatically on the completion of the thirtieth (30th) month after possession by Plaintiff.

VIII.

Plaintiff would show, that through its duly authorized agents, it made bona fide attempts to purchase the required property from the defendant owners, that Plaintiff offered the fee owner fair market value as compensation for the property to be acquired, including damages to the remainder, if any, and that the parties have been unable to agree upon the sums to be paid for the purchase of this land or damages occasioned by the acquisition of the land and improvements, if any, and asks that special commissioners be appointed as provided by law to assess all amounts due to Defendants for the part taken and damages, if any.

IX.

Plaintiff has named all known record owners of the land to be condemned. Plaintiff reserves the right to add additional parties if such interests should later appear.

X.

On August 27, 2002, the City Council of the Town of Addison passed a resolution declaring that public convenience and necessity require that the property described in Exhibits A and B be acquired for the public purpose of construction, relocation, and extension of a public street, to wit Arapaho Road. The resolution further authorized the filing of the condemnation suit on behalf of the Plaintiff as provided by law.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Special Commissioners be appointed to determine the compensation to be awarded to the Defendants, that a hearing be held after the parties are properly noticed and the Commissioners render an award to be filed with the Court, that writ of possession issue to Plaintiff and that upon final trial Plaintiff be awarded a judgment vesting fee simple title to the land described in Exhibit A in the Town of Addison, granting a temporary construction easement in the land described in Exhibit B for thirty (30) months from the date of possession, and that fair market compensation including damages, if any, be awarded to Defendants.

Plaintiff further prays for costs of court and for such other and further relief, both general and special, as Plaintiff may be entitled to receive.

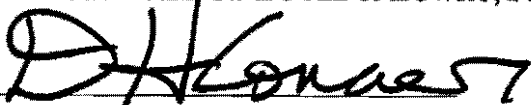
Respectfully submitted,

COWLES & THOMPSON, P.C.
901 Main Street, Suite 4000
Dallas, Texas 75202
(214) 672-2000
Fax: (214) 672-2020

Ken C. Dippel
City Attorney for Town of Addison
State Bar No. 05893000
Angela K. Washington
Assistant City Attorney for Town of Addison
State Bar No. 20897155

LAW OFFICES OF BOYLE & LOWRY, P.C.

By:


Douglas H. Conner
State Bar No. 04694000
4301 Wingren, Suite 108
Irving, Texas 75062
(972) 650-7100
Fax: (972) 650-7105

**TRIAL ATTORNEY FOR PLAINTIFF
TOWN OF ADDISON, TEXAS**

EXHIBIT A

Parcel 11
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.2950 acre (12,852 square foot) tract of land situated in the David Myers Survey, Abstract Number 923, Town of Addison, Dallas County, Texas, and being a portion of a called 1.103 acre tract of land conveyed to Bullough/Lykos Office Building No. 1, L.P. on June 11, 1998 and recorded in Volume 98115, Page 03999 of the Deed Records of Dallas County, Texas, said called 1.103 acre tract being all of "Lot 5, Surveyor Addition, Addison West Industrial Park", an addition to the Town of Addison, as evidenced by the plat dated February 7, 1979 and recorded in Volume 79053, Page 0620 of said Deed Records, said 0.3664 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod set in the proposed North right of way line of Arapaho Road and the South right of way line of a 100 foot wide railroad right of way as conveyed to Dallas Area Rapid Transit Property Acquisition Corporation (herein referred to as DART) on December 27, 1990 and recorded in Volume 91008, Page 1390 of said Deed Records, said point being the common Northeast corner of said called 1.103 acre tract and Northwest corner of a called 1.3713 acre tract of land (designated "Tract 1") conveyed to 4125 Centurion Way, L.P. on June 18, 1998 and recorded in Volume 98121, Page 00188 of said Deed Records, from said point a 1/2 inch iron rod found bears South 45°10'16" East a distance of 0.38 feet, said 0.3664 acre tract of land being more particularly described by metes and bounds as follows;

THENCE, SOUTH 00°08'05" WEST, departing said lines and along the common East line of said called 1.103 acre tract and West line of said called 1.3713 acre tract, a distance of 78.95 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

PARCEL 11 - ARAPAHO ROAD PROJECT

THENCE, NORTH 89°58'49" WEST, departing said common line and along the proposed South right of way line of Arapaho Road, a distance of 162.76 feet to a 5/8 inch iron rod set in the common West line of said called 1.103 acre tract and East line of a called 4.081 acre tract of land conveyed to Public Storage of Dallas, LTD. on October 3, 1979 and recorded in Volume 79196, Page 3188 of said Deed Records, said called 4.081 acre tract being all of Lot 3, of the Watson and Taylor Subdivision No. 2, an addition to the Town of Addison, as evidenced by the plat dated September 12, 1979 and recorded in Volume 79180, Page 0888 of said Deed Records;

THENCE, NORTH 00°06'08" EAST (called North 00°08'05" East), departing said line and along the common West line of said called 1.103 acre tract and East line of said called 4.081 acre tract, a distance of 78.95 feet to a 1/2 inch iron rod found in the proposed North right of way line of Arapaho Road and the South right of way line of said DART railroad, said point being the common Northwest corner of said called 1.103 acre tract and Northeast corner of said called 4.081 acre tract;

THENCE, SOUTH 89°58'49" EAST (called EAST), departing said common line and along the common North line of said called 1.103 acre tract, proposed North right of way line of Arapaho Road, and South right of way line of said DART railroad, a distance of 162.80 feet (called 162.84 feet) to the **POINT OF BEGINNING**;

CONTAINING an area of 0.2950 acres or 12,852 square feet of land within the metes recited.

