

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT REGIONAL WATER DISTRICT  
HELD ON THE 21<sup>ST</sup> DAY OF AUGUST 2012 AT 9:30 A.M.

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The call of the roll disclosed the presence of the Directors as follows:

<u>Present</u>	<u>Absent</u>
Victor W. Henderson	Jim Lane
Hal S. Sparks III	
Jack R. Stevens	
Marty V. Leonard	

Also present were Jim Oliver, Alan Thomas, Darrell Beason, Kathy Berek, Ken Brummett, Shanna Cate, Steve Christian, Linda Christie, Wesley Cleveland, Stephanie Graves, Nancy King, David Marshall, Dean Minchillo, Rachel Navejar, Sandy Newby, Matt Oliver, Mark Olson, David Owen, and Carol Tackel.

Also in attendance were George Christie, General Counsel for Tarrant Regional Water District (Water District); Lee Christie and Ethel Steele of Pope, Hardwicke, Christie, Schell, Kelly, & Ray LLP; Brian Adams of AECOM; Gary Savanyu of Beta; Dale Cherry, Mike McCure and Randy Romack of Black & Veatch; Michael Dempsey and Tony Kimmey of Burns & McDonnell; Bob Brashear and Doug Varner of CDM-Smith; Cristina Criado of CRIADO; Robbie Thompson of Foster CM Group; Ron Lemons and Becky Griffith of Freese and Nichols, Inc.; Dick Fish of Lake Country Property Owners Association; Matt Garcia of MWH; Jay Warren of NOV Ameron International; Paul Blanchard of NWP CO; Mark Heidaker and Steven Bonjonia of PTP Transportation, LLC; Stephanie Bache of Parsons Brinckerhoff; Len McManus of Saenzbury; Christine Jacoby of Shaw; Bill Paxton of TRC-JV; and Earl Alexander.

President Henderson convened the meeting with the assurance from management that all requirements of the "open meetings" laws had been met.

1.

All present were given the opportunity to join in reciting the Pledge of Allegiance.

2.

On a motion made by Director Stevens and seconded by Director Leonard, the Directors unanimously voted to approve the minutes from the meetings held July 11, 2012 and July 17, 2012. It was accordingly ordered that these minutes be placed in the permanent files of Tarrant Regional Water District.

3.

There were no persons of the general public requesting the opportunity to address the Board of Directors.

4.

With the recommendation of management, Director Leonard moved to place a proposal to adopt a 2012 tax rate of \$.02/\$100 on the agenda of the September 18, 2012 Board of Directors Meeting and to establish the date for a public hearing to be held September 11, 2012 at 8:30 a.m. on the proposed 2012 tax rate of \$.02/\$100, which is no less than three and no more than fourteen days prior to the September 18, 2012 Board of Directors Meeting. Director Sparks seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management and the Oil and Gas Committee, Director Stevens moved to lease the Water District's mineral rights in and to 8.0916 acres of land described and shown below to XTO Energy Inc. for the bonus amount of \$24,638.92, 25% royalty for a 2 year paid-up lease.



## EXHIBIT "A"

**Attached to Oil, Gas and Mineral Lease from Tarrant Regional Water District, a Water Control and Improvement District, a body corporate and politic, as Lessor, and XTO Energy Inc., as Lessee.**

**8.0916 acres of land**, more or less, situated in the George Shields Survey, A-1402, in Tarrant County, Texas, and being more particularly described in the following fifteen (15) tracts:

**TRACT 1:** 3.7253 acres of land, more or less, of a called 3.0774 acres, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being a portion of Blocks 1, 2, 6 and 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated November 17, 1953, from F. M. Fillingim (sometimes known as Frank M. Fillingim) and wife, Altaleen Fillingim, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2640, Page 467, Official Public Records, Tarrant County, Texas;

**TRACT 2:** 0.7678 of an acre, more or less, being a called 0.907 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas being Lot 8 and a portion of Lots 5, 6 and 7, Block 6, and Lots 4 and 5, Block 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated September 16, 1952, from Lee E. Trezevant and wife, Adlee Trezevant, to the Tarrant County Water Control and Improvement District Number One, as recorded in Volume 2474, Page 337, Official Public Records, Tarrant County, Texas; **LESS AND EXCEPT:** 0.1392 of an acre, more or less, being more particularly described in that certain Warranty Deed dated April 13, 1962, from Tarrant County Water Control and Improvement District Number One, acting by and through its duly authorized officers, to William M. Gunter and wife, Anne C. Gunter, as recorded in Volume 3685, Page 232, Official Public Records, Tarrant County, Texas;

**TRACT 3:** 0.1722 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 10, Block 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 8, 1952, from Mellnee Miller, a widow, to the Tarrant County Water Control and Improvement District #1, as recorded in Volume 2483, Page 514, Official Public Records, Tarrant County, Texas;

**TRACT 4:** 0.1593 of an acre, more or less, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being a portion of Lot 11, Block 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant



County, Texas, and being a portion of that certain 0.1637 of an acre tract more particularly described in that Warranty Deed dated October 24, 1952, from Floyd Dancer and wife, Rachel Dancer, to the Tarrant County Water Control and Improvement District Number One, as recorded in Volume 2489, Page 37, Official Public Records, Tarrant County, Texas; **LESS AND EXCEPT:** 0.0044 of an acre, more or less, being more particularly described in that certain Warranty Deed dated April 13, 1962, from Tarrant County Water Control and Improvement District Number One, acting by and through its duly authorized officers, to William M. Gunter and wife, Anne C. Gunter, as recorded in Volume 3685, Page 232, Official Public Records, Tarrant County, Texas;

**TRACT 5:** 0.0622 of an acre, more or less, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being a portion of Lot 12, Block 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being a portion of that certain 0.1435 of an acre tract more particularly described in that Warranty Deed dated March 2, 1953, from Altaleen Fillingim, joined herein by my husband, Frank M. Fillingim, Sr., to the Tarrant County Water Control and Improvement District Number One, a corporation, as recorded in Volume 2538, Page 473, Official Public Records, Tarrant County, Texas; **LESS AND EXCEPT:** 0.0813 of an acre, more or less, being more particularly described in that certain Warranty Deed dated April 13, 1962, from Tarrant County Water Control and Improvement District Number One, acting by and through its duly authorized officers, to William M. Gunter and wife, Anne C. Gunter, as recorded in Volume 3685, Page 232, Official Public Records, Tarrant County, Texas;

**TRACT 6:** 0.3618 of an acre, more or less, of a called 0.2738 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being a portion of Blocks 2, 6 and 7, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated December 8, 1952, from F. M. Fillingim, Sr., and wife, Altaleen Fillingim, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2505, Page 566, Official Public Records, Tarrant County, Texas;

**TRACT 7:** 0.1676 of an acre, more or less, of a called 0.1389 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 6, Block 2, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 2, 1953, from Robert McIntosh and wife, LaVerne McIntosh, and Joe McIntosh and wife, Nellie Monroe McIntosh, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2623, Page 182, Official Public Records, Tarrant County, Texas;

**TRACT 8:** 0.1676 of an acre, more or less, of a called 0.1389 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 7, Block 2, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 7, 1953, from Otto Whittenburg and wife, Willie Whittenburg



(sometimes called Whittenberg), to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2622, Page 479, Official Public Records, Tarrant County, Texas;

**TRACT 9:** 0.1676 of an acre, more or less, of a called 0.1389 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 8, Block 2, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated December 30, 1952, from R. C. Whittenburg and wife, Ethel L. Whittenburg, to the Tarrant County Water Control and Improvement District Number One, as recorded in Volume 2519, Page 215, Official Public Records, Tarrant County, Texas;

**TRACT 10:** 0.1722 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 9, Block 5, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 26, 1953, from Henry Vinerable, a widower, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2638, Page 598, Official Public Records, Tarrant County, Texas;

**TRACT 11:** 0.1722 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 10, Block 5, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 8, 1953, from Kathleen Ledbetter, a single woman, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2623, Page 229, Official Public Records, Tarrant County, Texas;

**TRACT 12:** 0.1722 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 11, Block 5, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 3, 1952, from Robert McIntosh and wife, LaVerne McIntosh, to the Tarrant County Water Control and Improvement District Number One, as recorded in Volume 2481, Page 241, Official Public Records, Tarrant County, Texas;

**TRACT 13:** 0.2583 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 12, Block 5, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 8, 1952, from M. C. Gregory to the Tarrant County Water Control and Improvement District Number One, as recorded in Volume 2490, Page 372, Official Public Records, Tarrant County, Texas; and



**TRACT 14:** 0.2583 of an acre, more or less, of a called 0.1435 of an acre, situated in the George Shields Survey, A-1402, Tarrant County, Texas, being Lot 13, Block 5, Crawford Addition, according to the Plat thereof recorded in Volume 204, Page 104, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated October 15, 1953, from Ervin Cruder and wife, Sophia Cruder, to the Tarrant County Water Control and Improvement District No. 1, as recorded in Volume 2626, Page 374, Official Public Records, Tarrant County, Texas.

**TRACT 15:** 1.307 acres of land, more or less, situated in the Josiah M. C. Lynch Survey, A-955, Tarrant County, Texas, being more particularly described as Tract No. 2 in that certain Warranty Deed dated November 17, 1953, from F. M. Fillingim (sometimes known as Frank M. Fillingim) and wife, Altaleen Fillingim, as recorded in Volume 2640, Page 467, Official Public Records, Tarrant County, Texas.

**Notwithstanding the specific Lot and Block descriptions referenced in Tracts 1 through 14 above, this lease covers and includes all lands located adjacent to Tracts 1 through 14 above and within the now closed streets depicted and described as West Broadway, West Daggett, West Jarvis, and Jerome Streets, on that certain Plat of Crawford Addition, as recorded at Volume 204, Page 104, Plat Records, Tarrant County, Texas.**

**LESS AND EXCEPT** from the above described tracts of land, the lands more particularly described in that certain Warranty Deed dated February 25, 1931, from F. M. Fillingim to the City of Fort Worth, a municipal corporation, as recorded at Volume 1132, Page 194, Official Public Records, Tarrant County, Texas.



