

**RESOLUTION**

**COPPELL INDEPENDENT SCHOOL DISTRICT**

**20 FOOT WIDE STORM WATER DRAINAGE EASEMENT**

**STATE OF TEXAS**

§  
§  
§

**COUNTY OF DALLAS**

WHEREAS, as part of the Settlement Agreement between the Coppell Independent School District, CB Parkway Business Center VI, Ltd., Trammell Crow Company No. 43, Ltd. (the "Billingsley Companies"), and the City of Coppell, the District entered into an Infrastructure Development Agreement with Billingsley Development Corporation on October 3, 2008 whereby the parties agreed upon terms and conditions regarding the future construction of public infrastructure for development of the Cypress Waters property; and

WHEREAS, according to the terms of the Infrastructure Development Agreement, the District agreed to act in good faith in the creation of drainage easements over the District's properties for any drainage reasonably needed to serve the Billingsley Companies' properties; and

WHEREAS, in accordance with the Infrastructure Development Agreement, Coppell Independent School District's civil engineers and architects have been working with the Billingsley Company's civil engineers in negotiating and drafting a twenty foot wide (20') drainage easement on District property located within the Cypress Waters Phase I development and such drainage easement will be granted to the City of Dallas by written agreement for the purpose of constructing, maintaining and using storm water drainage facilities in, under, over, through, across and along District property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Coppell Independent School District that the District is hereby authorized to enter into a written 20' storm water drainage easement with the City of Dallas, a municipality of the State of Texas, in, under, over, through, across and along one tract of land totaling approximately 0.031 acres of land owned by the District, said tract being located in Dallas County, Texas, including the performance of certain obligations related to the easement as listed in the drainage easement attached hereto as Exhibit "A", upon the terms and conditions hereby approved by the Board of Trustees.

BE IT FURTHER RESOLVED that the drainage easement attached hereto as Exhibit "A" is approved and adopted by the Coppell Independent School District Board of Trustees.

BE IT FURTHER RESOLVED that the President, Vice President, Secretary of the Board of Trustees, the Superintendent of Schools, and the Assistant Superintendent for Business and Support Services are each authorized to sign on behalf of the Coppell Independent School District the attached drainage easement, or a drainage easement that is similar in form and substance to the attached Exhibit A including any revision, addendum, or any amendment thereto, and any other document necessary to close this transaction or effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that the School District Administration is authorized to take any and all appropriate action to accomplish and effectuate the purposes of this Resolution.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE COPPELL INDEPENDENT SCHOOL DISTRICT, DALLAS COUNTY, TEXAS on the 26th day of September, 2011.

COPPELL INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_  
Anthony Hill, President  
Board of Trustees

ATTEST:

By: \_\_\_\_\_  
Susie Kemp, Secretary  
Board of Trustees

EXHIBIT A

**DRAINAGE EASEMENT**

THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS

§

§

That Coppell Independent School District (CISD) (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of constructing, maintaining and using storm water drainage facilities in, under, over, through, across and along all that certain lot, tract or parcel of land described in Exhibit A, attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of constructing, maintaining and using storm water drainage improvements including the right to make the improvements on such grade and according to such plans and specifications as will, in its opinion, best serve the public purpose. The payment of the purchase price for the property herein conveyed shall be considered full compensation for same and for any diminution in value that may result to remaining property by virtue of project proximity thereto, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

Should one or more of the Grantor(s) herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance or proper function of said stormwater drainage facilities.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and

Forever Defend all and singular the said easement unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Name and Title)

STATE OF TEXAS        '

COUNTY OF DALLAS    '

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

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

\_\_\_\_\_  
Notary Public, State of TEXAS

\* \* \* \* \*

After recording return to:  
City of Dallas  
Department of Sustainable Development and Construction  
Real Estate Division  
320 East Jefferson Boulevard, Room 203  
Dallas, Texas 75203  
attn:

Drainage Easement Log No.

