

PTG, Inc.

December 3, 2018

Wes McClure, PE
City of Mesquite
1515 N. Galloway Ave.
Mesquite, TX 75149

Dear Mr. McClure,

Attached, please find a summary regarding the Sarape, LP. file – 2500 Towne Centre Dr., Mesquite, Texas for your action. Included in this file are the Easement Documents, Notice Concerning Easements and Rights of Way, Information About Brokerage Services, Texas Landowner's Bill of Rights, Appraisal and a copy of our work on the file.

Sincerely,



Linda Latham

Summary of events on the acquisition attempt of property located at 2500 Towne Centre Drive, Mesquite, Texas belonging to Sarape, L.P. defined as the Heritage Trail Easement Project

March 9, 2018

- Received and reviewed authorization from the City of Mesquite / John Stanley, P.E. for the Heritage Trail Public Hike & Bike Trail Easement for Sarape, L.P., Property.
- Called Texas Secretary of State to find the registered owner for Sarape, L.P. According to the Secretary of State, the registered agent is Corporate Creations Network, Inc.
- Researched Dallas Appraisal District for grantor's mailing address.

March 12, 2018

- Drafted introductory letter and sent to John Stanley for his review and approval
- Received approval from John Stanley for the Introductory letter and to proceed with the work.
- Researched ownership from Dallas County Records. According to Deed records, the property is owned by Sarape, LP and Dallas CAD mailing address is 3318 Forest Lane, Dallas, TX 75234
- Sent Introductory Letter to Sarape, LP.

April 13, 2018

- Set up file.
- Researched the above property for ownership, phone numbers and mailing address.
- Drove to site location to look at area affected by the project. The property is currently for sale with John T. Evans Company, Tom Pardes. Left message for Tom Pardes to return my call.
- Researched LoopNet for listing price information. The property is a ten acres tract listed for sale at \$100,000.

April 16, 2018

- Tom Pardes, the listing agent returned my call. He gave me the contact information for Ryan Phelps, Director of Real Estate Sunholding for Sarape, L.P.
- Called Ryan Phelps and left a message for him to return my call, so we could discuss the Heritage Trail Project.
- Ryan Phelps called returned my call & left a message. I immediately return his call and left a voice message for him to return my call.

April 17, 2018

- Called Ryan Phelps and left a message for him to return my call.

April 25, 2018

- Left message for Ryan Phelps to return my call.

May 15, 2018

--Sent email to Ryan Phelps stating I would have preferred to discuss the City's Public Trail Easement on his company's property located at 2500 Towne Centre Drive over the telephone. Since that has not been possible, I sent the attached plans that might give him more insight on the location of the City's Hike and Bike Trail as it relates to the Sarape property.

May 16, 2018

--Received email from Ryan Phelps, requesting for us to send a better plan or aerial showing what portion of their site the proposed trail easement will be impacted. He stated he was having a hard time telling by the attachments.

--Sent email to Heidi Fischer with Brown & BGE and copied John Stanley, P.E., that the grantor's agent requested an aerial showing what portion of their site the proposed trail will impact.

May 18, 2018

--Sent email to Ryan Phelps to let him know I have requested for the project engineer and surveyor to provide an aerial overlay showing their property site in relation to the location of the trail easement and I would send it to him once I receive it.

May 21, 2018

--Sent email to John Stanley informing him I have not received the aerial overlay showing the Sarape site in relation to the proposed easement.

--Received email from John Stanley stating if I don't hear back from Heidi by Wednesday or so, he would attempt to create one himself or I can contact Heidi for the aerials.

May 23, 2018

--Received email from Heidi Fischer with attachments showing the proposed easement with an aerial background.

--Sent email to Ryan Phelps along with the attachments from Heidi showing the proposed trail easement with an aerial background.

May 29, 2018

--Sent email to Ryan Phelps stating now that he's had time to review the easement documents concerning the City of Mesquite and the Dallas County Hike and Bike Trail, was he available sometime next week to meet with the Project manager and myself to discuss the matter in more detail.

June 4, 2018

--Sent email to John Stanley letting him know I have had limited contact with Ryan Phelps, the property owner's representative. However, I have provided him with the trail easement documents and engineering plans via email and requested several times to schedule a meeting with him but he has not responded.

June 18, 2018

--Called and spoke to John Stanley. We discussed sending an initial offer letter to the grantor based on the Dallas County Appraisal District value.

June 19, 2018

--Drafted initial offer letter and sent to John Stanley for review and approval.

June 20, 2018

--Received approval form Jon Stanley to send initial offer letter.

June 21, 2018

--Sent Initial offer letter to Sarape, LP attention Ryan Phelps via certified mail.

July 10, 2018

--Received initial offer back back from Post Office. The package was not able to be delivered due to no forwarding address.

July 11, 2018

-- Sent email to Ryan Phelps with the attached City of Mesquite, Texas Initial Offer Package concerning the property located at 2500 Towne Centre Drive, Mesquite, Texas, that was previously sent to your office via certified mail.

--Received email from Ryan Phelps stating the offer amount was well off market value. According to Mr. Phelps, he thought they would need \$10 a square foot or more for the offer to make sense to them.

July 12, 2018

--Sent email to John Stanley informing him I received an email from Ryan Phelps concerning the Initial Offer we sent him in the amount of \$5,093. According to Mr. Phelps, the offer is well off market value and it would need to be \$10. a square foot to make sense to them. Also informed John that I had tried prior to his email to reach him by phone to discuss the location of the trail easement (flood plan) and have been unsuccessful and wanted to know if we should order an appraisal and send him a final offer since he has received all the engineering plans and other documents as they pertain to the easement acquisition.

July 26, 2018

--Spoke to Christina Hickey, P.E. We discussed the Sarape counter offer that was sent to John Stanley. Christina requested for me to forward the email to her that was previously sent to John Stanley.

--As requested I forwarded the email to Christina that was sent to John Stanley on July 12, 2018 concerning Sarape counter offer.

August 9, 2018

--Received email from Christina Hickey. She has reviewed the easement documents and is now up to date on the property. According to Christina, only a very small portion of the

easement is located in the FEMA floodplain. A good portion does overlay existing easements and an existing drainage easement which is would not be able to be developed. The easement would be required to be dedicated at time of development and the trail would be required to be built so this would be saving them money. She wants to discuss this over the phone next week.

August 10, 2018

--Spoke to Christina concerning ordering an appraisal for the easement acquisition. Christina may want to order an appraisal so we know where we stand on the initial offer verses the grantor's counter offer.

September 10, 2018

--Left a message for Ryan Phelps to return my call.

September 11, 2018

--Christina has decided to order an appraisal for the trail easement.
--Ordered trail easement appraisal.

September 24, 2018

--Received & reviewed appraisal report and sent to Christina. I wanted to know if we should proceed with a counter offer based on the appraised value, since Sarape's latest counter offer was \$10 per sq.ft. (\$203,730.00)

September 26, 2018

--Received email from Christina. She wants to counter offer at \$44,668.00.
--She requested I explain the following items to Sarape.:
1) Dedication of the easement would be required when property develops as the trail is part of the City's Adopted Master Plan.
2) In this situation, the City is going to pay for and construct the trail, which would normally be the responsibility, both financially and construction, of the developer.
3) Approximately 50% of the easement requested is in already existing easements (utility or drainage).
--Called and left a message for Ryan Phelps to return my call to discuss the City's counter offer.
--Sent email to Ryan Phelps concerning the City's counter offer with explanation of the City's offer.

October 2, 2018

--Sent Counter Offer Letter to Sarape via certified mail.

