<u>CORRECTED</u> MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF TARRANT REGIONAL WATER DISTRICT HELD ON THE 20th DAY OF OCTOBER 2020 AT 9:00 A.M.

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

Present Jack Stevens Marty Leonard Leah King James Hill Jim Lane

Directors Stevens and Lane appeared in person. Directors Leonard, King, and Hill appeared via videoconference. Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrell Beason, Steve Christian, Woody Frossard, Jason Gehrig, JD Granger, Rachel Ickert, Nancy King, Mick Maguire, David Marshall, Sandy Newby, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance was Lee F. Christie, Ethel Steele, and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District; Mark Mazzanti of Mazzanti & Associates LLC; Alan Raynor of McCall, Parkhurst & Horton LLP; Laura Alexander of Hilltop Securities Inc.; Robbi Jones of Kipling Jones & Co.; and Nicole Smith of Kintop Smith, PLLC.

President Stevens convened the meeting with 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.

There were no persons from the general public requesting the opportunity to

address the Board of Directors.

Director Stevens congratulated Director King on her recent award, Community Advocate of the Year, presented at the Fort Worth Hispanic Chamber of Commerce 47th Annual Awards Celebration. Director Stevens also commended the District for receiving an Achievement of Excellence Award presented by the National Procurement Institute. Director Stevens congratulated the District's Accounting Department for its efforts to control costs and maximize efficiency, as evidenced by the recent rating upgrade by Fitch Ratings to AA+ for the District, and reaffirming the AAA rating with S&P.

3.

On a motion made by Director Lane and seconded by Director Leonard, the Directors voted unanimously to approve the minutes from the Board meeting held on September 15, 2020. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

With the recommendation of management, Director King moved to approve a task order in an amount not-to-exceed \$160,925 with HV Engineering, LLC for electrical engineering services for protective relays and arc flash analysis for four pump stations. Funding for this item is included in the Fiscal Year 2021 Revenue Fund. Director Hill seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Leonard moved to approve a change order in the amount of \$304,668 with Val-Matic Valve and Manufacturing Corporation to manufacture, assemble, and deliver one (1) additional 72-inch diameter butterfly valve and one (1) additional 90-inch diameter butterfly valve for the Kennedale

Balancing Reservoir expansion project, the Board having found the change order to be necessary or beneficial to the District. Funding for this item is in included in the Bond Fund. Director Hill seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Lane moved to approve a change order in the amount of \$81,834.53 with BAR Constructors, Inc. for Joint Cedar Creek Lake Pump Station Package 2 pump vibration monitor/control system elevated platforms, the Board having found the change order to be necessary or beneficial to the District. Funding for this item is in included in the Bond Fund. Director King seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Hill moved to approve a contract amendment in the amount of \$85,404 with ETTL Engineers and Consultants, Inc. for construction materials inspection and testing services for Integrated Pipeline Section 19 TXDOT Tunnel Crossings project. Funding for this item is included in DWU Contract Revenue Bonds. Director Lane seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Hill moved to approve an order authorizing the issuance of Tarrant Regional Water District, a water control and improvement district, Unlimited Tax Refunding Bonds; levying an ad valorem tax in support of the bonds; establishing the procedures of selling and delivering the bonds; and authorizing other matters related to the issuance of the bonds. Director Leonard seconded the motion and the vote in favor was unanimous. With the recommendation of management, Director Hill moved to approve a resolution authorizing the issuance, sale, and delivery of Tarrant Regional Water District, a water control and improvement district, Water Revenue Refunding Bonds, Taxable Series 2020B, pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedures relating thereto. Director King seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management, Director Leonard moved to approve a resolution authorizing the issuance, sale, and delivery of Tarrant Regional Water District, a water control and improvement district, Water Revenue Refunding Bonds, Series 2020C, pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedures relating thereto. Director King seconded the motion and the vote in favor was unanimous.

11.

With the recommendation of management, Director Hill moved to approve a project in the amount of \$152,000 with Shermco Industries to replace seven protective relays on Richland-Chambers Lake Station main #2 and pump units 4, 5 and 6. Funding for this item is included in the Fiscal Year 2021 Revenue Fund. Director King seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management, Director Lane moved to approve operations maintenance expenditures and renewals as listed below.

Tarrant Regional Water District Board of Directors Meeting	October 2020	Operations Maintenance
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All and a lot of the l	\$176,000.00	\$ 361,000.00	\$153,000.00		\$314,300.00
Budget	1	a lo		Budget	
	Revenue	Revenue General Recreation	Revenue		General
Budget Line	9587, 9588, 9728, 11453	10919, 10920, 10922, 10916, 10918, 10991, 10917, 10703, 10909, 10563, 8873, 9588, 9587, 9642, 9641, 8900, 10725, 10282	10602, 10601, 9933, 9937, 10596, 10597, 10588, 10599, 10600, 10601, 10602	Budget Line	9926, 9931, 9934, 10445
Purpose	Grounds maintenance for eastern administrative and operational facilities. This contract is for one initial eleven month period with the option to renew for four additional one-year periods.	Grounds maintenance for western administrative, operational, and recreational facilities. This contract is for one initial eleven month period with the option to renew for four additional one-year periods.	Pipeline Right-of-Way mowing on an as needed basis. The anticipated annual expense for a normal year is \$240,411.46 for 2,933 acres. The not to exceed amount is established based on a very wet year and/or the additional IPL right of way that will be completed during the term of the contract. This contract is for a 36 month period with 12 month renewals with mutual consent.	Purpose	Vender to provide Tandem Dump Trucks and Operators to haul soil, gravel, rock, etc. on an hourly basis. The contract supplements District Staff and Equipment during peak needs. This contract was for one initial nine month period with the option to renew for four additional one-year periods. This is our first renewal.
Amount	\$ 82,534.50	\$ 169,297.00	Not to exceed \$298,443.15	Amount	Not to exceed \$310,800
Vendor	SRH Landscapes, LLC.	Whitmore & Sons, Inc.	Manual Chores	Vendor	DCT Trucking
Project	ITB 21-012 Eastern Facilities Grounds Maintenance	ITB 21-021 Western Facilities Grounds Maintenance	Pipeline Right-of-Way Grounds Maintenance	Project	ITB 20-042 Hauling Service for Operations Construction

Funding for these items is included in the General/Revenue Fund. Director Hill seconded the motion and the vote in favor was unanimous.

13.

Trinity River Vision Authority (TRVA) Board Members Jim Oliver and James Hill presented an update regarding the TRVA Board.

15.

The Board next held an Executive Session commencing at 9:25 a.m. under Section 551.071 to Consult with Legal Counsel on a Matter in Which the Duty of Counsel Under the Texas Disciplinary Rules of Professional Conduct Clearly Conflicts with Chapter 551, Texas Government Code and to Conduct a Private Consultation with Attorneys Regarding Pending or Contemplated Litigation; and under

Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property; and under

Section 551.074 Regarding Personnel Matters.

Upon completion of the executive session at 11:05 a.m., the President reopened the meeting.

16.

With the recommendation of management, Director Leonard moved to approve a contract in an amount not-to-exceed \$716,338.40 with G.L. Morris Enterprises DBA Sunbelt Industrial Services for the Phase 1 Partial Response Action Implementation Plan for the former Police & Fire Facility and Rubin Voluntary Cleanup Program # 2436 and # 2300 for the Central City Flood Control Project. An additional 20% contingency to cover costs associated with remediation of additional waste brings the total budget authorization to \$860,000. Funding for this item is included in the Capital Projects Fund. Director

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

17.

With the recommendation of management, Director Leonard moved to approve a task order agreement in an amount not-to-exceed \$389,750 with Aptim Environmental & Infrastructure, LLC, for environmental oversight services for the Response Action Implementation Plan for the former Police & Fire Facility and Rubin Voluntary Cleanup Program # 2436 and # 2300 for the Central City Flood Control Project. <u>An additional 20% contingency to cover oversight services of additional waste brings the total budget authorization to \$467,700.</u> Funding for this item is included in the Capital Projects Fund. Director King seconded the motion and the vote in favor was unanimous.

18.

With the recommendation of management, Director King moved to approve a contract in the amount of \$300,000 with Republic Waste Services of Texas, Ltd. for waste disposal services related to the Response Action Implementation Plan for the former Police & Fire Facility and Rubin Voluntary Cleanup Program # 2436 and # 2300 for the Central City Flood Control Project. Funding for this item is included in the Capital Projects Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

19.

With the recommendation of management, Director Leonard moved to approve release of retainage in the amount of \$71,255.42, final payment and contract closeout for G.L. Morris DBA Sunbelt Industrial Services for the Partial Response Action Implementation Plan for StarRFoam Voluntary Cleanup Program # 2680 for the Central City Flood Control Project. Director Hill seconded the motion and the vote in favor was unanimous.

With the recommendation of management, Director Hill moved to grant authority

to enter into an exchange of land with James Monte Montgomery and Lisa L. Montgomery

of the below-described real property interests and other consideration for the public use

and purpose of construction and operation of the Integrated Pipeline Project.

James Monte Montgomery and Lisa L. Montgomery will convey to TRWD a permanent easement across a 1.140-acre tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 15.827 acre tract described as Tract #2 in the Warranty Deed with Vendor's Lien to Monte Montgomery and Lisa Montgomery, recorded in Volume 2278, Page 600, Official Public Records of Henderson County, Texas, and such property being further described in the accompanying resolution and in the survey plat for Parcel 731 attached hereto.

In exchange for the foregoing, TRWD will release its permanent easement interest across a 2.334-acre tract of land situated in the Philip Jackson Survey, Abstract Number 392, Henderson County, Texas, as more particularly described in Instrument No. 2015-00010168, Official Public Records, Henderson County, Texas.

Exhibit 'A' Property Description

Being a 1.140 acre (49,645 square feet) tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 15.827 acre tract described as Tract #2 in the Warranty Deed with Vendor's Lien to Monte Montgomery and Lisa Montgomery, recorded in Volume 2278, Page 600, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and being further described as follows:

COMMENCING at a 2-inch iron pipe found along the northerly line of a called 49.561 acre tract described in the Warranty Deed with Vendor's Lien to John Karamanos and Stella Karamanos, recorded in Document Number 2018-00003839, of said O.P.R.H.C.T., the southeast corner of a called 77.019 acre tract described in the Warranty Deed to Larry H. Fitzhugh, and Karen K. Fitzhugh, recorded in Volume 2100, Page 862, of said O.P.R.H.C.T., and the southwest corner of a tract described in the Warranty Deed to Rainbo Club, Inc., recorded in Volume 491, Page 280, Deed Records of Henderson County, Texas, (D.R.H.C.T.), from which a railroad spike found for the southwest corner of the remainder of a called 28.576 acre tract described in the Warranty Deed with Vendor's Lien to Jere Randall Skiles and Mary Dale Skiles, recorded in Volume 1883, Page 90 of said O.P.R.H.C.T., and the northwest corner of said 49.561 acre Karamanos tract, also being in the apparent east right of way line of County Road 4515 (C.R. 4515) (variable width right of way)(no deed of record found), bears N 83°18'04" W, a distance of 3,424.01 feet;

THENCE N 03°30'02" E, with the west line of said Rainbo Club, Inc. tract and the east line of said 77.019 acre Fitzhugh tract, a distance of 325.44 feet to a calculated point for corner;

THENCE N 00°31'34" E, with the west line of said Rainbo Club, Inc. tract, and the east line of said 77.019 acre Fitzhugh tract, a distance of 22.24 feet to a calculated point for the northeast corner of said 77.019 acre Fitzhugh tract and the southeast corner of said 15.827 acre Montgomery tract;

THENCE N 00°26'10" E, with the east line of said 15.827 acre Montgomery tract and the west line of said Rainbo Club, Inc. tract, a distance of 301.13 feet to the northwest corner of said Rainbo Club, Inc. tract and the southwest corner of a called 116.256 acre tract described in the Warranty Deed with Vendor's Lien to Fredrick L. Williams and Donna Jo Williams, recorded in Volume 1994, Page 354, of said O.P.R.H.C.T.;

THENCE N 02°18'42" W, with the east line of said 15.827 acre Montgomery tract and the west line of said 116.256 acre Williams tract, a distance of 96.53 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the southeast corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,732,499.428, E: 2,822,223.619 Grid);

- (1) THENCE S 89°15'21" W, with the south line of the tract herein described and across said 15.827 acre Montgomery tract, a distance of 231.99 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for corner;
- (2) **THENCE** S 56°02'39" W, with the south line of the tract herein described and across said 15.827 acre Montgomery tract, a distance of 77.19 feet to a calculated point in the west line of said 15.827 acre Montgomery tract and the east line of said 77.019 acre Fitzhugh tract, for the southwest corner of the tract herein described;
- (3) **THENCE** N 03°46'11" W, with the west line of the tract herein described, the west line of said 15.827 acre Montgomery tract, and the east line of said 77.019 acre Fitzhugh tract, a distance of 71.26 feet to a calculated point for corner;
- (4) **THENCE** N 50°11'27" W, with the west line of the tract herein described, the west line of said 15.827 acre Montgomery tract, and the east line of said 77.019 acre Fitzhugh tract, a distance of 92.08 feet to a calculated point for the northwest corner of the tract herein described;
- (5) **THENCE** N 56°02'39" E, with the north line of the tract herein described and across said 15.827 acre Montgomery tract, a distance of 111.83 feet to 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for corner;
- (6) THENCE N 89°15'21" E, with the north line of the tract herein described and across said 15.827 acre Montgomery tract, a distance of 272.61 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the northeast corner of the tract herein described, also being in the east line of said 15.827 acre Montgomery tract and the west line of said 116.256 acre Williams tract,;
- (7) **THENCE** S 02°18'42" E, with the east line of the tract herein described, the east line of said 15.827 acre Montgomery tract, and the west line of said 116.256 acre Williams tract, a distance of 150.06 feet to the **POINT OF BEGINNING** and containing 1.140 acres (49,645 square feet) of land.

<u>NOTE</u>: 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.

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

I do certify on this 21st day of October, 2019, 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 December 13, 2019, issued date of December 31, 2019 GF # FT-44122-9001221903782-LE 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.

