### MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF TARRANT REGIONAL WATER DISTRICT HELD ON THE 17<sup>th</sup> DAY OF MAY 2016 AT 9:30 A.M.

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

<u>Present</u> Victor W. Henderson Jack R. Stevens Marty V. Leonard Jim Lane Mary Kelleher

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrell Beason, Steve Christian, Linda Christie, Wesley Cleveland, Randall Cocke, Rachel Ickert, Nancy King, Chad Lorance, David Marshall, Sandy Newby, Mark Olson, Wayne Owen, Kirk Thomas, and Ed Weaver.

Also in attendance were George Christie, General Counsel for Tarrant Regional Water District (District or TRWD); Lee Christie, Hay Ray, Ethel Steele, Jeremy Harmon and R.L. Florance of Pope, Hardwicke, Christie, Schell, Kelly, & Ray, LLP; Don McDaniel of TMG Imaging; Bill Paxton of Trinity River Communications - Joint Venture; Denis Qualls of City of Dallas Water Utilities and Andra Beatty of Andra Beatty Real Estate.

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 Leonard and seconded by Director Kelleher, the Directors voted unanimously to approve the minutes from the meeting held on April 19, 2016. It was accordingly ordered that these minutes be placed in the permanent files of the Tarrant Regional Water District.

3.

With the recommendation of management, Director Stevens moved to approve project closeout, final payment and release of retainage in the amount of \$52,135 with TMI Coatings, Inc. for the refurbishing of the Richland-Chambers spillway stop logs. Funding for this contract is included in the Revenue Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

4.

With the recommendation of management, Director Lane moved to approve a change order in the amount of \$377,137 with Blackhall Engineering Limited for the purchase of mainline gate valves for the Integrated Pipeline Project. Funding for this change order is included in the Bond Fund. The total not to exceed contract value, including this change order, will be \$6,211,276. Director Kelleher seconded the motion and the vote in favor was unanimous.

5.

#### Staff Updates

- Video Presentation: Mayfest Water Conservation Garden
- System Status Update

#### 6.

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

Director Lane however, took this opportunity to compliment Jim Oliver and the staff

The Board of Directors recessed for a break from 9:58 a.m. to 10:10 a.m.

7.

The presiding officer next called an executive session at 10:10 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 (Tarrant Regional Water District v. Lazy W District No. 1, et al., Cause No. 2014C-0144 in the 3rd District Court of Henderson County, Texas, Cause No. 12-14-00329-CV in the Twelfth Court of Appeals, Tyler, Texas and Cause No. 15-0117 in the Supreme Court of Texas; White House Cemetery Association v. Jasper and Evelyn Stevens and Tarrant Regional Water District, Cause No. 08001-CCL-15, in the County Court at Law No. 1 of Henderson County, Texas); Wilson Family Cemetery Association v. The Estate of Genie Warren, Jr. and Tarrant Regional Water District, Cause No. 08026-CCL-15 in the County Court at Law No. 1 of Henderson County, Texas; Tarrant Regional Water District v. Judy J. Beene f/k/a Judy J. Sellers, et al., Cause No. 2012-002520-3 in the County Court at Law No. 3 of Tarrant County, Texas; Tarrant Regional Water District v. Kenneth Cook, et al., Cause No. CC1-2014-078 in the County Court at Law No. 1 of Henderson County, Texas; and under Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property. Upon completion of the executive session at 10:30 a.m., President Henderson reopened the meeting.

With the recommendation of management, Director Stevens moved to grant authority to acquire permanent easement interests in, over, and across the following described properties for the public use and purpose of construction and operation of the Integrated Pipeline Project by purchase or, if negotiations to acquire the property by purchase are unsuccessful, by the use of the power of eminent domain. The motion was made in the form provided by Chapter 2206, Texas Government Code, and indicated that it is intended to apply to all the units of real property described below. Funding for these acquisitions is included in the Bond Fund.

• IPL Parcel 163

(Wendell T. Brown, Sundress Resources, LLC, Lauren A. O'Brien, Marty Buckholt 2012 Irrevocable Trust)

A permanent easement interest in, over, and across a 2.963-acre tract of land situated in the Matthew Anderson Survey, Abstract Number 9, Tarrant County, Texas, and being part of that certain tract of land described in instruments recorded in Volume 15630, Page 24, and in Volume 15630, Page 26, Deed Records, Tarrant County, Texas, such tract being further described in the accompanying survey plat for Parcel 163 attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$85,000 as just compensation for the above-described property.

• IPL Parcel 164

(Wendell T. Brown, Sundress Resources, LLC, Lauren A. O'Brien, Marty Buckholt 2012 Irrevocable Trust)

A permanent easement interest in, over, and across a 1.471-acre tract of land situated in the Matthew Anderson Survey, Abstract Number 9, Tarrant County, Texas, and being part of that certain tract of land described in instruments recorded in Volume 15630, Page 24, and in Volume 15630, Page 26, Deed Records, Tarrant County, Texas, such tract being further described in the accompanying survey plat for Parcel 164 attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$74,400 as just compensation for the above-described property.

### IPL Parcel 1128 (Sheard)

A permanent easement interest in, over, and across a 3.651-acre tract of land situated in the Jonathan Ping Survey, Abstract Number 608, Henderson County, Texas, and being more particularly described as a portion of that certain 5.066-acre tract of land conveyed to Eddie Sheard and Blanca S. M. Sheard by deed recorded in Instrument Number 2012-00006757, Official Public Records, Henderson County, Texas, and being a portion of Tract 4 of Mankin Estates, a subdivision of record according to the map or plat thereof recorded in Cabinet D, Slide 217, Plat Records, Henderson County, Texas, such tract being further described in the accompanying survey plat for Parcel 1128 attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$29,000 as just compensation for the above-described property.

#### EXHIBIT "A" Property Description

Being 2.963 acre (129,059 square feet) of land situated in the Matthew Anderson Survey, Abstract Number 9, Tarrant County, Texas, and being part of that certain tract of land described to Jennifer Dorcel Adams Basped (undivided 75% interest), recorded in Volume 15630, Page 24, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and Beauford Basped, Jr. and wife, Jennifer Dorcel Adams Basped (all of Rhonda Adams 25% interest), recorded in Volume 15630, Page 26, D.R.T.C.T. and being further described as follows:

**COMMENCNG** at a 1/2 inch iron rod found on the South line of a tract of land described to Oncor Electric Delivery Company LLC, recorded in Instrument No. D208147812, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), being the Northeast corner of the South portion of said Basped tract and the Northwest corner of an 14.6445 acre tract of land described to Jay Eric Hasbrouck, recorded in Instrument No. D205257266, O.P.R.T.C.T.;

**THENCE** N 89° 58' 44" W, along the North line of the South portion of said Basped tract and the South line of said Oncor tract, a distance of 520.03 feet to a set 5/8 inch iron rod with TranSystems cap for the Northeast corner of the tract herein described, being on the South line of a 130 feet wide right-of-way easement described to Tarrant County Water Control and Improvement District Number One, recorded in Volume 3691, Page 609, Real Property Records, Tarrant County, Texas (R.P.R.T.C.T.), and the **POINT OF BEGINNING** (N: 6,909,427.339, E: 2,369,274.119 Grid);

- (1) **THENCE** S 59° 15' 43" E, along the East line of tract herein described and the South line of said right-of-way easement, a distance of 30.37 feet to a set 5/8 inch iron rod with TranSystems cap;
- (2) **THENCE** S 0° 22' 09" E, continuing along the East line of tract herein described, a distance of 400.67 feet to a set 5/8 inch iron rod with TranSystems cap;
- (3) **THENCE** S 42° 13' 12" E, continuing along the East line of tract herein described, a distance of 737.98 feet to a set 5/8 inch iron rod with TranSystems cap on the East line of said Basped tract and the West line of said Hasbrouck tract;
- (4) **THENCE** S 0° 16' 17" E, along the East line of tract herein described, the East line of said Basped tract and the West line of said Hasbrouck, a distance of 149.60 feet to a set 5/8 inch iron rod with TranSystems cap for the most Southerly corner of tract herein described;
- (5) **THENCE** N 42° 13' 12" W, along the West line of tract herein described, a distance of 887.48 feet to a set 5/8 inch iron rod with TranSystems cap;
- (6) **THENCE** N 0° 22' 09" W, continuing along the West line of tract herein described, a distance of 382.46 feet to a set 5/8 inch iron rod with TranSystems cap;
- (7) THENCE N 59° 15' 43" W, continuing along the West line of tract herein described, a distance of 142.22 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwest corner of tract herein described, being on the North line of the South portion of the said Basped tract and on the South line of said Oncor tract;

## **EXHIBIT A-1**

(8) **THENCE** S 89° 58' 44" E, along the North line of tract herein described, the North line of the South portion of said Basped tract and the South line of said Oncor tract, a distance of 195.77 feet the **POINT OF BEGINNING**, containing 2.963 acre (129,059 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 0.9998802448.

