

1996 Keller Springs Tunnel Correspondence



CITY MANAGER'S DEPARTMENT

• (214) 450-7000 • FAX (214) 960-7684

Post Office Box 144 Addison, Texas 75001-0144

5300 Belt Line Road

December 19, 1996

Mr. Sam Stuart
Addison Airport of Texas, Inc.
4505 Claire Chennault
Dallas, Texas 75248

Dear Sam:

The Town of Addison appreciates AATT's support of the toll tunnel project, and your staff's assistance with relocating the various tenants affected by the project.

Because of this support, I was somewhat surprised by the tone of your letters dated December 9 and December 16. There must be some misunderstanding of what we have discussed in the past.

Both the airport and the tunnel are important to the Town and it is essential that we are in agreement on how to provide for them both. I understand that you will be out of town until after the New Year. Please call me upon your return and I will be happy to go over the issues you have raised.

Sincerely,

Ron Whitehead
City Manager

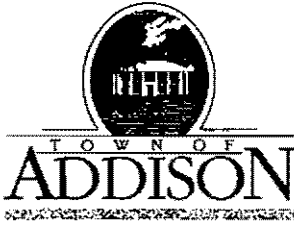
cc: Charles Carroll, Federal Aviation Administration

I am in receipt of your letters dated December 9 and 16 regarding the Airport. I understand from John Baumgartner that you will be out of town for the holidays until some time after the first of the year. After that time, I would like to have the opportunity to visit with you and respond to your comments and concerns.

Best wishes for a Merry Christmas and Happy New Year.

letter from
attorneys, not
rest

COPY



CITY MANAGER'S DEPARTMENT

• (214) 450-7000 • FAX (214) 960-7684

Post Office Box 144 Addison, Texas 75001-0144

5300 Belt Line Road

July 3, 1996

Mr. James W. Griffin, P.E.
Executive Director
Texas Turnpike Authority
3015 Raleigh Street
Dallas, Texas 75219

Dear Mr. Griffin:

Thank you for your continued patience regarding the right-of-way acquisition for Addison Airport Toll Tunnel. This is the single most important project for the Town of Addison and is essential for mobility in our area.

After reviewing your June 14 letter, we have amended our request to eliminate any further obligation for the TTA to provide replacement land in addition to the monetary proposal. The following summarizes our position regarding the outstanding issues related to the right-of-way taking:

1. Additional Right-of-Way for Dooley Road Work: The Town of Addison continues to support the concept of using part of the airport to facilitate the construction of the tunnel on a temporary basis. However, the proposal to route Dooley Road onto the airport as a permanent facility is in conflict with the minimum FAA design requirements regarding building setback from the runway and part 77 protected surfaces.

We want to encourage the TTA to develop a permanent solution and provide access to the Dooley Road properties north of Keller Springs. It appears that the connection to Kellway Circle is the most viable alternative. If the TTA will implement this solution or another permanent solution for reconfiguring Dooley Road, the affiliated right-of-way goes away and this issue is resolved.

2. Damages at Concourse Plaza for Replacing Parking: Our study of this issue concludes re-striping the parking along the right-of-way will not replace the lost parking. Approximately 3,600 square feet of parking area must be added to the leasehold at Concourse Plaza to make it whole after the right-of-way is taken. Unfortunately, Mr. Duffy's estimate of the cost to replace the 3,600 feet of paving is somewhat low. The following estimate identifies what we believe is the true value of this cost to cure:

3,600 square feet of 6" concrete paving @ \$2.50/sq =	\$9,000.00
Landscaping, irrigation & striping =	<u>\$2,000.00</u>
	\$11,000.00

Mr. Griffin
July 3, 1996
Page Two

3. Damages at Ultimate Sports Grill for Future Loss of Parking if R.O.W. is Utilized: The simple solution to this issue is to relocate the right-of-way line so the parking is not lost. If it is necessary to provide for the future expansion of the intersection, then we feel obligated to develop a cost to cure the impact of eliminating parking during a later phase. This would involve drainage improvements, paving, landscaping and reconfiguring the two leaseholds.

We would appreciate the TTA's consideration of our request of \$25,000 to cover our cost to cure the effects of the tunnel on this property.

- 4 & 5. Parcels C, D, E, F, G, H, J, K, & L: In lieu of segregating these parcels, we have consolidated our concerns into one issue that we wish the Texas Turnpike Authority consider. When the land acquisition is complete the remainders of parcels C, D, E, F, G, H, J, K, & L contain an area of 218,376.6 square feet, according to Mr. Miller. These combined remainders are configured in two triangular tracts, and when re-developed by the Town leaseholder, will require special engineering, due to their shape. Even with special engineering, they will be impossible to fully utilize. Mr. Miller placed an aggregate value of \$763,251 on the combined remainders before the taking. A modest claim of 20% damage to these tracts would result in additional compensation of \$152,650 that we would appreciate the TTA consider.

6. Temporary Construction Easement Area: After further review of the appraisal reports, it appears that Mr. Miller has addressed 74,588 square feet of the construction easement area. Our miscalculation of the area is based on an inconsistency in his appraisal report on Parcel F. On Page 6-A of his report, he refers to this area as containing 2,375 square feet; whereas, on the following un-numbered page he has revised the area to 4,175 square feet. This would leave 2,625 square feet of area not addressed in the reports. Attached herewith is a table reflecting our calculations. We would respectfully request that the TTA consider increasing the proposed compensation by \$1,654 for this item.

