

PARCEL 4 CITY OF DALLAS

OF TEXAS
Y OF DALLAS

the City of Dallas is the owner of a tract of land in the City of Addison, Dallas County, Texas, part of the Cook Survey, Abstract No. 326 and the E. Fike Abstract No. 478, being the same tract previously described as 19.01 acres by instrument recorded in Volume 629, Deed Records of Dallas County, Texas, and more particularly described by metes and bounds as (bearings referenced to instrument recorded in Volume 629, Deed Records of Dallas County, Texas):

Start at a concrete monument set for the southeast corner of the herein described tract, same being the intersection of the right-of-way of Belt Line Drive (100' ROW) and the line of a 100 foot wide St. Louis and Southwest right-of-way;

North 89°26'42" West, along said north right-of-way of Belt Line Drive, 1126.56 feet to a concrete monument set to which is attached a 1/2 inch iron rod;

North 00°49'37" East, 838.29 feet to a 1 inch iron pipe concrete found for the northwest corner of the herein described tract;

North 80°49'50" East, 454.32 feet to a 1 inch iron pipe concrete;

Southwesterly generally with the aforesaid railroad right-of-way, the following four (4) courses;

North 69°58'30" East, 233.03 feet to a found metal fence set in concrete;

North 48°23'44" East, 258.85 feet to a 1 inch iron pipe concrete;

North 26°22'30" East, 304.94 feet to a 1 inch iron pipe concrete;

North 16°53'19" East, 410.56 feet to the POINT OF BEGINNING and containing 19.014 acres.

That the City of Dallas ("Owner") does hereby adopt this plat showing the hereinabove property as Beltwood Reservoir, an addition to the Town of Addison, Texas, and, subject to the conditions, restrictions and reservations stated hereinafter, owner dedicates to the use forever the streets and alleys shown thereon.

The easements shown on this plat are hereby reserved for the uses as indicated, including, but not limited to, the installation and maintenance of water, sanitary sewer, storm sewer, drainage, gas, telephone, gas and cable television. Owner shall have the right to use these easements, provided however, that it does not unreasonably interfere or impede with the provision of the services to which such utility easements are hereby being reserved by mutual use and accommodation of all public utilities using or desiring to use the same. An express easement of ingress and egress is hereby expressly granted, over and across all such easements for the benefit of the users of services for which easements are granted.

The drainage and floodway easement shown hereon is hereby dedicated to the public's use forever, but including the following with respect to maintenance responsibilities. The existing streets or creeks traversing the drainage and floodway easement will remain as an open channel, unless required to be enclosed by concrete, at all times and shall be maintained by the individual owner of the lot or lots that are traversed by or adjacent to the drainage and floodway easement. The City will not be responsible for the maintenance and operation of said creek or creeks or for any damage to private property or person that results from the flow of long said creek, or for the control of erosion. No obstruction to the natural flow of water run-off shall be permitted by construction of any type of building, fence or any other structure within the drainage and floodway easement. Provided, however, it is understood that in the event it becomes necessary for the City to channelize or consider any type of drainage structure in order to improve the storm drainage, then in such event, the City shall have the right, but not the obligation, to enter upon the drainage and floodway easement at any points, with all rights of ingress and egress to investigate, inspect, erect, construct or maintain any drainage facility deemed necessary by the City for drainage purposes. Each property owner shall maintain natural drainage channels and creeks traversing the drainage and floodway easement adjacent to his property clean and free of silt, growth, vegetation, weeds, rubbish, refuse, matter and obstructions which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision and maintenance of the same. The property owner to alleviate any undesirable conditions which may occur. The natural drainage channels and creeks through the drainage and floodway easement, as in the case of all natural channels, are subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages or injuries of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures, within the natural drainage channels, to which owners hereby agree to indemnify and hold harmless the City from any such damages and injuries.

Witness my hand and seal of office, this the 22 day

[Signature]
City Secretary

The maintenance or paving of the utility and fire lane easements is the responsibility of the property owner. All public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective system without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading metes and any maintenance and service required or ordinarily performed by the utility. Buildings, fences, trees, shrubs or other improvements or growth may be constructed, reconstructed or placed upon, over or across the utility easements as shown; provided, however, that owner shall at its sole cost and expense be responsible under any and all circumstances for the maintenance and repair of such improvements or growth, and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system or service.

Water main and sanitary sewer easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water service and sewer services from the main to curb or pavement line, and the descriptions of such additional easements herein granted shall be determined by their locations as installed.

This plat is approved, subject to all platting ordinances, rules, regulations and resolutions of the Town of Addison, Texas.

City of Dallas: *[Signature]*
City Manager

)(STATE OF TEXAS
)(COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public, in and for said County and State on this day personally appeared Clifford Kehler, Notary City Manager, known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 4th day of August, 1989.

[Signature]
Notary Public in and for Dallas County, Texas
Commission Expires 1992

SURVEYOR'S CERTIFICATE

I, Paul Hubert, Registered Public Surveyor for SURVCON, INC., do hereby certify that this plat was prepared from an actual survey on the ground and that all angle points and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made under my supervision.

[Signature]
Paul Hubert
Registered Public Surveyor
Texas Registration Number 1942

)(STATE OF TEXAS
)(COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public, in and for said County and State on this day personally appeared Paul Hubert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2nd day of August, 1989.

[Signature]
Laura Martin - LAURA MARTIN
Notary Public in and for Dallas County, Texas
Commission Expires 9-7-92



FINAL PLAT

BELTWOOD RESERVOIR
an Addition of the Town of Addison
E. COOK SURVEY A-326
E. FIKE SURVEY A-478

ADDISON, DALLAS COUNTY, TEXAS

JULY, 1989

[Vertical stamp]
JAN 18 1990
Seal Bank

[Vertical stamp]
JAN 18 1990
COUNTY CLERK
DALLAS COUNTY, TEXAS

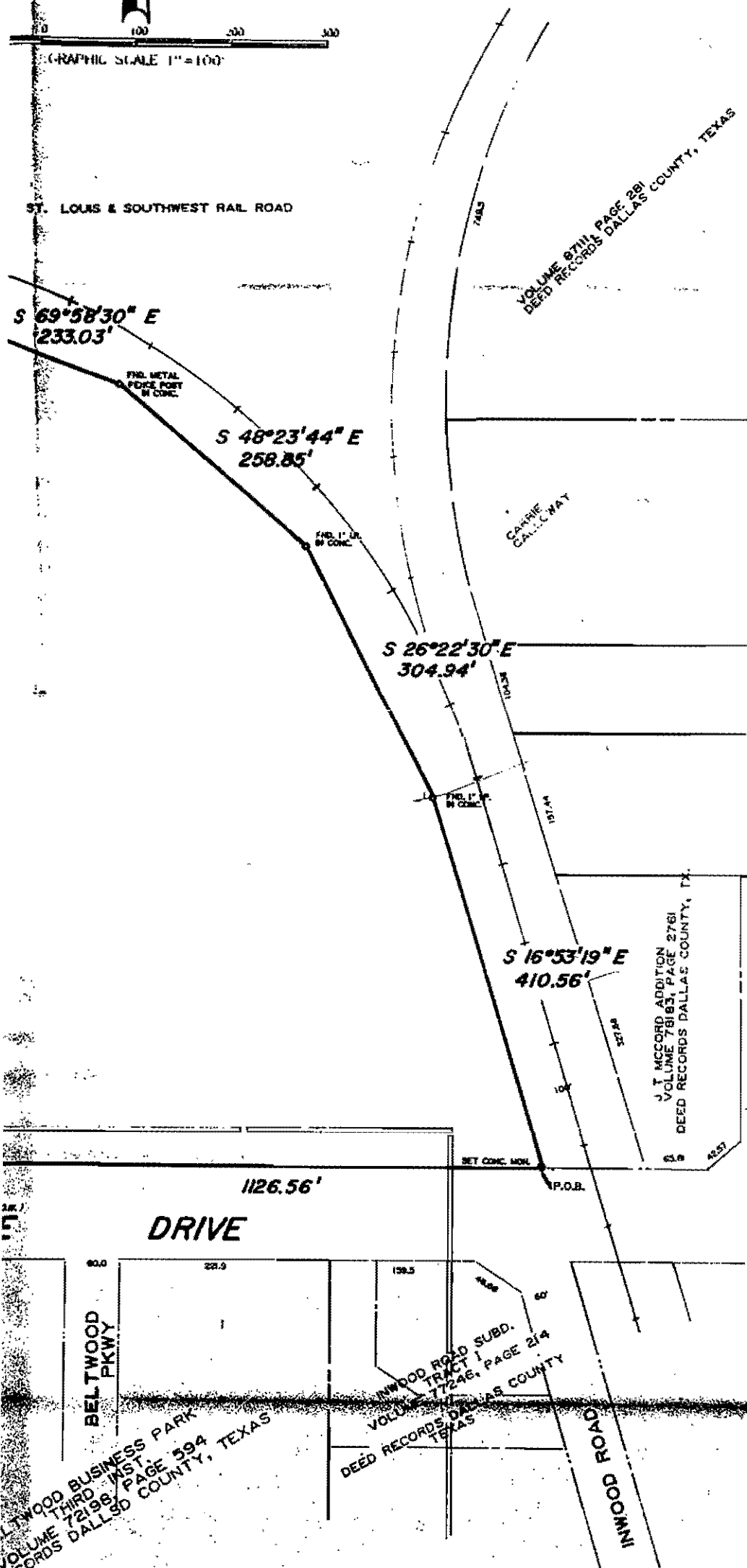
Town of Addison
P.O. BOX 144
ADDISON, TX 75001
Attn: Carmen Moran

OWNER:
City of Dallas
1500 Marilla
Dallas, Texas 75201
(214)

SURVEYOR:
Survcon, Inc.
5710 LBJ Freeway
Suite 180
Dallas, Texas 75240
(214) 458-2173



GRAPHIC SCALE 1"=100'



)(STATE OF TEXAS
) (COUNTY OF DALLAS

WHEREAS the City of Dallas is the owner of a tract of situated in the City of Addison, Dallas County, Texas of the Edward Cook Survey, Abstract No. 326 and the E Survey, Abstract No. 478, being the same tract previo described as 19.01 acres by instrument recorded in Vo 4942, Page 629, Deed Records of Dallas County, Texas, being more particularly described by metes and bounds follows (bearings referenced to instrument recorded i 4942, Page 629, Deed Records of Dallas County, Texas)

BEGINNING at a concrete monument set for the southeast of the herein described tract, same being the interse the north right-of-way of Belt Line Drive (100' ROW) westerly line of a 100 foot wide St. Louis and Southw Railroad right-of-way;

THENCE North 89°26'42" West, along said north right-o Belt Line Drive, 1126.56 feet to a concrete monument replace a found 1/2 inch iron rod;

THENCE North 00°49'37" East, 838.29 feet to a 1 inch pipe in concrete found for the northwest corner of th described tract;

THENCE North 80°49'50" East, 454.32 feet to a 1 inch pipe in concrete;

THENCE southeasterly generally with the aforesaid rail right-of-way, the following four (4) courses;

South 69°58'30" East, 233.03 feet to a found met post in concrete;

South 48°23'44" East, 258.85 feet to a 1 inch ir in concrete;

South 26°22'30" East, 304.94 feet to a 1 inch ir in concrete;

South 16°53'19" East, 410.56 feet to the POINT (NING and containing 19.014 acres.

That the City of Dallas ("Owner") does hereby adc designating the hereinabove property as Beltwood*Rese to the Town of Addison, Texas, and, subject to the cc tions and reservations stated hereinafter, owner dedi public use forever the streets and alleys shown there

The easements shown on this plat are hereby rese purposes as indicated, including, but not limited to, and maintenance of water, sanitary sewer, storm sewer electric, telephone, gas and cable television. Owner right to use these easements, provided however, that reasonably interfere or impede with the provision of others. Said utility easements are hereby being res and accomodation of all public utilities using or de same. An express easement of ingress and egress is l granted on, over and across all such easements for tl provider of services for which easements are granted.

Any drainage and floodway easement shown hereon dedicated to the public's use forever, but including covenants with regards to maintenance responsibility channels or creeks traversing the drainage and floodw remain as an open channel, unless required to be en ordinance, at all times and shall be maintained by tl owners of the lot or lots that are traversed by or ac drainage and floodway easement. The City will not be the maintenance and operation of said creek or creeks or injury of private property or person that results water along said creek, or for the control of erosio to the natural flow of water run-off shall be permit of any type building, fence or any other structure and floodway easement. Provided, however, it is und event it becomes necessary for the City to channeliz erecting any type of drainage structure in order to drainage, then in such event, the City shall have th the obligation, to enter upon the drainage and floodw point or points, with all rights of ingress and egre survey, erect, construct or maintain any drainage fa necessary by the City for draingae purposes. Each p keep the natural drainage channels and creeks traver and floodway easement adjacent to his property clean debris, silt, growth, vegetation, weeds, rubbish, re any substance which would result in unsanitary condi the flow of water, and the City shall have the right egress for the purpose of inspection and supervision work by the property owner to alleviate any undesira which may occur. The natural drainage channels and drainage and floodway easement, as in the case of al are subject to storm water overflow and natural band extent that cannot be definitely defined. The City liable for any damages or injuries of any nature res occurrence of these natural phenomena, nor resulting of any structure or structures, within the natural d and the owners hereby agree to indemnify and hold ha from any such damages and injuries.

ADDISON ROAD

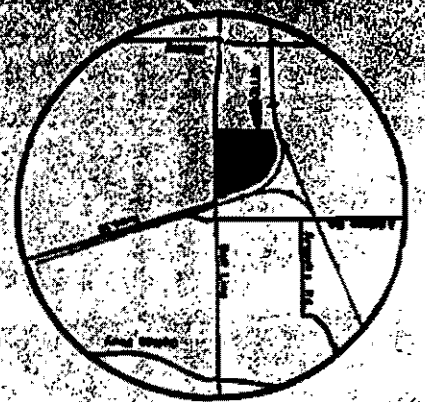
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CERTIFICATE OF APPROVAL

This Plat Approved by the Town of Addison, Texas, this the 07Z day of AUGUST 1989.

[Signature]
City Secretary

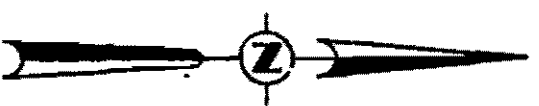
SWEN LABORATORY, INC.
VOLUME 8802, PAGE 444
DEED RECORDS DALLAS COUNTY, TEXAS



LOCATION MAP



GRAPHIC SCALE 1" = 100'



90012 3388

1983 21005

N 00°49'37" E

838.29

N 89°26'42" W

BELT LINE

DRIVE 1126.56'

BLOCK A
LOT 1

S 69°58'30" E
233.03'

S 69°58'30" E
233.03'

S 48°23'44" E
258.85'

S 26°22'30" E
304.94'

S 16°53'19" E
410.56'

J T MCCORD ADDITION
VOLUME 78183, PAGE 2761
DEED RECORDS DALLAS COUNTY, TX.

BELTWAY DRIVE

BELTWOOD PKWY

INWOOD ROAD

ST. LOUIS & SOUTHWEST RAIL ROAD

CAHNE WAY

VOLUME 8711, PAGE 281
DEED RECORDS DALLAS COUNTY, TEXAS

BELTWOOD BUSINESS PARK
VOLUME 12189, PAGE 594
DEED RECORDS DALLAS COUNTY, TEXAS

INWOOD ROAD SUBD.
VOLUME 72461, PAGE 214
DEED RECORDS DALLAS COUNTY, TEXAS

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE AN EASEMENT IN A 0.0256 ACRE TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY AND A TEMPORARY EASEMENT IN A 0.0267 ACRE TRACT OF LAND FOR CONSTRUCTION PURPOSES (BOTH TRACTS LOCATED GENERALLY AT 4799 BELT LINE ROAD).

WHEREAS, the proposed Arapaho Road Extension Project is currently underway, which includes right-of-way acquisitions; and

WHEREAS, a tract of land approximately 0.0256 acres in size is required for permanent right-of-way adjacent to the proposed extension of Arapaho Road; and

WHEREAS, a tract of land approximately 0.0267 acres in size is required for a temporary construction easement in connection with the construction of said permanent right-of-way, and

WHEREAS, the owner of the required tracts, has agreed to grant the necessary easements to the Town of Addison for \$13,018.00; Now, Therefore,

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

Section 1. That the City Council has determined that \$13,018.00 is reasonable compensation for the easements to be acquired and all damages to the property remaining, and does hereby authorize the City Manager to acquire a permanent right-of-way easement in, over and through a 0.0256 acre tract of land and a temporary construction easement in, over and through a 0.0267 acre tract of land (both tracts located generally at 4799 Belt Line Road).

Section 2. That the City Finance Director be and is hereby authorized to draw a check in favor of the City of Dallas, or the current owner of record, in the amount of \$13,018.00.

Section 3. That this Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the Town of Addison this 12th day of November 2002.

Mayor

ATTEST:

APROVED AS TO FORM:

Carmen Moran, City Secretary

Ken C. Dippel, City Attorney

Steve Chutchian

To: oalamed@ci.dallas.tx.us
Subject: Beltwood Reservoir-Arapaho Rd., Phase III-Parcel 4 Easement

Hi Orlando - On November 12th. (last night), our Council approved a resolution authorizing the Town to make payment to the City of Dallas, in the amount of \$13,018.00, for the permanent and temporary construction easements at the Beltwood Reservoir. I checked with our Finance Dept. this morning and learned that we mailed the check to the City of Dallas last Friday (November 8th.). You probably have already received it. We are in the process of getting our Mayor to sign the resolution today, and will get it to you in the next couple of days.

As we discussed, the apparent next course of action involves the placement of a resolution on your Council agenda for review and approval. It is respectfully requested that the City of Dallas proceed with this endeavor. If you need any additional information, please let me know. Your consideration and attention is greatly appreciated. Thanks.

Steve Chutchian, P.E.
Assistant City Engineer



CITY OF DALLAS

February 14, 2003

Steven Z. Chutchian
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

Re: Log #25877 - Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

Dear Mr. Chutchian:

Enclosed, please find copies of the approved resolution and executed and recorded easements for the above referenced project. This concludes the processing of the request. Please let me know if I can be of any assistance in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orlando Alameda'.

Orlando Alameda
Chief Real Estate Specialist

encs.

WHEREAS, the City of Dallas ("City") is the owner of a 19 acre tract of land in the Town of Addison which is currently a part of the Beltwood Reservoir site, located near the intersection of Beltline Road and Addison Road; and

WHEREAS, the Town of Addison plans to extend Arapaho Road westward from Addison Road to Marsh Lane; and

WHEREAS, the Town of Addison has requested that the City convey to it a street easement containing approximately 1,114 square feet of land and a temporary working space easement containing approximately 1,163 square feet of land which are part of the Beltwood Reservoir site for the extension and construction of Arapaho Road;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That for and in consideration of the sum of \$12,918 and other good and valuable consideration, the City Manager is authorized to execute a street easement containing approximately 1,114 square feet of land and a temporary working space easement containing approximately 1,163 square feet of land across City of Dallas owned land, located in Lot 1, Block A of the Beltwood Reservoir Addition in the Town of Addison, Dallas County, Texas to the Town of Addison, to be attested by the City Secretary upon approval as to form by the City Attorney.

SECTION 2. That the street easement and temporary working space easement proceeds shall be deposited into the General Fund 0001, Agency DEV, Bal Sheet 0519 and Development Services shall be reimbursed for the cost of obtaining an appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in Fund 0001, Agency DEV, Org 1180, Object 5011. Any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Agency BMS, Org 8888, Revenue Source 8118.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**APPROVED BY
CITY COUNCIL**

**APPROVED AS TO FORM:
MADELEINE B. JOHNSON, City Attorney**

BY *Lawrence G. Scaff*
Assistant City Attorney

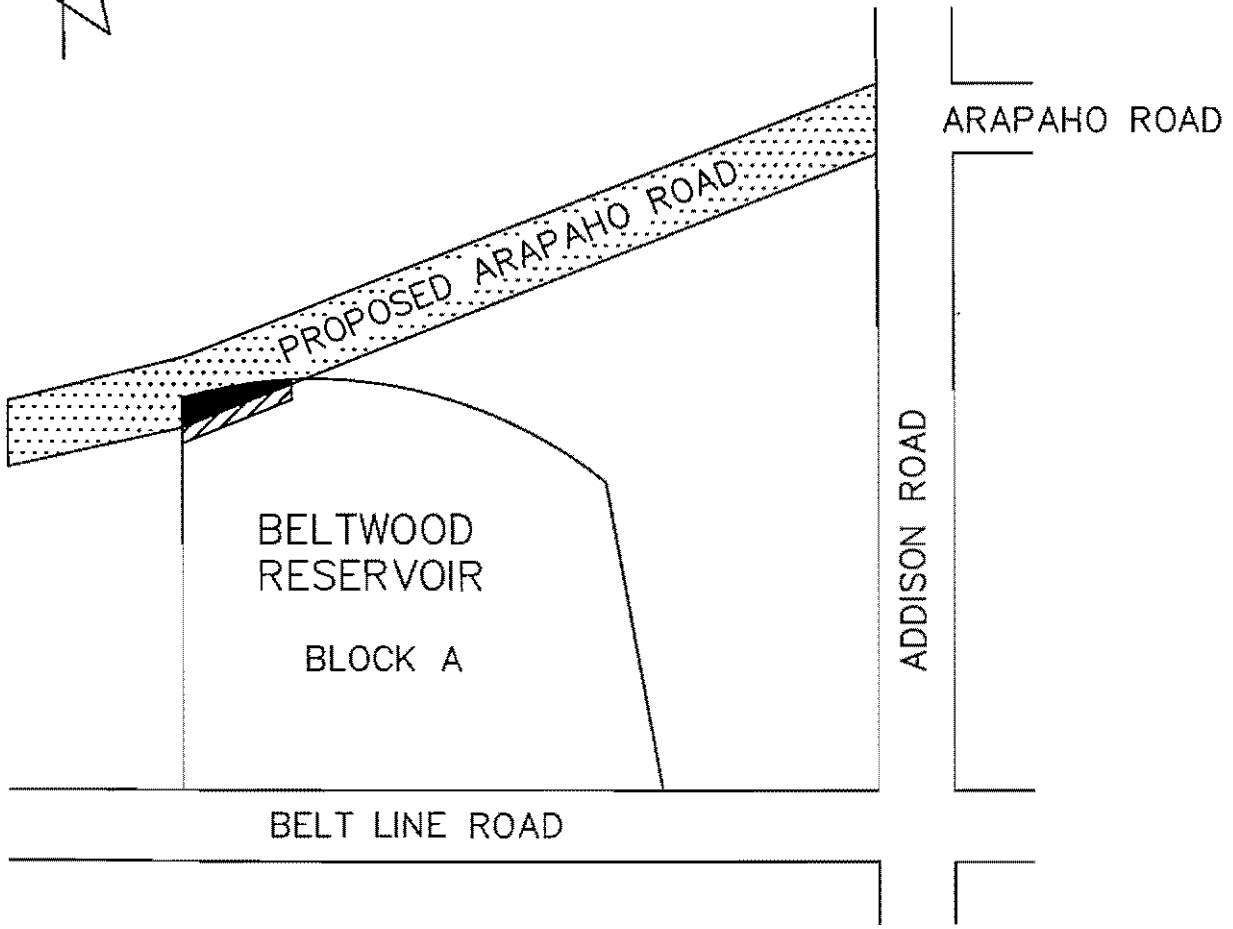
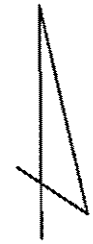
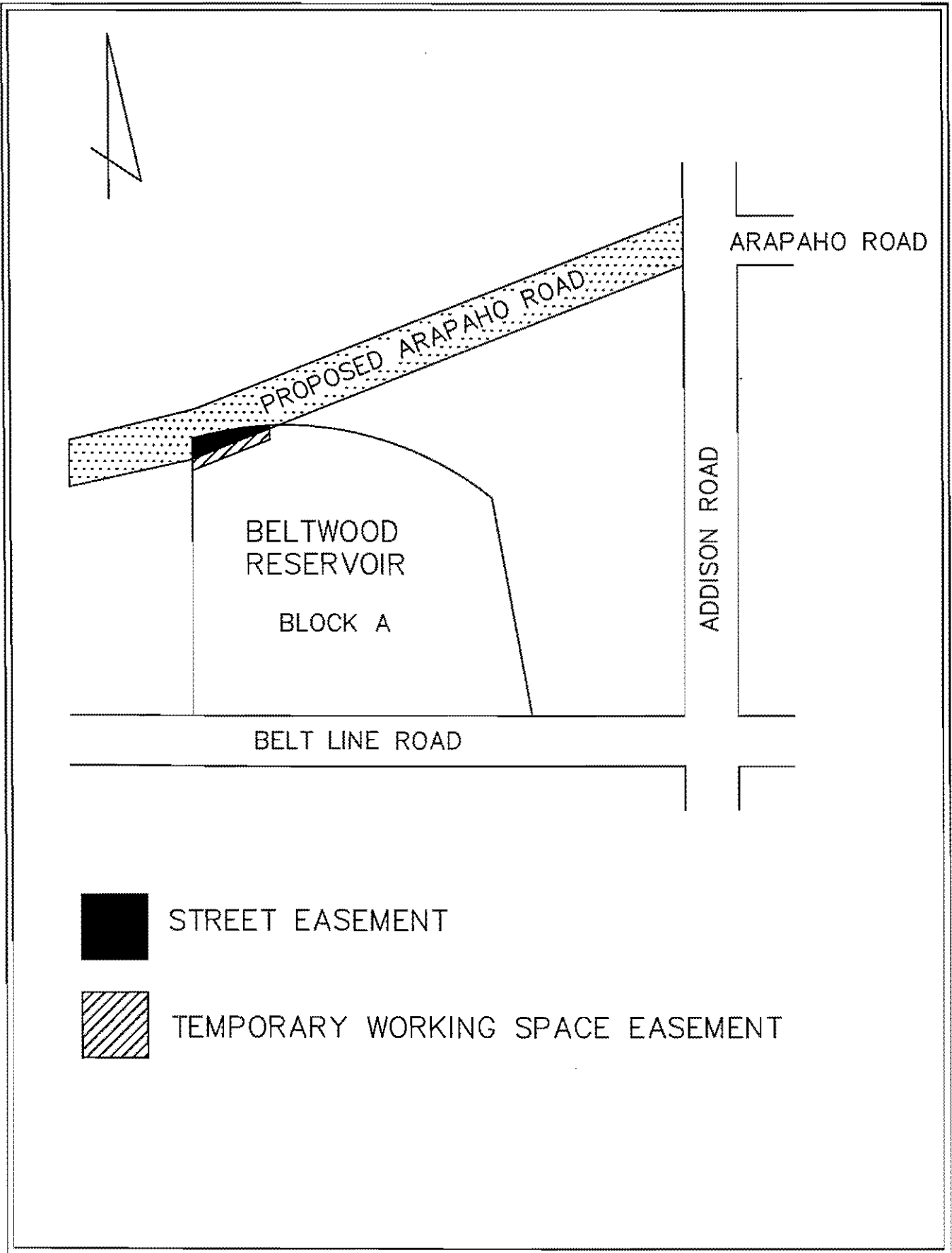
DEC 11 2002

Shirley Gray
City Secretary

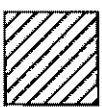
APPROVED *Heather Bowen*
HEAD OF DEPARTMENT

APPROVED *Rebecca...*
CITY CONTROLLER

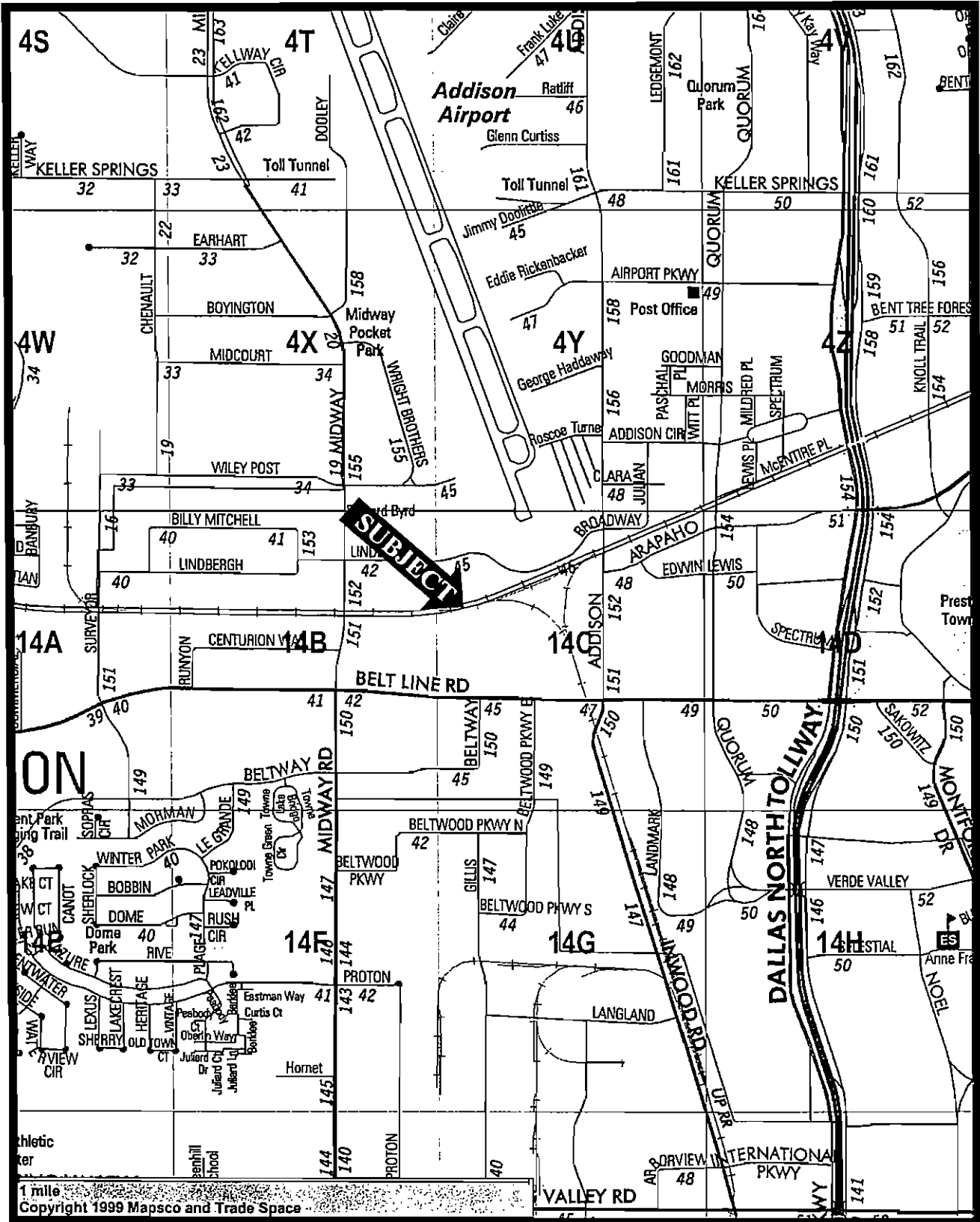
APPROVED *Thy...*
CITY MANAGER



STREET EASEMENT



TEMPORARY WORKING SPACE EASEMENT



DATE SUBMITTED: November 5, 2002
FOR COUNCIL MEETING: November 12, 2002

Council Agenda Item

SUMMARY:

This item is to request Council approval of a resolution authorizing the City Manager to accept the counter-offer from the City of Dallas Department of Development Services, in the amount of \$13,018.00, for the acquisition of 1,114 square feet of permanent street easement and 1,163 square feet of temporary construction easement.

FINANCIAL IMPACT:

| | |
|------------------|--|
| Budgeted Amount: | N/A |
| Appraised Value: | \$13,018.00 |
| Source of Funds: | Funds are available from Year 2002 General Obligation Bond Program, Project No. 83300. |

BACKGROUND:

The right-of-way/easement acquisition process is currently underway on the proposed Arapaho Road, Phase III project. Approximately 1,114 square feet of permanent street easement (see attached Parcel 4 map) and 1,163 square feet of temporary construction easement (see attached Parcel 4-TE map) adjacent to the proposed extension of Arapaho Road is required as part of the proposed roadway improvements. This parcel is a portion of land owned by Dallas Water Utilities and located at 4799 Belt Line Road.