NOTE: Plat to accompany this legal description

I do certify on this 10th day of December, 2015, to Fidelity National Title Agency, Inc., 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 III 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 Fidelity National Title Agency, Inc., with an effective date of January 7, 2013, issued date of January 28, 2013, GF # FT244122-4412201227 affecting the subject property and listed in Exhibit "A-1" attached hereto.

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.

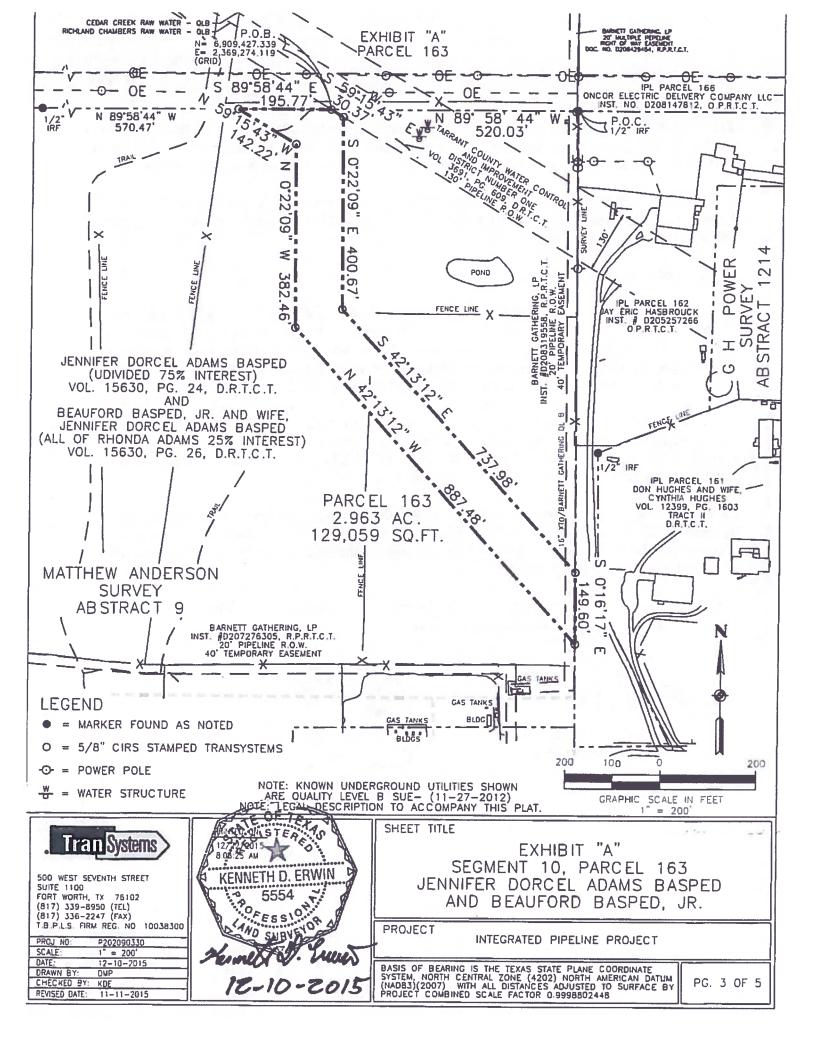
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

D. Kruver

Kenneth D. Erwin Registered Professional Land Surveyor Texas Registration Number 5554

Dated: 12-10-2015





### EXHIBIT "A"

#### **Property Description**

Being 1.471 acre (64,062 square feet) of land situated in the Matthew Anderson Survey, Abstract Number 9, Tarrant County, Texas, and being part of that certain tract of land described to Jennifer Dorcel Adams Basped (undivided 75% interest), recorded in Volume 15630, Page 24, Deed Records, Tarrant County, Texas (D.R.T.C.T.) and Beauford Basped, Jr. and wife, Jennifer Dorcel Adams Basped (all of Rhonda Adams 25% interest), recorded in Volume 15630, Page 26, D.R.T.C.T. and being further described as follows:

**COMMENCING** at a 1/2 inch iron rod found on the North line of a tract of land described to Oncor Electric Delivery Company LLC, recorded in Instrument No. D208147812, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), being the Southeast corner of the North portion of said Basped tract and the Southwest corner of an 8.2688 acre tract of land described to Jay Eric Hasbrouck, recorded in Instrument No. D205257266, O.P.R.T.C.T.;

**THENCE** N 89° 58' 44" W, along the South line of the North portion of said Basped tract and the North line of said Oncor tract, a distance of 646.02 feet to a set 5/8 inch iron rod with TranSystems cap for the Southeast corner of the tract herein described, being on the South line of a 130 feet wide right-of-way easement described to Tarrant County Water Control and Improvement District Number One, recorded in Volume 3691, Page 609, D.R.T.C.T., and the **POINT OF BEGINNING** (N: 6,909,502.376, E: 2,369,147.932 Grid);

- (1) **THENCE** N 89° 58' 44" W, along the South line of tract herein described, the South line of the North portion of said Basped tract and the North line of said Oncor tract, a distance of 195.77 feet to a set 5/8 inch iron rod with TranSystems cap for the most Southerly Southwest corner of tract herein described;
- (2) **THENCE** N 59° 15' 43" W, along the South line of tract herein described, a distance of 382.24 feet to a set 5/8 inch iron rod with TranSystems cap;
- (3) THENCE S 89° 18' 49" W, continuing along the South line of tract herein described, a distance of 145.74 feet to a set 5/8 inch iron rod with TranSystems cap for the most Northerly Southwest corner of tract herein described, on the West line of the North portion of said Basped tract and being the centerline of Eden Road, a variable width right-of-way, no deed of record found;
- (4) **THENCE** N 1° 05' 09" W, along the West line of tract herein described, the West line of the North portion of said Basped tract and the centerline of said Eden Road, a distance of 100.00 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwest corner of tract herein;
- (5) THENCE N 89° 18' 49" E, along the North line of tract herein described, a distance of 174.57 feet to a set 5/8 inch iron rod with TranSystems cap being on the South line of said Tarrant County Water Control and Improvement District Number One right-of-way easement;
- (6) THENCE S 59° 15' 43" E, continuing along the North line of tract herein described and along the South line of said County Water Control and Improvement District Number One right-of-way easement, a distance of 578.68 feet to the POINT OF BEGINNING, containing 1.471 acre (64,062 square feet) of land, more or less.

## EXHIBIT A-2

Parcel 164 Integrated Pipeline Project Page 2 of 5

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 0.9998802448.

#### NOTE: Plat to accompany this legal description

I do certify on this 10th day of December, 2015, to Fidelity National Title Agency, Inc., 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 III 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 Fidelity National Title Agency, Inc., with an effective date of January 8, 2013, issued date of January 23, 2013, GF No. FT244122-4412201245 affecting the subject property and listed in Exhibit "A-1" attached hereto.

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.

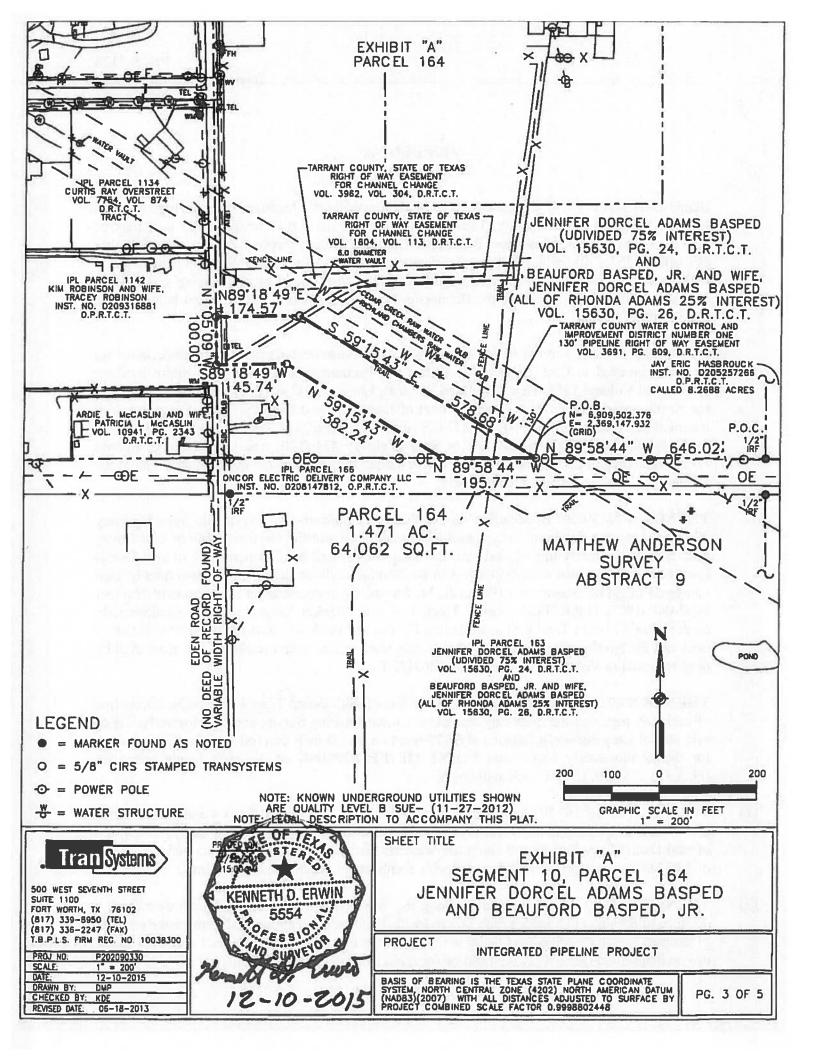
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

