

RESOLUTION

of the



DALLAS AREA RAPID TRANSIT BOARD

(Executive Committee)

**RESOLUTION**

**Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcel CB2-037 Located at or near Hutton Dr. and W. Belt Line Rd. in the City of Carrollton, Texas, for the Silver Line Regional Rail Project, and Authorize Eminent Domain Proceedings for this Parcel, if Necessary**

WHEREAS, Dallas Area Rapid Transit was created to provide a regional public transportation system, and the acquisition of real property and the planning, design, engineering, and construction of improvements thereon are functions fundamental to the provision of a public transportation system; and

WHEREAS, the parcel described in Exhibit 1 is required for the construction of the Silver Line Regional Rail project; and

WHEREAS, after careful review of this parcel and the recommendation of the President & Chief Executive Officer, the Board desires to declare the acquisition of this parcel a public necessity, to approve the offer of just compensation for this parcel, and to authorize the President & Chief Executive Officer or her designee to proceed with the negotiation and purchase of this parcel, and if necessary, the acquisition of this parcel through eminent domain; and

WHEREAS, funding for this real estate acquisition is within the current Budget and FY 2023 Twenty-Year Financial Plan allocations.

NOW, THEREFORE, BE IT RESOLVED by the Dallas Area Rapid Transit Board of Directors that:

Section 1: There is a public necessity for the acquisition of Parcel CB2-037 described in Exhibit 1. This property is necessary and proper for the construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser.

Section 2: In the event the property owner accepts the payment of just compensation, the President & Chief Executive Officer or her designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President & Chief Executive Officer or her designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy.

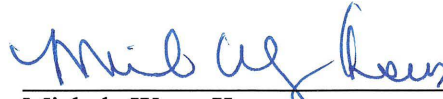
**Section 3:**

If the President & Chief Executive Officer or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 1 without approval of such acquisition by the City Council of the City of Carrollton for CB2-037 . DART's exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

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Rodney Schlosser  
Secretary



Michele Wong Krause  
Chair

APPROVED AS TO FORM:



Gene Gamez  
General Counsel

ATTEST



Nadine S. Lee  
President & Chief Executive Officer

April 18, 2023  
Date

**Field Notes Describing a 668 Square Foot (0.0153 Acre)  
PARCEL CB2-037 to Be Acquired From  
MLRP 1445 Beltline LLC**

Being a 668 Square Foot (0.0153 Acre) tract of land out of the John Nix Survey, Abstract Number 1089, City of Carrollton, Dallas County, Texas, being a portion of a called 4.292 acre tract of land described as Tract 1 in Special Warranty Deed recorded on September 20, 2018, conveyed by MAMJJ, LLC and K & D Investment Company to MLRP 1445 Beltline LLC, as recorded in Instrument No. 201800253134, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING**, at a 1/2-inch iron rod found (controlling monument) for corner in the common east right-of-way line of Hutton Drive, an 85-foot wide right-of-way as dedicated by Volume 82156, Page 1031, Deed Records, Dallas County, Texas and west line of said Tract 1, said point being the most westerly northwest corner of said Tract 1 and the beginning of a non-tangent curve to the right, from which a 1/2-inch iron rod found bears South 00 degrees 19 minutes 22 seconds East, a distance of 307.01 feet;

**THENCE**, coincident with said common line and said non-tangent curve to the right having a radius of 30.50 feet, a central angle of 84 degrees 23 minutes 15 seconds, an arc distance of 44.92 feet and a long chord that bears North 41 degrees 52 minutes 27 seconds East, a distance of 40.97 feet to a 1/2-inch pink capped iron rod stamped "WEAVER CONSULTANTS" found (controlling monument) at the beginning of a compound curve to the right in the common south right-of-way line of West Belt Line Road, a variable width right-of-way as dedicated by Volume 89043, Page 3845, Deed Records, Dallas County, Texas and north line of said Tract 1;

