



Sunoco Pipeline L.P.
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May 16, 2016

Mr. Clayton Chandler
City Manager, City of Mansfield
1200 East Broad Street
Mansfield, Texas 76063

Via FedEx 8053 1200 3748

Re: Wall Proposed between Westridge Dr. Residential, and
Planned Holland Road Commercial, North of East Broad Street
Latitude / Longitude 32.580303, -97.073377
Joab Watson Survey, A-1132, Tarrant County, Texas
Sunoco ROW Files RC 0260, 0261

Dear Mr. Chandler:

We have been contacted by Mr. John Carter, on behalf of the commercial developer, and by Mr. Paul Blevins of the home owners' association for Lowe's Farm, Phase 1, with respect to the wall required by Section 7300 of the City of Mansfield Zoning Ordinance No. 671.

There appears to be a 3-foot gap between the edge of the pipeline easement strip and the back fence for the homes along Westridge Drive. It is apparently the desire of the City to have the wall erected in that 3' strip, because we would never allow such a construction within our easement.

I need to advise you of our interests outside of the easement strip. Our rights stem from two blanket-type easements that were granted in 1953, from Eulalia Turner and Mrs. L.V. White to Magnolia Pipe Line. These easements were amended in 2004 in an agreement between Lowe's Investors Group, Ltd., and Mobil Pipe Line Company, in which only the location of the pipeline and easement were rerouted to their current location on the east side of the tract. All other elements of the easements remained intact. This re-route was paid for by Lowe's and it enabled the development of that tract without having the pipeline interfere with their anticipated buildings, access, etc.

This new location places us in the same area the City is now wanting the developer to install the wall referred to above. However, we object to the placement of any structure at this location based on the following observations:

The original easements provided for ingress and egress across the entire 220 acre parcel. Regardless of the location of the pipe, this guarantee of access is slowly being eroded from a practical standpoint due to the homes and now due to the proposed wall. You may wish to

consider the 220 acre parcel to be our "ETJ," in that we must monitor development to be sure we continue to have immediate, unimpaired, emergency access to the pipeline.

We have allowed encroachment by developers who have back yards on our easement, but those are all fences we can rip out (and are not responsible for replacement) on a moment's notice. This would not be the case for a brick, stone, concrete, concrete block or masonry wall as encouraged by the referenced Ordinance. The time it would take us to remove this obstacle would be valuable time taken away from responding to any emergency high-pressure crude oil release on that tract.

In addition to the matter of access, blanket-type easements are defined by Texas Statute essentially as 25 feet on either side of the center of the pipeline, plus additional workspace as may be reasonably needed from time to time. The proposed wall would prevent us from using this additional work space which I can assure you would be required in the event of a release.

When the easements were amended to change the location of the pipeline and define the strip as 50 feet, they were careful to state that all other rights would remain intact. We maintain that we have the right of access over and across the entire acreage, the existing homes notwithstanding, and that our right to use the land is not limited to 50 feet when there is a reasonable need for more on an occasional basis.

At this time we are working with the commercial developer to ensure there are no impediments to access to the pipeline from that (west) side. One might think that access from East Broad Street and Woodcrest Lane should be sufficient, but that is because those who make such statements have never been at the location of a high-pressure crude oil or NGL release to see the massive amounts of vehicles and people needed to stem the flow and begin immediate remediation efforts, as well as accommodate the inspectors and equipment from 3 Federal agencies and 2 or 3 State of Texas agencies.

I'm hoping this information will be sufficient for the City to abandon its desire for a wall at this location, particularly inasmuch as such a wall is for aesthetic purposes as provided in the Ordinance. Aesthetics must sometimes give way to safety. Sunoco Pipeline L.P, and the Sun companies have been in this business since 1888, in Texas since 1903, and Sun was the first company to ship oil from the Texas Coast (Beaumont) which "invented" the concept of the tanker. We have some experience in these matters, and we hope the Council members will allow themselves to be guided by this advice.

We're happy to be of further service, and if there are further questions or concerns that we can address, please let us know.

Very sincerely,

Thomas Denney