Eruc

Kenneth D. Erwin Registered Professional Land Surveyor Texas Registration Number 5554

Dated: 12-10-2015





#### EXHIBIT "A" Property Description

Being 3.651 acres (159,036 square feet) of land situated in the Jonathan Ping Survey, Abstract Number 608, Henderson County, Texas and more particularly that certain 5.066 acre tract of land conveyed to Eddie Sheard and Blanca S. M. Sheard by deed recorded in Instrument Number 2012-00006757, Official Public Records, Henderson County, Texas (O.P.R.H.C.T.) and Tract 4 of Mankin Estates, a subdivision of record according to the map or plat thereof recorded in Cabinet D, Slide 217, Plat Records, Henderson County, Texas (P.R.H.C.T.), and being further described as follows:

**COMMENCING** at a found 1/2 inch iron rod for the Southwesterly corner of that certain tract of land conveyed to C.M. McDonald, Anita Kaye Richardson and Patty Jean Smith by deed recorded in Volume 1255, Page 428, Deed Records, Henderson County, Texas (D.R.H.C.T.) and the Northwesterly corner of that certain tract of land conveyed to Mary Helen Covey by deed recorded in Volume 73, Page 903, D.R.H.C.T. and in Volume 2314, Page 25, D.R.H.C.T., being in the Northeasterly right-of-way line of State Highway 274 (120' wide), No Deed of Record Found and being in the Southerly line of said Jonathan Ping Survey and the Northerly line of the Daniel Lacy Survey, Abstract Number 431;

**THENCE** N 88°59'59" E, departing the Northeasterly right-of-way line of said State Highway 274 and along the Southerly line of said McDonald tract and the Northerly line of said Covey tract and the Southerly line of said Jonathan Ping Survey and the Northerly line of said Daniel Lacy Survey, a distance of 1,756.03 feet to the Southeasterly corner of that certain tract of land conveyed to Eddie Sheard and Blanca S. M. Sheard by deed recorded in Instrument Number 2012-00001907, O.P.R.H.C.T., being Tract 3 of said Mankin Estates and the Southwesterly corner of said Sheard Tract 4 of said Mankin Estates and the Northeasterly corner of said Covey tract and the Northwesterly corner of that certain tract of land conveyed to W. M. Key, et al by deed recorded in Volume 858, Page 323, D.R.H.C.T.;

**THENCE** N 89°20'20" E, along the Southerly line of said Sheard Tract 4 and the Northerly line of said Key tract and the Southerly line of said Jonathan Ping Survey and the Northerly line of said Daniel Lacy Survey, a distance of 67.23 feet to a set 5/8 inch iron rod with TranSystems cap for the Southwesterly corner and **POINT OF BEGINNING** of the tract herein described (N: 6,755,884.499, E: 2,709,856.640 Grid);

- (1) THENCE N 01°13'56" W, departing the Southerly line of said Sheard Tract 4 and the Northerly line of said Key tract and the Southerly line of said Jonathan Ping Survey and the Northerly line of said Daniel Lacy Survey and along the Westerly line of the tract herein described, a distance of 1,057.01 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (2) **THENCE** N 01°11'27" E, continuing along the Westerly line of the tract herein described, a distance of 8.14 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwesterly corner of the tract herein described and being in the Northerly line of said Sheard Tract 4 and the center of Forehand Road (variable width right-of-way) No Deed of Record Found;

## **EXHIBIT A-3**

Parcel 1128 Integrated Pipeline Project Page 2 of 5

- (3) THENCE S 86°54'43" E, along the Northerly line of said Sheard Tract 4 and along the Northerly line of the tract herein described, a distance of 150.08 feet to a set 5/8 inch iron rod with TranSystems cap for the Northeasterly corner of said Sheard Tract 4 and the Northwesterly corner of that certain tract of land conveyed to Jeffrey S. Turner and Jinnifer N. Turner by deed recorded in Volume 2938, Page 649, D.R.H.C.T., also being Tract 5 of said Mankin Estates and being the Northeasterly corner of the tract herein described;
- (4) THENCE S 01°13'56" E, along the Easterly line of said Sheard Tract 4 and the Westerly line of said Turner Tract 5 and along the Easterly line of the herein described tract, a distance of 1,055.33 feet to a set 5/8 inch iron rod with TranSystems cap for the Southeasterly corner of said Sheard Tract 4 and the Southwesterly corner of said Turner Tract 5, being in the Northerly line of said Key tract and the Southerly line of said Jonathan Ping Survey and the Northerly line of said Daniel Lacy Survey and being the Southeasterly corner of the tract herein described;
- (5) **THENCE** S 89°20'20" W, along the Southerly line of said Sheard Tract 4 and the Northerly line of said Key tract and the Southerly line of said Jonathan Ping Survey and the Northerly line of said Daniel Lacy Survey and along the Southerly line of the tract herein described, a distance of 150.01 feet to the **POINT OF BEGINNING**, containing 3.651 acres (159,036 square feet) of land, more or less.

Parcel 1128 Integrated Pipeline Project Page 3 of 5

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.

I do certify on this 4th day of February, 2014, to Attorney's Title Company of Henderson County, Fidelity National 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 Fidelity National Title Insurance Company, with an effective date of April 8, 2013, issued date of April 12, 2013, GF # 13-221-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

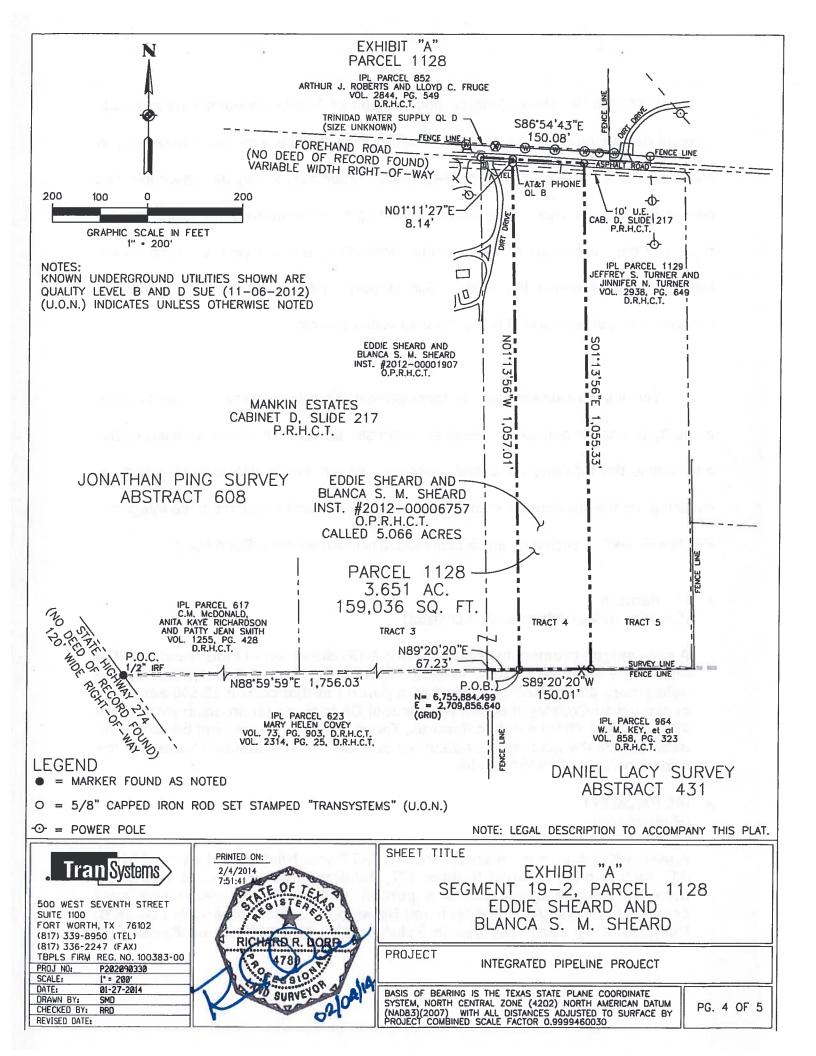
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

Richard R. Dorr Registered Professional Land Surveyor Texas Registration Number 4780 TBPLS Firm Reg. No. 100383-00

02/04/14 Dated:





In addition, R. Steve Christian and the staff of TRWD are authorized to initiate eminent domain proceedings, to take all steps which may be reasonably necessary to complete the acquisition of the above-described properties, to pay all reasonable and necessary costs, to deposit the amount of the special commissioners' award into the registry of the court in any eminent domain proceeding, and to appeal any such award. Director Lane seconded the motion, with Directors Henderson, Stevens, Lane and Leonard voting in favor and Director Kelleher voting against.