FIELD NOTES DESCRIBING A  
1,370 SQ.FT. (0.031ACRE) DRAINAGE EASEMENT  
SITUATED IN BLOCK 8465  
JOHN L. WHITMAN SURVEY, ABSTRACT NO. 1521  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
TO BE ACQUIRED FROM COPPELL INDEPENDENT SCHOOL DISTRICT

**BEING** a 1,370 square foot (0.031 acre) tract of land situated in the John L. Whitman Survey, Abstract No. 1521, City of Dallas Block 8465, Dallas County, Texas, and being part of a tract of land described as "Tract 1" in Correction Special Warranty Deed to Coppell Independent School District recorded in Instrument No. 20080370170, and being more particularly described as follows:

**COMMENCING** at a 5/8" Iron rod with "KHA" cap found at the northernmost end of a right-of-way corner clip at the intersection of the east right-of-way line of Belt Line Road (a variable width right-of-way) and the north right-of-way line of Hackberry Road (a variable width right-of-way);

**THENCE** with said right-of-way corner clip, South 45°18'57" East, a distance of 42.43 feet to the southernmost end of said right-of-way corner clip;

**THENCE** with the north right-of-way line of Hackberry Road and the north right-of-way line of Ranch Trail (a variable width right-of-way), the following courses and distances:

North 89°41'03" East, a distance of 590.00 feet to a point for corner;

North 89°08'11" East, a distance of 2147.68 feet to a point for corner in the said north right-of-way line of Ranch Trail at the east terminus of said Hackberry Road;

South 89°18'32" East, a distance of 31.04 feet to a 5/8" Iron rod with "KHA" cap found at the southwest corner of said Coppell Independent School District tract (hereafter referred to as CISD tract);

**THENCE** departing said north right-of-way line with the west line of said Coppell Independent School District tract, North 0°41'28" East, a distance of 1720.44 feet to a 5/8" Iron rod with "KHA" cap set for the **POINT OF BEGINNING**;

**THENCE** continuing with said west line, North 00°41'28" East, a distance of 29.36 feet to a 5/8" Iron rod with "KHA" cap set at the beginning of a non-tangent curve to the left having a central angle of 35°39'32", a radius of 80.00 feet, a chord bearing and distance of North 18°31'14" East, 48.89 feet;

**THENCE** in a northeasterly direction, with said curve to the left, an arc distance of 49.79 feet to a 5/8" Iron rod with "KHA" cap set at the end of said curve;

**THENCE** South 89°18'32" East, a distance of 20.00 feet to a 5/8" Iron rod with "KHA" cap set at the beginning of a non-tangent curve to the right having a central angle of 49°27'30", a radius of 100.00 feet, a chord bearing and distance of South 25°25'13" West, 83.67 feet;

**THENCE** in a southwesterly direction with said curve to the right, an arc distance of 86.32 feet to the **POINT OF BEGINNING** and containing 0.031 acres or 1,370 square feet of land.

Bearing system based on the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.



