

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING THE FILING OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF OBTAINING REAL PROPERTY AND EASEMENTS FOR USE BY THE CITY FOR THE CONSTRUCTION OF SANITARY SEWER LINE IMPROVEMENTS AND FACILITIES TO SERVE EXISTING AND NEW DEVELOPMENT AND FOR OTHER PUBLIC PURPOSES PERMITTED BY LAW.**

**WHEREAS**, the City of Mansfield is in the process of constructing sanitary sewer line improvements and facilities to serve existing and new development in connection with the Mountain Creek Sanitary Sewer Interceptor project (the "Project"); and

**WHEREAS**, in order to complete construction of the Project, it is necessary for the City to acquire certain real property and easements from property owners who own land across which the Project will be located; and

**WHEREAS**, the City and the property owners of the following two (2) properties have been unable to reach an agreement on the acquisition of the following needed easements and property:

- 1. Soap Creek Ranch, LP – Northwest Corner of US 287 and Prairie Ridge Boulevard, Grand Prairie, Ellis County, Texas**  
0.090 acre Permanent Sanitary Sewer Easement (Exhibit A)  
Two (2) Temporary Construction Easements Totalling 0.130 acre (Exhibit B)
- 2. Owen Claude Hendrick and Toni Renee Hendrick – South Corner of US 287 and Lakeview Drive, Grand Prairie, Ellis County, Texas**  
0.153 Acre Permanent Sanitary Sewer Easement (Exhibit C)  
Two (2) Temporary Construction Easements Totalling 0.197 acres (Exhibit D)

**WHEREAS**, the City Council finds and determines that the acquisition of the above easements and property for the Project constitutes a public use for a public purpose; and

**WHEREAS**, the City Council now deems it necessary to authorize the City Attorney to initiate condemnation proceedings in order to acquire the necessary easements and fee simple property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:**

**SECTION 1.**

The City Council of the City of Mansfield, Texas, hereby finds and determines that the recitals made in the preamble of this Resolution are true and correct, and incorporates such recitals herein.

**SECTION 2.**

The City Council hereby finds and determines that a public necessity exists for the construction of sanitary sewer line improvements and facilities to serve existing and new development in connection with the Mountain Creek Sanitary Sewer Interceptor project and that the acquisition of the above referenced easements and fee simple property, which are more particularly described in the attached Exhibits A, B, C, and D, which exhibits are incorporated herein by reference, are necessary for such purposes.

**SECTION 3.**

If the City's final offers made to the property owners are not accepted within the prescribed time periods, the City Attorney is hereby authorized to comply with the necessary legal prerequisites and to bring condemnation proceedings against the property owners, and any and all other parties having an interest in the above referenced property, for the purpose of acquiring such easements and fee simple property through the exercise of the City's power of eminent domain.

**SECTION 4.**

The City Council hereby finds and determines that the above described easements and fee simple property are needed so that the City of Mansfield can construct the sanitary sewer line improvements, which is a public purpose and is necessary to serve the public health, safety and welfare.

**SECTION 5.**

This Resolution shall take effect upon its adoption, and it is so Resolved.

**ADOPTED** this \_\_\_\_ day of December, 2016.

\_\_\_\_\_  
Mayor

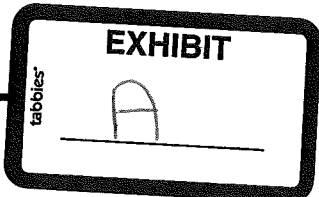
**ATTEST:**

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

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City Attorney



**SANITARY SEWER EASEMENT  
0.090 ACRES  
PAGE 1 OF 2**

**LEGAL DESCRIPTION**

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Stewart Survey, Abstract No. 961, being a part of that called Tract 6, a 10 acre tract of land described in Deed to Soap Creek Ranch, LP recorded in Volume 2669, Page 897, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the north corner of said Tract 6 and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way), to which a one-half inch iron rod found in the easterly line of said Tract 6 and being in the southwesterly line of U. S. Highway No. 287, bears South 50 degrees 43 minutes 50 seconds East, 1,000.85 feet;