9.

With the recommendation of management, Director Kelleher moved to grant authority to acquire permanent easement interests, as set forth below, in, over, under, and across the following described properties, or fee simple title to such tracts, as indicated, for the public use and purpose of construction and operation of the Integrated Pipeline Project. Funding for these acquisitions is included in the Bond Fund.

#### • IPL Parcel 5 (Crowley Independent School District)

A permanent easement interest across a 2.353-acre tract of land situated in the Juan Jose Albirado Survey, Abstract Number 4, Tarrant County, Texas, and being more particularly described as a portion of that certain 22.500-acre tract conveyed to Crowley Independent School District, as recorded in Instrument #D209319844, Official Public Records, Tarrant County, Texas, and being further described in the accompanying survey plat for Parcel 5 attached hereto for the appraised value of \$157,500.00.

• IPL Parcel 671 (Richardson)

A permanent easement interest across a 7.477-acre tract of land situated in the J.C. Neill Survey, Abstract Number 577, Henderson County, Texas, and being more particularly described as a portion of that certain 206.34-acre tract conveyed to Jesse A. Richardson and Gwendolyn B. Richardson a/k/a Gwen B. Richardson by deed recorded in Volume 1284, Page 448, Deed Records of

Henderson County, Texas, and being further described in the accompanying survey plat for Parcel 671 attached hereto for the negotiated purchase price of \$36,900.00.

IPL Parcel 758
(Redding)

Permanent easement interests across a 3.890-acre tract of land and a 1.798-acre tract of land situated in the Ralph Hunter Survey, Abstract Number 11, Henderson County, Texas, and being more particularly described as portions of that certain 150.17-acre tract described as Tract One and of that certain 0.355-acre tract described as Tract Two, conveyed in a deed to Arnold E. Redding, Jr., as recorded in Document No. 2014-00010644, Official Public Records, Henderson County, Texas, and being further described in the accompanying survey plat for Parcel 758 attached hereto for the negotiated purchase price of \$46,481.00

#### EXHIBIT "A" Property Description

Being 2.353-acres (102,478 square feet) of land situated in the Juan Jose Albirado Survey, Abstract Number 4, Tarrant County, Texas, and more particularly that certain 22.500 acre tract conveyed to Crowley Independent School District, as recorded in Instrument #D209319844, Official Public Records, Tarrant County, Texas, (O.P.R.T.C.T.) and being further described as follows:

**COMMENCING** at a found 1/2 inch iron rod at the Southwest corner of said Crowley tract and on the Easterly line of a tract of land to FW 50 Partners, LTD., as recorded in Instrument #D211148502, Official Public Records, Tarrant County, Texas, (O.P.R.T.C.T.);

**THENCE** N 72°10'16" E, along the South line of said Crowley tract and the Easterly line of said FW 50 Partners tract, a distance of 31.56 feet to a set 5/8 inch iron rod with Transystems cap at the Southwest corner of tract herein described, and the **POINT OF BEGINNING** (N: 6,909,640.535, E: 2,304,042.796 Grid);

- THENCE N 9°57'36" W, along the West line of tract herein described, a distance of 908.32 feet to a set 5/8 inch iron rod with Transystems cap for the Northwest corner of tract herein described, on the North line of said Crowley tract and on the Easterly line of said FW 50 Partners tract, point also being the beginning of a curve to the right;
- (2) THENCE along said curve to the right, along the North line of tract herein described, the North line of said Crowley tract and the Easterly line of said FW 50 Partners tract, an arc distance of 125.29 feet, through a central angle of 1°44'52", a radius of 4,107.33 feet and a long chord which bears N 50°57'29" E, 125.29 feet to a set 5/8 inch iron rod with Transystems cap, point also being the beginning of a curve to the right;
- (3) **THENCE** along said curve to the right, along the East line of tract herein described, an arc distance of 31.16 feet, through a central angle of 1°52'10", a radius of 955.00 feet and a long chord which bears S 10°53'41" E, 31.16 feet to a set 5/8 inch iron rod with Transystems cap;
- (4) THENCE S 9°57'36" E, along the East line of tract herein described, a distance of 922.86 feet to a set 5/8 inch iron rod with Transystems cap for the South line of tract herein described, on the South line of said Crowley tract and on the Easterly line of said FW 50 Partners tract;
- (5) **THENCE** S 72°10'16" W along the South line of tract herein described, the South line of said Crowley tract and the Easterly line of said FW 50 Partners tract, a distance of 111.05 feet to the **POINT OF BEGINNING**, containing 2.353-acres (102,478 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 0.9998802448.

NOTE: Plat to accompany this legal description

I do certify on this 24rd day of June, 2014, to Fidelity National Title Agency, Inc. 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 III 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 Fidelity National Title Agency, Inc., with an effective date of January 3, 2013, issued date of January 18, 2013, GF # FT244122-4412201243 affecting the subject property and listed in Exhibit "A-1" attached hereto.

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.

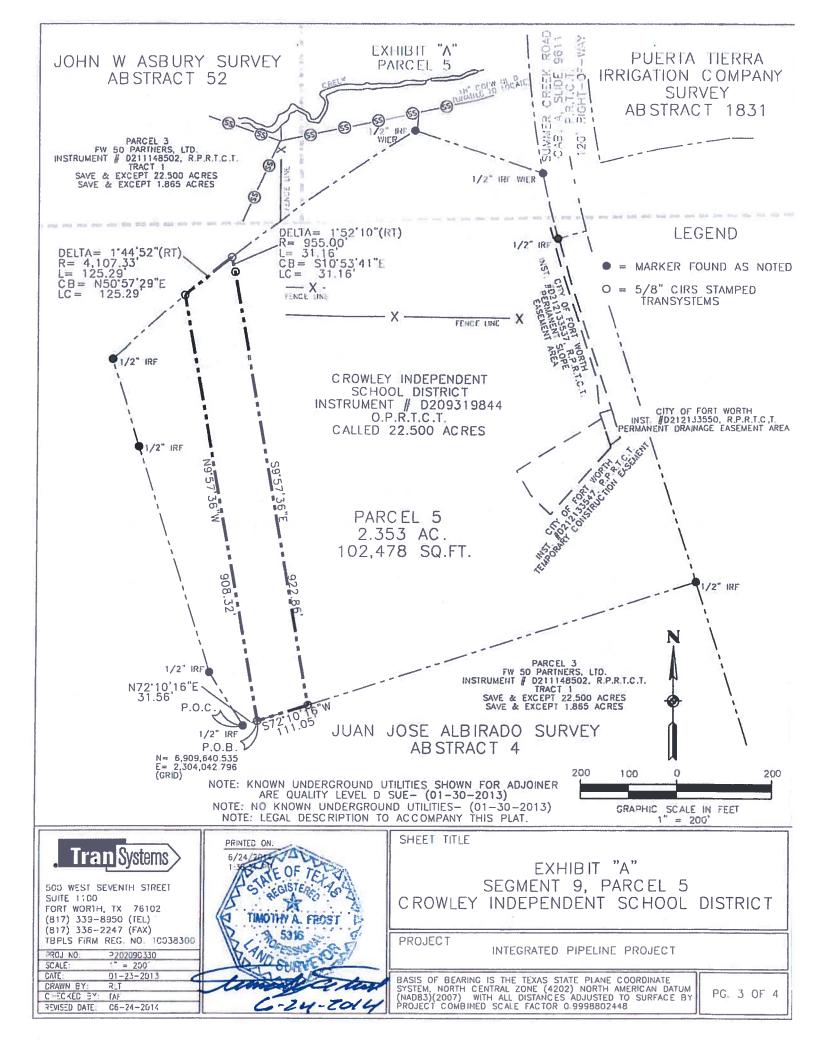
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