October 3, 2018

--Sent email to Ryan Phelps with the City's counter offer.

October 4, 2018

- Received email from Ryan Phelps. He stated the offer is not close to what the land is worth. He would like to see an offer of at least the property's appraised value before giving this any further consideration.
- Sent email to Ryan Phelps informing him I would let the City know his company's position and to please note 50% of the requested easement is in an already existing easement (utility or drainage).

October 5, 2018

- Received confirmation that the City's counter offer was received by certified mail.

October 10, 2018

- Called Wes McClure, PE and discussed Sarape request to see an offer based on at least the property's appraised value.
- Received email from Wes as we discussed today to send the appraisal report to Sarape with the City's latest counter offer based on the appraised value.

October 11, 2018

- Called and left message for Ryan Phelps to return my call.
- Sent email to Ryan Phelps with attached certified appraisal report for his company's property located at 2500 Towne Centre Drive, mesquite, Texas along with the City's latest counter offer of \$92,188.00 based on the appraisal for his review and execution.

October 17, 2018

- Called and left message for Ryan Phelps to return my call.
- Sent email to Ryan Phelps asking him now that he has had time to review the City's latest counter and appraiser report for his company property, could he please let me know his company's position.

October 24, 2018

- Sent City's latest counter offer of \$92,188.00 based on certified appraisal report to Sarpae, L.P. via certified mail.

October 31, 2018

- Called and left message for Ryan Phelps to return my call.
- Sent email to Ryan Phelps to follow up on the City's latest counter offer that was sent to his office vial certified mail along with the appraisal report on October 24, 2018 and asked his company's position.

November 9, 2018

- Drove to Sarape office. Ryan Phelps was not in the office. I left a business card with the receptionist and ask her to have Ryan Phelps contact me.

November 15, 2018

- Drove to Sarape, L.P. office. Denied access, required badge to enter elevator.

November 16, 2018

--Called and left message for Ryan Phelps to return my call. I told him I stopped by his office but missed him and to return my call.

November 26, 2018

-- Spoke to Wes McClure. We discussed needing to send a Final Offer Letter to Sarape.
--Received email from Wes. He requested to prepare a Final Offer Letter to Sarape and copy him on the letter.
--Drafted Final Offer Letter and sent to Wes for review and approval.
--Received approval on Final Offer Letter from Wes .

November 27, 2018

--Sent Final Offer Letter to Sarape based on appraised value of \$92,188.00 via certified mail.

November 29, 2018

--Received confirmation that Final Offer Letter was received via certified mail return receipt.

**This document was prepared by: Linda Latham
PTG, Inc.**

PTG, INC.

PTG, INC.
ACQUISITION SERVICES

Linda Latham

972-272-6600 Bus • 972-849-9781 Cell
PO Box 462469 • Garland, TX 75046
linda@ptg2000.com

March 12, 2018

Sarape LP
3318 Forest Lane Suite 200
Dallas, Texas 75234-7784

Ref.: City of Mesquite Hertiage Trail Project

To Whom It May Concern,

As the City of Mesquite Right of Way Acquisition Contractor, I sent you an introduction letter on August 3, 2016 pertaining to your property located at 2500 Towne Centre Dr., Mesquite Texas as it affects the City's Heritage Trail Project. This letter is just a follow up. Therefore, I am again enclosing herein, as required: The Trail Easement Documents along with the needed Exhibits, Landowners Bill of Rights Notice Concerning Easements and Rights of Way and Information about Broker Services.

Please review all the documents and execute only The Trail Easement documents as directed at the bottom of the pages. Kindly let me know whenever it the signed documents are ready for pick up. I'm available to discuss and answer any questions you may have on this matter.

I can be reached at 972-849-9781.

Sincerely,


Linda Latham

CTIC PPM 02809001212

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

Special Warranty Deed

Date: December 15, 2009

**ELECTRONICALLY RECORDED 201000040754
02/19/2010 10:58:36 AM DEED 1/2**

Grantor: Corral Group, Incorporated, a Texas corporation

Grantor's Mailing Address:

Corral Group, Incorporated
3318 Forest Lane, Ste. 200
Dallas, TX 75206
Dallas County

Grantee: Sarape, LP, a Texas limited partnership

Grantee's Mailing Address:

Sarape, LP
7750 N. MacArthur Blvd, #120-221
Irving, TX 75063
Dallas County

Consideration:

Cash and other good and valuable consideration.

Property (including any improvements):

Being all of Lot 2R, Block 1, TOWNE CENTRE COMMERCIAL, Block 1, Lots 2R and 3, an addition to the City of Mesquite, according to the plat recorded under Dallas County Clerk's Instrument No. 200600166908 of the Deed Records of Dallas County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

None

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Corral Group, Incorporated,
a Texas corporation

BY: 
Guillermo A. Perales, President

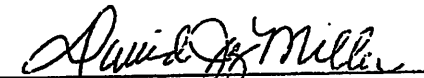
STATE OF TEXAS)

COUNTY OF DALLAS)

This instrument was acknowledged before me on December 15, 2009, by Guillermo A. Perales, President of Corral Group, Incorporated, a Texas corporation, in the capacity therein stated and on behalf of said corporation.



AFTER RECORDING RETURN TO:
Sarape, LP
3318 Forest Lane, Ste. 200
Dallas, TX 75206


Notary Public, State of Texas

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
02/19/2010 10:58:36 AM
\$20.00
201000040754







John T. Evans Company, Inc.



Tom Paredes

— (214) 891-3201

2500 Towne Centre Dr
Mesquite, TX 75150 · 10.00 AC · Land For Sale

\$1,000,000



Acreage

Price	\$1,000,000	Total Lot Size	10.00 AC
Property Type	Land	No. Lots	1
Property Sub-type	Commercial	Zoning Description	Business Park
Proposed Use	Commercial More..	APN / Parcel ID	3821680001... More..
	Retail		382168000102R0000
	Office		
Sale Type	Investment	Cross Streets	Gus Thomasson Rd
Listing ID: 5627598	Date Created: 1/26/2017 Last Updated:		

1 Lot Available

Lot Acreage

Price	\$1,000,000	Lot Size	10.00 AC
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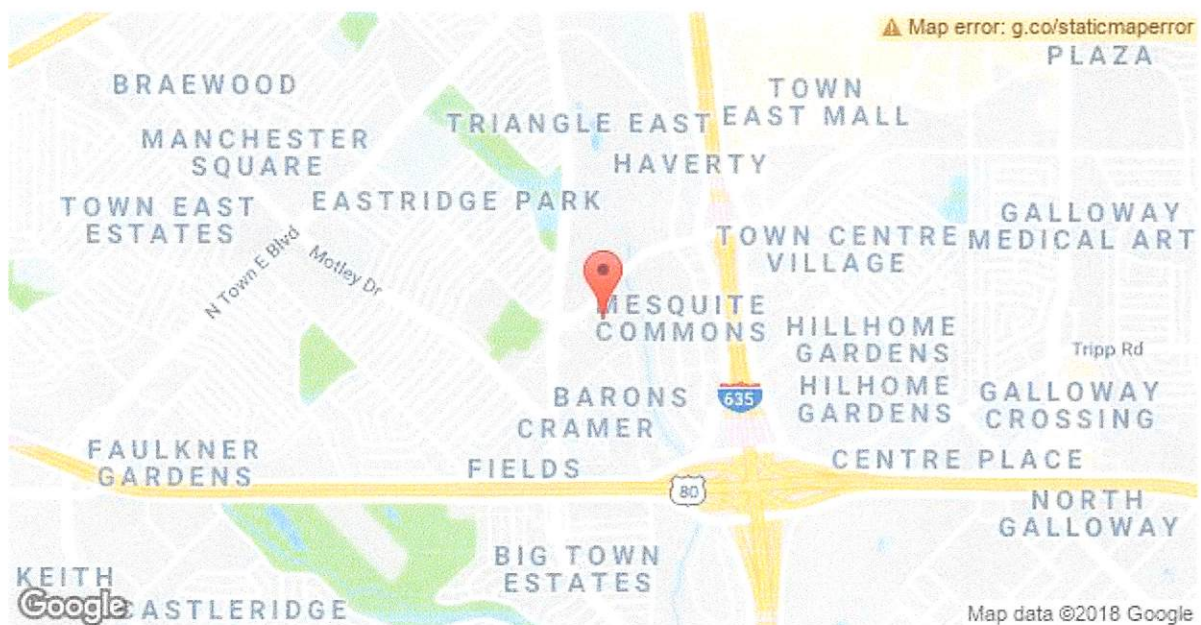
Sale Notes

Land Available for sale. Approx. 10.022 acres (will divide).