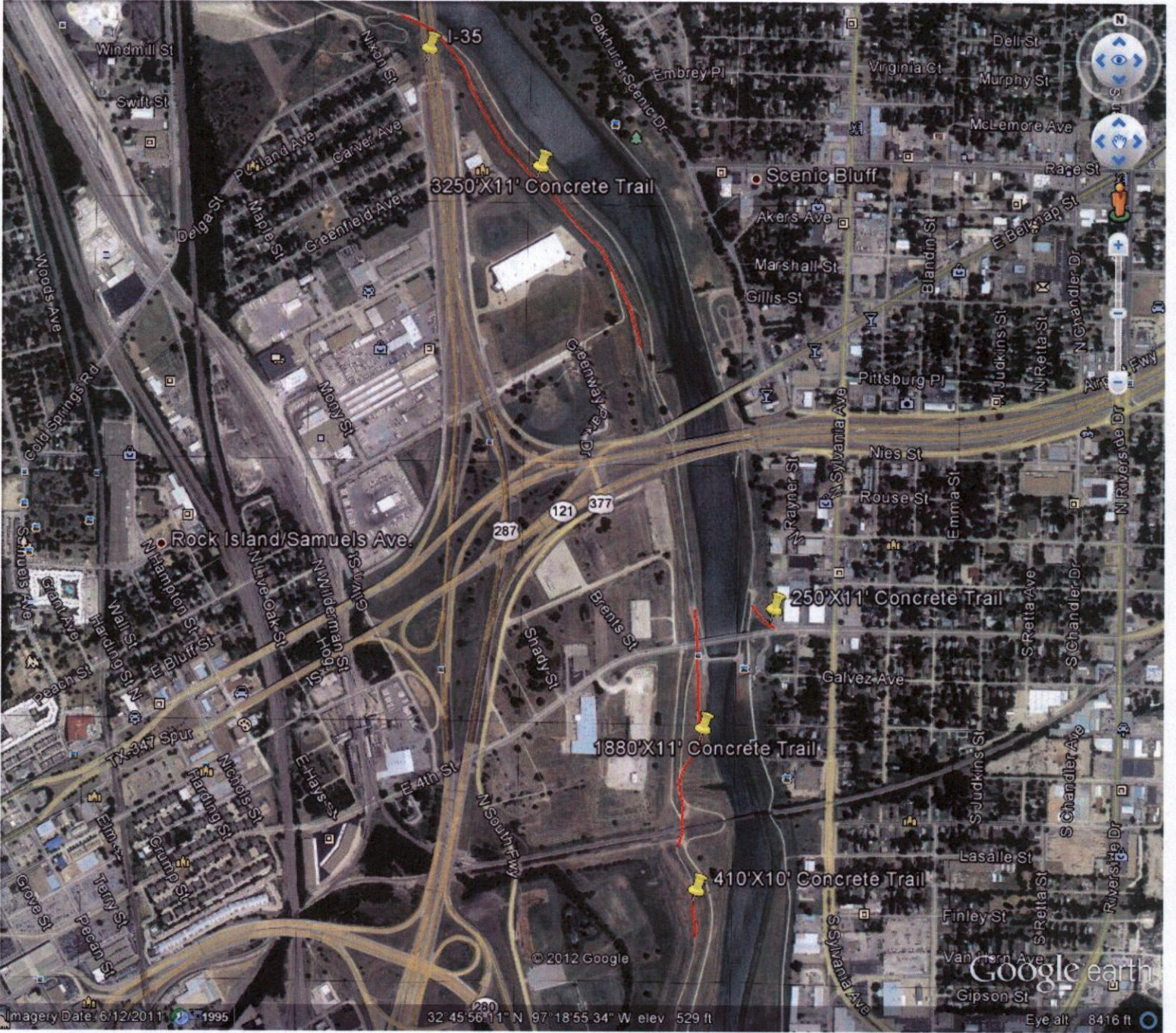


In addition, Ken Brummett is granted authority to execute the lease and all other documents necessary to complete this transaction. Director Leonard seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approve a contract with Retzlaff Construction in the amount of \$255,385 for concrete trail placement on the lower West Fork of the Trinity River for the Neighborhood Recreation Enhancement Program Phase 2. Funding for this contract is included in the FY 2012 General Fund. Director Stevens seconded the motion and the vote in favor was unanimous.





Imagery Date: 6/12/2011 1995

32° 45' 56.11" N 97° 18' 55.34" W elev 529 ft

Eye alt 8416 ft



7.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approve a contract with ASI Signage Innovations in the amount of \$141,795 for installation of Trinity Trail Map Signs along Trinity Trails. Funding for this contract is included in the FY 2013 General Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approve a purchase from National Oilwell Motors in the amount of \$71,000 for 2 exciter rings for variable frequency drives at Richland-Chambers High Capacity Booster Pump Station at Waxahachie. Funding for this purchase is included in the FY 2012 Revenue Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management and the Construction and Operations Committee, Director Sparks moved to approve a contract with BAR Constructors, Inc. for an amount not to exceed \$3,506,300 to construct the facilities to house and install the pre-purchased hydroelectric turbine generator at the Arlington Outlet Facility at Village Creek. Funding for this contract is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management and the Construction and Operations Committee, Director Stevens moved to approve a change in the calculation of the



retainage being held for Andritz Hydro Corp. to 5% of the total contract price, following the recent 50% completion milestone of their respective contract. All remaining contract payments are to be made in full; however, any changes to the contract price by change order for the Arlington Outlet Hydroelectric Turbine will require adjustment to the retainage schedule. Funding for this change is included in the Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

11.