-TI true many Timothy A. Frost

Registered Professional Land Surveyor Texas Registration Number 5316

Dated: 6-24-2014





#### EXHIBIT "A" Property Description

Being 7.477 acres (325,700 square feet) of land situated in the J.C. Neill Survey, Abstract Number 577, Henderson County, Texas, and more particularly that certain 206.34 acre tract conveyed to Jesse A. Richardson and wife, Gwendolyn B. Richardson a/k/a Gwen B. Richardson by deed recorded in Volume 1284, Page 448, Deed Records of Henderson County, Texas (D.R.H.C.T.), and being further described as follows:

**COMMENCING** at the Southeasterly corner of said Richardson tract and the Southwesterly corner of that certain tract of land conveyed to Randy Paul Tower or Cynthia Diane Tower, Trustees for the R.P. & C.D. Tower Living Trust by deed recorded in Volume 2380, Page 755, D.R.H.C.T., being in the Northerly line of that certain tract of land conveyed to Rex Holmes and wife, Donna Holmes by deed recorded in Volume 741, Page 750, D.R.H.C.T., by deed recorded in Volume 882, Page 765, D.R.H.C.T., by deed recorded in Volume 2066, Page 836, D.R.H.C.T., by deed recorded in Volume 2279, Page 331, D.R.H.C.T., by deed recorded in Volume 2280, Page 354, D.R.H.C.T., by deed recorded in Volume 2280, Page 354, D.R.H.C.T., by deed recorded in Volume 2280, Page 357, D.R.H.C.T., and by deed recorded in Volume 2280, Page 360, D.R.H.C.T., and being in the Southerly line of the Joseph Rice Survey, Abstract Number 653, from which a found 1/2 inch iron rod bears S 74°11'39" E, 0.24 foot;

**THENCE** N 01°05'59" W, departing the Northerly line of said Holmes tract and the Southerly line of said J.C. Neill Survey and the Northerly line of said Joseph Rice Survey and along the Easterly line of said Richardson tract and the Westerly line of said Tower tract, a distance of 115.85 feet to a set 5/8 inch iron rod with TranSystems cap for the Southeasterly corner and **POINT OF BEGINNING** of the tract herein described (N: 6,746,822.668, E: 2,757,194.505 Grid);

- (1) THENCE S 88°28'42" W, departing the Easterly line of said Richardson tract and the Westerly line of said Tower tract and along the Southerly line of the tract herein described, a distance of 964.42 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (2) **THENCE** S 84°23'57" W, continuing along the Southerly line of the tract herein described, a distance of 295.90 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (3) **THENCE** S 82°03'34" W, continuing along the Southerly line of the tract herein described, a distance of 320.04 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (4) THENCE S 77°45'52" W, continuing along the Southerly line of the tract herein described, a distance of 274.82 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point, being in the Southerly line of said Richardson tract and the Northerly line of that certain tract of land conveyed to Charles Foster and Ruth Foster by deed recorded in Volume 2371, Page 611, D.R.H.C.T. and in the Southerly line of said J.C. Neill Survey and the Northerly line of said Joseph Rice Survey;

Parcel 671 Integrated Pipeline Project Page 2 of 12

- (5) THENCE S 88°43'28" W, along the Southerly line of said Richardson tract and said J.C. Neill Survey and the Northerly line of said Foster tract and said Joseph Rice Survey and continuing along the Southerly line of the tract herein described, a distance of 249.38 feet to the Southwesterly corner of said Richardson tract and the Southeasterly corner of that certain tract of land conveyed to Charles R. Norwood and wife, Mary C. Norwood by deed recorded in Volume 2131, Page 831, D.R.H.C.T., being the Southwesterly corner of the tract herein described, from which a found 1/2 inch iron rod bears S 15°56'08" W, 0.42 foot;
- (6) THENCE N 02°32'42" W, departing the Southerly line of said J.C. Neill Survey and the Northerly line of said Foster tract and said Joseph Rice Survey and along the Westerly line of said Richardson tract and the Easterly line of said Norwood tract and along the Westerly line of the tract herein described, a distance of 150.01 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwesterly corner of the tract herein described;
- (7) THENCE N 88°13'45" E, departing the Westerly line of said Richardson tract and the Easterly line of said Norwood tract and along the Northerly line of the tract herein described, a distance of 4.65 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (8) **THENCE** N 85°04'26" E, continuing along the Northerly line of the tract herein described, a distance of 349.28 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (9) **THENCE** N 77°45'52" E, continuing along the Northerly line of the tract herein described, a distance of 415.25 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (10) **THENCE** N 83°06'53" E, continuing along the Northerly line of the tract herein described, a distance of 95.21 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (11) THENCE N 88°28'42" E, continuing along the Northerly line of the tract herein described, a distance of 1,244.68 feet to a set 5/8 inch iron rod with TranSystems cap for the point of intersection with the Easterly line of said Richardson tract and the Westerly line of said Tower tract, being the Northeasterly corner of the tract herein described;
- (12) THENCE S 01°05'59" E, along the Easterly line of said Richardson tract and the Westerly line of said Tower tract and the Easterly line of the tract herein described, a distance of 150.00 feet to the POINT OF BEGINNING, containing 7.477 acres (325,700 square feet) of land, more or less.

Parcel 671 Integrated Pipeline Project Page 3 of 12

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 0.9999804020.

NOTE: Plat to accompany this legal description.

I do certify on this 6th day of November, 2014, to Attorney's Title Company of Henderson County, Fidelity National 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 Fidelity National Title Insurance Company, with an effective date of October 14, 2014, issued date of October 17, 2014, GF # 14-552-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

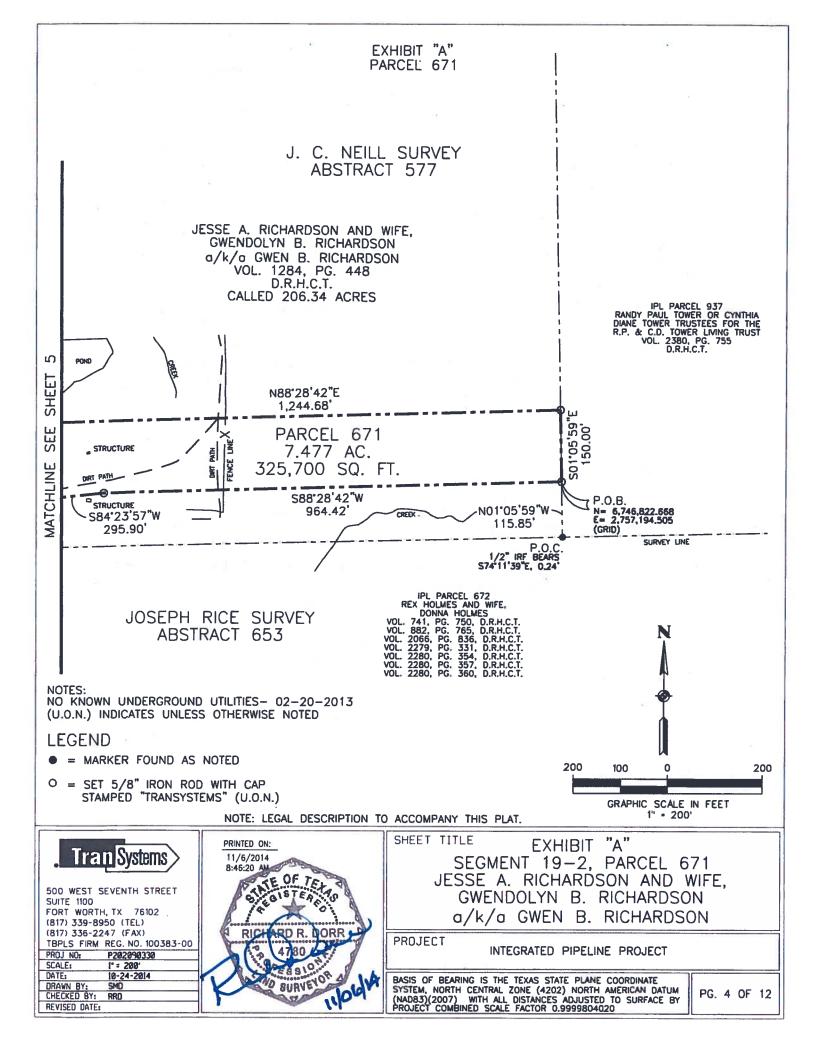
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