7. Parcels E and M: As stated in our previous communication, these parcels are of similar size, both in land and improvement area. Our major concern in these properties lies in the appraiser's conclusion of value of the improvements. In the Cost Approach of both parcels, he reports a unit reproduction cost of \$15.00 per square foot with depreciation estimated at forty percent. However, in the Income Approach, the contributory value of these improvements ranges from \$1.04 per square foot to \$1.15 per square foot. This would indicate depreciation of ninety-two to ninety-three percent. In his appraisal reports on these parcels, Mr. Miller states that these improvements have a remaining economic life of 25 years. How could they be depreciated in excess of ninety percent with this amount of economic life remaining? Mr. Miller bases these values on annual gross revenues of \$21,000 on each parcel.

In his opinion, these improvements are worth less than one year of gross annual income. Mr. Stuart's records reflect current income of \$25,200 and, using this income, would result in improvement values of \$48,000 to \$49,000 for the improvements.

Mr. Griffin
July 3, 1996
Page Three

Additionally, there appears to be a mathematical error in his Income Approach on Parcel M. The management expense should be \$714, not \$816. This would result in an upward adjustment of \$2,141 for the improvements, based on his analysis. It does not seem fair to us that these improvements are worth less than one year's gross income stream in view of their remaining economic life.

We would suggest the TTA consider increasing the proposed compensation by \$10,924 for Parcel E, and \$30,700 for Parcel M.

The following table represents our summary of the compensation items we request the TTA consider.

Addison Airport Compensation Summary

#	DESCRIPTION	AMOUNT
	Base Offer	\$1,291,059
1	Dooley Road work	0*
2	Concourse Plaza	11,000
3	Ultimate Sports Grill	25,000**
4, & 5	Parcels C, D, E, F, G, H, J, K, & L	152,650
6	Damages temporary construction easement	1,654
7	Parcels E, & M	41,624
	TOTAL	\$1,522,987

* Assumes a permanent off airport solution is developed.

** Assumes relocation of the right-of-way is not possible.

We appreciate your diligence in working on our project for the benefit of the citizens in the Addison Carrollton and North Dallas area. Please call me if you have any questions or need additional information.

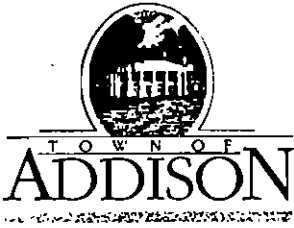
Sincerely Yours,



Ron Whitehead
City Manager

PROPOSED ACQUISITIONS

<u>PARCEL</u>	<u>ROW EASEMENT AREA</u>	<u>TEMPORARY CONSTRUCTION EASEMENT AREA</u>	<u>SUBSURFACE EASEMENT AREA</u>
A	4,694 SF	0	0
B	4,752 SF	0	0
C	1,489 SF	0	0
D	3,515 SF	1,100 SF	0
E	10,428 SF	1,400 SF	0
F	17,887 SF	4,175 SF	0
G	23,407 SF	11,600 SF	0
H	24,350 SF	0	0
I	709 SF	17,340 SF	0
J, K AND L	0	13,780 SF	0
M	2,000 SF	10,125 SF	10,262 SF
N	36,876 SF	15,068 SF	0
TOTAL AREAS	130,107 SF	74,588 SF	10,262 SF
TOTAL REQUIRED	130,107 SF	77,213 SF	195,683 SF
DEFICIENCY	0	2,625 SF	185,421 SF



CITY MANAGER'S DEPARTMENT

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Post Office Box 144 Addison, Texas 75001-0144

5300 Belt Line Road

MEMORANDUM

July 1, 1996

To: Honorable Mayor and City Council

From: Ron Whitehead, City Manager

Subject: **KELLER SPRINGS TOLL TUNNEL**

Attached is a draft copy of the response letter we plan to send to the Texas Turnpike Authority (TTA) regarding our on-going ROW and appraisal negotiations with them. As you know, this project has been a complex and challenging effort for the staff; however, we believe the effort will be well worth the potential infrastructure improvements which the tunnel offers the community. The following provides you with some background on what brings us to this decision point as well as a recommended course of action to move toward the successful development and completion of the tunnel project.

BACKGROUND

The Town initiated conversations with TTA and Dallas County on the development of this project in 1987. The purpose of this \$24 million infrastructure project is to afford the Town an alternative to our increasingly difficult east-west traffic flow problems. A number of public entities besides TTA have committed to the development of the tunnel project including Dallas County which will contribute approximately \$3 million to the project and the City of Carrollton which has expended funds to improve the Keller Springs/Marsh intersection to better manage the anticipated traffic increase generated by the tunnel. Obviously, the value of the project has been recognized by these entities as well. Undoubtedly there is risk associated with an infrastructure project of this magnitude, but we believe the risk to the Town is worth taking if we can get TTA to make this important investment in Addison.

