# MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF TARRANT REGIONAL WATER DISTRICT HELD ON THE 16<sup>th</sup> DAY OF MAY 2017 AT 9:30 A.M.

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

Present
Victor W. Henderson
Jack R. Stevens
Marty V. Leonard

Absent Jim Lane Mary Kelleher

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrell Beason, Lisa Cabrera, Steve Christian, Linda Christie, Wesley Cleveland, Randall Cocke, Samantha Drumm, JD Granger, Rachel Ickert, Nancy King, Chad Lorance, Sandy Newby, Tina Nikolic, Wayne Owen, Craig Ottman and Kirk Thomas.

Also in attendance were George Christie, General Counsel for Tarrant Regional Water District (District or TRWD); Lee Christie, Ethel Steele, Mike Atchley and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P.; Denis Qualls of City of Dallas Water Utilities; Jeannine Henderson; Sherry Reaves; Andra Beatty of Andra Beatty Real Estate; Richard Fish of Lake Country POA; Macy Hill; Gary Oradat of Jacobs Construction; Bill Paxton of The Paxton Firm; Sheila Johannessen; Bob Brashear of CDM Smith; Amanda Smayda of JQ Infrastructure; Russell Gibson of Freese and Nichols, Inc.; Alan Raynor of McCall, Parkhurst & Horton, L.L.P.; Leah and Barry King; Jeanette Martinez of Commissioner Brooks, Tarrant County Precinct 1; Mike and Rosie Moncrief; Rachel Phillips; Faye Beaulieu and Kintisha Williams of United Way; Bob Pence of Freese and Nichols, Inc.; and Macy and James Hill.

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 Pledges of Allegiance to the U.S. and Texas flags.

2.

On a motion made by Director Stevens and seconded by Director Leonard, the Directors voted unanimously to approve the minutes from the meeting held on April 18, 2017. It was accordingly ordered that these minutes be placed in the permanent files of the District.

3.

With the recommendation of management, Director Leonard moved to approve a contract with King Roofing, LLC in an amount not to exceed \$106,089.30 to remove and replace the roof at Cedar Creek Pump Station 3 (CC3). Funding for this item is in the Fiscal Year 2017 Revenue Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

4.

With the recommendation of management, Director Leonard moved to approve a contract with Red River Construction Company in an amount not to exceed \$2,609,900 for construction of chemical system improvements at the Richland-Chambers Lake Pump Station. Funding for this contract is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Stevens moved to approve a contract with Arch Contracting, LLC. in an amount not to exceed \$444,834.29 for

construction of Richland-Chambers Wetlands Supplemental Spillways. This item is unbudgeted. Director Leonard seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Leonard moved to approve release of retainage, final payment and closeout of contract in the amount of \$43,004.25 with Valle Verde Systems, LLC. for the completion of landscaping construction at Airfield Falls Trailhead, contingent upon the receipt of closeout documents. Director Stevens seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Stevens moved to approve a reconciliation credit change order in the amount of \$73,000 with Huffman Communications Sales, Inc. for the Integrated Pipeline Microwave Radio System Project. The total not to exceed contract value, including this change order, will be reduced to \$5,303,288.95. Director Leonard seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Stevens moved to approve release of retainage, final payment and closeout of contract in the amount of \$1,038,557.38 with Huffman Communications Sales, Inc. for the construction of the Integrated Pipeline Microwave Radio System Project. Director Leonard seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management, Director Leonard moved to approve a change in calculation of retainage being held for IPL Partners to 5% of the total contract

price following the recent 50% completion milestone of its contract for construction of Integrated Pipeline Sections 10 and 11. All remaining contract payments are to be made in full, the Board having found that satisfactory progress is being made. However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. Director Stevens seconded the motion and the vote in favor was unanimous.

10.

#### Staff Updates

- Airfield Falls Water Conservation Park Video
- System Status Update

11.

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

The Board of Directors recessed for a break from 10:27 a.m. to 10:39 a.m.

12.

The presiding officer next called an executive session at 10:39 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. Wendell T. Brown, et al.*, Cause No. 2016-003076-2 in the County Court at Law No. 2 of Tarrant 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 10:51 a.m., the President reopened the meeting.

The agenda item to consider approval of authorization to acquire the real property described below by purchase or by exercise of eminent domain for the Integrated Pipeline Project was tabled.

# • IPL Parcel 688 (McNew)

A permanent easement interest in, over, and across a 6.692-acre tract of land situated in the Samuel Moss Survey, Abstract Number 477, Henderson County, Texas, and being more particularly described as a portion of that certain 77.00-acre tract conveyed to Betty Haney McNew by deed recorded in Volume 1476, Page 394 Deed Records, Henderson County, Texas, and being a portion of Tracts 1, 2, 5, 6, 7, 8, 9, 10 and 11 of Shea Estates Subdivision, a subdivision of record according to the map or plat thereof recorded in Cabinet D, Slide 159 of the Map Records, Henderson County, Texas, and Tract 4 of said Shea Estates conveyed to Betty Haney McNew by deed recorded in Volume 1494, Page 24, Deed Records, Henderson County, Texas, and Tract 3 of said Shea Estates conveyed to Betty Haney McNew by deed recorded in Volume 1494, Page 29, Deed Records, Henderson County, Texas.

14.

With the recommendation of management, Director Leonard moved to grant authority to acquire a permanent easement interest, as set forth below, in, over, under, and across the following described property for the public use and purpose of construction and operation of the Integrated Pipeline Project. Funding for this acquisition is included in the Bond Fund.

# • IPL Parcel 679 (Hart)

A permanent easement interest across a 0.443-acre tract of land situated in the Santos Sylvester Survey, Abstract Number 694, Henderson County, Texas, and being more particularly described as portions of that certain 5.000-acre tract, that certain 4.346-acre tract, and that certain 8.98-acre tract conveyed to Clint Daily Hart by deed recorded in Volume 1771, Page 764, Deed Records, Henderson County, Texas, and being further described in the accompanying survey plat for Parcel 679 attached hereto for the negotiated purchase price of \$30,000.

Parcel 679
Integrated Pipeline Project
Page 1 of 4

#### EXHIBIT "A" Property Description

Being 0.443 acres (19,304 square feet) of land situated in the Santos Sylvester Survey, Abstract Number 694, Henderson County, Texas, and more particularly that certain 5.000 acre tract, that certain 4.346 acre tract and that certain 8.98 acre tract conveyed to Clint Daily Hart a.k.a. Clint Hart by deed recorded in Volume 1771, Page 764, Deed Records, Henderson County, Texas (D.R.H.C.T.), and being further described as follows:

COMMENCING at the Northeasterly corner of that certain tract of land conveyed to Rex Holmes and wife, Donna Holmes by deeds recorded in Volume 741, Page 750, in Volume 2066, Page 836, in Volume 2279, Page 331, in Volume 2280, Page 354, in Volume 2280, Page 357 and in Volume 2280, Page 360, D.R.H.C.T., being in the existing Westerly right-of-way line of FM 753, No Deed of Record Found (Variable width right-of-way), from which a found 5/8 inch iron rod bears S 43°32'11" W, a distance of 0.60 feet;