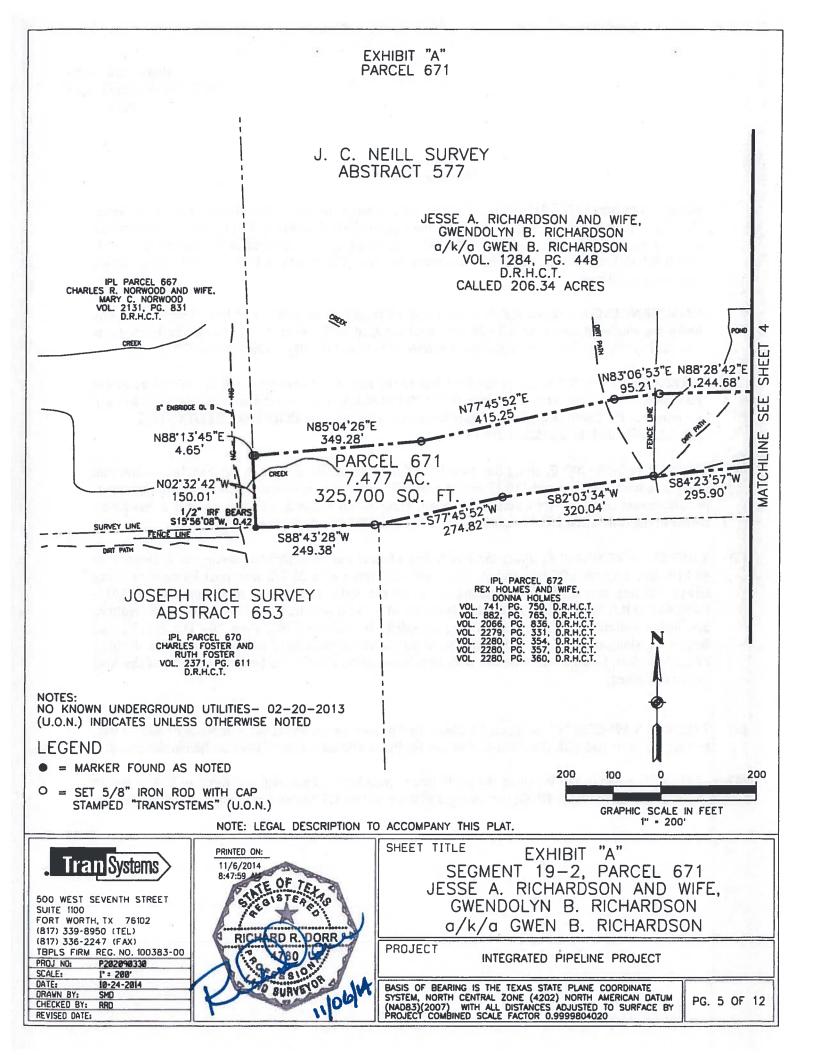
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

Richard R. Dorr Registered Professional Land Surveyor Texas Registration Number 4780

Dated: 11/06/14







Parcel 758 Part 1 Integrated Pipeline Project Page 1 of 9

#### EXHIBIT "A" Property Description

Being 3.890 acres (169,432 square feet) of land situated in the Ralph Hunter Survey, Abstract Number 11, Henderson County, Texas, and more particularly that certain 150.17 acre tract described as Tract One, conveyed in a deed to Arnold E. Redding, Jr., as recorded in Document No. 2014-00010644 Official Public Records, Henderson County, Texas (O.P.R.H.C.T.), and being further described as follows:

**COMMENCING** at a found 1/2" iron rod for an ell corner on the referenced 150.17 acre tract, same being the southeast corner of a 35.94 acre tract by deed to Wynelle (Cissy) Holloway Burnam, as recorded in Volume 793, Page 274 Deed Records, Henderson County, Texas (D.R.H.C.T.);

**THENCE** N 01°44'05" E, along the East line of the said 35.94 acre tract and the West line of the referenced 150.17 acre tract, a distance of 637.70 feet to a set 1/2" iron rod with Goodwin-Lasiter cap for corner at the Southwest corner of tract herein described and the **POINT OF BEGINNING** (N: 6,731,799.304, E: 2,846,645.216 Grid);

- (1) THENCE N 01°44'05" E, along the West line of the tract herein described, the East line of the said 35.94 acre tract, a distance of 150.17 feet to a set 1/2" iron rod with Goodwin-Lasiter cap for corner at the Northwest corner of tract herein described, from which a found 1/2" iron rod for a Northwest corner of the referenced 150.17 acre tract bears N 01°44'05" E, a distance of 23.69 feet;
- (2) THENCE N 89°01'41" E, along the North line of tract herein described, passing at a distance of 468.19 feet, a found 1/2" iron rod for the Southeast corner of a 23.872 acre tract by deed to Terry Glenn Fleming and Linda Ann Fleming, husband and wife, as recorded in Document No. 2011-00000611 O.P.R.H.C.T., and the southwest corner of a 21.56 acre tract by deed to Jimmy R. Holmes and Nelda Holmes, husband and wife, as recorded in Volume 2906, Page 205 D.R.H.C.T., and continuing along the common line of the 21.56 acre tract and the 150.17 acre tract for a total distance of 1259.81 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for the Northeast corner of the tract herein described;
- (3) **THENCE** S 59°45'26" W, along the Southeast line of tract herein described, a distance of 306.79 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for the Southeast corner of the tract herein described;
- (4) **THENCE** S 89°01'41" W, along the South line of tract herein described, a distance of 999.29 feet to the **POINT OF BEGINNING**, containing 3.890 acres (169,432 square feet) of land, more or less.

Parcel 758 Part 2 Integrated Pipeline Project Page 2 of 9

#### **Property Description**

Being 1.798 acres (78,308 square feet) of land situated in the Ralph Hunter Survey, Abstract Number 11, Henderson County, Texas, and more particularly that certain 150.17 acre tract described as Tract One and that certain 0.355 acre tract described as Tract Two as conveyed in a deed to Arnold E. Redding, Jr., as recorded in Document No. 2014-00010644 Official Public Records, Henderson County, Texas, (O.P.R.H.C.T.), and being further described as follows:

**BEGINNING** at a found T-Post iron at an Ell corner of the referenced 150.17 acre tract and the Southeast corner of that certain 21.56 acre tract conveyed to Jimmy R. Holmes and Nelda Holmes, husband and wife, as recorded in Volume 2906, Page 205 Deed Records, Henderson County, Texas (D.R.H.C.T.) (N: 6,731,980.097, E: 2,848,459.408 Grid);

- (1) THENCE N 04°07'37" E, along the East line of the said 21.560 acre tract and the West line of the referenced 150.17 acre tract and the west line of the tract herein described, a distance of 150.60 feet, a set 1/2" iron rod for corner at the Northwest corner of tract herein described, from which a found 1/2" iron rod for a northwest corner of the 150.17 acre tract and the Southwest corner of a 7.621 acre tract conveyed to Edith Cook, a single person, as recorded in Volume 2870, Page 005 D.R.H.C.T., bears N 04°07'37"E, a distance of 49.90 feet;
- (2) **THENCE** N 89°01'41" E, along the North line of the tract herein described, a distance of 11.27 feet to a set 1/2" iron rod with a Goodwin-Lasiter cap for corner in an angle point in the North line;
- (3) **THENCE** N 83°42'34" E, along the North line of tract herein described, a distance of 467.63 feet, to a 20" Post Oak for corner in an angle point in the North line;
- (4) THENCE N 88°47'04" E, along the North line of tract herein described, a distance of 43.10 feet, to a found 1/2"inch iron rod with a Goodwin-Lasiter cap for the Northeast corner of the tract herein described, also being in the East line of the referenced 0.355 acre tract and in the West line of a 5.253 acre tract as described in a deed to Rick Helmcamp, Chad Thomas, Judd Henderson and Tracy Schieffer, as recorded in Document No. 2015-00000497 O.P.R.H.C.T.;
- (5) **THENCE** S 04°05'04" W, along the East line of tract herein described, the west line of the 5.253 acre tract, a distance of 150.64 feet, to a found 1/2" iron rod with Goodwin-Lasiter Cap, for the Southeast corner of the tract herein described;
- (6) **THENCE** S 88°47'04" W, along the South line of the tract herein described, a distance of 22.54 feet to a set 1/2" iron rod with Goodwin-Lasiter cap for corner in an angle point in the South line;
- (7) **THENCE** S 83°42'34" W, along the South line of the tract herein described, a distance of 467.95 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner in an angle point in the South line;
- (8) **THENCE** S 89°01'41" W, along the South line of the tract herein described, a distance of 31.62 feet to the **POINT OF BEGINNING**, containing 1.798 acres (78,308 square feet) of land, more or less.

Parcel 758 Integrated Pipeline Project Page 3 of 9

I do certify on this 22nd day of July, 2015, to Fidelity National Title Insurance Company, Attorney's Title Company of Henderson County 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 Fidelity National Title Insurance Company, with an effective date of June 5, 2015, 04:09 pm, issued date of June 16, 2015, 03:40 pm, GF # 15-309-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

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.