PARCEL 11 - ARAPAHO ROAD PROJECT

All bearings are referenced to the North Right of Way line of Centurion Way, called S 89°51'55" E, according to the final plat of Lot 3, Surveyor Addition, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, Texas.

A plat of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

Ayub R. Sandhu 11-12-79

Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

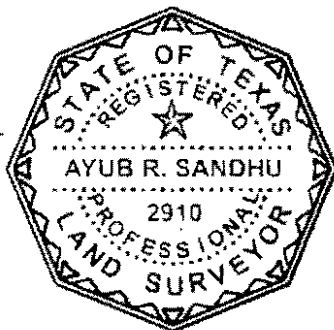


EXHIBIT B

Parcel 11-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0187 acre (814 square foot) tract of land situated in the David Myers Survey, Abstract Number 923, Town of Addison, Dallas County, Texas, and being a portion of a called 1.103 acre tract of land conveyed to Bullough/Lykos Office Building No. 1, L.P. on June 11, 1998 and recorded in Volume 98115, Page 03999 of the Deed Records of Dallas County, Texas, said called 1.103 acre tract being all of "Lot 5, Surveyor Addition, Addison West Industrial Park", an addition to the Town of Addison, as evidenced by the plat dated February 7, 1979 and recorded in Volume 79053, Page 0620 of said Deed Records, said 0.0187 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at the common Northeast corner of said called 1.103 acre tract and Northwest corner of a called 1.3713 acre tract of land (designated "Tract 1") conveyed to 4125 Centurion Way, L.P. on June 18, 1998 and recorded in Volume 98121, Page 00188 of said Deed Records, said corner being in the proposed North right of way line of Arapaho Road and the South right of way line of a 100 foot wide railroad right of way as conveyed to Dallas Area Rapid Transit Property Acquisition Corporation (herein referred to as DART) on December 27, 1990 and recorded in Volume 91008, Page 1390 of said Deed Records;

THENCE, SOUTH 00°08'05" WEST, departing said lines and along the common East line of said called 1.103 acre tract and West line of said called 1.3713 acre tract, a distance of 78.95 feet to a point in the proposed South right of way line of Arapaho Road for the Northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, SOUTH 00°08'05" WEST, continuing along said common line, a distance of 5.00 feet to a point for corner;

PARCEL 11-TE - ARAPAHO ROAD PROJECT

THENCE, NORTH 89°58'49" WEST, departing said common line, a distance of 162.76 feet to a point in the common West line of said called 1.103 acre tract and East line of a called 4.081 acre tract of land conveyed to Public Storage of Dallas, LTD. on October 3, 1979 and recorded in Volume 79196, Page 3188 of said Deed Records, said called 4.081 acre tract being all of Lot 3, of the Watson and Taylor Subdivision No. 2, an addition to the Town of Addison, as evidenced by the plat dated September 12, 1979 and recorded in Volume 79180, Page 0888 of said Deed Records;

THENCE, NORTH 00°06'08" EAST (called North 00°08'05" East), along the common West line of said called 1.103 acre tract and East line of said called 4.081 acre tract, a distance of 5.00 feet to a point for corner in said proposed South Right of Way line of Arapaho Road;

THENCE, SOUTH 89°58'49" EAST, departing said common line and along said proposed South Right of Way line of Arapaho Road, a distance of 162.76 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.0187 acres or 814 square feet of land within the metes recited.

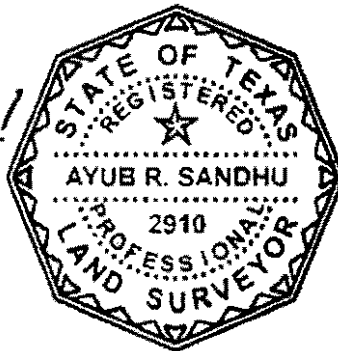
All bearings are referenced to the North Right of Way line of Centurion Way, called S 89°51'55" E, according to the final plat of Lot 3, Surveyor Addition, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, Texas.

A plat of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

Ayub R. Sandhu 7-26-01

Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910



Parcel 11-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0187 acre (814 square foot) tract of land situated in the David Myers Survey, Abstract Number 923, Town of Addison, Dallas County, Texas, and being a portion of a called 1.103 acre tract of land conveyed to Bullough/Lykos Office Building No. 1, L.P. on June 11, 1998 and recorded in Volume 98115, Page 03999 of the Deed Records of Dallas County, Texas, said called 1.103 acre tract being all of "Lot 5, Surveyor Addition, Addison West Industrial Park", an addition to the Town of Addison, as evidenced by the plat dated February 7, 1979 and recorded in Volume 79053, Page 0620 of said Deed Records, said 0.0187 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at the common Northeast corner of said called 1.103 acre tract and Northwest corner of a called 1.3713 acre tract of land (designated "Tract 1") conveyed to 4125 Centurion Way, L.P. on June 18, 1998 and recorded in Volume 98121, Page 00188 of said Deed Records, said corner being in the proposed North right of way line of Arapaho Road and the South right of way line of a 100 foot wide railroad right of way as conveyed to Dallas Area Rapid Transit Property Acquisition Corporation (herein referred to as DART) on December 27, 1990 and recorded in Volume 91008, Page 1390 of said Deed Records;