THENCE South 59 degrees 44 minutes 58 seconds West, 32.02 feet along the northwesterly line of said Tract 6 to the POINT OF BEGINNING of this easement;

THENCE South 50 degrees 43 minutes 50 seconds East, 124.93 feet to a point for corner;

THENCE South 39 degrees 16 minutes 10 seconds West, 30.00 feet to a point for corner;

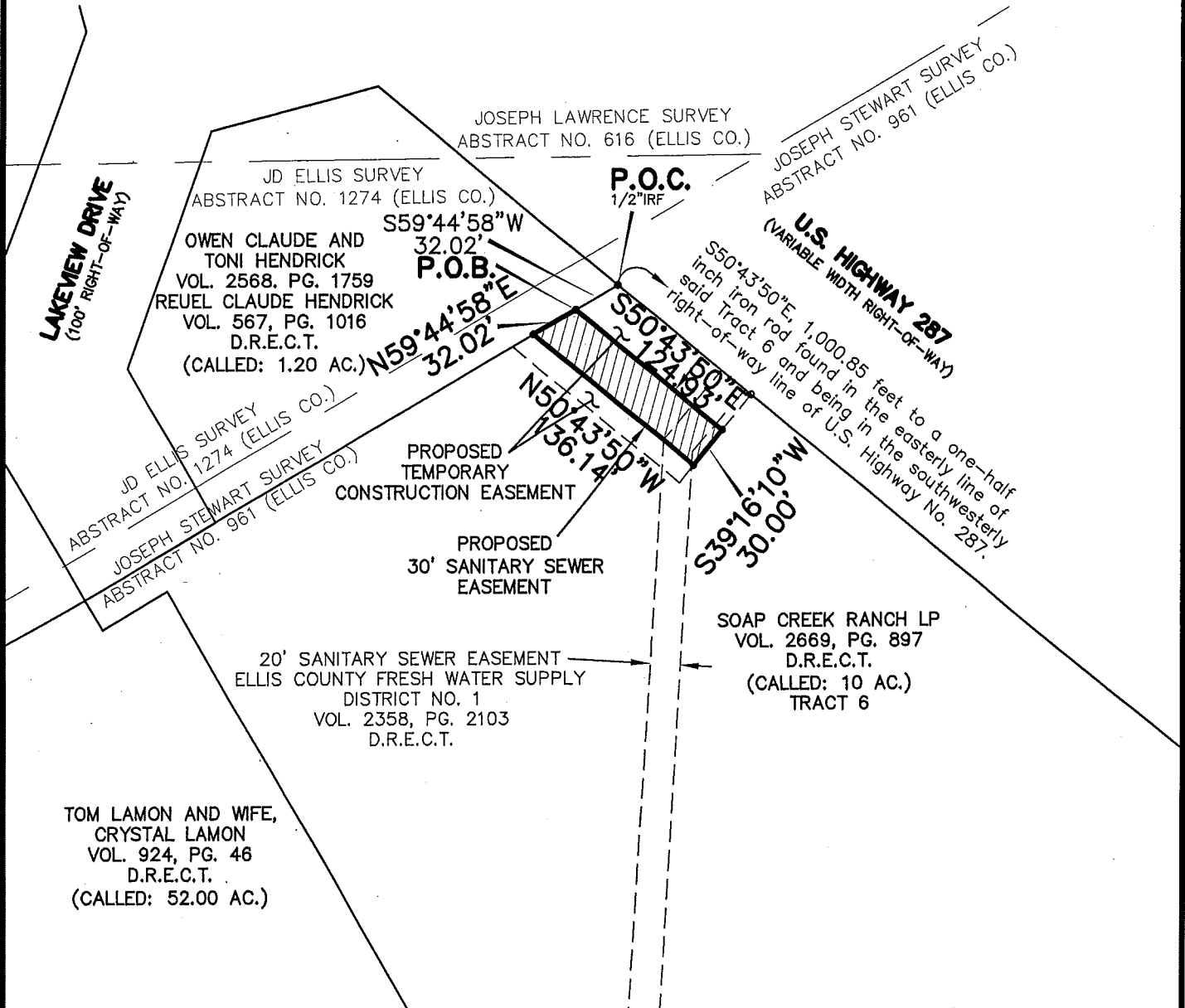
THENCE North 50 degrees 43 minutes 50 seconds West, 136.14 feet to a point in the northwesterly line of said Tract 6;