With the recommendation of management and the Construction and Operations Committee, Director Stevens moved to approve a change in the calculation of the retainage being held for Tank Builders, Inc. to 5% of the total contract price, following the recent 50% completion milestone of their respective contract. All remaining contract payments are to be made in full; however, any changes to the contract price by change order or alternate base bid work for the Waxahachie western tank will require adjustment to the retainage schedule. Funding for this change is included in the FY 2012 Revenue Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approve a contract with DCI Contracting, Inc. in the amount of \$629,694 to implement Eagle Mountain Dam Geotechnical and Stability Analysis Remedial Measures at the Main Dam. Funding for this contract is included in the Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

13.

With the recommendation of management and the Construction and Operations Committee, Director Sparks moved to approve a contract with Garney Construction Company in the amount of \$266,502 for Construction Manager at Risk for the IPL Section 1C Pipeline. Funding for this contract is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

14.

With the recommendation of management and the Construction and Operations Committee, Director Stevens moved to approve a contract with the lowest conforming bidder, K-FLO Crispin Valve, LLC, in the amount of \$494,396.72 for butterfly valves for the IPL Section 1C Pipeline. Funding for this contract is included in the Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

15.

With the recommendation of management and the Construction and Operations Committee, Director Stevens moved to amend the contract with CH2M Hill Engineers, Inc. at an additional cost not to exceed \$16,171,772 for IPL Phase 2 Lake Pump Station Engineering with the not to exceed total contract value, including this amendment, of \$23,368,472. Funding for this contract is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

16.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to amend the contract with MWH Americas, Inc. at an additional cost not to exceed \$13,717,532 for Phase 2 Pipeline Engineering – IPL



Sections 9, 10 and 11 with the not to exceed total contract value, including this amendment, of \$18,318,032. Funding for this contract is included in the Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

17.

With the recommendation of management and the Construction and Operations Committee, Director Stevens moved to amend the contract with Black & Veatch Corporation at an additional cost not to exceed \$11,182,000 for Phase 2 Pipeline Engineering – IPL Sections 12, 13 and 14 with the not to exceed total contract value, including this amendment, of \$14,352,500. Funding for this contract is included in the Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

18.

With the recommendation of management and the Construction and Operations Committee, Director Sparks moved to amend the contract with Parsons Water & Infrastructure, Inc. at an additional cost not to exceed \$5,587,000 for Phase 2 Pipeline Engineering – IPL Sections 17 and 18 with the not to exceed total contract value, including this amendment, of \$8,317,000. Funding for this contract is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

19.

#### STAFF UPDATES

- Update on System Status
- Report on Water System Revenue Refunding
- Community and Government Relations Department Update

20.

The Board of Directors recessed for a break from 11:13 a.m. to 11:33 a.m.

21.

The presiding officer next called an executive session at 11:33 a.m. under V.T.C.A., Government Code, Section 551.071 to consult with legal counsel on a matter in which the duty of counsel under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with Chapter 551, Texas Government Code and to conduct a private consultation with attorneys regarding pending or contemplated litigation; and under Section 551.072 to deliberate the purchase, exchange, lease or value of real property.

22.

The Board of Directors recessed for a second break from 11:45 a.m. to 11:53 a.m.

23.

The presiding officer next reconvened the executive session at 11:53 a.m. under V.T.C.A., Government Code, Section 551.071 to consult with legal counsel on a matter in which the duty of counsel under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with Chapter 551, Texas Government Code and to conduct a private consultation with attorneys regarding pending or contemplated litigation; and under Section 551.072 to deliberate the purchase, exchange, lease or value of real property.

24.

Upon completion of the executive session at 12:30 p.m., the President reopened the meeting.



25.

With the recommendation of management and the Real Property Committee, Director Sparks moved to grant authority to purchase the following described real property for construction and operation of the IPL Project for the negotiated purchase price of \$365,000.

**Fee simple title to the surface estate only, including improvements located thereon, of an approximately 116.510 acre tract of land out of the Cary White Survey, Abstract Number 1109, Ellis County, Texas, and conveyed by deed to Dustin D. Autrey and Kristi Autrey and James D. Howard and Samantha Howard, *now known as* Samantha Jane Hamilton, as recorded in Volume 2300, Page 984, Official Public Records Ellis County, Texas, and being further described in the survey plat for Parcel 383 attached hereto.**

Exhibit 'A'  
Property Description

Being a 116.510 acre (5,075,162 square foot) tract of land out of the Cary White Survey, Abstract Number 1109, Ellis County, Texas, as conveyed by deed to Dustin D. Autrey, et al, (henceforth, referred to as Tract 1) as recorded in Volume 2300, Page 984, Deed Records, Ellis County, Texas and being further described as follows:

**BEGINNING** at a cotton spindle found in the Southeasterly right-of-way line of Farm-to-Market Road 984 (no recording information found) for the Northwest corner of said Tract 1 and the Northeast corner of a tract of land situated in said Carey White Survey as conveyed to Javier T. Ramirez, M.D. (henceforth, referred to as Tract 2) by deed recorded in Volume 392, Page 419, said Deed Records (N: 6,793,918.089, E: 2,504,171.775 Grid);