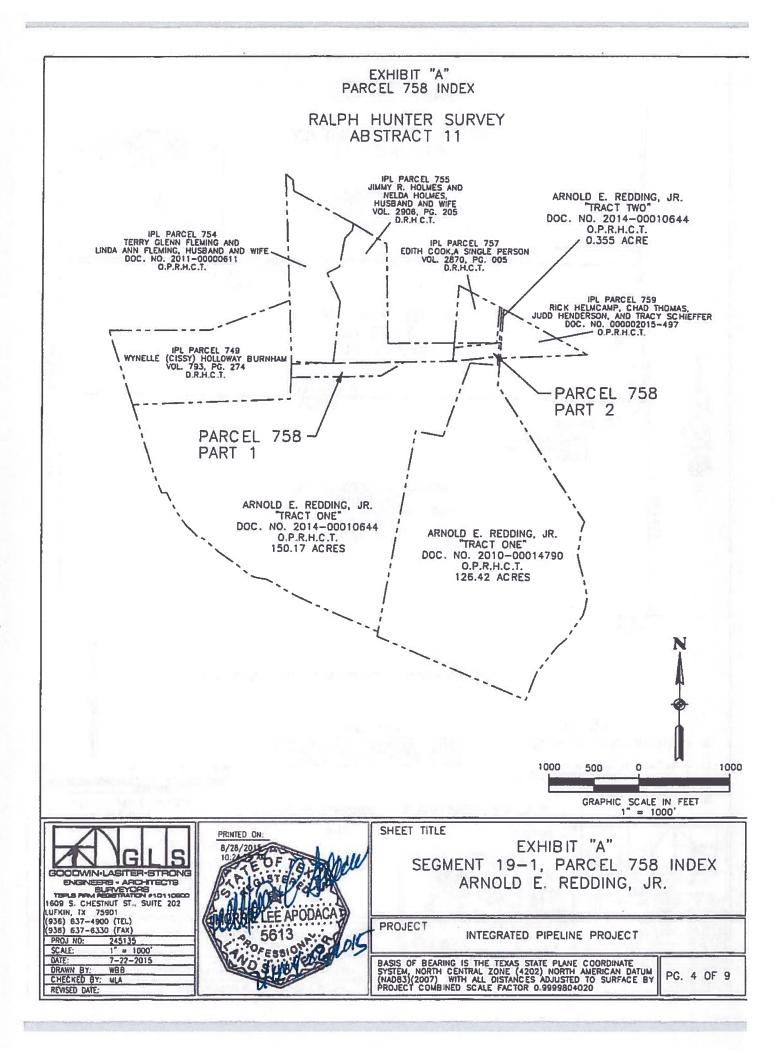
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

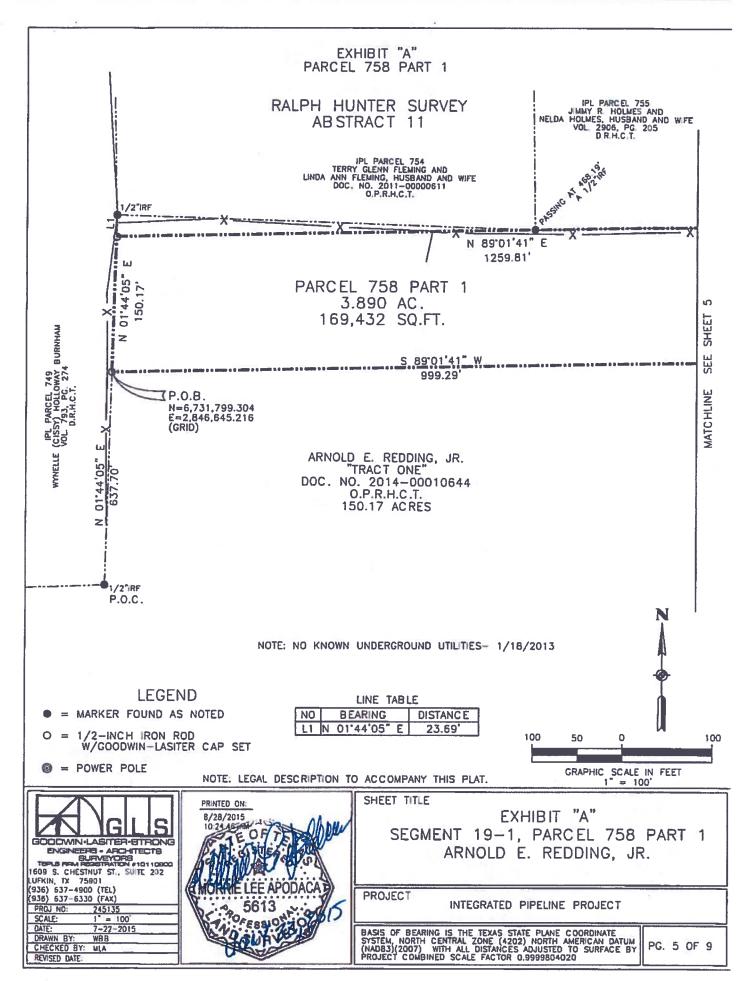
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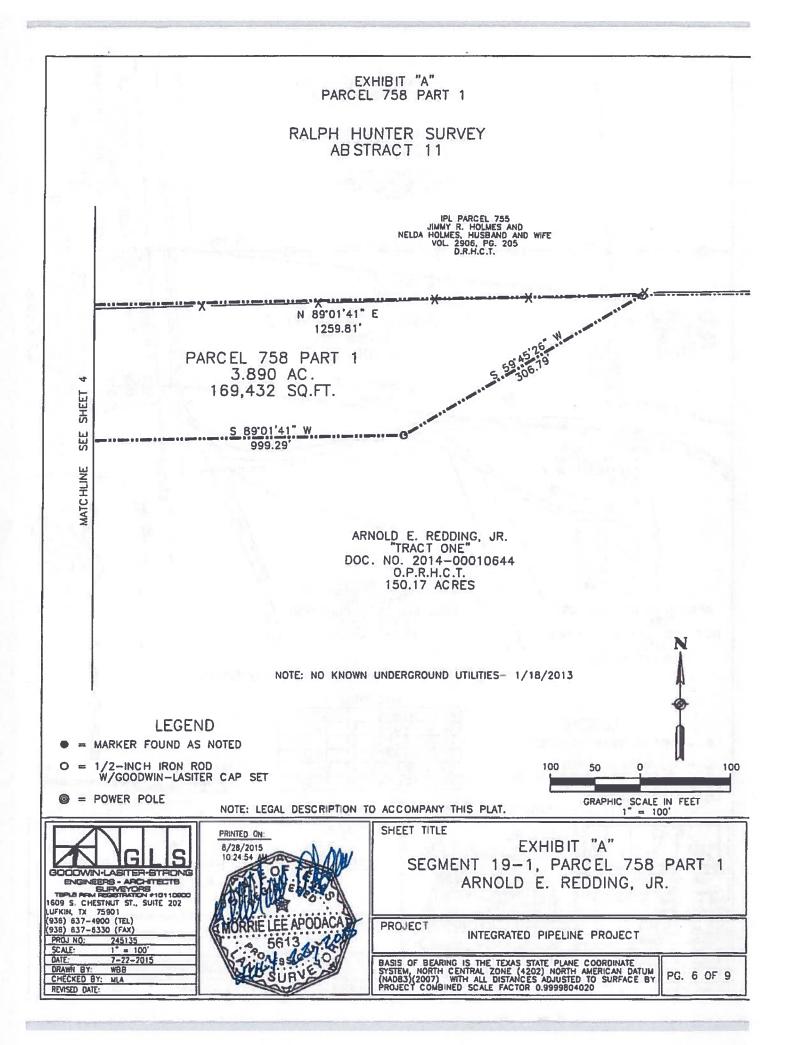
Registered Professional Land Surveyor Texas Registration Number 5613

