

# #CROSSROADS ROW GROUP

Consultants to the Texas Department of Transportation

May 7, 2018

ROW CSJ: 2374-02-115  
County: Dallas  
Federal Project No.: N/A

Parcel: 110E  
Highway: I.H. 635  
From: West of the KCS RR (West of SH 78)  
To: I.H. 30

**BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.: 7017 3040 0000 5712 1763**

The City of Mesquite, a Texas Municipality  
Attn: Matthew Holzapfel, Director of Public Works  
1515 N. Galloway Ave.  
Mesquite, Texas 75149

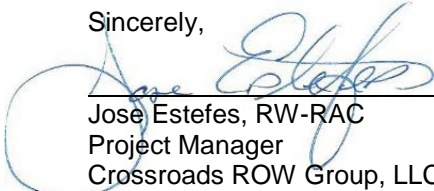
Dear Property Owner(s),

As you know, it is necessary for the State of Texas, acting through the Texas Department of Transportation, to construct a highway which requires the purchase of the property interest referred to above. Inasmuch as negotiations to purchase this property interest have not been successful to date, a final offer is hereby submitted to you. According to authorization by the Texas Transportation Commission, a total sum of \$15,053.00 is offered for the ☒ drainage easement / ☐ highway easement / ☐ temporary construction easement interest, subject to clear title being secured. Any compensation that may be due to you from this Department's Relocation Assistance Program is not included in this offer because such funds are paid to eligible persons separately.

If you desire to accept this offer, please contact Jose Estefes at (214) 981-4310 as soon as possible. If this offer is not accepted within 14 days from the date of delivery of this letter, it must be considered as having been rejected. We enclose herein a draft of the instrument by which the easement interest would be conveyed to the State.

If you elect to reject this offer, eminent domain proceedings will be initiated by the State. Thereafter, the Court will appoint three disinterested freeholders to serve as Special Commissioners, a date will be set for a hearing and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award which will be filed with the Court. The State may then deposit the amount of the award with the Court, at which time the State will be entitled to take possession of the property involved. After the deposit is made, you may withdraw your share of the award. If the award exceeds the amount of any subsequent judgment, you are required to repay the State the excess amount and any excess amount not repaid to the State may be deducted from eligible payments, if any, due to you as the property owner under the Department's Relocation Assistance Program. If either you or the State is dissatisfied with the amount of the award, objections may be filed within the time prescribed by law and the case subsequently tried before the Court as are other civil cases.

Sincerely,

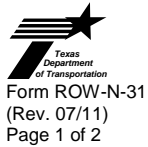


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Jose Estefes, RW-RAC  
Project Manager  
Crossroads ROW Group, LLC  
3960 Broadway Blvd. Ste. 120  
Garland, Texas 75043

ENCLOSURES: Draft conveyance instrument, Legal Description

**Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.**



## **DRAINAGE EASEMENT FOR HIGHWAY PURPOSES**

**THE STATE OF TEXAS**                    §    **ROW CSJ: 2374-02-115**  
   §  
**COUNTY OF DALLAS**                    §    **KNOW ALL MEN BY THESE PRESENTS:**

That, The City of Mesquite, a Texas Municipality of the County of Dallas, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Fifteen Thousand Fifty Three and No/100 Dollars (\$15,053.00) to Grantors in hand paid by the State of Texas, acting by and through the Texas Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, do by these presents Grant, Bargain, Sell and Convey unto the State of Texas an easement in, along, upon and across the property which is situated in the County of Dallas, State of Texas, which is more particularly described in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

This easement conveyed herein is for the purpose of opening, constructing and maintaining a permanent channel or drainage easement in, along, upon and across said premises described in Exhibit "A" together with the right and privilege at all times of the Grantee herein, its agents, employees and representatives of ingress and egress to and from said premises for the purpose of making any improvements, modifications or repairs which the State deems necessary.

And for the same consideration described above and upon the same conditions, the Grantors have this day granted and conveyed and by these presents do grant and convey unto the State of Texas any and all improvements presently existing upon the property described in said Exhibit "A"; SAVE and EXCEPT, N/A.

HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the aforesaid property, to wit: N/A.

Grantors covenant and agree to remove the above-described improvements from said land by the N/A day of N/A, N/A, subject, however, to such extensions of time as may be granted by the State in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the State of Texas forever.

As a part of the grant hereby made it is agreed between the parties hereto that any stone, earth, gravel or caliche which may be excavated in the opening, construction or maintenance of said channel or drainage easement may be removed from said premises by the State.

**TO HAVE AND TO HOLD** the premises described in Exhibit "A" for said purposes together with all

and singular the rights, privileges and appurtenances thereto in any manner belonging, unto the State of Texas forever; and Grantor hereby binds itself, its heirs, successors or assigns, to Warrant and Forever Defend, all and singular, the said easement herein conveyed unto the State of Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

**IN WITNESS WHEREOF**, this instrument is executed on this the \_\_\_\_ day of May, 2018.

THE CITY OF MESQUITE, A TEXAS MUNICIPALITY

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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**Acknowledgement**

State of Texas  
County of

This instrument was acknowledged before me on \_\_\_\_\_

by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public's Signature

EXHIBIT "A"

County: Dallas  
Highway: IH 635  
Parcel 110(E)  
STA. 1035+57.49 to STA. 1039+84.51  
ROW CSJ: 2374-02-115

Page 1 of 6  
November 2017

Description for Parcel 110(E)

BEING 12,676 square feet of land situated in the Isham Thomas Survey, Abstract Number 1501, City of Mesquite, Dallas County, Texas, and being part of a called 0.594 acre tract of land described in Special Warranty Gift Deed to The City of Mesquite, as recorded in Instrument Number 200900018579 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said 12,676 square feet (0.2910 acre) of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch found iron rod with a plastic cap stamped "RLG INC." for the most easterly northeast corner of said 0.594 acre tract, and the southeast corner of Lot 1, Block A of KIKKERI ADDITION, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Instrument Number 201000220048, O.P.R.D.C.T., on the existing west right-of-way line of Childress Avenue (an 80 foot wide right-of-way);

THENCE South 89 degrees 01 minute 49 seconds West, with a north line of said 0.594 acre tract, and with the south line of said Lot 1, Block A, a distance of 225.41 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" for an ell corner of said 0.594 acre tract, the southwest corner of said Lot 1, Block A, and for the POINT OF BEGINNING, at Station 1039+84.51, 204.65 feet Left, having Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (NAD83) 2011 Adjustment, Epoch 2010.00 surface coordinates of North=6,986,129.89 feet, East=2,543,910.46 feet;

- 1) THENCE South 89 degrees 01 minute 49 seconds West, departing an east line of said 0.594 acre tract, and over and across said 0.594 acre tract a distance of 37.59 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" at Station 1039+79.92, 167.34 feet Left, on the existing northeasterly right-of-way line of IH 635 (a variable width right-of-way) and on the west line of said 0.594 acre tract for corner;
- 2) THENCE North 04 degrees 40 minutes 13 seconds West, with the existing northeasterly right-of-way line of said IH 635, and with the west line of said 0.594 acre tract, a distance of 411.16 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" at Station 1035+69.45, 191.09 feet Left, for the northwest corner of said 0.594 acre tract, on the south line of a called 8.0408 acre tract of land described in deed to White Property Co., No. 2, LTD., as recorded in Volume 2001041, Page 04391 of the Deed Records of Dallas County, Texas (D.R.D.C.T.);

EXHIBIT "A"

County: Dallas  
Highway: IH 635  
Parcel 110(E)  
STA. 1035+57.49 to STA. 1039+84.51  
ROW CSJ: 2374-02-115

Page 2 of 6  
November 2017

- 3) THENCE North 55 degrees 04 minutes 19 seconds East, departing the existing northeasterly right-of-way line of said IH 635, with a north line of said 0.594 acre tract, and with the south line of said 8.0408 acre tract, a distance of 26.39 feet to a 1/2-inch found iron rod with a plastic cap stamped "RLG INC." for the most northerly northeast corner of said 0.594 acre tract and the northwest corner of said Lot 1, Block A;
- 4) THENCE South 06 degrees 38 minutes 41 seconds East, departing the south line of said 8.0408 acre tract, and with an east line of said 0.594 acre tract, and with the west line of said Lot 1, Block A, a distance of 427.14 feet to the POINT OF BEGINNING and containing 12,676 square feet (0.2910 acre) of land, more or less.