THENCE North 59 degrees 44 minutes 58 seconds East, 32.02 feet along the northerly line of said Tract 6 to the POINT OF BEGINNING and containing 3,916 square feet or 0.090 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 7-25-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	
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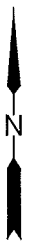
**SANITARY SEWER EASEMENT  
0.090 ACRES  
PAGE 2 OF 2**



TOM LAMON AND WIFE,  
CRYSTAL LAMON  
VOL. 924, PG. 46  
D.R.E.C.T.  
(CALLED: 52.00 AC.)

20' SANITARY SEWER EASEMENT  
ELLIS COUNTY FRESH WATER SUPPLY  
DISTRICT NO. 1  
VOL. 2358, PG. 2103  
D.R.E.C.T.

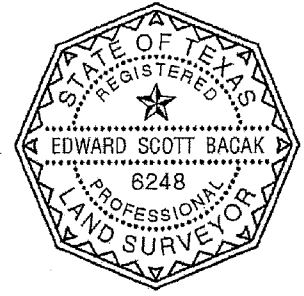
SOAP CREEK RANCH LP  
VOL. 2669, PG. 897  
D.R.E.C.T.  
(CALLED: 10 AC.)  
TRACT 6



**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*E.S. Bacak*  
EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
June 22, 2016



SCALE: 1"=100'	DATE 7-25-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	<b>JBI PARTNERS</b>
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**TEMPORARY CONSTRUCTION EASEMENT**  
**0.130 ACRES**  
**PAGE 1 OF 3**

LEGAL DESCRIPTION - TRACT 1

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Stewart Survey, Abstract No. 961, being a part of that called Tract 6, a 10 acre tract of land described in Deed to Soap Creek Ranch, LP recorded in Volume 2669, Page 897, Deed Records Ellis County, Texas and being more particularly described as follows:

BEGINNING at a one-half inch iron rod found at the north corner of said Tract 6 and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way), to which a one-half inch iron rod found in the easterly line of said Tract 6 and being in the southwesterly line of U. S. Highway No. 287, bears South 50 degrees 43 minutes 50 seconds East, 1,000.85 feet;

THENCE South 50 degrees 43 minutes 50 seconds East, 113.73 feet along the northeasterly line of said Tract 6 and along the southwesterly line of U.S. Highway No. 287 to a point for corner;

THENCE South 39 degrees 16 minutes 10 seconds West, 30.00 feet to a point for corner;

THENCE North 50 degrees 43 minutes 50 seconds West, 124.93 feet to a point in the northwesterly line of said Tract 6;

THENCE North 59 degrees 44 minutes 58 seconds East, 32.02 feet along the northerly line of said Tract 6 to the POINT OF BEGINNING and containing 3,580 square feet or 0.082 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	
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**TEMPORARY CONSTRUCTION EASEMENT**  
**0.130 ACRES**  
**PAGE 2 OF 3**

LEGAL DESCRIPTION - TRACT 2

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Stewart Survey, Abstract No. 961, being a part of that called Tract 6, a 10 acre tract of land described in Deed to Soap Creek Ranch, LP recorded in Volume 2669, Page 897, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the north corner of said Tract 6 and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way), to which a one-half inch iron rod found in the easterly line of said Tract 6 and being in the southwesterly line of U. S. Highway No. 287, bears South 50 degrees 43 minutes 50 seconds East, 1,000.85 feet;

THENCE South 59 degrees 44 minutes 58 seconds West, 64.04 feet along the northwesterly line of said Tract 6 to the POINT OF BEGINNING of this easement;

THENCE South 50 degrees 43 minutes 50 seconds East, 136.14 feet to a point for corner;

THENCE South 39 degrees 16 minutes 10 seconds West, 15.00 feet to a point for corner;