THENCE, SOUTH 00°08'05" WEST, departing said lines and along the common East line of said called 1.103 acre tract and West line of said called 1.3713 acre tract, a distance of 78.95 feet to a point in the proposed South right of way line of Arapaho Road for the Northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, SOUTH 00°08'05" WEST, continuing along said common line, a distance of 5.00 feet to a point for corner;

25th
Anniversary
1978-2003

COWLES & THOMPSON,
A Professional Corporation
ATTORNEYS AND COUNSELORS



ANGELA K. WASHINGTON
214.672.2144
AWASHINGTON@COWLESTHOMPSON.COM

January 31, 2003

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

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

Dear Mike:

Enclosed is a file-marked copy of the Petition in Condemnation for the above-referenced property. The case has been assigned to County Court at Law No. 5. Commissioners have not yet been appointed. We will keep you apprised regarding this matter.

Sincerely,

Angela K. Washington

AKW/yjr
Enclosure

c(w/o Enclosure): Mr. Steve Chutchian
Mr. Kenneth Dippel, City Attorney

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

DALLAS TYLER

Document #: 1038010

CAUSE NO. 03-00461-E

FILED
JAN 13 PM 2:17
CLERK
DALLAS COUNTY

TOWN OF ADDISON, TEXAS

§ IN THE COUNTY COURT

V.

§ AT LAW NUMBER 5

15211 ADDISON ROAD JOINT VENTURE,
ET AL.

§ DALLAS COUNTY, TEXAS
§
§
§
§
§

PLAINTIFF'S ORIGINAL PETITION IN CONDEMNATION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Town of Addison, Texas, hereinafter referred to as Plaintiff, having by law the right of eminent domain and power of condemnation, acting herein by and through its duly elected City Council (the "Council"), for and on behalf of the Town of Addison, complaining herein of 15211 Addison Road Joint Venture; Kim Forsythe, individually and as Venture Manager for 15211 Addison Road Joint Venture; First United Bank & Trust Company; Greg Massey, Trustee; Sambuca Partners, Limited Partnership II, L.P.; Joe's Auto Body; John Green; David Caranza; Jerry Ward; Sheldon Lauritsen; Debbie Grinsby; Joe's Muffler; and Larry Friend, hereinafter referred to as Defendants; and for cause of action Plaintiff respectfully represents to the Court as follows:

I.

The Plaintiff, Town of Addison, a municipal corporation, has determined that the public necessity requires that certain land should be acquired from the Defendants herein.

II.

The Defendants are owners or claimants of some interest in the property being acquired who have been identified by diligent search by Plaintiff. Their respective addresses for service of process are:

15211 Addison Road Joint Venture
3333 Earhart, Suite 140
Carrollton, Texas 75006

Kim B. Forsythe, Venture Manager
15211 Addison Road Joint Venture
3333 Earhart, Suite 140
Carrollton, Texas 75006

First United Bank and Trust Company
c/o Rex Yarborough
P.O. Box 130
1400 W. Main Street
Durant Oklahoma 74702

Greg Massey, Trustee
First United Bank & Trust Company
P.O. Box 130
1400 W. Main Street
Durant Oklahoma 74702

Sambuca Partners, Limited Partnership II, L.P.
3333 Earhart, Suite 250
Carrollton, Texas 75006

Joe's Auto Body
15293 Addison Road
Addison, Texas 75001

John Green
15211 Addison Road
Addison Texas 75001

David Caranza
15211 Addison Road
Addison Texas 75001

Jerry Ward
15211 Addison Road
Addison Texas 75001

Sheldon Lauritsen
2107 Via Madonna
Carrollton, Texas 75006

Debbie Grinsby
15211 Addison Road
Addison Texas 75001

Joe's Muffler
15233 Addison Road
Addison, Texas 75248

Larry Friend
4147 Myerwood Lane
Dallas, Texas 75244

Dallas County, Texas
Earl Bullock, County Clerk
Records Building, 2nd Floor
Dallas, TX 75202

Dallas Independent School District
3700 Ross Avenue
Dallas, TX 75204

III.

The public purpose of the acquisition is for the construction, relocation and extension of Arapaho Road, a public street and related parkway in Addison, Texas, as well as for a temporary construction easement to be utilized in the building of said street and related parkway for a period of thirty (30) months.

IV.

The Addison City Council has by resolution determined that a fee simple estate and related parkway and temporary construction easements as specified herein are needed for the construction, relocation and extension of the above-specified new street project. The land to be acquired will be used for such purposes as specified herein and access from the remainder of Defendant's land will not be denied. The construction easement will be used for thirty (30) months as specified in Paragraph VII and returned to the owner thereof.

V.

Plaintiff is entitled to condemn the fee title in such land for said purposes and asks that it be condemned for such purposes.

VI.

The land to be acquired is described completely in Exhibits A, B, and C attached hereto and made a part of this petition for all purposes.