Public Transportation

Airport	Drive	Distance
Dallas Love Field Airport	26 min	18.8 mi
Dallas/Fort Worth International Airport	37 min	32.1 mi

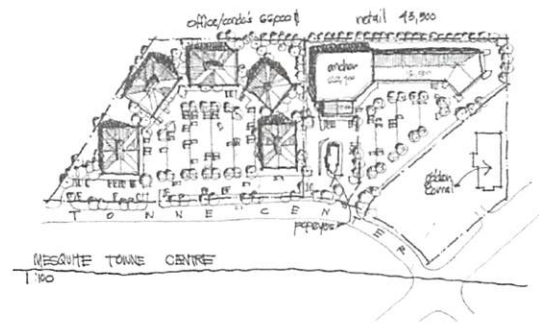
Map of **2500 Towne Centre Dr Mesquite, TX 75150**



Additional Photos



Site Plan



Sketch Layout

The LoopNet service and information provided therein, while believed to be accurate, are provided "as is". LoopNet disclaims any and all representations, warranties, or guarantees of any kind.

ALERT: DUE TO WILDFIRES IN CALIFORNIA, USPS SERVICES ARE IMPACTED IN TH...

USPS Tracking[®] FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70171070000050324182

Remove X

Expected Delivery on

TUESDAY

10 JULY 2018 ⓘ **by** **8:00pm** ⓘ

Feedback

 **Delivered**

July 10, 2018 at 10:36 am
Delivered
GARLAND, TX 75040

Tracking History



Product Information



See Less ^



City of Mesquite Heritage Trail Project / 2500 Towne Center Dr.1 message

Linda Latham 

Wed, Jul 11, 2018 at 3:11 PM

To: Ryan Phelps <rphelps@sunholdings.net>, realestate@sunholdings.net

Good Day Mr. Phelps,

Please see the attached City of Mesquite, Texas Initial Offer Package concerning the property located at 2500 Towne Centre Dr., Mesquite, Texas, that was previously sent to your office via certified mail.

Should you have any questions I can be reached at 972-849-9781.

Best Regards,
Linda Latham

7 attachments**Certified Mail Sarape.pdf**

354K

**Initial Offer Letter - Sarape.pdf**

237K

**Easement Acquisition Agreement - Sarape.pdf**

171K

**Public Trail Easement Docs - Sarape.pdf**

3607K

**Landowner Bill of Rights.pdf**

255K

**Notice Concerning Easements and Rights of Way.pdf**

257K

**Information About Broker Services (3).pdf**

497K

PTG, INC.

June 21, 2018

Sarape, LP
3318 Forest Lane Suite 200
Dallas, TX 75234-7784
Attention: Ryan Phelps

CERTIFIED MAIL

Return Receipt Requested
No.: 7017 1070 0000 5032 4182

Reference: *Public Trail Acquisition – 2500 Towne Centre Dr.
City of Mesquite Heritage Trail Project*

To Sarape LP,

I have been authorized by the City of Mesquite, Texas to send you this formal offer to acquire a portion of your property for the City of Mesquite's Public Trail Acquisition on your property located on 2500 Towne Centre Dr., Mesquite, Texas. Please see the attached Trail Easement Acquisition Agreement and other necessary documents for details. As these documents are considered a formal offer to acquire the Public Trail Easement for the City of Mesquite.

I can be reached at 972-849-9781 should you have any questions. I look forward to hearing back from you concerning this matter.

Sincerely,



Linda Latham

enclosures:

Easement Documents and Exhibits
Trail Easement Acquisition Agreement
Landowner Bill of Rights
Notice Concerning Easements and Rights Of Way
Information About Broker Services

cc: John Stanley, P.E.

**Public Trail Easement Acquisition Agreement between
The City of Mesquite and Sarape, L.P.**

Sarape, L.P., Grantor(s), situated in the Daniel Tanner Survey, Abstract Number 1462 City of Mesquite, Dallas County, Texas, and being a part of Lot 2R, Block 1 of Towne Centre Commercial, an addition to the City of Mesquite as recorded in Instrument Number 200600166908, Official Public Record, Dallas County, Texas and being a part of a tract of land described to Sarape, LP in a deed as recorded in Instrument Number 20100040754 being more described Exhibit "A", The City of Mesquite agrees to compensate the grantor(s) \$5,093. for granting the City of Mesquite 20,373 square feet of land for the Trail Easement Acquisition.

It is further agreed that The City of Mesquite will at City expense:

1. Restore the site of construction on the property to "as near as possible" to its original condition prior to the construction of the trail easement acquisition.

Grantor:

for Sarape, L.P.

Date

The City of Mesquite:

Date



Linda Latham [REDACTED]

City of Mesquite Heritage Trail Project / 2500 Towne Center Dr.

Linda Latham [REDACTED]

Wed, Sep 26, 2018 at 3:18 PM

To: Ryan Phelps <rphelps@sunholdings.net>

Good afternoon Mr. Phelps,

I have been authorized by the City of Mesquite to send you a counter offer of \$44,668.00 for the trail easement acquisition on you company's property located at 2500 Towne Centre Drive, Mesquite.

Please note dedication of the easement would be required when property develops as the trail is part of the City's Adopted Master Trail Plan. In this situation, the City is going to pay for and construct the trail, which would normally be the responsibility, both financially and construction of the developer.

Also, approximately 50% of the easement requested is in an already existing easement (utility or drainage).

I look forward to hearing back from you soon concerning this matter.

Sincerely,
Linda Latham

[Quoted text hidden]

PTG, Inc.

October 2, 2018

CERTIFIED MAIL

Return Receipt No. 7016 0910 0002 2546 8911

Sarape, LP
4053 Valley View Ln. # 500
Dallas, TX 75244-5048

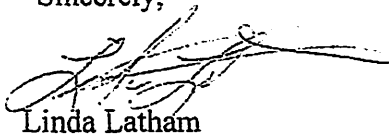
Reference: *Public Trail Acquisition- 2500 Towne Centre Dr.
City of Mesquite Heritage Trail Project*

To Sarape, LP

This office has previously communicated with you and made an initial written offer to acquire a Public Trail Easement on your property at 2500 Towne Centre Dr., Mesquite, Texas. Please regard this letter as the City's counter offer. In exchange for your grant of easement rights described on the attached Easement Deed, the City of Mesquite will remit to you the sum of \$44,668.00 as shown on the enclosed Easement Acquisition Agreement. We have previously given you a copy of the Landowner Bill of Rights, Notice Concerning Easements and Rights of Way and Information About Broker Services.

I can be reached at 972-849-9781 should you have any questions. I look forward to hearing back from you concerning this matter.

Sincerely,



Linda Latham

cc: Christina Hickey

enclosures:

Easement Document
Exhibit "A"
Easement Acquisition Agreement

**Public Trail Easement Acquisition Agreement between
The City of Mesquite and Sarape, L.P.**

Sarape, L.P., Grantor(s), situated in the Daniel Tanner Survey, Abstract Number 1462 City of Mesquite, Dallas County, Texas, and being a part of Lot 2R, Block 1 of Towne Centre Commercial, an addition to the City of Mesquite as recorded in Instrument Number 200600166908, Official Public Record, Dallas County, Texas and being a part of a tract of land described to Sarape, LP in a deed as recorded in Instrument Number 20100040754 being more described Exhibit "A", The City of Mesquite agrees to compensate the grantor(s) \$44,668.00 for granting the City of Mesquite 20,373 square feet of land for the Trail Easement Acquisition.

It is further agreed that The City of Mesquite will at City expense:

1. Restore the site of construction on the property to "as near as possible" to its original condition prior to the construction of the trail easement acquisition.

Grantor:

for Sarape, L.P.

Date

The City of Mesquite:

Date

ALERT: USPS SERVICES ARE DISRUPTED IN SOME FLORIDA PANHANDLE AREAS I...

USPS Tracking® FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

Track Another Package +

Tracking Number: 70160910000225468911

Remove X

On Time

Expected Delivery on

FRIDAY

5 OCTOBER 2018 ⓘ

See Product Information ✓

Feedback

✓ Delivered

October 5, 2018 at 12:45 pm
Delivered, Left with Individual
DALLAS, TX 75244

Get Updates ✓

Text & Email Updates



Tracking History



Product Information



See Less ^

PTG, INC.

October 24, 2018

CERTIFIED MAIL

Return Receipt No.: 7016 0910 0002 2546 8928

Sarape, LP
4055 Valley View Lane # 500
Dallas, TX 75244-5048

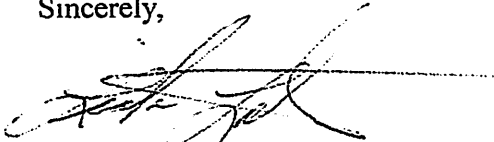
Reference: *Public Trail Easement Acquisition – 2500 Towne Centre Dr.
City of Mesquite Heritage Trail Project*

To Sarape, LP

This office previously sent the City of Mesquite, Texas latest counter offer to acquire a Public Trail Easement on your property located at 2500 Towne Centre Drive, Mesquite, Texas to Mr. Ryan Phelps via email on October 11, 2018 without any response. Hence, enclosed is the City of Mesquite, Texas latest counter offer of **\$92,188.00** as shown on the enclosed certified appraisal. Once again enclosed is the Easement Deed along with other documents as they pertain to the easement acquisition.

I can be reached at 972-849-9781 should you have any questions concerning this matter.

Sincerely,



Linda Latham

cc: Christina Hickey, PE
Wes McClure, PE

enclosures:

Easement Deed
Exhibit "A"
Certified Appraisal dated Sept.20, 2018 Effective date Sept.14, 2018
Landowner Bill of Rights
Notice Concerning Easements and Rights of Way
Information About Broker Services

USPS Tracking[®] FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70160910000225468928

Remove X

On Time

Expected Delivery on

FRIDAY

26 OCTOBER
2018 ⓘ

See Product Information ∨

Feedback

✓ **Delivered**

October 26, 2018 at 4:06 pm
Delivered, Left with Individual
DALLAS, TX 75244

Get Updates ∨

Text & Email Updates



Tracking History



Product Information



See Less ^

PTG, Inc.

November 27, 2018

Sarape, L.P.
4055 Valley View Lane # 500
Dallas, TX 75244-5048

CERTIFIED MAIL
Return Receipt Requested
No.: 7016 0910 0002 2547 3717

Re: City of Mesquite Heritage Trail Project – 2500 Towne Centre Drive, Mesquite, Texas
Legal Description: See Exhibit "A" attached (the "Subject Property")

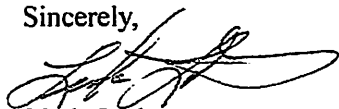
Dear Sarape, L.P.:

This office has previously communicated with you and made an initial written offer to acquire a Public Trail Easement on your property located at 2500 Towne Centre Drive, Mesquite, Texas.

Inasmuch as negotiations to purchase this property have not been successful to date, you and all parties claiming an interest in the Subject Property, are hereby offered the total sum of **\$92,188.00** for the aforementioned property which consists of 20,373 square feet of land. This offer represents the market value of the Subject Property. A copy of the appraisal upon which the offer is based is enclosed for your review.

A proposed instrument to convey the property to the City of Mesquite is enclosed. If this offer is acceptable, please sign below and return this original signed offer letter by mail in the enclosed self-addressed envelope along with the executed and notarized Easement Deed and Exhibits. **If the City has not received a written reply on or before fourteen (14) days from the date of this letter, we will consider the offer refused.**

Sincerely,



Linda Latham
PTG, Inc.

AGREED: _____

For Sarape, L.P.

Print Name

Enclosures:

Appraisal, Dated September 20, 2018 / Effective date September 14, 2018
Landowner Bill of Rights
Proposed Conveyance Document
Notice Concerning Easements and Rights of Way
Information About Broker Services

cc: Wes McClure, P.E..

PUBLIC TRAIL EASEMENT

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

THAT, **SARAPE, LP** , hereinafter called "Grantor," for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration to Grantor in hand paid by the **CITY OF MESQUITE, TEXAS**, a home-rule municipal corporation, hereinafter called "Grantee," the receipt and sufficiency of which is hereby acknowledged, does hereby give consent to Grantee to construct, reconstruct, expand and perpetually maintain public trail facilities, trail heads, together with all necessary incidental improvements and appurtenances ("Facilities"), in, under, along, upon and across certain real property located in the City of Mesquite, Dallas County, Texas, as more particularly described in Exhibit "A" and "B" attached hereto and incorporated herein by reference as if fully set forth herein (the "Easement Property").

TO HAVE AND TO HOLD the same perpetually unto the Grantee, its successors and assigns, together with the right and privilege at all times to enter the Easement Property, or any part thereof, and with the right of access across the Easement Property for the purpose of constructing, reconstructing, expanding and maintaining the Facilities, and all incidental improvements and for making connections therewith. Grantee shall have the right to construct, reconstruct, expand and perpetually maintain additional Facilities at all times in the future within the Easement Property.

PUBLIC TRAIL EASEMENT

TO HAVE AND TO HOLD the same perpetually unto the Grantee, its successors and assigns, together with all and singular the right, privilege, and appurtenances thereto in any manner belonging unto Grantee, its successors and assigns, forever.

SIGNED this _____ day of _____, 20____.

Sarape, LP

By: _____

PRINT NAME: _____

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the _____ day of _____, 20____, by _____ (*Name of Person Signing*), _____ (*Title*) of **Sarape, LP**, for and on behalf of said limited partnership.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Wes McClure, P.E.
City of Mesquite
1515 N. Galloway Ave.
Mesquite, TX 75149

EXHIBIT 'A'

BEING a 0.468 acre parcel or tract of land situated in the Daniel Tanner Survey, Abstract Number 1462, in the City of Mesquite, Dallas County, Texas, and being part of Lot 2R, Block 1 of Towne Centre Commercial, an addition to the City of Mesquite as recorded in Instrument Number 200600166908, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and being part of a tract of land described to Sarape, LP in a deed as recorded in Instrument Number 20100040754, O.P.R.D.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 1-inch pipe found for the south corner of said Lot 2R, said point being in the northwest line of a tract of land described to Dallas Power & Light Company as recorded in Volume 5529, Page 630, Deed Records, Dallas County, Texas (D.R.D.C.T.) and said point being in the northeast line of Lot 1 of Pyramid Addition, an addition to the City of Mesquite as recorded in Volume 95007, Page 1297, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE North 45° 44' 47" West departing the northwest line of said Dallas Power & Light Company tract and following the common line of said Lot 1, Pyramid Addition and said Lot 2R for a distance of 115.95 feet to a 5/8-inch iron rod found for a southwest corner of said Lot 2R and the south corner of Lot 1, Block 1, Towne Centre Commercial, an addition to the City of Mesquite as recorded in Volume 2002040, Page 20, M.R.D.C.T.;

THENCE North 03° 56' 43" East departing the northeast line of said Lot 1, Pyramid Addition, and following the common line of said Lot 1, Block 1 and said Lot 2R, at a distance of 369.58 feet passing the common line of Lot 3, Block 1 of said Towne Centre Commercial addition and said Lot 2R, continuing for a total distance of 485.74 feet to a northwest corner of said Lot 3, Block 1 and a northeast corner of said Lot 1, Block 1;

THENCE North 21° 23' 20" West continuing along the common line of said Lot 1, Block 1 and said Lot 3, Block 1 for a distance of 49.25 feet to the northwest corner of said Lot 3, Block 1, said point being in the southeast line of Towne Centre Drive (a variable width right-of-way) and said point being at the beginning of a curve to the left whose chord bears North 59° 41' 38" East, 144.01 feet;

THENCE departing the east line of said Lot 1, Block 1 and following the common line of said Towne Centre Drive and said Lot 3, Block 1 in a northeasterly direction along said curve to the left having a central angle of 17° 50' 06", a radius of 464.50 feet, and an arc length of 144.59 feet to the POINT OF BEGINNING, said point being the northwest corner of said Lot 2R and the north corner of Lot 3, Block 1, and said point being at the beginning of a curve to the left whose chord bears North 47° 32' 04" East, 52.54 feet

THENCE following the common line of said Towne Centre Drive and said Lot 2R, in a northeasterly direction along said curve to the left having a central angle of 06° 29' 02", a radius of 464.50 feet, an arc length of 52.57 feet to a point for corner;

THENCE North 44° 17' 34" East continuing along said common line for a distance of 680.73 feet to the north corner of said Lot 2R, said point being the northwest corner of a tract of land described to the City of Mesquite in a deed as recorded in Volume 90158, Page 2356, D.R.D.C.T.;

THENCE South 13° 36' 32" East departing the southeast line of said Towne Centre Drive and following the common line of said Lot 2R and said City of Mesquite tract for a distance of 12.93 feet to a point for corner;

THENCE departing the common line of said Lot 2R and said City of Mesquite tract, over and across said Lot 2R the following courses and distances:

TRACT 1

0.468 ACRES (20,373 SQ. FT.)

**LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

OCTOBER 2017

Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953



BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

JOB No. 2163-01 DFM/SPR SHEET 1 OF 8

EXHIBIT 'A'

South 44° 09' 40" West for a distance of 84.37 feet to a point for corner at the beginning of a curve to the right whose chord bears South 65° 39' 20" East , 17.87 feet;

In a southeasterly direction along said curve to the right having a central angle of 09° 30' 35" , a radius of 107.78 feet, and an arc length of 17.89 feet to a point for corner;

South 23° 49' 03" West for a distance of 18.26 feet to a point for corner at the beginning of a curve to the right whose chord bears South 46° 04' 47" East , 38.28 feet;

In a southeasterly direction along said curve to the right having a central angle of 41° 26' 23" , a radius of 54.10 feet, and an arc length of 39.13 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 11° 38' 07" East , 13.46 feet;

In a southeasterly direction along said curve to the right having a central angle of 28° 56' 59" , a radius of 26.93 feet, and an arc length of 13.61 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 31° 35' 16" West , 16.84 feet;

In a southwesterly direction along said curve to the right having a central angle of 59° 12' 02" , a radius of 17.05 feet, an arc length of 17.62 feet to a point for corner at the beginning of a compound curve to the right whose chord bears South 11° 43' 57" East , 17.89 feet;

In a southerly direction along said curve to the right having a central angle of 07° 09' 11" , a radius of 143.41 feet, and an arc length of 17.90 feet to a point for corner;

South 07° 11' 56" East for a distance of 106.88 feet to a point for corner at the beginning of a curve to the left whose chord bears South 18° 22' 27" East , 30.89 feet;

In a southeasterly direction along said curve to the left having a central angle of 22° 21' 01" , a radius of 79.69 feet, and an arc length of 31.09 feet to a point for corner;

South 28° 30' 34" East for a distance of 8.38 feet to a point for corner;

South 61° 29' 26" West for a distance of 9.00 feet to a point for corner;

South 28° 30' 34" East for a distance of 27.01 feet to a point for corner at the beginning of a curve to the right whose chord bears South 23° 08' 00" East, 20.61 feet;

In a southeasterly direction along said curve to the right having a central angle of 10° 45' 08" , a radius of 110.00 feet, and an arc length of 20.64 feet to a point for corner;

South 17° 47' 11" East for a distance of 190.60 feet to a 1/2-inch capped iron rod found in the southeast line of said Lot 2R, said point being the southwest corner of Lot 4, Block B of Mesquite Commons, an addition to the City of Mesquite as recorded in Volume 2001094, Page 2151, M.R.D.C.T., and said point being a northwest corner of Lot 3, Block A of Mesquite Commons, an addition to the City of Mesquite as recorded in Volume 2002079, Page 4, M.R.D.C.T.;

THENCE South 44° 21' 10" West following the common line of said Lot 2R and said Lot 3 for a distance of 22.14 feet to a point for corner;

TRACT 1

0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017

Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953



BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

JOB No. 2163-01 DFM/SPR SHEET 2 OF 8

EXHIBIT 'A'

THENCE departing the common line of said Lot 2R and said Lot 3, over and across said Lot 2R the following courses and distances:

North 22° 33' 05" West for a distance of 6.28 feet to a point for corner;

North 17° 45' 26" West for a distance of 194.70 feet to a point for corner at the beginning of a curve to the left whose chord bears North 23° 08' 00" West , 16.86 feet;

In a northwesterly direction along said curve to the left having a central angle of 10° 45' 08" , a radius of 90.00 feet, and an arc length of 16.89 feet to a point for corner;

North 28° 30' 34" West for a distance of 36.63 feet to a point for corner at the beginning of a curve to the right whose chord bears North 17° 50' 53" West , 40.70 feet;

In a northwesterly direction along said curve to the right having a central angle of 21° 19' 23" , a radius of 110.00 feet, and an arc length of 40.94 feet to a point for corner;

North 07° 11' 11" West for a distance of 104.05 feet to a point for corner at the beginning of a curve to the left whose chord bears North 25° 00' 22" West , 71.00 feet;

In a northwesterly direction along said curve to the left having a central angle of 35° 38' 22" , a radius of 116.00 feet, and an arc length of 72.16 feet to a point for corner;

South 45° 50' 10" West for a distance of 15.00 feet to a point for corner;

North 45° 44' 03" West for a distance of 14.01 feet to a point for corner;

South 42° 15' 19" West for a distance of 137.25 feet to a point for corner at the beginning of a curve to the right whose chord bears South 42° 40' 01" West , 44.69 feet;

In a southwesterly direction along said curve to the right having a central angle of 01° 39' 00" , a radius of 1552.07 feet, and an arc length of 44.69 feet to a point for corner;

South 44° 17' 35" West for a distance of 276.66 feet to a point for corner at the beginning of a curve to the right whose chord bears South 50° 00' 13" West , 125.40 feet;

In a southwesterly direction along said curve to the right having a central angle of 11° 17' 19" , a radius of 637.51 feet, and an arc length of 125.61 feet to a point for corner in the common line of said Lot 2R and said Lot 3, Block 1;

THENCE North 39° 13' 27" West following the common line of said Lot 2R and said Lot 3, Block 1 for a distance of 2.06 feet to the POINT OF BEGINNING and containing an area of 20,373 Square Feet or 0.468 Acres of land, more or less.

David F. McCullah

David F. McCullah,
Texas Registered Professional Land
Surveyor No. 4023
10-5-17

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).



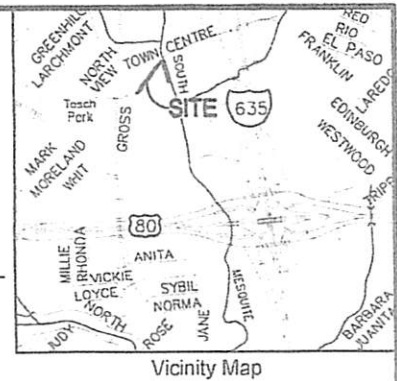
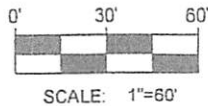
TRACT 1
0.468 ACRES (20,373 SQ. FT.)
LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017



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TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 3 OF 8

EXHIBIT 'B'



Vicinity Map

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

Match Line ~ Sheet 5

L=144.59
CB=N59°41'38"E
CL=144.01
DELTA=17°50'06"
R=464.50

N21°23'20"W
49.25'

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

LOT 1, BLOCK 1
TOWNE CENTRE COMMERCIAL
VOLUME 2002040, PG. 20
M.R.D.C.T.

LOT 3, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

FEMA Zone 'X'

SARAPE, LP
INST. NO. 20100040754
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

N03°56'43"E ~ 485.74'
369.58'

25' DRAINAGE &
UTILITY ESMT.
VOL. 2001164, PG. 52
D.R.D.C.T.

5/8" CIRCF

LOT 1

PYRAMID ADDITION
VOLUME 95007, PG. 1297
M.R.D.C.T.

P.O.C.

N: 6978034.30
E: 2542182.82
1" PIPE FND

LOT 2

30' DRAINAGE ESMT.
VOL. 2001164, PG. 52
D.R.D.C.T.
DALLAS POWER & LIGHT
COMPANY RIGHT-OF-WAY
VOL. 5529, PG. 630
D.R.D.C.T.

LEGEND

INST. NO.
D.R.D.C.T.
O.P.R.D.C.T.
PG
P.O.B.
P.O.C.
VOL
IRF
(CM)
M.R.D.C.T.
ROW
IPF
PT.

INSTRUMENT NUMBER
DEED RECORDS, DALLAS
COUNTY, TEXAS
OFFICIAL PUBLIC RECORDS,
DALLAS COUNTY, TEXAS
PAGE
POINT OF BEGINNING
POINT OF COMMENCING
VOLUME
IRON ROD FOUND
CONTROLLING MONUMENT
MAP RECORDS, DALLAS COUNTY
RIGHT OF WAY
IRON PIN FOUND
PART

TRACT 1

0.468 ACRES (20,373 SQ. FT.)

LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017

Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953



JOB No. 2163-01 DFM/SPR SHEET 4 OF 8

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

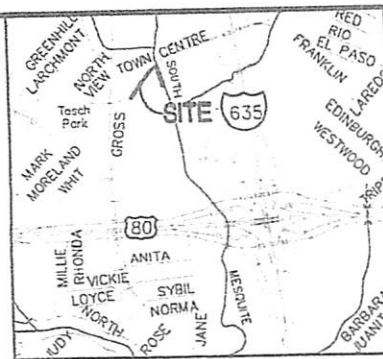
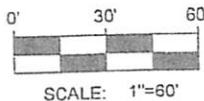
FLOOD NOTE:

ALL FLOODPLAIN INFORMATION ON THIS SURVEY IS FOR GRAPHICAL
DEPICTION ONLY, AS SCALED OFF OF FEMA FIRM PANEL NO.
48113C03705, EFFECTIVE JULY 7, 2014. INHERENT INACCURACIES OF
THESE MAPS PRECLUDE A SURVEYOR FROM CERTIFYING TO THE
ACCURACIES OF LOCATIONS BASED ON SUCH MAPS.

LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY
IPF	IRON PIN FOUND
PT.	PART

EXHIBIT 'B'



Vicinity Map

Match Line ~ Sheet 6

OMU & CNO FAMILY LP
INST. NO. 200600468556
O.P.R.D.C.T.

Daniel Tanner Survey
Abstract No. 1462

LOT 3, BLOCK A
TRIANGLE EAST 2
INST. NO. 20080347650
O.P.R.D.C.T.

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

FEMA Zone 'X'

TRACT 1 - 0.468 ACRES
(20,373 SQ. FT.)

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

SARAPE, LP
INST. NO. 20100040754
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

LOT 3, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

P.O.B.
N: 6978718.33
E: 2542239.55

1/2" CIRF
C1
C13
L11
L=144.59
CB=N59°41'38"E
CL=144.01
DELTA=17°50'06"
R=464.50

Match Line ~ Sheet 4

TRACT 1

0.468 ACRES (20,373 SQ. FT.)

**LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

OCTOBER 2017

Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 5 OF 8

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

FLOOD NOTE:

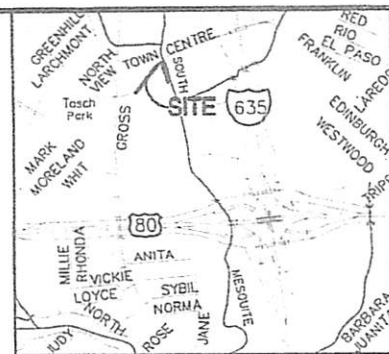
ALL FLOODPLAIN INFORMATION ON THIS SURVEY IS FOR GRAPHICAL
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48113C03705, EFFECTIVE JULY 7, 2014. INHERENT INACCURACIES OF
THESE MAPS PRECLUDE A SURVEYOR FROM CERTIFYING TO THE
ACCURACIES OF LOCATIONS BASED ON SUCH MAPS.



LEGEND

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY

EXHIBIT 'B'



Vicinity Map

15' SANITARY SEWER ESMT.
INST. NO. 2001164, PG. 47
O.P.R.D.C.T.

CITY OF MESQUITE
VOL. 90158, PG. 2356
D.R.D.C.T.

FEMA Zone 'AE'

South Mesquite Creek

VARIABLE WIDTH DRAINAGE
& UTILITY EASEMENT
VOL. 2001164, PG. 42
O.P.R.D.C.T.

Daniel Tanner Survey
Abstract No. 1462

TOWNE CENTRE DRIVE
(VARIABLE WIDTH R.O.W.)

5' R.O.W. DEDICATION
INST. NO. 200600166908
O.P.R.D.C.T.

TRACT 1
0.468 ACRES
(20,373 SQ. FT.)

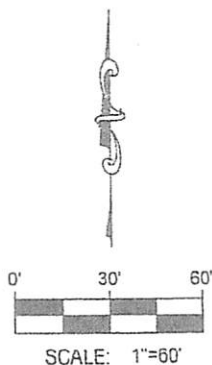
SARAPE, LP
INST. NO. 20100040754
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

Match Line ~ Sheet 5

Match Line ~ Sheet 5

Match Line ~ Sheet 7



TRACT 1

0.468 ACRES (20,373 SQ. FT.)

LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

FLOOD NOTE:

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TBPLS Registration No. 10193953

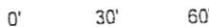
JOB No. 2163-01

DFM/SPR

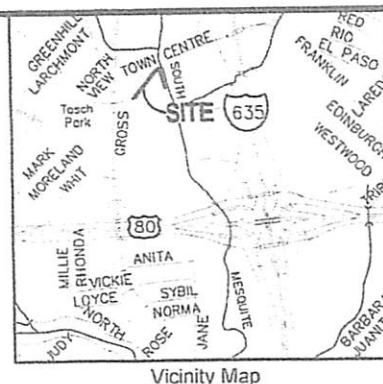
SHEET 6 OF 8

EXHIBIT 'B'

INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
PG.	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
VOL.	VOLUME
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
M.R.D.C.T	MAP RECORDS, DALLAS COUNTY
ROW	RIGHT OF WAY



SCALE: 1"=60'



Vicinity Map

Match Line ~ Sheet 6

SARAPE, LP
INST. NO. 20100040754
O.P.R.D.C.T.

LOT 2R, BLOCK 1
TOWNE CENTRE COMMERCIAL
INST. NO. 200600166908
O.P.R.D.C.T.

TRACT 1 - 0.468 ACRES
(20,373 SQ. FT.)

Daniel Tanner Survey
Abstract No. 1462

FEMA Zone 'X'

CITY OF MESQUITE
VOL. 90158, PG. 2356
D.R.D.C.T.

LOT 4, BLOCK B
MESQUITE COMMONS
VOL. 2001094, PG. 2151
M.R.D.C.T.

South Mesquite Creek

FEMA Zone 'AE'

-DRAINAGE & UTILITY ESMT.
VOL. 2002079, PG. 4
M.B.D.C.T.

LOT 3, BLOCK A
MESQUITE COMMONS
VOL. 2002079, PG. 4
M.R.D.C.T.

CAVENDER INVESTMENT
PROPERTIES, LTD.
VOL. 2005134, PG. 5065
D.R.D.C.T.

30' DRAINAGE ESMT.
VOL. 2001164, PG. 52

DALLAS POWER & LIGHT
COMPANY RIGHT-OF-WAY
- - VOL. 5529, PG. 630 - -
D.R.D.C.T.

FEMA 100-Year
Floodplain

TRACT 1

0.468 ACRES (20,373 SQ. FT.)

LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017

BEARING BASIS:

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NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).

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Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953

JOB No. 2163-01

DFM/SPR

SHEET 7 OF 8

EXHIBIT 'B'

Line Table

Line #	Length	Direction
L1	12.93'	S13°36'32"E
L2	18.26'	S23°49'03"W
L3	8.38'	S28°30'34"E
L4	9.00'	S61°29'26"W
L5	27.01'	S28°30'34"E
L6	22.14'	S44°21'10"W
L7	6.28'	N22°33'05"W
L8	36.63'	N28°30'34"W
L9	15.00'	S45°50'10"W
L10	14.01'	N45°44'03"W
L11	2.06'	N39°13'27"W

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	52.57'	464.50'	6°29'02"	N47°32'04"E	52.54'
C2	17.89'	107.78'	9°30'35"	S65°39'20"E	17.87'
C3	39.13'	54.10'	41°26'23"	S46°04'47"E	38.28'
C4	13.61'	26.93'	28°56'59"	S11°38'07"E	13.46'
C5	17.62'	17.05'	59°12'02"	S31°35'16"W	16.84'
C6	17.90'	143.41'	7°09'11"	S11°43'57"E	17.89'
C7	31.09'	79.69'	22°21'01"	S18°22'27"E	30.89'
C8	20.64'	110.00'	10°45'08"	S23°08'00"E	20.61'
C9	16.89'	90.00'	10°45'08"	N23°08'00"W	16.86'
C10	40.94'	110.00'	21°19'23"	N17°50'53"W	40.70'
C11	72.16'	116.00'	35°38'22"	N25°00'22"W	71.00'
C12	44.69'	1552.07'	1°39'00"	S42°40'01"W	44.69'
C13	125.61'	637.51'	11°17'19"	S50°00'13"W	125.40'

TRACT 1**0.468 ACRES (20,373 SQ. FT.)**

**LOT 2R, BLOCK 1, TOWNE CENTRE COMMERCIAL
IN THE DANIEL TANNER SURVEY, ABST. NO. 1462
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
OCTOBER 2017**

BEARING BASIS:

BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011).



Brown & Gay Engineers, Inc.
2595 Dallas Pkwy., Suite 204, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPLS Registration No. 10193953

JOB No. 2163-01 DFM/SPR SHEET 8 OF 8



THE STATE OF TEXAS
LANDOWNER'S
BILL OF RIGHTS

PREPARED BY THE



OFFICE OF THE
ATTORNEY GENERAL OF TEXAS



STATE OF TEXAS LANDOWNER'S BILL OF RIGHTS

This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you that it wants to take your property.
5. The entity proposing to take your property must provide you with a written appraisal from a certified appraiser detailing the adequate compensation you are owed for your property.
6. The entity proposing to take your property must make a bona fide offer to buy the property before it files a lawsuit to condemn the property – which means the condemning entity must make a good faith offer that conforms with Chapter 21 of the Texas Property Code.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent domain is the legal authority that certain entities are granted that allows those entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity that is authorized by law to do so. Your property may be taken only for a public purpose. That means it can only be taken for a purpose or use that serves the general public. Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages if your remaining property's market value is diminished by the acquisition itself or by the way the condemning entity will use the property.

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before - or at the same time - the entity first represents to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person who is listed as the property owner on the most recent tax roll. This requirement stipulates that the Landowner's Bill of Rights must be provided to the property owner at least seven days before the entity makes a final offer to acquire the property.

Third, the condemning entity must make a bona fide offer to purchase the property. The requirements for a bona fide offer are contained in Chapter 21 of the Texas Property Code. At the time a purchase offer is made, the condemning entity must disclose any appraisal reports it produced or acquired that relate specifically to the property and were prepared in the ten years preceding the date of the purchase offer. You have the right to discuss the offer with others and to either accept or reject the offer made by the condemning entity.

CONDEMNATION PROCEEDINGS

If you and the condemning entity do not agree on the value of your property, the entity may begin condemnation proceedings. Condemnation is the legal process that eligible entities utilize to take private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the condemnation claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, state with specificity the public use, state the name of the landowner, state that the landowner and the condemning entity were unable to agree on the value of the property, state that the condemning entity provided the landowner with the Landowner's Bill of Rights, and state that the condemning entity made a bona fide offer to acquire the property from the property owner voluntarily.

SPECIAL COMMISSIONERS' HEARING

After the condemning entity files a condemnation claim in court, the judge will appoint three local landowners to serve as special commissioners. The judge will give you a reasonable period to strike one of the special commissioners. If a commissioner is struck, the judge will appoint a replacement. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not legally authorized to decide whether the condemnation is necessary or if the public use is proper. Their role is limited to assessing adequate compensation for you. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place. The special commissioners are also required to give you written notice of the condemnation hearing.