**THENCE**, continuing coincident with said common line and said compound curve to the right having a radius of 1,973.50 feet, a central angle of 00 degrees 39 minutes 50 seconds, an arc distance of 22.87 feet and a long chord that bears North 85 degrees 22 minutes 21 seconds East, a distance of 22.87 feet to a 1/2-inch pink capped iron rod stamped "WEAVER CONSULTANTS" found (controlling monument) for corner;

**THENCE**, North 85 degrees 42 minutes 17 seconds East, coincident with said common line, a distance of 44.01 feet to a MAG nail with shiner stamped "JACOBS" set for corner;

**THENCE**, departing said common line, over and across said Tract 1, the following five (5) courses and distances:

South 81 degrees 03 minutes 10 seconds West, a distance of 36.23 feet to a 5/8-inch yellow capped iron rod stamped "JACOBS" set for corner;

South 76 degrees 01 minutes 12 seconds West, a distance of 23.55 feet to a 5/8-inch yellow capped iron rod stamped "JACOBS" set for corner at the beginning of a tangent curve to the left;

**Field Notes Describing a 668 Square Foot (0.0153 Acre)  
PARCEL CB2-037 to Be Acquired From  
MLRP 1445 Beltline LLC**

Along said tangent curve to the left having a radius of 30.00 feet, a central angle of 56 degrees 35 minutes 34 seconds, an arc distance of 29.63 feet and a long chord that bears South 47 degrees 43 minutes 25 seconds West, a distance of 28.44 feet to a 5/8-inch yellow capped iron rod stamped "JACOBS" set for corner;

South 19 degrees 25 minutes 38 seconds West, a distance of 5.43 feet to a 5/8-inch yellow capped iron rod stamped "JACOBS" set for corner;

South 89 degrees 40 minutes 50 seconds West, a distance of 12.53 feet to the **POINT OF BEGINNING** and containing 668 square feet or 0.0153 acres of land.

**BASIS OF BEARINGS:** grid north, Texas Coordinate System, North Central Zone (4202), NAD83 (NAD83 (2011 adjustment) epoch 2010), determined by GPS observations, calculated from Dallas CORS ARP (pid-df8984), Denton CORS ARP (pid-df8986), Fort Worth WAAS 1 CORS ARP (pid-df4385), and Saginaw CORS ARP (pid-dh7149). All distances shown are surface values and may be converted to grid by dividing by the conversion factor for Dallas County of 1.000136506

I hereby certify that this description and accompanying plat represent the results of a survey made on the ground January 20, 2023.



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Paul Daniel, R.P.L.S.  
Registered Professional Land Surveyor  
Texas Registration No. 6534

**Jacobs**

777 Main Street

Fort Worth, Texas 76102

Phone (817)-735-6000

Fax (817)-735-6148

TBPLS Firm # 10194664

February 16, 2023





ELIZABETH LAMAR  
SURVEY,  
ABSTRACT NO. 797

CALLED 0.0163 ACRES  
DOR-WELL ENTERPRISES, INC.  
TO  
COUNTY OF DALLAS  
VOLUME 88217, PAGE 1941  
D.R.D.C.T.  
NOVEMBER 7, 1988

LOT 1, BLOCK 1  
CARROLLTON INDUSTRIAL  
PARK PART 4  
INSTRUMENT NO.  
201600057888  
O.P.R.D.C.T.  
MARCH 3, 2016

PARCEL CB2-037  
668 SQUARE FOOT  
0.0153 ACRES

WEST BELT LINE ROAD  
(VARIABLE WIDTH R.O.W.)  
(NO RECORD  
INFORMATION FOUND)

$R=1,973.50'$   
 $\Delta=00^{\circ}39'50''$  (RT)  
 $L=22.87'$   
 $CB=N85^{\circ}22'21''E$   
 $CL=22.87'$

1/2-INCH PINK  
CAPPED IRON ROD  
STAMPED "WEAVER  
CONSULTANTS"  
FOUND (CM)

1/2-INCH PINK  
CAPPED IRON ROD  
STAMPED "WEAVER  
CONSULTANTS"  
FOUND (CM)