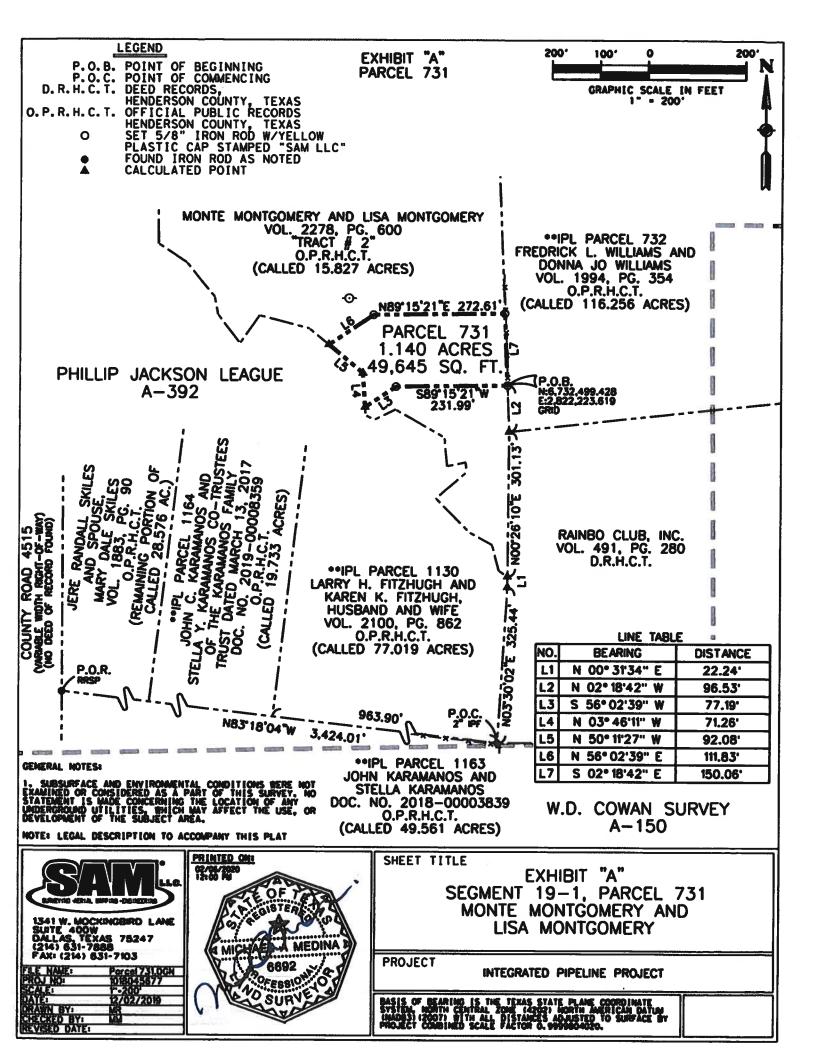


SURVEYING AND MAPPING, LLC

Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: December 2, 2019



In addition, the General Manager or his designee is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs. Funding for this exchange for like fair market value is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

21.

With the recommendation of management, Director Hill moved to grant authority to acquire, by purchase, an easement interest in the following described tract, which is necessary for the public use and purpose of construction and operation of the Integrated Pipeline Project.

• IPL Parcel 1157 (Tinney)

A permanent easement across a 5.829-acre tract of land out of the B.B. Sublett Survey, Abstract Number 719, Henderson County, Texas, and being a portion of a called 13.343-acre tract of land described in the deed to Bret A. Tinney, recorded in Document Number 2015-00016352, Official Public Records of Henderson County, Texas, and a portion of a called 13.336-acre tract of land described in the deed to Bret Tinney and Joyce Tinney, recorded in Document Number 2012-00008918 of said Official Public Records of Henderson County, Texas, and a portion of a called 10.0-acre tract of land described as Tract Two in the deed with to Bret A. Tinney and Joyce B. Tinney, recorded in Volume 2272 and Page 181, Deed Records of Henderson County, Texas, and being further described in the accompanying resolution and in the survey plat for Parcel 1157 attached hereto for the negotiated purchase price of \$220,000.00.

Exhibit 'A'

Property Description

Being a 5.829 acre (253,927 square feet) tract of land out of the B.B. Sublett Survey, Abstract Number 719, Henderson County, Texas, and being a portion of a called 13.343 acre tract of land described in the Warranty Deed with Vendor's Lien to Bret A. Tinney, recorded in Document Number 2015-00016352, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and a portion of a called 13.336 acre tract of land described in the Warranty Deed to Bret Tinney and Joyce Tinney, recorded in Document Number 2012-00008918 of said O.P.R.H.C.T. and a portion of a called 10.0 acre tract of land described as Tract Two in the Warranty Deed with Vendor's Lien to Bret A. Tinney and Joyce B. Tinney, recorded in Volume 2272 and Page 181, Deed Records of Henderson County, Texas (D.R.H.C.T.), being further described as follows:

COMMENCING at a 1/2-inch iron rod found for the southwest corner of said 13.343 acre Tinney tract, and the southeast corner of a called 17.299 acre tract of land described in the Warranty Deed to Brent E. Muecke, recorded in Document Number 2014-00016396, of said O.P.R.H.C.T.;

THENCE N06°23'55"E, with the west line of said 13.343 acre Tinney tract, and the east line of said 17.299 acre Muecke tract, a distance of 1,060.64 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,731,042.820, E: 2,815,619.474 Grid);

- (1) THENCE N06°23'55"E, with the west line of the tract herein described and continuing with the west line of said 13.343 acre Tinney tract, and the east line of said 17.299 acre Muecke tract, a distance of 153.60 feet to a 1/2-inch iron rod found for the northwest corner of the tract herein described, also being the northwest corner of said 13.343 acre Tinney tract, the northeast corner of said 17.299 acre Muecke tract, and the southwest corner of a called 21.606 acre tract of land described in the General Warranty Deed to East Texas Ranch LP., recorded in Volume 2721, Page 850, of said O.P.R.H.C.T. and being within County Road 4518 (C.R. 4518) (variable width right-of-way) (no deed of record found);
- (2) THENCE N83°58'33"E, within said C.R. 4518 and the north line of the tract herein described, the north line of said 13.343 acre Tinney tract, a distance of 505.40 feet to a 1/2-inch iron rod found for the northeast corner of said 13.343 acre Tinney tract, and the northwest corner of said 13.336 acre Tinney tract;
- (3) **THENCE** N83°44'41"E, continuing within said C.R. 4518 and the north line of the tract herein described, and the north line of said 13.336 acre Tinney tract, a distance of 158.03 feet to a 60D nail found for corner;

- (4) THENCE N82°28'06"E, continuing within said C.R. 4518 and the north line of the tract herein described, and the north line of said 13.336 acre Tinney tract, a distance of 347.44 feet to 1/2-inch iron rod found for the northeast corner of said 13.336 acre Tinney tract and the northwest corner of said Tract Two 10.0 acre Tinney tract;
- (5) THENCE N82°24'21"E, continuing within said C.R. 4518 and the north line of the tract herein described, and the north line of said Tract Two 10.0 acre Tinney tract, a distance of 671.18 feet to a 60D nail set for the northeast corner of the tract herein described, also being the northeast corner of said Tract Two 10.0 acre Tinney tract and the southeast corner of a called 1.554 acre tract of land described in the Warranty Deed to Martin Schiller and Cecilia Schiller, recorded in Volume 2312, Page 687, of said D.R.H.C.T.;
- (6) THENCE S01°40'25"E, with the east line of the tract herein described, the east of said Tract Two 10.0 acre Tinney tract, and the apparent west right-of-way line of County Road 4515 (C.R. 4515) (variable width right-of-way)(no deed of record found), a distance of 150.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southeast corner of the tract herein described;
- (7) THENCE S82°24'21"W, across said Tract Two 10.0 acre Tinney tract and with the south line of the tract herein described, a distance of 655.71 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (8) THENCE S82°28'06"W, continuing across said Tract Two 10.0 acre Tinney tract and with the south line of the tract herein described, passing a calculated point in the west line of said Tract Two 10.0 acre Tinney tract and the east line of said 13.336 acre Tinney tract at a distance of 51.38 feet, continuing with the south line of the tract herein described and across said 13.336 acre Tinney tract a total distance of 349.20 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (9) **THENCE** S83°44'41"W, continuing across said 13.336 acre Tinney tract and with the south line of the tract herein described, a distance of 160.00 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (10) THENCE S83°58'33"W, continuing across said 13.336 acre Tinney tract and with the south line of the tract herein described, passing a calculated point in the west line of said 13.336 acre Tinney tract and the east line of said 13.343 acre Tinney tract at a distance of 38.91 feet, continuing with the south line of the tract herein described and across said 13.343 acre Tinney tract a total distance of 538.74 feet to the POINT OF BEGINNING and containing 5.829 acres (253,927 square feet) of land, more or less.

<u>NOTE</u>: 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.

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

I do certify on this 21st day of October, 2019, 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 October 31, 2018, issued date of November 28, 2018 GF # FT-44122-9001221800300-LE 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.

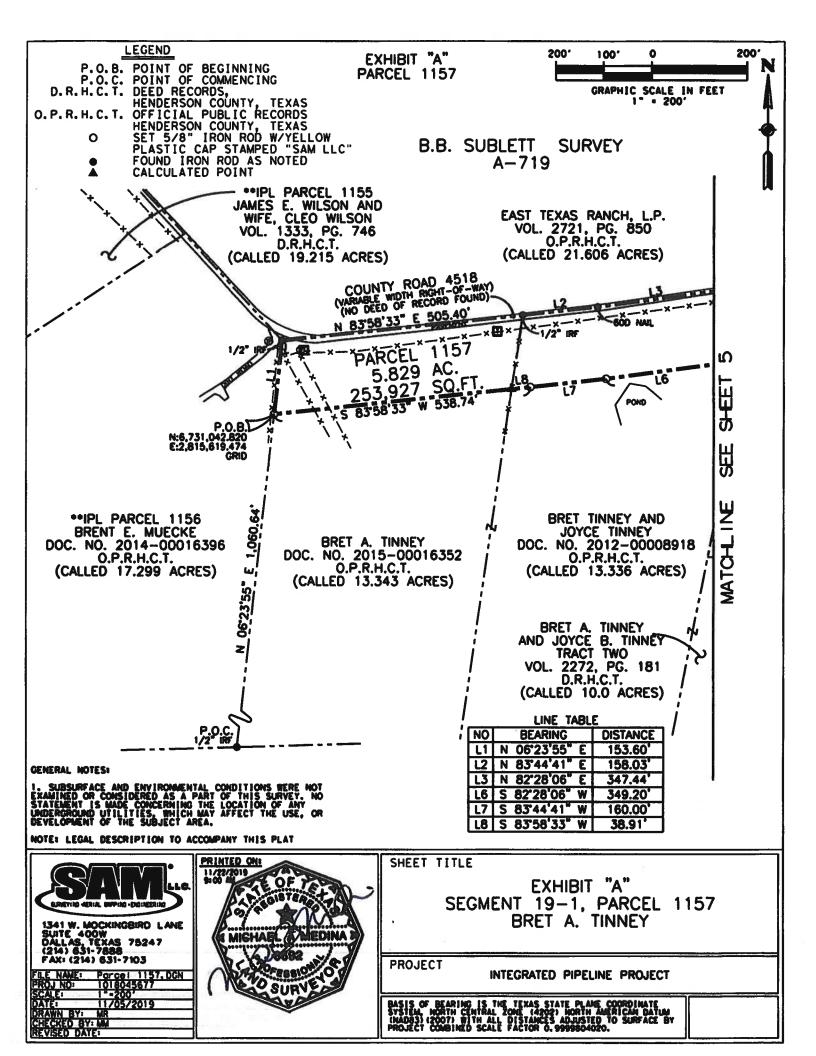
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey

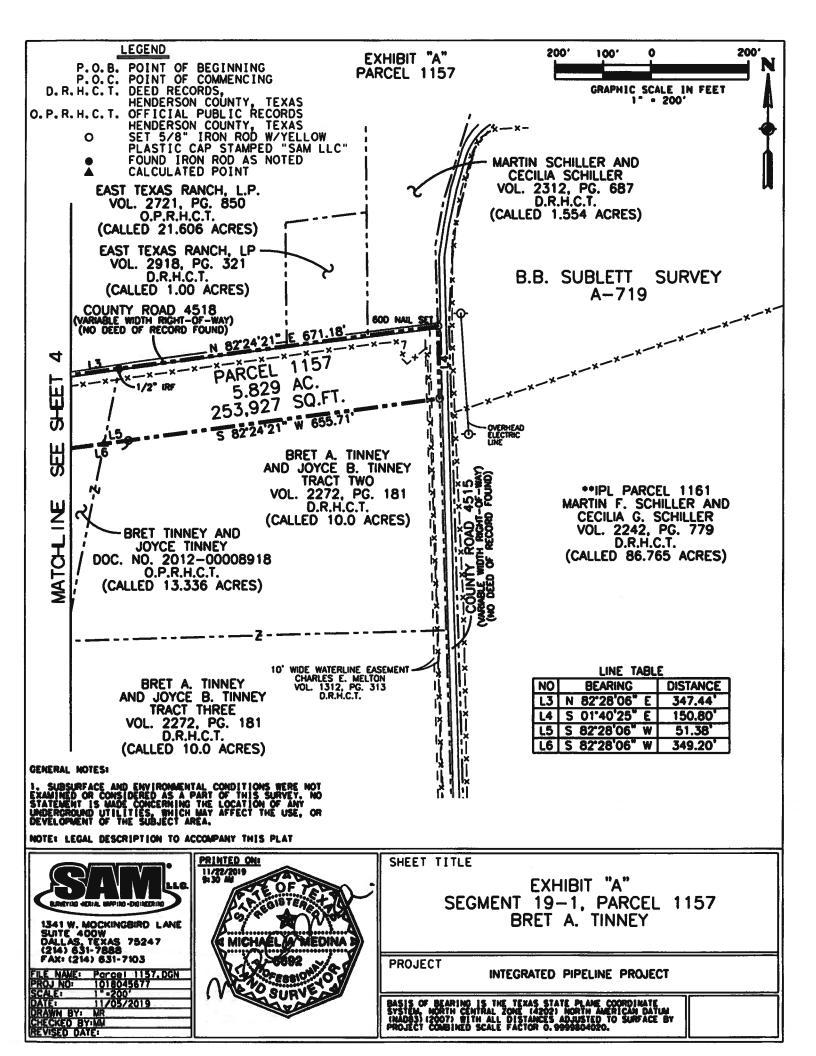


SURVEYING AND MAPPING, LLC Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: November 5, 2019





In addition, the General Manager or his designee is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs. Funding for this item is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

22.