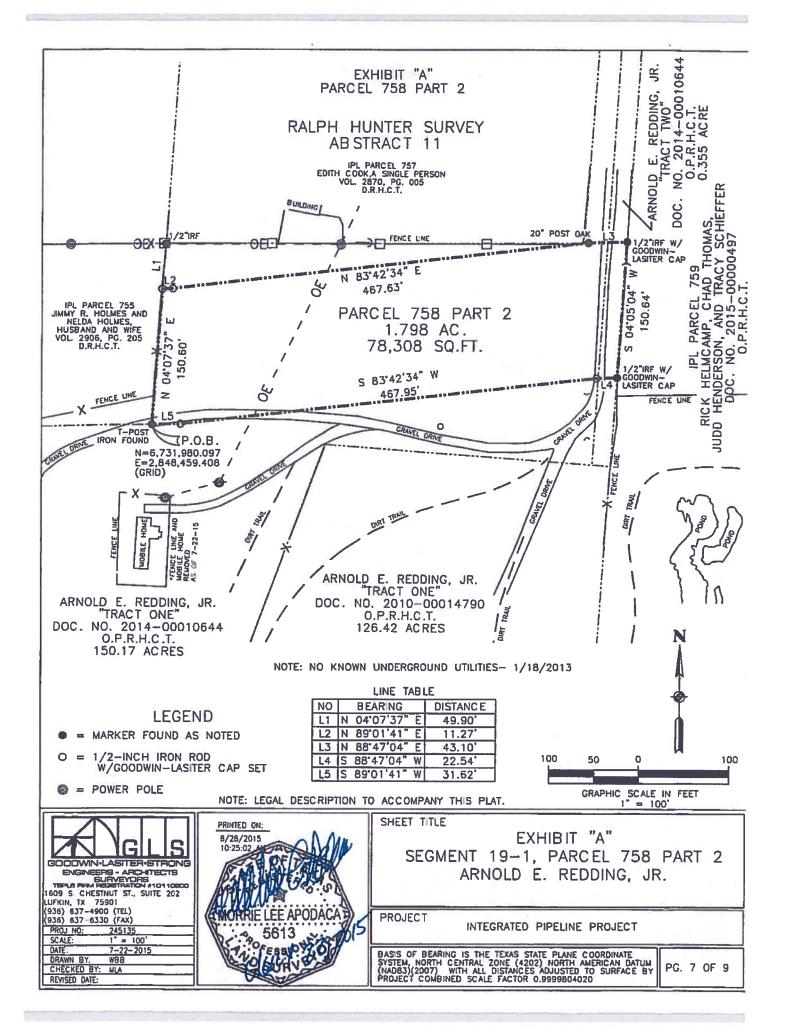
Dated: UULY 22, 2015











In addition, R. Steve Christian, Real Property Director of TRWD, and the staff of TRWD, are granted authority to execute all documents necessary to complete these transactions and to pay all reasonable and necessary closing and related costs incurred with these acquisitions. Director Leonard seconded the motion and the vote in favor was unanimous.

#### 10.

With the recommendation of management and General Counsel, Director Stevens moved to approve the proposed settlement of claims in the IPL Project Cook condemnation for the amount of \$265,000. Funding for this settlement is included in the Bond Fund. Director Lane seconded the motion and the vote in favor was unanimous.

#### 11.

With the recommendation of management and General Counsel, Director Lane moved to approve the proposed settlement of claims in the TRV Project Beene condemnation for the amount of \$2,075,000. Funding for this settlement is included in the General Fund. Director Stevens seconded the motion, with Directors Henderson, Stevens, Lane and Leonard voting in favor. Director Kelleher abstained.

#### 12.

With the recommendation of management, Director Leonard moved to approve the sale of a 2,050 square foot encroachment, more or less, located in the H.T. Moore Survey, A-525, Henderson County, Texas; located beneath residential improvements encroaching on land owned by TRWD below the 325 m.s.l. elevation on Cedar Creek Lake, Henderson County, Texas to Josephine Anne Kirksey, acting as Co-Trustee of the Rachel Morengo-Rowe Bypass Trust UTD December 12, 2008, and Restated on

December 5, 2012, and as Co-Trustee of the Morengo-Rowe Living Trust Agreement Dated December 12, 2008, and Restated on December 5, 2012. The District will reserve all mineral rights and a flowage easement, and payment by Ms. Kirksey will be in the amount of \$6,150 with a \$1500 administration fee for a total of \$7,650.

# EXHIBIT A

#### **FIELD NOTES**

0.05 ACRES (2050.83 SQ FT)

PART OF THE TRWD TRACT

H.T. MOORE SURVEY

ABSTRACT NO. 525

#### **HENDERSON COUNTY, TEXAS**

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE H.T. MOORE SURVEY, A-525, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS PART OF THE TARRANT REGIONAL WATER DISTRICT TRACT ADJACENT TO LOT 5 (THE LOST FOREST) OF WOODCANYON WATERS, SECOND SECTION (UNRECORDED), ACCORDING TO THE DEED TO ALAINE JUSTIN MARENGO-ROWE, AS TRUSTEE FOR THE MORENGO-ROWE LIVING TRUST, RECORDED IN VOLUME 2943, PAGE 576 OF THE REAL PROPERTY RECORDS, HENDERSON COUNTY, TEXAS (RPRHCT). SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at 5/8" iron rod found in the Deeded 325' elevation line of Cedar Creek Lake at the southeast carner of Lot 4 as described in Deed to Elizabeth Mae Hix Mathews recorded in Volume 2015, Page 244 of the RPRHCT, being the northeast corner of Lot 5;

THENCE, S 10° 20' 00" W, 49.00 feet along the Deeded 325' elevation of Cedar Creek Lake to the POINT OF BEGINNING;

BEGINNING at a point in the Deeded 325' elevation line of Cedar Creck Lake at the north corner of this tract;

THENCE, S 08° 02' 58" W, 63.35 feet along the Deeded 325' elevation line of Cedar Creek Lake to a point at the south corner of this tract;

THENCE, along the common line of Lot 5 and this tract as fullows: N 44° 45' 00" W, 43.40 feet; N 76° 30' 00" W, 66.00 feet to a point at the west corner of this tract; N 87° 19' 00" E, 63.90 feet; N 71° 15' 00" E, 42.00 feet to the POINT OF BEGINNING and CONTAINING 0.05 ACRES (2050.83 SQ FT), OF LAND MORE OR LESS.

BASIS OF BEARINGS: VOLUME 2943, PAGE 576 OF THE RPRHCT

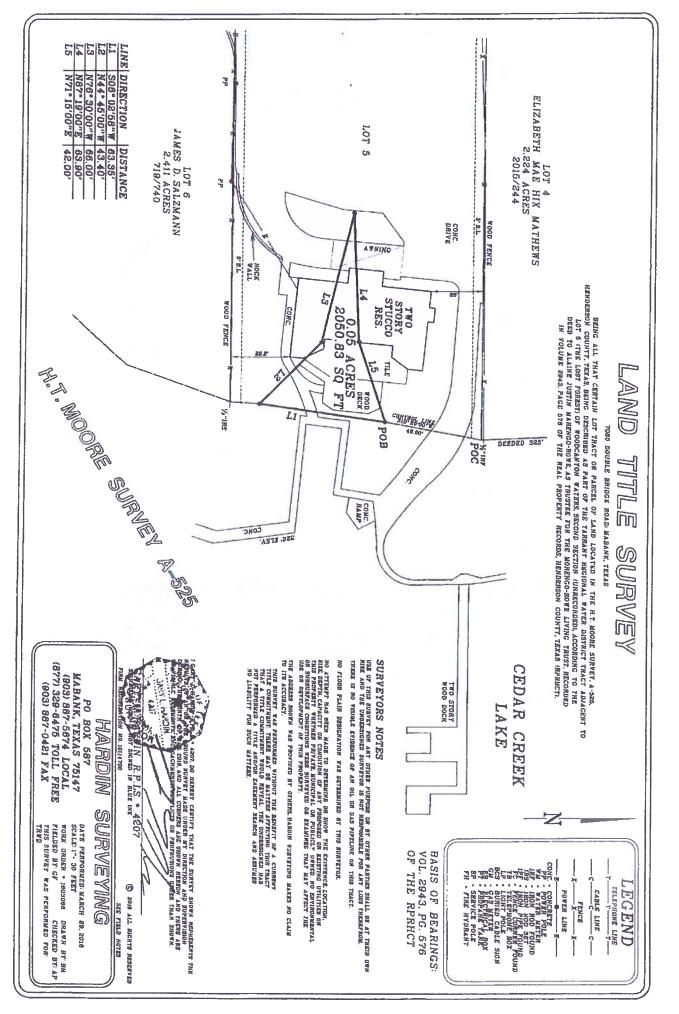
DATE: MARCH 29, 2016

SURVEYOR'S CERTIFICATE

TO: TRWD

I, Gary L. Hardia, Registered Professional Land Surveyor No. 4207, do bareby certify that the field notes hereon represents the results of a survey made on the ground under my direction and supervision, the lines and dimensions of said property being as indicated. This survey is based on deeds, easements and/or recorded plats and other records when furnished by the client or the client's representative, as well as significant and visible monaments found on the subject property and adjacent properties, field measurements and evidence of boundaries found on the ground. However, this certification is not a representation of warranty of title or guarantee of ownership. This survey was performed EXCLUSIVELY for the above measurements of the COF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT TREPS of the COF THES UNDERSIGNED IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.

0 GARY - HARDIN APLEND  $\Omega_{01}$ W.O.# 1603086 (SEE SURVEY) FIRM REGISTRATION NO. 10114700



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In addition, R. Steve Christian, Real Property Director of TRWD, and the staff of TRWD are authorized to take all steps which may be reasonably necessary to complete this transaction. Director Kelleher seconded the motion and the vote in favor was unanimous.

13.

There were no future agenda items approved.

14.

The next board meeting was scheduled for June 21, 2016.

15.

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

Henderson Minthav. Jeonal Secretary