VII.

Exhibit A describes the fee simple estate being acquired for the street right-of-way.

Exhibits B describes the easement being acquired for the related street parkway.

Exhibit C describes a temporary construction easement that runs parallel to the street right-of-way which easement is to be used during construction for work areas including the removal of improvements located within the right-of-way being acquired and for other related construction uses. All improvements will be removed from the working easement and it will be returned to its pre-existing grade and condition except that no improvements will be reconstructed thereon. This working easement will be thirty (30) months in duration, said months to run from date of possession by the Plaintiff of the easement, and to expire automatically on the completion of the thirtieth (30th) month after possession by Plaintiff.

VIII.

Plaintiff would show, that through its duly authorized agents, it made bona fide attempts to purchase the required property including the construction easement from the defendant owners, that Plaintiff offered the fee owner fair market value as compensation for the property to be acquired, including damages to the remainder, if any, and that the parties have been unable to agree upon the sums to be paid for the purchase of this land or damages occasioned by the acquisition of the land and improvements, if any, and asks that special commissioners be appointed as provided by law to assess all amounts due to Defendants for the part taken and damages, if any.

IX.

Plaintiff has named all known record owners of the land to be condemned. Plaintiff reserves the right to add additional parties if such interests should later appear.

X.

On October 8, 2002, the City Council of the Town of Addison passed a resolution declaring that public convenience and necessity require that parcels A, B and C be acquired for the public purpose of construction, relocation, and extension of a public street to-wit Arapaho Road. The resolution further authorized the filing of the condemnation suit on behalf of the Plaintiff as provided by law.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Special Commissioners be appointed to determine the compensation to be awarded to the Defendants, that a hearing be held after the parties are properly noticed and the Commissioners render an award to be filed with the Court, that writ of possession issue to Plaintiff and that upon final trial Plaintiff be awarded a judgment vesting fee simple title to the land described in Exhibit A in the Town of Addison, granting the Town of Addison a perpetual easement in the land described in Exhibit B and granting a temporary construction easement in the land described in Exhibit C for thirty (30) months from the date of possession, and that fair market compensation including damages, if any, be awarded to Defendants.

Plaintiff further prays for costs of court and for such other and further relief, both general and special, as Plaintiff may be entitled to receive.

Respectfully submitted,

COWLES & THOMPSON, P.C.

901 Main Street, Suite 4000

Dallas, Texas 75202

(214) 672-2000

Fax: (214) 672-2020

Ken C. Dippel

City Attorney for Town of Addison

State Bar No. 05893000

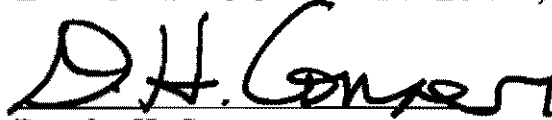
Angela K. Washington

Assistant City Attorney for Town of Addison

State Bar No. 20897155

LAW OFFICES OF BOYLE & LOWRY, P.C.

By:



Douglas H. Conner

State Bar No. 04694000

4301 Wingren, Suite 108

Irving, Texas 75062

(972) 650-7100

Fax: (972) 650-7105

**TRIAL ATTORNEY FOR PLAINTIFF
TOWN OF ADDISON, TEXAS**

Parcel 2
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.1062 acre (4,628 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, being a portion of a called 1.6188 acre tract of land conveyed to 15211 Addison Road Joint Venture on August 7, 1996 and recorded in Volume 96156, Page 04963 of the Deed Records of Dallas County, Texas, said called 1.6188 acre tract being a portion of Lot 2, Block 1 of Addison Car Care, an addition to the Town of Addison as evidenced by the map recorded on June 8, 1987 and recorded in Volume 87111, Page 0286 of said Deed Records, said 0.1062 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a "PK" nail set at the North end of a cut back corner located at the Southwest intersection of Addison Road (variable width) with Arapaho Road (60 feet wide) as dedicated by said plat of Addison Car Care, said nail also being the Northwest corner of a called 0.117 acre (5,112.33 square foot) tract for a 20 foot wide proposed Parkway Easement for Addison Road as evidenced by exhibit furnished by Birkhoff, Hendricks, & Conway, LLP., and signed by Gary Clinton Hendricks, Registered Professional Land Surveyor No. 5037 on April 30, 2002;

THENCE, SOUTH $00^{\circ}18'13''$ EAST, along the West line of said called 0.117 acre tract, being 20 feet West of, measured at a right angle, and parallel to the existing West right of way of said Addison Road, a distance of 31.92 feet to a "PK" nail set in the proposed South right of way line of Arapaho Road;

THENCE, along the proposed South right of way line of Arapaho Road the following courses and distances:

NORTH $67^{\circ}46'13''$ WEST, a distance of 20.18 feet to a "PK" nail set for an angle point;

WEST, a distance of 5.40 feet to a "PK" nail set for the point of beginning of a tangent curve to the left;

PARCEL 2 - ARAPAHO ROAD PROJECT

WESTERLY, along the arc of said curve to the left having a radius of 798.00 feet, a central angle of $13^{\circ}31'51''$, a chord bearing South $83^{\circ}14'04''$ West for 188.02 feet, for an arc distance of 188.45 feet to a 5/8 inch iron rod set in a curve of the common Northwest line of said called 1.6188 acre tract and the Southeast line of a called 3 & 48/100 acre tract of land conveyed to St. Louis Southwestern Railway Company of Texas on January 15, 1902 as evidenced by the deed recorded in Volume 278, Page 115 of said Deed Records;