With the recommendation of management, Director Hill moved to grant authority to acquire permanent easement interests in, over, under, and across the following described properties, including any improvements thereon, 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 intended to apply to all units of real property described below.

 IPL Parcels 733.3, 733, and 733-R (DTY Ranch, LP)

Permanent easement interests in, over and across approximately 33.801 net acres of land, such permanent easement interests being more particularly in. over and across a 1.374-acre tract of land out of the E.C. Lanier Survey, Abstract Number 446, such tract being a portion of a called 2,492.39 acre tract described in the Special Warranty Deed to DTY Ranch, LP, recorded in Document Number 2017-00019159, Official Public Records of Henderson County, Texas; a 7.229acre tract of land situated in the J. A. Castellow Survey, Abstract Number 991, Henderson County, Texas; a 4.150-acre tract of land situated in the W. F. Atwood Survey, Abstract Number 1019, Henderson County, Texas; and a 25.210-acre tract of land situated in the A. F. Lightfoot Survey, Abstract Number 962, the K. Richardson Survey, Abstract Number 1062, the E. C. Lanier Survey, Abstract Number 446, and the Phillip Jackson Survey, Abstract Number 392, Henderson County, Texas, such 7.229-acre, 4.150-acre, and 25.210-acre tracts being portions of that certain 2,492.39-acre tract of land conveyed to KTW Properties, LP, as recorded in Document No. 2009-00008875 Official Records, Henderson County, Texas; save and except a 4.162-acre tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and the E.C. Lanier Survey, Abstract Number 446, Henderson County, Texas and being a

portion of a called 2,492.39 acre tract described in the Special Warranty Deed to DTY Ranch, LP, recorded in Document Number 2017-00019159, Official Public Records of Henderson County, Texas, such tracts being further described in the accompanying resolution and in the survey plats for Parcels 733.3, 733, and 733-R attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$592,000.00 as just compensation for the above-described property.

Exhibit 'A' Property Description

Being a 1.374 acre (59,831 square feet) tract of land out of the E.C. Lanier Survey, Abstract Number 446 and being a portion of a called 2,492.39 acre tract described in the Special Warranty Deed to DTY Ranch, LP, recorded in Document Number 2017-00019159, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and being further described as follows:

COMMENCING at a 1/2-inch iron rod found for an angle point in the west line of said 2,492.39 acre DTY Ranch tract and the east line of County Road 4516 (a variable width right-of-way)(no deed of record found);

THENCE S 43°52'33" W, with the west line of said 2,492.39 acre DTY Ranch tract, a distance of 40.44 feet to a calculated point for an angle point, also being in the east line of a called 116.256 acre tract described in the Warranty Deed with Vendor's Lien to Fredrick L. Williams and Donna Jo Williams, recorded in Volume 1994, Page 354, of said O.P.R.H.C.T.;

THENCE S 12°59'53" E, with the west line of said 2,492.39 acre DTY Ranch tract and the east line of said 116.256 acre Williams tract, a distance of 166.15 feet to a calculated point for an angle point;

THENCE S 00°03'31"E, with the west line of said 2,492.39 acre DTY Ranch tract and the east line of said 116.256 acre Williams tract, a distance of 149.87 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the northwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,732,698.178, E: 2,825,160.287 Grid);

- (1) **THENCE** N 88°09'08" E, with the north line of the herein described tract and across said 2,492.39 acre DTY Ranch tract, a distance of 342.33 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the northeast corner of the tract herein described;
- (2) **THENCE** S 37°42'18" E, with the east line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 185.08 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the southeast corner of the tract herein described;
- (3) THENCE S 88°09'08" W, with the south line of the herein described tract and across said 2,492.39 acre DTY Ranch tract, a distance of 455.07 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set in the west line of said 2,492.39 acre DTY Ranch tract for the southwest corner of the herein described tract, the southeast corner of said 116.256 acre Williams tract and the northeast corner of a tract described in the Warranty Deed to Rainbo Club, Inc., recorded in Volume 491, Page 280, Deed Records of Henderson County, Texas (D.R.H.C.T.);

- (4) **THENCE** N 04°34'07" W, with the west line of the herein described tract, the west line of said 2,492.39 acre DTY Ranch tract, and the east line of said 116.256 acre Williams tract, a distance of 4.54 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set;
- (5) **THENCE** N 00°03'31" W, with the west line of the herein described tract, the west line of said 2,492.39 acre DTY Ranch tract, and the east line of said 116.256 acre Williams tract, a distance of 145.54 feet to the **POINT OF BEGINNING** and containing 1.374 acres (59,831 square feet) of land.

<u>NOTE</u>: 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.

<u>NOTE</u>: Plat to accompany this legal description.

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

I do certify on this 21st day of October, 2019, 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 22, 2019, issued date of September 6, 2019 GF # 13-500-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.



SURVEYING AND MAPPING, LLC Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: December 2, 2019

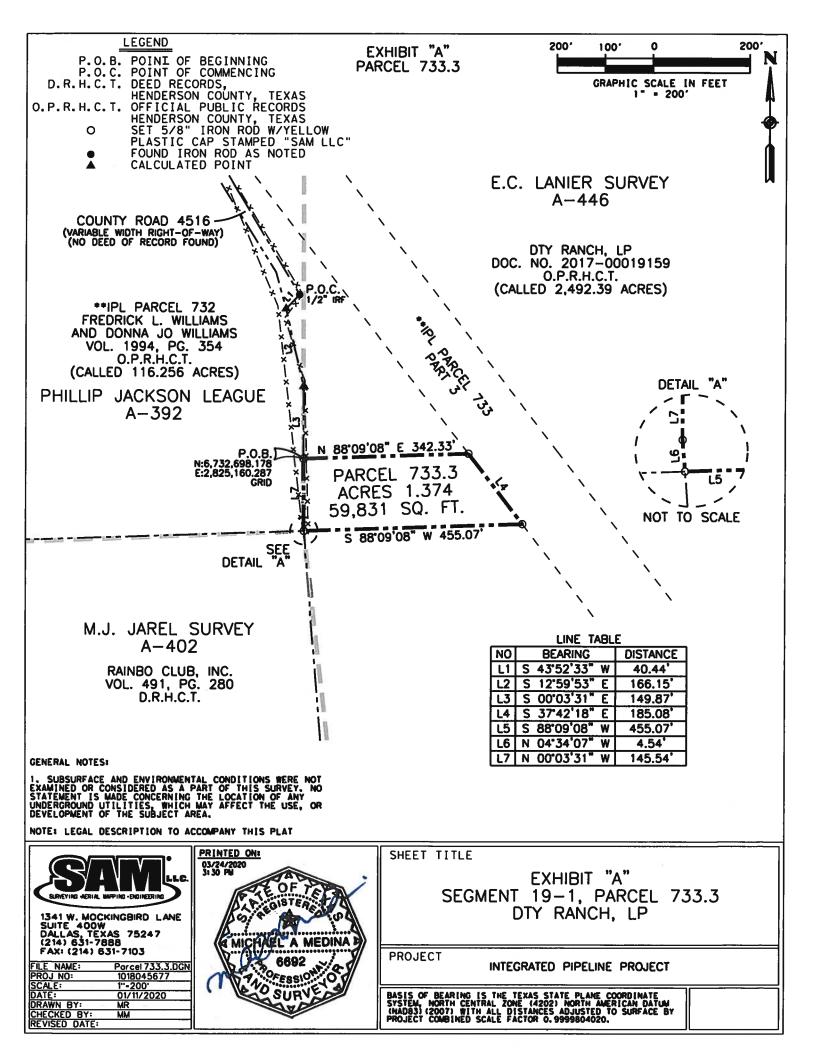


EXHIBIT "A"

Property Description

Being 7.229 acres (314,897 square feet) of land situated in the J. A. Castellow Survey, Abstract Number 991, Henderson County, Texas, and more particularly that certain 2492.39 acre tract conveyed to KTW Properties, LP, as recorded in Document No. 2009-00008875 Official Records, Henderson County, Texas, (O.R.H.C.T.), and being further described as follows:

COMMENCING at a 1/2" iron rod found in the South line of that certain 40.7 acre tract conveyed to Joe Paul Tarrant, as recorded in Volume 1182, Page 185 Deed Records, Henderson County, Texas (D.R.H.C.T.), being a Northeast corner of the said 2492.39 acre tract and the Northwest corner of that certain 22.59 acre tract conveyed to Kip Carlton Estep, as recorded in Document No. 2010-00013992 O.R.H.C.T.;

THENCE S 01°55'18" E, along an East line of the said 2492.39 acre tract and the West line of the said 22.59 acre Estep tract, a distance of 637.70 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for the Northeast corner of tract herein described and the **POINT OF BEGINNING** (N: 6,732,179.007, E: 2,838,123.918 Grid);

- (1) THENCE S 01°55'18" E, along the East line of tract herein described, the East line of the said 2492.39 acre tract and the West line of the said 22.59 acre Estep tract, a distance of 165.14 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner at the Southeast corner of tract herein described, from which a found 1/2" iron rod for a Southeast corner of said 2492.39 acre tract bears S 01°55'18" E, 270.48 feet;
- (2) **THENCE** S 63°21'11" W, along the South line of tract herein described, a distance of 1127.54 feet. to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (3) **THENCE** S 77°38'28" W, along the South line of tract herein described, a distance of 181.74 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (4) **THENCE** N 88°04'16" W, along the South line of tract herein described, a distance of 310.45 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (5) **THENCE** S 85°31'36" W, along the South line of tract herein described, a distance of 105.94 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (6) **THENCE** S 72°52'39" W, along the South line of tract herein described, a distance of 103.37 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (7) **THENCE** S 60°13'42" W, along the South line of tract herein described, a distance of 105.94 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;

- (8) THENCE S 53°49'33" W, along the South line of tract herein described, a distance of 119.20 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner being the Southwest corner of tract herein described, in West line of said 2492.39 acre tract, and on the East line of that certain residue of a 40 acre tract conveyed to Linda Ann Parker, as recorded in Volume 2641, Page 656 D.R.H.C.T., from which a found Barbed wire fence post for the angle point in the West line of the referenced tract bears S 00°09'57"W, a distance of 311.96 feet;
- (9) THENCE N 00°09'57" E, along the West line of tract herein described, the East line of said 2492.39 acre tract, and the East line of said Parker tract, a distance of 186.22 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner being the Northwest corner of tract herein described, from which a found 1/2" iron rod for the Northeast corner of the said Parker tract bears North 00°09'57"E, a distance of 661.28 feet;
- (10) **THENCE** N 53°49'33" E, along the North line of tract herein described, a distance of 224.69 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (11) **THENCE** S 88°04'16" E, along the North line of tract herein described, a distance of 435.42 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (12) **THENCE** N 82°30'47" E, along the North line of tract herein described, a distance of 91.68 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (13) **THENCE** N 77°38'28" E, along the North line of tract herein described, a distance of 101.12 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (14) THENCE N 72°46'09" E, along the North line of tract herein described, a distance of 91.68 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (15) **THENCE** N 63°21'11" E, along the North line of tract herein described, a distance of 1105.74 feet to the **POINT OF BEGINNING**, containing 7.229 acres (314,897 square feet) of land, more or less.

Property Description

Being 4.150 acres (180,788 square feet) of land situated in the W. F. Atwood Survey, Abstract Number 1019, Henderson County, Texas, and more particularly that certain 2492.39 acre tract conveyed to KTW Properties, LP, as recorded in Document No. 2009-00008875 Official Records, Henderson County, Texas, (O.R.H.C.T.), and being further described as follows:

COMMENCING at a 1/2" iron rod found at the Northwest corner of that certain 2.635 acre tract conveyed to Loyce Annette Parker and Robert Lee Parker, as recorded in Volume 2239, Page 671 Deed Records, Henderson County, Texas (D.R.H.C.T.), being an interior corner of the said 2492.39 acre tract;

THENCE S 01°30'43" E, along an East line of the said 2492.39 acre tract and the West line of the said Parker tract, a distance of 1526.53 feet to a point for corner at the Northeast corner of tract herein described and the **POINT OF BEGINNING** (N: 6,730,746.426, E: 2,835,056.499 Grid);

- (1) THENCE S 01°30'43" E, along the East line of tract herein described, an East line of the said 2492.39 acre tract and the West line of the said Parker tract, a distance of 151.66 feet to a point for corner at the Southeast corner of tract herein described, from which a found 5/8" iron rod for a Southeast corner of said 2492.39 acre tract and the Southwest corner of the Parker tract, bears S 01°30'43" E, 3.35 feet;
- (2) **THENCE** S 87°20'31" W, along the South line of tract herein described, a distance of 1203.92 feet to a set 1/2" iron rod with Goodwin-Lasiter cap for an angle point;
- (3) THENCE S 87°45'39" W, along the South line of tract herein described, a distance of 0.71 feet to a found 5/8" iron rod at the Southwest corner of the referenced tract for the Southwest corner of tract herein described and for the Southeast corner of that certain 160 acre tract (being 181.68 acres by resurvey) conveyed to Harry D. Williams, Trustee, in trust for the heirs of the Estate of Sammie Lee McClendon, as recorded in Volume 1054, Page 42 D.R.H.C.T.;
- (4) THENCE N 01°54'57" W, along the West line of tract herein described tract, the West line of said 2492.39 acre tract and the East line of said Williams tract, a distance of 150.01 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap set being the Northwest corner of tract herein described;
- (5) **THENCE** N 87°20'31" E, along the North line of tract herein described, a distance of 1189.14 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (6) **THENCE** N 81°43'14" E, along the North line of tract herein described, a distance of 16.67 feet to the **POINT OF BEGINNING**, containing 4.150 acres (180,788 square feet) of land, more or less.