ROW APPRAISAL AND FAA NEGOTIATIONS

Approximately six (6) months ago, the Town secured the services of Mr. Jim Duffy of the JFD Group to direct negotiations with TTA and affected parties in an effort to come to a property appraisal figure that fairly and adequately compensates impacted tenants and AATI. The latest ROW proposal we are prepared to submit to TTA with Council approval is approximately \$1.5 million with the offer that the Town will take on the land replacement obligation argued to be necessary by the FAA. Our estimate on the cost to obtain release from the various leasehold interests is \$1.4 million. This difference between appraisal and cost to remedy leaves little contingency for a project with so many interrelated variables. The attached draft response letter presents this counter offer to TTA and offers details on the individual Airport parcels.

Toll Tunnel
7/1/96
Pg. 2

With regard to the FAA's assertion that we must replace the 3.0 acres lost to the tunnel, we propose the following solution. Mr. Thomas Wade of the Southwest Division of the FAA in Fort Worth supports the Town's efforts to acquire property for a proposed Cavanaugh Flight Museum facility adjacent to the Airport. Of the estimated 7-9 acres needed to be purchased for such a museum facility, the FAA would consider 3.0 acres from a Cavanaugh deal to account for that property lost to the tunnel.

This position of the FAA moves us closer to solving the land replacement issue. In addition, further information from the FAA may assist in resolving our continued concerns over the impact the tunnel has on Dooley Rd. on the west side of the Airport. It is our belief that the best permanent solution to the Dooley Rd. question rests on the acquisition of two (2) parcels of land along Dooley Rd. Following the purchase of this land, we would then construct a connector street from Kellway Circle east permitting easy ingress/egress from Dooley Rd. to Kellway Circle. TTA has offered to spend approximately \$100,000 for the construction of the Kellway Circle connector street. Thomas Wade of the FAA has informed me that there is a strong likelihood we can access approximately \$360,000 of unused FAA grant monies awarded to the City of Wichita Falls to go toward land acquisition for this connector street if required. It is important that we seize this opportunity to acquire these properties now and avoid more costly permanent access solutions for these property owners. Buying these properties also prepares the Airport for the eventual construction of the west side taxi-way and other aviation developments on the west side. For these reasons, I think the Town should go ahead and buy these properties as soon as possible. We will detail for you the exact location of these affected properties tomorrow night.

the possibility

There is the option of dropping all these efforts and requesting TTA begin a voluntary condemnation process on the needed properties. While a condemnation approach to the ROW issue might prove simpler, the Town would come out of an eminent domain judgement with no improvements to the Airport other than the tunnel. Our discussions thus far have included a proposal to AATI for the construction of a Jet Court hangar facility to compensate for the revenue stream lost with the removal of existing "T" and "patio" hangars along Keller Springs Rd. For this reason, staff is making every effort to make the negotiated approach work.

As you see, the negotiation process associated with this project becomes quite complicated. However, I believe with Council endorsement of this proposed approach to resolving the disputed issues, we can effectively move forward. We will have Jim Duffy and our appraiser Mr. Marlin Blake at the Council meeting tomorrow night to carry you through a more in-depth discussion of the ROW process and I will further explain our plan for land replacement. Please call should you have any questions.

RW:ct

2nd

DRAFT

July 1, 1996

Mr. James W. Griffin, P.E.
 Executive Director
 Texas Turnpike Authority
 3015 Raleigh Street
 Dallas, Texas 75219

Dear Mr. Griffin:

Thank you for your continued patience regarding the right-of-way acquisition for Addison Airport Toll Tunnel. This is the single most important project for the Town of Addison and is essential for mobility in our area.

After reviewing your June 14 letter, we have amended our request to eliminate any further obligation for the TTA to provide replacement land in addition to the monetary proposal. The following summarizes our position regarding the outstanding issues related to the right-of-way taking:

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We want to encourage the TTA to develop a permanent solution and provide access to the Dooley Road properties north of Keller Springs. It appears that the connection to Kellway Circle is the most viable alternative. If the TTA will implement this solution or another permanent solution for reconfiguring Dooley Road, the affiliated right-of-way goes away and this issue is resolved.

2. Damages at Concourse Plaza for Replacing Parking: Our study of this issue concludes re-striping the parking along the right-of-way will not replace the lost parking. Approximately 3,600 square feet of parking area must be added to the leasehold at Concourse Plaza to make it whole after the right-of-way is taken. Unfortunately, Mr. Duffy's estimate of the cost to replace the 3,600 feet of paving is somewhat low. The following estimate identifies what we believe is the true value of this cost to cure:

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2nd
DRAFT

Mr. Griffin
July 1, 1996
Page Two

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In his opinion, these improvements are worth less than one year of gross annual income. Mr. Stuart's records reflect current income of \$25,200 and, using this income, would result in improvement values of \$48,000 to \$49,000 for the improvements.

*2nd***DRAFT**

Mr. Griffin
 July 1, 1996
 Page Three

Additionally, there appears to be a mathematical error in his Income Approach on Parcel M. The management expense should be \$714, not \$816. This would result in an upward adjustment of \$2,141 for the improvements, based on his analysis. It does not seem fair to us that these improvements are worth less than one year's gross income stream in view of their remaining economic life.

We would suggest the TTA consider increasing the proposed compensation by \$10,924 for Parcel E, \$30,700 for Parcel M, and \$2,141 because of the mathematical difference.

The following table represents our summary of the compensation items we request the TTA consider.

Addison Airport Compensation Summary

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	Base Offer	\$1,291,059
1	Dooley Road work	0*
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4, & 5	Parcels C, D, E, F, G, H, J, K, & L	152,650
6	Damages temporary construction easement	1,654
7	Parcels E, & M	43,765
	TOTAL	\$1,525,128

* Assumes a permanent off airport solution is developed.

** Assumes relocation of the right-of-way is not possible.

We appreciate your diligence in working on our project for the benefit of the citizens in the Addison Carrollton and North Dallas area. Please call me if you have any questions or need additional information.

Sincerely Yours,

Ron Whitehead
 City Manager

**TEXAS
TURNPIKE
AUTHORITY**



3015 Raleigh Street • P.O. Box 190369
Dallas, Texas 75219
Phone 214/522-6200
Fax 214/528-4826

March 20, 1996

Mr. Ronald N. Whitehead
City Manager
Town of Addison
P.O. Box 144
Addison, TX 75001

RE: DNT 237 - General Consulting Engineering Services
Addison Toll Tunnel Project

Dear Ron:

I want to express my appreciation for the opportunity to meet with you, your staff and consultants on March 1. The time we spent discussing the Addison Toll Tunnel Project and related issues was extremely productive. This agency values its relationship with the Town.

The other purpose of this letter is to inquire of the status of the offer the TTA made to the Town for suitable easement rights across and under the Airport. We are commencing eminent domain proceedings for several privately owned properties. The TTA is eager to reach an agreement with the Town for the Airport right-of-way so we can better evaluate our budget and timetable for completing this important project. Our Board meets on March 25, and any information you could provide me before that time would be appreciated.

As you are evaluating our offer, we ask that you consider three key points of the TTA offer to purchase. First, we believe that it is a fair offer for the interests being acquired. I was pleased that, during the course of the meeting, Pat's estimates of values pertaining to land needed for the new runway or Dooley Road seemed to support the values in our appraisals. Secondly, please bear in mind that our offer is for the entire Airport right-of-way, notwithstanding the fact that we have provided you with individual appraisals for each leased tract.

Finally, we expect that you will discuss the offer with many or all of the parties that have leasehold or other interests in the Airport right-of-way. Based on those discussions, the Town may conclude that specific leased tracts may be acquired for less than the appraised amount and others more. This

MEMBERS: J BRE W. THOMPSON, JR., CHAIRMAN, DALLAS • LUTHER G. JONES, JR., VICE CHAIRMAN, CORPUS CHRISTI
ANNE S. WYNN, AUSTIN • MICHAEL Y. CHOU, HOUSTON • DAVID M. LANEY, DALLAS • LORRAINE PERRYMAN, ODESSA
TOMAS CARDENAS, JR., EL PASO • DAVID E. BEHNSEN, BEAUMONT • LEAH RAY WOOTEN, FAIRVIEW • RAUL A. BESTEIRO, JR., BROWNSVILLE
NATHELINE A. KENNETH, HOUSTON • PHILIP MONTGOMERY, DALLAS • JAMES W. GRIFFIN, EXECUTIVE DIRECTOR • JIMMIE G. NEWTON, SECRETARY • SUSAN A. BUSE, TREASURER

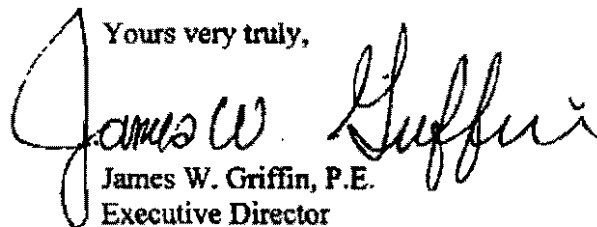
AN AGENCY OF THE STATE OF TEXAS

Mr. Ronald N. Whitehead
City Manager
Town of Addison
March 20, 1996
Page 2 of 2

is due to both the necessarily imprecise nature of real estate appraisal and the idiosyncracies of particular tenants and their properties. We have submitted, however, an overall offer that we are confident is fair for the entire right-of-way. We hope that you will evaluate it on that basis, and that it will be acceptable.

Once again, thank you for your support for this project. I cannot emphasize how important the timely acquisition of this right-of-way is to the financial success of the Tunnel project.

Yours very truly,



James W. Griffin, P.E.
Executive Director

cc: Engineering
Ginn Corporation

nlg



COPY TO BUMGARDNER

January 18, 1996

Mr. Ron Whitehead
City Manager
Town of Addison
P. O. Box 144
Addison, TX 75001-0144

Dear Mr. Whitehead:

I recently spoke with John Bumgardner, City Engineer, concerning the status of the Addison Airport Tunnel and METCO's loss of access from Dooley Road to Keller Springs, which allows access to Midway Road via a traffic light.

As you will remember at each public hearing concerning the Addison Airport Tunnel, METCO Environmental has requested a traffic light access to Midway Road from Dooley Road.

METCO strongly proposes that the City of Addison support this position and that expense for this should be borne by the Texas Turnpike Authority.