NOTES:

1. Abstracting completed by Courthouse Research Specialist between May 2017 and October 2017.
2. Field surveys were performed between May 2017 and November 2017.
3. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202), TxDOT Virtual Reference System (VRS) RTK Network.
4. All coordinates and distances are US Survey Feet, displayed in surface values and may be converted to grid by dividing by the combined adjustment factor of 1.000136506 (TxDOT Dallas County Scale Factor).
5. Project control was established by others and provided by TxDOT.

EXHIBIT "A"

County: Dallas  
Highway: IH 635  
Parcel 110(E)  
STA. 1035+57.49 to STA. 1039+84.51  
ROW CSJ: 2374-02-115

Page 3 of 6  
November 2017

6. The Station and Offset information refers to the baselines described in the Project Schematic which received environmental clearance on 4/24/2017; Project Control-Section-Job: 2374-02-053

7. A survey plat of even date accompanies this legal description.

*G. J. Suthan*

Getsy J. Suthan, R.P.L.S.  
Texas Registration No. 6449

*Nov. 16/17*

Date



HALFF ASSOCIATES, INC.  
1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081  
TEL (214) 346-6200  
TBPLS FIRM NO. 10029600

15' UTILITY EASEMENT  
INST. NO. 201000220048

15' DRAINAGE EASEMENT  
INST. NO. 201000220048

10' UTILITY EASEMENT  
INST. NO. 201000220048

25' BUILDING LINE  
INST. NO. 201000220048

EXISTING R.O.W. LINE

VISIBILITY EASEMENT  
INST. NO. 201000220048

CHILDRESS AVENUE (80' WIDE R.O.W.)

ISHAM THOMAS SURVEY  
ABSTRACT NUMBER 1501

(CALLED 2.964 ACRE TRACT)  
KSADD, LLC  
INST. NO. 201000082204

LOT 1, BLOCK A OF  
KIKKERI ADDITION  
INST. NO. 201000220048

20' DRAINAGE MAINTENANCE  
ACCESS EASEMENT  
INST. NO. 201000220048

(CALLED 0.594 ACRE TRACT)  
THE CITY OF MESQUITE  
INST. NO. 200900018579

STATE OF TEXAS  
INST. NO.  
20080063780

IH 635  
(VARIABLE WIDTH R.O.W.)

STATE OF TEXAS  
VOL. 68034, PG. 0872

EXISTING R.O.W.  
& EXISTING ACCESS  
DENIAL LINE

110(E)

12,676 SQ. FT.  
(0.2910 ACRE)

STA. 1039+79.92  
167.34' LT

S89°01'49"W  
37.59'

**POINT OF  
BEGINNING**  
N=6,986,129.89  
E=2,543,910.46  
STA. 1039+84.51  
204.65' LT

25' BUILDING LINE  
INST. NO.  
201000220048

15' DRAINAGE EASEMENT  
INST. NO. 201000220048

**POINT OF  
COMMENCING**  
1/2" FIR W/CAP  
STAMPED "RLG INC."  
(C.M.)

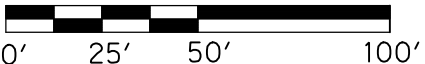
(CALLED 0.594 ACRE TRACT)  
THE CITY OF MESQUITE  
INST. NO. 200900018579