Property Description

Being 25.210 acres (1,098,131 square feet) of land situated in the A. F. Lightfoot Survey, Abstract Number 962, the K. Richardson Survey, Abstract Number 1062, the E. C. Lanier Survey Abstract Number 446, and the Phillip Jackson Survey Abstract Number 392, Henderson County, Texas, and more particularly that certain 2492.39 acre tract conveyed to KTW Properties, LP, as recorded in Document No. 2009-00008875 Official Records, Henderson County, Texas, (O.R.H.C.T.), and being further described as follows:

BEGINNING at a found 1/2" iron rod for the Southeast corner of tract herein described, a Southeast corner of the referenced 2492.39 acre tract and the Southwest corner of a tract, conveyed to Harry D. Williams, trustee, in trust for the heirs of the Estate of Sammie Lee McClendon, as recorded in Volume 1054, Page 42 of the Deed Records, Henderson County, Texas, (D.R.H.C.T.) and the **POINT OF BEGINNING** (N: 6,730,413.423 E: 2,830,632.197 Grid);

- (1) **THENCE** S 84°57'10" W, along the South line of tract herein described, a distance of 2667.81 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (2) **THENCE** N 53°51'21" W, along the South line of tract herein described, a distance of 1468.38 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (3) **THENCE** N 37°42'15" W, along the South line of tract herein described, a distance of 3126.57 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (4) THENCE S 89°50'26" W, along the South line of tract herein described, a distance of 13.15 feet, to a set 1/2"iron rod with a Goodwin-Lasiter cap for corner, being the Northerly Southwest corner of tract herein described and on a West line of the said 2492.39 acre tract, same being on the East margin of County Road 4516 (no deed record found), from which a found 1/2" iron rod at an angle corner of the said 2492.39 acre tract bears S 30°54'53"E, 558.68 feet;
- (5) **THENCE** N 30°54'53" W, along the West line of tract herein described, the West line of said 2492.39 acre tract, and the East margin of County Road 4516, a distance of 174.55 feet a set 1/2" iron rod with Goodwin-Lasiter cap for corner being the Northwest corner of tract herein described;
- (6) THENCE N 89°50'26" E, along the North line of tract herein described, a distance of 176.31 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (7) THENCE S 37°42'15" E, along the North line of tract herein described, a distance of 3179.19 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (8) THENCE S 53°51'21" E, along the North line of tract herein described, a distance of 1390.73 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;

- (9) THENCE N 84°57'10" E, along the North line of tract herein described, a distance of 2615.13 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for corner;
- (10) THENCE N 87°46'16" E, along the North line of tract herein described, a distance of 4.50 feet, to a set 1/2" iron rod with Goodwin-Lasiter cap for the Northeast corner of tract herein described, in an East line of the said 2492.39 acre tract and the West line of the said Williams tract, from which a found 1/2" iron rod, being an interior corner of the said 2492.39 acre tract bears N 01°55'11" W, a distance of 981.01 feet;
- (11) THENCE S 01°55'11" E, along the East line of tract herein described, an East line of the said 2492.39 acre tract and the West line of the said Williams tract, a distance of 150.00 feet, to the POINT OF BEGINNING, containing 25.210 acres (1,098,131 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 6th day of May, 2016, 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 August 8, 2013, 4:27 pm, issued date of August 28, 2013, 3:51 pm, GF # 13-500-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

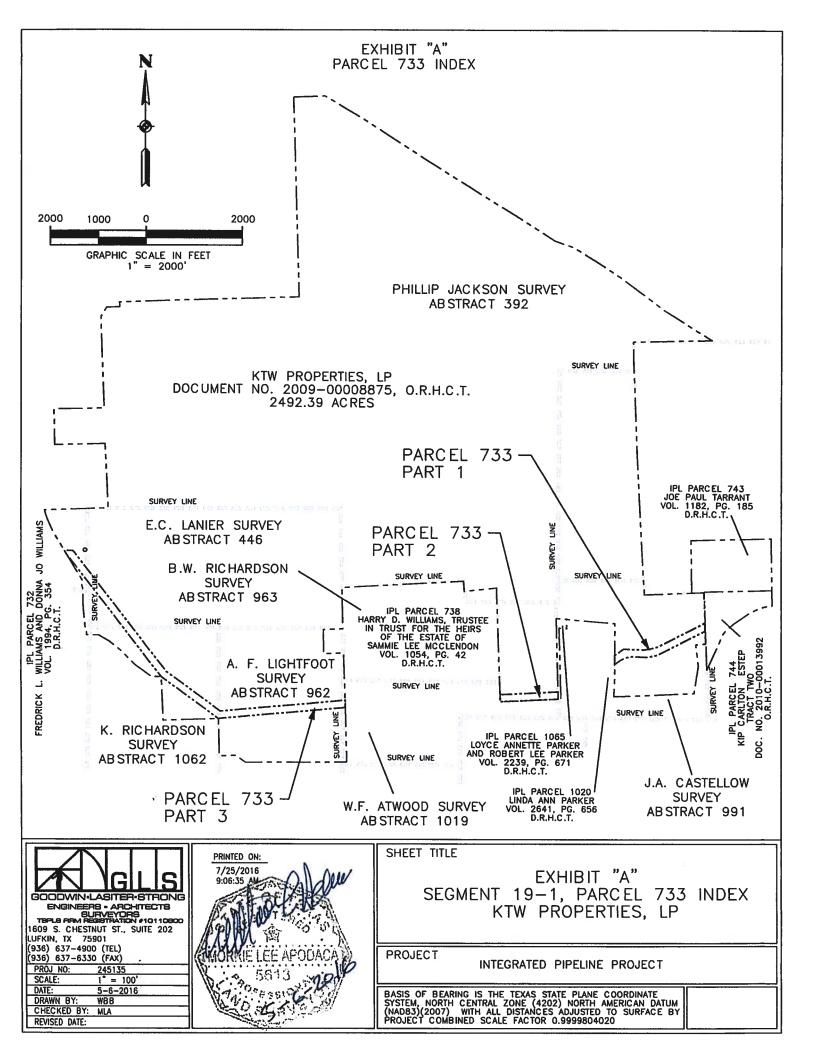
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible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

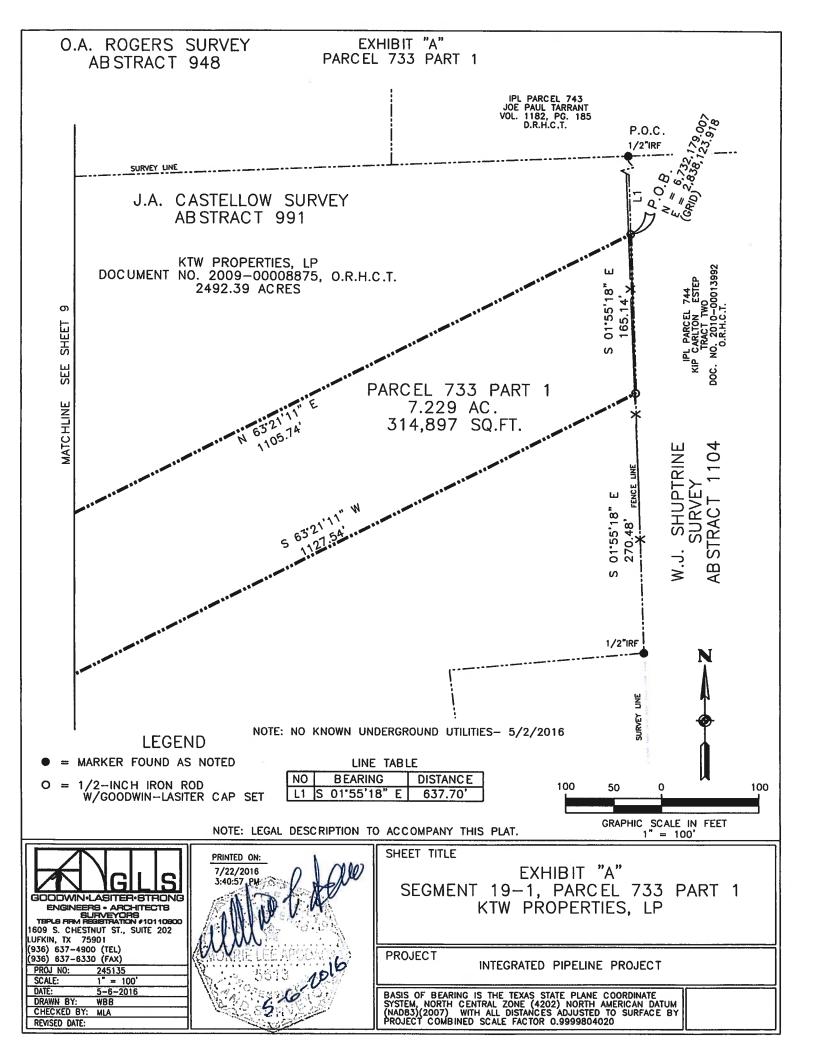
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

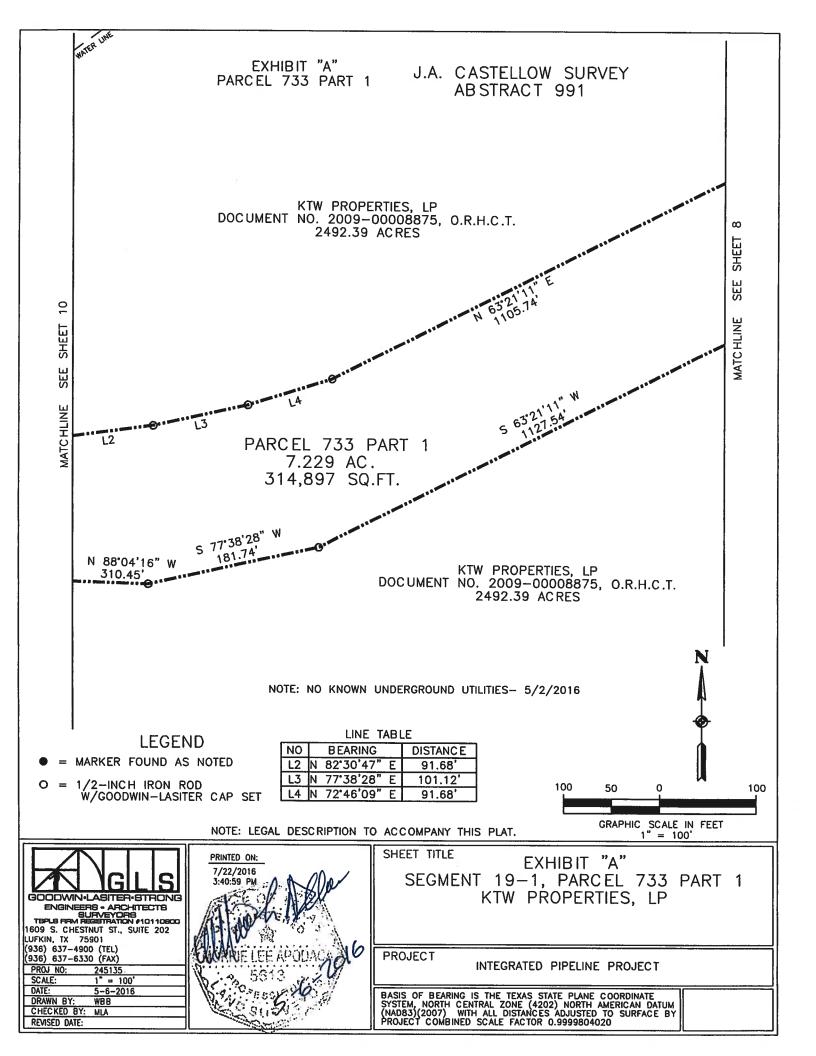
Morrie L. Apodaca Registered Professional Land Surveyor Texas Registration Number 5613