You are required to provide the condemning entity any appraisal reports that were used to determine your claim about adequate compensation for the condemned property. Under a new law enacted in 2011, landowners' appraisal reports must be provided to the condemning entity either ten days after the landowner receives the report or three business days before the special commissioners' hearing - whichever is earlier. You may hire an appraiser or real estate professional to help you determine the value of your private property. Additionally, you can hire an attorney to represent you during condemnation proceedings.

At the condemnation hearing, the special commissioners will consider your evidence on the value of your condemned property, the damages to remaining property, any value added to the remaining property as a result of the condemnation, and the condemning entity's proposed use of your condemned property.

SPECIAL COMMISSIONERS' AWARD

After hearing evidence from all interested parties, the special commissioners will determine the amount of money that you should be awarded to adequately compensate you for your property. The special commissioners' decision is significant to you not only because it determines the amount that qualifies as adequate compensation, but also because it impacts who pays for the cost of the condemnation proceedings. Under the Texas Property Code, if the special commissioners' award is less than or equal to the amount the condemning entity offered to pay before the proceedings began, then you may be financially responsible for the cost of the condemnation proceedings. However, if the special commissioners' award is more than the condemning entity offered to pay before the proceedings began, then the condemning entity will be responsible for the costs associated with the proceedings.

The special commissioners are required to provide the court that appointed them a written decision. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties. After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay the amount of the Award or deposit the amount of the Award into the court's registry. You have the right to withdraw funds that are deposited into the registry of the court.

OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD

If either the landowner or the condemning entity is dissatisfied with the amount of the Award, either party can formally object to the Award. In order to successfully make this valuation objection, it must be filed in writing with the court. If neither party timely objects to the special commissioners' Award, the court will adopt the Award as the final judgment of the court.

If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner that other civil cases are heard. Landowners who object to the Award and ask the court to hear the matter have the right to a trial and can elect whether to have the case decided by a judge or jury. The allocation of any trial costs is decided in the same manner that costs are allocated with the special commissioners' Award. After trial, either party may appeal any judgment entered by the court.

DISMISSAL OF THE CONDEMNATION ACTION

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your condemned property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

If you wish to challenge the condemning entity's authority to take your property, you can lodge that challenge by filing a motion to dismiss the condemnation proceeding. Such a motion to dismiss would allege that the condemning entity did not have the right to condemn your property. For example, a landowner could challenge the condemning entity's claim that it seeks to take the property for a public use. If the court grants the landowner's motion, the court may award the landowner reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.

RELOCATION COSTS

If you are displaced from your residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. However, during condemnation proceedings, reimbursement for relocation costs may not be available if those costs are separately recoverable under another law. Texas law limits the total amount of available relocation costs to the market value of the property being moved. Further, the law provides that moving costs are limited to the amount that a move would cost if it were within 50 miles.

RECLAMATION OPTIONS

If private property was condemned by a governmental entity, and the public use for which the property was acquired is canceled before that property is used for that public purpose, no actual progress is made toward the public use within ten years or the property becomes unnecessary for public use within ten years, landowners may have the right to repurchase the property for the price paid to the owner by the entity at the time the entity acquired the property through eminent domain.

DISCLAIMER

The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

ADDITIONAL RESOURCES

Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.

TEXAS APPRAISAL TEAM

For your Valuation and Consulting Needs

September 20, 2018

City of Mesquite
c/o Linda Latham
Public Works
1515 N. Galloway Avenue
City of Mesquite, Texas 75149-2359

SUBJECT: Right-of-Way Acquisition Appraisal of
0.468 acres, 20,373 square feet of land in a Public Trail Easement (Heritage Trail Project)
Vacant Land owned by Sarape LP
2500 Towne Centre Drive
Mesquite, Texas 75150
File Number. 2018-232

Dear Linda Latham,

I am pleased to transmit this summary appraisal report that was prepared on the above-referenced property. The intended use of this appraisal is to assist the client in their determination of adequate compensation due as of 9/14/2018, the effective date of the appraisal. The date of this report is 9/20/2018.

The whole property is a 10.022 acres, 436,558 square feet site of vacant land. The City of Mesquite has proposed to acquire a public trail easement of approximately 0.468 acres, 20,373 square feet, which a portion is located in an existing sewer easement of approximately 5,271 square feet, an existing drainage utility easement (DE1) of approximately 4,187 square feet, and an existing drainage easement (DE2) of approximately 664 square feet. The proposed acquisition does not cause permanent damages to the remainder.

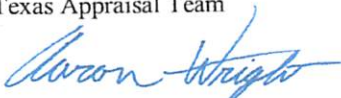
The report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) and the Standards of Professional Practice of the Appraisal Institute. My opinion of market value is premised upon the Assumptions and Limiting Conditions cited in the addenda of this report. To report the assignment results, I used the Appraisal Report option of Standards Rule 2-2(a) of the *Uniform Standards of Professional Appraisal Practice (USPAP)*. Accordingly, this report contains summary information and analyses that are used in the appraisal process. The depth of discussion contained in this report is specific to the needs of the client and the intended use of the appraisal.

Based on the analysis and conclusions in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed herein, it is my opinion that the compensation for the acquisition of the herein described property as of 9/14/2018, is

\$92,188

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,
Texas Appraisal Team



Aaron H. Wright, MAI
Certified General Real Estate Appraiser
State Certificate #TX-1337782-G



Matthew A. Sims
Appraiser Trainee
State Certificate #TX-1337238-Trainee



NOTICE

CONCERNING EASEMENTS AND RIGHTS-OF-WAY

The easement or right-of-way agent (ERW agent) named below is representing a third party with regard to easements or rights-of-way on your property for use in connection with telecommunication, utility, railroad, or pipeline service and is required to provide this notice to you before you enter into any agreement to sell, buy, lease or transfer a right-of-way or easement.

Please be aware that:

- the existence of easements or rights-of-way on your property may affect the value of your property; and
- if the third party represented by the ERW agent possess the power of eminent domain, Section 21.0112, Texas Property Code requires additional notice be given to you about your rights as a property owner.

An easement or right-of-way agreement is a formal, legal agreement granting the long-term use of an easement or right-of-way on your property. You have the right to be represented by a real estate broker, or a lawyer, in any transaction involving an easement or right-of-way.

PTG, Inc.

0482582

Name of Easement or Right-of-Way Agent

TREC Registration Number

CITY OF MESQUITE

Name of Person Represented by Easement or Right-of-Way Agent

Complaints or inquiries concerning Easement or Right-of-Way Agents should be directed to:

TEXAS REAL ESTATE COMMISSION
P.O. BOX 12188
AUSTIN, TEXAS 78711-2188
512-936-3000



Information About Brokerage Services

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any coincidental information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

<u>PTG, INC.</u>	<u>0482582</u>	<u>[REDACTED]</u>	<u>(972)272-6600</u>
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<u>Designated Broker of Firm</u>	<u>License No.</u>	<u>Email</u>	<u>Phone</u>
<u>Kingsley Omoruyi</u>	<u>0468360</u>	<u>kingsley@ptg2000.com</u>	<u>(214)789-8505</u>
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
<u>Linda Latham</u>	<u>0204207</u>	<u>[REDACTED]</u>	<u>(972)849-9781</u>
Sales Agent/Associate's Name	License No.	Email	Phone
<u>Buyer/Tenant/Seller/Landlord Initials</u>		<u>Date</u>	

Regulated by the Texas Real Estate Commission

Information available at www.trec.texas.gov

Linda Latham, 2511 Green Meadow Dr. Sachse, TX 75048
Linda Latham

Phone: 972.272.6600

Fax: 972.272.6626

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Farley

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