The City of Dallas Department of Development Services was previously contacted regarding the acquisition of the necessary permanent and temporary easements for this project. The Town's Public Works Department received a response, dated September 12, 2002, and was informed that their staff performed an internal appraisal of the value of the property and the resulting value of the easements was determined to be \$14,764.00. On October 5, 2002, an appraisal was performed for the easements by the firm of Evaluation Associates (see attached Summary of Salient Facts and Conclusions), and subsequently submitted to the City of Dallas for consideration. The permanent street easement was valued at \$10,026.00, and a value of \$733.00 was placed on the temporary construction easement. After discussion with the City of Dallas staff, they agreed to lower their appraisal values. On October 28, 2002, staff received a firm counter offer response from the City of Dallas, in the total amount of \$13,018.00 (see attached letter). This total represents an increase of \$2,159.00 above the Town's assessed value. However, it also represents a reduction of \$1846.00 from the original City of Dallas value placed on the easements.

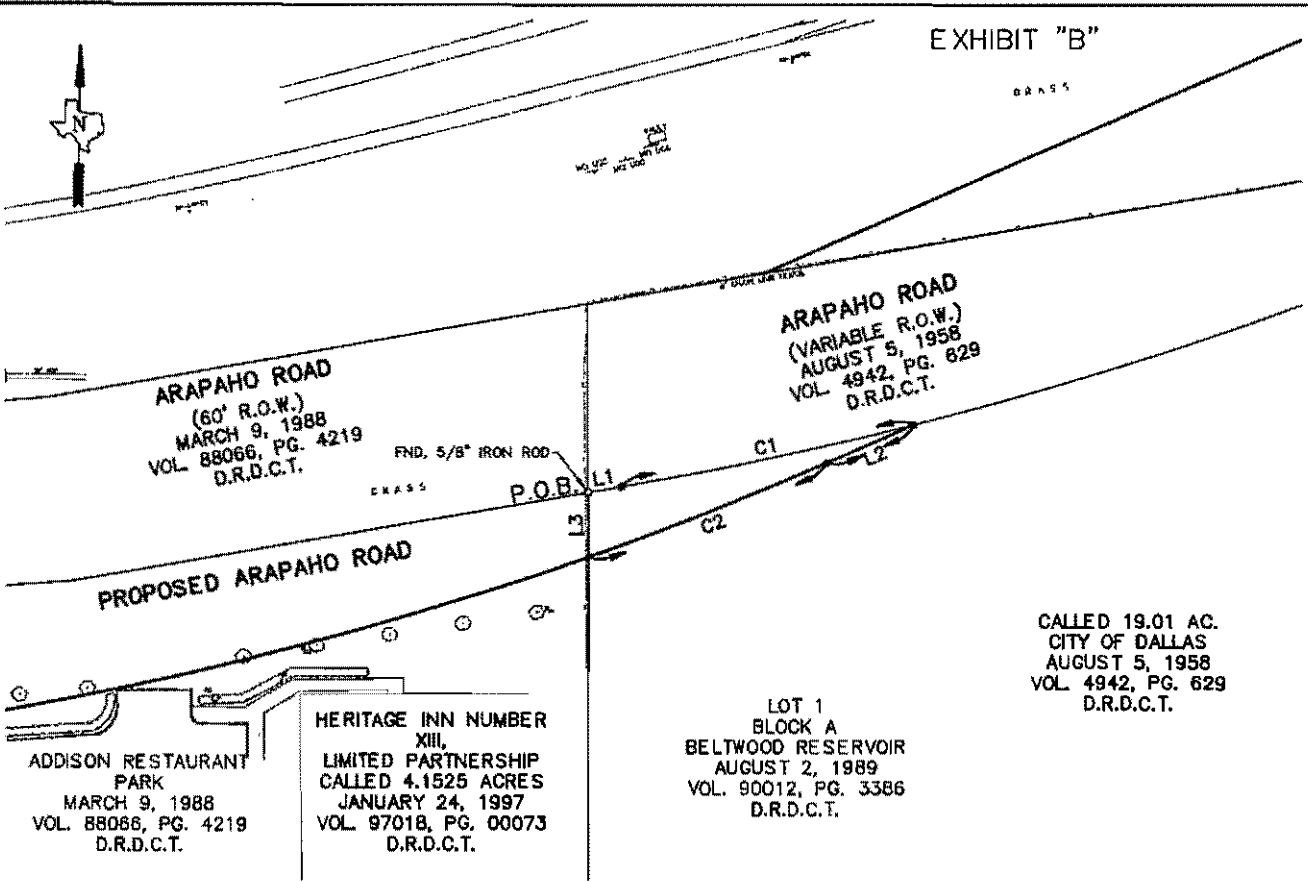
RECOMMENDATION:

It is recommended that Council approve a resolution that authorizes the City Manager to accept the counter-offer from the City of Dallas Department of Development Services, in the amount of \$13,018.00, for the acquisition of 1,114 square feet of permanent street easement and 1,163 square feet of temporary construction easement.

EXHIBIT "B"

| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | 580°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | 500°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |



EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

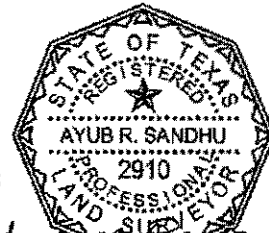
NOTES:

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.

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

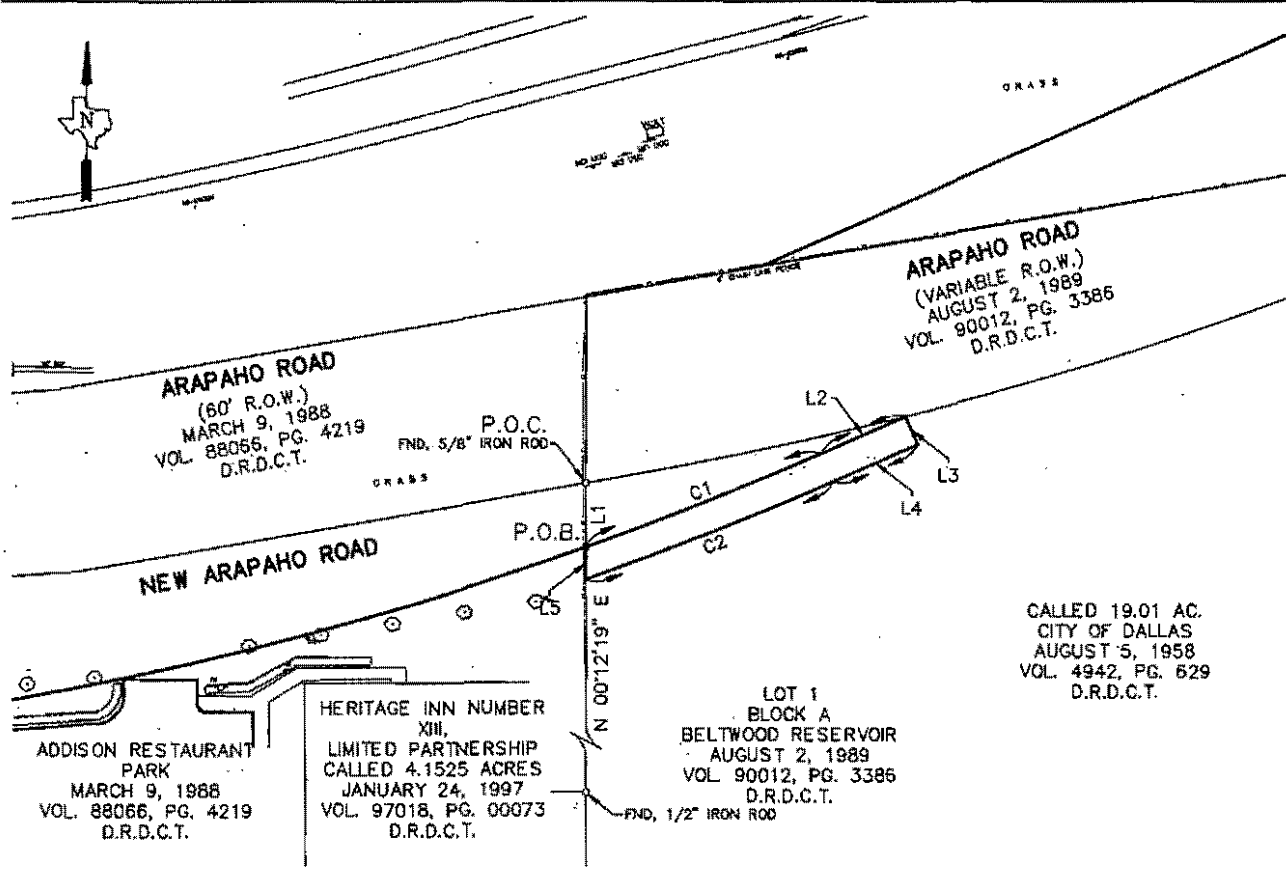


Ayub R. Sandhu
11-12-99

PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |

**EDWARD COOK SURVEY
A-326**

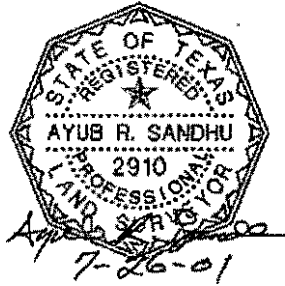
NOTES:

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, ADDISON WEST INDUSTRIAL PARK, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

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

- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
 - DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE



ARAPAHO ROAD
TEMPORARY CONSTRUCTION EASEMENT
PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

SUMMARY OF SALIENT FACTS AND CONCLUSIONS ARAPAHO ROAD PROJECT

**Property Owner: City of Dallas Water Utilities
Parcel No. 4**

Valuation Conclusion:

| | |
|--|-------------|
| Whole Property (Land Only) 19.01 Acres @ \$9.00/SF | \$7,500,000 |
| Proposed Acquisition 1,114 SF @ \$9.00/SF | \$ 10,026 |
| Remainder Before Acquisition | \$7,489,974 |
| Remainder After Acquisition | \$7,489,974 |
| Loss in Value of Remainder After | \$ -0- |

Determination of Compensation:

| | |
|---|------------------|
| Permanent Right of Way | \$ 10,026 |
| Compensation for Improvements (None; road to be repaired and realigned by Town of Addison) | \$ -0- |
| Landscaping (None - Replacement) | \$ -0- |
| Temporary Construction Easement | \$ 733 |
| Total Compensation | \$ 10,859 |

Date of Appraisal: October 5, 2002

Location: 4799 Belt Line Road, Town of Addison, Texas

Legal Description: Called 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas

Land Size: Whole Property (per DCAD records) 19.01 Acres
Road Right of way Area 1,114 SF
Temporary Construction Easement 1,163 SF

Zoning: I - 1 (Industrial) with SU - 1 Special Use Permit

Highest and Best Use:

As if Vacant BEFORE: Commercial use
As if Vacant AFTER: Commercial use

STREET EASEMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS §

KNOW ALL PERSONS BY THESE PRESENTS, **2142861**

01/07/03 3647915 \$15.00
Deed

That the City of Dallas (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of **ELEVEN THOUSAND SIX HUNDRED NINETY-SEVEN AND NO/100 (\$11,697.00) DOLLARS** to the undersigned in hand paid by the **Town of Addison, 16801 Westgrove Drive, Addison, Texas 75001**, a Texas municipal corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto Grantee, its successors and assigns, an easement for the passage of vehicular and pedestrian traffic, together with the customary uses attendant thereto, including drainage and utilities, over, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

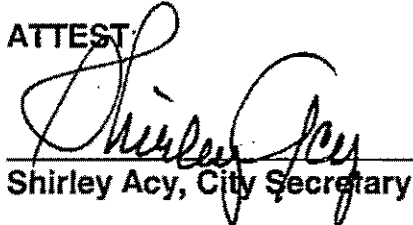
The Grantee is acquiring this property for the purpose of erecting thereon a public trafficway for the passage of vehicular and pedestrian traffic, including the right to make the improvements on such grade and according to such plans and specifications as will, in its opinion, best serve the public purpose. The payment of the purchase price for the property herein conveyed shall be considered full compensation for same and for any diminution in value that may result to Grantor's remaining property by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto Town of Addison, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said easement unto the Town of Addison, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this 19th day of December, 2002.

ATTEST


Shirley Acy, City Secretary

CITY OF DALLAS
TEODORO J. BENAVIDES, City Manager

BY: 
Assistant City Manager

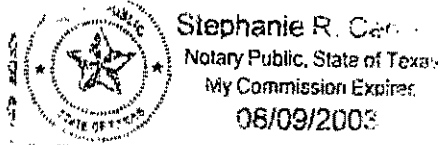
APPROVED AS TO FORM:
Madeleine B. Johnson, City Attorney

BY: 
Assistant City Attorney
Submitted to City Attorney: 

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on December 19 2002 by RYAN S. EVANS, Assistant City Manager of the City of Dallas, a Texas municipal corporation, on behalf of the City of Dallas.


Notary Public, State of Texas



After recording return to:
City of Dallas
Property Management
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Orlando Alameda

EXHIBIT A

Parcel 4
Field Note Description
Arapaho Road
Roadway Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the new South right of way line of Arapaho Road; T.D.K.

REVIEWED BY: *T.D.K.*

PARCEL 4 - ARAPAHO ROAD
ROADWAY EASMENT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said new South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the **POINT OF BEGINNING**;

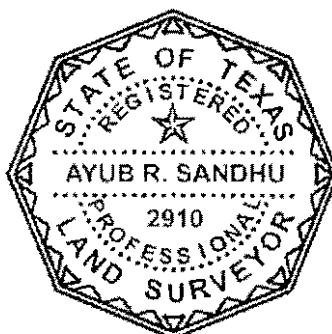
CONTAINING an area of 0.0256 acres or 1,114 square feet of land within the metes recited. **T.D.K.**

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, Addison West Industrial Park, 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 7-23-02
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910



REVIEWED BY *[Signature]* 8/15/02

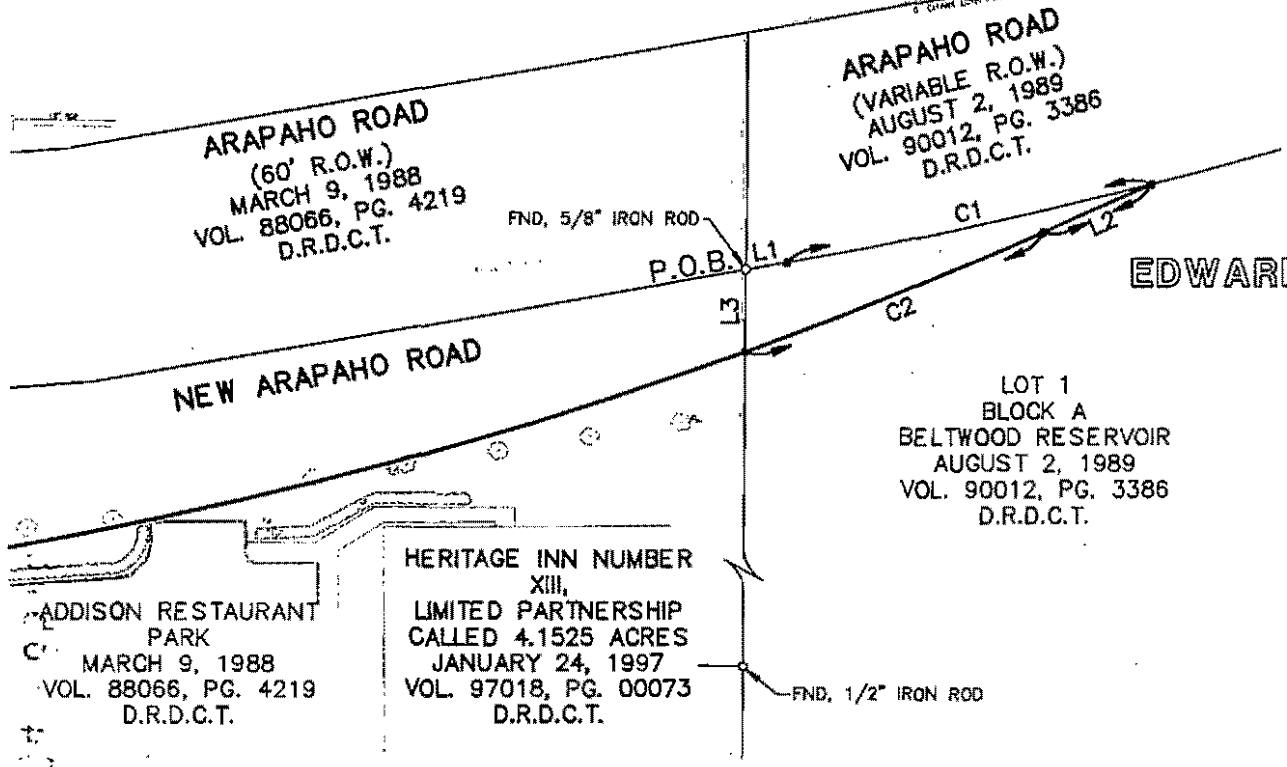


REVIEWED BY *[Signature]*
8/15/02

| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | S80°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | S00°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |

- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
 - DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE



EDWARD COOK SURVEY A-326

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ARAPAHO ROAD
ROADWAY EASEMENT
PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

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, ADDISON WEST INDUSTRIAL PARK, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

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



GRAPHIC SCALE
1 INCH = 50 FT.

2003004 085417

20030104 08518

FILED

2003 JAN -7 PM 3: 22

COUNTY CLERK
DALLAS COUNTY

501/10/10/10 23

COUNTY CLERK, Dallas County, Texas



Gytha Colman

JAN 7 2003

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify that instrument was filed on the date and time stamped hereon by me and was recorded in the volume and page of the named records of Dallas County, Texas as stamped hereon by me.

RETURN TO
CITY OF DALLAS
PROPERTY MANAGEMENT
320 E. Jefferson Blvd. - Rm. 203
Dallas, TX 75203-2632

1.08 2003

Parcel 4-TE
Field Note Description
Arapaho Road
Temporary Construction Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the new South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said new South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing North 68°23'47' East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve; *T.D.K.*

REVIEWED BY *[Signature]*
3-15-02

2003004 08510

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, NORTH 66°22'04" EAST, continuing along said new South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

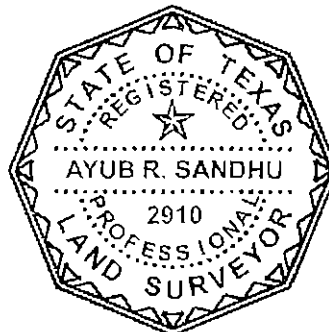
CONTAINING an area of 0.0267 acres or 1,163 square feet of land within the metes recited. *T.D.K.*

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, Addison West Industrial Park, 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



2003004 085.111

REVIEWED BY *A. B. B. 2*

REVIEWED BY

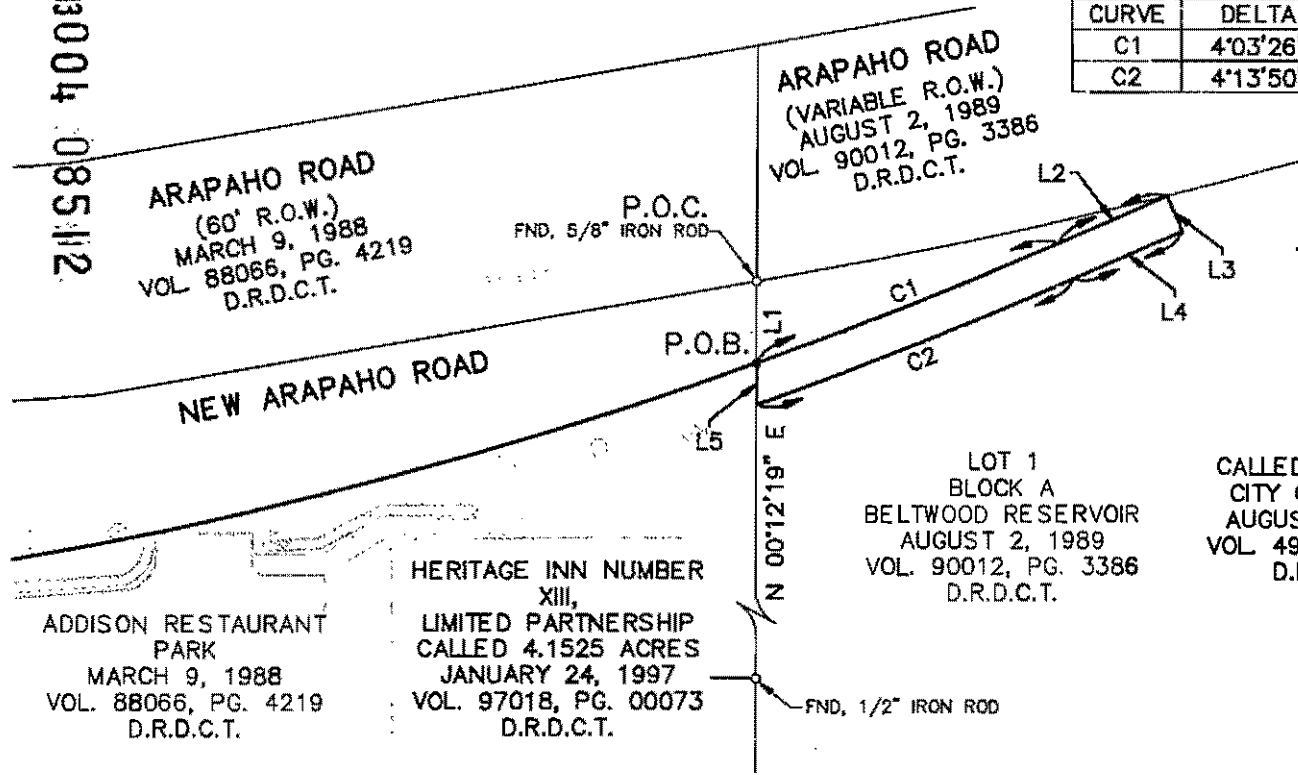
[Signature]
8-15-02



2003004 085112

| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |



- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
 - DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE

**EDWARD COOK SURVEY
A-326**

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
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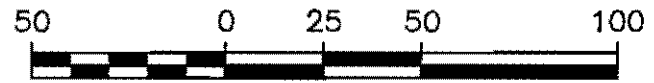
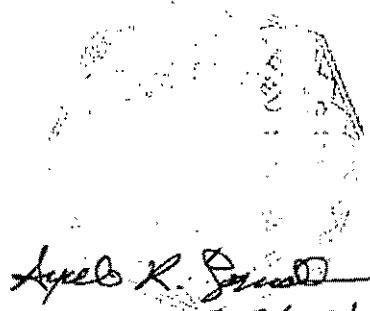
ARAPAHO ROAD
TEMPORARY CONSTRUCTION EASEMENT
PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

NOTES:

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



GRAPHIC SCALE
1 INCH = 50 FT.

2003004 08513

FILED

2003 JAN -7 PM 3:22

COUNTY CLERK
DALLAS COUNTY


COUNTY CLERK, Dallas County, Texas



Gyntha Coltrane

JAN 2 2003

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify this instrument was filed on the date and time stamped herein by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped hereon by me.

RETURN TO 
CITY OF DALLAS
PROPERTY MANAGEMENT
320 E. Jefferson Blvd. - Rm. 203
Dallas, TX 75203-2632

3.00 4.00

TEMPORARY WORKING SPACE EASEMENT

2142860

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

01/07/03 3647913 \$15.00

KNOW ALL PERSONS BY THESE PRESENTS:

That City of Dallas (hereinafter called "Grantor" whether one or more natural person or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of ONE THOUSAND TWO HUNDRED TWENTY-ONE AND NO/100 (\$1,221.00) DOLLARS to the undersigned in hand paid by the Town of Addison, 16801 Westgrove Drive, Addison, Texas 75001, a Texas municipal corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto Grantee, its successors and assigns, a right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes (sometimes referred to as the "Property"), for the purpose of working space and storage of machinery; supplies, equipment and material in connection with the construction of a public trafficway for the passage of vehicular and pedestrian traffic.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the Grantee or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-of-way granted, together with any and all damages, costs and/or inconvenience that may be incident to the construction.

This grant shall be for a term of 360 days, beginning upon commencement of construction on Grantor's property and terminating upon completion of construction on Grantor's property or expiration of the time period, whichever occurs first, at which time all rights granted under this instrument shall terminate and cease and the described property shall be restored to it's former condition as nearly as possible.

As a material part of the consideration for this easement, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for the limited warranty of title set forth in this easement instrument.

Grantee's rights to use the Property is nonexclusive, and Grantor reserves for Grantor and Grantor's successors and assigns the right to use all or part of the Property in conjunction with Grantee as long as such use by Grantor and its successors and assigns does not interfere with the use of the Property by Grantee for the easement purpose and the right to convey to others the right to use all or part of the Property in conjunction with Grantee, as long as such further conveyance is subject to the terms of this easement instrument.

TO HAVE AND TO HOLD the above described property unto the Town of Addison for the purposes hereinbefore provided, and said Town of Addison, its agents, servants and contractors shall have the right to go upon said property for the purpose of a working easement and as an easement for the storage of supplies, materials, machinery and equipment for the term herein provided.

EXECUTED this 19th day of December, 2002.

ATTEST:

Shirley Acy
Shirley Acy, City Secretary

CITY OF DALLAS
TEOBORO J. BENAVIDES, City Manager

BY: Ryan J. Ewins
Assistant City Manager

APPROVED AS TO FORM:
Madeleine B. Johnson, City Attorney

BY: Lawrence J. Scott
Assistant City Attorney
Submitted to City Attorney

THE STATE OF TEXAS)
COUNTY OF DALLAS)

This instrument was acknowledged before me on December 19 2002, by RYAN J. EWINS Assistant City Manager of the City of Dallas, a Texas municipal corporation, on behalf of the City of Dallas.

Stephanie R. Carr
Notary Public, State of Texas
My Commission Expires
08/09/2003

Stephanie R. Carr
Notary Public, State of Texas

Steve Chutchian

To: awashington@cowlesthompson.com
Cc: jhill@cowlesthompson.com
Subject: Resolution for Parcel 4, Arapaho Rd.

Angela - we reached an agreement with Dallas Water Utilities on the acquisition of Parcel 4 on Arapaho Rd. I am faxing a copy of the letter from their office to you. The letter contains the total value that the two parties agreed upon.

I understand that you will be back in the office on Monday, the 4th. It is really short notice, but can you generate a resolution by the 5th. that authorizes the City Manager to pay the \$12,918 to DWU for acquisition of Parcel 4 and the temp. constr. easement, and a \$100 filing fee.

Dallas explained to me that we must approve the payment by resolution and send the money to them by November 22nd. They will then place it on their only December Council meeting for approval of a resolution. Subsequently, they will place the legal and map on their own easement document, sign it, and send it to us.

If you foresee any problems with any of this, please let me know. Thanks.

Steve C.



CITY OF DALLAS

October 28, 2002

Steven Z. Chutchian
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

Re: Log #25877 - Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

Dear Mr. Chutchian:

The Department of Development Services, Real Estate Division has processed your request for the above referenced easements. In order to submit your request for City Council approval I will need a check in the amount of \$13,018.00, calculated as follows:

| | | |
|---|---|-----------------|
| Street Easement - 1,114 sq.ft. x \$10.50/sq.ft. | = | \$11,697 |
| Temporary Working - 1,163 sq.ft. x \$10.50/sq.ft. x 10% Space Easement | = | 1,221 |
| Easement Recording Fee - 2 x \$50 per easement | = | <u>100</u> |
| TOTAL | | \$13,018 |

If you'd like for me to try and place your request on the December 11, 2002 City Council agenda addendum, I must have the check by November 22, 2002. Please let me know if you have any questions.

Sincerely,

Orlando Alameda
Chief Real Estate Specialist



City of Dallas
Property Management

FAX COVER PAGE

Date: October 28, 2002 (4:35PM)

If there are any problems with the receipt of the documents, call the sender directly at the number below or (214) 948-4100.

Number of total pages in this transmission: **2**

TO: Steven Z. Chutchian
Town of Addison

FAX #: 972 450 2837

FROM: Orlando Alameda
Senior Real Estate Specialist

FAX #: 214-948-4083

ALTERNATE

#: 214-948-

email: oalamed@ci.dallas.tx.us

PHONE #: 214-948-4159

SUBJECT: Street Easement & Temporary Working Space Easement
Log #25877

COMMENTS:

Mr. Chutchian,

Please note that the check amount includes a \$100 recording fee which I neglected to mention. The hardcopy of this letter is in the mail. Please call me with any questions. Thanks.

320 E. JEFFERSON BLVD.

DALLAS, TEXAS

75203

214-948-4100

***** CONFIDENTIALITY NOTICE *****

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C:\Alameda\WP\firstFax Template.wpd

STEVE.

REGARD DWU
WATER LINE

~~HAVE~~ SET UP
MEETING THROUGH

~~JANNA~~ Litchenburg
TONIA
WITH DWU

Mike

214-670-5886



CITY OF DALLAS

October 28, 2002

Steven Z. Chutchian
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

Re: Log #25877 - Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapahó Road Phase III - Parcel 4

Dear Mr. Chutchian:

The Department of Development Services, Real Estate Division has processed your request for the above referenced easements. In order to submit your request for City Council approval I will need a check in the amount of \$13,018.00, calculated as follows:

| | | |
|---|---|-----------------|
| Street Easement - 1,114 sq.ft. x \$10.50/sq.ft. | = | \$11,897 |
| Temporary Working - 1,163 sq.ft. x \$10.50/sq.ft. x 10% Space Easement | = | 1,221 |
| Easement Recording Fee - 2 x \$50 per easement | = | <u>100</u> |
| TOTAL | | \$13,018 |

If you'd like for me to try and place your request on the December 11, 2002 City Council agenda addendum, I must have the check by November 22, 2002. Please let me know if you have any questions.

Sincerely,

Orlando Alameda
Chief Real Estate Specialist

COWLES & THOMPSON

A Professional Corporation

ATTORNEYS AND COUNSELORS



ANGELA K. WASHINGTON
214.672.2144
AWASHINGTON@COWLESTHOMPSON.COM

*Done!
1/6/03
SWC*

December 30, 2002

Mr. Steve Chutchian
Assistant City Engineer
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

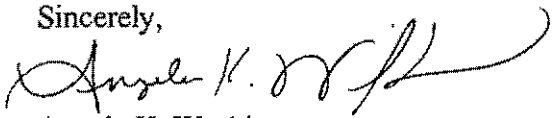
RE: Parcel 4, Addison Road Extension Project (Oasis Car Wash)

Dear Steve:

Cindy Pervenanze has executed the easement agreement for the above-referenced property. We have not yet, however, verified that Dyson Enterprises is the sole owner of the property. With the executed agreement, Ms. Pervenanze forwarded tax information and a deed, which supposedly shows Dyson Enterprises to be the sole owner of the property. I am forwarding this information to the title company and requesting an updated title commitment to verify the record owner of the property.

Once it is verified that Dyson Enterprises is the sole owner of the property, I will forward the Agreement to Ron Whitehead for execution. I need your assistance, however, to prepare Exhibit C of the Agreement. Exhibit C is intended to be a metes and bounds description of the Remainder. The Agreement defines the Remainder as the property described in Exhibit C, save and except the Easement Property. Enclosed is the property description contained in the Warranty Deed sent by Ms. Pervenanze. Please review, or have the appropriate person review this property description and let me know whether it is a description of the entire property. Note that it describes two tracts. Although the field notes for the parkway easement (the Easement Property) indicate that it is out of two tracts, there is a difference in tract size with respect to both tracts. Thank you for your assistance in this matter. If you have any questions or need anything further, please give me a call.

Sincerely,


Angela K. Washington

AKW/yjr
Enclosure

c(w/oEnc.): Mr. Kenneth C. Dippel, w/firm

TRACT ONE:

BEING a tract of land situated in the EDWARD COOKE SURVEY ABSTRACT NO. 123, and being all of Lot 1, Block 1 and a portion of Lot 2, Block 1 of the City of Addison as recorded in Volume 87111, Page 286 of the Plat Records of Dallas County, Texas (PROCT) and being more particularly described as follows:

BEGINNING at a point in the Westerly Right of Way of said Addison Road; and said point being the Northeastern corner of Lot 1 of the SANBUCA # / FILING STATION ADDITION, VOLUME 84093, PAGE 8201 of the Deed Records of Dallas County, Texas (PROCT)

THENCE departing the westerly right of way of said Addison Road, WEST, a distance of 330.88 feet, to a 1/2 inch iron rod found in the easterly right-of-way of S.L. AND S.W. Railroad (100 feet row) said iron rod also being the beginning of a non-tangent curve to the right having a radius of 713.84 feet, a chord bearing of North 04°44'36" East, and a chord length of 173.61 feet;

THENCE continuing along said curve to the right through a central angle of 14°07'44" for an arc length of 178.05 feet to point far corner;

THENCE EAST, a distance of 318.03 feet to a "x" found in concrete for corner, said point being in the westerly right-of-way 112s of said Addison Road;

THENCE along the Westerly Right of Way of Addison Road (variable width ROW) South 00°13'00" West, a distance of 175.00 feet to the point of beginning;

CONTAINING within these metes and bounds 1.316 acres or 57,319 square feet of land more or less.