THENCE, NORTHEASTERLY, departing said proposed right of way line of Arapaho Road, along said common line and the arc of a non-tangent curve to the right having a radius of 714.00 feet (called 713.94 feet), a central angle of $02^{\circ}04'14''$, a chord bearing North $31^{\circ}29'01''$ East for 25.80 feet, for an arc distance of 25.80 feet to a 5/8 inch iron rod set for the common Northwest corner of said called 1.6188 acre tract and Southwest corner of the dedication of said Arapaho Road by said plat of Addison Car Care;

THENCE, EASTERLY, departing said common line and along the common North line of said called 1.6188 acre tract and existing South right of way line of said Arapaho Road, along a non-tangent curve to the right having a radius of 670.00 feet, a central angle of $15^{\circ}19'50''$, a chord bearing North $82^{\circ}09'51''$ East for 178.74 feet, for an arc distance of 179.27 feet (called 179.44 feet) to a "PK" nail set for the point of tangency of said curve;

THENCE, NORTH $89^{\circ}49'46''$ EAST (called North $89^{\circ}39'$ West), continuing along said common line, a distance of 20.07 feet to the **POINT OF BEGINNING**;

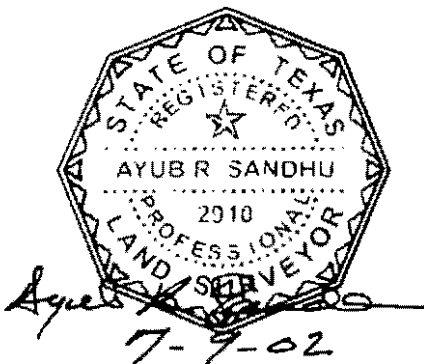
CONTAINING an area of 0.1062 acres or 4,628 square feet of land within the metes recited.

PARCEL 2 - ARAPAHO ROAD PROJECT

All bearings are referenced to the North Right of Way line of Centurion Way, called S 89°51'55" E, according to the final plat of Lot 3, Surveyor Addition, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, Texas.

A plat of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.





EDWARD COOK SURVEY
A-326

EXHIBIT A

LINE TABLE				
LINE	BEARING	CALLED	DIST	CALLED
L1	S 00°18'13" E	S00°13'00"W	31.92	-
L2	N 87°48'13" W	-	20.18	-
L3	WEST	-	5.40	-
L4	N 89°48'46" E	N89°39"W	20.07	-

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	13°31'51"	798.00	188.45	S 83°14'04" W - 188.02
C2	2°04'14"	714.00	25.80	N 31°29'01" E - 25.80
C3	15°19'50"	670.00	179.27	N 82°09'51" E - 178.74

NOTES:

ALL EASEMENTS SHOWN ARE TAKEN FROM THE PLATS INDICATED HEREON. THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY SO ALL EASEMENTS MAY NOT BE SHOWN.

ALL BEARINGS ARE REFERENCED TO THE NORTH RIGHT OF WAY LINE OF CENTURION WAY, CALLED S 89°31'55" E, ACCORDING TO THE FINAL PLAT OF LOT 3, SURVEYOR ADDITION, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

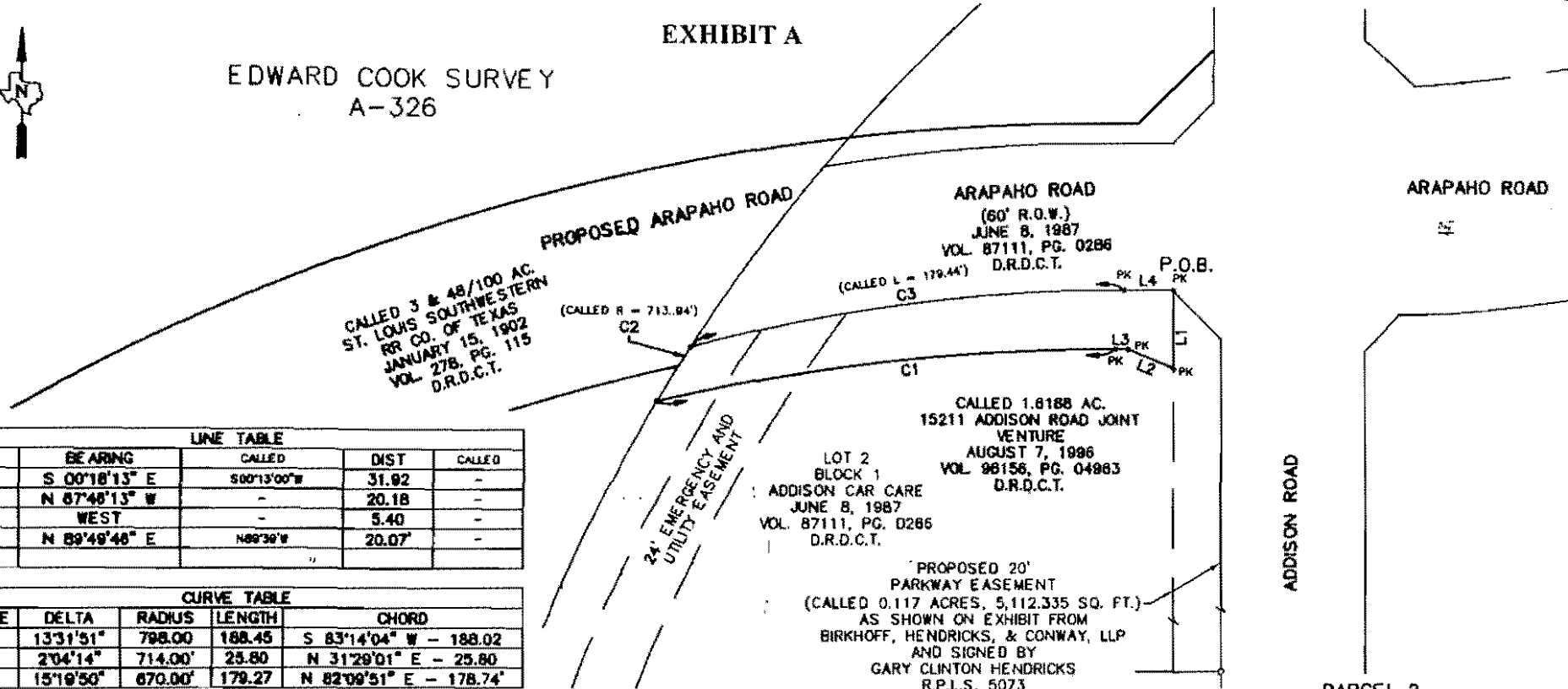
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