AMA ASSOCIATES, LLC  
INST. NO. 201600236468

LOT 13, BLOCK B,  
OF  
LOT 13 & LOT 14, BLOCK B,  
THE EMPORIUM  
VOL. 91207, PG. 1649

A PLAT OF A SURVEY OF  
PARCEL 110(E)  
FOR IH 635  
RIGHT OF WAY CSJ: 2374-02-115  
12,676 SQ. FT. (0.2910 AC.)  
IN THE ISHAM THOMAS SURVEY  
ABSTRACT NUMBER 1501  
CITY OF MESQUITE,  
DALLAS COUNTY, TEXAS  
NOVEMBER 2017

GRAPHIC SCALE



Texas Department of Transportation  
© 2017

**HALFF**  
1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081  
TEL (214) 346-6200  
TBPLS FIRM NO. 10029600

EXHIBIT "A"  
PAGE 5 OF 6

(CALLED 8.0408 ACRE TRACT)  
WHITE PROPERTY CO., NO. 2, LTD.  
VOL. 2001041, PG. 04391

THEOPHALUS  
THOMAS  
SURVEY ABSTRACT  
NUMBER 1461

APPROXIMATE  
ABSTRACT LINE

ISHAM THOMAS SURVEY  
ABSTRACT NUMBER 1501

N55°04'19"E  
26.39'

1/2" FIR W/CAP  
STAMPED "RLG INC."  
(C.M.)

STA. 1035+57.49  
214.62' LT

(CALLED 0.594 ACRE TRACT)  
THE CITY OF MESQUITE  
INST. NO. 200900018579

(CALLED 2.964 ACRE TRACT)  
KSADD, LLC  
INST. NO. 201000082204

LOT 1, BLOCK A OF  
KIKKERI ADDITION  
INST. NO. 201000220048

20' DRAINAGE  
MAINTENANCE  
ACCESS EASEMENT  
INST. NO. 201000220048

N04°40'13"W  
411.16'

S06°38'41"E  
427.14'

25' BUILDING LINE  
INST. NO. 201000220048

VISIBILITY EASEMENT  
INST. NO. 201000220048

CHILDRESS AVENUE (80' WIDE R.O.W.)

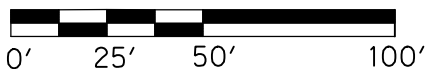
MATCH LINE, SEE SHEET 4 OF 6


110(E)

12,676 SQ. FT.  
(0.2910 ACRE)

A PLAT OF A SURVEY OF  
PARCEL 110(E)  
FOR IH 635  
RIGHT OF WAY CSJ: 2374-02-115  
12,676 SQ. FT. (0.2910 AC.)  
IN THE ISHAM THOMAS SURVEY  
ABSTRACT NUMBER 1501  
CITY OF MESQUITE,  
DALLAS COUNTY, TEXAS  
NOVEMBER 2017

GRAPHIC SCALE



 Texas Department of Transportation  
© 2017



**HALFF**

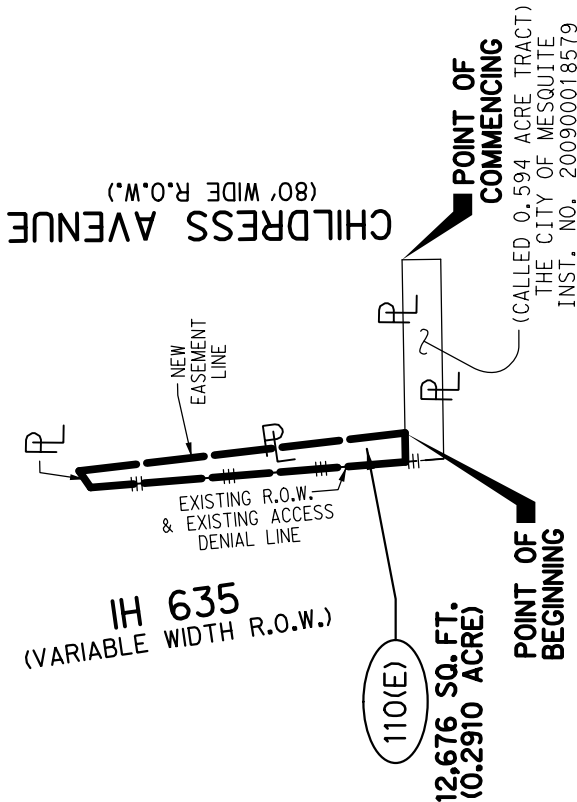
1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081  
TEL (214) 346-6200  
TBPLS FIRM NO. 10029600