**THENCE** S 01°53'49" E, along the Easterly line of said Holmes tract and the existing Westerly right-of-way line of FM 753, a distance of 839.48 feet to a point;

THENCE N 88°06'11" E, departing the Easterly line of said Holmes tract and the existing Westerly right-of-way line of said FM 753, a distance of 79.88 feet to a set 5/8 inch iron rod with TranSystems cap for the point of intersection with the Westerly line of said Hart tract and the existing Easterly right-of-way line of said FM 753 and being the most Northerly corner and POINT OF BEGINNING of the tract herein described (N: 6,745,043.866, E: 2,761,487.918 Grid);

- (1) **THENCE** S 30°43'30" E, departing the Westerly line of said Hart tract and the existing Easterly right-of-way line of said FM 753 and along the Northeasterly line of the tract herein described, a distance of 114.37 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (2) THENCE S 48°07'11" E, continuing along the Northeasterly line of the tract herein described, a distance of 139.06 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (3) THENCE S 78°36'02" E, continuing along the Northeasterly line of the tract herein described, a distance of 140.50 feet to a set 5/8 inch iron rod with TranSystems cap for the point of intersection with the Southerly line of said Hart tract and the Northerly line of that certain tract of land conveyed to James M. Pryor and Margaret Pryor by deed recorded in Volume 2170, Page 317, D.R.H.C.T., being the most Easterly corner of the tract herein described;
- (4) THENCE S 89°14'33" W, along the Southerly line of said Hart tract and the Northerly line of said Pryor tract and along the Southerly line of the tract herein described, a distance of 292.52 feet to a found 3/4 inch iron rod for the Southwesterly corner of said Hart tract and the Northwesterly corner of said Pryor tract and being in the existing Easterly right-of-way line of said FM 753, being the Southwesterly corner of the tract herein described;

(5) THENCE N 01°51'09" W, along the Westerly line of said Hart tract and the existing Easterly right-of-way line of said FM 753 and along the Westerly line of the tract herein described, a distance of 222.90 feet to the POINT OF BEGINNING, containing 0.443 acres (19,304 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 0.9999804020.

NOTE: Plat to accompany this legal description.

I do certify on this 17th day of April, 2014, to Attorney's Title Company of Henderson County, Stewart Title Guaranty 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, with an effective date of October 5, 2012, issued date of October 10, 2012, GF # 12-633-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.

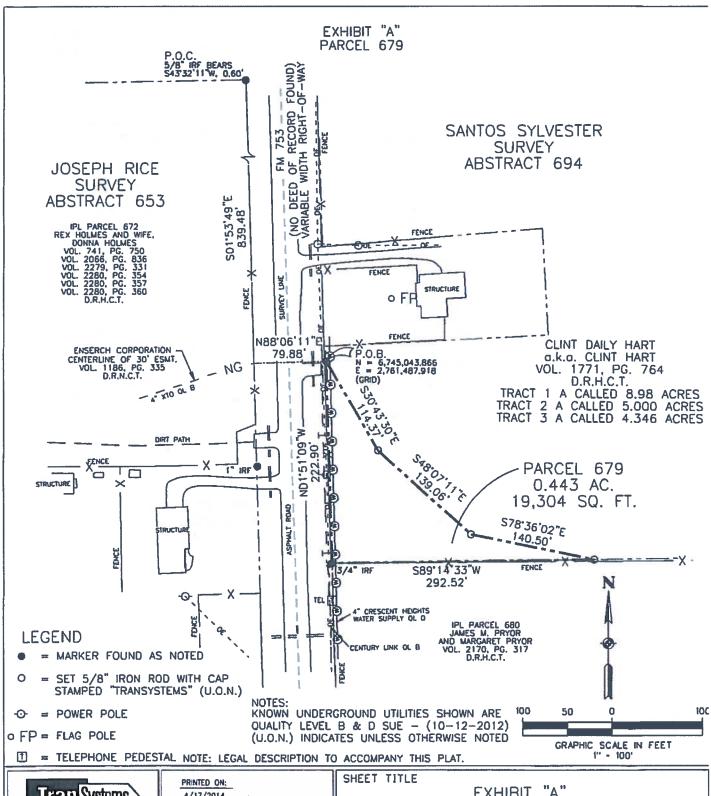
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

Richard R. Dorr

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

Dated:

04/17/14





500 WEST SEVENTH STREET SUTE 1000 FORT WORTH, TX 76102 (817) 339-8950 (TEL) (817) 336-2247 (FAX)

REVISED DATE:

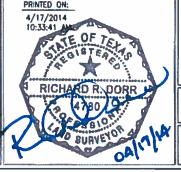


EXHIBIT "A"
SEGMENT 19-2, PARCEL 679
CLINT DAILY HART
a.k.a. CLINT HART

#### **PROJECT**

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NADB3)(2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9998804020

PG. 3 OF 4

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 this transaction and to pay all reasonable and necessary closing and related costs incurred with this acquisition. Director Stevens seconded the motion and the vote in favor was unanimous.

15.

With the recommendation of management, Director Stevens moved to grant authority to enter into an exchange of land with Gregory M. and Katherine E. Wrobel for the Integrated Pipeline Project. Funding for this exchange is included in the Bond Fund.

The Wrobels will convey to TRWD fee simple title to the surface estate only, together with all improvements located thereon, of an approximately 0.968-acre tract of land situated in the John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and being more particularly described as a portion of that certain 13.60-acre tract of land conveyed to the Wrobels by deed recorded in Volume 1630, Page 108, Official Public Records of Anderson County, Texas, said tract being more particularly described in the accompanying resolution and by metes and bounds in the survey plat attached hereto as <a href="Exhibit "1." The Wrobels will release all rights and interests in that one certain ingress and egress easement described in Volume 1630, Page 108, Official Public Records of Anderson County, Texas.

In exchange for the foregoing, TRWD will convey to the Wrobels fee simple title to the surface estate only, together with all improvements located thereon, of an approximately 2.906-acre tract of land situated in the John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and being more particularly described as a portion of that certain 25.00-acre tract of land conveyed to Michael N. and Theresa Ann Coke, as described by deed recorded in Volume 1757, Page 857, Official Public Records of Anderson County, Texas, subject to TRWD's reservation of a permanent easement across an approximately 0.296-acre portion thereof, said tracts being more particularly described in the accompanying resolution and by metes and bounds in the survey plats attached hereto as Exhibits "2" and "4," respectively. TRWD will also convey to the Wrobels fee simple title to the surface estate only, together with all improvements located thereon, of an approximately 0.419-acre tract of land situated in the John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and being more particularly described as a portion of that certain 30.42-acre tract of land conveyed to Michael N. and Theresa Ann Coke, as described by deed recorded in Volume

1617, Page 242, Official Public Records of Anderson County, Texas, said tract being more particularly described in the accompanying resolution and by metes and bounds in the survey plat attached hereto as <a href="Exhibit">Exhibit "3."</a>

Additionally, TRWD will pay to the Wrobels the negotiated amount of \$34,600 as additional consideration for the exchange.