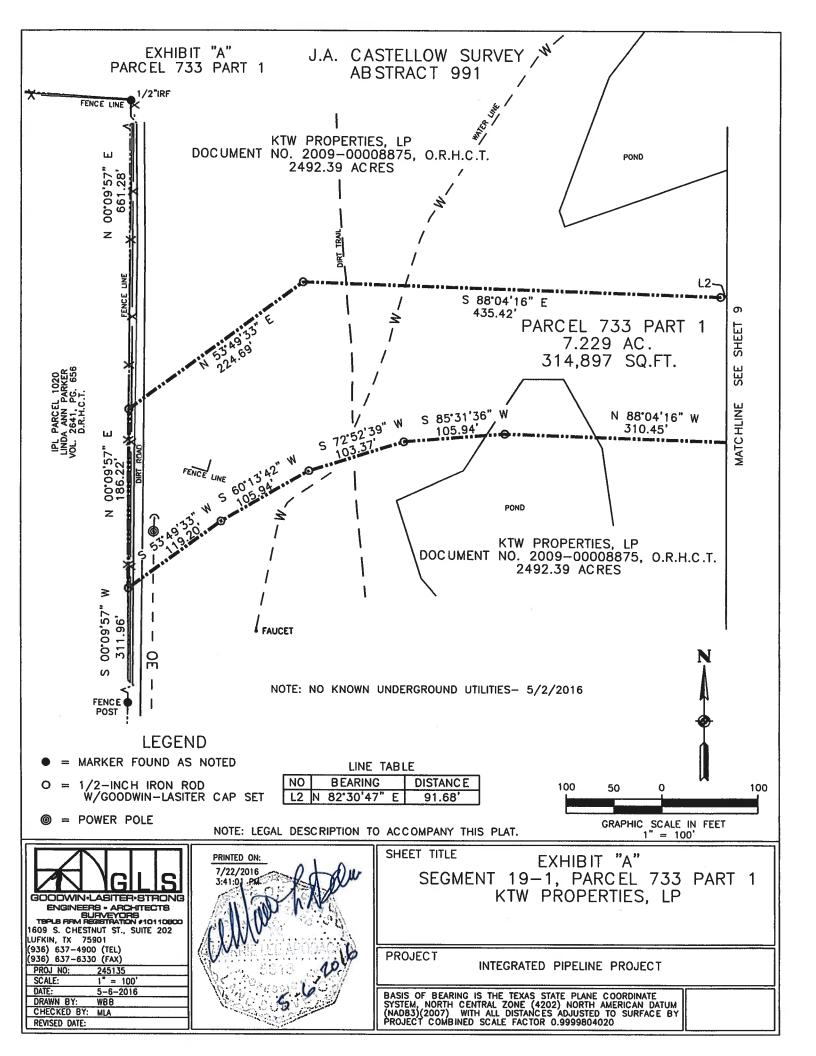
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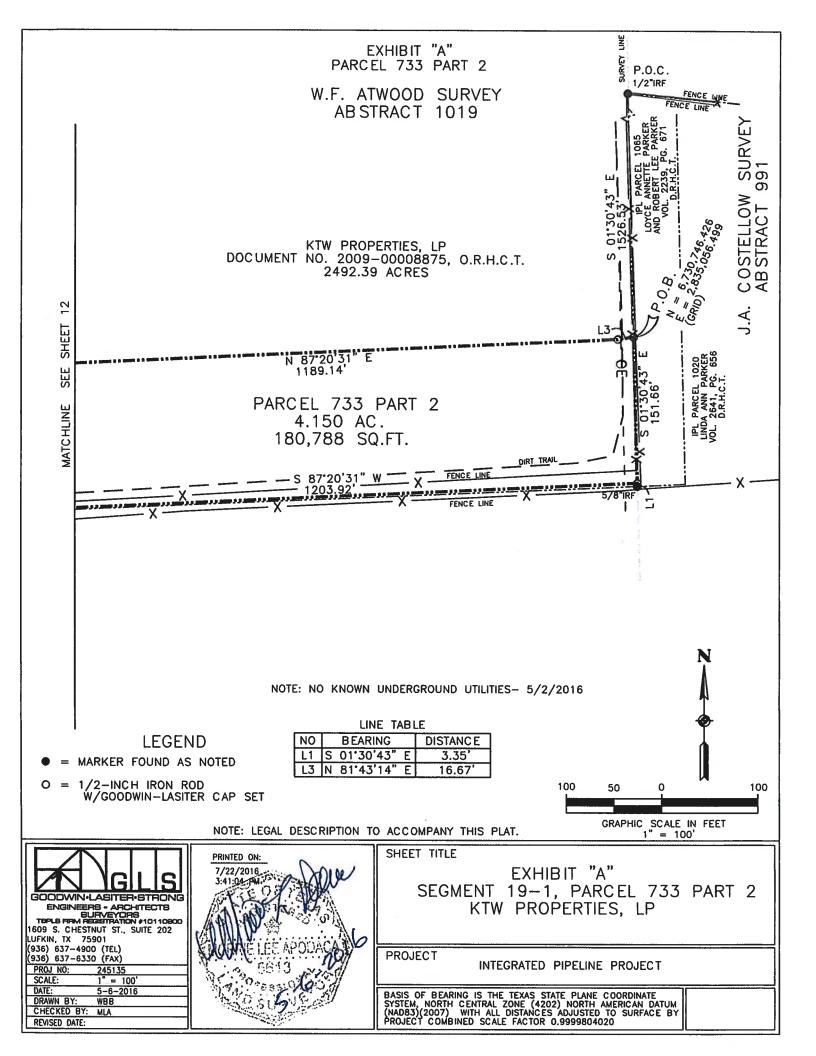