At the same time, a broader perspective should be taken on the traffic pattern for the entire area and plans should be made to tie Wright Brothers into Dooley Road and provide access to Midway via a traffic light. This would be a win situation for property owners on Dooley Road, Wright Brothers, and Boyington which would all have traffic light access

P.O. Box 598
Addison, TX 75001
(214) 931-7127
FAX (214) 931-8398

Field office:
Houston, TX
(713) 869-7372

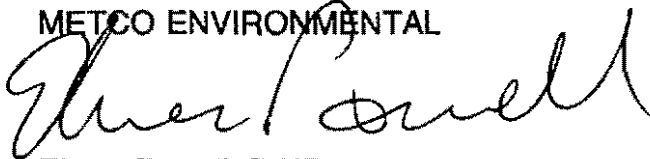
Mr. Ron Whitehead
January 18, 1996
Page Two

to Midway. Improved access to Midway ultimately results in more tax dollars for the city through increased development or higher building rental rates.

Support by the City of Addison on this issue will be appreciated.

Sincerely,

METCO ENVIRONMENTAL

A handwritten signature in black ink, appearing to read "Elmer Powell". The signature is written in a cursive, flowing style with a large initial "E".

Elmer Powell, P.HR
Manager, Human Resources

cc: Bill Mullins, President METCO Environmental
John Bumgardner, City Engineer Town of Addison

EP:ji



February 13, 1995

Mr. Ron Whitehead
City Manager
Town of Addison
P.O. Box 144
Addison, Texas 75001-0144

Dear Mr. Whitehead:

METCO Environmental has attended two public hearings held by the Texas Turnpike Authority and at the last hearing I spoke with you personally about the loss of access from Dooley Road to Keller Springs, which allows access to Midway Road via a stop light.

I will restate again that a severe safety hazard will be created for METCO Environmental's employees and visitors, and for the drivers or METCO's five-ton vans and cargo vans in attempting to cross Midway Road without the help of controlled access due to the elimination of access to Keller Springs.

METCO Environmental purchased the property at 16115 Dooley Road and built its corporate offices with the main consideration that the company vehicles, visitors and employees would have access to a controlled intersection at Midway Road and Keller Springs. The tunnel plan eliminates any controlled access to Midway Road for METCO Environmental.

In summary, not only will a severe traffic hazard be created for METCO Environmental, but the value of METCO's property will be impacted due to the elimination of controlled access to Midway Road.

Sincerely,

METCO ENVIRONMENTAL


Ender Powell, P.H.R.
Manager, Human Resources

cc: Ms. Mary Rosenbleeth - Town of Addison
Mr. Jerry Shelton - Texas Turnpike Authority

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Addison, TX 75001
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METCO
ENVIRONMENTAL

November 7, 1994

Mr. James Griffin
Deputy Director
Texas Turnpike Authority
P.O. Box 190369
Dallas, Texas 75219-0369

RE: Addison Airport Travel

Dear Mr. Griffin:

It is my understanding that a public hearing will be held on Monday, November 21, 1994, concerning the Addison Airport Tunnel.

I wish to express the concerns of METCO Environmental regarding the tunnel design and its effect on our company in particular.

1. I submitted a letter to your attention on February 15, 1993, and a response was received from the Ginn Corporation indicating that a meeting would be held to discuss our concerns. As of November 7, 1994, the Ginn Corporation has never held that meeting. Copies of both letters are attached.
2. No notification was sent to the property owners affected by the tunnel. Therefore, the public hearing needs to be reconvened after proper notification has been sent to surrounding property owners.
3. METCO Environmental purchased the property at 16115 Dooley Road and built its corporate offices with the main consideration that the company vehicles, visitors and employees would have access to a controlled intersection at Midway Road and Keller Springs. The tunnel plan eliminates any controlled access to Midway Road for METCO Environmental.
4. The tunnel design will impose a hardship on companies and landowners along Dooley Road and Keller Springs by eliminating any controlled access to Midway Road.

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Houston, TX
(713) 869-7372

Mr. James Griffin
November 7, 1994
Page 2

5. A severe safety hazard will be created for METCO Environmental's employees and visitors, and for the drivers of METCO's five-ton vans and cargo vans in attempting to cross Midway Road without the help of controlled access due to the elimination of access to Keller Springs.
6. METCO Environmental's property value will be impacted due to the elimination of controlled access to Midway Road.
7. In regard to the Toll Plaza location, it is the feeling of METCO Environmental that eastbound traffic will backup into Midway Road creating a traffic problem. The Toll Plaza needs to be moved further east on Keller Springs or relocated.
8. In addition, the tunnel entrance on the east side of the airport needs to be moved east of Addison Road where traffic is lighter, rather than dumping the traffic onto Addison Road.

In summary, both the Texas Turnpike Authority and the Ginn Corporation have failed to respond to METCO Environmental's concerns.

Sincerely,

METCO ENVIRONMENTAL



Elmer Powell, P.H.R.
Manager, Human Resources

EP/jr

Attachments

THE GINN CORPORATION
Consulting Engineers

February 20, 1993

RECEIVED
FEB 23 1993

.....

Mr. Elmer Powell
Manager, Human Resources
Metco Environmental
P.O. Box 598
Addison, Texas 75001

RE: Addison Airport Tunnel

Dear Mr. Powell:

Reference is made to your letter dated February 15, 1993 to Mr. James Griffin with the Texas Turnpike Authority.

Please be assured that as the project develops, we will be meeting with you and addressing your concerns.

In the meantime, if I can answer any further questions, please feel free to call.

Yours truly,



H. Wayne Ginn P.E.

HWG:jg

cc: Ron Whitehead
James Griffin P.E.
HNTB



METCO
ENVIRONMENTAL

February 15, 1993

Mr. James Griffin
Deputy Director
Texas Turnpike Authority
P.O. Box 190369
Dallas, Texas 75219-0369

Dear Mr. Griffin:

On Thursday, February 11th, I attended the public hearing at the Addison Conference Center concerning the Addison Tunnel.

For the benefit of several parties, I would like to express the concerns of METCO Environmental regarding the tunnel design and its effect on our company in particular.

1. No notification was sent to the property owners affected by the tunnel. Therefore, the public hearing needs to be reconvened after proper notification has been sent to surrounding owners.
2. METCO Environmental purchased the property at 16115 Dooley Road and built its corporate offices with the main consideration that the company vehicles, visitors and employees would have access to a controlled intersection at Midway Road and Keller Springs. The tunnel plan eliminates any controlled access to Midway Road for METCO Environmental.
3. The tunnel design will impose a hardship on companies and land owners along Dooley and Keller Springs by eliminating any controlled access to Midway Road.

P.O. Box 598
Addison, TX 75001
(214) 931-7127
FAX (214) 931-8398

Field office:
Houston, TX
(713) 869-7372

Mr. James Griffin
February 15, 1993
Page Two

4. A severe safety hazard will be created for METCO Environmental's employees, visitors and drivers of our 5 ton vans and cargo vans in attempting to cross Midway Road without the help of controlled access due to the elimination of access to Keller Springs.
5. METCO Environmental's property value will be impacted due to the elimination of controlled access to Midway Road.
6. In regards to the Toll Plaza location, it is the feeling of METCO Environmental that east bound traffic will back-up into Midway Road creating a traffic problem. The Toll Plaza needs to be moved further east on Keller Springs or relocated.
7. In addition, the tunnel entrance on the east side of the airport needs to be moved east of Addison Road where traffic is lighter rather than dumping the traffic onto Addison Road.

In summary, METCO Environmental is not opposed to the concept of the tunnel, as long as the logistical impact on the company is eliminated.

Sincerely,

METCO ENVIRONMENTAL



Elmer Powell
Manager, Human Resources

EP/ds

Kellen Springs

LAW OFFICES OF

LOCKE PURNELL RAIN HARRELL

(A PROFESSIONAL CORPORATION)

2200 ROSS AVENUE · SUITE 2200
DALLAS · TEXAS 75201-6776
(214) 740-8000
FAX: (214) 740-8800

AUSTIN OFFICE:
515 CONGRESS AVENUE · SUITE 2500
AUSTIN · TEXAS 78701-3500
(512) 305-4700

WRITER'S DIRECT DIAL NUMBER

NEW ORLEANS OFFICE:
601 POYDRAS STREET · SUITE 2400
NEW ORLEANS · LOUISIANA 70130-6036
(504) 558-5100

740-8797

December 8, 1995

BY HAND DELIVERY

Mr. John Baumgartner, P.E.
Director of Public Works
Town of Addison
16801 Westgrove Drive
Addison, Texas 75001-0144

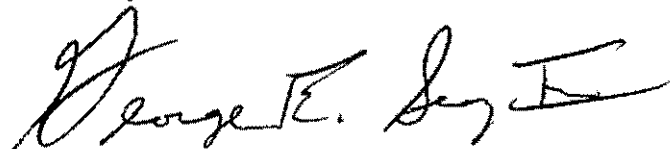
Re: Amended Right of Entry for Addison Airport

Dear John:

I attach a hard copy of the Amended Right of Entry for the Addison Airport Tunnel. Should you have any questions concerning this matter, do not hesitate to call me anytime this afternoon. As I informed you through fax, we will transmit the metes and bounds description of the real property to be included in the Right of Entry as soon as possible. You will receive such metes and bounds description either today or Monday. Thank you so much for your assistance in this process.

Best regards.

Sincerely,


George E. Seay, III

GES/sah
Enclosure

cc: Buddy Steel (w/encl.)
Frank Stevenson (w/enc.)

extension and enlargement of the turnpike project known as the Dallas North Tollway, said Project following the projected route of an extended Keller Springs Road, having as its eastern terminus Addison Road and with Midway Road as its western terminus.

2. The Authority shall have the right of entry upon, and non-exclusive possession of, the Property from and after the execution date hereof for the purposes of performing soils, geotechnical and other testing work; surveying, staking and otherwise delineating the proposed right-of-way for the Project; appraising property acquired for or affected by the Project; evaluating the feasibility of, and method for, modifying, relocating or demolishing structures affected by the Project; locating and relocating/adjusting utilities; and similar activities, all being performed by the Authority, its agents, employees, consultants or contractors. Nothing in the Right of Entry is intended or shall be construed as authorizing any activity that either violates existing leases of the Property or materially interferes with the access rights of owners of land abutting the Property.

3. The Town and the Authority intend to subsequently execute a document by which the Town shall grant the Authority permanent surface and subsurface easements required to construct and operate the Tunnel, which document also shall enumerate the other agreements between the parties regarding the Tunnel. This Right of Entry shall terminate upon the execution by the Town and the Authority of the document described in the preceding sentence.

4. The metes and bounds description of the Property attached as Exhibit A describes a strip of land extending westerly from Addison Road to a point at or near the Dooley Road right-of-way. Notwithstanding the terminus of this metes and bounds

description at Dooley Road, this Right of Entry shall be deemed to apply to the existing right-of-way for Keller Springs Road extending westerly from Dooley Road to Midway Road, and said right-of-way shall constitute a portion of the Property.

TO HAVE AND TO HOLD the possession of the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the Authority, its successors and assigns, under the terms of this grant.

EXECUTED this ____ day of December, 1995.

Attest:

TOWN OF ADDISON:

Town Secretary

By: _____
Name: _____
Title: _____

Approved As To Form:

Town Attorney

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this ____ day of December, 1995,
by _____, _____ of the TOWN OF
ADDISON, on behalf of said municipality.

[SEAL]

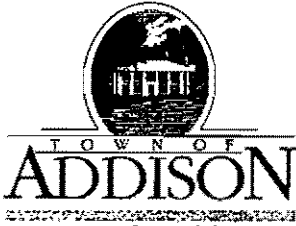
Notary Public in and for
the State of Texas

My Commission Expires:

Print Name of Notary:

TEXAS TURNPIKE AUTHORITY'S ADDRESS:

3015 Raleigh Street
P.O. Box 190369
Dallas, Texas 75219



PUBLIC WORKS DEPARTMENT

Post Office Box 144 Addison, Texas 75001

(214) 450-2871

16801 Westgrove

October 9, 1995

Mr. Pete Davis
Texas Turnpike Authority
3015 Raleigh Street
P.O. Box 190369
Dallas, Texas 75219

Dear Pete:

We have reviewed the schematics provided for the connection of the Keller Springs underpass to Addison Road and the Dooley Road bypass. Both exhibits were forwarded to our airport planner for evaluation. Some preliminary comments are as follows:

1. Addison Road/Keller Springs Connection
 - A. Does the intersection as proposed, have sufficient capacity for the projected traffic volumes? Attached is an intersection schematic proposed by Barton-Aschman to mitigate the affects of the increased demand on the intersection. The fundamental difference involve the number of through lanes provided for east and west traffic.
 - B. How does the proposed intersection with "Old" Keller Springs and the realigned portion of the tunnel operate? Does it provide for vehicular visibility consistent with generally accepted engineering practice?
2. Dooley Road realignment at the west tunnel portal.
 - A. It appears that the proposed realignment encroaches upon the airports' building restriction line of 550 feet from the runway center line.

Please review your proposals and let's discuss some alternatives at your earliest convenience.

Sincerely,

John R. Baumgartner, P.E.
Director of Public Works

JRB/amh

Attachments:

1. Letter dated August 24, 1995 from TTA
2. Barton-Aschman study dated May 5, 1993

cc: Wayne Ginn, Ginn Inc.
Ron Whitehead, City Manager



3015 Raleigh Street • P.O. Box 190369
Dallas, Texas 75219
Phone 214/522-6200
Fax 214/528-4826

July 19, 1995

Department of Public Works
Town of Addison
P.O. Box 144
Addison, TX 75001

Attn: Mr. John Baumgartner
Director

RE: DNT 237 - Project Engineering Services
Addison Airport Toll Tunnel

Gentlemen:

Pursuant to your letter of June 12, 1995, the Ginn Corporation has investigated four configurations of access to the tunnel on the eastside of the Airport as those options may affect tunnel project cost, accessibility to airport properties, and impact upon abutting airport operations.

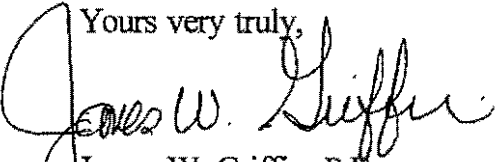
The Ginn Corporation is available to brief you on the considerations that have led to a decision by the TTA to choose the configuration labeled Alternate No. 1, Phase 1, (Exhibit 1) with the exception that the TTA will attempt now to acquire all hanger/building space within the right-of-way required for the four lane tunnel. Exhibit 1 represents the option that will have the least impact on the budget for the development of the tunnel. The TTA must retain the integrity of the budgeted construction cost and that fact has been instrumental in choosing this option.

There are advantages to reconfiguring the access to abutting properties as represented by Alternate 2; the Ginn Corporation will review these with your staff. If the Town should choose to insist on proceeding with Alternate 2, the Town will need to find funds to provide for the additional cost of construction of that option.

By copy of this letter, the TTA is requesting the Ginn Corporation to schedule a meeting with the Town staff to review this study; however, since the cost differentials are significant to the TTA, it is hereby directing the Ginn Corporation and HDR Engineering, Inc. to proceed with the

Town of Addison
Mr. John Baumgartner
July 19, 1995
Page 2 of 2

development of Alternate 1, Phase 1, as depicted in Exhibit 1. After the briefing, if the Town is interested in investing in the additional cost of Alternate 2, please provide the TTA with notice of such intent.

Yours very truly,

James W. Griffin, P.E.
Executive Director

cc: The Ginn Corporation
HDR Engineering, Inc.

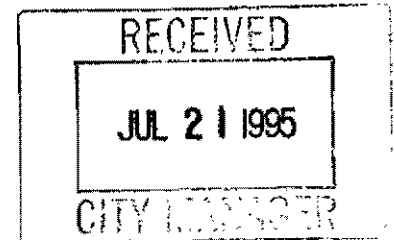
Enclosure

nlg



3015 Raleigh Street • P.O. Box 190369
Dallas, Texas 75219
Phone 214/522-6200
Fax 214/528-4826

July 19, 1995



Town of Addison
P.O. Box 144
Addison, TX 75001

Attn: Mr. Ron Whitehead
City Manager

RE: DNT 237 - Project Engineering Services
Addison Airport Toll Tunnel

Gentlemen:

The Ginn Corporation, serving as project engineer on this project, has been investigating for the Texas Turnpike Authority (the "TTA") options to relocate Dooley Road. We have attached Exhibit 1 to this letter illustrating the layouts of two relocation options that have been investigated.

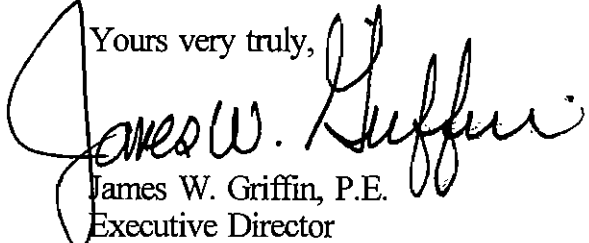
Option 1 (light blue) appears to represent the alternative that has been financed by the bond issue with the exception of the relocation of the airport's westside lighting vault. Including relocation of the vault, Option 1 has been estimated to cost \$200,000, whereas Option 2 (in red) has been estimated to cost \$275,000 plus the cost of the land. Not having anticipated nor budgeted for relocation of the lighting vault, the TTA must minimize its Dooley Road accommodation cost; therefore, it chooses Option 1.

Should the Town desire to proceed with Option 2, the TTA requests that the Town obligate itself to pick up the differential cost plus acquire timely the significant amount of additional right-of-way that will be required. Further, in regard to Option 2, the TTA would need for the Town to hold the TTA harmless from any claims by operational businesses or land owners related to alleged financial damages incurred by them, if any, as a result of a discontinuous Dooley Road as represented in Exhibit 1 by the two cul-de-sacs.

Town of Addison
Mr. Ron Whitehead
July 19, 1995
Page 2 of 2

While evaluating the feasibility of the two options, the TTA engineers have contacted Pain Sribhen of PSA Engineers, and Mr. Sribhen has advised the Ginn representative that he would permit the reuse of his firm's plans and specifications to relocate the lighting vault. The TTA would like to proceed with the relocation of the lighting vault immediately and requests that the Town (i) coordinate with the Ginn Corporation to determine a proper relocation site, (ii) by letter to the TTA, approve the relocation site, and (iii) formally seek the written approval of PSA to utilize its plans and specifications for the relocated lighting vault. The TTA was advised that new electrical switch gear will be required to transfer the lighting operation vault to its new position. When the service transfer has occurred, the TTA contractor will remove the switch gear equipment from the existing switching vault and provide it to the Town at no cost for spares.

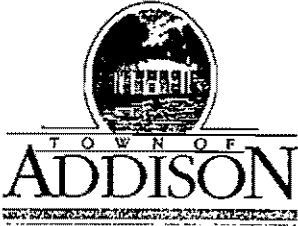
By copy of this letter, the TTA is releasing the Ginn Corporation and HDR Engineering, Inc. to proceed with the development of Option 1. The TTA requests a letter from the Town concurring with the selection of Option 1.

Yours very truly,

James W. Griffin, P.E.
Executive Director

cc: The Ginn Corporation
HDR Engineering, Inc.

Enclosure

nlg



PUBLIC WORKS DEPARTMENT

Post Office Box 144 Addison, Texas 75001

(214) 450-2871

16001 Westgrove

June 12, 1995

Mr. Pete Davis, P.E.
Director of Engineering
Texas Turnpike Authority
3015 Raleigh Street
Dallas, Texas 75219-0369

Dear Pete:

The Town of Addison thanks you and your design team for meeting with us to discuss the specific impact of the tunnel to the existing facilities along "old" Keller Springs. As we discussed, it appears there are two viable options (see attached sketches) to access the existing hangers on the east side of the field with different benefits.

The first option generally follows the existing alignment of Keller Springs and tees into the proposed alignment of the tunnel west of Addison Road. Our questions regarding this alignment are as follows:

1. What happens in phase 2?
2. Is adequate room/visibility available for vehicles enter/leaving the airport to/from the tunnel?
3. How will aircraft on the south side of the open cut portion of the tunnel and north side of the "old" Keller Springs access the aircraft operations area?

The second alignment would connect "old" Keller Springs to Eddie Rickenbacker west of the police station. Some of the challenges with this alignment regard the construction of new taxiway and service drive to separate vehicular and aircraft traffic.

The Town of Addison respectfully request that the Texas Turnpike Authority explore both alternatives to determine the most effective approach to providing access to the existing properties along the "old" Keller Springs alignment.

Please call me if you have any questions or need additional information.

Sincerely,

John R. Baumgartner, P.E.
Director of Public Works

JRB/amh

cc: Kurt Horn, AATI
Sam Stuart, AATI
Ron Whitehead, City Manager