Dana Brown  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5336



**Kimley-Horn  
and Associates, Inc.**

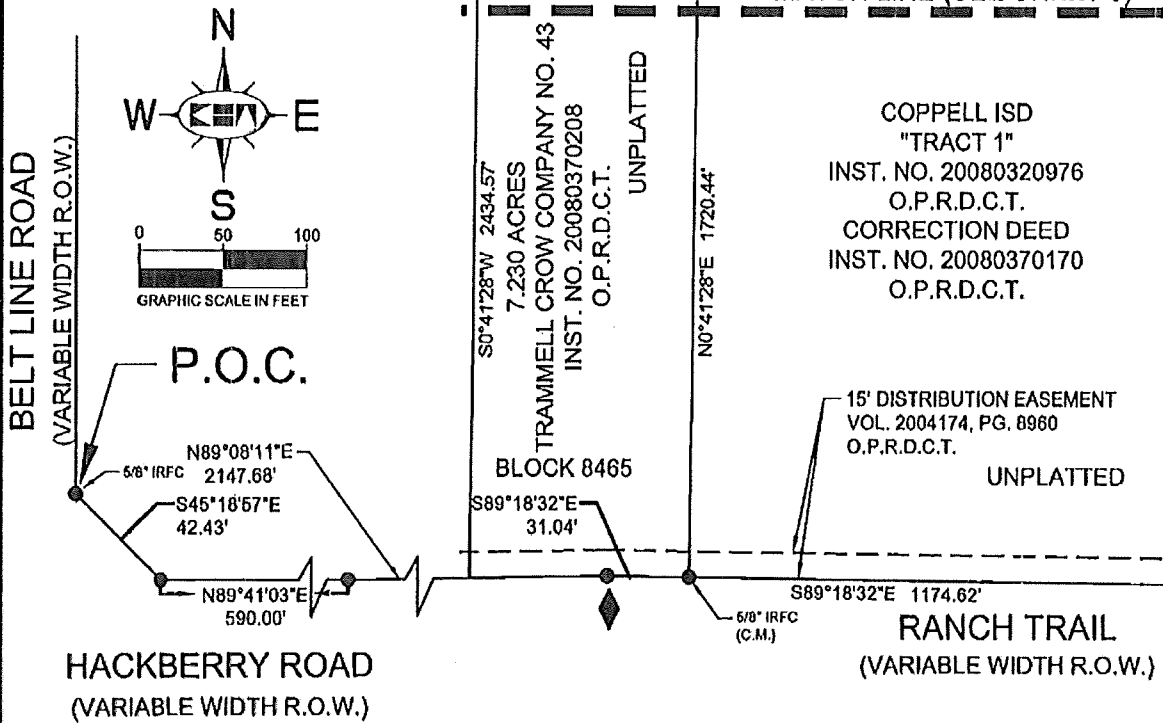
12700 Park Central Drive, Suite 1800  
Dallas, Texas 75251

Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	SEPT. 2011	063973002	1 OF 3

FIELD NOTES DESCRIBING A  
 1,370 SQ.FT. (0.031ACRE) DRAINAGE EASEMENT  
 SITUATED IN BLOCK 8465  
 JOHN L. WHITMAN SURVEY, ABSTRACT NO. 1521  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 TO BE ACQUIRED FROM COPPELL INDEPENDENT SCHOOL DISTRICT

MATCH LINE (SEE SHEET 3)



**LEGEND:**

- Δ = DELTA ANGLE OR CENTRAL ANGLE
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- 5/8" IRFC = 5/8" IRON ROD W/CAP FOUND
- IPF = IRON PIPE FOUND
- C.M. = CONTROLLING MONUMENT
- ESMT = EASEMENT
- D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- ◆ = STREET NAME CHANGE

BLOCK A, LOT 1R  
 CYPRESS WATERS COMMERCIAL  
 ADDITION PHASE 1  
 INST. #200600321891.  
 O.P.R.D.C.T.

**NOTES**

- All easement corners are a 5/8" iron rod with "KHA" cap set unless otherwise noted.
- Bearing system based on the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.

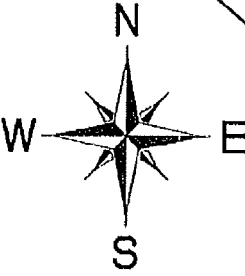
Dana Brown  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 5336



		<b>Kimley-Horn and Associates, Inc.</b>	
12700 Park Central Drvo, Suite 1600 Dallas, Texas 75251		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
Scale 1" = 100'	Drawn by SRO	Checked by DAB	Date SEPT. 2011
Project No. 063973002		Sheet No. 2 OF 3	



NORTH LAKE



TRAMMELL CROW  
COMPANY NO. 43, LTD.  
INST. NO. 200600072663  
O.P.R.D.C.T.

7.230 ACRES  
TRAMMELL CROW COMPANY NO. 43  
INST. NO. 20060370208  
O.P.R.D.C.T.

EASEMENT AREA  
TO BE ACQUIRED

COPPELL ISD  
"TRACT 1"  
INST. NO. 20080320976  
O.P.R.D.C.T.  
CORRECTION DEED  
INST. NO. 20080370170  
O.P.R.D.C.T.

CITY OF DALLAS

HACKBERRY ROAD

RANCH TRAIL

CITY OF IRVING