#### EXHIBIT "1"

# EXHIBIT "A" Property Description

Being 0.968 acres (42,165 square feet) of land situated John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and more particularly in that certain 13.60 acre tract, (tract one) of land conveyed to Gregory M. Wrobel and wife, Katherine E. Wrobel, as described by deed recorded in Volume 1630, Page 108, Official Public Records of Anderson County, Texas, (O.P.R.A.C.T.), being further described as follows:

**BEGINNING** at a found 1/2 inch iron rod with plastic cap stamped RPLS 2504 at the most Southerly Southeast corner of said Wrobel 13.60 acre tract, on the West line of a called 30.42 acre tract to Michael N. Coke and wife, Theresa Ann Coke, as described by deed recorded in Volume 1617, Page 242, O.P.R.A.C.T. and at the most Easterly Northeast corner of a called 25.00 acre tract to Michael N. Coke and Theresa Ann Coke, husband and wife, as described by deed recorded in Volume 1757, Page 187, O.P.R.A.C.T., at the Southeast corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,720,556.237, E: 2,913,674.327, Grid);

- (1) **THENCE** S 88°38'11" W, along the lower North line of said Coke 25.00 acre tract and the South line of said Wrobel 13.60 acre tract, a distance of 49.92 feet to a found 1/2 inch iron rod at the Southwest corner of said Wrobel 13.60 acre tract, an interior ell corner in the East boundary line of said Coke 25.00 acre tract, and being the Southwest corner of tract herein described;
- (2) **THENCE** N 01°22'21" W, along the West line of said Wrobel 13.60 acre tract, a distance of 844.06 feet to a set 1/2 inch iron rod with K.L.K. #4687 cap, at the Northwest corner of tract herein described;
- (3) **THENCE** N 88°37'59" E, a distance of 49.99 feet to a set 1/2 inch iron rod with K.L.K. #4687 cap in the lower East line of said Wrobel 13.60 acre tract, the West line of aforementioned Coke 30.42 acre tract, and being the Northeast corner of tract herein described from which a found 1/2 inch iron rod with plastic cap stamped RPLS 2504 for the Northwest corner of said Coke 30.42 acre tract and an interior ell corner in the lower East line of said Wrobel 13.60 acre tract bears N 01°22'06" W, a distance of 49.90 feet;
- (4) **THENCE** S 01°22'06" E, along the West line of said Coke 30.42 acre tract and the lower East line of said Wrobel 13.60 acre tract, a distance of 844.06 feet to the **POINT OF BEGINNING**, containing 0.968 acres (42,165 square feet) of land.

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 20<sup>th</sup> day of February, 2017 to First National Title Insurance Company, Texas First Title Company, L.L.C., 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 WFG National Title Insurance Company, with an effective date of April 5, 2013, issued date of April 16, 2013, GF # 11037.TFT 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.

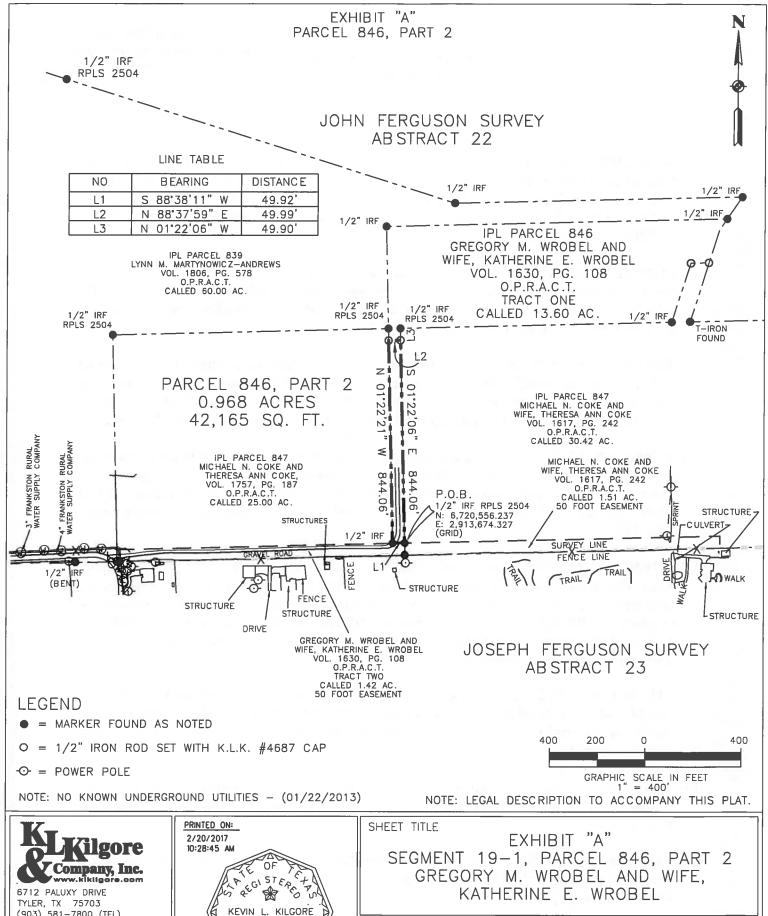
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

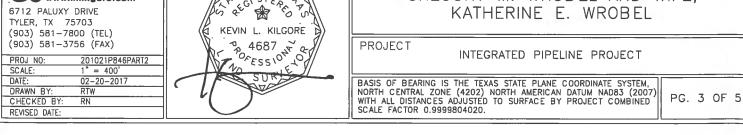
Kevin L Kilgord

Registered Professional Land Surveyor Texas Registration Number 4687

Dated:

2/20/17





#### EXHIBIT "2"

#### EXHIBIT "A" Property Description

Being 2.906 acres (126,588 square feet) of land situated John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and more particularly in that certain 25.00 acre tract of land conveyed to Michael N. Coke and Theresa Ann Coke, as described by deed recorded in Volume 1757, Page 857, Official Public Records of Anderson County, Texas, (O.P.R.A.C.T.), being further described as follows:

**COMMENCING** at a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Southwest corner of said Coke 25.00 acre tract and the most Southerly Southeast corner of a called 60.00 acre tract of land conveyed to Lynn M. Martynowicz-Andrews, as described by deed recorded in Volume 1806, Page 578, O.P.R.A.C.T.;

**THENCE** N 01°20'20" W, along the East line of said Martynowicz-Andrews 60.00 acre tract and the West line of said Coke 25.00 acre tract, a distance of 17.77 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,720,495.748, E: 2,912,473.979, Grid);

- (1) **THENCE** N 01°20'20" W, along the East line of said Martynowicz-Andrews 60.00 acre tract and the West line of said Coke 25.00 acre tract, a distance of 925.89 feet to a found 1/2 inch iron rod with plastic cap stamped RPLS 2504 at an interior ell corner in the South line of said 60.00 acre tract and the Northwest corner of said 25.00 acre tract and the tract herein described;
- (2) **THENCE** N 88°37'59" E, along the North line of said Coke 25.00 acre tract and an upper South line of said 60.00 acre tract, a distance of 1151.01 feet to a found 1/2 inch iron rod with plastic cap stamped RPLS 2504 in the West line of a called 13.60 acre tract conveyed to Gregory M. Wrobel and wife, Katherine E. Wrobel, as described by deed recorded in Volume 1630, Page 108, O.P.R.A.C.T., also being the Northeast corner of said 25.00 acre tract and the tract herein described;
- (3) **THENCE** S 01°22'21" E, along the West line of said Wrobel 13.60 acre tract and the East line of said Coke 25.00 acre tract, a distance of 50.00 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687, also being the most Easterly Southeast corner of the tract herein described;
- (4) **THENCE** S 88°37'59" W, along the upper South line of the tract herein described, a distance of 630.01 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at an angle point in same;
- (5) **THENCE** S 43°37'59" W, continuing along the upper South line of said tract herein described, a distance of 84.85 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at an angle point in same;