TRACT TWO:

Non-exclusive easement for vehicular ingress and egress over, along and across the following:

Being a 0.0331 acre tract of land situated in the EDWARD COOK SURVEY, ABSTRACT NO. 328, Town of Addison, Dallas County, Texas, and being a portion of Lot 2, Block 1 of Addison Car Care Addition, an addition to the Town of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 87151, Page 284, of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at an 1×1 " cur set in concrete walk for corner at the southeast corner of Lot 1, Block 1 of said Addison Car Care Addition, said point being in the west line of Addison Road in variable width right-of-way;

THENCE N 00 deg. 10 min. 00 sec. E, along the west line of said Addison Road, a distance of 28.00 feet to the **POINT OF BEGINNING**;

THENCE WEST, a distance of 37.00 feet to a point for corner;

THENCE N 00 deg. 13 min. 00 sec. E, a distance of 29.00 feet to a point for corner;

THENCE EAST, a distance of 37.00 feet to a point for corner in the west line of said Addison Road;

THENCE S 00 deg. 13 min. 00 sec. W, along the west line of said Addison Road, a distance of 38.00 feet to the **POINT OF BEGINNING**, and containing 1,643 square feet or 0.0331 acre of land, more or less.

SCALE: 1"=60'



Handwritten signature and date: A/20/02

50' ST. LOUIS & SOUTHWESTERN R.R.

24' EMERGENCY ACCESS & UTILITY ESM'T.

5/8" I.R.F.

15' UTILITY ESM'T.
ADDISON

LOT 1, BLOCK 1

EDWARD COOK SURVEY
ABST. NO. 326

DYSON ENTERPRISES, LP
VOL. 2000034, PG. 2494
BLOCK 1, LOT 1

CAR 8711

CARE PG. 0286

ADDITION

15211' ADDISON ROAD JOINT VENTURE
VOL. 96156, PG. 4963
BLOCK 1, LOT 2

60' R.O.W. DEDICATED TO TOWN OF ADDISON FOR ARAPAHO ROAD 0.2743 ACRE

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

PROPOSED 20' PARKWAY EASEMENT

15' STREET & DRAINAGE ESM'T.

EAST - 310.89' (REFERENCE BEARING)

SAMBUCA PARTNERS LIMITED PARTNERSHIP II, L.P. VOL. 94100, PG. 5581

10' DRAINAGE ESM'T.

24' EMERGENCY ACCESS & UTILITY ESM'T.

10' DRAINAGE ESM'T.

WEST 20.00'

N 00°13'00" E

174.98'

EAST 20.00'

S 00°13'00" W

174.98'

"X" IN CONC.

1/2" IRF

POINT OF BEGINNING

"X" IN CONC.

1/2" IRF

ADDISON ROAD

5/8" IRF

ARAPAHO ROAD

3499.51 SQ. FT.
0.080 ACRES

TOWN OF ADDISON, TEXAS

ADDISON ROAD
BELT LINE RD. TO KELLER SPRINGS RD.
PARKWAY EASEMENT

BIRKHOFF, HENDRICKS & CONWAY, L.L.P.
CONSULTING ENGINEERS

APR., 2002
PLAT 5W

04/29/02 R/L SCALE: 1"=60' H:\PROJECTS\ADDISON\98143\PLATS\ADD--PLAT5W.DWG



City of Dallas
Property Management

FAX COVER PAGE

Date: September 12, 2002 (2:05PM)

if there are any problems with the receipt of the documents, call the sender directly at the number below or (214) 948-4100.

Number of total pages in this transmission: **2**

TO: James C. Pierce, Jr.
Public Works Department
Town of Addison

FAX #: 972 450 2837

FROM: Orlando Alameda
Senior Real Estate Specialist

FAX #: 214-948-4083

ALTERNATE #: 214-948-

email: oalamed@ci.dallas.tx.us

PHONE #: 214-948-4159

SUBJECT: Log #25877 - Street & Temporary Working Space Easements
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

COMMENTS:

*VOLUME
PAGE*

320 E. JEFFERSON BLVD.

DALLAS, TEXAS

75203

214-948-4100

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CITY OF DALLAS

September 12, 2002

James C. Pierce, Jr.
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

VIA FACSIMILE

Re: Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

Dear Mr. Pierce:

The Office of Property Management has processed your request for the above referenced easements. In order to submit your request for City Council approval I will need a check in the amount of \$14,764, calculated as follows:

| | | | | |
|-------------------|---|----------------------------------|---|------------------|
| Street Easement | - | 1,114 sq.ft. x \$12/sq.ft. | = | \$ 13,368 |
| Temporary Working | - | 1,163 sq.ft. x \$12/sq.ft. x 10% | = | <u>\$ 1,396</u> |
| Space Easement | | | | \$ 14,764 |

To be placed on the October 9, 2002 City Council agenda, the check must be received by September 16, 2002. If you cannot meet this deadline please let me know.

Sincerely,


Orlando Alameda
Senior Real Estate Specialist

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R02-114

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE AN EASEMENT IN A 0.0256 ACRE TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY AND A TEMPORARY EASEMENT IN A 0.0267 ACRE TRACT OF LAND FOR CONSTRUCTION PURPOSES (BOTH TRACTS LOCATED GENERALLY AT 4799 BELT LINE ROAD).

WHEREAS, the proposed Arapaho Road Extension Project is currently underway, which includes right-of-way acquisitions; and

WHEREAS, a tract of land approximately 0.0256 acres in size is required for permanent right-of-way adjacent to the proposed extension of Arapaho Road; and

WHEREAS, a tract of land approximately 0.0267 acres in size is required for a temporary construction easement in connection with the construction of said permanent right-of-way, and

WHEREAS, the owner of the required tracts, has agreed to grant the necessary easements to the Town of Addison for \$13,018.00; Now, Therefore,

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

Section 1. That the City Council has determined that \$13,018.00 is reasonable compensation for the easements to be acquired and all damages to the property remaining, and does hereby authorize the City Manager to acquire a permanent right-of-way easement in, over and through a 0.0256 acre tract of land and a temporary construction easement in, over and through a 0.0267 acre tract of land (both tracts located generally at 4799 Belt Line Road).

Section 2. That the City Finance Director be and is hereby authorized to draw a check in favor of the City of Dallas, or the current owner of record, in the amount of \$13,018.00.

Section 3. That this Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the Town of Addison this 12th day of November 2002.



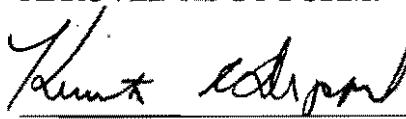
Mayor

ATTEST:



Carmen Moran, City Secretary

APPROVED AS TO FORM:



Ken C. Dippel, City Attorney

Steve Chutchian

To: Michael Murphy
Subject: FW: Beltwood Reservoir-Arapaho Rd., Phase III-Parcel 4 Easement

-----Original Message-----

From: Orlando Alameda [mailto:oalamed@mail.ci.dallas.tx.us]
Sent: Wednesday, November 13, 2002 9:35 AM
To: schutchian@ci.addison.tx.us
Subject: Re: Beltwood Reservoir-Arapaho Rd., Phase III-Parcel 4 Easement

Steve,

I did received the check and your street and temporary working space easments have been placed on the 12/11/02 Dallas City Council agenda for approval. Once approved the dedication instruments will be routed for signatures and then recorded. Copies of the recorded instruments will be forwarded to you. Let me know if you have any questions. Thanks.

Orlando Alameda
City of Dallas
Department of Development Services
Real Estate Division
320 E. Jefferson Blvd., Room 203
Dallas, TX 75203
214.948.4159
214.948.4083 (fax)
oalamed@ci.dallas.tx.us

Parcel 4-TE
Field Note Description
Arapaho Road
Temporary Construction Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the new South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said new South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing North 68°23'47' East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve;

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, NORTH 66°22'04" EAST, continuing along said new South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

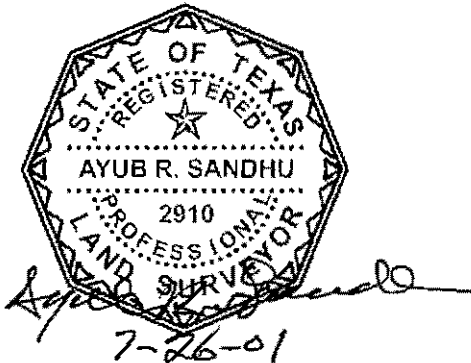
CONTAINING an area of 0.0267 acres or 1,163 square feet of land within the metes recited.

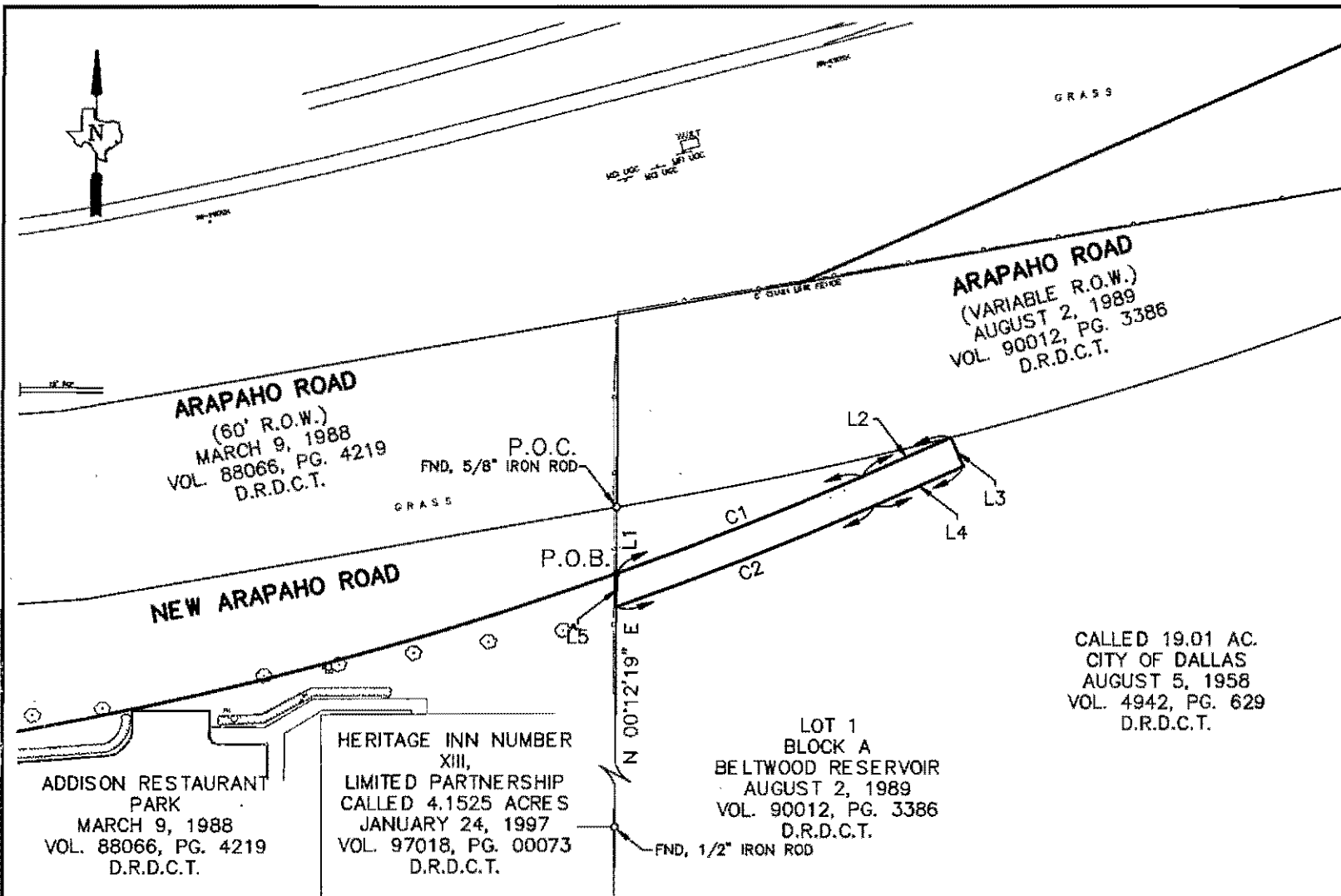
All bearings are referenced to the North Right of Way line of Centurion Way, called S 89°51'55" E, according to the final plat of Lot 3, Surveyor Addition, Addison West Industrial Park, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, Texas.

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





| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |

ARAPAHO ROAD
(VARIABLE R.O.W.)
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

ARAPAHO ROAD
(60' R.O.W.)
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

NEW ARAPAHO ROAD

EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

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, ADDISON WEST INDUSTRIAL PARK, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

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

- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
 - DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE



ARAPAHO ROAD
TEMPORARY CONSTRUCTION EASEMENT
PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

Parcel 4-TE
Field Note Description
Arapaho Road
Temporary Construction Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the new South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said new South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing North 68°23'47' East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve;

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, NORTH 66°22'04" EAST, continuing along said new South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

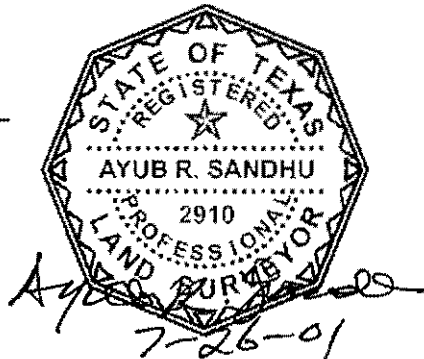
CONTAINING an area of 0.0267 acres or 1,163 square feet of land within the metes recited.

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, Addison West Industrial Park, 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, R.P.L.S.
Texas Registration No. 2910



RESPONSE TO COMMENTS FROM CITY OF DALLAS
DATED JUNE 4, 2002

Every comment was addressed except the following:

Under Part One (1) - Heading

There is no City lot or block number for this property.

Under Part Two (2) - General Description or Statement

Again, there is no City lot or block number for this property.

Under Part Three (3) - Body, Principle, or Particular Description

The Point of Beginning is referenced in the legal description.

There is no Tract #1 or Tract #2 - cannot revise.

Under Part Four (4) - Sketch, Plat or Map

The Point of Beginning is shown on the plat.

The Ownership or Addition name of all adjoined properties called in field notes are indicated.

Parcel 4
Field Note Description
Arapaho Road
Roadway Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

PARCEL 4 - ARAPAHO ROAD
ROADWAY EASMENT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the POINT OF BEGINNING;

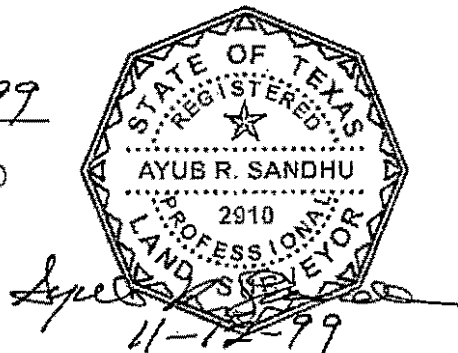
CONTAINING an area of 0.0256 acres or 1,114 square feet of land within the metes recited.

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, Addison West Industrial Park, 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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

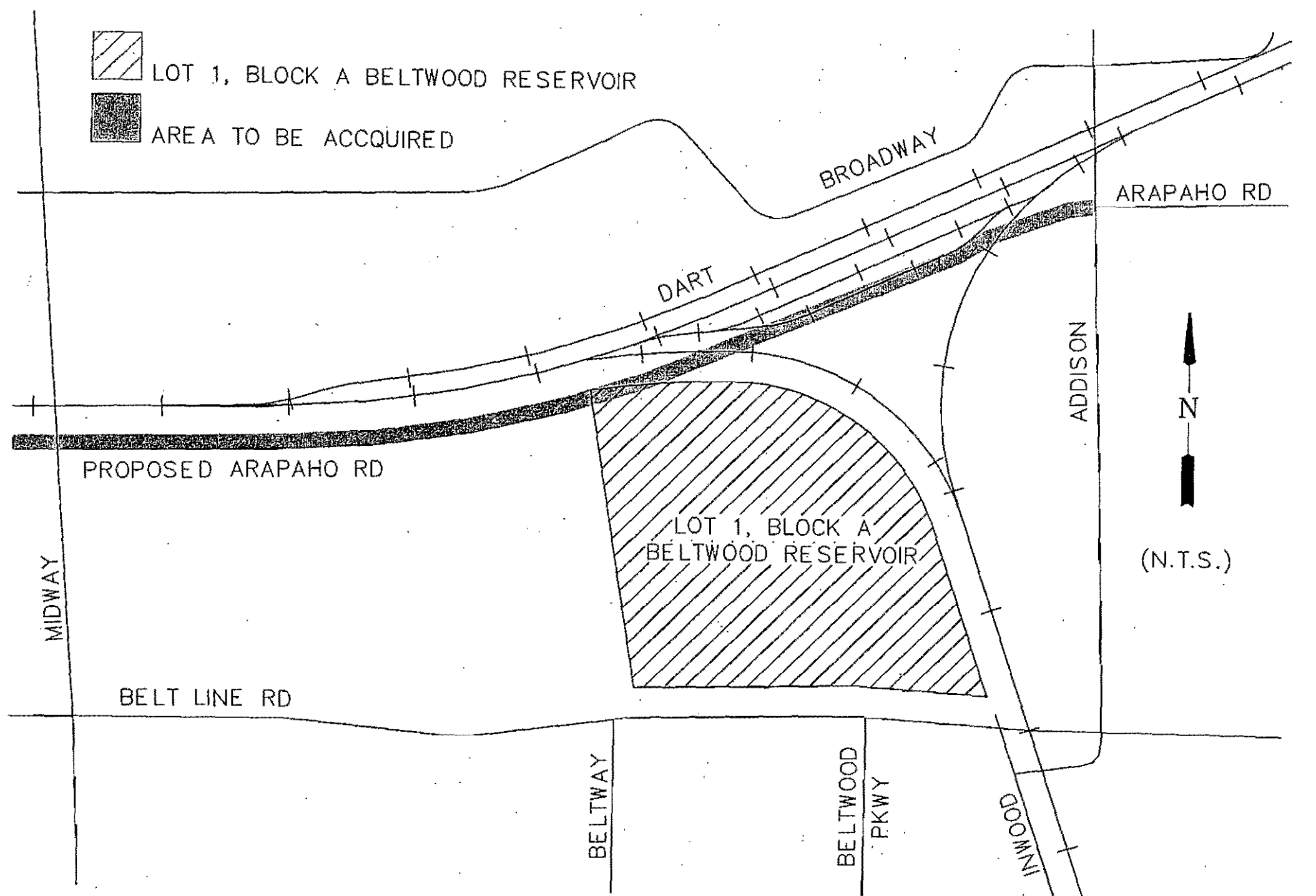




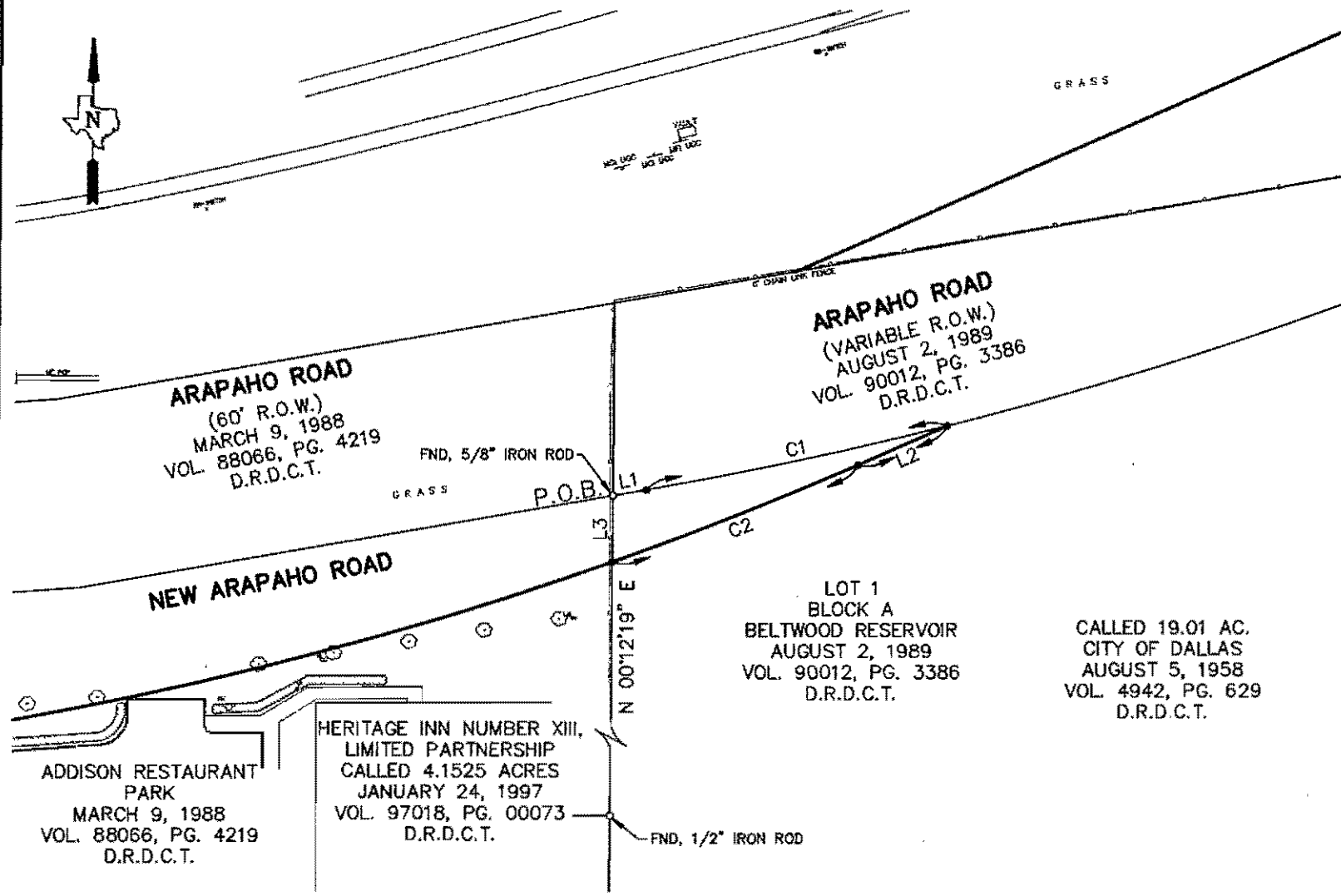
LOT 1, BLOCK A BELTWOOD RESERVOIR



AREA TO BE ACQUIRED



PROPOSED ARAPAHO ROAD CITY OF DALLAS LOCATION MAP



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | S80°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | S00°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
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| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |

**EDWARD COOK SURVEY
A-326**

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

HERITAGE INN NUMBER XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

ARAPAHO ROAD
ROADWAY EASEMENT
PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

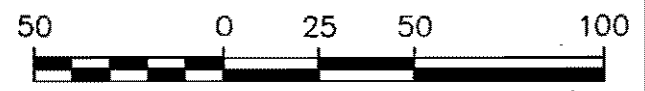
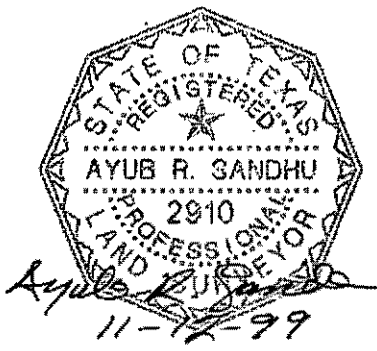
NOTES:

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, ADDISON WEST INDUSTRIAL PARK, RECORDED IN VOL. 77173, PAGE 135, D.R.D.C.T.

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

- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
- DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE



GRAPHIC SCALE
1 INCH = 50 FT.

RESPONSE TO COMMENTS FROM CITY OF DALLAS
DATED JUNE 4, 2002

Every comment was addressed except the following:

Under Part One (1) - Heading

There is no City lot or block number for this property.

Under Part Two (2) - General Description or Statement

Again, there is no City lot or block number for this property.

Under Part Three (3) - Body, Principle, or Particular Description

The Point of Beginning is referenced in the legal description.

There is no Tract #1 or Tract #2 - cannot revise.

Under Part Four (4) - Sketch, Plat or Map

The Point of Beginning is shown on the plat.

The Ownership or Addition name of all adjoined properties called in field notes are indicated.

Parcel 4
Field Note Description
Arapaho Road
Roadway Easement
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

PARCEL 4 - ARAPAHO ROAD
ROADWAY EASMENT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West lines of said Lot 1 and said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the POINT OF BEGINNING;

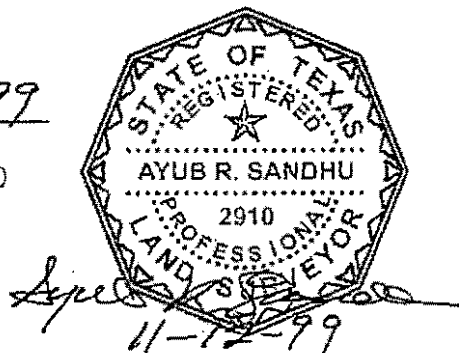
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All bearings are referenced to the North Right of Way line of Centurion Way, called S 89°51'55" E, according to the final plat of Lot 3, Surveyor Addition, Addison West Industrial Park, recorded in Vol. 77173, Page 135, Deed Records of Dallas County, 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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

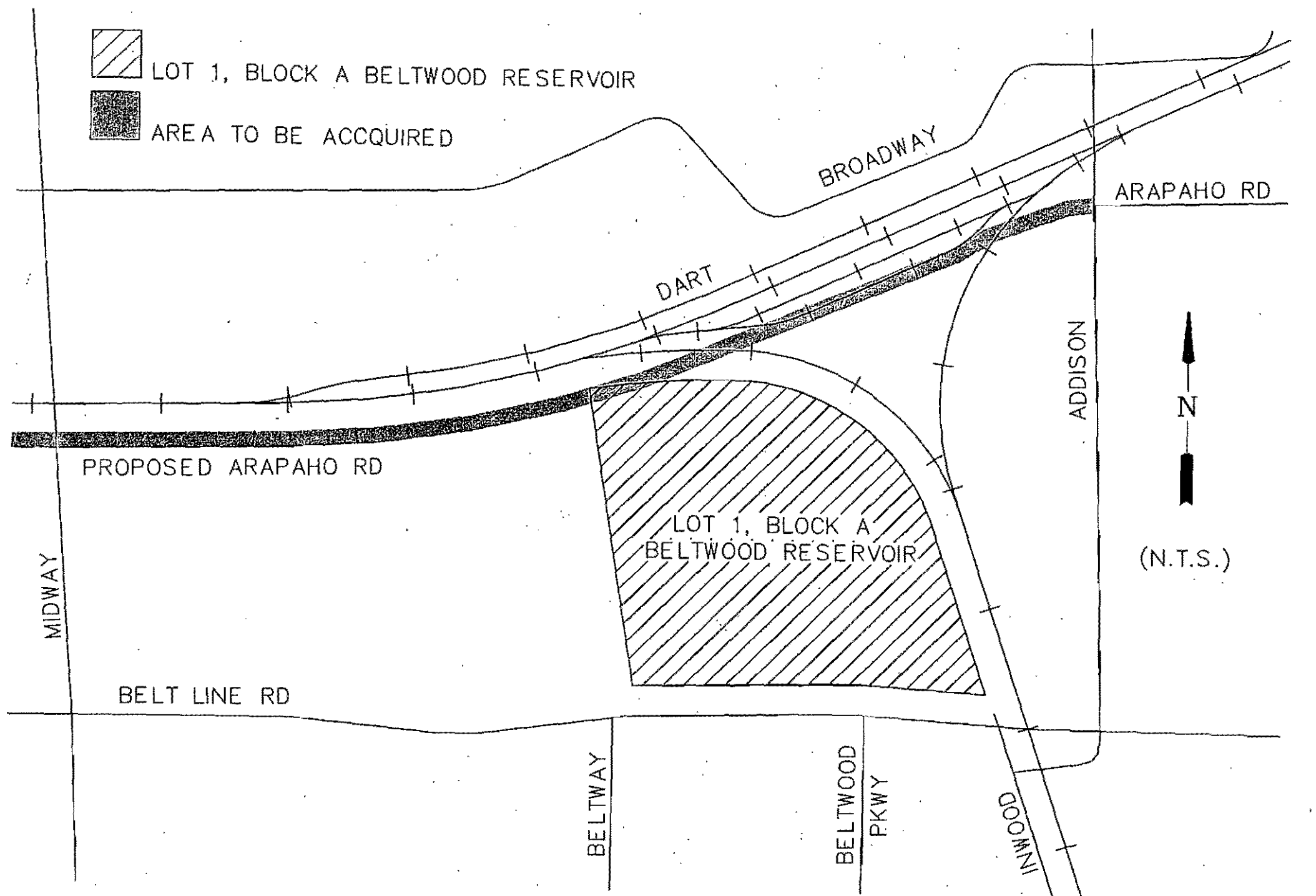




LOT 1, BLOCK A BELTWOOD RESERVOIR



AREA TO BE ACQUIRED



ADDISON

ARAPAHO RD

BROADWAY

DART

PROPOSED ARAPAHO RD

MIDWAY

BELT LINE RD

LOT 1, BLOCK A
BELTWOOD RESERVOIR



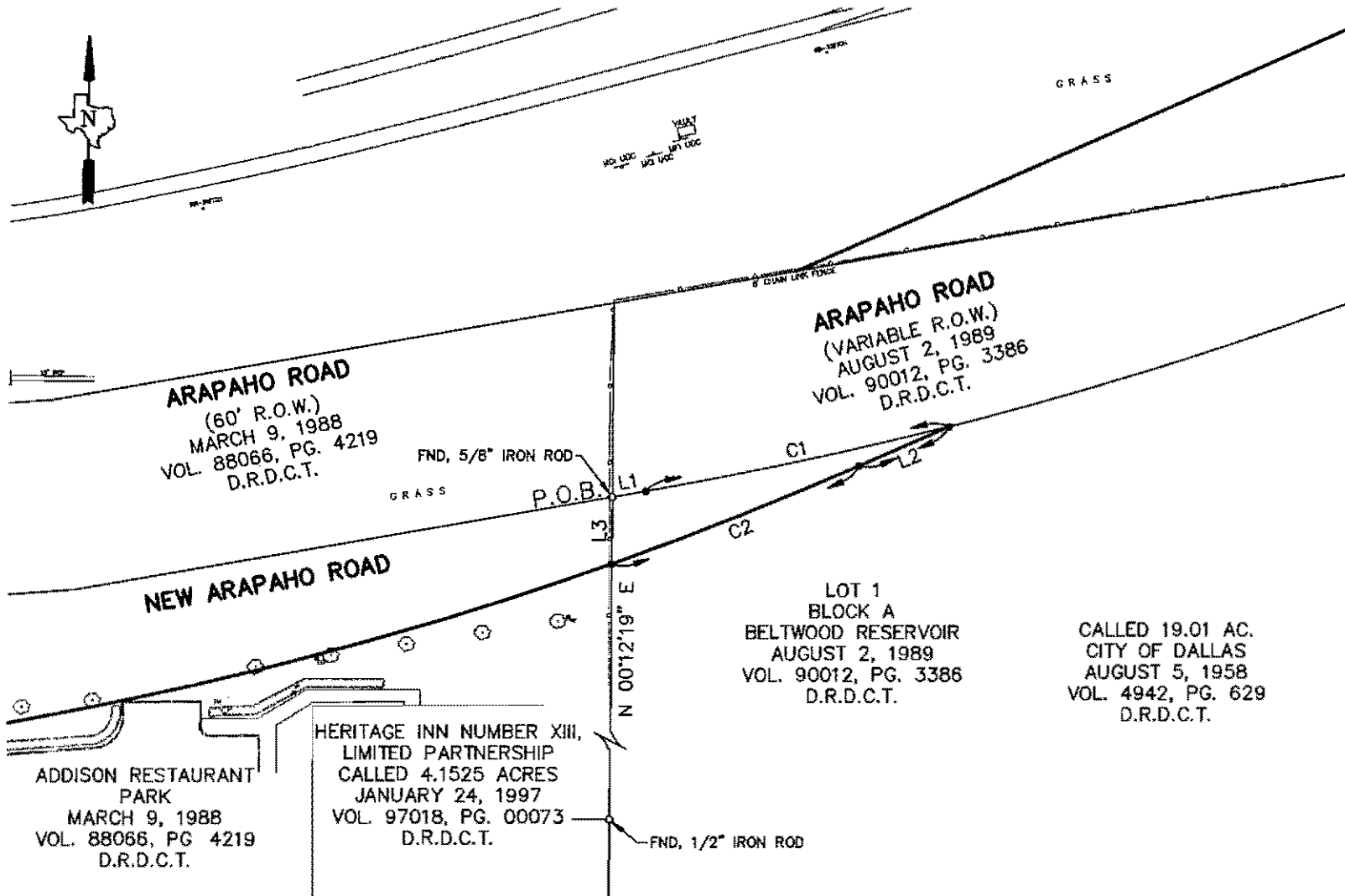
(N.T.S.)

BELTWAY

BELTWOOD
PKWY

INWOOD

PROPOSED ARAPAHO ROAD CITY OF DALLAS LOCATION MAP



| LINE TABLE | | | | |
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| L3 | N 00°12'19" E | S00°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
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| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |

**EDWARD COOK SURVEY
A-326**

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.

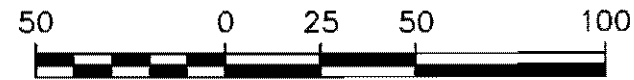
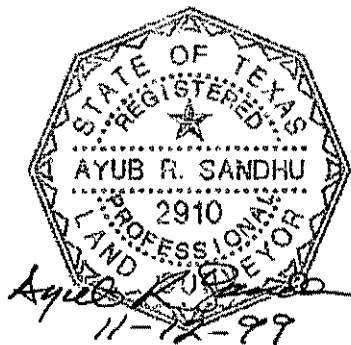
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- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
- DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

ARAPAHO ROAD
ROADWAY EASEMENT
PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

Parcel 4-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the proposed South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said proposed South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing North 68°23'47' East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve;

THENCE, NORTH 66°22'04" EAST, continuing along said proposed South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.0267 acres or 1,163 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

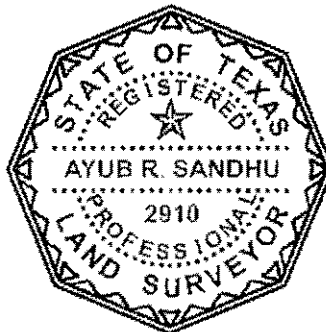
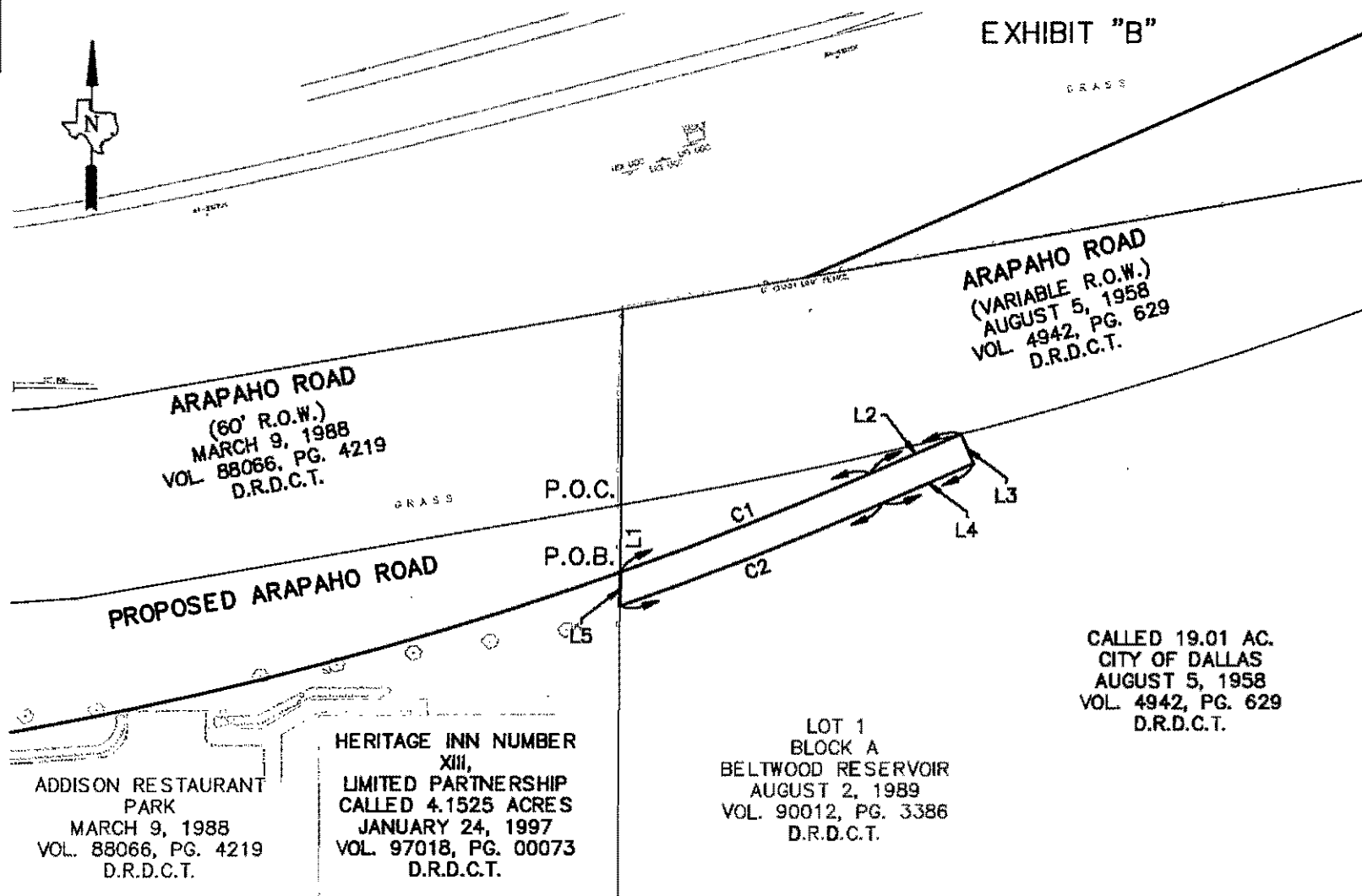


EXHIBIT "B"



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |



EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

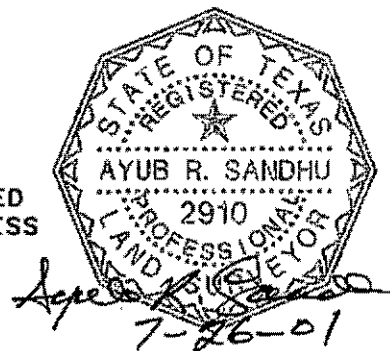
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A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

- DENOTES A FOUND POINT AS INDICATED
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- PROPOSED RIGHT OF WAY LINE



PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

#R15-1

Passed
11-12-02

Council Agenda Item #R15

SUMMARY:

This item is to request Council approval of a resolution authorizing the City Manager to accept the counter-offer from the City of Dallas Department of Development Services, in the amount of \$13,018.00, for the acquisition of 1,114 square feet of permanent street easement and 1,163 square feet of temporary construction easement.

FINANCIAL IMPACT:

Budgeted Amount: N/A
Appraised Value: \$13,018.00
Source of Funds: Funds are available from Year 2002 General Obligation Bond Program, Project No. 83300.

BACKGROUND:

The right-of-way/easement acquisition process is currently underway on the proposed Arapaho Road, Phase III project. Approximately 1,114 square feet of permanent street easement (see attached Parcel 4 map) and 1,163 square feet of temporary construction easement (see attached Parcel 4-TE map) adjacent to the proposed extension of Arapaho Road is required as part of the proposed roadway improvements. This parcel is a portion of land owned by Dallas Water Utilities and located at 4799 Belt Line Road.

The City of Dallas Department of Development Services was previously contacted regarding the acquisition of the necessary permanent and temporary easements for this project. The Town's Public Works Department received a response, dated September 12, 2002, and was informed that their staff performed an internal appraisal of the value of the property and the resulting value of the easements was determined to be \$14,764.00. On October 5, 2002, an appraisal was performed for the easements by the firm of Evaluation Associates (see attached Summary of Salient Facts and Conclusions), and subsequently submitted to the City of Dallas for consideration. The permanent street easement was valued at \$10,026.00, and a value of \$733.00 was placed on the temporary construction easement. After discussion with the City of Dallas staff, they agreed to lower their appraisal values. On October 28, 2002, staff received a firm counter offer response from the City of Dallas, in the total amount of \$13,018.00 (see attached letter). This total represents an increase of \$2,159.00 above the Town's assessed value. However, it also represents a reduction of \$1846.00 from the original City of Dallas value placed on the easements.

RECOMMENDATION:

It is recommended that Council approve a resolution that authorizes the City Manager to accept the counter-offer from the City of Dallas Department of Development Services, in the amount of \$13,018.00, for the acquisition of 1,114 square feet of permanent street easement and 1,163 square feet of temporary construction easement.

#R15-2

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE AN EASEMENT IN A 0.0256 ACRE TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY AND A TEMPORARY EASEMENT IN A 0.0267 ACRE TRACT OF LAND FOR CONSTRUCTION PURPOSES (BOTH TRACTS LOCATED GENERALLY AT 4799 BELT LINE ROAD).

WHEREAS, the proposed Arapaho Road Extension Project is currently underway, which includes right-of-way acquisitions; and

WHEREAS, a tract of land approximately 0.0256 acres in size is required for permanent right-of-way adjacent to the proposed extension of Arapaho Road; and

WHEREAS, a tract of land approximately 0.0267 acres in size is required for a temporary construction easement in connection with the construction of said permanent right-of-way, and

WHEREAS, the owner of the required tracts, has agreed to grant the necessary easements to the Town of Addison for \$13,018.00; Now, Therefore,

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

Section 1. That the City Council has determined that \$13,018.00 is reasonable compensation for the easements to be acquired and all damages to the property remaining, and does hereby authorize the City Manager to acquire a permanent right-of-way easement in, over and through a 0.0256 acre tract of land and a temporary construction easement in, over and through a 0.0267 acre tract of land (both tracts located generally at 4799 Belt Line Road).

Section 2. That the City Finance Director be and is hereby authorized to draw a check in favor of the City of Dallas, or the current owner of record, in the amount of \$13,018.00.

Section 3. That this Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the Town of Addison this 12th day of November 2002.

Mayor

ATTEST:

APROVED AS TO FORM:

Carmen Moran, City Secretary

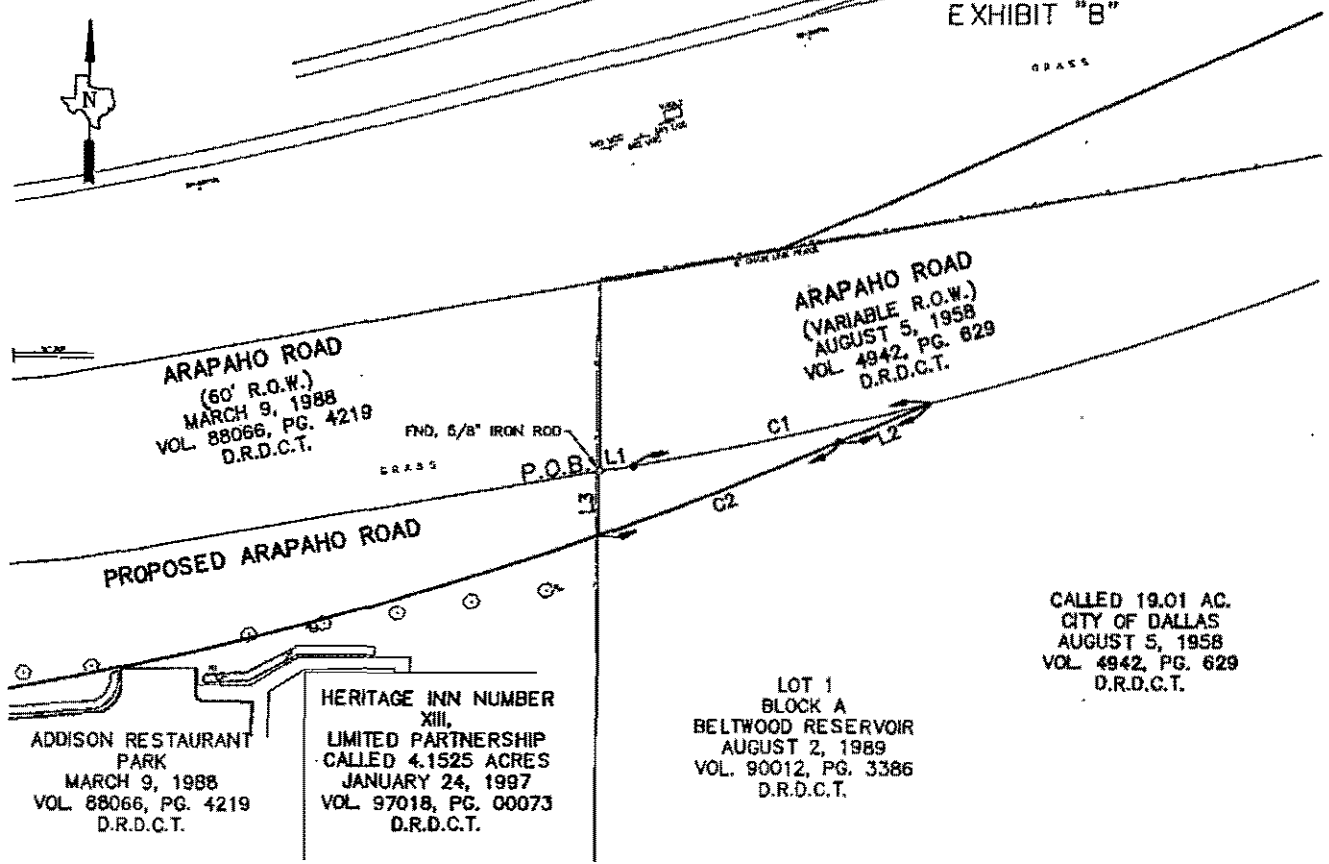
Ken C. Dippel, City Attorney

EXHIBIT "B"



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
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| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | 500°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
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| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'28" | 1177.92' | 83.41' | S 68°23'47" W - 83.38' |



EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
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HERITAGE INN NUMBER
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ADDISON RESTAURANT
PARK
MARCH 9, 1988
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NOTES:

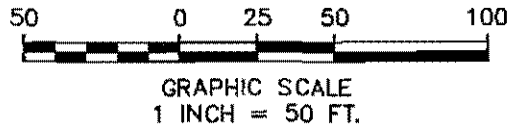
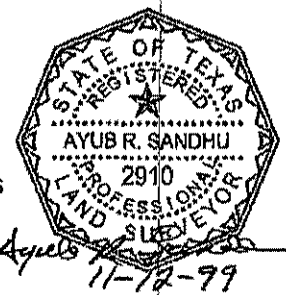
ALL EASEMENTS SHOWN ARE TAKEN FROM THE PLATS INDICATED HEREON. THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY SO ALL EASEMENTS MAY NOT BE SHOWN.

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.

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

PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

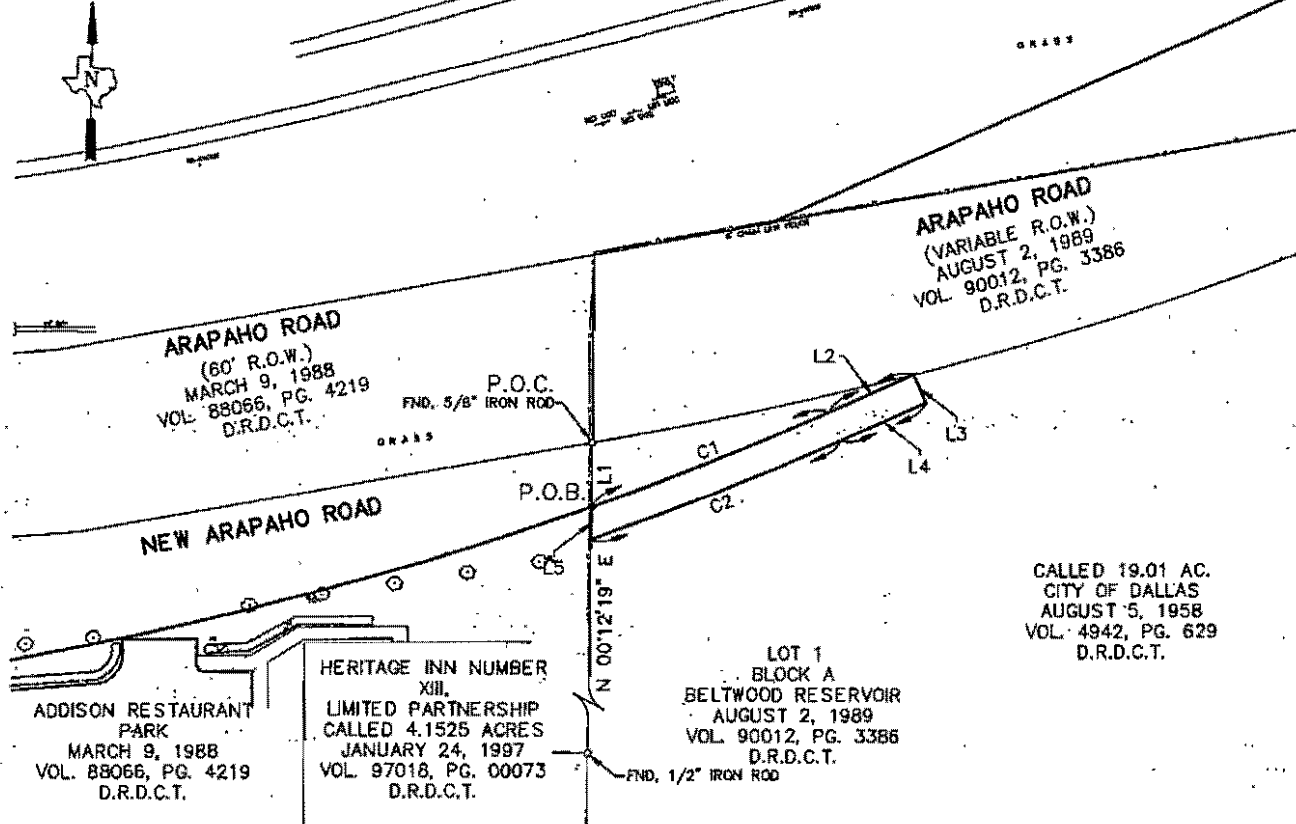


#R15-3



| LINE | BEARING | CALLED | DIST | CALLED |
|------|---------------|-------------|--------|--------|
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |



**EDWARD COOK SURVEY
A-326**

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

ARAPAHO ROAD
TEMPORARY CONSTRUCTION EASEMENT
PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

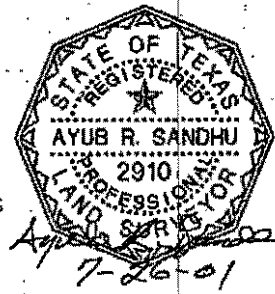
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A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

- DENOTES A FOUND POINT AS INDICATED (CONTROLLING MONUMENTS)
 - DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- NEW RIGHT OF WAY LINE



GRAPHIC SCALE
1 INCH = 50 FT.

#R15-4

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

SUMMARY OF SALIENT FACTS AND CONCLUSIONS ARAPAHO ROAD PROJECT

**Property Owner: City of Dallas Water Utilities
Parcel No. 4**

Valuation Conclusion:

| | |
|--|-------------|
| Whole Property (Land Only) 19.01 Acres @ \$9.00/SF | \$7,500,000 |
| Proposed Acquisition 1,114 SF @ \$9.00/SF | \$ 10,026 |
| Remainder Before Acquisition | \$7,489,974 |
| <hr/> | |
| Remainder After Acquisition | \$7,489,974 |
| Loss in Value of Remainder After | \$ -0- |

Determination of Compensation:

| | |
|---|---------------|
| Permanent Right of Way | \$ 10,026 |
| Compensation for Improvements (None; road to be repaired and realigned by Town of Addison) | \$ -0- |
| Landscaping (None - Replacement) | \$ -0- |
| Temporary Construction Easement | \$ 733 |
| Total Compensation | \$ 10,859 |

Date of Appraisal: October 5, 2002

Location: 4799 Belt Line Road, Town of Addison, Texas

Legal Description: Called 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas

| | | |
|------------|-----------------------------------|-------------|
| Land Size: | Whole Property (per DCAD records) | 19.01 Acres |
| | Road Right of way Area | 1,114 SF |
| | Temporary Construction Easement | 1,163 SF |

Zoning: I - 1 (Industrial) with SU - 1 Special Use Permit

Highest and Best Use:

| | |
|----------------------|----------------|
| As if Vacant BEFORE: | Commercial use |
| As if Vacant AFTER: | Commercial use |

#R15-5



CITY OF DALLAS

October 28, 2002

Steven Z. Chutchian
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

Re: Log #25877 - Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

Dear Mr. Chutchian:

The Department of Development Services, Real Estate Division has processed your request for the above referenced easements. In order to submit your request for City Council approval I will need a check in the amount of \$13,018.00, calculated as follows:

| | | |
|---|---|-----------------|
| Street Easement -1,114 sq.ft. x \$10.50/sq.ft. | = | \$11,697 |
| Temporary Working - 1,163 sq.ft. x \$10.50/sq.ft. x 10% | = | 1,221 |
| Space Easement | | |
| Easement Recording Fee - 2 x \$50 per easement | = | <u>100</u> |
| TOTAL | | \$13,018 |

If you'd like for me to try and place your request on the December 11, 2002 City Council agenda addendum, I must have the check by November 22, 2002. Please let me know if you have any questions.

Sincerely,

Orlando Alameda
Chief Real Estate Specialist



City of Dallas
Property Management

FAX COVER PAGE
Date: October 9, 2002 (12:36PM)

If there are any problems with the receipt of the documents, call the sender directly at the number below or (214) 948-4100.

Number of total pages in this transmission: **1**

TO: Steve Chutchian
Town of Addison

FAX #: 972 450 2837

FROM: Orlando Alameda
Senior Real Estate Specialist

FAX #: 214-948-4083

ALTERNATE

#: 214-948-

email: oalamed@ci.dallas.tx.us

PHONE #: 214-948-4159

SUBJECT: Log #25877 - Street Easement & Temporary Working Space
Easement
Appraisal Comparables

COMMENTS:

The following are the comparables used by our appraiser:

- | | |
|---|--|
| <p>1. C Edwin Lewis Dr., & Quorum Dr. Addison, TX Zoning: Commercial Mapsco: 14-C 4.54 AC (197,762sf) Sold: 1/3/01 Sale Price: \$2,700,000 or \$13.65 psf</p> | <p>3. N/S Beltline Rd, 15' E of Business Ave Addison, TX Zoning: Commercial Mapsco: 14-A 1.571 AC (68,433sf) Sold: 10/1/99 Sale Price: \$785,000 or \$11.57 psf</p> |
| <p>2. 500 Midway Rd. Addison, TX Zoning: I-3 (Industrial) Mapsco: 4-P 1.341 AC (58,414sf) Sold: 1/31/00 Sale Price: \$470,000 or \$8.05 psf</p> | <p>4. W/S Business Ave, Apprx 255' N of Beltline Rd Addison, TX Zoning: PD (Commercial) Mapsco 14-A 6.552 AC (285,405sf) Sold: 5/13/99 Sale Price: \$2,283,240 or \$8.00 psf</p> |

320 E. JEFFERSON BLVD.

DALLAS, TEXAS

75203

214-948-4100

*** CONFIDENTIALITY NOTICE ***

This Fax Cover Sheet and the documents, if any, accompanying it, contain confidential information which is legally privileged. The information is intended only for the use of the recipient named above. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the original documents to this office. You are hereby notified that any disclosures, copying, distribution or the taking of any action in reliance on the contents of this fax information is strictly prohibited!

TOWN OF
ADDISON

PUBLIC WORKS

To: JIM CULLAR

From: STEVE CHUTCHAN

Company: EVALUATION ASSOCIATES

Phone: 972/450-2886

Fax: 972/450-2837

FAX #: 10/9/02

Date: 214-553-1414¹⁶¹⁵

No. of pages (including cover): 2

16801 Westgrove

P.O. Box 9010

Addison, TX 75001-9010



City of Dallas
Property Management

FAX COVER PAGE

Date: September 17, 2002
(10:18AM)

If there are any problems with the receipt of the documents, call the sender directly at the number below or (214) 948-4100.

Number of total pages in this transmission: **2**

TO: Steve Chutchian
Town of Addison

FAX #: 972 450 2837

FROM: Orlando Alameda
Senior Real Estate Specialist

FAX #: 214-948-4083

ALTERNATE #: 214-948-

email: oalamed@ci.dallas.tx.us

PHONE #: 214-948-4159

SUBJECT: Log #25877 - Street Easement & Temporary Working Space
Easement

COMMENTS:

Attached is the letter I had previously faxed to Mr. Pierce's attention. Let me know when your ready to send the check so that I can place your request on the next available council agenda. Please let me know if you have any questions. Thanks.

320 E. JEFFERSON BLVD.

DALLAS, TEXAS

75203

214-948-4100

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CITY OF DALLAS

September 12, 2002

James C. Pierce, Jr.
Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

VIA FACSIMILE

Re: Street Easement & Temporary Working Space Easement
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

Dear Mr. Pierce:

The Office of Property Management has processed your request for the above referenced easements. In order to submit your request for City Council approval I will need a check in the amount of \$14,764, calculated as follows:

| | | | | |
|-------------------|---|----------------------------------|---|------------------|
| Street Easement | - | 1,114 sq.ft. x \$12/sq.ft. | = | \$ 13,368 |
| Temporary Working | - | 1,163 sq.ft. x \$12/sq.ft. x 10% | = | <u>\$ 1,396</u> |
| Space Easement | | | | \$ 14,764 |

To be placed on the October 9, 2002 City Council agenda, the check must be received by September 16, 2002. If you cannot meet this deadline please let me know.

Sincerely,



Orlando Alameda
Senior Real Estate Specialist



City of Dallas
Property Management

FAX COVER PAGE

Date: September 12, 2002 (2:05PM)

If there are any problems with the receipt of the documents, call the sender directly at the number below or (214) 948-4100.

Number of total pages in this transmission: **2**

TO: James C. Pierce, Jr.
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Town of Addison

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FROM: Orlando Alameda
Senior Real Estate Specialist

FAX #: 214-948-4083

ALTERNATE #: 214-948-

email: oaamed@ci.dallas.tx.us

PHONE #: 214-948-4159

SUBJECT: Log #25877 - Street & Temporary Working Space Easements
Beltwood Reservoir
Arapaho Road Phase III - Parcel 4

COMMENTS:

320 E. JEFFERSON BLVD.

DALLAS, TEXAS

75203

214-948-4100

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CITY OF DALLAS

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Public Works Department
Town of Addison
P.O. Box 9010
Addison, TX 75001-9010

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| Space Easement | | | | <u>\$ 14,764</u> |

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Sincerely,



Orlando Alameda
Senior Real Estate Specialist

Parcel 4
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

PARCEL 4 - ARAPAHO ROAD PROJECT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.0256 acres or 1,114 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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

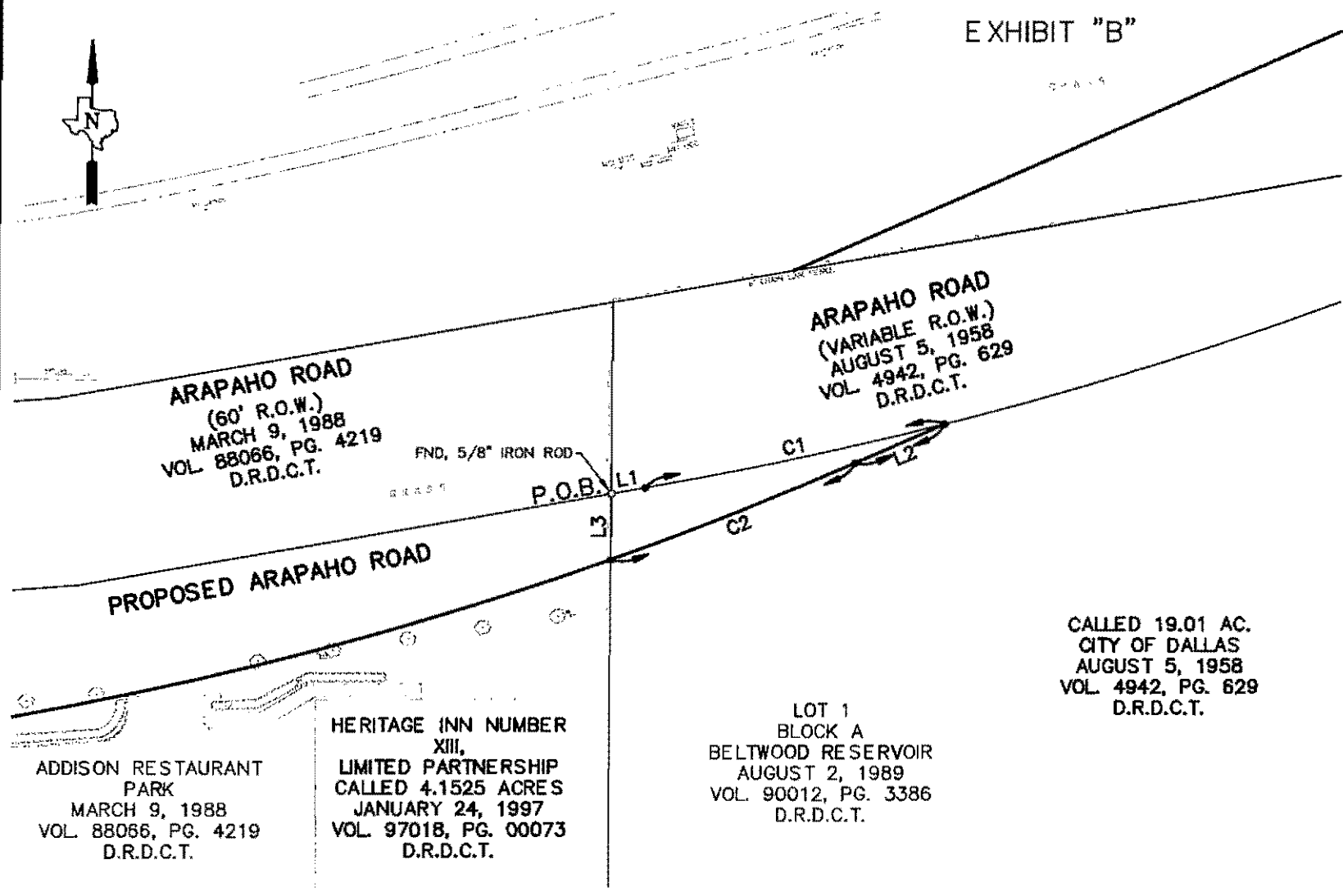


EXHIBIT "B"



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | S80°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
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| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
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EDWARD COOK SURVEY
A-326

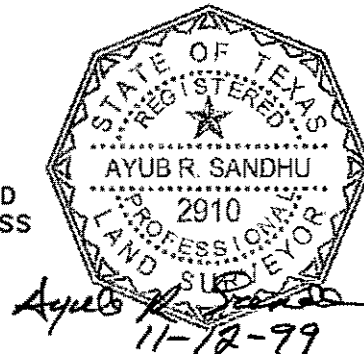
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TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

GRAPHIC SCALE
1 INCH = 50 FT.

Parcel 4
Field Note Description
Arapaho Road Project
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THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

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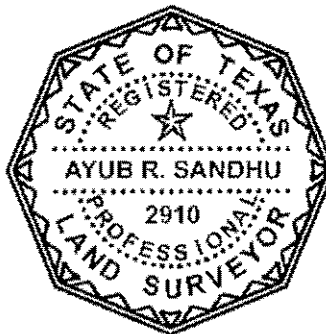
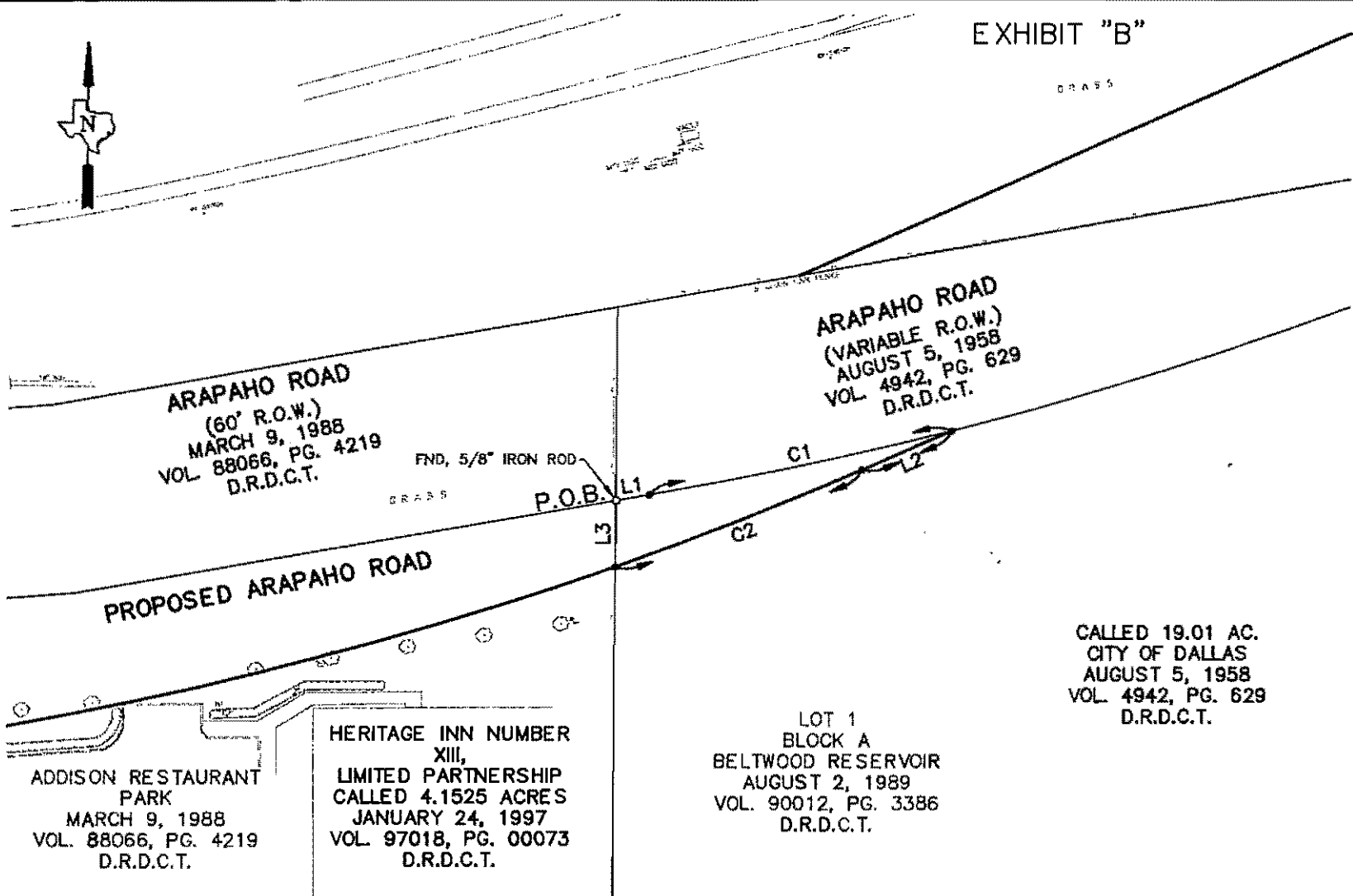


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EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
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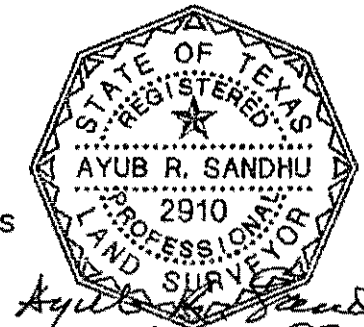
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PARK
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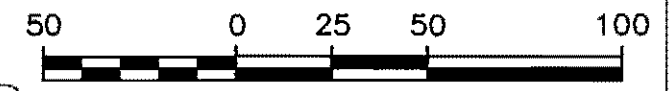
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ALL BEARINGS ARE REFERENCED TO THE NORTH RIGHT OF WAY
LINE OF CENTURION WAY, CALLED S 89°51'55" E, ACCORDING TO
THE FINAL PLAT OF LOT 3, SURVEYOR ADDITION, RECORDED IN
VOL. 77173, PAGE 135, D.R.D.C.T.
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH
ACCOMPANIES THIS PLAT.

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



Ayub R. Sandhu
11-12-99



GRAPHIC SCALE
1 INCH = 50 FT.

Parcel 4
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

PARCEL 4 - ARAPAHO ROAD PROJECT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.0256 acres or 1,114 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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

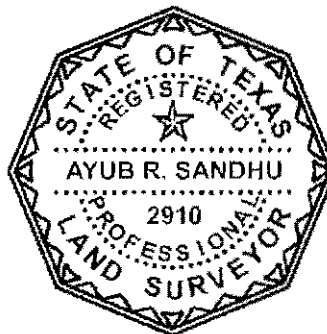
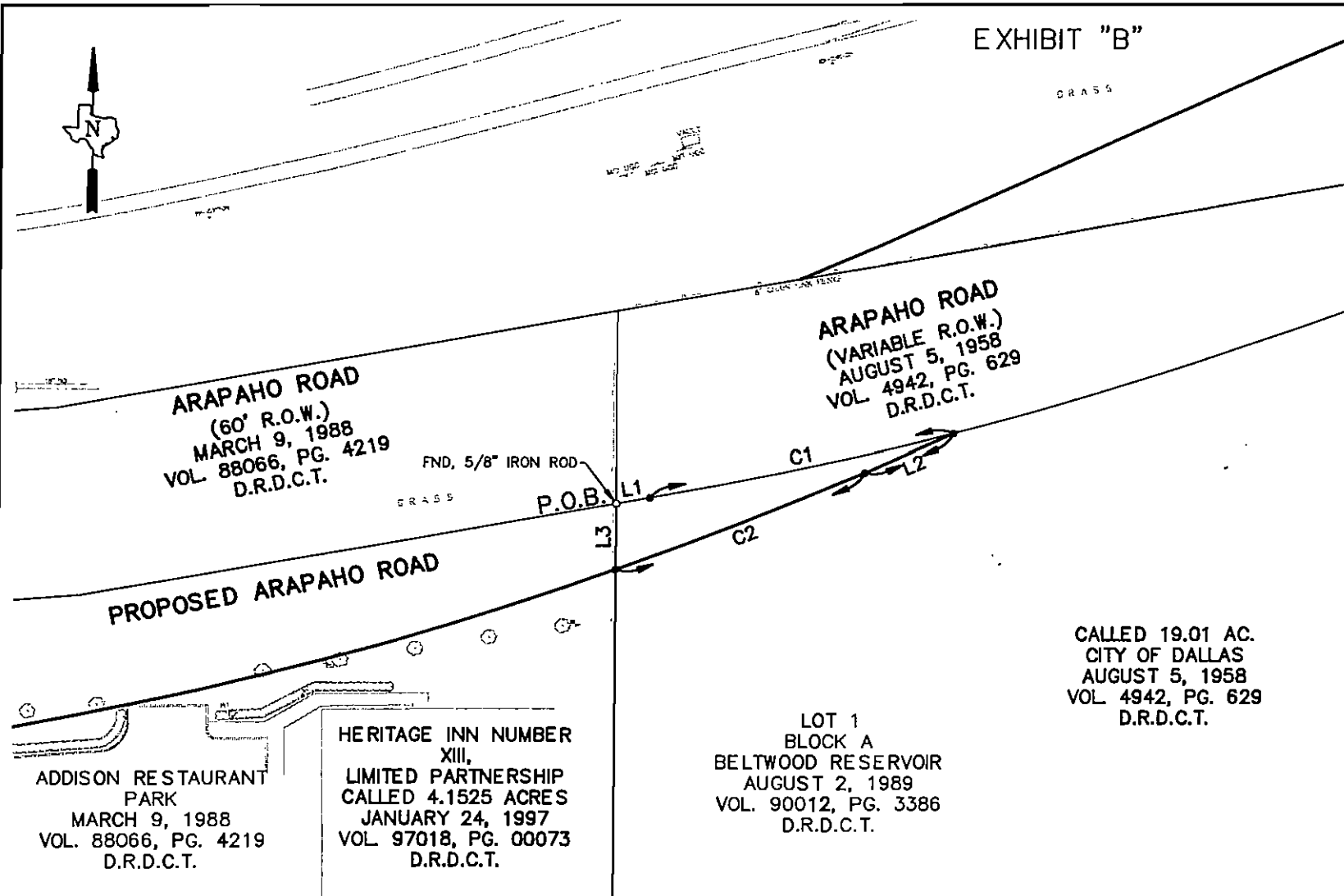


EXHIBIT "B"



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | S80°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | S00°49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |



EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

HERITAGE INN NUMBER
XIII,
LIMITED PARTNERSHIP
CALLED 4.1525 ACRES
JANUARY 24, 1997
VOL. 97018, PG. 00073
D.R.D.C.T.

ADDISON RESTAURANT
PARK
MARCH 9, 1988
VOL. 88066, PG. 4219
D.R.D.C.T.

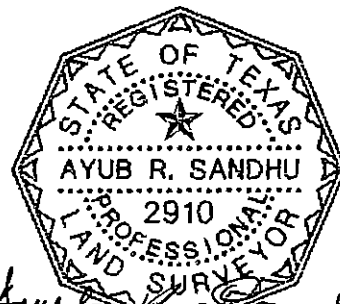
NOTES:

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.

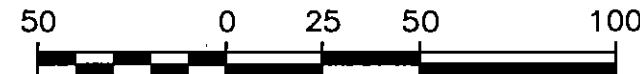
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

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



Ayub R. Sandhu
11-12-99

PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

REQUEST FOR INFORMATION

PROJECT No. Arapaho Phase III

RFI # 2

Date : July 26, 2004

Submitted To:
HNTB
5910 W. Plano Parkway, Ste 200
Plano, Texas 75093
Guy Van Buren c/o Jennifer Nicewander

Submitted By:
Archer Western Contractors, Ltd.

Andrew Schneemann

| Subject | Discipline | Co-Author | Copies To |
|----------------------------------|------------|----------------|-----------------|
| Horizontal alignment information | Civil | Chris Langford | Steve Chutchian |

| Cost Impact | Amount | Schedule Impact | Days | Drawing Impact |
|-------------|---------|-----------------|---------|----------------|
| Unknown | Unknown | Unknown | Unknown | Unknown |

Information Requested

The Survey Control Plan (sheets 9 to 12) and the Paving Plan and Profile (sheets 41 to 52) show the stations and curve information for the centerline alignment but does not provide coordinate information for the PI,PC,PT, Etc.

We have calculated the coordinate for these points along the centerline based off the existing coordinate given at centerline station 34+12.61.

Please provide the coordinate information for the Centerline Horizontal Alignment, so that we can verify our calculations.

Response

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

SUMMARY OF SALIENT FACTS AND CONCLUSIONS ARAPAHO ROAD PROJECT

**Property Owner: City of Dallas Water Utilities
Parcel No. 4**

Valuation Conclusion:

| | |
|--|-------------|
| Whole Property (Land Only) 19.01 Acres @ \$9.00/SF | \$7,500,000 |
| Proposed Acquisition 1,114 SF @ \$9.00/SF | \$ 10,026 |
| Remainder Before Acquisition | \$7,489,974 |
| Remainder After Acquisition | \$7,489,974 |
| Loss in Value of Remainder After | \$ -0- |

Determination of Compensation:

| | |
|---|-----------|
| Permanent Right of Way | \$ 10,026 |
| Compensation for Improvements (None; road to be repaired and realigned by Town of Addison) | \$ -0- |
| Landscaping (None - Replacement) | \$ -0- |
| Temporary Construction Easement | \$ 733 |

Total Compensation \$ 10,859

Date of Appraisal: October 5, 2002

Location: 4799 Belt Line Road, Town of Addison, Texas

Legal Description: Called 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas

Land Size: Whole Property (per DCAD records) 19.01 Acres
Road Right of way Area 1,114 SF
Temporary Construction Easement 1,163 SF

Zoning: I - 1 (Industrial) with SU - 1 Special Use Permit

Highest and Best Use:

As if Vacant BEFORE: Commercial use
As if Vacant AFTER: Commercial use

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

October 5, 2002

Mr. Steve Chutchian, P.E.
Assistant City Engineer
Town of Addison
16801 Westgrove
Addison, Texas 75001-9010

Re: **ARAPAHO ROAD PROJECT - Parcel No. 4**
Property Owner: City of Dallas Water Utilities

An appraisal of a 1,114 SF proposed Permanent Road Right of Way acquisition (ROW), and 1,163 SF Temporary Construction Easement, out of an approximate 19.01 Acre tract of land situated on the north side of Belt Line Road, at the west intersection of the DART Rail line right of way, and just west of Addison Road, (known locally as the 4799 Belt Line Road). The parent tract is legally described as 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas, and is known as the City of Dallas Beltway Reservoir.

Dear Mr. Chutchian:

At your request, we have conducted the analysis and investigations necessary to derive the value of the whole property (Land Only) and proposed acquisition areas based on the economic conditions which prevailed on the current valuation date of October 5, 2002. It is understood that the function of the appraisal, and of this summary of data and analysis employed in that appraisal process, will be used as a basis for establishing *just compensation* due to the property owner concerning the intent of the Town of Addison to acquire the referenced right of way for the widening, realignment and improvement of Arapaho Road.

This appraisal was prepared in accordance with valuation principles which conform with the State of Texas condemnation laws and subsequent legal precedents based on, but not limited to, *State v Carpenter, 89 SW 2nd, 1936*. Further, this report addresses appraisal guidelines of the International Right of Way Association, the Appraisal Institute, and is classified as a *limited summary* report format under the Uniform Standards of Professional Appraisal Practice (USPAP) promulgated by the Appraisal Foundation. The methods of valuation and reporting are also consistent with an acceptable process relevant to the nature of the whole property and the proposed acquisition area. All herein mentioned value estimates are market oriented and based on the principle of Value in Exchange rather than Value in Use to a specified owner. These value terms, along with other appraisal terminology, are defined in the addendum section of this report.

Owner Contact

The subject property was inspected from various points of reference on several dates from May 2001 to October 2002, with the date of our last inspection being October 5, 2002, also the

Mr. Steve Chutchian
October 5, 2002

valuation date. The enclosed photographs were personally taken by the undersigned appraiser during the same time frame. Based on our research, the current owner has held title since the 1950s. There are no known contracts, offers for sale, or plans for redevelopment of the subject whole property.

Based on a review of engineering design and construction plans provided by the Town of Addison, and an inspection of the subject whole property, after the acquisition the site should have the same access, and superior exposure, when compared with the before condition. Related analysis is described in more detail in the Analysis and Valuation of the Proposed Acquisition Section later in this report. It will also be explained how and why there is no loss of marketability and utility of the property after the acquisition. The appraisers have analyzed the subject property both **before and after** the proposed acquisition and found no diminution in value beyond the portion of the property within the proposed right of way, which is to be compensated.

Subject Site Description

According to investigation of Dallas County Plat Maps, field review by Evaluation Associates, and information provided by Town of Addison, the subject whole property fronts several hundred feet along the north side of Belt Line Road. The generally rectangular shaped tract contains 19.01 acres. All public utilities are available to the subject property. Topographical features include generally even, yet sloping terrain, which falls toward the north.

There were no noted or observed easements, encroachments or other special hazards that might effect the marketability or utility of the subject parent tract. The subject site is larger than other commercial sites found within this market area. The site is

The acquisition area is at the back of the property, concentrated in the NWC.

currently used as part of the Beltway Reservoir for the City of Dallas Water Utilities. Open grassy areas surround the improvements. None of the improvements are situated within the proposed acquisition area. Analysis indicates the loss of the relatively small area of the land at the northeast corner of the property will not result in loss to the remainder property.

Zoning

Based on our review of the Town of Addison Zoning Map, the subject whole property is zoned I-1 (Industrial) with an SU-1 (Special Use Permit) overlay. The subject site is used as a City of Dallas Water Utilities (water reservoir) facility. Most public works uses are permitted in most city zoning districts.

Highest and Best Use

The highest and best use is that use which will provide the greatest net return to the owner of the land within applicable physical, legal and financial market acceptance constraints. These criteria are usually considered and tested sequentially; i.e., a use may be financially feasible, but this is irrelevant if it is physically impossible or legally prohibited. Highest and Best Use is defined in *The Appraisal of Real Estate*, 12th Edition, published by the Appraisal Institute as being:

Mr. Steve Chutchian
October 5, 2002

"the reasonably probable and legal use of vacant land or improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."

Physical factors include physical characteristics of the site such as shape, size, topography, ingress and egress. The subject property encompasses 19.01 Acres. The tract has adequate size, shape, ingress and egress. Visibility and exposure is to Belt Line Road, a major east-west thoroughfare. All utility services are available in the site. The physical influences indicate the subject site could support a variety of uses.

The legal limits to Highest and Best Use in this case are determined by the zoning ordinance. As previously discussed, the subject property is designated for industrial uses. Analysis of the physical and legal factors suggest that the highest and best use of the subject whole property is for commercial uses. All other uses are eliminated as the legal constraints prohibit such uses.

An analysis of financial factors would include determining uses which produce a market accepted rate of return based on the risks involved. The area surrounding the subject property is developed as a variety of uses - restaurants, professional offices, motels/hotels.

Highest and Best Use Conclusion (As If Vacant)

The highest and best use of the whole subject property is for a commercial use, discounting the current public works use (which is most likely to continue).

Valuation Approach

There were many sales of similarly zoned land available for consideration. The sales fell into three categories; industrial uses, hotel use, smaller pad sites, such as for fast food restaurants. Most of the sales of land for straight run of the mill industrial uses were inferior to the subject property, due to location. Of the available database, the four sales included in this report were the same sales suggested for consideration by the City of Dallas Property Management Department. Sale Nos. 1 and 4 were selected for comparison by Evaluation Associates, prior to receiving the four sales from the property owner. Comparative explanation of the four sales is presented later in the report.

Analysis of the four sales indicates that the City of Dallas public works use is unaffected by the proposed acquisition. Since it is not necessary to value these unaffected improvements, only the value of the land (subject site) has been estimated. The most realistic approach to value vacant land is through the direct comparison of land sales. Several sale transactions were analyzed and adjustments were made to compensate for differing influences on value. A detailed summary of those sales considered most representative of the current market, and the conclusions derived from our analysis, have been included in this report.

The existing City of Dallas public works use will be unaffected by the proposed acquisition.

Mr. Steve Chutchian
October 5, 2002

Based on information supplied and investigations made by Evaluation Associates personnel, it appears that after the completion of the thoroughfare widening and improvement project, there should be no negative impact on the remainder resulting from the proposed acquisition. Access and visibility should be similar both *before* and *after* the proposed acquisition. The site is not adversely affected by the proposed acquisition and the subject property is valued on a land only basis. Additional detail and discussion in support of this conclusion can be found in the Analysis and Valuation of the Proposed Acquisition Area section.

Conclusion

Our research has included an investigation of market and neighborhood trends which are believed to influence the value of the subject whole property (Land Only). Specific attention and consideration was given to the value of the subject property, both **before and after** the proposed right of way acquisition area. Based upon our analyses and interpretation of the data, the Market Value of the proposed acquisition area as of October 5, 2002, is estimated to be:

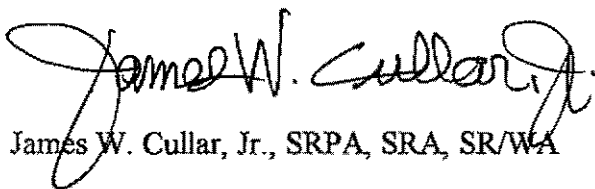
TEN THOUSAND EIGHT HUNDRED FIFTY NINE DOLLARS
(\$10,859)

The following narrative report sets forth a description of the subject property along with maps, photographs and other exhibits. The report has been prepared in accordance with the Code of Ethics and Professional Conduct promulgated by the Appraisal Institute and the International Right of Way Association. The report is subject to the Assumptions and Limiting Conditions included in the Addendum.

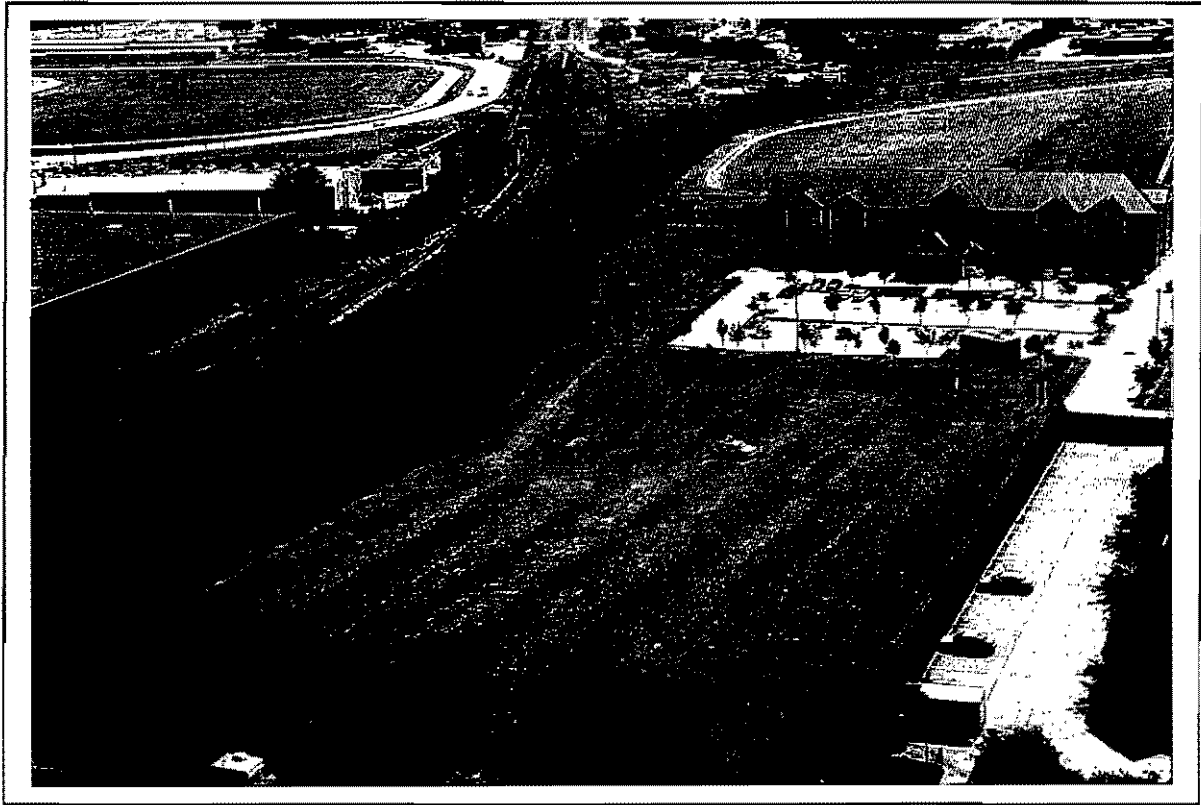
This report was prepared by James W. Cullar, Jr. and Richard N. Baker, both representing the firm Evaluation Associates, and deriving the analysis and value estimate conclusion. The undersigned assumes responsibility for any required testimony.

If you have any questions, please call us.

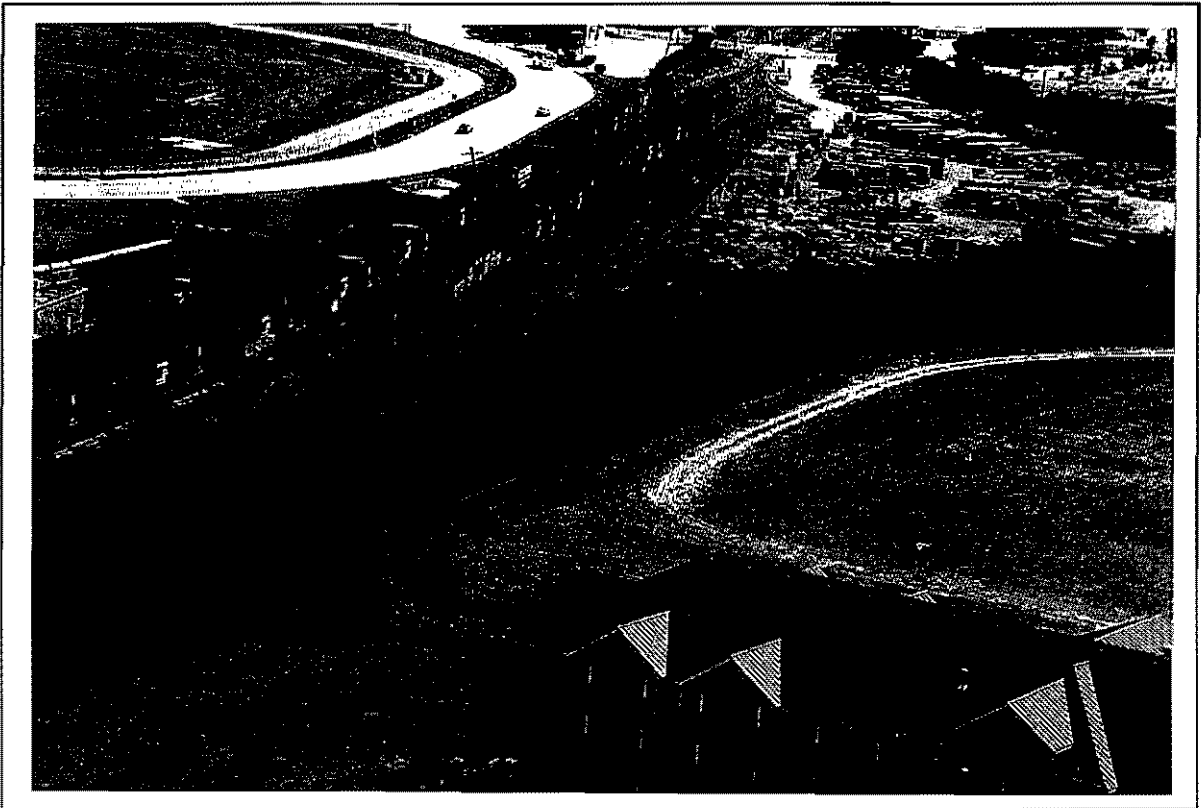
Respectfully submitted,
EVALUATION ASSOCIATES


James W. Cullar, Jr., SRPA, SRA, SR/WA

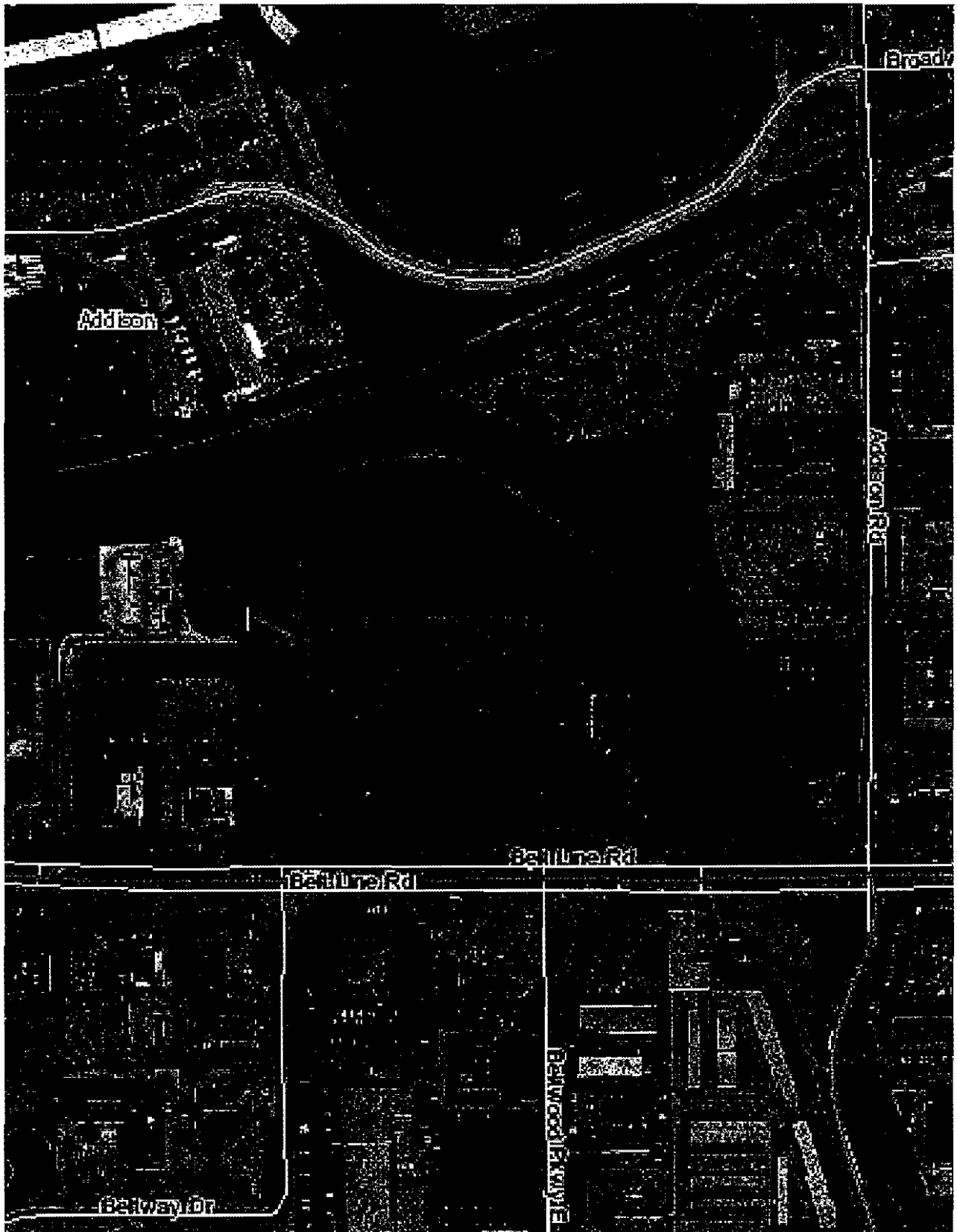
PHOTOGRAPHS OF SUBJECT PROPERTY



Aerial photograph of the northern portion of the subject property



SUBJECT PROPERTY



APPRAISAL PROCEDURE

The estimation of Market Value of a property that is being appraised is accomplished by the comparison and analysis of as many techniques as are appropriate. Three approaches are generally used to produce value indications for improved properties while only one (the Sales Comparison Approach) is normally employed in analyzing an unimproved property such as the subject site.

COST APPROACH The value indication by this approach is accomplished by determining the Reproduction (or Replacement) Cost New of the improvements less accrued depreciation from all causes to which the value of the land (estimated by comparison) is added.

SALES COMPARISON APPROACH The comparison of similar properties that have sold in the marketplace is used to produce an indication of value. The comparison may either be direct or indirect by commonly accepted units or elements of comparison.

INCOME APPROACH This approach to value is applicable to properties capable of producing a net income stream. The net income is translated into a value indication through capitalization.

The strengths and weaknesses of each approach employed are weighed in the final analysis. The approach or approaches offering the greatest quantity and quality of supporting data are typically given most consideration and the final value is then correlated.

In this appraisal situation, wherein only the land valuation was required, only the Sales Comparison Approach was employed.

LAND VALUATION

A reliable value indication for the subject land is provided by an analysis and comparison of other tracts that have sold in the marketplace. Many factors influence the price of vacant land. The selected sales are analyzed with respect to real property rights conveyed, financing terms, conditions of sale, market conditions, location and physical characteristics.

- A transaction price is always predicated on the real property interest conveyed. The revenue generating potential of a property can be limited by the terms of existing leases.
- The purchase price can be influenced by financing terms. Non-market financing terms must be considered to determine the cash equivalent price.
- Adjustments for conditions of sale usually reflect the motivations of the buyer(s) and the seller(s). Circumstances such as assemblage sales are considered in this analysis.
- Market conditions sometimes change over time and past sales must be analyzed to determine the direction and velocity of change between the sale date and the appraisal date.
- The analysis of location includes the comparison of trade or market area, proximity and accessibility to major thoroughfares and exposure and accessibility to traffic.
- The analysis of physical characteristics would include zoning, topography, frontage, depth, shape, proximity to public utilities and other factors influencing the utility or use.

COMPETITIVE LAND SALE



Land Sale No. 1

Mapsc # 14-C

Location: SWC of Edwin Lewis Drive and Quorum Drive, Addison
Grantor: Daryl N. Snadon
Grantee: Addison SHS, LLC

Legal Description: Quorum Centre Addition

Date of Sale: January 5, 2001

Volume/Page: 2001004/4624

Site Data:

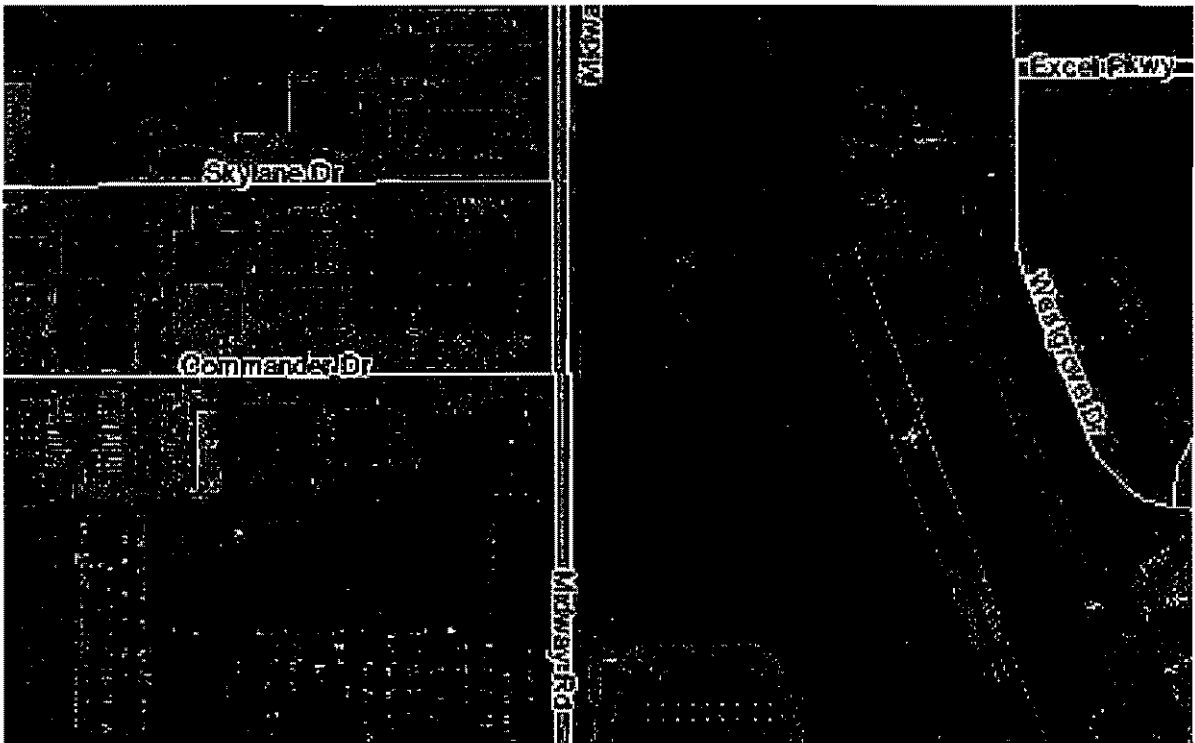
Size: 4.54 Acres
Zoning: Commercial
Utilities: All available
Frontage: Edwin Lewis Drive and Quorum Drive
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Limited service hotel

Consideration: \$2,700,000 or \$13.65/SF

Financing: All cash to seller

Comments: Hotel is under construction.

COMPETITIVE LAND SALE



Land Sale No. 2

Mapco # 4-P

Location: E/s of Midway Road at Commander Drive, Carrollton
Grantor: Maylar, LP (Stanley Hickman)
Grantee: Sixteen Thousand Five Hundred, Inc. Jerry Allan King, President)

Legal Description: Part of Lot 1, Blk A, Beltwood North-Airport Addn, Addison

Date of Sale: January 31, 2000 **Volume/Page:** 200096/2365

Site Data:

Size: 1.341 Acres
Zoning: I-3 (Industrial)
Utilities: All available
Frontage: Midway Road
Shape: Functional
Topography: Level
Easements: None noted
Improvements: None
Intended Use: Office/commercial facility for King Aerospace

Consideration: \$470,000 or \$8.05/SF

Financing: \$303,550 Due 1/28/2001, Texas Capital Bank

Comments: Property remains vacant as of the date of appraisal.

COMPETITIVE LAND SALE



Land Sale No. 3

Mapsc # 14-A

Location: N/s of Belt Line Road, 15 ft E. of Business Avenue, Addison
Grantor: Business/Beltline, LP
Grantee: Burger King Corporation

Legal Description: Lot A, Block 3, Beltline Marsh Business Park

Date of Sale: October 1, 1999 **Volume/Page:** 99192/6903

Site Data:

Size: 1.571 Acres
Zoning: Commercial
Utilities: All available
Frontage: 158 feet on Belt Line Road
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Investment

Consideration: \$785,000 or \$11.47/SF

Financing: All cash to seller

Comments: Property is vacant.

COMPETITIVE LAND SALE



Land Sale No. 4

Mapsco # 14-A

Location: W/s of Business Avenue, approximately 255 ft N. of Beltline Road, also fronts 34 ft on Beltline Road and 156 ft on E/s of Marsh Lane, Addison
Grantor: Beltline/Marsh JV
Grantee: Budget Suites of America

Legal Description: Part of Beltline-Marsh Addition

Date of Sale: May 13, 1999

Volume/Page: 99093/38

Site Data:

Size: 6.552 Acres
Zoning: I, Industrial District
Utilities: All available
Frontage: 156 ft on Marsh; 250 ft on Business
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Extended stay hotel - 300 units

Consideration: \$2,283,232 or \$8.00/SF

Financing: All cash to seller

Comments: Hotel has been constructed.

LAND SALES MAP



LAND VALUATION SUMMARY

The subject property is located in Addison. The area is largely developed, thus other competing neighborhoods were researched for sales data. The following sales are very similar to the subject whole property in many respects, however there are some differences. Such differences make it necessary to apply adjustments to the sale properties in order to reconcile the affect of these features on Market Value.

RECAPITULATION OF SALES DATA

| Sale No. | Date | Size (Ac) | Zoning | SP/SF |
|----------|-------|-----------|------------|---------|
| 1 | 1/01 | 4.54 | C | \$13.65 |
| 2 | 1/00 | 1.341 | I-3 | \$8.05 |
| 3 | 10/99 | 1.571 | C | \$11.47 |
| 4 | 5/99 | 6.552 | I | \$8.00 |
| SUBJECT | 10/02 | 19.01 | I-1 (SU-1) | --- |

The above table capsulizes the data presented on the preceding pages. The chart that follows after this section, uses the sales price per square foot as a unit of comparison. The sales are analyzed and compared with the subject tract for similarities and differences. The elements considered to be inferior to the subject property are adjusted upward while the superior qualities of the competitive sales are adjusted downward. Adjustments have been based on the appraisers observations of physically and economically oriented differences in each competitive sale. The amount of adjustment is determined by the extent to which the sale varies from the subject property. The adjustment process compensates for the difference between the competitive sale and subject and provides an indication of value for the subject property.

ANALYSIS AND CORRELATION

The preceding summary chart displays four land sales for comparison to the subject whole property/parent tract. A reliable value indication for the subject land is provided by an analysis and comparison to other vacant land that has recently sold in the marketplace. This market derived sales data has been used to abstract and analyze property features that affect sales price. Rights conveyed, financing terms, conditions of sale, location, market conditions and physical characteristics were factors considered to determine which influences price in the subject market area.

Rights Conveyed

The market value fee simple interest in the subject whole property is being sought in this analysis. During the sales verification process, it was determined that there were no existing leases on any of the sale properties, thus indicating that fee simple interest was transferred in each transaction. Therefore, no adjustment is applied to any of the sales for this factor.

Financing Terms

The adjustment for financing considers the effect that seller financing has on the purchase price of a property. Below market interest rates are typically reflected in higher prices per unit. The adjustment for financing is estimated by comparing the financing terms with the terms readily available, as of the sale date, from disinterested parties. All of the sales were reported as cash transactions, thus no adjustment was appropriate for financing terms.

Conditions of Sale

Adjustments for conditions of sale usually reflect the motivations of the buyer and seller or any unusual concessions by either party to the transaction. The sales were purchased for owner use and/or speculative investment purposes. No adjustment for this factor is applied.

Market Conditions

The sales occurred over an approximate 3 year period prior to the valuation date (October 2002). The sales did not provide substantive evidence on which to base a time/market conditions adjustment. Subsequent to September 11, 2001, the several sectors of the real estate market have trended back toward the sales prices of the late 1990s. Sales in the subject market sector dated 1999 are still relevant. There is no supporting evidence to indicate property values have continued to appreciate since Sale No. 1 transpired. It is known that hotel occupancy rates and occupancy have declined significantly within the past year. The short and long term impact of September 11, 2001 will have on land values is not known at this time. If the current trend continues indefinitely, the impact is likely to be a notable decline in the number of land sale transactions, and a flattening in land values. Until there is more market data to analyze, the impact cannot be better quantified, and there is no time adjustment applied to any of the sales.

Location

The influence of location is a composite of numerous attributes such as access, exposure, visibility, quality and consistency of surrounding development, proximity to major roadways and location within the perceived growth pattern as evidenced by existing and planned development.

- Sale No. 1 does not front Beltline Road, but is prominently situated near the new Addison Circle near several mid-rise office buildings. This location is rated similar to the subject property.
- Sale No. 2 fronts of Midway Road, a major traffic artery, but, the location is rated inferior. A 20% downward adjustment was made.
- Sale No. 3 fronts Beltline Road at the NEC of Business Avenue. It is a very visible Burger King Restaurant corner pad site.
- Sale No. 4 does not front Beltline Road, but is a well located fronting Midway Road and Business Avenue, just 255 feet north of Beltline. A lesser downward adjustment of 10% was made.

Land uses fronting Beltline are typically those requiring exposure to high traffic counts. Such uses include restaurants, retail and the like. These sales are rated similar to the subject property in terms of location and no adjustment is applied.

Physical Characteristics

The analysis of physical characteristics considers such factors as shape, depth, frontage, zoning, topography and the availability of public utility services. The shape of the subject property is generally rectangular. It has average ingress/egress, and access to the site is considered good. All of the sale properties compare favorably with the subject with regard to physical features.

Size

The market for real estate is comparable to that for other commodities in that price is sometimes influenced by volume (quantity or scarcity). It can generally be demonstrated that as volume decreases, the price per unit may rise. In contrast, unit price may decline when volume increases. If all other attributes are equal, the site may sell for more on a unit basis than a larger one due to reduced holding costs and less risk, if the motivation of the buyer of the land is to sell off in smaller

parcels. It is also recognized that larger parcels which have potential for more and variable uses, even though additional development and an extended period prior to sale, may be more desirable to some buyers. This could be attributable to the larger tract of land being adaptable to larger scale uses. Larger tracts may sometimes sell for a premium, or for a similar unit price as a smaller tract. Therefore, in real estate, the aspect of quantity discounting should not be assumed because it is not an economic principle, but rather an inconsistent market reaction. It should be supported by market transactions if available. The subject site contains approximately 19.01 acres. The sales range in size from 1.341 to 6.552 acres.

A comparison of the sale properties did support a size adjustment. The following exhibit presents a summary reconciliation of the adjustment process.

| Elements of Comparison | Sale No. 1 | Sale No. 2 | Sale No. 3 | Sale No. 4 |
|------------------------|-------------------------------|---|--|--------------------------------|
| SP/SF | \$13.65 | \$8.05 | \$11.47 | \$8.00 |
| Rights Conveyed | Fee Simple | Fee simple | Fee simple | Fee simple |
| Financing | Cash | Cash | Cash | Cash |
| Conditions of Sale | Market | Market | Market | Market |
| Market Conditions | Similar | Similar | Similar | Similar |
| Adjusted Price | \$13.65 | \$8.05 | \$11.47 | \$8.00 |
| Location | Equivalent | Inferior +20% | Equivalent | Inferior +10% |
| Size | 4.54 Ac Hotel Site -20% | 1.341 Ac Business Office Pad Site -20% | 1.571 Ac Restaurant Pad Site -20% | 6.552 Ac Hotel Site -20% |
| Net Adjustment | -20% | -0- | -20% | -10% |
| Indicated Value | \$10.92 | \$8.05 | \$9.18 | \$7.20 |

The sale prices ranged from \$8.00/SF to \$13.65/SF before the analysis. After the analysis, the adjusted values ranged between \$7.20/SF and \$10.92/SF. After adjustments were made to the sale

properties, this approach produced an acceptably narrow range of indicators. The indications provided by Sale Nos. 1 and 4 seem to be the most relevant, in that they were the largest of the four sale properties. They were the most heavily adjusted, but the indications provide the best representation of the value of the of the subject property. In view of these indicators, the Market Value of the subject land is estimated to be based on \$9.00/SF, calculated as follows:

$$19.01 \text{ Acres} \times 43,560 \text{ SF} = 828,075 \text{ SF Rd}$$

$$828,075 \text{ SF} \times \$9.00/\text{SF} = \$7,452,680$$

Rounded to: \$7,500,000

CORRELATION AND CONCLUSION

The subject property is valued as an unimproved tract of land, as the existing improvements are unaffected by the proposed acquisition. No consideration has been given to the fact that the subject property is improved as a water reservoir, nor that the related public works improvements (structures) would require removal prior to the realization of the stated estimated value of the land. This is justified, and is consistent with the valuation approach of other improved properties along the same project. Therefore it was not necessary to separately evaluate any buildings. There was no construction cost or accrued depreciation to analyze. In this appraisal situation, the Cost Approach was not considered applicable.

Also, since there is no trend toward land leases in the area and there is no existing or feasible activity to generate reliable and consistent rental or lease income attributable to the land, the Income Approach to estimate value was not utilized.

The Sales Comparison Approach analyzes trends of buyers and sellers from the analysis of competitive land sales. Rights conveyed, financing terms, conditions of sale, location, market conditions and physical characteristics were factors analyzed to determine the influence on price in this market area. Each sale was inspected, analyzed and compared with the subject property. Adjustments were made to each to reconcile differences in locational attributes, changing market conditions and physical differences (size)

The Sales Comparison Approach produced the only reliable and supportable indication of market value for the subject property. Therefore, the Market Value of the fee simple interest in the subject whole property (Land Only), as of October 5, 2002, is estimated to be:

SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS

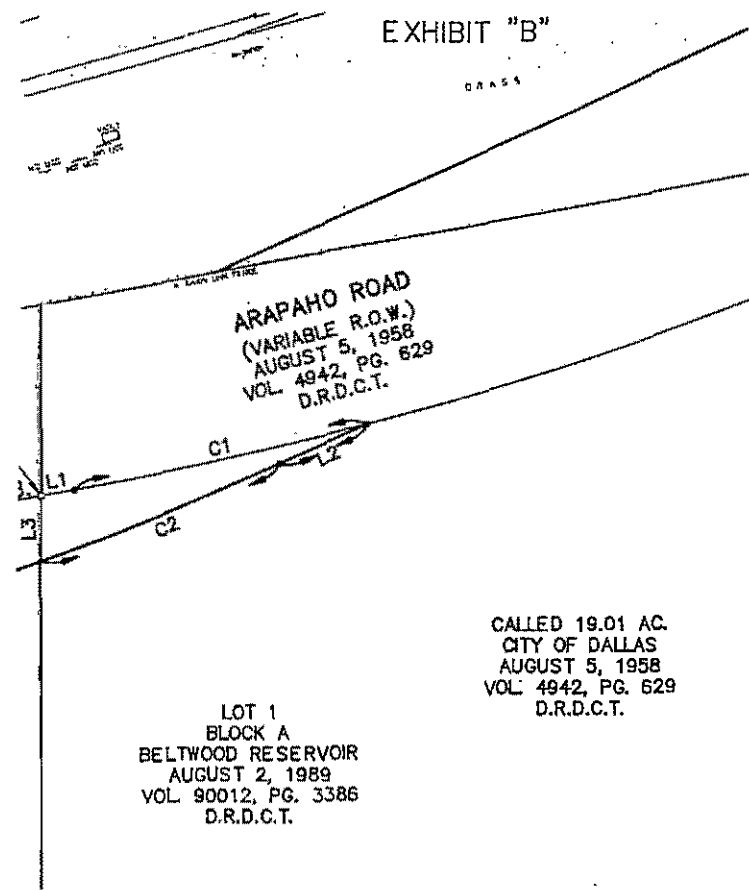
\$7,500,000

PERMANENT ROAD WAY ROW EXCERPT FROM SURVEY PLAT

EXHIBIT "B"

| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E | S80°49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | -- | 30.71' | -- |
| L3 | N 00°12'19" E | S00°49'37"W | 21.00' | -- |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'28" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |



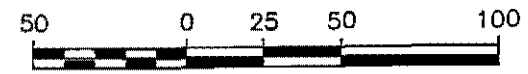
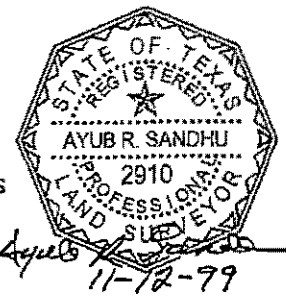
EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

PARCEL 4
A PLAT OF A
0.0256 ACRE (1,114 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

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



GRAPHIC SCALE
1 INCH = 50 FT.

Evaluation Associates

LEGAL DESCRIPTION

Parcel 4
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

LEGAL DESCRIPTION

PARCEL 4 - ARAPAHO ROAD PROJECT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the **POINT OF BEGINNING;**

CONTAINING an area of 0.0256 acres or 1,114 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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910

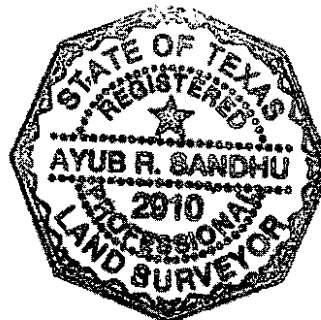
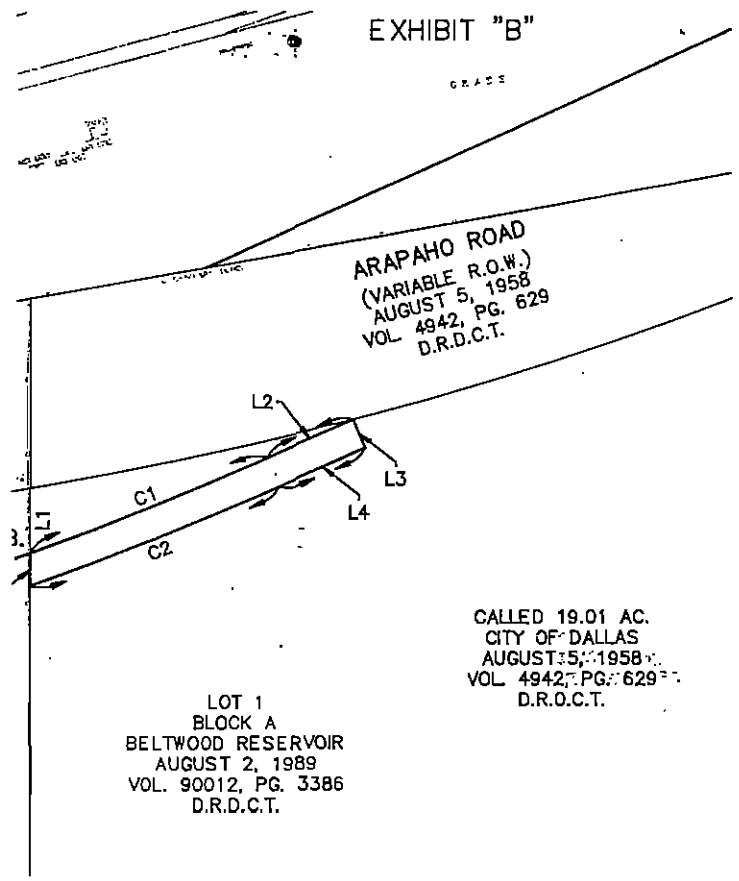


EXHIBIT "B"



ARAPAHO ROAD
(VARIABLE R.O.W.)
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

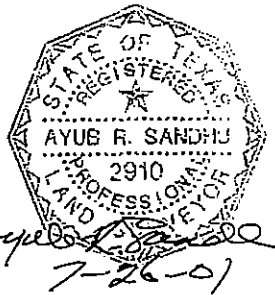
- DENOTES A FOUND POINT AS INDICATED
- DENOTES A 5/8" IRON ROD SET UNLESS OTHERWISE NOTED
- PROPOSED RIGHT OF WAY LINE

| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |

EDWARD COOK SURVEY
A-326

PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS



GRAPHIC SCALE
1 INCH = 50 FT.

TEMPORARY CONSTRUCTION EASEMENT

Evaluation Associates

LEGAL DESCRIPTION

Parcel 4-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the proposed South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said proposed South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing North 68°23'47" East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve;

THENCE, NORTH 66°22'04" EAST, continuing along said proposed South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

LEGAL DESCRIPTION

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

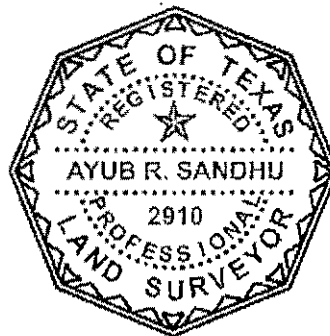
CONTAINING an area of 0.0267 acres or 1,163 square feet of land within the metes recited.

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



ANALYSIS AND VALUATION OF PROPOSED ACQUISITION AREA

The Proposed Acquisition

According to the attached surveyor's field notes, the proposed acquisition area contains 1,114 SF for the new alignment and construction of Arapaho Road. The location, dimensions and shape of the proposed acquisition area are shown on the Acquisition Map exhibit page(s). The proposed acquisition area is located at the rear (northern) portion of the subject parent tract. The acquisition will reduce the subject parent tract infinitesimally, or approximately .01 %. The area to be acquired is at the back of the property, at the most remote area of the parent tract. No improvements will be affected. There is fencing in this area, and the assumption is made that the Town of Addison will relocate the fencing, plus provide interim temporary fencing during the thoroughfare construction term. Property rights being appraised in this acquisition area are fee simple.

Considering the Highest and Best Use of the proposed acquisition area, the standard sequential tests; physically possible, legally permissible, economically feasible, and maximally productive were analyzed. Because of the unique size and shape characteristics of the proposed acquisition area it has no potential for independent utility separate from the parent tract. Therefore, the *highest and best use* of the proposed acquisition area is as a part of the whole parent tract. Review of the accompanying photographs confirms that the proposed acquisition route does not affect the remainder property. The land value is based on \$9.00 SF which is supported by the sales data and analysis presented on the preceding pages of this report.

Landscape

Within proposed ROW acquisition area, there is some grass. The assumption is made that the Town of Addison will make some acceptable arrangement with the City of Dallas to replace the disturbed grass. Under this assumption, i.e., that there will be no requirement on the property owner to replace landscape, nor to meet minimum City requirements for landscape after the new road construction. Therefore, appraisal analysis indicates that there is no requirement to isolate the contributory value of found grass turf, and no compensation for landscape has been included.

Therefore, taking all factors into consideration, the value of the proposed acquisition area can be calculated as follows:

$$\text{Arapaho Road ROW} \quad 1,114 \text{ SF} \quad \times \quad \$9.00/\text{SF} \quad = \quad \$10,026$$

According to the attached surveyor's field notes, there is a proposed temporary construction easement of 1,163 SF for the proposed road construction. The TCE is located adjacent to, and on

Analysis and Valuation of Proposed Acquisition Area (Continued)

the south side of, the proposed ROW acquisition area. The rights sought are temporary in nature. Topography of the proposed easement area is generally level. The net affect of the temporary construction easement will not permanently reduce the land size of the subject property. The purpose of the proposed temporary construction easement is to provide working area for the ingress, egress, and placement of construction machinery and excavation materials during the construction phase of this project. The period requested for the temporary construction easement is 1 year. The value of the easement is calculated as follows:

| | | | |
|--|------------------------|---|---------|
| Temporary Construction Easement | (1,163 SF x \$9.00/SF) | = | \$1,467 |
| Multiplied by the market competitive annual rate of return of 7% | | = | \$ 733 |

Value of the Remainder Before the Acquisition (LAND ONLY)

The value of the Remainder Before the Acquisition is simply the mathematical difference between the value of the whole property less the value of the Proposed Acquisition Area. Therefore, the value of the Remainder Before the Acquisition can be calculated as follows:

| | |
|---|-------------|
| Whole Property Value (Land only) | \$7,500,000 |
| Less: Value of Proposed Acquisition Area | \$ 10,026 |
| Value of the Remainder Before the Acquisition | \$7,489,974 |

Value of the Remainder After the Acquisition

As noted, the proposed acquisition area will be used for the widening and realignment of Arapaho Road. After the acquisition, the remaining site will continue to be an interior tract having similar accessibility and increased visibility. The remaining site will have similar highest and best use as before the acquisition.

In developing the analysis of the Remainder Highest and Best Use and estimating the value after the acquisition, several questions were formulated and answered through the combined sources of: analysis of the Right of Way Acquisition Map, the engineering design and construction plans, the Town of Addison Department of Engineering, and consultation with locally knowledgeable consultants. The answers to specific questions, combined with the analysis of the undersigned land rights appraiser, were subsequently applied to market reaction observations and data introduced by the appraiser to finalize remainder impact conclusions. Following are some of the considerations in the valuation of the remainder after the proposed acquisition(Remainder After).

- 1) Will the remainder property comply with zoning regulations?

Yes, it appears the remainder site will be a legal conforming use under current zoning.

- 2) Will the remainder property have access to new Arapaho Road?

If the term 'Access' is used as a legal term, the answer is 'yes'. If 'access' is envisioned as a new driveway to the new road, the answer is 'No, at this time', as it appears that the new Arapaho Road will be a limited access route, and no access in the form of matching drive entrances will be constructed. In the future, however, if the subject property is redeveloped to another use, the platting process will facilitate future driveway entrances. At the current time, no facilitated access seems to be needed, nor would access benefit the subject property.

- 3) What is the grade of the new Arapaho Road adjacent to the subject property?

Very near the existing natural grade of the surrounding area.

- 4) Are there any direct benefits as a result of this project?

Yes, the subject remainder property will be a relatively large 19 acre tract of land bordered on both the north and south sides by very prominent thoroughfares. Therefore, there would be increased access potential as a result of adjacency to the new Arapaho Road, subject to the approval of the construction of a driveway entrance on the new road.

Therefore in the final analysis, the market of the remainder subject property after the acquisition and realignment of Arapaho Road is no less than the value before the acquisition and reconstruction.

RECAPITULATION

A recapitulation of the pertinent values of the whole property, the proposed acquisition area, the remainder before and after the acquisition are depicted below:

| | |
|--|------------------|
| Value of the Whole Property (Land Only) | \$7,500,000 |
| <i>less:</i> Value of the Proposed Acquisition Area | <u>\$ 10,026</u> |
| <i>equals:</i> Value of the Remainder Before the Acquisition (Land Only) | \$7,489,974 |
| Value of the Remainder After the Acquisition (Land Only) | \$7,489,974 |
| <i>plus:</i> Value of the Improvements in Acquisition Area | \$ -0- |
| <i>plus:</i> Temporary Construction Easement | \$ 733 |
| <i>equals:</i> Total Compensation | \$ 10,859 |

AFFIDAVIT AND CERTIFICATE OF VALUE

The undersigned does hereby certify that, except as otherwise noted in this appraisal report:

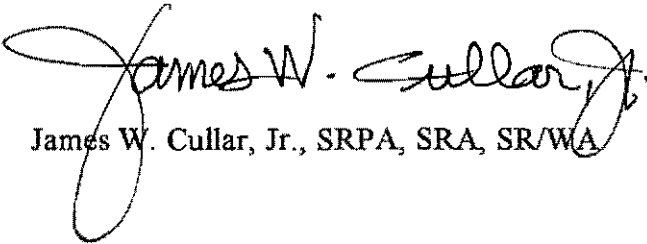
1. We have personally inspected the subject property.
2. We have no present or contemplated future interest in the real estate that is the subject of our evaluation.
3. We have no personal interest or bias with respect to the subject matter of this evaluation or the parties involved.
4. To the best of our knowledge and belief, we have included only truthful statements of fact in this report; and the analysis, opinions and conclusions expressed herein are true and correct and no pertinent information has knowingly been withheld.
5. The compensation for our professional service is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
6. The analyses, opinions and conclusions in the report are limited only by the assumptions and limiting conditions set forth, and are the personal, unbiased, professional analyses, opinions and conclusions of the appraiser.
7. The development of the herein expressed value opinions have been made in conformity with, and is subject to the requirements of the Uniform Standards of Professional Appraisal Practice adopted by both the Appraisal Institute and the International Right of Way Association and can be supported by internal file inspection.
8. No persons other than the undersigned prepared the analyses, conclusions and opinions concerning real estate that are set forth in this appraisal report.
- 9) This document is hereby communicated to the original client named in the transmittal letter for the privileged use that client and their selected distribution. It is understood that most appraisal products are prepared to be a tool for some financial decision purpose. With this understanding, it should be noted that this report was obtained from Evaluation Associates, who owns the data and the detailed file memorandum, notes, etc., which may consist of *trade secrets and commercial or financial information* that is privileged and confidential and

exempt from disclosure under 5 U.S.C. 552 (b) (4). Therefore, please notify Evaluation Associates of any request of reproduction of this appraisal.

- 10) The act of preparation and submission of this report to the public in the form of the original client, simultaneously makes this report subject to the professional requirements of the Appraisal Institute and the International Right of Way Association regarding review by its duly authorized representatives.
- 11) The Appraisal Institute conducts both mandatory and voluntary programs of continuing education for their designated members depending upon the date of the conferring of the specific professional designation. Designated members who meet the minimum standards for these programs are awarded periodic educational certification. James W. Cullar, Jr., and Richard N. Baker are currently certified under their respective and applicable programs.
- 12) This Appraisal is classified as Limited in Scope and is presented in Summary Format.
- 13) The market derived value of the proposed acquisition areas as of October 5, 2002 is estimated to be:

TEN THOUSAND EIGHT HUNDRED FIFTY NINE DOLLARS

(\$10,859)



James W. Cullar, Jr., SRPA, SRA, SR/WA

EVALUATION ASSOCIATES

Right of Way Land Rights Appraisal and Acquisition Solutions

James W. Cullar, Jr., SRPA, SRA, SR/WA
Qualifications and Professional Background

EDUCATION

Graduate of North Texas State University, BBA 1967

All courses, demonstration appraisal reports, professional experience, and quality reviews required for the three professional designations awarded from 1969 to current time.

PROFESSIONAL EXPERIENCE

Founder and general manager of Evaluation Associates, a real property consulting and land rights acquisition firm, providing a variety of real property evaluation services for the financial market, public land rights acquiring agencies, and individuals seeking decision making information for mortgage lending, asset review, right of way land rights acquisition and related matters.

Jim Cullar has qualified as an expert witness in county, state and federal courts in Dallas, Tarrant, Collin, Denton, Ellis, Grayson, and Travis Counties.

Prior to founding Evaluation Associates, Jim was a lender and appraiser with a large financial institution; and later the chief appraiser with the Right of Way Division of the Dallas County Department of Public Works. He has been a self employed consultant since 1985. Jim keeps abreast of industry change through reading, continuing education, teaching, forum discussion, and publication.

PROFESSIONAL AFFILIATIONS

The Appraisal Institute SRPA, SRA Member designation

Past President - North Texas Chapter 1995

Member National Board of Directors - 1997 - 1999

National Finance Committee 1998-1999

Chair - Region VIII 1999

International Right of Way Association (IR/WA Region 2)

SR/WA Designation

Certified Instructor of:

Real Estate Appraisal Principles

Income Approach to Valuation

Appraisal of Partial Acquisition

Easement Evaluation

State Certified General Texas Real Estate Appraiser - TX - 1321322 G

EVALUATION ASSOCIATES

Right of Way Land Rights Appraisal and Acquisition Solutions

RICHARD N. BAKER, MAI Qualifications and Professional Background

EDUCATION

Graduate of Texas Tech University • Masters of Business Administration - May 1985.
Graduate of Southern Methodist University • Bachelor of Arts - Bachelor of Business Administration - May 1983
All courses, demonstration appraisal reports, professional experience, and quality reviews required for the MAI professional designation awarded 1996.

RECENT ACCREDITED APPRAISAL COURSES and SEMINARS

Highest and Best Use Applications (November 1999)
Standards of Professional Practice, Part C (March 1998)
Dynamics of Office Building Valuation (November 1997)

PROFESSIONAL EXPERIENCE

Appraisal experience includes the analysis and preparation of comprehensive narrative appraisal reports, evaluating a variety of interests in numerous property types including multi-family residential, industrial, office, retail, rural and urban land, special purpose properties, right-of-way land rights acquisition matters, special benefits / enhancement studies, and related consultation issues.

Appraisal work product has been accepted and utilized for mortgage lending, estate tax planning and settlement, property exchange, corporate management decisions, road and thoroughfare improvement assessment programs, and partial acquisition valuation for just compensation analysis by eminent domain acquiring agencies.

PROFESSIONAL DESIGNATIONS and AFFILIATIONS

MAI - The Appraisal Institute #10984
State Certified Real Estate Appraiser-General #1322012-G
Texas Real Estate Salesman - Inactive

APPRAISAL INSTITUTE LEADERSHIP CONTRIBUTION

Candidate Guidance Chair - North Texas Chapter - 1998
Web Site Committee Chair - North Texas Chapter - 2000 - 2001
Regional Representative - Region VIII - 2000 - 2001
Region Representative to National Technology Outreach Committee 1999 - 2001
North Texas Chapter - Member Board of Directors - 2001 - 2003

ADDENDUM

ASSUMPTIONS, LIMITING CONDITIONS & DISCLOSURES

For the purpose of this appraisal, the following assumptions and limiting conditions are made a part thereof:

1. That title to the individual property will be good and marketable and that title is in fee simple under single ownership unless otherwise stated.
2. No responsibility is assumed by the appraiser for matters of legal character. The value is reported without regard to questions of title, boundaries, encumbrances, easements and encroachments. All existing liens and encumbrances have been disregarded, and the property is appraised as though free and clear under responsible ownership and management unless otherwise stated.
3. The valuation is reported in dollars of currency prevailing on the date of the appraisal.
4. If the subject is an improved property, the sketches in this report are approximate and are included, together with the photography, to assist the reader in visualizing the property.
5. All information and comments pertaining to this and other properties represent the combination of facts provided by others and the professional opinion of the appraiser, formed after careful examination and study of the subject property. Hence, the work product of the appraiser is an estimate. While it is believed that the information, estimates and analyses which led to the herein stated estimated value conclusions are correct, and the primary appraiser is prepared to testify as to the applicability of the selected data to the valuation of the subject property, the appraiser does not guarantee any element of the data base. Nor does he assume any financial liability for errors in facts provided by others, analysis or judgement. The client's remedy is referral of a faulty analysis to the Appraisal Institute, the International Right of Way Association, and/or the Texas Appraisal Licensing and Certification Board.
6. This is a financial decision document. It is not a marketing tool. Therefore no part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the professional organizations that designate the appraisers or to the applicable designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication other than the intent of the report as a financial decision tool for the original client.
7. Given adequate preparation notice, the appraiser is prepared to provide testimony and to appear in court by reason of this appraisal, under separate contract, at the request of the original client.
8. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

ASSUMPTIONS, LIMITING CONDITIONS & DISCLOSURES VALUE

9. Also, the value is estimated under the assumption that there will be no international or domestic, political, economic, or military actions that will seriously affect real estate values throughout the country.
10. Real estate values are influenced by a large number of external factors. The analysis included all of the data necessary to form an informed highest and best use and value conclusion. The report does not include all the data necessary to support the value estimate. All pertinent facts have been referenced in this report, but we do not guarantee that we have knowledge of all factors that might influence the value of the subject. Due to rapid changes in the external factors, the value estimate is considered reliable only as of the date of the appraisal and any related testimony..
11. In the event the appraisal is based upon proposed improvements, it is assumed that the improvements will be constructed in substantial conformity with plans and specifications that have been furnished the appraiser, and with good materials and workmanship. It is also assumed that the proposed foundation and construction techniques are adequate for the existing sub-soil conditions.
12. Unless otherwise stated in this report, the existence of environmentally hazardous or damaging material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos or urea-formaldehyde may affect the value of the property. The value estimate is predicted on the assumption that there is no such material on or in the property that would cause such a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client, property owner and/or prospective purchaser is advised to conduct environmental due diligence with regard to the property including having the necessary environmental assessments and/or environmental audits made to determine if any environmental problems related to the subject property exist. If any environmental problems are found which effect the subject property, the value estimate contained in this report is subject to review and may not be valid.
13. The American and Disabilities Act (ADA) became effective January 26, 1992. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

DEFINITION OF TERMS

1. Market Value: The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller or buyer under conditions whereby:
 - a. buyer and seller are typically motivated;
 - b. both parties are well informed or well advised, and each acting in what they consider their best interest;
 - c. a reasonable time is allowed for exposure in the open market;
 - d. payment is made in cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
 - e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

2. Value in Use: The value of an economic good to its owner-user which is based on the productivity (privacies in income, utility or amenity form) of the economic good to a specific individual.

3. Highest and Best Use: The most profitable likely use to which a property can be put. That use of land which may reasonably be expected to produce the greatest net return to land over a period of time. That legal use which will yield to land the highest present value.

4. Abbreviations commonly used in the appraisal of real estate:

| | | | | | |
|-----|---|-------------|-----|---|--------------|
| SF | = | square feet | RR | = | railroad |
| /AC | = | per acre | ROW | = | right of way |

5. Vehicular traffic artery abbreviations:

| | | | | | |
|------|---|-----------|-------|---|-----------------------|
| St. | = | Street | FM | = | Farm to Market Rd |
| Ln | = | Lane | US | = | United States Highway |
| Dr | = | Drive | I | = | Interstate Highway |
| Rd | = | Road | Frwy | = | Freeway |
| Pl | = | Place | Expwy | = | Expressway |
| Pkwy | = | Parkway | Hwy | = | Highway |
| Ave | = | Avenue | SH | = | State Highway |
| Bldv | = | Boulevard | N | = | North |
| Cir | = | Circle | S | = | South |
| Ct | = | Court | E | = | East |
| Mt. | = | Mount | W | = | West |

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

SUMMARY OF SALIENT FACTS AND CONCLUSIONS ARAPAHO ROAD PROJECT

**Property Owner: City of Dallas Water Utilities
Parcel No. 4**

Valuation Conclusion:

| | |
|--|-------------|
| Whole Property (Land Only) 19.01 Acres @ \$9.00/SF | \$7,500,000 |
| Proposed Acquisition 1,114 SF @ \$9.00/SF | \$ 10,026 |
| Remainder Before Acquisition | \$7,489,974 |
| Remainder After Acquisition | \$7,489,974 |
| Loss in Value of Remainder After | \$ -0- |

Determination of Compensation:

| | |
|---|------------------|
| Permanent Right of Way | \$ 10,026 |
| Compensation for Improvements (None; road to be repaired and realigned by Town of Addison) | \$ -0- |
| Landscaping (None - Replacement) | \$ -0- |
| Temporary Construction Easement | \$ 733 |
| Total Compensation | \$ 10,859 |

Date of Appraisal: October 5, 2002

Location: 4799 Belt Line Road, Town of Addison, Texas

Legal Description: Called 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas

Land Size: Whole Property (per DCAD records) 19.01 Acres
Road Right of way Area 1,114 SF
Temporary Construction Easement 1,163 SF

Zoning: I - 1 (Industrial) with SU - 1 Special Use Permit

Highest and Best Use:

As if Vacant BEFORE: Commercial use
As if Vacant AFTER: Commercial use

EVALUATION ASSOCIATES

RIGHT OF WAY LAND RIGHTS ANALYSIS • APPRAISAL • ACQUISITION • SOLUTIONS

October 5, 2002

Mr. Steve Chutchian, P.E.
Assistant City Engineer
Town of Addison
16801 Westgrove
Addison, Texas 75001-9010

Re: **ARAPAHO ROAD PROJECT - Parcel No. 4**
Property Owner: City of Dallas Water Utilities

An appraisal of a 1,114 SF proposed Permanent Road Right of Way acquisition (ROW), and 1,163 SF Temporary Construction Easement, out of an approximate 19.01 Acre tract of land situated on the north side of Belt Line Road, at the west intersection of the DART Rail line right of way, and just west of Addison Road, (known locally as the 4799 Belt Line Road). The parent tract is legally described as 19.01 Acres City of Dallas, Town of Addison, Dallas County, Texas, and is known as the City of Dallas Beltway Reservoir.

Dear Mr. Chutchian:

At your request, we have conducted the analysis and investigations necessary to derive the value of the whole property (Land Only) and proposed acquisition areas based on the economic conditions which prevailed on the current valuation date of October 5, 2002. It is understood that the function of the appraisal, and of this summary of data and analysis employed in that appraisal process, will be used as a basis for establishing *just compensation* due to the property owner concerning the intent of the Town of Addison to acquire the referenced right of way for the widening, realignment and improvement of Arapaho Road.

This appraisal was prepared in accordance with valuation principles which conform with the State of Texas condemnation laws and subsequent legal precedents based on, but not limited to, *State v Carpenter, 89 SW 2nd, 1936*. Further, this report addresses appraisal guidelines of the International Right of Way Association, the Appraisal Institute, and is classified as a *limited summary* report format under the Uniform Standards of Professional Appraisal Practice (USPAP) promulgated by the Appraisal Foundation. The methods of valuation and reporting are also consistent with an acceptable process relevant to the nature of the whole property and the proposed acquisition area. All herein mentioned value estimates are market oriented and based on the principle of Value in Exchange rather than Value in Use to a specified owner. These value terms, along with other appraisal terminology, are defined in the addendum section of this report.

Owner Contact

The subject property was inspected from various points of reference on several dates from May 2001 to October 2002, with the date of our last inspection being October 5, 2002, also the

Mr. Steve Chutchian
October 5, 2002

valuation date. The enclosed photographs were personally taken by the undersigned appraiser during the same time frame. Based on our research, the current owner has held title since the 1950s. There are no known contracts, offers for sale, or plans for redevelopment of the subject whole property.

Based on a review of engineering design and construction plans provided by the Town of Addison, and an inspection of the subject whole property, after the acquisition the site should have the same access, and superior exposure, when compared with the before condition. Related analysis is described in more detail in the Analysis and Valuation of the Proposed Acquisition Section later in this report. It will also be explained how and why there is no loss of marketability and utility of the property after the acquisition. The appraisers have analyzed the subject property both **before and after** the proposed acquisition and found no diminution in value beyond the portion of the property within the proposed right of way, which is to be compensated.

Subject Site Description

According to investigation of Dallas County Plat Maps, field review by Evaluation Associates, and information provided by Town of Addison, the subject whole property fronts several hundred feet along the north side of Belt Line Road. The generally rectangular shaped tract contains 19.01 acres. All public utilities are available to the subject property. Topographical features include generally even, yet sloping terrain, which falls toward the north.

There were no noted or observed easements, encroachments or other special hazards that might effect the marketability or utility of the subject parent tract. The subject site is larger than other commercial sites found within this market area. The site is

The acquisition area is at the back of the property, concentrated in the NWC.

currently used as part of the Beltway Reservoir for the City of Dallas Water Utilities. Open grassy areas surround the improvements. None of the improvements are situated within the proposed acquisition area. Analysis indicates the loss of the relatively small area of the land at the northeast corner of the property will not result in loss to the remainder property.

Zoning

Based on our review of the Town of Addison Zoning Map, the subject whole property is zoned I-1 (Industrial) with an SU-1 (Special Use Permit) overlay. The subject site is used as a City of Dallas Water Utilities (water reservoir) facility. Most public works uses are permitted in most city zoning districts.

Highest and Best Use

The highest and best use is that use which will provide the greatest net return to the owner of the land within applicable physical, legal and financial market acceptance constraints. These criteria are usually considered and tested sequentially; i.e., a use may be financially feasible, but this is irrelevant if it is physically impossible or legally prohibited. Highest and Best Use is defined in *The Appraisal of Real Estate*, 12th Edition, published by the Appraisal Institute as being:

Mr. Steve Chutchian
October 5, 2002

"the reasonably probable and legal use of vacant land or improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."

Physical factors include physical characteristics of the site such as shape, size, topography, ingress and egress. The subject property encompasses 19.01 Acres. The tract has adequate size, shape, ingress and egress. Visibility and exposure is to Belt Line Road, a major east-west thoroughfare. All utility services are available in the site. The physical influences indicate the subject site could support a variety of uses.

The legal limits to Highest and Best Use in this case are determined by the zoning ordinance. As previously discussed, the subject property is designated for industrial uses. Analysis of the physical and legal factors suggest that the highest and best use of the subject whole property is for commercial uses. All other uses are eliminated as the legal constraints prohibit such uses.

An analysis of financial factors would include determining uses which produce a market accepted rate of return based on the risks involved. The area surrounding the subject property is developed as a variety of uses - restaurants, professional offices, motels/hotels.

Highest and Best Use Conclusion (As If Vacant)

The highest and best use of the whole subject property is for a commercial use, discounting the current public works use (which is most likely to continue).

Valuation Approach

There were many sales of similarly zoned land available for consideration. The sales fell into three categories; industrial uses, hotel use, smaller pad sites, such as for fast food restaurants. Most of the sales of land for straight run of the mill industrial uses were inferior to the subject property, due to location. Of the available database, the four sales included in this report were the same sales suggested for consideration by the City of Dallas Property Management Department. Sale Nos. 1 and 4 were selected for comparison by Evaluation Associates, prior to receiving the four sales from the property owner. Comparative explanation of the four sales is presented later in the report.

Analysis of the four sales indicates that the City of Dallas public works use is unaffected by the proposed acquisition. Since it is not necessary to value these unaffected improvements, only the value of the land (subject site) has been estimated. The most realistic approach to value vacant land is through the direct comparison of land sales. Several sale transactions were analyzed and adjustments were made to compensate for differing influences on value. A detailed summary of those sales considered most representative of the current market, and the conclusions derived from our analysis, have been included in this report.

The existing City of Dallas public works use will be unaffected by the proposed acquisition.

Mr. Steve Chutchian
October 5, 2002

Based on information supplied and investigations made by Evaluation Associates personnel, it appears that after the completion of the thoroughfare widening and improvement project, there should be no negative impact on the remainder resulting from the proposed acquisition. Access and visibility should be similar both *before* and *after* the proposed acquisition. The site is not adversely affected by the proposed acquisition and the subject property is valued on a land only basis. Additional detail and discussion in support of this conclusion can be found in the Analysis and Valuation of the Proposed Acquisition Area section.

Conclusion

Our research has included an investigation of market and neighborhood trends which are believed to influence the value of the subject whole property (Land Only). Specific attention and consideration was given to the value of the subject property, both **before and after** the proposed right of way acquisition area. Based upon our analyses and interpretation of the data, the Market Value of the proposed acquisition area as of October 5, 2002, is estimated to be:


**TEN THOUSAND EIGHT HUNDRED FIFTY NINE DOLLARS
(\$10,859)**

The following narrative report sets forth a description of the subject property along with maps, photographs and other exhibits. The report has been prepared in accordance with the Code of Ethics and Professional Conduct promulgated by the Appraisal Institute and the International Right of Way Association. The report is subject to the Assumptions and Limiting Conditions included in the Addendum.

This report was prepared by James W. Cullar, Jr. and Richard N. Baker, both representing the firm Evaluation Associates, and deriving the analysis and value estimate conclusion. The undersigned assumes responsibility for any required testimony.

If you have any questions, please call us.

Respectfully submitted,
EVALUATION ASSOCIATES



James W. Cullar, Jr., SRPA, SRA, SR/WA

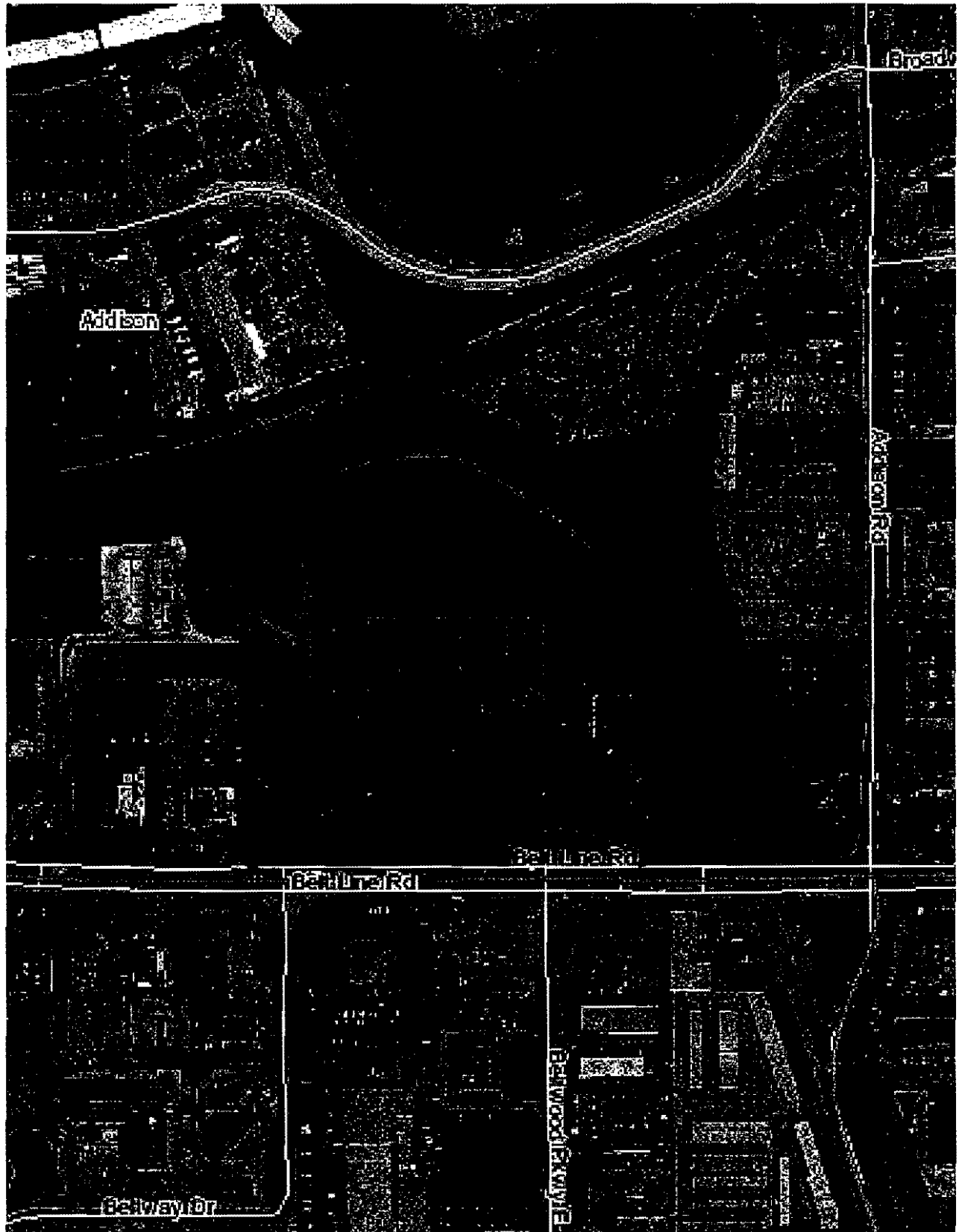
PHOTOGRAPHS OF SUBJECT PROPERTY



Aerial photograph of the northern portion of the subject property



SUBJECT PROPERTY



APPRAISAL PROCEDURE

The estimation of Market Value of a property that is being appraised is accomplished by the comparison and analysis of as many techniques as are appropriate. Three approaches are generally used to produce value indications for improved properties while only one (the Sales Comparison Approach) is normally employed in analyzing an unimproved property such as the subject site.

COST APPROACH The value indication by this approach is accomplished by determining the Reproduction (or Replacement) Cost New of the improvements less accrued depreciation from all causes to which the value of the land (estimated by comparison) is added.

SALES COMPARISON APPROACH The comparison of similar properties that have sold in the marketplace is used to produce an indication of value. The comparison may either be direct or indirect by commonly accepted units or elements of comparison.

INCOME APPROACH This approach to value is applicable to properties capable of producing a net income stream. The net income is translated into a value indication through capitalization.

The strengths and weaknesses of each approach employed are weighed in the final analysis. The approach or approaches offering the greatest quantity and quality of supporting data are typically given most consideration and the final value is then correlated.

In this appraisal situation, wherein only the land valuation was required, only the Sales Comparison Approach was employed.

LAND VALUATION

A reliable value indication for the subject land is provided by an analysis and comparison of other tracts that have sold in the marketplace. Many factors influence the price of vacant land. The selected sales are analyzed with respect to real property rights conveyed, financing terms, conditions of sale, market conditions, location and physical characteristics.

- A transaction price is always predicated on the real property interest conveyed. The revenue generating potential of a property can be limited by the terms of existing leases.
- The purchase price can be influenced by financing terms. Non-market financing terms must be considered to determine the cash equivalent price.
- Adjustments for conditions of sale usually reflect the motivations of the buyer(s) and the seller(s). Circumstances such as assemblage sales are considered in this analysis.
- Market conditions sometimes change over time and past sales must be analyzed to determine the direction and velocity of change between the sale date and the appraisal date.
- The analysis of location includes the comparison of trade or market area, proximity and accessibility to major thoroughfares and exposure and accessibility to traffic.
- The analysis of physical characteristics would include zoning, topography, frontage, depth, shape, proximity to public utilities and other factors influencing the utility or use.

COMPETITIVE LAND SALE



Land Sale No. 1

Mapsco # 14-C

Location: SWC of Edwin Lewis Drive and Quorum Drive, Addison
Grantor: Daryl N. Snadon
Grantee: Addison SHS, LLC

Legal Description: Quorum Centre Addition

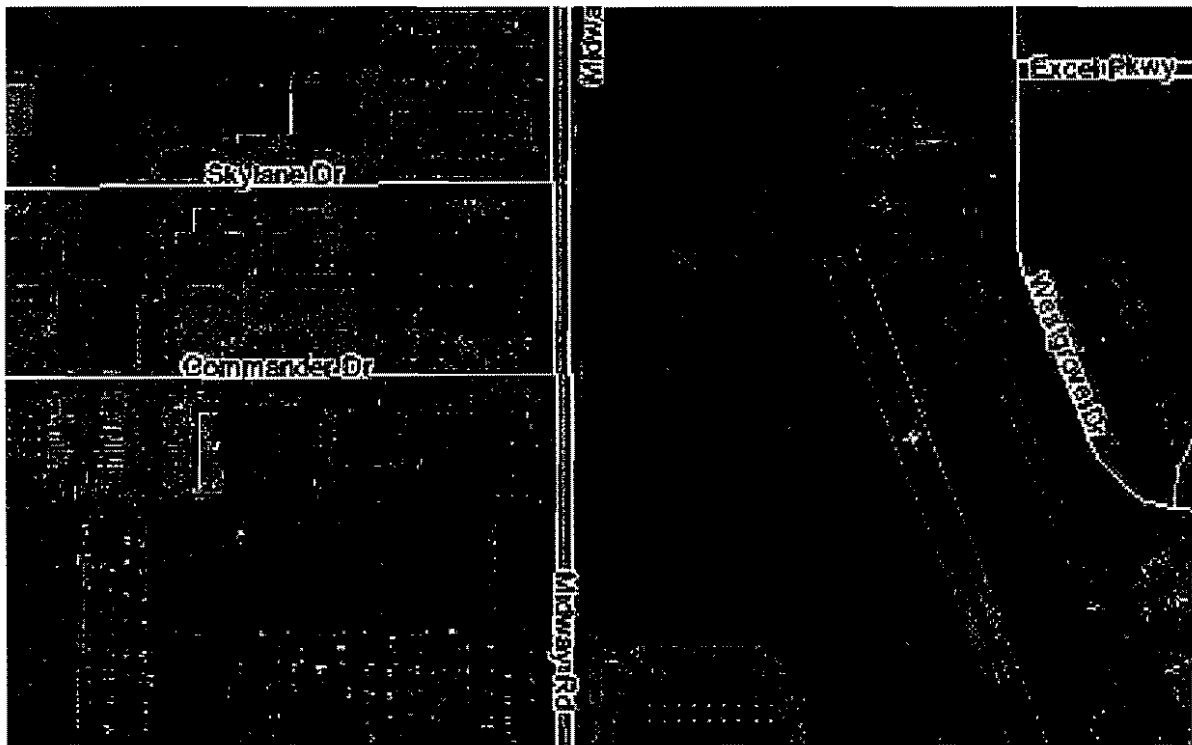
Date of Sale: January 5, 2001 Volume/Page: 2001004/4624

Site Data:

Size: 4.54 Acres
Zoning: Commercial
Utilities: All available
Frontage: Edwin Lewis Drive and Quorum Drive
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Limited service hotel

Consideration: \$2,700,000 or \$13.65/SF
Financing: All cash to seller
Comments: Hotel is under construction.

COMPETITIVE LAND SALE



Land Sale No. 2

Mapsc0 # 4-P

Location: E/s of Midway Road at Commander Drive, Carrollton
Grantor: Maylar, LP (Stanley Hickman)
Grantee: Sixteen Thousand Five Hundred, Inc. Jerry Allan King, President)

Legal Description: Part of Lot 1, Blk A, Beltwood North-Airport Addn, Addison

Date of Sale: January 31, 2000 **Volume/Page:** 200096/2365

Site Data:

Size: 1.341 Acres
Zoning: I-3 (Industrial)
Utilities: All available
Frontage: Midway Road
Shape: Functional
Topography: Level
Easements: None noted
Improvements: None
Intended Use: Office/commercial facility for King Aerospace

Consideration: \$470,000 or \$8.05/SF
Financing: \$303,550 Due 1/28/2001, Texas Capital Bank
Comments: Property remains vacant as of the date of appraisal.

COMPETITIVE LAND SALE



Land Sale No. 3

Mapsc # 14-A

Location: N/s of Belt Line Road, 15 ft E. of Business Avenue, Addison
Grantor: Business/Beltline, LP
Grantee: Burger King Corporation

Legal Description: Lot A, Block 3, Beltline Marsh Business Park

Date of Sale: October 1, 1999 **Volume/Page:** 99192/6903

Site Data:

Size: 1.571 Acres
Zoning: Commercial
Utilities: All available
Frontage: 158 feet on Belt Line Road
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Investment

Consideration: \$785,000 or \$11.47/SF

Financing: All cash to seller

Comments: Property is vacant.

COMPETITIVE LAND SALE



Land Sale No. 4

Mapsco # 14-A

Location: W/s of Business Avenue, approximately 255 ft N. of Beltline Road, also fronts 34 ft on Beltline Road and 156 ft on E/s of Marsh Lane, Addison
Grantor: Beltline/Marsh JV
Grantee: Budget Suites of America

Legal Description: Part of Beltline-Marsh Addition

Date of Sale: May 13, 1999

Volume/Page: 99093/38

Site Data:

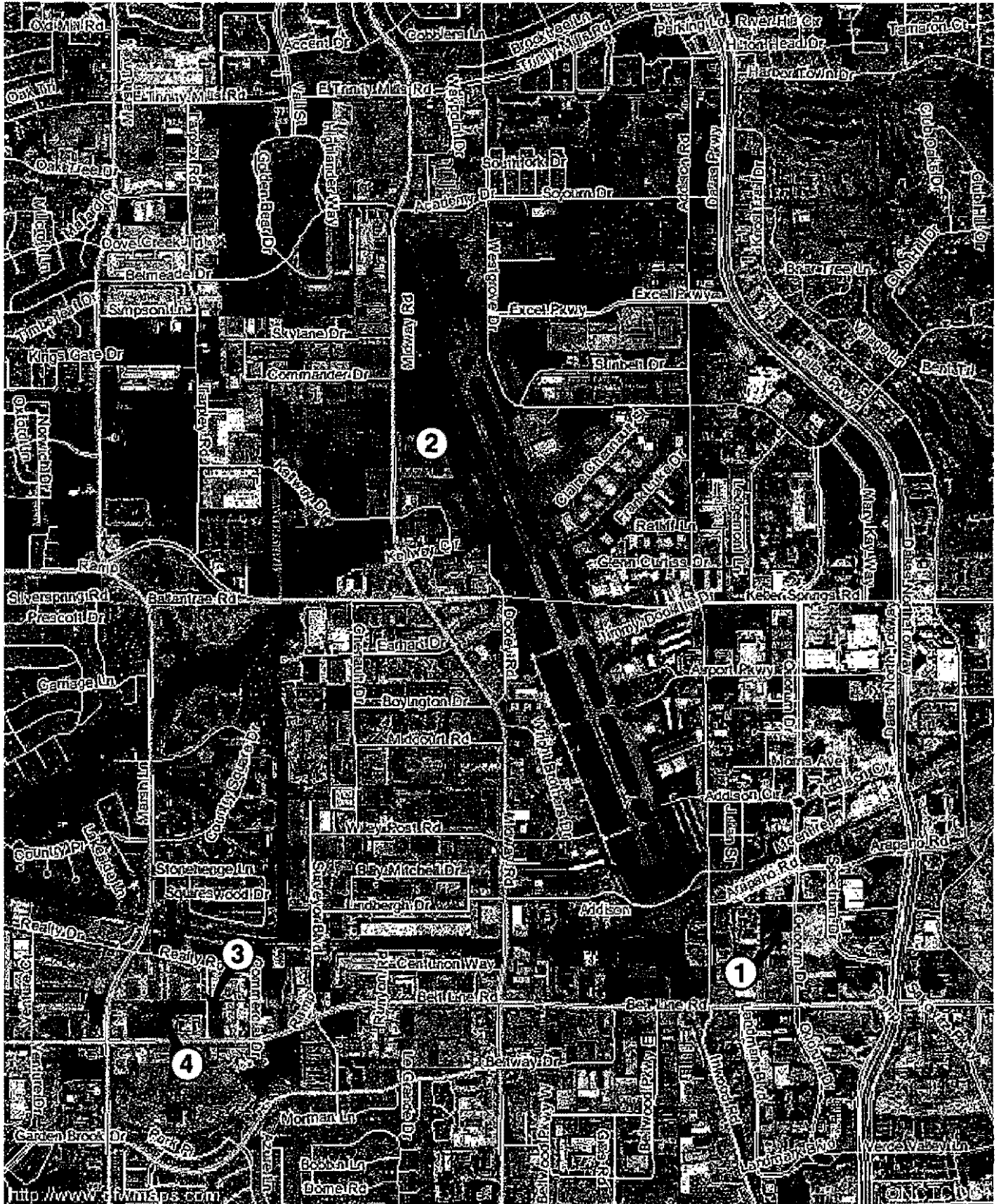
Size: 6.552 Acres
Zoning: I, Industrial District
Utilities: All available
Frontage: 156 ft on Marsh; 250 ft on Business
Shape: Functional
Topography: Level
Easements: None reported detrimental
Improvements: None
Intended Use: Extended stay hotel - 300 units

Consideration: \$2,283,232 or \$8.00/SF

Financing: All cash to seller

Comments: Hotel has been constructed.

LAND SALES MAP



LAND VALUATION SUMMARY

The subject property is located in Addison. The area is largely developed, thus other competing neighborhoods were researched for sales data. The following sales are very similar to the subject whole property in many respects, however there are some differences. Such differences make it necessary to apply adjustments to the sale properties in order to reconcile the affect of these features on Market Value.

RECAPITULATION OF SALES DATA

| Sale No | Date | Size (Ac) | Zoning | SP/SF |
|---------|-------|-----------|------------|---------|
| 1 | 1/01 | 4.54 | C | \$13.65 |
| 2 | 1/00 | 1.341 | I-3 | \$8.05 |
| 3 | 10/99 | 1.571 | C | \$11.47 |
| 4 | 5/99 | 6.552 | I | \$8.00 |
| SUBJECT | 10/02 | 19.01 | I-1 (SU-1) | ---- |

The above table capsulizes the data presented on the preceding pages. The chart that follows after this section, uses the **sales price per square foot as a unit of comparison**. The sales are analyzed and compared with the subject tract for similarities and differences. The elements considered to be inferior to the subject property are adjusted upward while the superior qualities of the competitive sales are adjusted downward. Adjustments have been based on the appraisers observations of physically and economically oriented differences in each competitive sale. The amount of adjustment is determined by the extent to which the sale varies from the subject property. The adjustment process compensates for the difference between the competitive sale and subject and provides an indication of value for the subject property.

ANALYSIS AND CORRELATION

The preceding summary chart displays four land sales for comparison to the subject whole property/parent tract. A reliable value indication for the subject land is provided by an analysis and comparison to other vacant land that has recently sold in the marketplace. This market derived sales data has been used to abstract and analyze property features that affect sales price. Rights conveyed, financing terms, conditions of sale, location, market conditions and physical characteristics were factors considered to determine which influences price in the subject market area.

Rights Conveyed

The market value fee simple interest in the subject whole property is being sought in this analysis. During the sales verification process, it was determined that there were no existing leases on any of the sale properties, thus indicating that fee simple interest was transferred in each transaction. Therefore, no adjustment is applied to any of the sales for this factor.

Financing Terms

The adjustment for financing considers the effect that seller financing has on the purchase price of a property. Below market interest rates are typically reflected in higher prices per unit. The adjustment for financing is estimated by comparing the financing terms with the terms readily available, as of the sale date, from disinterested parties. All of the sales were reported as cash transactions, thus no adjustment was appropriate for financing terms.

Conditions of Sale

Adjustments for conditions of sale usually reflect the motivations of the buyer and seller or any unusual concessions by either party to the transaction. The sales were purchased for owner use and/or speculative investment purposes. No adjustment for this factor is applied.

Market Conditions

The sales occurred over an approximate 3 year period prior to the valuation date (October 2002). The sales did not provide substantive evidence on which to base a time/market conditions adjustment. Subsequent to September 11, 2001, the several sectors of the real estate market have trended back toward the sales prices of the late 1990s. Sales in the subject market sector dated 1999 are still relevant. There is no supporting evidence to indicate property values have continued to appreciate since Sale No. 1 transpired. It is known that hotel occupancy rates and occupancy have declined significantly within the past year. The short and long term impact of September 11, 2001 will have on land values is not known at this time. If the current trend continues indefinitely, the impact is likely to be a notable decline in the number of land sale transactions, and a flattening in land values. Until there is more market data to analyze, the impact cannot be better quantified, and there is no time adjustment applied to any of the sales.

Location

The influence of location is a composite of numerous attributes such as access, exposure, visibility, quality and consistency of surrounding development, proximity to major roadways and location within the perceived growth pattern as evidenced by existing and planned development.