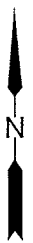
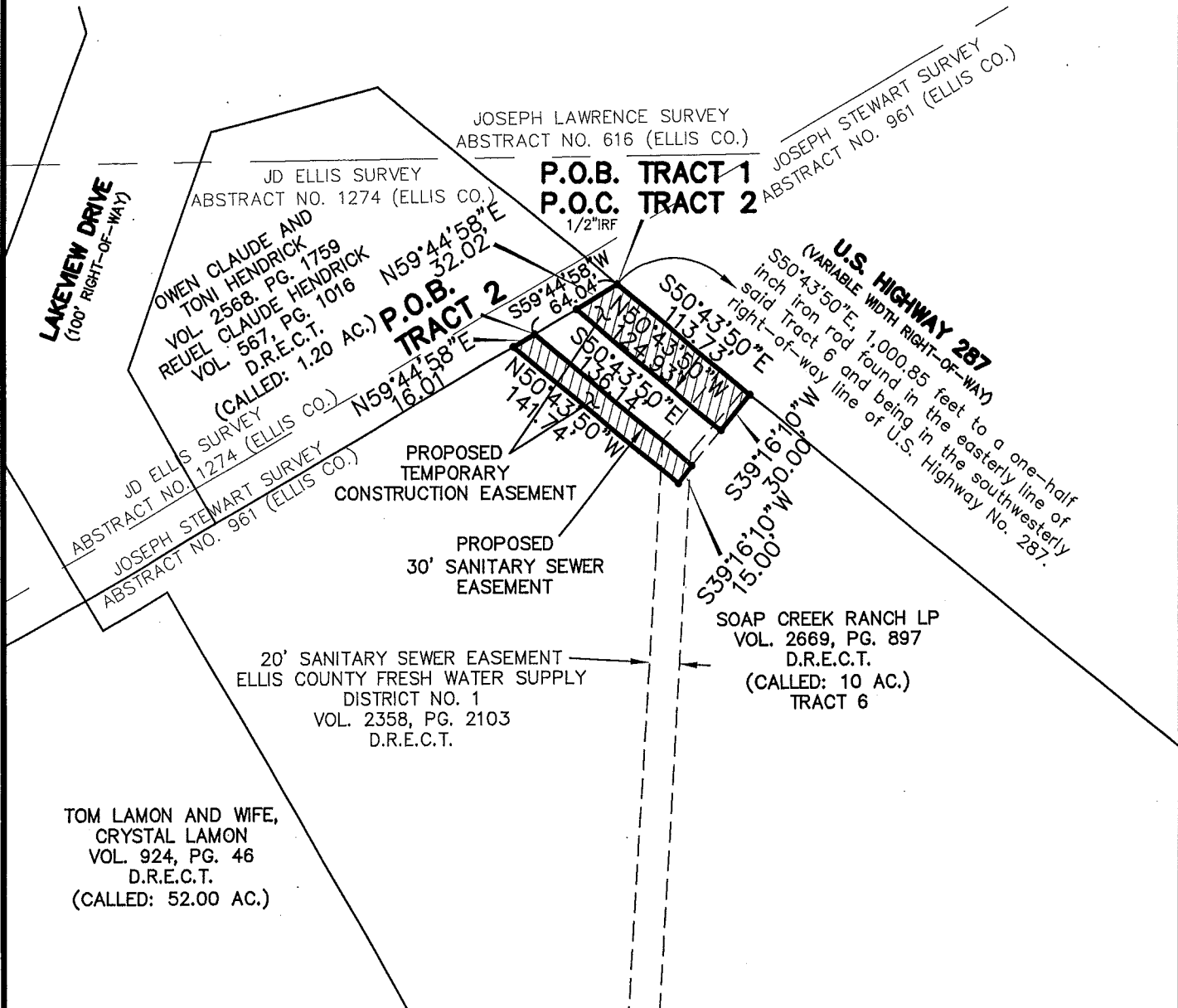
THENCE North 50 degrees 43 minutes 50 seconds West, 141.74 feet to a point in the northwesterly line of said Tract 6;

THENCE North 59 degrees 44 minutes 58 seconds East, 16.01 feet along the northerly line of said Tract 6 to the POINT OF BEGINNING and containing 2,084 square feet or 0.048 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

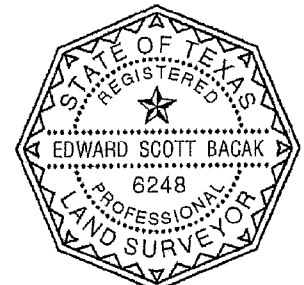
**TEMPORARY CONSTRUCTION EASEMENT  
0.130 ACRES  
PAGE 3 OF 3**



**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

*ES BACAK*  
 EDWARD SCOTT BACAK  
 R.P.L.S. NO. 6248  
 June 22, 2016



SCALE: 1"=100'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	<b>JBI PARTNERS</b>
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**SANITARY SEWER EASEMENT  
0.153 ACRES  
PAGE 1 OF 2**

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Lawrence Survey, Abstract No. 616, a part of the Joseph Stewart Survey, Abstract No. 961, and a part of the JD Ellis Survey, Abstract No. 1274, and being a part of that called 1.20 acre tract of land described in Deed to Reuel Claude Hendrick recorded in Volume 567, Page 1016, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a concrete monument found at the north corner of said 1.20 acre tract of land and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way);

THENCE South 75 degrees 11 minutes 27 seconds West, 37.05 feet along the southwesterly right-of-way line of U. S. Highway No. 287 to the POINT OF BEGINNING of this easement;

THENCE South 50 degrees 43 minutes 50 seconds East, 216.20 feet to a point in the southeast line of said 1.20 acre tract of land, to which a one-half inch iron rod found at the east corner of said 1.20 acre tract of land bears North 59 degrees 44 minutes 58 seconds East, 32.02 feet;

THENCE South 59 degrees 44 minutes 58 seconds West, 32.02 feet along the southeast line of said 1.20 acre tract of land to a point for corner;

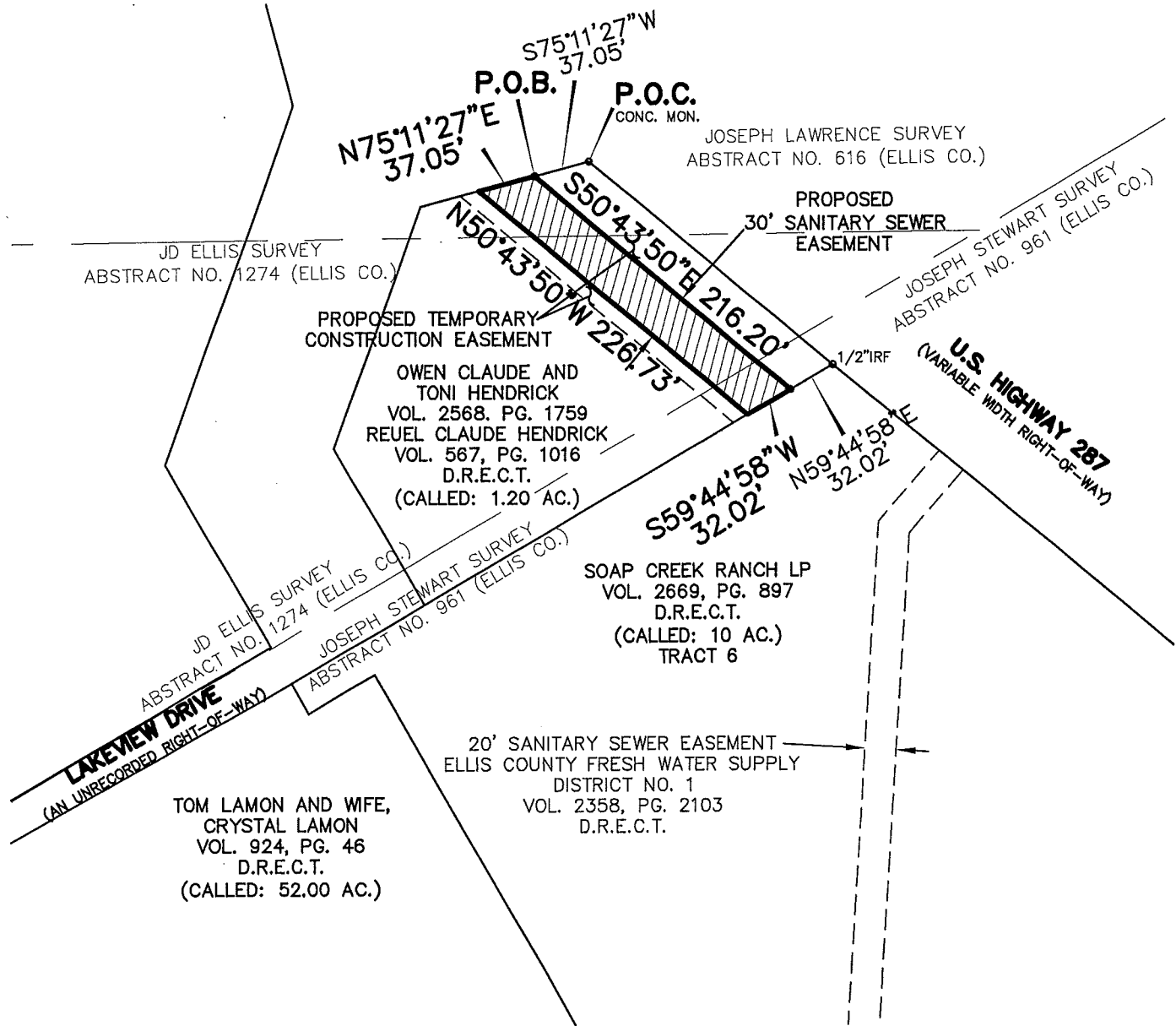
THENCE North 50 degrees 43 minutes 50 seconds West, 226.73 feet to a point in the northwest line of said 1.20 acre tract of land and said point being in the southwesterly line of U. S. Highway No. 287;