- (6) **THENCE** S 88°37'59" W, continuing along the upper South line of said tract herein described, a distance of 411.05 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at an interior ell corner in the East line of same;
- (7) **THENCE** S 01°20′20″ E, along the lower East line of said tract herein described, a distance of 767.09 feet to a 1/2 inch iron rod with plastic cap stamped K.L.K. #4687, same also being the most Southerly Southeast corner of the tract herein described;
- (8) **THENCE** S 44°20'19" W, along the South line of said tract herein described, a distance of 69.89 feet to the **POINT OF BEGINNING**, containing 2.906 acres (126,588 square feet) of land.

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 14<sup>th</sup> day of February, 2017 to First National Title Insurance Company, Texas First Title Company, L.L.C., 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 WFG National Title Insurance Company, with an effective date of February 8, 2013, issued date of February 21, 2013, GF # 11035.TFT affecting the subject property and listed in Exhibit "A-1" attached hereto.

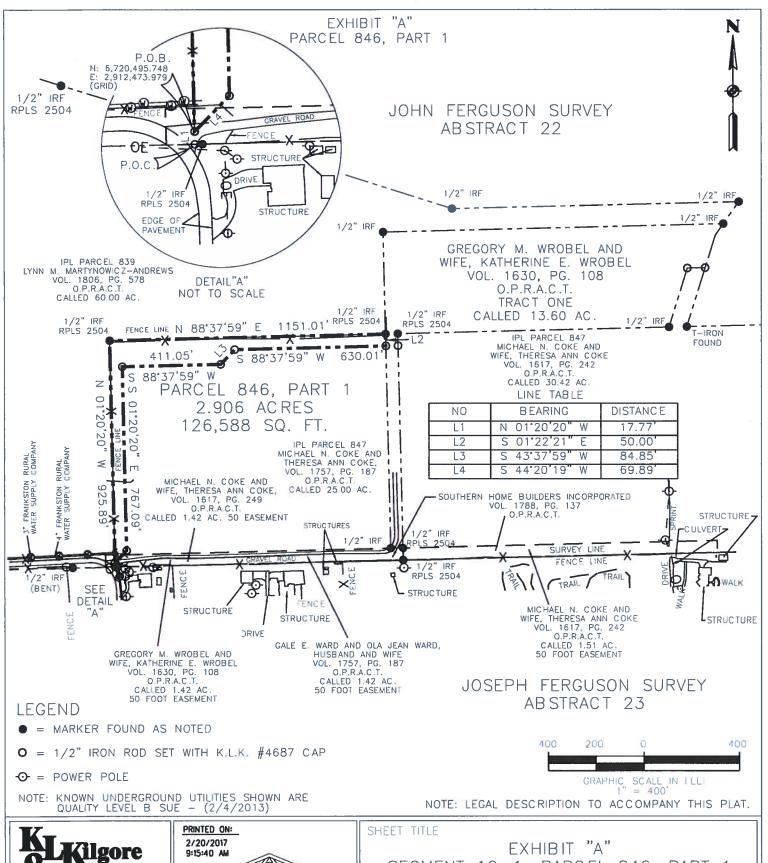
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

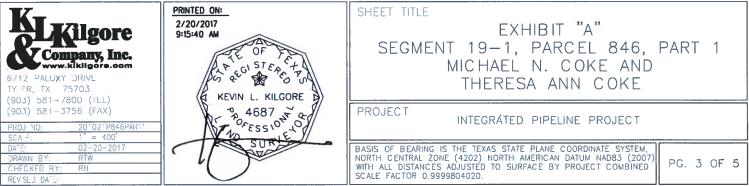
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

Kevin/L/Kilgore

Registered Professional Land Surveyor Texas Registration Number 4687

Dated: 2/20/17





Parcel 846, Part 4 Integrated Pipeline Project Page 1 of 5

#### EXHIBIT "3"

# EXHIBIT "A" Property Description

Being 0.419 acres (18,272 square feet) of land situated in the John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and more particularly part of that certain 30.42 acre tract of land conveyed to Michael N. Coke and wife, Theresa Ann Coke, as described by deed recorded in Volume 1617, Page 242, Official Public Records of Anderson County, Texas, (O.P.R.A.C.T.), being further described as follows:

**COMMENCING** at a found T-iron for the Northeast corner of the Coke 30.42 acre tract of land;

**THENCE** S 88°39'38" W, along the most Easterly North boundary line of said Coke 30.42 acre tract of land, a distance of 337.08 feet to a found T-iron at an interior angle corner in same, also being the Southeast corner of the tract herein described, and the **POINT OF BEGINNING** (N: 6,721,478.682, E: 2,914,861.923, Grid);

- (1) **THENCE** S 88°38'02" W, a distance of 74.96 feet to a found 1/2 inch iron rod at an interior angle corner in the most Westerly North line of said Coke 30.42 acre tract of land, same being the Southeast corner of a called 13.60 acre tract to Gregory M. Wrobel and wife, Katherine E. Wrobel, as described by deed recorded in Volume 1630, Page 108, (O.P.R.A.C.T.), also being the Southwest corner of the tract herein described;
- (2) **THENCE** N 17°30'30" E, along the most Northerly West line of said Coke 30.42 acre tract, the most Southerly East line of said Wrobel 13.60 acre tract and the West line of the tract herein described, a distance of 257.55 feet to a set 1/2 inch iron rod with K.L.K. #4687 cap, at the most Northerly Northwest corner of a said Coke 30.42 acre tract, also being the Northwest corner of the tract herein described:
- (3) **THENCE** N 88°38'15" E, along the most Easterly South line of said Wrobel 13.60 acre tract, the most Northerly North line of said Coke 30.42 acre tract, and the North line of the herein described tract, a distance of 75.00 feet to a set 1/2 inch iron rod with K.L.K. #4687 cap being the Northeast corner of the tract herein described;
- (4) **THENCE** S 17°31'05" W, along the most Northerly East line of said Coke 30.42 acre tract and the tract herein described, a distance of 257.56 feet to the **POINT OF BEGINNING** containing 0.419 acres (18,272 square feet) of land.

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 10<sup>th</sup> day of March, 2017 to First National Title Insurance Company, Texas First Title Company, L.L.C., 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 WFG National Title Insurance Company, with an effective date of February 8, 2013, issued date of February 21, 2013, GF # 11035.TFT affecting the subject property and listed in Exhibit "A-1" attached hereto.