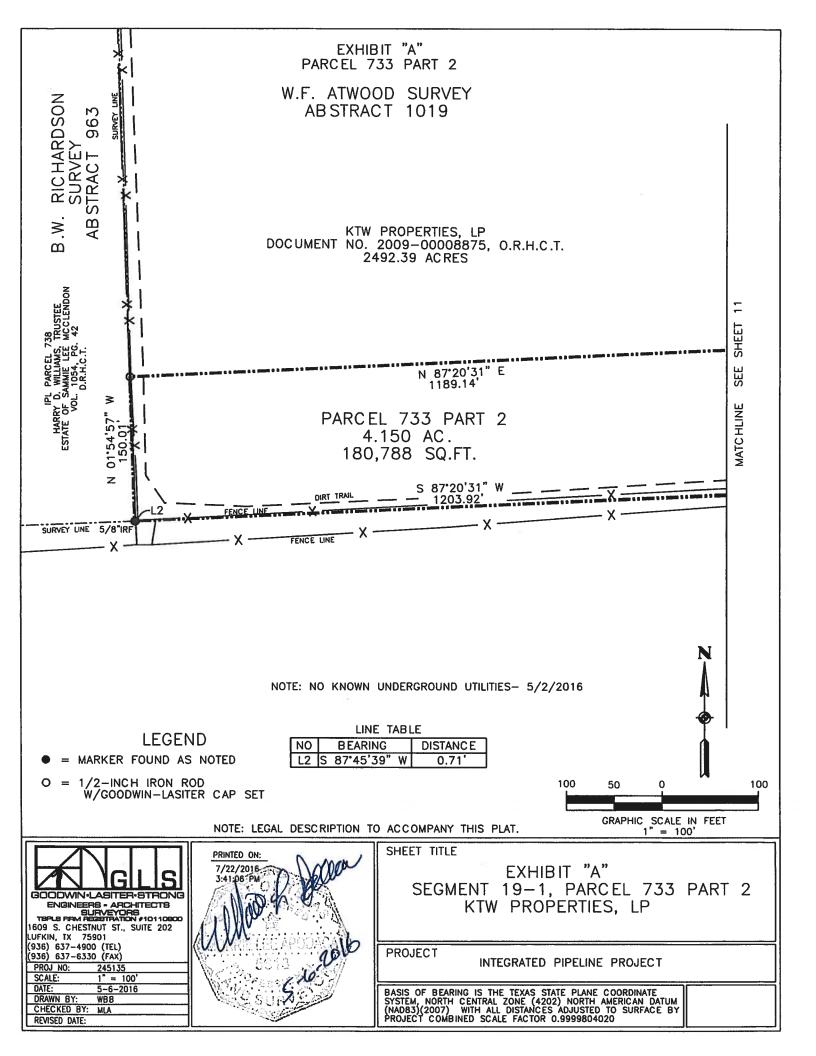


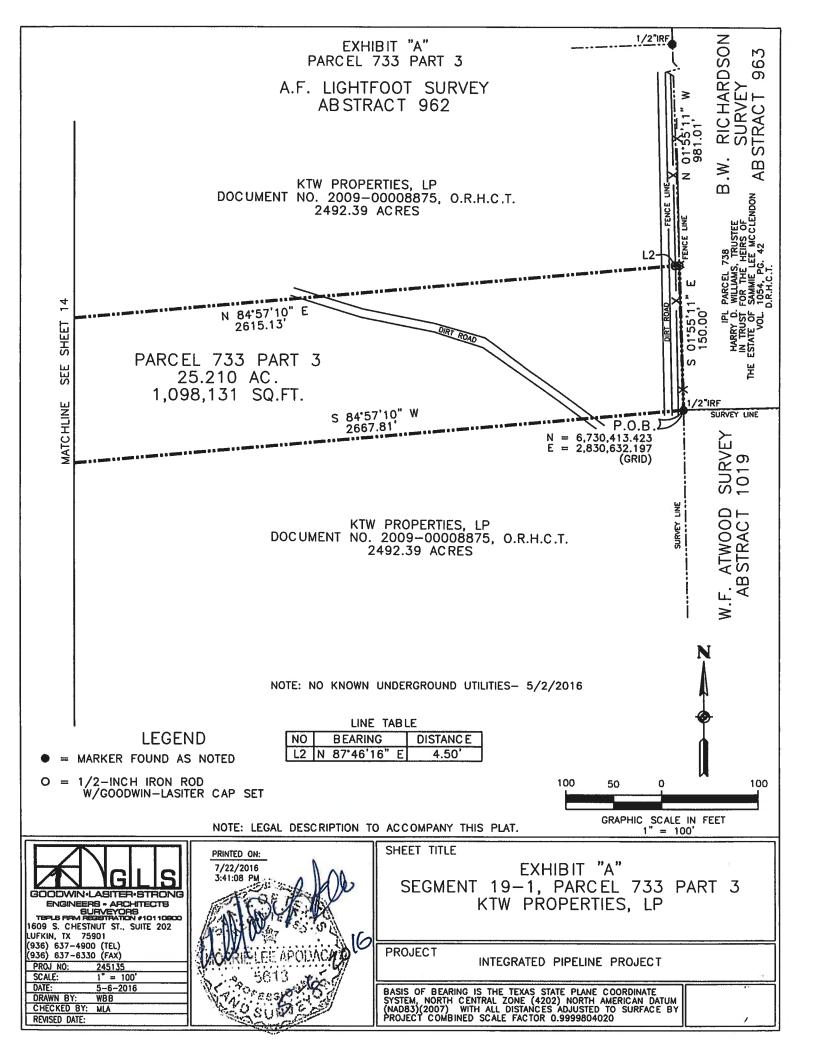


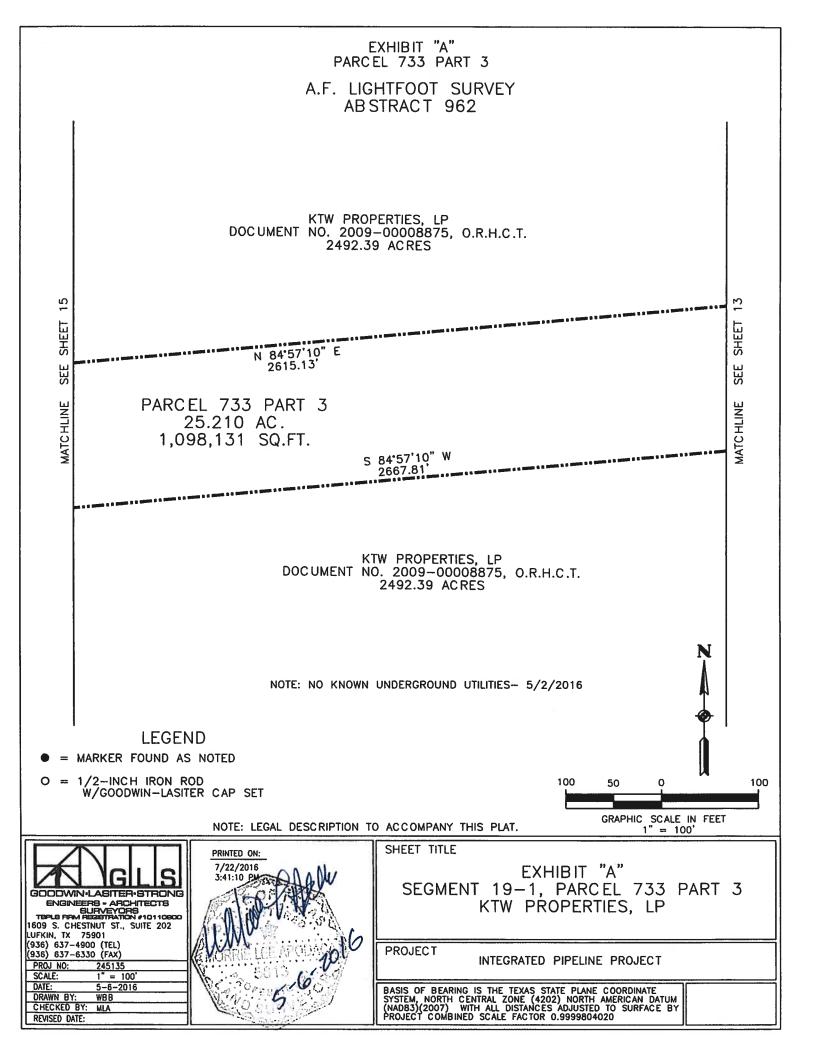


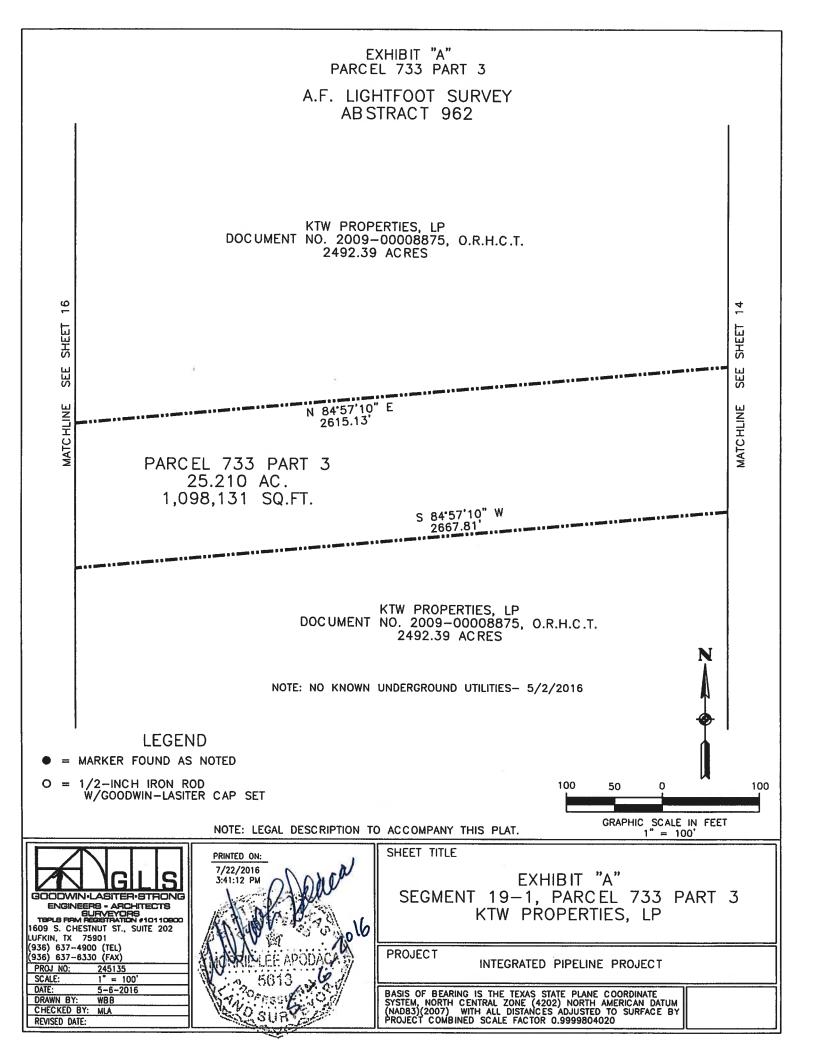


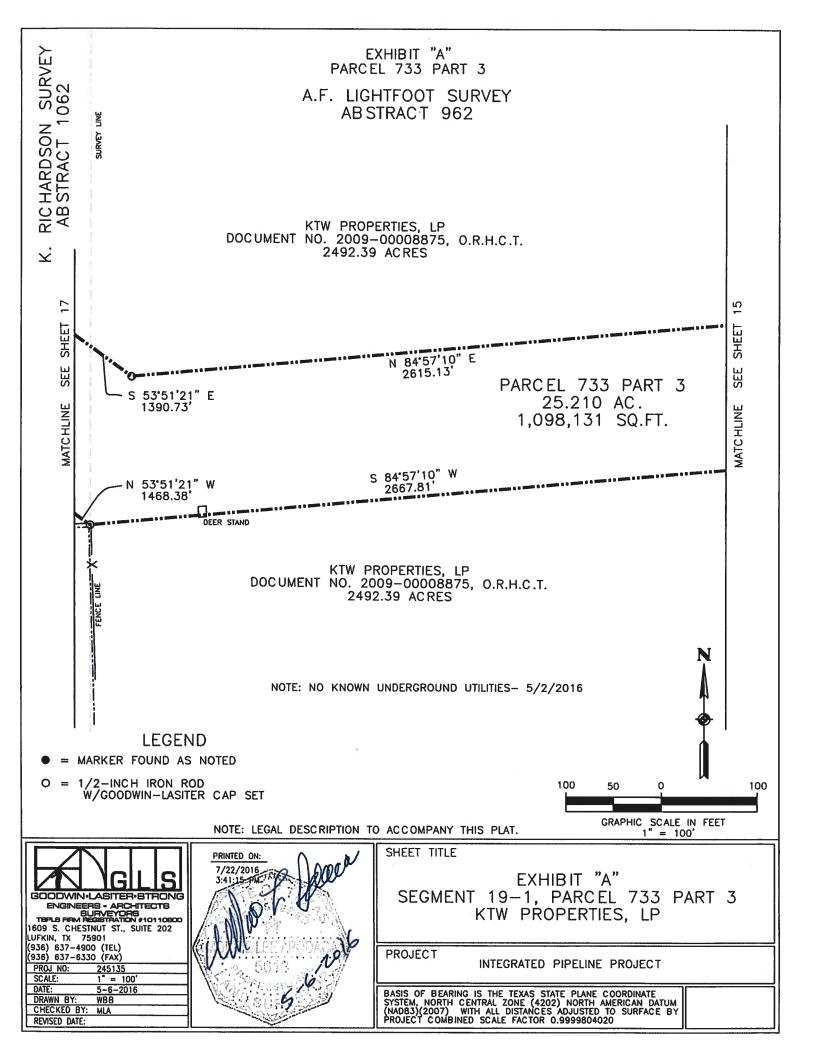


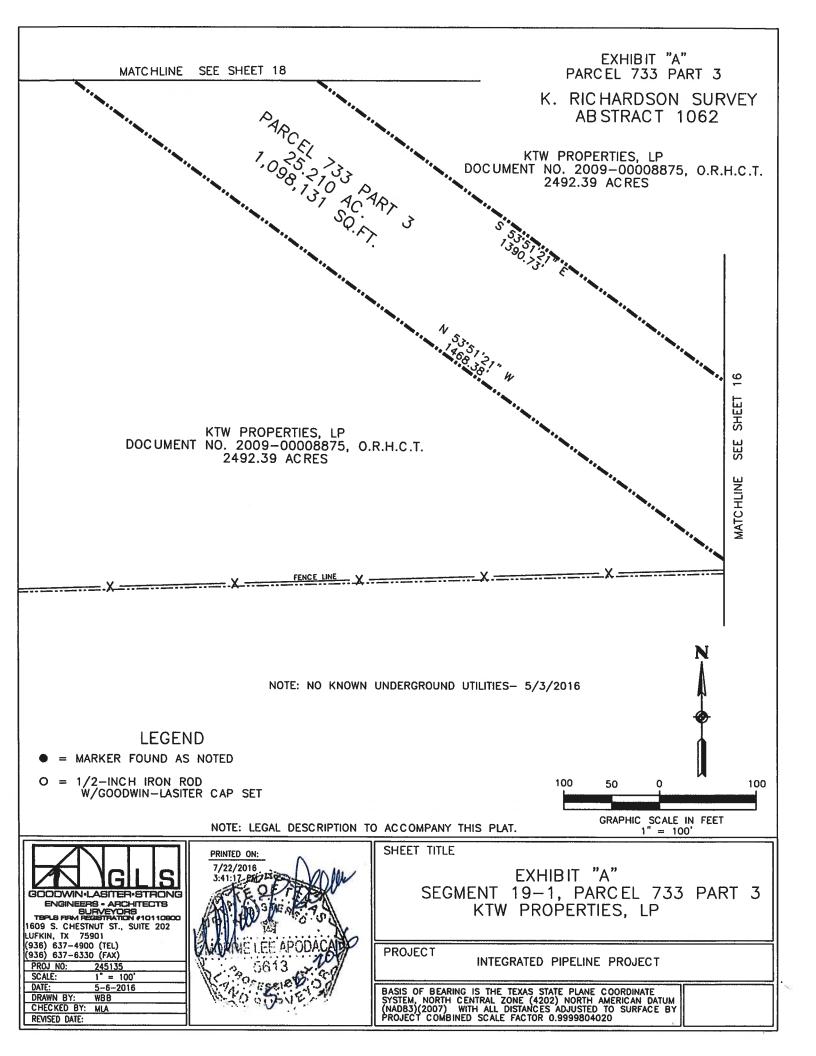


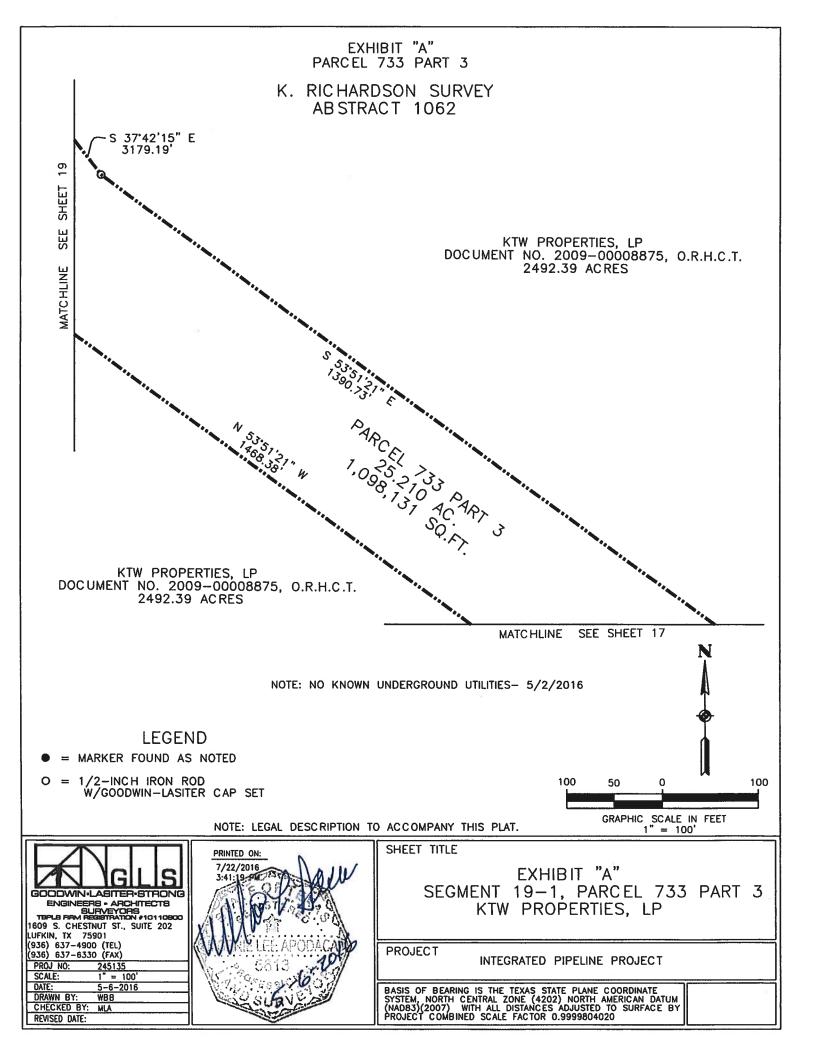


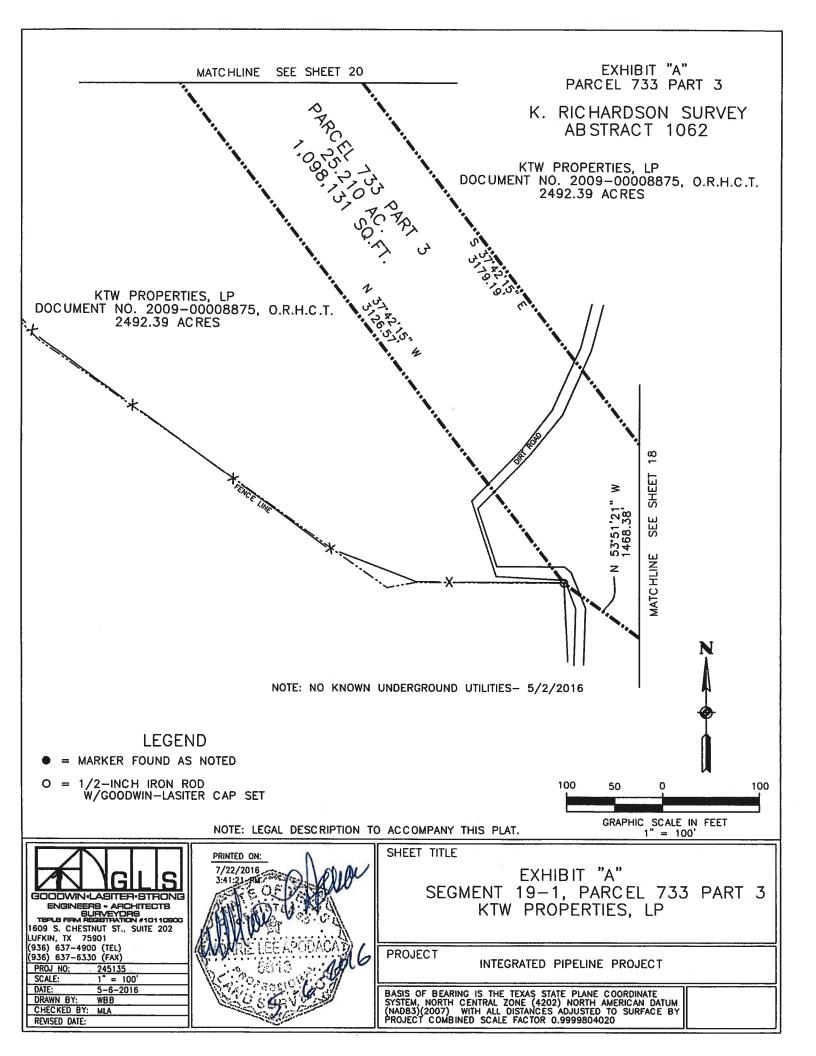


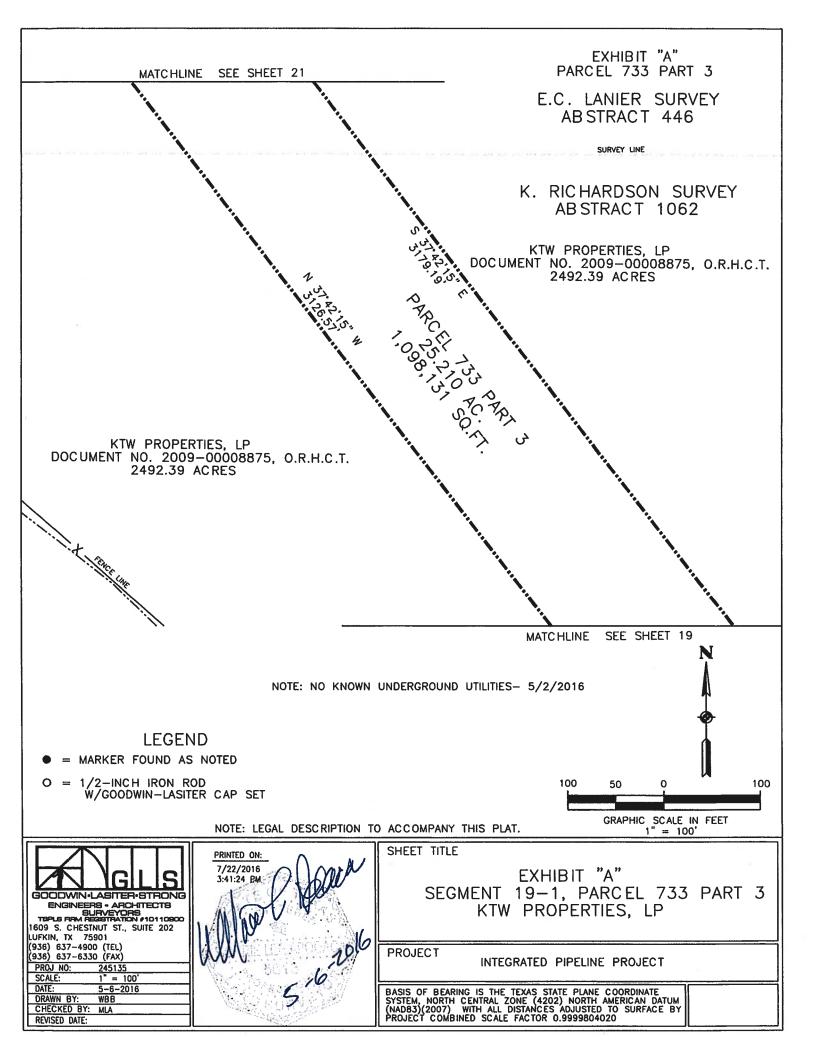


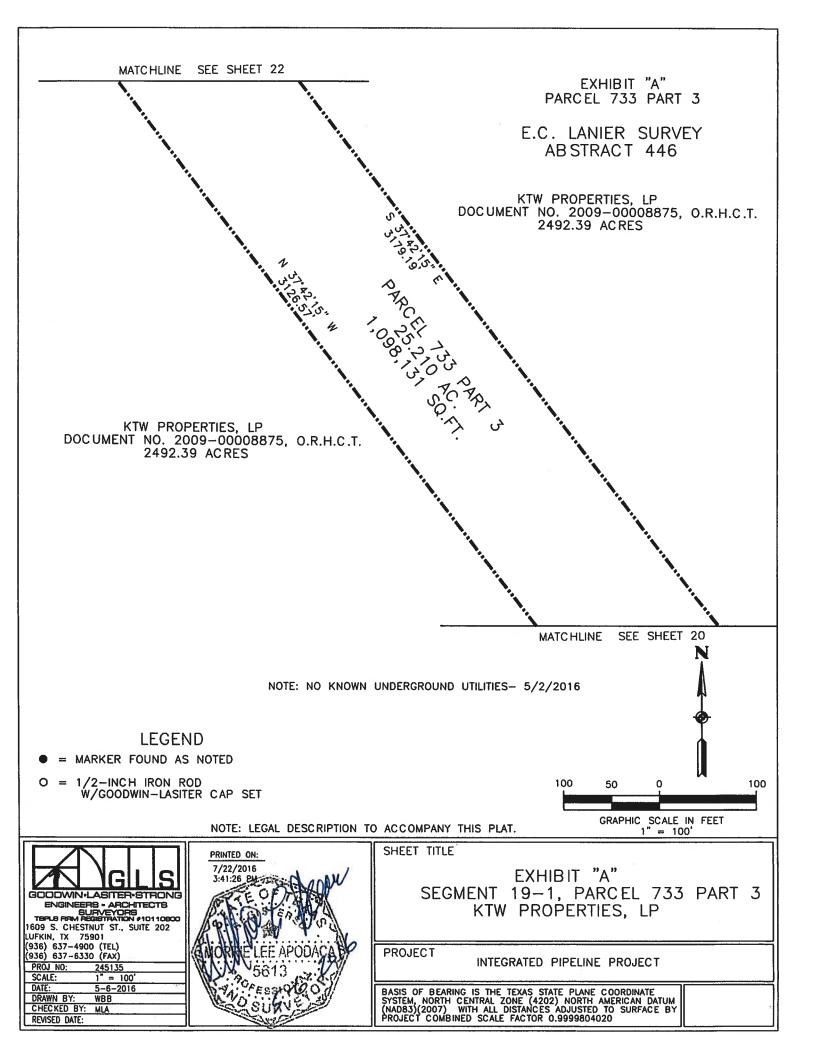


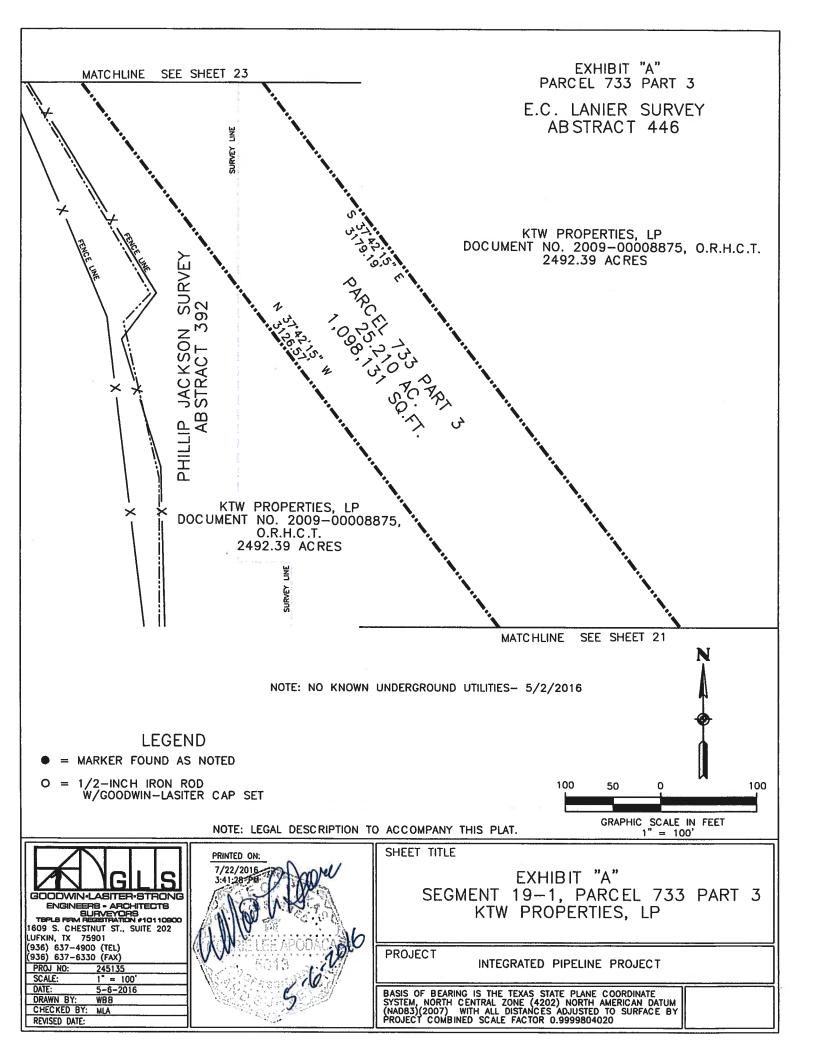












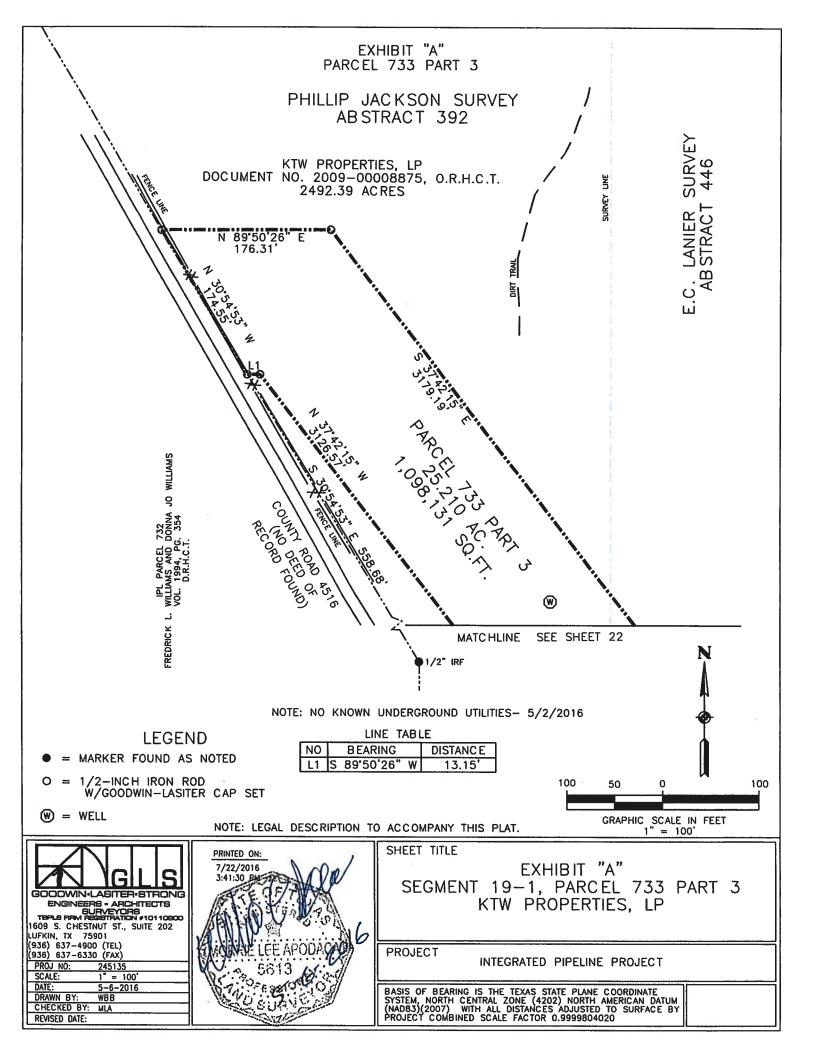


Exhibit 'A' Property Description

Being a 4.162 acre (181,302 square feet) tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas and the E.C. Lanier Survey, Abstract Number 446 and being a portion of a called 2,492.39 acre tract described in the Special Warranty Deed to DTY Ranch, LP, recorded in Document Number 2017-00019159, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.), and being further described as follows:

COMMENCING at a 1/2-inch iron rod found for an angle point in the west line of said 2,492.39 acre DTY Ranch tract and the east line of County Road 4516 (a variable width right-of-way)(no deed of record found);

THENCE N 30°54'53" W, with the west line of said 2,492.39 acre DTY Ranch tract, a distance of 558.68 feet to a 1/2-inch iron rod with cap stamped "GOODWIN-LASITER" found in the west line of the herein described tract and the **POINT OF BEGINNING** (N: 6,733,518.380, E: 2,824,863.772 Grid);

(1) THENCE N 30°54'53" W, with the west line of the herein described tract, the west line of said 2,492.39 acre DTY Ranch tract, and the east line of said County Road 4516, a distance of 174.55 feet to a 1/2-inch iron rod with cap stamped "GOODWIN-LASITER" found for the northwest corner of the tract herein described;