- Sale No. 1 does not front Beltline Road, but is prominently situated near the new Addison Circle near several mid-rise office buildings. This location is rated similar to the subject property.
- Sale No. 2 fronts of Midway Road, a major traffic artery, but, the location is rated inferior. A 20% downward adjustment was made.
- Sale No. 3 fronts Beltline Road at the NEC of Business Avenue. It is a very visible Burger King Restaurant corner pad site.
- Sale No. 4 does not front Beltline Road, but is a well located fronting Midway Road and Business Avenue, just 255 feet north of Beltline. A lesser downward adjustment of 10% was made.

Land uses fronting Beltline are typically those requiring exposure to high traffic counts. Such uses include restaurants, retail and the like. These sales are rated similar to the subject property in terms of location and no adjustment is applied.

Physical Characteristics

The analysis of physical characteristics considers such factors as shape, depth, frontage, zoning, topography and the availability of public utility services. The shape of the subject property is generally rectangular. It has average ingress/egress, and access to the site is considered good. All of the sale properties compare favorably with the subject with regard to physical features.

Size

The market for real estate is comparable to that for other commodities in that price is sometimes influenced by volume (quantity or scarcity). It can generally be demonstrated that as volume decreases, the price per unit may rise. In contrast, unit price may decline when volume increases. If all other attributes are equal, the site may sell for more on a unit basis than a larger one due to reduced holding costs and less risk, if the motivation of the buyer of the land is to sell off in smaller

parcels. It is also recognized that larger parcels which have potential for more and variable uses, even though additional development and an extended period prior to sale, may be more desirable to some buyers. This could be attributable to the larger tract of land being adaptable to larger scale uses. Larger tracts may sometimes sell for a premium, or for a similar unit price as a smaller tract. Therefore, in real estate, the aspect of quantity discounting should not be assumed because it is not an economic principle, but rather an inconsistent market reaction. It should be supported by market transactions if available. The subject site contains approximately 19.01 acres. The sales range in size from 1.341 to 6.552 acres.

A comparison of the sale properties did support a size adjustment. The following exhibit presents a summary reconciliation of the adjustment process.

| Elements of Comparison | Sale No. 1 | Sale No. 2 | Sale No. 3 | Sale No. 4 |
|------------------------|-------------------------------|---|--|--------------------------------|
| SP/SF | \$13.65 | \$8.05 | \$11.47 | \$8.00 |
| Rights Conveyed | Fee Simple | Fee simple | Fee simple | Fee simple |
| Financing | Cash | Cash | Cash | Cash |
| Conditions of Sale | Market | Market | Market | Market |
| Market Conditions | Similar | Similar | Similar | Similar |
| Adjusted Price | \$13.65 | \$8.05 | \$11.47 | \$8.00 |
| Location | Equivalent | Inferior +20% | Equivalent | Inferior +10% |
| Size | 4.54 Ac Hotel Site -20% | 1.341 Ac Business Office Pad Site -20% | 1.571 Ac Restaurant Pad Site -20% | 6.552 Ac Hotel Site -20% |
| Net Adjustment | -20% | -0- | -20% | -10% |
| Indicated Value | \$10.92 | \$8.05 | \$9.18 | \$7.20 |

The sale prices ranged from \$8.00/SF to \$13.65/SF before the analysis. After the analysis, the adjusted values ranged between \$7.20/SF and \$10.92/SF. After adjustments were made to the sale

properties, this approach produced an acceptably narrow range of indicators. The indications provided by Sale Nos. 1 and 4 seem to be the most relevant, in that they were the largest of the four sale properties. They were the most heavily adjusted, but the indications provide the best representation of the value of the of the subject property. In view of these indicators, the Market Value of the subject land is estimated to be based on \$9.00/SF, calculated as follows:

$$19.01 \text{ Acres} \times 43,560 \text{ SF} = 828,075 \text{ SF Rd}$$

$$828,075 \text{ SF} \times \$9.00/\text{SF} = \$7,452,680$$

Rounded to: \$7,500,000

CORRELATION AND CONCLUSION

The subject property is valued as an unimproved tract of land, as the existing improvements are unaffected by the proposed acquisition. No consideration has been given to the fact that the subject property is improved as a water reservoir, nor that the related public works improvements (structures) would require removal prior to the realization of the stated estimated value of the land. This is justified, and is consistent with the valuation approach of other improved properties along the same project. Therefore it was not necessary to separately evaluate any buildings. There was no construction cost or accrued depreciation to analyze. In this appraisal situation, the Cost Approach was not considered applicable.

Also, since there is no trend toward land leases in the area and there is no existing or feasible activity to generate reliable and consistent rental or lease income attributable to the land, the Income Approach to estimate value was not utilized.

The Sales Comparison Approach analyzes trends of buyers and sellers from the analysis of competitive land sales. Rights conveyed, financing terms, conditions of sale, location, market conditions and physical characteristics were factors analyzed to determine the influence on price in this market area. Each sale was inspected, analyzed and compared with the subject property. Adjustments were made to each to reconcile differences in locational attributes, changing market conditions and physical differences (size)

The Sales Comparison Approach produced the only reliable and supportable indication of market value for the subject property. Therefore, the Market Value of the fee simple interest in the subject whole property (Land Only), as of October 5, 2002, is estimated to be:

SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS

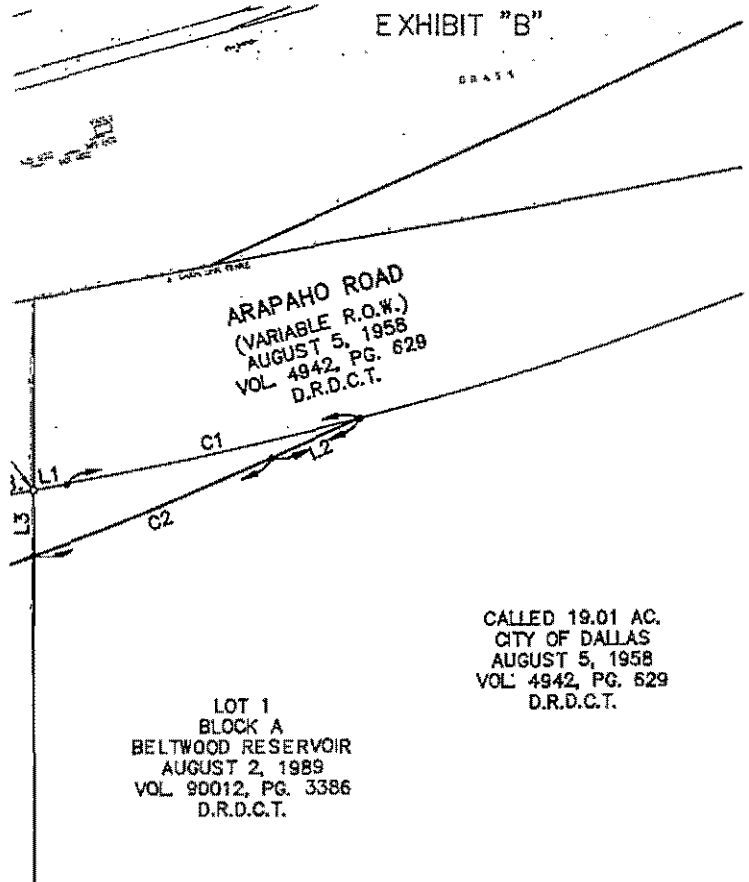
\$7,500,000

PERMANENT ROAD WAY ROW EXCERPT FROM SURVEY PLAT

EXHIBIT "B"

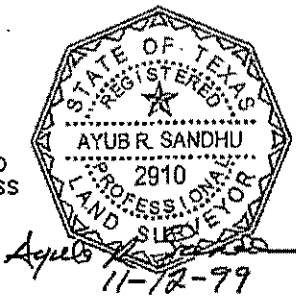
| LINE TABLE | | | | |
|------------|----------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | N 80°11'36" E. | 580'49'50"W | 10.82' | 10.57' |
| L2 | S 66°22'04" W | - | 30.71' | - |
| L3 | N 00°12'19" E | 500'49'37"W | 21.00' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°22'46" | 1270.00' | 97.07' | N 78°00'13" E - 97.05' |
| C2 | 4°03'26" | 1177.92' | 83.41' | S 68°23'47" W - 83.39' |



EDWARD COOK SURVEY
A-326

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



GRAPHIC SCALE
1 INCH = 50 FT.

Evaluation Associates

Parcel 4
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0256 acre (1,114 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0256 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found for the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH 80°11'36" EAST (called SOUTH 80°49'50" WEST), departing said lines and along the common North line of said Lot 1 and South line of said roadway easement, a distance of 10.82 feet (called 10.57 feet) to a 5/8 inch iron rod set for the beginning of a tangent curve to the left;

THENCE, NORTHEASTERLY, continuing along said common line and along the arc of said curve having a radius of 1,270.00 feet, a central angle of 4°22'46", a chord bearing North 78°00'13" East for 97.05 feet, for an arc distance of 97.07 feet to a 5/8 inch iron rod set in the proposed South right of way line of Arapaho Road;

LEGAL DESCRIPTION

PARCEL 4 - ARAPAHO ROAD PROJECT

THENCE, SOUTH 66°22'04" WEST, departing said common line and along said proposed South right of way line of Arapaho Road, a distance of 30.71 feet to a 5/8 inch iron rod set for the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, continuing along said line and the arc of said curve having a radius of 1,177.92 feet, a central angle of 4°03'26", a chord bearing South 68°23'47' West for 83.39 feet, for an arc distance of 83.41 to a 5/8 inch iron rod set in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 21.00 feet to the **POINT OF BEGINNING**;

CONTAINING an area of 0.0256 acres or 1,114 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.

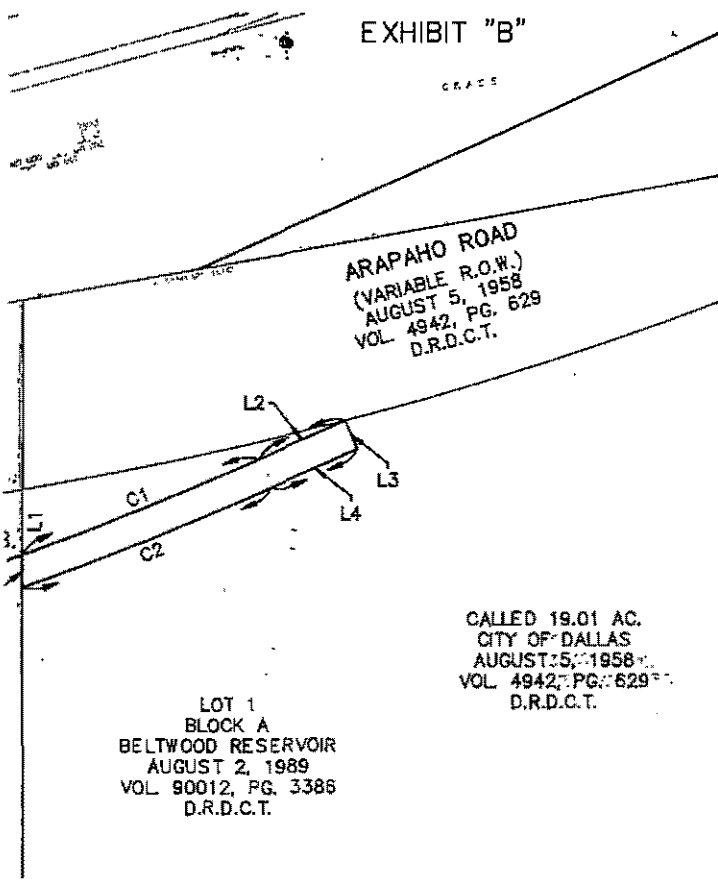
A plat of even survey date herewith accompanies this description.

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 11-12-99
Ayub R. Sandhu, R.P.L.S.
Texas Registration No. 2910



EXHIBIT "B"



| LINE TABLE | | | | |
|------------|---------------|-------------|--------|--------|
| LINE | BEARING | CALLED | DIST | CALLED |
| L1 | S 00°12'19" W | S00°49'37"W | 21.00' | - |
| L2 | N 66°22'04" E | - | 30.71' | - |
| L3 | S 23°37'56" E | - | 10.00' | - |
| L4 | S 66°22'04" W | - | 30.71' | - |
| L5 | N 00°12'19" E | S00°49'37"W | 10.62' | - |

| CURVE TABLE | | | | |
|-------------|----------|----------|--------|------------------------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD |
| C1 | 4°03'26" | 1177.92' | 83.41' | N 68°23'47" E - 83.39' |
| C2 | 4°13'50" | 1187.92' | 87.71' | S 68°28'59" W - 87.69' |

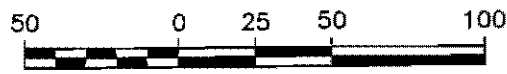
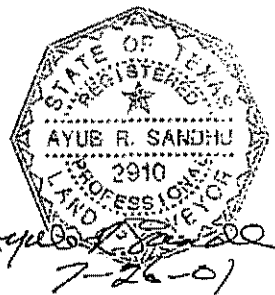
EDWARD COOK SURVEY
A-326

CALLED 19.01 AC.
CITY OF DALLAS
AUGUST 5, 1958
VOL. 4942, PG. 629
D.R.D.C.T.

LOT 1
BLOCK A
BELTWOOD RESERVOIR
AUGUST 2, 1989
VOL. 90012, PG. 3386
D.R.D.C.T.

PARCEL 4-TE
A PLAT OF A
0.0267 ACRE (1,163 SQ. FT.)
TRACT OF LAND
IN THE EDWARD COOK SURVEY
ABSTRACT NO. 326
TOWN OF ADDISON
DALLAS COUNTY, TEXAS

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



GRAPHIC SCALE
1 INCH = 50 FT.

TEMPORARY CONSTRUCTION EASEMENT

Evaluation Associates

LEGAL DESCRIPTION

Parcel 4-TE
Field Note Description
Arapaho Road Project
Town of Addison
Dallas County, Texas

BEING a description of a 0.0267 acre (1,163 square foot) tract of land situated in the Edward Cook Survey, Abstract Number 326, Town of Addison, Dallas County, Texas, and being a portion of a called 19.01 acre tract of land conveyed to the City of Dallas as evidenced by deed dated August 5, 1958 and recorded in Volume 4942, Page 629 of the Deed Records of Dallas County, Texas, also being a portion of Lot 1, Block A of Beltwood Reservoir, an addition to the Town of Addison as evidenced by plat dated August 2, 1989 and recorded in Volume 90012, Page 3386 of said Deed Records, said 0.0267 acre tract of land being more particularly described by metes and bounds as follows;

COMMENCING at the common Northwest corner of said Lot 1, Southwest corner of a roadway easement dedicated by said plat of Beltwood Reservoir, and Southeast corner of a 60 foot wide right of way dedication as evidenced by the plat of Addison Restaurant Park, an addition to the Town of Addison, dated March 9, 1988 and recorded in Volume 88066, Page 4219 of said Deed Records, said point also being in the East line of said Addison Restaurant Park, and the East line of a called 4.1525 acre tract conveyed to Heritage Inn Number XIII dated January 24, 1997 and recorded in Volume 97018, Page 00073 of said Deed Records;

THENCE, NORTH $00^{\circ}12'19''$ EAST (called SOUTH $00^{\circ}49'37''$ WEST), along the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract, a distance of 21.00 feet to a point in a curve of the proposed South Right of Way line of Arapaho Road for the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, NORTHEASTERLY, departing said common line and along said proposed South Right of Way line of Arapaho Road and along said curve to the left, having a radius of 1,177.92 feet, a central angle of $4^{\circ}03'26''$, a chord bearing North $68^{\circ}23'47'$ East for 83.39 feet, for an arc distance of 83.41 feet to the point of tangency of said curve;

THENCE, NORTH $66^{\circ}22'04''$ EAST, continuing along said proposed South Right of Way line of Arapaho Road, a distance of 30.71 feet to a point for corner in the South line of said roadway easement;

LEGAL DESCRIPTION

PARCEL 4-TE - ARAPAHO ROAD PROJECT

THENCE, SOUTH 23°37'56" EAST, departing said line, a distance of 10.00 feet to a point for corner;

THENCE, SOUTH 66°22'04" WEST, a distance of 30.71 feet to the point of curvature of a tangent curve to the right;

THENCE, SOUTHWESTERLY, along the arc of said curve to the right having a radius of 1,187.92, a central angle of 04°13'50", a chord bearing South 68°28'59" West for 87.69 feet, for an arc distance of 87.71 feet to a point for corner in the common West line of said called 19.01 acre tract and East lines of said Addison Restaurant Park and said called 4.1525 acre tract;

THENCE, NORTH 00°12'19" EAST (called SOUTH 00°49'37" WEST), along said common line, a distance of 10.62 feet to the **POINT OF BEGINNING**;

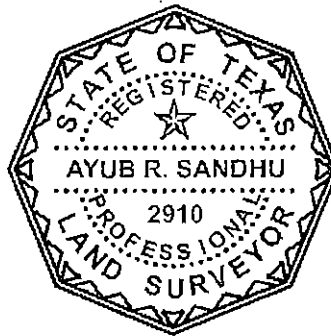
CONTAINING an area of 0.0267 acres or 1,163 square feet of land within the metes recited.

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



ANALYSIS AND VALUATION OF PROPOSED ACQUISITION AREA

The Proposed Acquisition

According to the attached surveyor's field notes, the proposed acquisition area contains 1,114 SF for the new alignment and construction of Arapaho Road. The location, dimensions and shape of the proposed acquisition area are shown on the Acquisition Map exhibit page(s). The proposed acquisition area is located at the rear (northern) portion of the subject parent tract. The acquisition will reduce the subject parent tract infinitesimally, or approximately .01 %. The area to be acquired is at the back of the property, at the most remote area of the parent tract. No improvements will be affected. There is fencing in this area, and the assumption is made that the Town of Addison will relocate the fencing, plus provide interim temporary fencing during the thoroughfare construction term. Property rights being appraised in this acquisition area are fee simple.

Considering the Highest and Best Use of the proposed acquisition area, the standard sequential tests; physically possible, legally permissible, economically feasible, and maximally productive were analyzed. Because of the unique size and shape characteristics of the proposed acquisition area it has no potential for independent utility separate from the parent tract. Therefore, the *highest and best use* of the proposed acquisition area is as a part of the whole parent tract. Review of the accompanying photographs confirms that the proposed acquisition route does not affect the remainder property. The land value is based on \$9.00 SF which is supported by the sales data and analysis presented on the preceding pages of this report.

Landscape

Within proposed ROW acquisition area, there is some grass. The assumption is made that the Town of Addison will make some acceptable arrangement with the City of Dallas to replace the disturbed grass. Under this assumption, i.e., that there will be no requirement on the property owner to replace landscape, nor to meet minimum City requirements for landscape after the new road construction. Therefore, appraisal analysis indicates that there is no requirement to isolate the contributory value of found grass turf, and no compensation for landscape has been included.

Therefore, taking all factors into consideration, the value of the proposed acquisition area can be calculated as follows:

$$\text{Arapaho Road ROW } 1,114 \text{ SF } \times \text{ \$9.00/SF } = \text{ \$10,026}$$

According to the attached surveyor's field notes, there is a proposed temporary construction easement of 1,163 SF for the proposed road construction. The TCE is located adjacent to, and on

Analysis and Valuation of Proposed Acquisition Area (Continued)

the south side of, the proposed ROW acquisition area. The rights sought are temporary in nature. Topography of the proposed easement area is generally level. The net affect of the temporary construction easement will not permanently reduce the land size of the subject property. The purpose of the proposed temporary construction easement is to provide working area for the ingress, egress, and placement of construction machinery and excavation materials during the construction phase of this project. The period requested for the temporary construction easement is 1 year. The value of the easement is calculated as follows:

| | | | |
|--|------------------------|---|---------|
| Temporary Construction Easement | (1,163 SF x \$9.00/SF) | = | \$1,467 |
| Multiplied by the market competitive annual rate of return of 7% | | = | \$ 733 |

Value of the Remainder Before the Acquisition (LAND ONLY)

The value of the Remainder Before the Acquisition is simply the mathematical difference between the value of the whole property less the value of the Proposed Acquisition Area. Therefore, the value of the Remainder Before the Acquisition can be calculated as follows:

| | |
|---|-------------|
| Whole Property Value (Land only) | \$7,500,000 |
| Less: Value of Proposed Acquisition Area | \$ 10,026 |
| Value of the Remainder Before the Acquisition | \$7,489,974 |

Value of the Remainder After the Acquisition

As noted, the proposed acquisition area will be used for the widening and realignment of Arapaho Road. After the acquisition, the remaining site will continue to be an interior tract having similar accessibility and increased visibility. The remaining site will have similar highest and best use as before the acquisition.

In developing the analysis of the Remainder Highest and Best Use and estimating the value after the acquisition, several questions were formulated and answered through the combined sources of: analysis of the Right of Way Acquisition Map, the engineering design and construction plans, the Town of Addison Department of Engineering, and consultation with locally knowledgeable consultants. The answers to specific questions, combined with the analysis of the undersigned land rights appraiser, were subsequently applied to market reaction observations and data introduced by the appraiser to finalize remainder impact conclusions. Following are some of the considerations in the valuation of the remainder after the proposed acquisition(Remainder After).

- 1) Will the remainder property comply with zoning regulations?

Yes, it appears the remainder site will be a legal conforming use under current zoning.

- 2) Will the remainder property have access to new Arapaho Road?

If the term 'Access' is used as a legal term, the answer is 'yes'. If 'access' is envisioned as a new driveway to the new road, the answer is 'No, at this time', as it appears that the new Arapaho Road will be a limited access route, and no access in the form of matching drive entrances will be constructed. In the future, however, if the subject property is redeveloped to another use, the platting process will facilitate future driveway entrances. At the current time, no facilitated access seems to be needed, nor would access benefit the subject property.

- 3) What is the grade of the new Arapaho Road adjacent to the subject property?

Very near the existing natural grade of the surrounding area.

- 4) Are there any direct benefits as a result of this project?

Yes, the subject remainder property will be a relatively large 19 acre tract of land bordered on both the north and south sides by very prominent thoroughfares. Therefore, there would be increased access potential as a result of adjacency to the new Arapaho Road, subject to the approval of the construction of a driveway entrance on the new road.

Therefore in the final analysis, the market of the remainder subject property after the acquisition and realignment of Arapaho Road is no less than the value before the acquisition and reconstruction.

RECAPITULATION

A recapitulation of the pertinent values of the whole property, the proposed acquisition area, the remainder before and after the acquisition are depicted below:

| | |
|--|------------------|
| Value of the Whole Property (Land Only) | \$7,500,000 |
| <i>less:</i> Value of the Proposed Acquisition Area | <u>\$ 10,026</u> |
| <i>equals:</i> Value of the Remainder Before the Acquisition (Land Only) | \$7,489,974 |
| Value of the Remainder After the Acquisition (Land Only) | \$7,489,974 |
| <i>plus:</i> Value of the Improvements in Acquisition Area | \$ -0- |
| <i>plus:</i> Temporary Construction Easement | \$ 733 |
| <i>equals:</i> Total Compensation | \$ 10,859 |

AFFIDAVIT AND CERTIFICATE OF VALUE

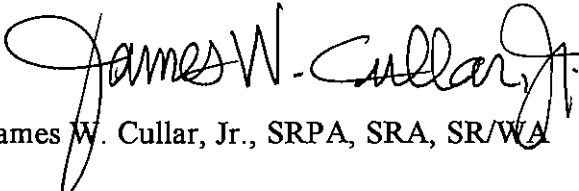
The undersigned does hereby certify that, except as otherwise noted in this appraisal report:

1. We have personally inspected the subject property.
2. We have no present or contemplated future interest in the real estate that is the subject of our evaluation.
3. We have no personal interest or bias with respect to the subject matter of this evaluation or the parties involved.
4. To the best of our knowledge and belief, we have included only truthful statements of fact in this report; and the analysis, opinions and conclusions expressed herein are true and correct and no pertinent information has knowingly been withheld.
5. The compensation for our professional service is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
6. The analyses, opinions and conclusions in the report are limited only by the assumptions and limiting conditions set forth, and are the personal, unbiased, professional analyses, opinions and conclusions of the appraiser.
7. The development of the herein expressed value opinions have been made in conformity with, and is subject to the requirements of the Uniform Standards of Professional Appraisal Practice adopted by both the Appraisal Institute and the International Right of Way Association and can be supported by internal file inspection.
8. No persons other than the undersigned prepared the analyses, conclusions and opinions concerning real estate that are set forth in this appraisal report.
- 9) This document is hereby communicated to the original client named in the transmittal letter for the privileged use that client and their selected distribution. It is understood that most appraisal products are prepared to be a tool for some financial decision purpose. With this understanding, it should be noted that this report was obtained from Evaluation Associates, who owns the data and the detailed file memorandum, notes, etc., which may consist of *trade secrets and commercial or financial information* that is privileged and confidential and

exempt from disclosure under 5 U.S.C. 552 (b) (4). Therefore, please notify Evaluation Associates of any request of reproduction of this appraisal.

- 10) The act of preparation and submission of this report to the public in the form of the original client, simultaneously makes this report subject to the professional requirements of the Appraisal Institute and the International Right of Way Association regarding review by its duly authorized representatives.
- 11) The Appraisal Institute conducts both mandatory and voluntary programs of continuing education for their designated members depending upon the date of the conferring of the specific professional designation.. Designated members who meet the minimum standards for these programs are awarded periodic educational certification. James W. Cullar, Jr., and Richard N. Baker are currently certified under their respective and applicable programs.
- 12) This Appraisal is classified as Limited in Scope and is presented in Summary Format.
- 13) The market derived value of the proposed acquisition areas as of October 5, 2002 is estimated to be:

TEN THOUSAND EIGHT HUNDRED FIFTY NINE DOLLARS
(\$10,859)


James W. Cullar, Jr., SRPA, SRA, SR/WA

EVALUATION ASSOCIATES

Right of Way Land Rights Appraisal and Acquisition Solutions

James W. Cullar, Jr., SRPA, SRA, SR/WA
Qualifications and Professional Background

EDUCATION

Graduate of North Texas State University, BBA 1967

All courses, demonstration appraisal reports, professional experience, and quality reviews required for the three professional designations awarded from 1969 to current time.

PROFESSIONAL EXPERIENCE

Founder and general manager of Evaluation Associates, a real property consulting and land rights acquisition firm, providing a variety of real property evaluation services for the financial market, public land rights acquiring agencies, and individuals seeking decision making information for mortgage lending, asset review, right of way land rights acquisition and related matters.

Jim Cullar has qualified as an expert witness in county, state and federal courts in Dallas, Tarrant, Collin, Denton, Ellis, Grayson, and Travis Counties.

Prior to founding Evaluation Associates, Jim was a lender and appraiser with a large financial institution; and later the chief appraiser with the Right of Way Division of the Dallas County Department of Public Works. He has been a self employed consultant since 1985. Jim keeps abreast of industry change through reading, continuing education, teaching, forum discussion, and publication.

PROFESSIONAL AFFILIATIONS

The Appraisal Institute SRPA, SRA Member designation

Past President - North Texas Chapter 1995

Member National Board of Directors - 1997 - 1999

National Finance Committee 1998-1999

Chair - Region VIII 1999

International Right of Way Association (IR/WA Region 2)

SR/WA Designation

Certified Instructor of:

Real Estate Appraisal Principles

Income Approach to Valuation

Appraisal of Partial Acquisition

Easement Evaluation

State Certified General Texas Real Estate Appraiser - TX - 1321322 G

EVALUATION ASSOCIATES

Right of Way Land Rights Appraisal and Acquisition Solutions

RICHARD N. BAKER, MAI Qualifications and Professional Background

EDUCATION

Graduate of Texas Tech University • Masters of Business Administration - May 1985.
Graduate of Southern Methodist University • Bachelor of Arts - Bachelor of Business Administration - May 1983
All courses, demonstration appraisal reports, professional experience, and quality reviews required for the MAI professional designation awarded 1996.

RECENT ACCREDITED APPRAISAL COURSES and SEMINARS

Highest and Best Use Applications (November 1999)
Standards of Professional Practice, Part C (March 1998)
Dynamics of Office Building Valuation (November 1997)

PROFESSIONAL EXPERIENCE

Appraisal experience includes the analysis and preparation of comprehensive narrative appraisal reports, evaluating a variety of interests in numerous property types including multi-family residential, industrial, office, retail, rural and urban land, special purpose properties, right-of-way land rights acquisition matters, special benefits / enhancement studies, and related consultation issues.

Appraisal work product has been accepted and utilized for mortgage lending, estate tax planning and settlement, property exchange, corporate management decisions, road and thoroughfare improvement assessment programs, and partial acquisition valuation for just compensation analysis by eminent domain acquiring agencies.

PROFESSIONAL DESIGNATIONS and AFFILIATIONS

MAI - The Appraisal Institute #10984
State Certified Real Estate Appraiser-General #1322012-G
Texas Real Estate Salesman - Inactive

APPRAISAL INSTITUTE LEADERSHIP CONTRIBUTION

Candidate Guidance Chair - North Texas Chapter - 1998
Web Site Committee Chair - North Texas Chapter - 2000 - 2001
Regional Representative - Region VIII - 2000 - 2001
Region Representative to National Technology Outreach Committee 1999 - 2001
North Texas Chapter - Member Board of Directors - 2001 - 2003

ADDENDUM

ASSUMPTIONS, LIMITING CONDITIONS & DISCLOSURES VALUE

9. Also, the value is estimated under the assumption that there will be no international or domestic, political, economic, or military actions that will seriously affect real estate values throughout the country.
10. Real estate values are influenced by a large number of external factors. The analysis included all of the data necessary to form an informed highest and best use and value conclusion. The report does not include all the data necessary to support the value estimate. All pertinent facts have been referenced in this report, but we do not guarantee that we have knowledge of all factors that might influence the value of the subject. Due to rapid changes in the external factors, the value estimate is considered reliable only as of the date of the appraisal and any related testimony..
11. In the event the appraisal is based upon proposed improvements, it is assumed that the improvements will be constructed in substantial conformity with plans and specifications that have been furnished the appraiser, and with good materials and workmanship. It is also assumed that the proposed foundation and construction techniques are adequate for the existing sub-soil conditions.
12. Unless otherwise stated in this report, the existence of environmentally hazardous or damaging material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos or urea-formaldehyde may affect the value of the property. The value estimate is predicted on the assumption that there is no such material on or in the property that would cause such a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client, property owner and/or prospective purchaser is advised to conduct environmental due diligence with regard to the property including having the necessary environmental assessments and/or environmental audits made to determine if any environmental problems related to the subject property exist. If any environmental problems are found which effect the subject property, the value estimate contained in this report is subject to review and may not be valid.
13. The American and Disabilities Act (ADA) became effective January 26, 1992. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

DEFINITION OF TERMS

1. Market Value: The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller or buyer under conditions whereby:
 - a. buyer and seller are typically motivated;
 - b. both parties are well informed or well advised, and each acting in what they consider their best interest;
 - c. a reasonable time is allowed for exposure in the open market;
 - d. payment is made in cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
 - e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

2. Value in Use: The value of an economic good to its owner-user which is based on the productivity (privacies in income, utility or amenity form) of the economic good to a specific individual.

3. Highest and Best Use: The most profitable likely use to which a property can be put. That use of land which may reasonably be expected to produce the greatest net return to land over a period of time. That legal use which will yield to land the highest present value.

4. Abbreviations commonly used in the appraisal of real estate:

| | | | | | |
|-----|---|-------------|-----|---|--------------|
| SF | = | square feet | RR | = | railroad |
| /AC | = | per acre | ROW | = | right of way |

5. Vehicular traffic artery abbreviations:

| | | | | | |
|------|---|-----------|-------|---|-----------------------|
| St. | = | Street | FM | = | Farm to Market Rd |
| Ln | = | Lane | US | = | United States Highway |
| Dr | = | Drive | I | = | Interstate Highway |
| Rd | = | Road | Frwy | = | Freeway |
| Pl | = | Place | Expwy | = | Expressway |
| Pkwy | = | Parkway | Hwy | = | Highway |
| Ave | = | Avenue | SH | = | State Highway |
| Bldv | = | Boulevard | N | = | North |
| Cir | = | Circle | S | = | South |
| Ct | = | Court | E | = | East |
| Mt. | = | Mount | W | = | West |

== EVALUATION
ASSOCIATES ==

10/17/02

~~TCE~~ I valued the TCE on a basis of 12 months (not 30 months) because I assume that the city should be able to get an agreement on that basis. Then, for that matter Dallas H₂O Utilities will probably tolerate you using much of their 'back yard' for the construction of staging area, if you try to work it out with the property management department. However, if there is a problem with this approach, we will be happy to correct/revise the report. Just give it a try & possibly save money.

JAMES W. CULLAR, JR., SRPA, SRA, SR/WA • RICHARD N. BAKER

[Signature]