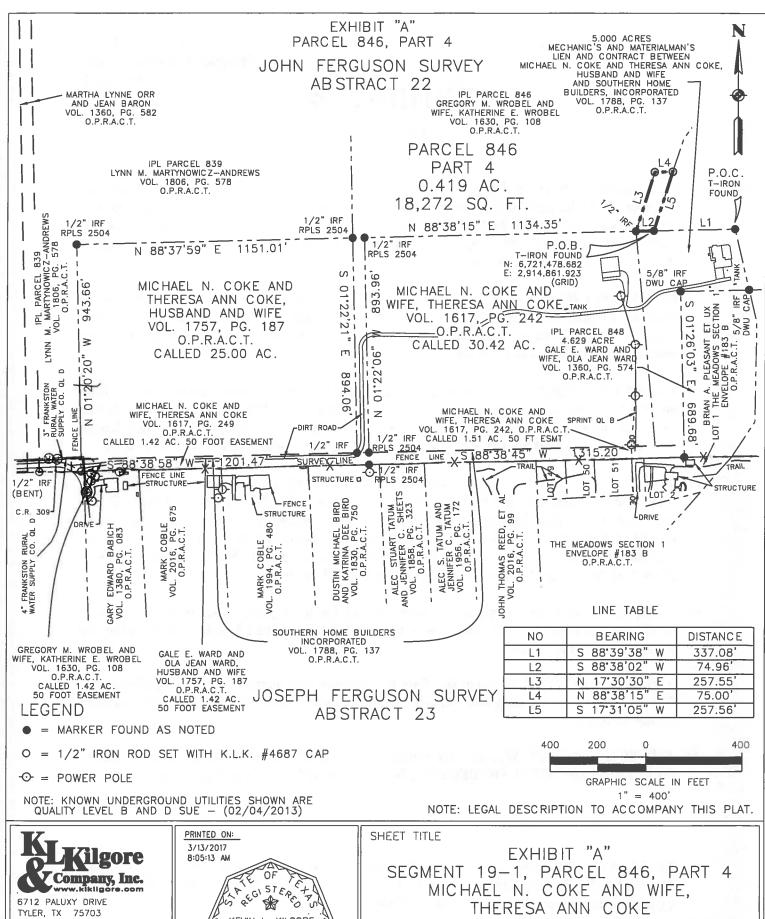
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

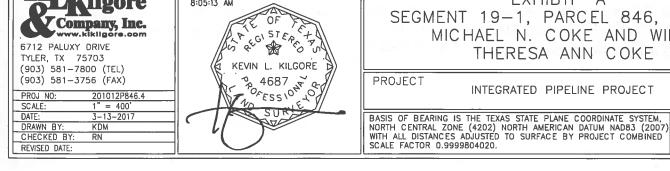
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

Kilgord

Registered Professional Land Surveyor Texas Registration Number 4687

Dated: 3/16/17





PG. 3 OF 5

#### EXHIBIT "4"

# EXHIBIT "A" Property Description

Being 0.296 acres (12,891 square feet) of land situated John Ferguson Survey, Abstract Number 22, Anderson County, Texas, and more particularly in that certain 25.00 acre tract of land conveyed to Michael N. Coke and Theresa Ann Coke, as described by deed recorded in Volume 1757, Page 857, Official Public Records of Anderson County, Texas, (O.P.R.A.C.T.), being further described as follows:

**COMMENCING** at a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Southwest corner of said Coke 25.00 acre tract and the most Southerly Southeast corner of a called 60.00 acre tract of land conveyed to Lynn M. Martynowicz-Andrews, as described by deed recorded in Volume 1806, Page 578, O.P.R.A.C.T.;

**THENCE** N 01°20'20" W, along the East line of said Martynowicz-Andrews 60.00 acre tract and the West line of said Coke 25.00 acre tract, a distance of 17.77 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,720,495.748, E: 2,912,473.979, Grid);

- (1) **THENCE** N 01°20'20" W, along the East line of said Martynowicz-Andrews 60.00 acre tract and the West line of said Coke 25.00 acre tract, a distance of 282.23 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Northwest corner of the tract herein described from which a found 1/2 inch iron rod with plastic cap stamped RPLS 2504 at an interior ell corner in the South line of said 60.00 acre tract and the Northwest corner of said 25.00 acre tract bears N 01°20'20" W, a distance of 643.66 feet;
- (2) **THENCE** N 88°39'08" E, along the North line of the tract herein described, a distance of 50.00 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 being the Northeast corner of same;
- (3) **THENCE** S 01°20'20" E, along the East line of said tract herein described, a distance of 233.41 feet to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 at the Southeast corner of same;
- (4) **THENCE** S 44°20'19" W, along the South line of said tract herein described, a distance of 69.89 feet to the **POINT OF BEGINNING**, containing 0.296 acres (12,891 square feet) of land.

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 14th day of February, 2017 to First National Title Insurance Company, Texas First Title Company, L.L.C., 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-ofway, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by WFG National Title Insurance Company, with an effective date of February 8, 2013, issued date of February 21, 2013, GF # 11035.TFT 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.

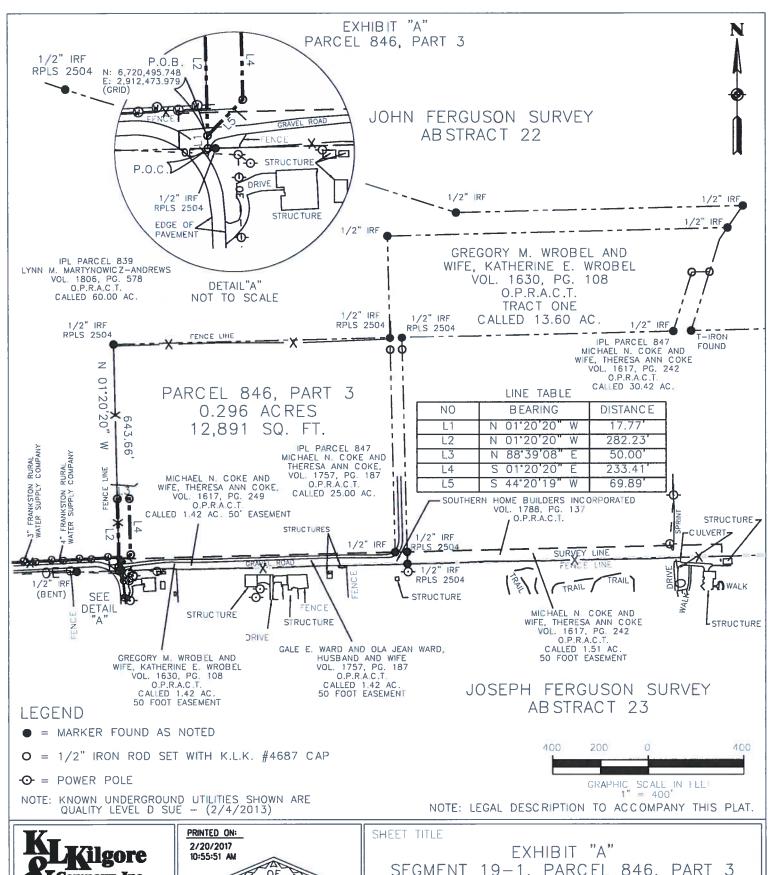
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

Kilgord

Registered Professional Land Surveyor

Texas Registration Number 4687

Dated: 2/20/17





FROJ NO: 201021P846PART3
SCA E: 1" = 400"
DATE: 02-20-2017
DRAWN BY: KDM
CHECKED BY: RN
RLV SED DATE:



SEGMENT 19-1, PARCEL 846, PART 3
MICHAEL N. COKE AND
THERESA ANN COKE

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM NADB3 (2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999804020.

PG. 3 OF 5

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 the conveyance and acquisition and to pay all reasonable and necessary closing and related costs incurred with such conveyance and acquisition. Director Leonard seconded the motion and the vote in favor was unanimous

16.

With the recommendation of management and General Counsel, Director Leonard moved to approve the proposed settlement of claims in the Brown, Sundress Resources, O'Brien and Buckholt IPL Project condemnation for the amount of \$450,000. Funding for this settlement is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

17.

With the recommendation of management, Director Leonard moved to grant authority to purchase the real property described below, which is necessary for the public use and purpose of construction and operation of the Cedar Creek Wetland Project. Funding for this acquisition is included in the Bond Fund.

#### Parcel 4 (Heather)

A permanent easement interest across a 1.080-acre tract of land located in the William S. Campbell Survey, Abstract No. 173, Henderson County, Texas, said 1.080-acre tract of land also being a portion of a called 67.982-acre tract of land conveyed to Robert Heather, by deed as recorded in Instrument No. 2013-00007271, Deed Records, Henderson County, Texas, and being further described in the accompanying survey plat for Parcel 4 attached hereto for the negotiated purchase price of \$45,500.

Parcel 12
 (Lamb)
 A permanent easement interest across a 2.150-acre tract of land

located in the Beaufort W. Brown Survey, Abstract No. 72, Henderson County, Texas, said 2.150-acre tract of land also being a portion of a called 62.78-acre tract of land conveyed to Scott A. Lamb and Christy A. Lamb, by deed as recorded in Volume 2010, Page 558, Deed Records, Kaufman County, Texas, and being further described in the accompanying survey plat for Parcel 12 attached hereto for the appraised value of \$10,000.

# EXHIBIT "A" Property Description

**BEING** a 1.080 acre (47,031 square feet) tract of land located in the William S. Campbell Survey, Abstract No. 173, Henderson County, Texas, said 1.080 acre tract of land also being a portion of a called 67.982 acre tract of land conveyed to **ROBERT HEATHER**, by deed as recorded in Instrument No. 2013-00007271, Deed Records, Henderson County, Texas (D.R.H.C.T.), and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1-1/4 inch iron pipe found at a northeast property corner of the said 67.982 acre tract, same being a south property corner of a called 20.00 acre tract of land conveyed to John M. Lacy, by deed as recorded in Volume 4093, Page 1, Deed Records, Kaufman County, Texas (D.R.K.C.T.);

**THENCE** North 89°59'19" West, along a north property line of the said 67.982 acre tract and along the said south property line of the 20.00 acre tract, a distance of 1,244.69 feet;

**THENCE** North 09°44'34" West, along an east property line of the said 67.982 acre tract and along the west property line of the said 20.00 acre tract, a distance of 486.75 feet to a 1/2 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" set (hereinafter referred to as an iron rod set) at the **POINT OF BEGINNING** of the herein described tract of land (having a grid coordinate of N:6,819,974.260 E:2,623,994.601);

**THENCE** North 89°33'35" West, over and across the said 67.892 acre tract, a distance of 478.13 feet to an iron rod set on the west property line of the said 67.982 acre tract, same being an east property line of a called 81.134 acre tract of land conveyed to Rebecca R. Horner, Trustee of the Rebecca R. Horner Revocable Trust, from which a 1/2 inch iron rod found at the southwest property corner of the said 67.982 acre tract of land bears South 00°53'24" East, a distance of 1,892.70 feet;

**THENCE** North 00°53'24" West, along the said property lines, a distance of 100.03 feet to an iron rod set from which the northwest corner of the said 67.982 acre tract, same being a northeast corner of the said 81.134 acre tract bears North 00°53'24" West, a distance of 17.27 feet;

THENCE South 89°33'35" East, over and across the said 67.982 acre tract and generally along a fence line on the south side of County Road No. 4072, a distance of 462.49 feet to an iron rod set on the east property line of the said 67.982 acre tract, same being the west property line of the aforesaid 20.00 acre tract, from which the northeast corner of the said 67.982 acre tract, same being the northwest property corner of the said 20.00 acre tract bears North 09°44'34" West, a distance of 16.36 feet;

**THENCE** South 09°44'34" East, along the said property lines, a distance of 101.60 feet to the **POINT OF BEGINNING**, and containing **1.080 acres** (**47,031 square feet**) of land, more or less.

NOTE: Basis of Bearings is the Texas State Plane Coordinate System, North Central Zone (4202) North American Datum (NAD83)(2007) with all distances scaled from N:6,280,412.879 E:2,638,417.218 by a project combined scale factor of 0.99993245856.

NOTE: Plat to accompany this legal description

I do certify on this 8<sup>th</sup> day of November, 2016, to Attorney's Title Company of Henderson County, Fidelity National Title Insurance Company 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 July 21, 2016, issued date of August 1, 2016, GF # 13-084-DD 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.

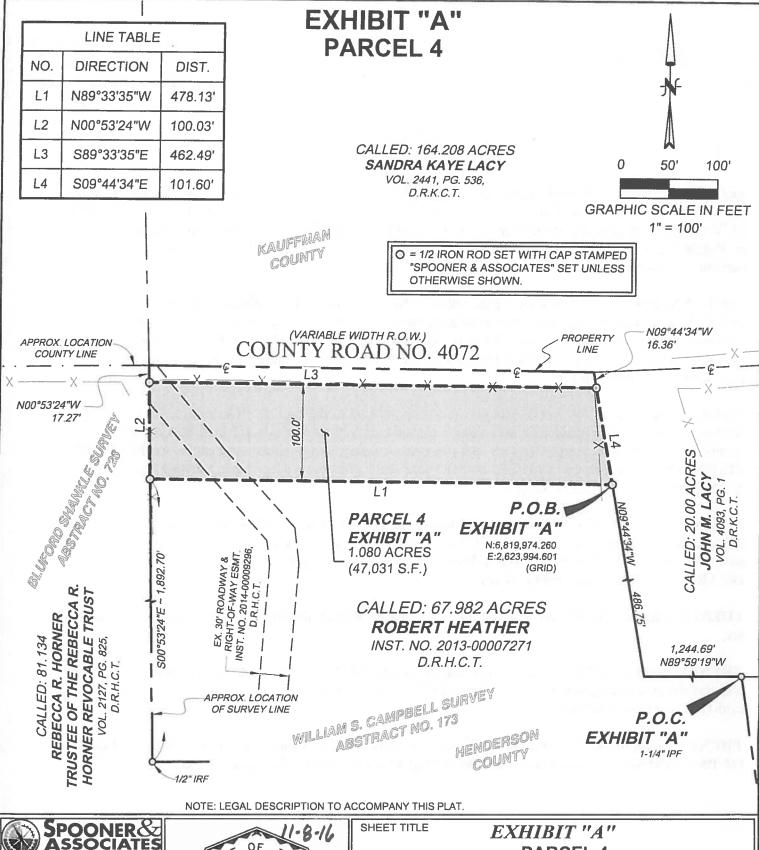
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

11-8-16

Eric S. Spoone, R.P.L.S.

Registered Professional Land Surveyor

Texas Registration Number 5922





SPOONER AND ASSOCIATES, INC. 309 BYERS STREET, SUITE 100 **EULESS, TEXAS 76039** TEL 817-685-8448 TBPLS No. 10054900

SCALE: 1" = 100'

DATE OF SURVEY: 07/21/2015

DRAWN BY: C.R.R.

CHECKED BY: E.S.S. REVISED DATE: 11/08/2016



PARCEL 4 ROBERT HEATHER

**PROJECT** 

CEDAR CREEK FINISHED WATER PIPELINE

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83)(2007) WITH ALL DISTANCES SCALED FROM N:6,820,412.879, E: 2,638,417,218 BY A PROJECT COMBINED SCALE FACTOR OF 0.99993245856

PG. 3 OF 4

# EXHIBIT "A" Property Description

**BEING** a 2.150 acre (93,644 square feet) tract of land located in the Beaufort W. Brown Survey, Abstract No. 72, Henderson County, Texas, said 2.150 acre tract of land also being a portion of a called 62.78 acre tract of land conveyed to **SCOTT A. LAMB** and **CHRISTY A. LAMB**, by deed as recorded in Volume 2010, Page 558, Deed Records, Kaufman County, Texas (D.R.K.C.T.), and being more particularly described by metes and bounds as follow:

COMMENCING at a 3/4 inch iron pipe found at the most southerly southeast property corner of the said 62.78 acre tract of land, same being the southwest property corner of a called 12.5 acre tract of land conveyed to Alfonso Martinez, by deed as recorded in Ins 2016-0004354, D.R.K.C.T., from which a 1 inch iron pipe found at the southeast property corner of the said 12.5 acre tract bears North 89°19'06" East, a distance of 447.06 feet;

THENCE North 00°56'09" West, along an east property line of the said 62.78 acre tract, same being the west property line of the said 12.5 acre tract, a distance of 575.48 feet to a 1/2 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" set (hereinafter referred to as an iron rod set) at the **POINT OF BEGINNING** of the herein described tract of land (said beginning point having a grid coordinate of N:6,820,264.832 E:2,637,917.321);

**THENCE** South 87°45'07" West, over and across the said 62.78 acre tract, a distance of 936.48 feet an iron rod set on the west property line of the said 62.78 acre tract, same being the east property line of a called 12.5 acre tract of land conveyed to Fred G. Poteet, by deed as recorded in Volume 1827, Page 565, Deed Records, Henderson County, Texas;

**THENCE** North 00°53'46" West, along the said property lines, a distance of 100.03 feet to an iron rod set;

**THENCE** North 87°45'07" East, over and across the said 62.78 acre tract, a distance of 936.41 feet to an iron rod set on an east property line of the said 62.78 acre tract, same being the west property line of the said 12.5 acre tract (Martinez);

THENCE South 00°56'09" East, along the said property lines, a distance of 100.03 feet to the POINT OF BEGINNING, and containing 2.150 acres (93,644 square feet) of land, more or less.

NOTE: Basis of Bearings is the Texas State Plane Coordinate System, North Central Zone (4202) North American Datum (NAD83)(2007) with all distances scaled from N:6,280,412.879 E:2,638,417.218 by a project combined scale factor of 0.99993245856.

NOTE: Plat to accompany this legal description

I do certify on this 24<sup>th</sup> day of January, 2017, to 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 August 18<sup>th</sup>, 2016, issued August 26, 2016 GF # 13-078-DD, affecting the subject property.

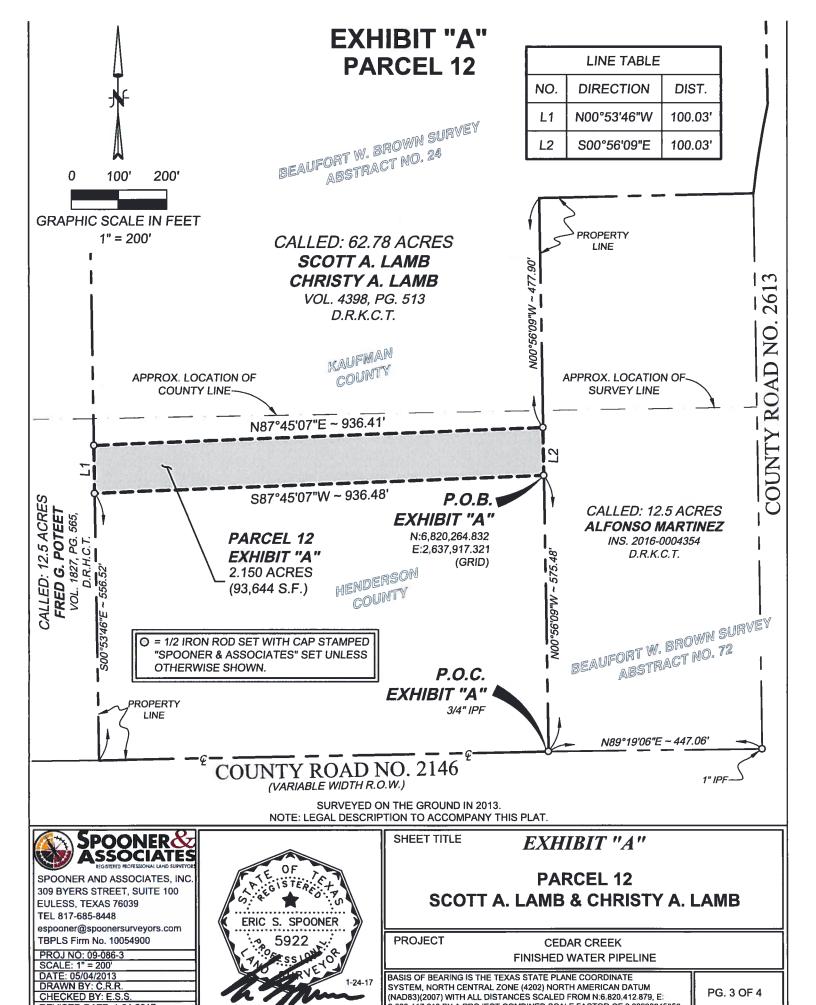
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

1-24-

Eric S. Spooter, R.P.L.S. Spooner & Associates, Inc. Texas Registration No. 5922 TBPLS Firm No. 10054900