- *PK DENOTES A SET "PK" NAIL
- o DENOTES A FOUND POINT AS INDICATED
- DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- PROPOSED RIGHT OF WAY LINE

April L. Jones
7-9-02



GRAPHIC SCALE
1 INCH = 50 FT.



CALLED 3 & 48/100 AC.
ST. LOUIS SOUTHWESTERN
RR CO. OF TEXAS
JANUARY 15, 1902
VOL. 278, PG. 115
D.R.D.C.T.

(CALLED R = 713.84')

(CALLED L = 179.44')

ARAPAHO ROAD
(60' R.O.W.)
JUNE 8, 1987
VOL. 87111, PG. 0286
D.R.D.C.T.

ARAPAHO ROAD

CALLLED 1.8188 AC.
15211 ADDISON ROAD JOINT
VENTURE
AUGUST 7, 1996
VOL. 98156, PG. 04983
D.R.D.C.T.

LOT 2
BLOCK 1
ADDISON CAR CARE
JUNE 8, 1987
VOL. 87111, PG. 0286
D.R.D.C.T.

PROPOSED 20'
PARKWAY EASEMENT
(CALLED 0.117 ACRES, 5,112,335 SQ. FT.)
AS SHOWN ON EXHIBIT FROM
BIRKHOFF, HENDRICKS, & CONWAY, LLP
AND SIGNED BY
GARY CLINTON HENDRICKS
R.P.L.S. 5073
DATED APRIL 30, 2002

PARCEL 2
A PLAT OF A
0.1062 ACRE (4,628 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

TOWN OF ADDISON, TEX.

**FIELD NOTE DESCRIPTION
FOR
15211 ADDISON ROAD JOINT VENTURE
(PARKWAY EASEMENT)**

BEING a tract out of a 1.619 acres of a tract of land located in the Edward Cook Survey, Abstract No. 326, and being across Lot 2 of Block 1 in the Addison Car Care Addition, an addition to the Town of Addison, Dallas County, Texas, conveyed to 15211 Addison Road Joint Venture by a deed now of record in Volume 96156, Page 4963, of the Deed Records of Dallas County, Texas, said tract of land being more particularly described as follows:

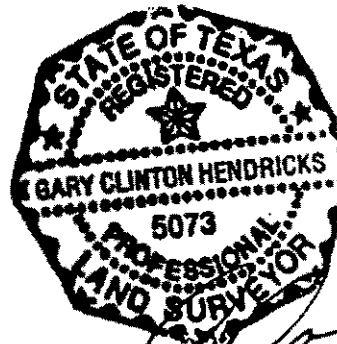
BEGINNING POINT and being a found 'X' in concrete and said point being the southeast corner of said 1.619 acre tract and the northeast corner of a 0.304 acre tract of land conveyed to Dyson Enterprises, LP by a deed now of record in Volume 2000034, Page 2494, of the Deed Records of Dallas County, Texas, and being in the west right-of-way line of Addison Road, (generally a 60 foot right-of-way and generally 30 feet to the center line), said point also being N 0°13'00" E, 54.98 feet from a found 1/2 inch and being the southeast corner of said 0.304 acre tract;

THENCE, Due West, along the south line of said 1.619 acre tract, and along the north line of said 0.304 acre tract for a distance of 20.00 feet to a point for corner;

THENCE, N 00° 13'00" E for a distance of 265.68 feet to a point for corner in the north line of said 1.619 acre tract and in the south line of a dedicated right-of-way for Arapaho Road (generally 60 feet wide) to the Town of Addison, Dallas County, Texas;

THENCE, S 44° 43'21" E, along the north line of said 1.619 acre tract and along the south line of said dedicated right-of-way for Arapaho Road, a distance of 28.31 feet to a point for corner, said point being in said west right-of-way line of Addison Road;

THENCE, S 00° 13'00" W along the east line of said 1.619 acre tract and the west right-of-way line of said Addison Road, a distance of 245.56 feet to the Point of Beginning and containing 5,112.33 square feet (0.117 acres) of land.



[Handwritten Signature]
4/30/02

04/29/02 P.A. SCALE: 1"=60' H:\PROJECTS\ADDISON\B1A3\PLATS\ADD-PLAT6W.DWG

SCALE: 1"=60'

EDWARD COOK SURVEY
ABST. NO. 326



15' UTILITY ESM'T.
ADDISON

LOT 1, BLOCK 1

SABUCA PARTNERS LIMITED
PARTNERSHIP II, L.P.
VOL. 94100, PG. 3581

DYSON ENTERPRISES, L.P.
VOL. 2000034, PG. 2494
BLOCK 1, LOT 1

VOL CAR
87117

CARE
PG. 0286

ADDITION

15211 ADDISON ROAD JOINT VENTURE
VOL. 96156, PG. 4953
BLOCK 1, LOT 2

PROPOSED 20'
PARKWAY EASEMENT

60' R.O.W. DEDICATED
TO TOWN OF ADDISON
FOR AVENUE ROAD
0.2743 ACRES

METRO BRICK
COMPANY, INC.
VOL. 96180, PG. 02908
BLOCK 1, LOT 3
3' STREET ESM'T.

5/8" I.R.F.

EAST - 330.81'
(REFERENCE MEASUREMENT)

50' ST. LOUIS & SOUTHWESTERN R.R.

24' EMERGENCY ACCESS & UTILITY ESM'T.

10' DRAINAGE ESM'T.

24' EMERGENCY ACCESS &

15' STREET &
DRAINAGE ESM'T.

10' DRAINAGE ESM'T.

120'
N 0°13'00" E - 174.98'

WEST
20.00'

1/2" I.R.F.

X" IN
CONC.

S 00°13'00" W

245.56'

S 44°43'21" E
28.31'

POINT OF
BEGINNING

ADDISON ROAD

5/8" I.R.F.

X" IN
CONC.

1/2" I.R.F.

3,112.33 SQ. FT.
0.117 ACRES

EXHIBIT B

ARAPAHO
ROAD

TOWN OF ADDISON, TEXAS

ADDISON ROAD

BELT LINE RD. TO KELLER SPRINGS RD.
PARKWAY EASEMENT

BRIDGHOFF, HEMDRICKS & CONWAY, L.L.P.
CONSULTING ENGINEERS

APR., 2002
PLAT 6W

Parcel 2-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.4582 acre (19,959 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, being a portion of a called 1.6188 acre tract of land conveyed to 15211 Addison Road Joint Venture on August 7, 1996 and recorded in Volume 96156, Page 04963 of the Deed Records of Dallas County, Texas, said called 1.6188 acre tract being a portion of Lot 2, Block 1 of Addison Car Care, an addition to the Town of Addison as evidenced by the map recorded on June 8, 1987 and recorded in Volume 87111, Page 0286 of said Deed Records, said 0.4582 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at a "PK" nail set at the North end of a cut back corner located at the Southwest intersection of Addison Road (variable width) with Arapaho Road (60 feet wide) as dedicated by said plat of Addison Car Care, said nail also being the Northwest corner of a called 0.117 acre (5,112.33 square foot) tract for a 20 foot wide proposed Parkway Easement for Addison Road as evidenced by exhibit furnished by Birkhoff, Hendricks, & Conway, LLP., and signed by Gary Clinton Hendricks, Registered Professional Land Surveyor No. 5073 on April 30, 2002;

THENCE, SOUTH 00°18'13" EAST, along the West line of said called 0.117 acre tract, being 20 feet West of, measured at a right angle, and parallel to the existing West right of way of said Addison Road, a distance of 31.92 feet to a "PK" nail set in the proposed South right of way line of Arapaho Road same being the **POINT OF BEGINNING**;

THENCE, SOUTH 00°18'13" EAST, continuing along the West line of said called 0.117 acre tract, being 20 feet West of, measured at a right angle, and parallel to the existing West right of way of said Addison Road, a distance of 10.83 feet to the most Eastern Southeast corner of the herein described tract;

PARCEL 2TE - ARAPAHO ROAD PROJECT

THENCE, over and across said called 1.6188 acre tract and said Lot 2, Block 1 the following course and distances:

NORTH 67°46'13" WEST, a distance of 11.04 feet to an ell corner of the herein described tract;

SOUTH 00°38'19" EAST, a distance of 63.37 feet to an ell corner of the herein described tract;

SOUTH 89°21'41" WEST, a distance of 18.74 feet to an ell corner of the herein described tract;

SOUTH 00°27'50" EAST, a distance of 45.46 feet to the Southeast corner of the herein described tract;

SOUTH 89°20'10" WEST, along the South line of the herein described tract, a distance of 151.83 feet to the most Southerly Southwest corner of the herein described tract;

NORTH 00°39'51" West, along the West line of the herein described tract, a distance of 99.34 feet to an ell corner of the herein described tract same being the beginning of a non tangent curve to the left;