THENCE North 75 degrees 11 minutes 27 seconds East, 37.05 feet along the northwest line of said 1.20 acre tract of land and along the southwesterly line of U. S. Highway No. 287 to the POINT OF BEGINNING and containing 6,644 square feet or 0.153 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	
				TBPE No. F-438      TBPLS No. 10076000	

**SANITARY SEWER EASEMENT  
0.153 ACRES  
PAGE 2 OF 2**

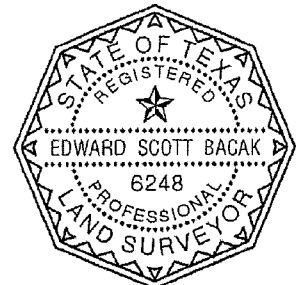


**LEGEND**

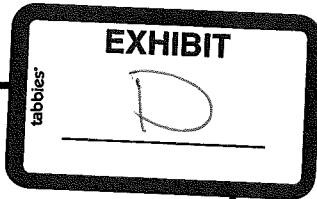
- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- CONC. MON. TXDOT CONCRETE MONUMENT

*ESB*

EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
June 22, 2016



SCALE: 1"=100'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	<b>JBI PARTNERS</b>
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TEMPORARY CONSTRUCTION EASEMENT  
0.197 ACRES  
PAGE 1 OF 3

LEGAL DESCRIPTION - TRACT 1

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Lawrence Survey, Abstract No. 616, a part of the Joseph Stewart Survey, Abstract No. 961, and a part of the JD Ellis Survey, Abstract No. 1274, and being a part of that called 1.20 acre tract of land described in Deed to Reuel Claude Hendrick recorded in Volume 567, Page 1016, Deed Records Ellis County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found at the north corner of said 1.20 acre tract of land and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way);

THENCE South 50 degrees 43 minutes 50 seconds East, 205.67 feet along the southwesterly line of U. S. Highway No. 287 to a one-half inch iron rod found at the east corner of said 1.20 acre tract of land;

THENCE South 59 degrees 44 minutes 58 seconds West, 32.02 feet along the southeast line of said 1.20 acre tract of land to a point for corner;

THENCE North 50 degrees 43 minutes 50 seconds West, 216.20 feet to a point in the northwest line of said 1.20 acre tract of land and said point being in the southwesterly line of U. S. Highway No. 287;

THENCE North 75 degrees 11 minutes 27 seconds East, 37.05 feet along the northwest line of said 1.20 acre tract of land and along the southwesterly line of U. S. Highway No. 287 to the POINT OF BEGINNING and containing 6,328 square feet or 0.145 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**TEMPORARY CONSTRUCTION EASEMENT  
0.197 ACRES  
PAGE 2 OF 3**

LEGAL DESCRIPTION - TRACT 2

BEING a tract of land situated in Ellis County, Texas, a part of the Joseph Lawrence Survey, Abstract No. 616, a part of the Joseph Stewart Survey, Abstract No. 961, and a part of the JD Ellis Survey, Abstract No. 1274, and being a part of that called 1.20 acre tract of land described in Deed to Reuel Claude Hendrick recorded in Volume 567, Page 1016, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a concrete monument found at the north corner of said 1.20 acre tract of land and said point being in the southwesterly right-of-way line of U. S. Highway No. 287 (a Variable Width Right-of-Way);

THENCE South 75 degrees 11 minutes 27 seconds West, 74.09 feet along the southwesterly right-of-way line of U. S. Highway No. 287 to the POINT OF BEGINNING of this easement;


THENCE South 50 degrees 43 minutes 50 seconds East, 226.73 feet to a point in the southeast line of said 1.20 acre tract of land, to which a one-half inch iron rod found at the east corner of said 1.20 acre tract of land bears North 59 degrees 44 minutes 58 seconds East, 64.04 feet;

THENCE South 59 degrees 44 minutes 58 seconds West, 10.67 feet along the southeast line of said 1.20 acre tract of land to a point for corner;

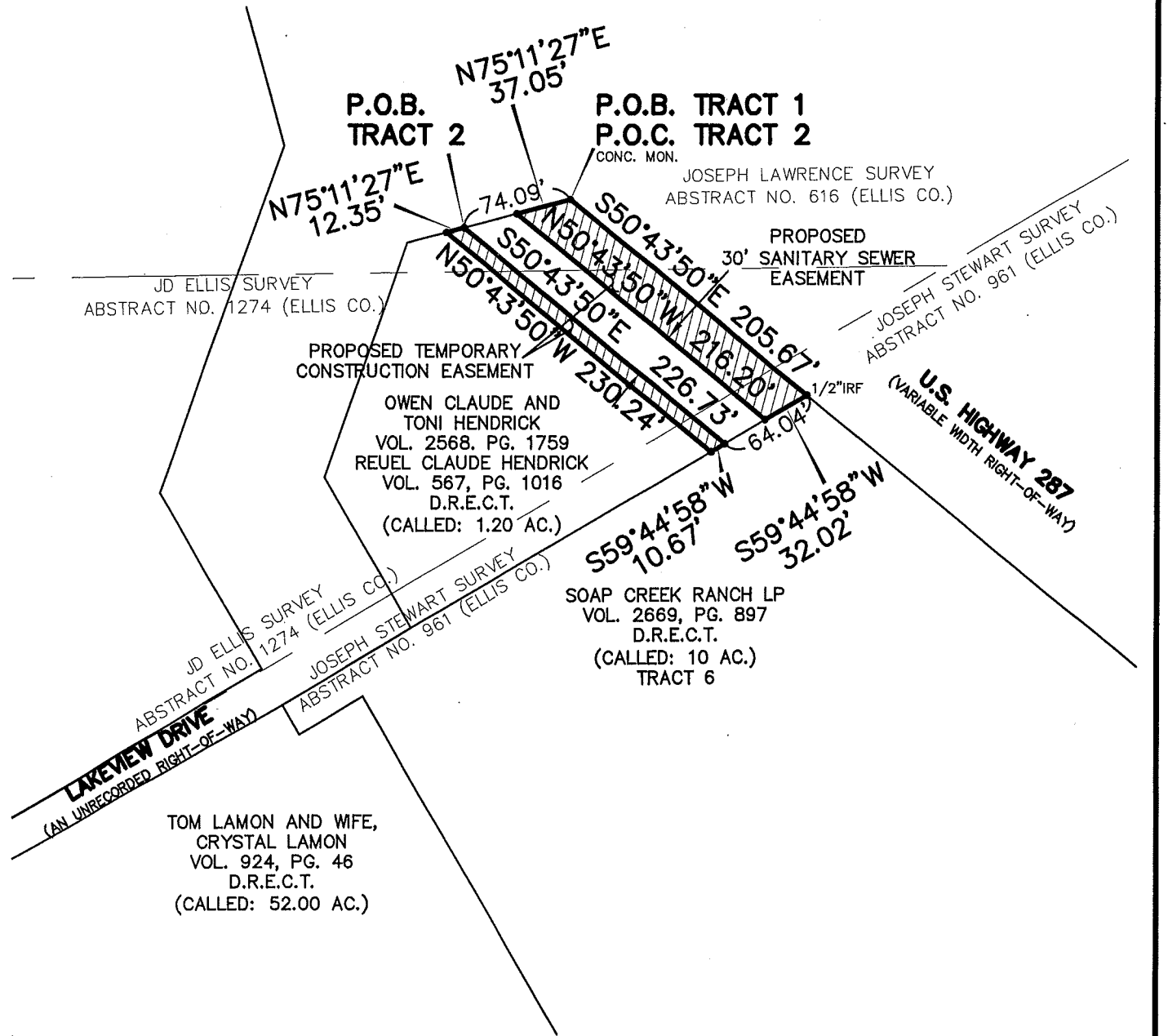
THENCE North 50 degrees 43 minutes 50 seconds West, 230.24 feet to a point in the northwest line of said 1.20 acre tract of land and said point being in the southwesterly line of U. S. Highway No. 287;

THENCE North 75 degrees 11 minutes 27 seconds East, 12.35 feet along the northwest line of said 1.20 acre tract of land and along the southwesterly line of U. S. Highway No. 287 to the POINT OF BEGINNING and containing 2,285 square feet or 0.052 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438      TBPLS No. 10076000	
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**TEMPORARY CONSTRUCTION EASEMENT  
0.197 ACRES  
PAGE 3 OF 3**



JD ELLIS SURVEY  
ABSTRACT NO. 1274 (ELLIS CO.)

JOSEPH LAWRENCE SURVEY  
ABSTRACT NO. 616 (ELLIS CO.)

JOSEPH STEWART SURVEY  
ABSTRACT NO. 961 (ELLIS CO.)

PROPOSED TEMPORARY  
CONSTRUCTION EASEMENT

OWEN CLAUDE AND  
TONI HENDRICK  
VOL. 2568, PG. 1759  
REUEL CLAUDE HENDRICK  
VOL. 567, PG. 1016  
D.R.E.C.T.  
(CALLED: 1.20 AC.)

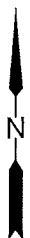
SOAP CREEK RANCH LP  
VOL. 2669, PG. 897  
D.R.E.C.T.  
(CALLED: 10 AC.)  
TRACT 6

TOM LAMON AND WIFE,  
CRYSTAL LAMON  
VOL. 924, PG. 46  
D.R.E.C.T.  
(CALLED: 52.00 AC.)

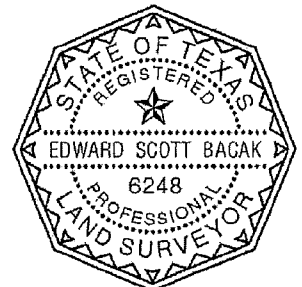
**U.S. HIGHWAY 287**  
(VARIABLE WIDTH RIGHT-OF-WAY)

**LEGEND**

- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- CONC. MON. TXDOT CONCRETE MONUMENT



*ES BACAK*  
EDWARD SCOTT BACAK  
R.P.L.S. NO. 6248  
June 22, 2016



SCALE: 1"=100'	DATE 6-22-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001	<b>JBI PARTNERS</b>
				TBPE No. F-438 TBPLS No. 10076000	