- (2) THENCE N 89°50'26" E, with the north line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 176.31 feet to a 1/2-inch iron rod with cap stamped "GOODWIN-LASITER" found for the northeast corner of the tract herein;
- (3) **THENCE** S 37°42'15" E, with the east line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 1,205.10 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the southeast corner of the herein described tract;
- (4) **THENCE** S 88°09'08" W, with the south line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 185.07 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the southwest corner of the herein described tract;
- (5) **THENCE** N 37°42'15" W, with the west line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 1,022.80 feet to a 1/2-inch iron rod with cap stamped "GOODWIN-LASITER" found for an angle point;
- (6) **THENCE** S 89°50'26" W, with the west line of the herein described tract, and across said 2,492.39 acre DTY Ranch tract, a distance of 13.15 feet to the **POINT OF BEGINNING** and containing 4.162 acres (181,302 square feet) of land.

<u>NOTE</u>: 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.

<u>NOTE</u>: Plat to accompany this legal description.

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

I do certify on this 21st day of October, 2019, 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 22, 2019, issued date of September 6, 2019 GF # 13-500-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.

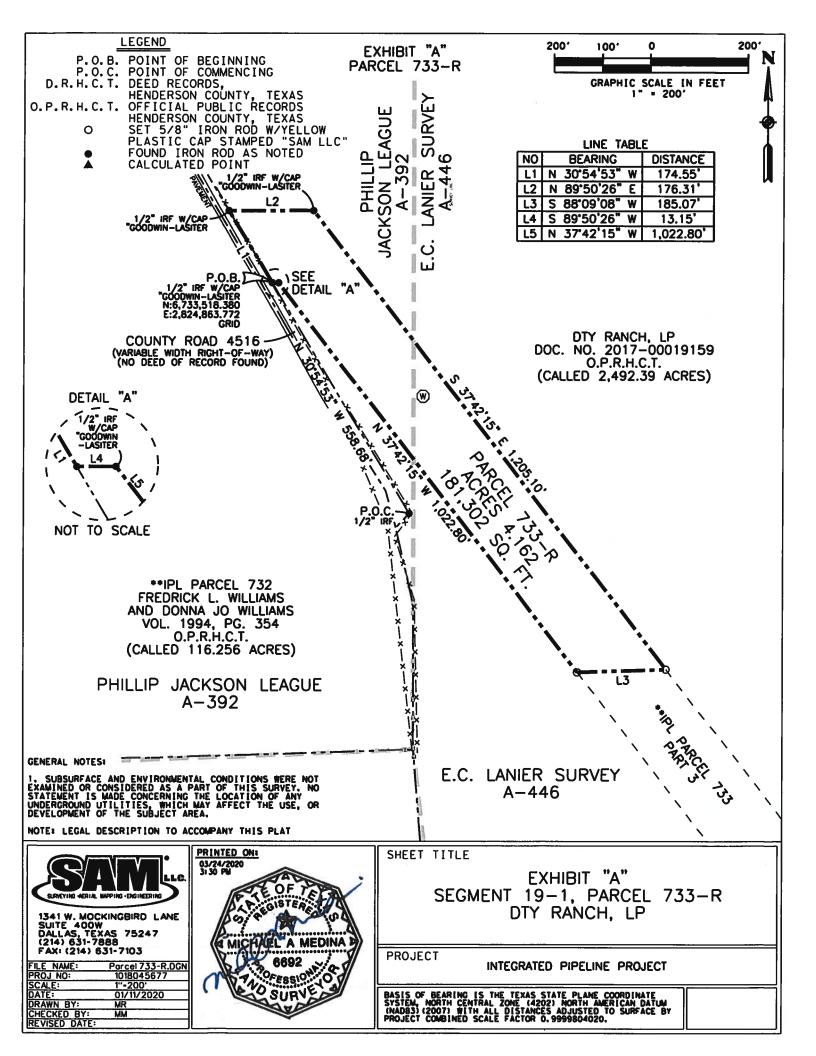
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.