WESTERLY, along the arc of said non tangent curve to the left having a radius of 788.00 feet, a central angle of 02°45'03", a chord bearing South 77°09'09" West for 37.83 feet, for an arc distance of 37.83 feet to the most Westerly Southwest corner of the herein described tract, same being in a curve of the common Northwest line of said called 1.6188 acre tract and the Southeast line of a called 3 & 48/100 acre tract of land conveyed to St. Louis Southwestern Railway Company of Texas on January 15, 1902 as evidenced by the deed recorded in Volume 278, Page 115 of said Deed Records;

THENCE, NORTHEASTERLY, along said common line and the arc of a non-tangent curve to the right having a radius of 714.00 feet (called 713.94 feet), a central angle of 01°06'40", a chord bearing North 29°53'34" East for 13.85 feet, for an arc distance of 13.85 feet to the Northwest corner of the herein described tract same being in the South line of Proposed South right of way line of Arapaho Road said corner also being the beginning of a non tangent curve to the right;

PARCEL 2TE - ARAPAHO ROAD PROJECT

THENCE, continuing over and across said called 1.6188 acre tract and said Lot 2, Block 1 and along the proposed South right of way line of Arapaho Road the following courses and distances:

EASTERLY, along a non-tangent curve to the right having a radius of 798.00 feet, a central angle of $13^{\circ}31'51''$, a chord bearing North $83^{\circ}14'04''$ East for 188.02 feet, for an arc distance of 188.45 feet to a "PK" nail set for the point of tangency of said curve;

EAST, a distance of 5.40 feet;

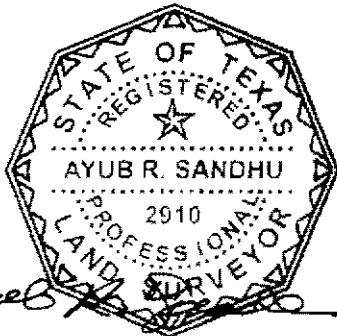
SOUTH $67^{\circ}46'13''$ EAST, a distance of 20.18 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.4582 acres or 19,959 square feet of land within the metes recited.

All bearings are referenced to the North Right of Way line of Centurion Way, called S $89^{\circ}51'55''$ E, according to the final plat of Lot 3, Surveyor Addition, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, Texas.

A plat of even survey date herewith accompanies this description.

I, Ayub R. Sandhu, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.





EDWARD COOK SURVEY
A-326

EXHIBIT C

PROPOSED ARAPAHO ROAD

ARAPAHO ROAD
(80' R.O.W.)
JUNE 8, 1987
VOL. 87111, PG. 0286
D.R.D.C.T.

ARAPAHO ROAD

CALLED 3 & 48/100 AC.
ST. LOUIS SOUTHWESTERN
RR CO. OF TEXAS
JANUARY 15, 1902
VOL. 278, PG. 115
D.R.D.C.T.

(CALLED R = 713.94')

P.O.C.
PK

P.O.B.

ADDISON ROAD

CALLER 1.6188 AC.
15211 ADDISON ROAD JOINT
VENTURE
AUGUST 7, 1998
VOL. 96158, PG. 04983
D.R.D.C.T.

LOT 2
BLOCK 1
ADDISON CAR CARE
JUNE 8, 1987
VOL. 87111, PG. 0286
D.R.D.C.T.

S89°20'10"W
151.83

PROPOSED 20'
PARKWAY EASEMENT
(CALLED 0.117 ACRES,
5,112,335 SQ. FT.)
AS SHOWN DN EXHIBIT FROM
BIRKHOFF, HENDRICKS, & CONWAY, LLP
AND SIGNED BY
GARY CLINTON HENDRICKS
R.P.L.S. 5073
DATED APRIL 30, 2002

PARCEL 2-TE
A PLAT OF A
0.4582 ACRE (19,959 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

LINE TABLE				
LINE	BEARING	CALLED	DIST	CALLED
L1	S 00°18'13" E	-	31.92	-
L2	S 00°18'13" E	-	10.83	-
L3	N 67°46'13" W	-	11.04	-
L4	S 89°21'41" W	-	18.74	-
L5	EAST	-	5.40	-
L6	S 67°46'13" E	-	20.18	-

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	2°45'03"	788.00	37.83	S 77°08'08" W - 37.83
C2	1°06'40"	714.00	13.85	N 29°53'34" E - 13.85
C3	13°31'51"	798.00	188.45	N 83°14'04" E - 188.02

NOTES:

ALL EASEMENTS SHOWN ARE TAKEN FROM THE PLATS INDICATED HEREON. THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY SO ALL EASEMENTS MAY NOT BE SHOWN.

ALL BEARINGS ARE REFERENCED TO THE NORTH RIGHT OF WAY LINE OF CENTURION WAY, CALLED S 89°51'55" E, ACCORDING TO THE FINAL PLAT OF LOT 3, SURVEYOR ADDITION, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

- *PK DENOTES A SET "PK" NAIL
- o DENOTES A FOUND POINT AS INDICATED
- DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- PROPOSED RIGHT OF WAY LINE

April K. Powell
7-9-02



GRAPHIC SCALE
1 INCH = 50 FT.