- (1) **THENCE** N 59°15'48" E with Northwesterly line of said Tract 1 and the Southeasterly line of said Farm-to-Market Road 984 right-of-way a distance of 1,119.71 feet to a 1/2-inch iron rod found for an ell corner of said Tract 1 and the Northwest corner of a tract of land situated in said Cary White Survey as conveyed to Bobby and Janet Napps (henceforth, referred to as Tract 3) by deed recorded in Volume 779, Page 651, said Deed Records;
- (2) **THENCE** S 30°39'39" E with the Southwesterly line of said Tract 3, a distance of 657.89 feet to a 5/8-inch iron rod set for an ell corner of said Tract 1 and the Southwest corner of said Tract 3;
- (3) **THENCE** N 59°25'55" E, with the Southeasterly line of said Tract 3, a distance of 660.00 feet to a 5/8-inch iron rod set for an ell corner of said Tract 1 and the Southeast corner of said Tract 3;
- (4) **THENCE** N 30°38'51" W with the Northeasterly line of said Tract 3, a distance of 660.00 feet to a 1/2-inch iron rod found in the Southeasterly line of said Farm-to-Market Road 984 right-of-way, for an ell corner of said Tract 1 and the Northeast corner of said Tract 3;
- (5) **THENCE** N 59°12'53" E, with the Northwesterly line of said Tract 1 and the Southeasterly line of said Farm-to-Market Road 984 right-of-way, a distance of 786.45 feet to a 5/8-inch iron rod set at the beginning of a curve to the left, having a radius of 1,004.93 feet;



- (6) **THENCE** continuing with the Northwesterly line of said Tract 1 and the Southeasterly line of said Farm-to-Market Road 984 right-of-way and with said curve to the left, through a central angle of  $08^{\circ}26'08''$ , an arc distance of 147.95 feet (the long chord of which bears  $N 55^{\circ}12'31'' E$ , a chord distance of 147.82 feet) to a 5/8-inch iron rod set in the Southeasterly line of said Farm-to-Market Road 984 for the Northeast corner of said Tract 1 and the Northwest corner of a tract of land situated in said Cary White Survey as conveyed to Brazos Electric Power Coop, Inc. (henceforth, referred to as Tract 4) by deed recorded in Volume 2321, Page 242, said Deed Records;
- (7) **THENCE**  $S 31^{\circ}27'03'' E$ , departing the Southeasterly line of said Farm-to-Market Road 984 right-of-way, with the Northeasterly line of said Tract 1 and the Southwesterly line of said Tract 4, a distance of 2,037.37 feet to a 5/8-inch iron rod set in the Northwesterly line of a tract of land situated in said Cary White Survey as conveyed to Bobby Jack Wheatley (henceforth referred to as Tract 5) by deed recorded in Volume 1446, Page 952, said deed Records, for the Southeast corner of said Tract 1 and the Southwest corner of said Tract 4;
- (8) **THENCE**  $S 59^{\circ}06'11'' W$ , with the Southeasterly line of said Tract 1 and the Northwesterly line of said Tract 5, a distance of 2,714.39 feet to a 5/8-inch iron rod set in the Northeasterly line of a tract of land situated in said Cary White Survey as conveyed to David and Juanita Rodriguez (henceforth, referred to as Tract 6) by deed recorded in Volume 510, Page 1270, Official Public Records, said Ellis County, for the Southwest corner of said Tract 1 and the Northwest corner of said Tract 5;
- (9) **THENCE**  $N 31^{\circ}26'05'' W$ , with the Southwesterly line of said Tract 1 and the Northeasterly line of said Tract 6 and Tract 2, a distance of 2,033.66 feet (record distance 2,031.92 feet) to the POINT OF BEGINNING and containing 116.510 acres (5,075,162 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9999460030.


NOTE: Plat to accompany this legal description.

NOTE: All 5/8-inch iron rods set have a yellow cap stamped "SAM INC."

That I, S. Kevin Wendell, a Registered Professional Land Surveyor in Texas, hereby states that this survey was made from an actual on the ground survey made in August 2011 under my supervision, that all monuments exist as shown hereon and this survey substantially conforms with the current professional and technical standards as set forth by the Texas Board of Professional Land Surveying.

The size, location and type of buildings and other visible improvements are as shown and shows the location of the easements, right-of-way and other matters of records as listed in Schedule B of the Commitment for Title Insurance issued by Stewart Title Guaranty Company, dated December 22, 2011, GF #1112081 affecting subject property.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2 Survey.