Surveyed on the ground 2-2013



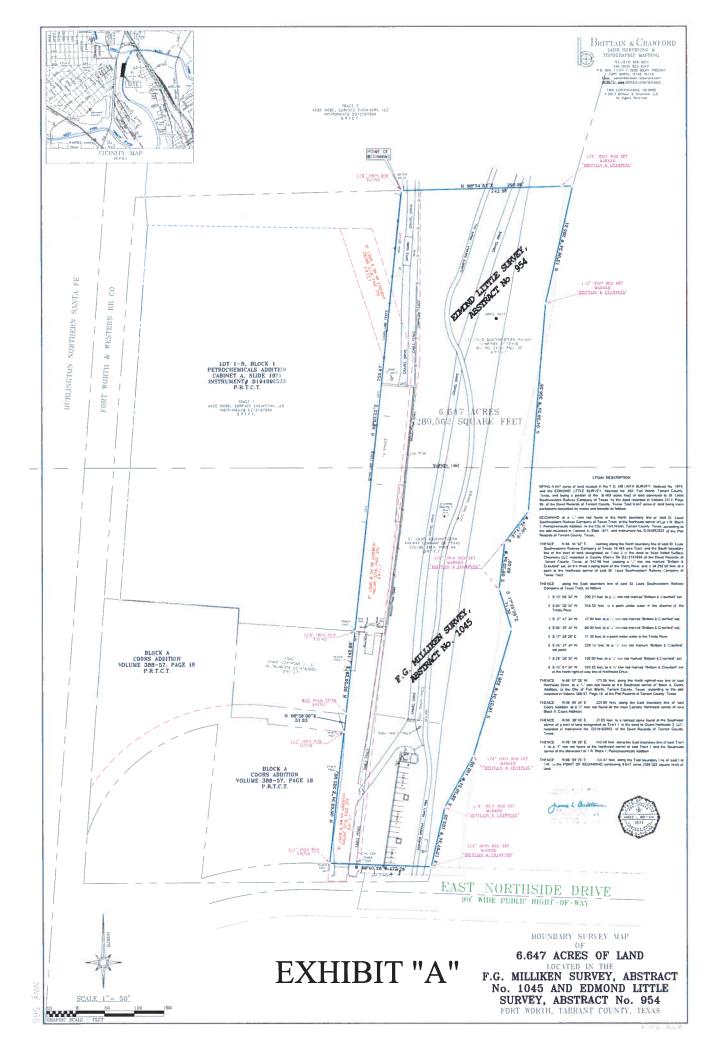
REVISED DATE: 1-24-2017

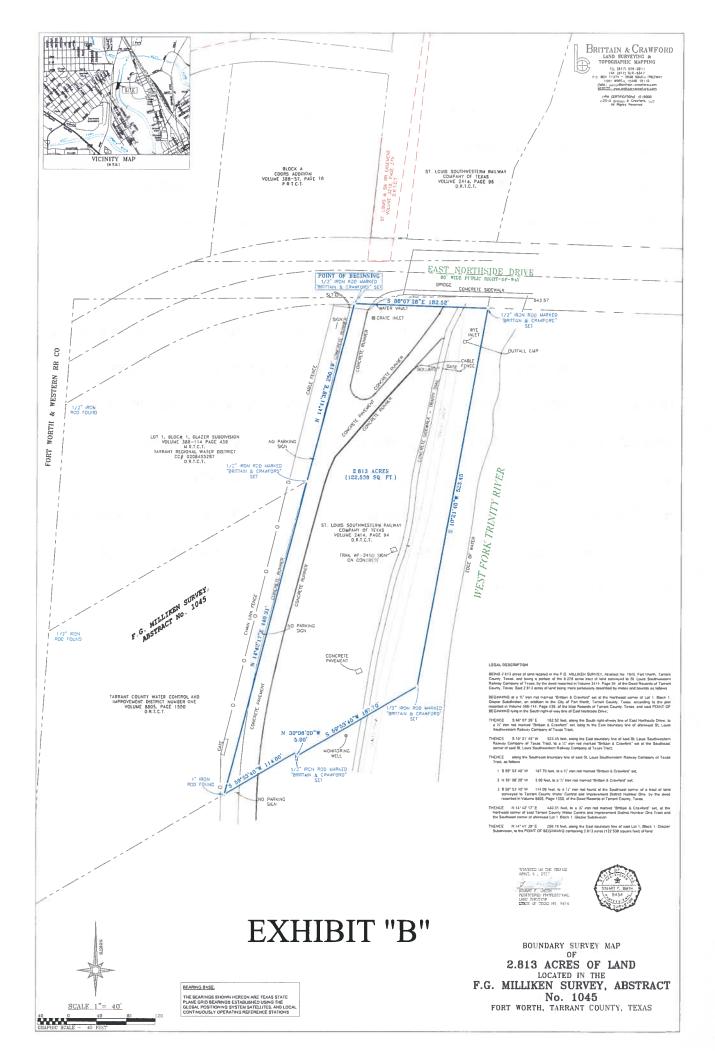
2,638,417.218 BY A PROJECT COMBINED SCALE FACTOR OF 0.99993245856.

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 Stevens seconded the motion and the vote in favor was unanimous.

18.

With the recommendation of management, Director Stevens moved to grant authority to acquire a permanent easement interest and right-of-way in approximately 6.647 acres of land located in the F.G. Milliken Survey, Abstract No. 1045, and the Edmond Little Survey, Abstract No. 954, Fort Worth, Tarrant County, Texas, and 2.813 acres of land, more or less, in the said F.G. Milliken Survey for operation of the Fort Worth Floodway for the negotiated purchase price of \$15,000. This item is unbudgeted.





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.

19.

With the recommendation of management, Director Leonard move to approve a Memorandum of Understanding ("MOU") between the District and West Wise Special Utility District ("West Wise") for the conveyance of easements by the District to West Wise needed by West Wise for the relocation of West Wise's water treatment facility. In addition, R. Steve Christian, Real Property Director of TRWD, and the staff of TRWD, are granted authority to execute the easements referenced in the MOU upon the completion of the surveys needed for such easements. Director Stevens seconded the motion and the vote in favor was unanimous.

EXHIBIT "A"



(HA NO : 064501700

NEW WATER TREATMENT FACILITES LAND REQUEST

WEST WISE SUD WATER TREATMENT PLANT

Kimley»Horn

Nancy King presented to the Board of Directors the official returns of the election for three (3) Directors conducted by the Water District on May 6, 2017. The Directors, acting as canvassing authority for the election, publicly examined and did formally canvass the election returns in accordance with Texas law. Out of 390,436 registered voters, there were 33,669 ballots cast. The tabulation reflects that Leah King, James Hill and Jack Stevens were duly elected to the Board, and President Henderson recommended that this Board certify them as duly elected members of the Board of Directors of Tarrant Regional Water District, and declare the election results to be as shown on the tabulation.

Director Leonard moved that the Board of Directors find and declare that the results were as follows:

Candidate:	Votes Received:	Percentage:
King	18,958	28.55%
Beatty	7,514	11.31%
Kelleher	9,608	14.47%
Stevens	14,846	22.36%
Hill	15,482	23.31%

Director Stevens seconded the motion and the vote in favor was unanimous.

21.

According to the results of the election for three (3) Tarrant Regional Water District Board of Directors, Leah King, James Hill and Jack Stevens were administered the Oaths of Office by Victor W. Henderson, President, who then turned over chairmanship of the meeting to Vice President Stevens.

22.

There were no future agenda items approved.

The next board meeting was scheduled for June 20, 2017.

24.

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

President

Secretary