SURVEYING AND MAPPING, LLC Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: December 2, 2019



• IPL Parcel 1163 (Karamanos)

A permanent easement in, over, and across a 1.663-acre tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas and the W.D. Cowan Survey, Abstract Number 150, Henderson County, Texas, and being a portion of a called 49.561-acre tract of land described in the Warranty Deed with Vendor's Lien to John Karamanos and Stella Karamanos, recorded in Document Number 2018-00003839, Official Public Records of Henderson County, Texas, such tract being further described in the accompanying resolution and in the survey plat for Parcel 1163 attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$9,000.00 as just compensation for the above-described property.

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Exhibit 'A' Property Description

Being a 1.663 acre (72,462 square feet) tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas and the W.D. Cowan Survey, Abstract Number 150, Henderson County, Texas, and being a portion of a called 49.561 acre tract of land described in the Warranty Deed with Vendor's Lien to John Karamanos and Stella Karamanos, recorded in Document Number 2018-00003839, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.), and being further described as follows:

COMMENCING at a 1/2-inch iron rod found for the southwest corner of said 49.561 acre Karamanos tract and in the east line of the remaining portion of a called 97.593 acre tract of land described in the General Warranty Deed to Bradley Warren Randolph, recorded in Document Number 2018-00014765 of said O.P.R.H.C.T.;

THENCE N 01°21'05"W, with a westerly line of said 49.561 acre Karamanos tract and the easterly line of said 97.593 acre Randolph tract, a distance of 584.88 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM, LLC" set for the southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,731,565.770, E: 2,820,569.549 Grid);

- (1) THENCE N 01°21'05"W, with the west line of the tract herein described, and continuing with the easterly line of said 97.593 acre Randolph tract, and a westerly line of said 49.561 acre Karamanos tract, a distance of 151.49 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM, LLC" set for the northeast corner of said 97.593 acre Randolph tract and an interior ell corner of said 49.561 acre Karamanos tract;
- (2) THENCE N 56°02'39"E, with the northwest line of the tract herein described and across said 49.561 acre Karamanos tract, a distance of 350.78 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM, LLC" set for the most northerly corner of the tract herein described, and being in the north line of said 49.561 acre Karamanos tract and the south line of a called 19.733 acre tract described in the Warranty Deed with Vendor's Lien to John C. Karamanos and Stella Karamanos, Co-Trustees of the Karamanos Family Trust dated March 13, 2107, recorded in Document Number 2019-00008359 of said O.P.R.H.C.T., from which a railroad spike found for the northwest corner of said 49.561 acre Karamanos tract and the southwest corner of the remaining portion of a called 28.576 acre tract described in the Warranty Deed with Vendor's Lien to Jere Randall Skiles and spouse, Mary Dale Skiles, recorded in Volume 1883, Page 90 of said O.P.R.H.C.T., also being in the east right of way line of County Road 4515 (variable width right-of-way) bears N 83°18'04"W, a distance of 2,066.50 feet;

- (3) **THENCE** S 83°18'04"E, with the north line of the tract herein described, the south line of said 19.733 acre Karamanos tract, and the north line of said 49.561 acre Karamanos tract, a distance of 230.24 feet to 5/8-inch iron rod with a yellow cap stamped "SAM, LLC" set for the northeast corner of the tract herein described;
- (4) THENCE S 56°02'39" W, with the southeast line of the tract herein described and across said 49.561 acre Karamanos tract, a distance of 581.02 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM, LLC" set for corner;
- (5) THENCE N 83°18'04" W, continuing with the southeast line of the tract herein described and across said 49.561 acre Karamanos tract, a distance of 34.35 feet to the POINT OF BEGINNING and containing 1.663 acres (72,462 square feet) of land.

<u>NOTE:</u> 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.

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

I do certify on this 2nd day of December, 2019, 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 November 7, 2018, issued date of November 28, 2018 GF # FT-44122-9001221800301-LE 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.

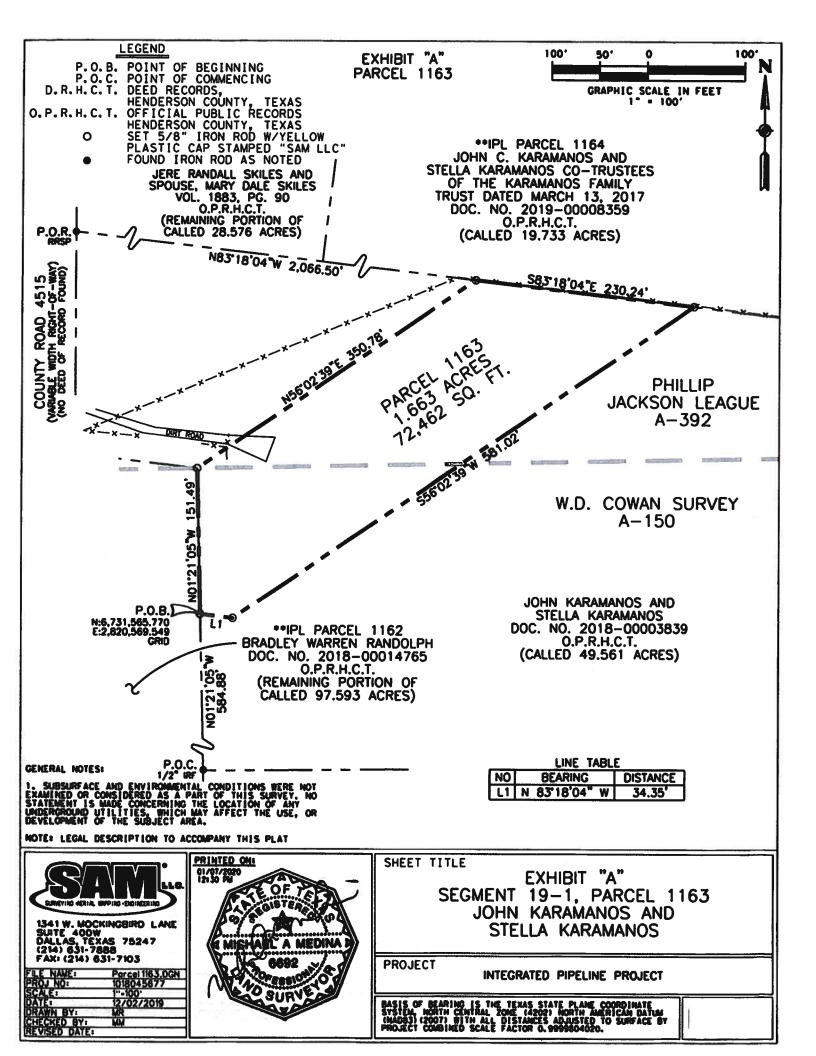


SURVEYING AND MAPPING, LLC Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: December 2, 2019

*



• IPL Parcel 1164 (Karamanos Family Trust)

A permanent easement in, over, and across a 1.266-acre tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 19.733-acre tract described as Tract I in the Warranty Deed with Vendor's Lien to John C. Karamanos and Stella Y. Karamanos Co-Trustees of the Karamanos Family Trust dated March 13, 2017, recorded in Document Number 2019-00008359, Official Public Records of Henderson County, Texas, such tract being further described in the accompanying resolution and in the survey plat for Parcel 1164 attached hereto. An appraisal prepared by an independent, qualified real estate appraiser using standard accepted valuation techniques established the amount of \$11,000.00 as just compensation for the above-described property.

Exhibit 'A' Property Description

Being a 1.266 acre (55,138 square feet) tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 19.733 acre tract described as Tract 1 in the Warranty Deed with Vendor's Lien to John C. Karamanos and Stella Y. Karamanos Co-Trustees of the Karamanos Family Trust dated March 13, 2017, recorded in Document Number 2019-00008359, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and being further described as follows:

COMMENCING at a railroad spike found for the southwest corner of the remainder of a called 28.576 acre tract described in the Warranty Deed with Vendor's Lien to Jere Randall Skiles and Mary Dale Skiles, recorded in Volume 1883, Page 90 of said O.P.R.H.C.T., and the northwest corner of a called 49.561 acre tract described in the Warranty Deed with Vendor's Lien to John Karamanos and Stella Karamanos, recorded in Document Number 2018-00003839 of said O.P.R.H.C.T., also being in the apparent east right of way line of County Road 4515 (C.R. 4515) (variable width right of way)(no deed of record found);

THENCE S 83°18'04"E, with the south line of the remainder of said 28.576 acre Skiles tract and the north line of said 49.561 acre Karamanos tract, at a distance of 10.33 feet passing a 60d nail found for reference, at a distance of 884.58 feet passing a calculated point for the southeast corner of the remainder of said 28.576 acre Skiles tract and the southwest corner of said 19.733 acre Karamanos tract, continuing with the south line of said 19.733 acre Karamanos tract and the north line of said 49.561 acre Karamanos tract, in all a total distance of 2,066.50 feet to a 5/8inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,731,913.144, E: 2,820,856.935 Grid);

- (1) THENCE N 56°02'39"E, with the northwest line of the tract herein described and across said 19.733 acre Karamanos tract, a distance of 519.54 feet to 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the northeast corner of the tract herein described, also being in the east line of said 19.733 acre Karamanos tract, and the west line of a called 77.019 acre tract described in the Warranty Deed to Larry H. Fitzhugh, and Karen K. Fitzhugh, recorded in Volume 2100, Page 862 of said O.P.R.H.C.T;
- (2) THENCE S 06°47'25"W, with the east line of the tract herein described, the east line of said 19.733 acre Karamanos tract and the west line of said 77.019 acre Fitzhugh tract, a distance of 197.99 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southeast corner of the tract herein described;

- (3) THENCE S 56°02'39" W, with the southeast line of the tract herein described and across said 19.733 acre Karamanos tract, a distance of 215.64 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southeast corner of the tract herein described, also being in the south line of said 19.733 acre Karamanos tract and the north line of said 49.561 acre Karamanos tract;
- (4) **THENCE** N 83°18'04" W, with the south line of the tract herein described, the south line of said 19.733 acre Karamanos tract and the north line of said 49.561 acre Karamanos tract, a distance of 230.24 feet to the **POINT OF BEGINNING** and containing 1.266 acres (55,138 square feet) of land.

<u>NOTE</u>: 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.

<u>NOTE</u>: Plat to accompany this legal description.

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

I do certify on this 2nd day of December, 2019, 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 29, 2019, issued date of September 18, 2019 GF# FT-44122-9001221902608-LE 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.

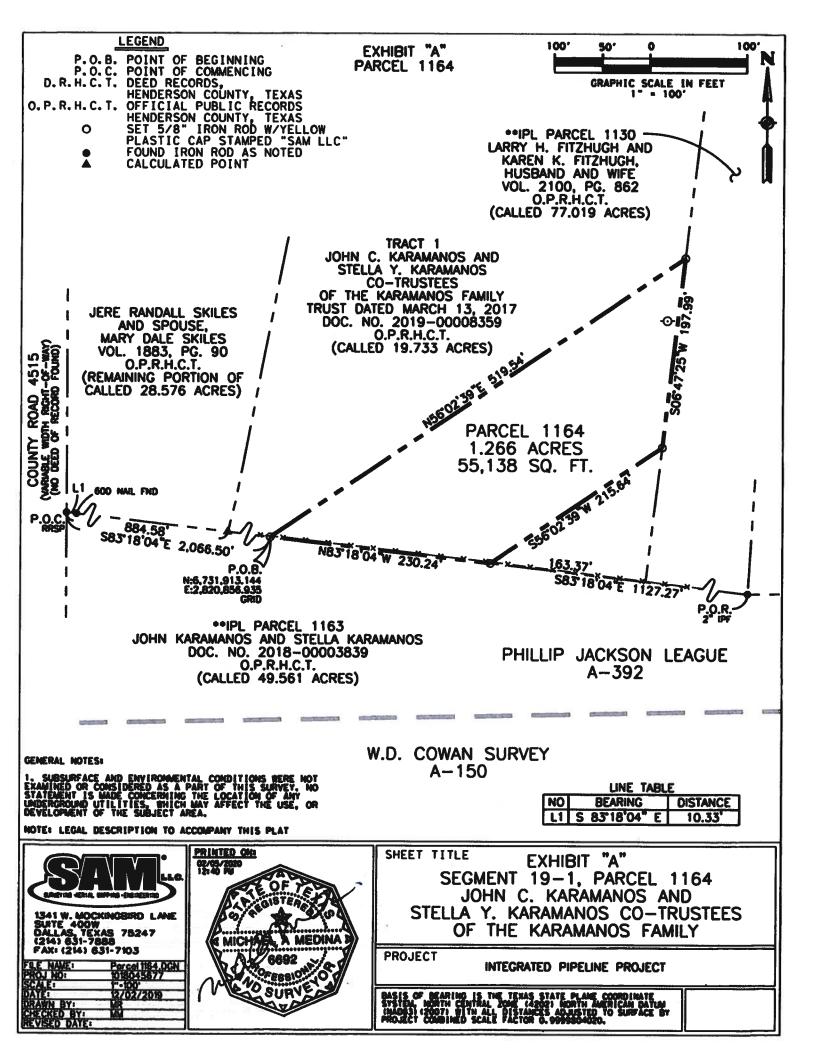


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Michael A. Medina Registered Professional Land Surveyor No. 6692 State of Texas

Dated: December 2, 2019



In addition, the General Manager and 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 closing and related 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. Funding for this item is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

23.

Director Hill made a motion that, based on preliminary review from an outside third party consultant, a current six percent annual raise to the General Manager's base salary be approved, effective immediately and not retroactively, and that the General Manager's annual review and compensation be part of the regular budgeting process consistent with the rest of the organization. Director King seconded the motion and the vote in favor was unanimous. Director Lane commented that the General Manager's salary should align with salaries of both the City Manager of City of Fort Worth and the County Administrator of Tarrant County.

Director Hill moved to approve to direct the General Manager, potentially assisted by an outside consultant, to develop and present to the Board a succession plan and organizational plan in the near future. Director King seconded the motion and the vote in favor was unanimous.

14.

Staff Updates

- Water Resources Update
- Regional and State Flood Planning

• TRVA Update

24.

There were no future agenda items approved.

25.

The next board meeting was scheduled for November 17, 2020 at 9:00 a.m.

26.

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

<u>These Corrected Minutes were approved on December 15, 2020 in order to correct</u> <u>certain errors in the original Minutes.</u>

President

4 m.t Secretary