  
\_\_\_\_\_  
S. Kevin Wendell  
Registered Professional Land Surveyor  
Texas Registration Number 5500

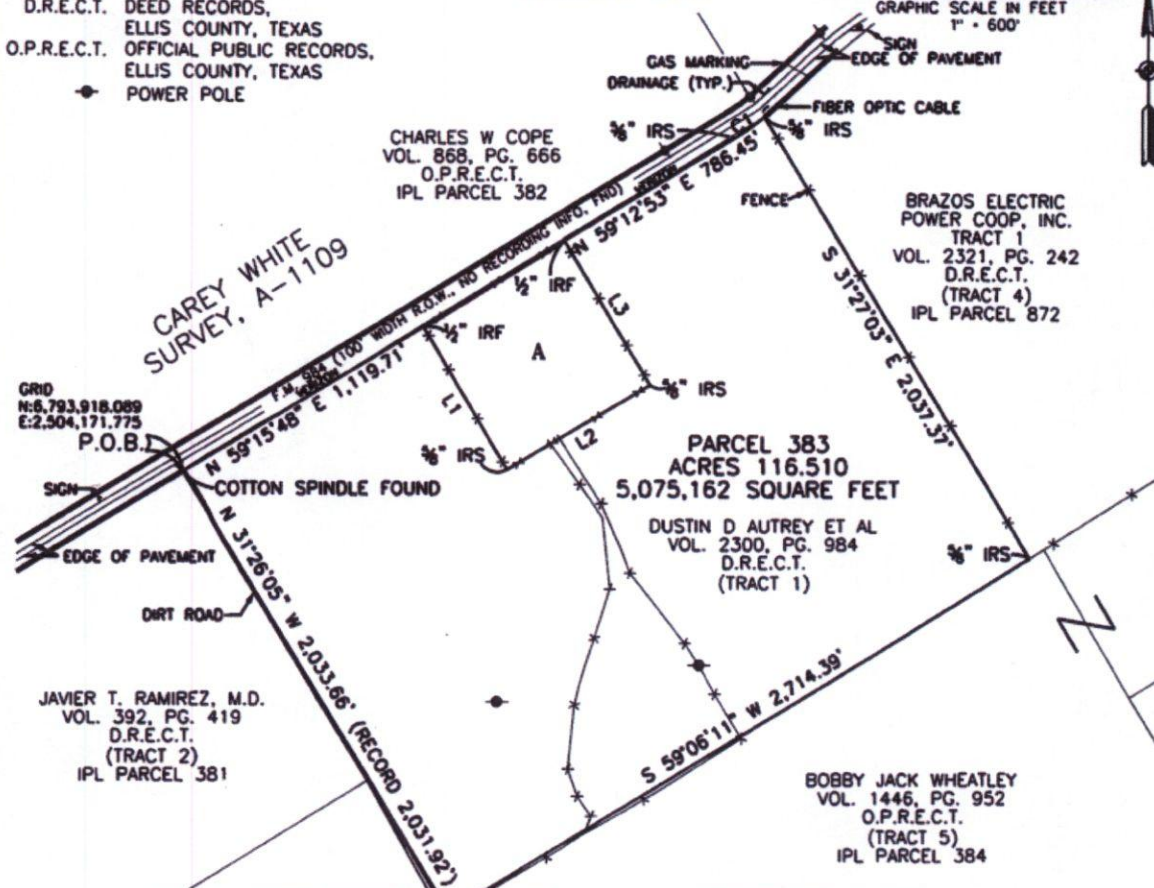
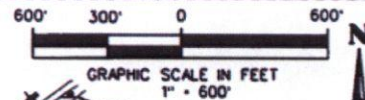
February 23, 2012





**LEGEND**  
 P.O.B. POINT OF BEGINNING  
 D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS  
 O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS  
 ◆ POWER POLE

**EXHIBIT "A"**  
**PARCEL 383**



**OWNERSHIP TABLE**

OWNERS	VOLUME	PAGE	RECORDS
A BOBBY & JANET NAPPS (TRACT 3)	779	651	D.R.E.C.T.

**LINE TABLE**

NO.	BEARING	ACT. DISTANCE	RECORD DIS.
L1	S 30° 39' 39" E	657.89'	657.89'
L2	N 59° 25' 55" E	660.00'	659.99'
L3	N 30° 38' 51" W	660.00'	660.00'

GENERAL NOTES:  
 1. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND UTILITIES, WHICH MAY AFFECT THE USE, OR DEVELOPMENT OF THE SUBJECT AREA.

**CURVE TABLE**

NO.	DELTA <	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	8° 26' 08"	1,004.93'	147.95'	N 55° 12' 31" E	147.82'

NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT

1450 EMPIRE CENTRAL DRIVE  
 SUITE 175  
 DALLAS, TEXAS 75247  
 (214) 651-7888  
 FAX: (214) 651-7103

FILE NAME: PARCEL 383-R2.DGN  
 PROJ NO: 838143 TRWO TASK 5  
 SCALE: 1"=600'  
 DATE: 01-26-2012  
 DRAWN BY: CM  
 CHECKED BY: SKW  
 REVISED DATE: 02-23-2012

PRINTED ON:  
 02/23/2012  
 2:11 PM

SECTION 14, PARCEL 383  
 DUSTIN D AUTREY, ET AL

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4282) NORTH AMERICAN DATUM (NAD83(2007)) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED GRID FACTOR 0.9999468836.

PG. 5 OF 5

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs incurred with this acquisition. Funding for this purchase is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

26.

With the recommendation of management and the Real Property Committee, Director Sparks moved to grant authority to purchase the following described real property for construction and operation of the IPL Project for the negotiated purchase price of \$143,800.