LEGEND

EXISTING RIGHT OF WAY LINE	---
RIGHT OF WAY DEED LINE	---
PARCEL BOUNDARY	---
NEW BASELINE	---
CONTINUOUS OWNERSHIP PER DEEDS AND UNITY OF USE	---
PROPERTY LINE	---
NEW ACCESS DENIAL LINE	---
EXISTING ACCESS DENIAL LINE	---
SURVEY LINE	---
CITY LIMITS	---
EXISTING EASEMENT LINE	---
EXISTING EASEMENT LINE	---
NEW EASEMENT LINE	---
EXISTING VISIBLE IMPROVEMENTS	---
VOL. = VOLUME	---
PG. = PAGE	---
CAB. = CABINET	---
FIR = FOUND IRON ROD	---
FIP = FOUND IRON PIPE	---
(C.M.) = CONTROLLING MONUMENT	---
INST. NO. = INSTRUMENT NUMBER	---
MON. = MONUMENT	---
R.O.W. = RIGHT-OF-WAY	---
F.K.A. = FORMERLY KNOWN AS	---
5/8-INCH SET IRON ROD WITH A PINK PLASTIC CAP MARKED "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT"	---
5/8-INCH SET IRON ROD WITH AN ALUMINUM CAP	---
STAMPED "TXDOT ACCESS DENIAL POINT"	---
SET "X" (UNLESS NOTED)	---
FOUND MONUMENT (AS NOTED)	---
PARCEL NUMBER	---

NOT TO SCALE



PARENT TRACT INSET

A PLAT OF A SURVEY OF  
PARCEL 110(E)  
FOR IH 635  
RIGHT OF WAY CSJ: 2374-02-115  
12,676 SQ. FT. (0.2910 AC.)  
IN THE ISHAM THOMAS SURVEY  
ABSTRACT NUMBER 1501  
CITY OF MESQUITE,  
DALLAS COUNTY, TEXAS  
NOVEMBER 2017

- GENERAL NOTES:
1. ABSTRACTING COMPLETED BY COURTHOUSE RESEARCH SPECIALIST BETWEEN MAY 2017 AND OCTOBER 2017.
  2. FIELD SURVEYS WERE PERFORMED BETWEEN MAY 2017 AND NOVEMBER 2017.
  3. THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), TXDOT VIRTUAL REFERENCE SYSTEM (VRS) RTK NETWORK.
  4. ALL COORDINATES AND DISTANCES ARE US SURVEY FEET, DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED ADJUSTMENT FACTOR OF 1.000136506 (TXDOT DALLAS COUNTY SCALE FACTOR).
  5. PROJECT CONTROL WAS ESTABLISHED BY OTHERS AND PROVIDED BY TXDOT.
  6. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINES DESCRIBED IN THE PROJECT SCHEMATIC WHICH RECEIVED ENVIRONMENTAL CLEARANCE ON 4/24/2017; PROJECT CONTROL-SECTION-JOB: 2374-02-053.
  7. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
  8. VOLUME & PAGES AND INSTRUMENT NUMBERS SHOWN HEREON ARE REFERENCED TO THE DALLAS COUNTY CLERK'S RECORDS.

PARCEL REMAINDER AREA

PARENT TRACT AREA (DEED)	ACQUISITION AREA	CALC. REMAINDER AREA (LEFT)
0.594 AC. (25,875 SQ. FT.)	0.2910 AC. (12,676 SQ. FT.)	0.594 AC. (25,875 SQ. FT.)

(DEED) = DEED CALLED



Texas Department of Transportation  
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**HALFF**  
1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081  
TEL (214) 346-6200  
TBPLS FIRM NO. 10029600