CALLED 0.0197 ACRES  
K & D INVESTMENT COMPANY  
TO  
COUNTY OF DALLAS  
VOLUME 89043, PAGE 3845  
D.R.D.C.T.  
MARCH 3, 1989

$R=30.50'$   
 $\Delta=84^{\circ}23'15''$  (RT)  
 $L=44.92'$   
 $CB=N41^{\circ}52'27''E$   
 $CL=40.97'$

PROPOSED  
RETAINING  
WALL

$N85^{\circ}42'17''E$   
44.01'

$S81^{\circ}03'10''W$   
36.23'

$S76^{\circ}01'12''W$   
23.55'

$R=30.00'$   
 $\Delta=56^{\circ}35'34''$  (LT)  
 $L=29.63'$   
 $CB=S47^{\circ}43'25''W$   
 $CL=28.44'$

$S19^{\circ}25'38''W$   
5.43'

$S89^{\circ}40'50''W$   
12.53'

CALLED 4.292 ACRES  
TRACT 1  
MAMJJ, LLC  
AND  
K & D INVESTMENT COMPANY  
TO  
MLRP 1445 BELTLINE LLC  
INSTRUMENT NO. 201800253134  
O.P.R.D.C.T.  
SEPTEMBER 20, 2018

POINT OF  
BEGINNING  
1/2-INCH IRON  
ROD FOUND (CM)  
FROM WHICH A  
1/2-INCH IRON  
ROD FOUND BEARS  
 $S00^{\circ}19'22''E$   
307.01'

HUTTON DRIVE  
(85' WIDE R.O.W.)

CITY OF CARROLLTON  
VOLUME 73054, PAGE 1548  
D.R.D.C.T.

CITY OF CARROLLTON  
VOLUME 82156, PAGE 1031  
D.R.D.C.T.

LEGEND

- ELECTRIC VAULT
- GUY WIRE
- POWER POLE
- LIGHT POLE
- WATER VALVE
- FIRE HYDRANT
- WATER MANHOLE
- SIGN
- RAILROAD CROSSING SIGNAL
- OVERHEAD UTILITY
- 5/8-INCH YELLOW CAPPED IRON ROD STAMPED "JACOBS" SET
- MAG NAIL WITH SHINER STAMPED "JACOBS" SET
- CONTROLLING MONUMENT OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- D.EED RECORDS, DALLAS COUNTY, TEXAS

JOHN NIX SURVEY,  
ABSTRACT NO. 1089



*[Signature]*  
2/16/23

PAUL DANIEL  
REGISTERED PROFESSIONAL  
LAND SURVEYOR  
TEXAS NO. 6534

NOTES:

1. BEARING BASIS BEING GRID NORTH, TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NAD83 (2011 ADJUSTMENT) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984), DENTON CORS ARP (PID-DF8986), FORT WORTH WAAS 1 CORS ARP (PID-DF4385), AND SAGINAW CORS ARP (PID-DH7149).
2. ALL DISTANCES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE CONVERSION FACTOR FOR DALLAS COUNTY OF 1.000136506

**JACOBS**

777 Main Street  
Fort Worth, Texas 76102  
Phone: (817) 222-8513  
TBPLS Firm No. 10194664

DART PROJECT



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SCALE	1"=40'
DRAWN	LangloisMC
DESIGNED	PDaniel
CHECKED	PDaniel
IN CHARGE	PDaniel
DATE	02-16-2023



CONTRACT  
C-2033270-01

DWG No.  
CB2-037.001

COTTON BELT REGIONAL RAIL SYSTEM

PARCEL CB2-037  
A 668 SQUARE FOOT (0.0153 ACRE)  
PARCEL TO BE ACQUIRED FROM  
MLRP 1445 BELTLINE LLC

I:\SURV\FX06101-C0110nbe11700 CAD0713 Survey\713.6 Mapping\CB2-037\CB2-037.dwg 2/16/2023