**Fee simple title to the surface estate only, including improvements located thereon, of an approximately 9.985 acre tract of land out of the Cary White Survey, Abstract Number 1109, Ellis County, Texas, conveyed by deed to Bobby and Janet Napps, as recorded in Volume 1976, Page 1722, Official Public Records of Ellis County, Texas, (O.P.R.E.C.T.) and being further described in the survey plat for Parcel 1100 attached hereto.**



Exhibit 'A'  
Property Description

Being a 9.985 acre (434,953 square foot) tract of land out of the Cary White Survey, Abstract Number 1109, Ellis County, Texas, conveyed by deed to Bobby and Janet Napps (henceforth, referred to as Tract 1) as recorded in Volume 1976, Page 1722, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.) and being further described as follows:

**BEGINNING** at a 1/2 inch iron rod found in the Southeasterly line of Farm-to-Market Road 984 (FM 984), a 100-foot right-of-way (no recording information found), for the Northwest corner of said Tract 1 and an ell corner of a tract of land situated in said Cary White Survey conveyed to Dustin D. Autrey, et al (henceforth referred to as Tract 2) by deed recorded in Volume 2300, Page 984, O.P.R.E.C.T., from which a cotton spindle found in the Southeasterly line of said FM 984 right-of-way for the Northwest corner of said Tract 2 and the Northeast corner of a tract of land situated in said Cary White Survey conveyed to Javier T. Ramirez, M.D. (henceforth referred to as Tract 3) by deed recorded in Volume 392, Page 419, Deed Records, Ellis County, Texas (D.R.E.C.T.) bears S 59°15'48" W, a distance of 1,119.71 feet (said **Point of Beginning** having grid coordinates of N: 6,794,490.298 and E: 2,505,134.073);

- (1) **THENCE** N 59°14'56" E with the Southeasterly line of said FM 984 and the Northwesterly line of said Tract 1 a distance of 660.15 feet to a 1/2 inch iron rod found for the Northeast corner of said Tract 1 and being an ell corner of said Tract 2;
- (2) **THENCE** S 30°38'51" E departing the Southeasterly line of said FM 984 with the common line of said Tract 1 and said Tract 2, a distance of 660.00 feet to a 5/8 inch iron rod set;
- (3) **THENCE** S 59°25'55" W, continuing with the common line of said Tract 1 and said Tract 2, a distance of 660.00 feet to a 5/8 inch iron rod set;
- (4) **THENCE** N 30°39'39" W continuing with the common line of said Tract 1 and said Tract 2, a distance of 657.89 feet to the **POINT OF BEGINNING** containing 9.985 acres (434,953 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.99994600300.


NOTE: Plat to accompany this legal description.

NOTE: All 5/8-inch iron rods set have a yellow cap stamped "SAM INC."

I do certify on this 3rd day of April, 2012, to Ellis County Abstract and Title Co., Stewart Title Guaranty Company Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Stewart Title Guaranty Company Title Insurance Company, with an effective date of March 12, 2012, issued date of March 21, 2012 GF # 1202173 affecting the subject property.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey

  
S. Kevin Wendell  
Registered Professional Land Surveyor  
Texas Registration Number 5500



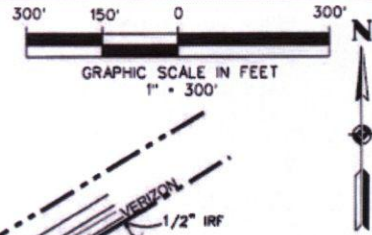
DATED: April 11, 2012



**LEGEND**

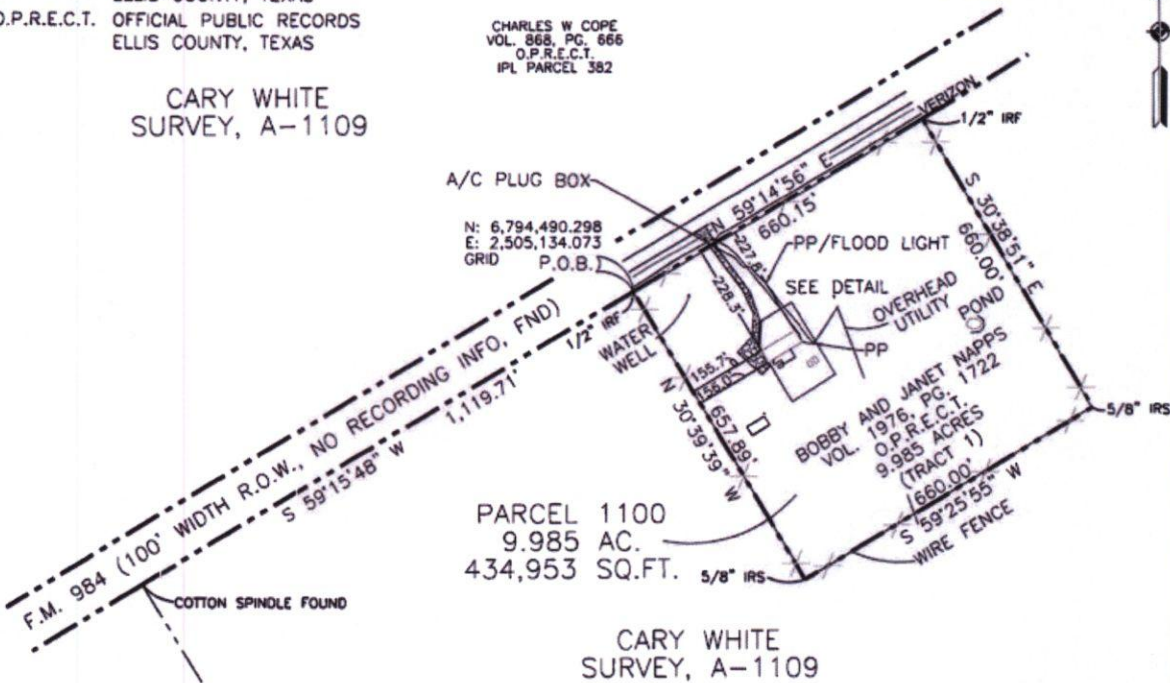
P.O.B. POINT OF BEGINNING  
 D.R.E.C.T. DEED RECORDS,  
 ELLIS COUNTY, TEXAS  
 O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS  
 ELLIS COUNTY, TEXAS

**EXHIBIT "A"**  
**PARCEL 1100**



CHARLES W COPE  
 VOL. 868, PG. 666  
 O.P.R.E.C.T.  
 IPL PARCEL 382

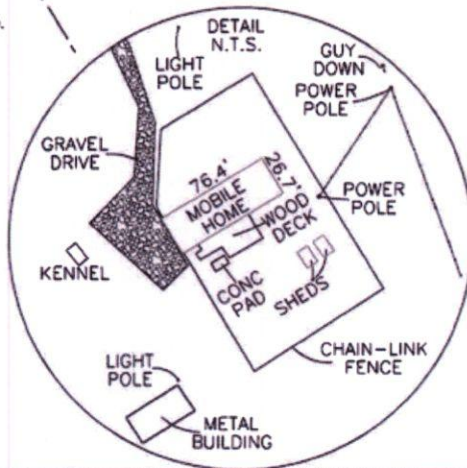
**CARY WHITE**  
**SURVEY, A-1109**



PARCEL 1100  
 9.985 AC.  
 434,953 SQ.FT.

**CARY WHITE**  
**SURVEY, A-1109**

JAVIER T. RAMIREZ, M.D.  
 VOL. 392, PG. 419  
 D.R.E.C.T.  
 IPL PARCEL 381  
 (TRACT 3)



DUSTIN D AUTREY, ET AL.  
 VOL. 2300, PG. 984  
 O.P.R.E.C.T.  
 IPL PARCEL 383  
 (TRACT 2)

NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT.



1450 EMPIRE CENTRAL DRIVE  
 SUITE 175  
 DALLAS, TEXAS 75247  
 (214) 631-7888  
 FAX: (214) 631-7103

FILE NAME: PARCEL 1100.DWG  
 PROJ NO: 030143 TRWD TASK 5  
 SCALE: 1" = 300'  
 DATE: 03/14/2012  
 DRAWN BY: MGH  
 CHECKED BY: SKW  
 REVISED DATE: 04/11/2012

PRINTED ON:  
 04/11/2012  
 1:20 PM



SHEET TITLE

**EXHIBIT "A"**  
**SEGMENT 14, PARCEL 1100**  
**BOBBY & JANET NAPPS**

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4282) NORTH AMERICAN DATUM (NAD83)(2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.99994602380

PG. 4 OF 4

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs incurred with this acquisition. Funding for this acquisition is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

27.

With the recommendation of management and the Real Property Committee, Director Sparks moved to grant authority to purchase the following described real property for construction and operation of the IPL Project for the negotiated purchase price of \$44,582, together with the grant from TRWD to Mrs. Bateman of an access easement across a portion of Parcel 383 and a portion of Parcel 384, if and when acquired by TRWD.

**Fee simple title to the surface estate only, including improvements located thereon, of an approximately 22.291 acre tract of land out of the Cary White Survey, Abstract Number 1109, Ellis County, Texas, as conveyed by deed to Dorothy A. Pugh, now known as Dorothy A. Bateman, as recorded in Volume 515, Page 622, Deed Records of Ellis County, Texas, and being further described in the survey plat for Parcel 385 attached hereto.**





- Proposed 15' Easement
- Benefitted Parcel



**IPL Parcel 385  
Easement**

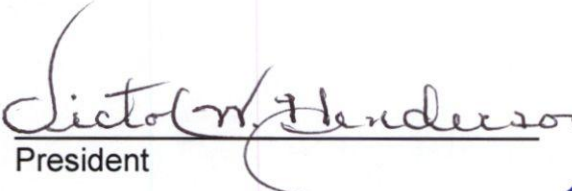
Disclaimer:  
Data contained in this map represents the best information available at the time of printing and is intended for general planning use only. It does not represent an on-the-ground survey. It is not intended to be used for legal, engineering, or surveying purposes. TRWD/CI/OCWD is not liable for misuse of the information or derivative products resulting from this map.  
MAP PRODUCED ON 8/14/2012 BY PL-K2




In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs incurred with this acquisition. Funding for this acquisition is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

28.

There being no further business before the Board of Directors, the meeting was adjourned.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary