

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON DETERMINING THE PUBLIC USE, NEED, AND NECESSITY FOR THE ACQUISITION OF VARIOUS (I) PERMANENT WATER EASEMENTS (II) PERMANENT WASTEWATER EASEMENTS, AND (III) TEMPORARY ACCESS AND CONSTRUCTION EASEMENTS, GENERALLY LOCATED ALONG INTERSTATE 35 NORTH, LOOP 288 TO GANZER ROAD, SITUATED IN THE BBB & C RR CO SURVEY, ABSTRACT NO. 141, IGNACIO DE-LOS-SANTOS COY SURVEY, ABSTRACT NO. 212, S. JOHNSON SURVEY, ABSTRACT NO. 683, ALEXANDER WHITE SURVEY, ABSTRACT NO. 1406, NATHAN WADE SURVEY, ABSTRACT NO. 1407, ALL IN THE CITY AND COUNTY OF DENTON, TEXAS, AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A" (COLLECTIVELY, THE "PROPERTY INTERESTS"); AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY, TO ACQUIRE THE PROPERTY INTERESTS BY AGREEMENT IF POSSIBLE, INCLUDING MAKING ALL OFFERS REQUIRED BY LAW; AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO CONDEMN THE PROPERTY INTERESTS IF AGREEMENT CANNOT BE REACHED; AUTHORIZING THE CITY ATTORNEY, TO FILE EMINENT DOMAIN PROCEEDINGS IF NECESSARY; AUTHORIZING THE EXPENDITURE OF FUNDING; MAKING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Texas Department of Transportation ("TXDOT") right-of-way expansion and improvement project, Segments, CCSJ 0195-02-074 and 1095-01-047, requires the relocation of existing City water and wastewater infrastructure from their current locations along the IH-35N frontage road into new easements; and

WHEREAS, the City Council of the City of Denton ("City Council") after consideration of this matter, has determined that a public use and necessity exists for, and that the public welfare and convenience requires, the acquisition of the Property Interests, comprised of various permanent easements and temporary construction easements, by the City of Denton ("City"). The City Council finds that the acquisition of the Property Interests is a valid public use necessary to provide for the water, and wastewater utility relocation generally adjacent to Interstate Highway 35N located in the City of Denton, all for the public safety and welfare (collectively, the "Project"), to serve the public and the citizens of the City; and

WHEREAS, the acquisition of the Property Interests identified in Exhibit "A" is necessary in furtherance of the Project; and

WHEREAS, the City is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Property Interests for public use, voluntarily, from the subject landowners before beginning the acquisition of the Property Interests by eminent domain; and

WHEREAS, independent professional appraisal reports of the Property Interests will be submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager

or their designee will establish a certain amount determined to be just compensation for the individual Property Interests based on the appraisals and fair market values of the Property Interests and any applicable fees necessary to acquire the Property Interests; and

WHEREAS, the City Council deems it necessary to authorize the City Attorney to initiate condemnation proceedings in order to acquire the Property Interests if an agreement cannot be reached with the subject landowners for the purchase of the Property Interests; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON ORDAINS:

SECTION 1. The City Council finds that the recitals made in the preamble of this Ordinance are true and correct and incorporates such recitals into the body of this ordinance as if copied in their entirety.

SECTION 2. The City Council authorizes acquisition of the Property Interests, as more particularly described in the attached Exhibit "A," for the reasons and purposes set forth above together with all necessary appurtenances, additions, and improvements on, over, under, and through the Property Interests.

SECTION 3. The City Council authorizes the City Attorney, or designee, to negotiate for and to acquire the required property rights in the Property Interests for the City, and to acquire these rights in compliance with State and any other applicable law. The City Attorney, or designee, is specifically authorized and directed to do each and every act necessary to acquire the needed property rights in the Property Interests including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts and conveyance documents, to retain and designate a qualified appraiser of the Property Interests to be acquired and any other experts or consultants that he deems necessary for the acquisition process, to retain qualified outside litigation counsel as needed, and, if necessary, to institute and conduct all parts of the proceedings in eminent domain in accordance with the laws and procedures of the State.

SECTION 4. The City Manager, or their designee, is appointed as negotiator for the acquisition of the needed Property Interests and, as such, the City Manager, or their designee, is authorized and directed to do each and every act and deed specified or authorized by this Ordinance, subject to the availability of funds appropriated by the City Council for such purpose. The City Manager, or their designee, is specifically authorized to establish and make offer(s) of just compensation for the acquisition of the Property Interests to the respective landowner(s) in accordance with State and any other applicable law. If an agreement as to damages or compensation cannot be reached, then the City Attorney, or their designee, is authorized and directed to file or cause to be filed, against the subject landowner(s) and interested parties of the Property Interests, proceedings in eminent domain to acquire the Property Interests

SECTION 5. It is the intent of the City Council that this Ordinance authorize the City Manager and City Attorney, or their designee, are authorized to perform all steps necessary to obtain the Property Interests necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

SECTION 6. It is the intent of the City Council that this Ordinance authorize the acquisition and condemnation of all property interests required for the construction and installation of the Project for public uses to serve the public and citizens of the City. If it is determined that there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or their designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised property. The Project is generally located along Interstate 35N, U.S, Loop 288 to Ganzer Road all in the City and County of Denton, Texas.

SECTION 7. In the event that Special Commissioners, appointed by the Court during condemnation proceedings, return an award that is the same amount or less than the amount offered by the City for just compensation, the City Attorney is hereby authorized to settle the lawsuit for that amount.

SECTION 8. Following an award by Special Commissioners, the City Finance Director is hereby authorized to issue a check from the appropriate fund in an amount not to exceed the Special Commissioners' award payable to the County Clerk of Denton County to be deposited in the registry of the Court to enable the City to take possession of the respective Property Interest(s) without further action of the City Council.

SECTION 9. If any section, article, paragraph, sentence, phrase, clause, or word in this ordinance, or application thereof to any persons or circumstances, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; the City Council declares that it would have ordained such remaining portion despite such invalidity, and such remaining portion shall remain in full force and effect.

SECTION 10. This Ordinance shall become effective immediately upon its passage. The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the ordinance was passed and approved by the following vote [ \_\_\_ - \_\_\_ ]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

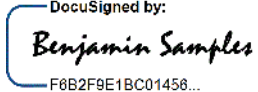
BY:  \_\_\_\_\_  
F6B2F9E1BC01458...

EXHIBIT "A"  
The Property Interests

<b><u>PARCEL #</u></b>	<b><u>PROPERTY OWNER</u></b>	<b><u>SOS Officer</u></b>
1A	TLB3A Investments, LLC	Alison Brocett
4A	Harlan Prop Inc.	Suresh Shridharani
6	JEJM DENTON PROPERTY LLC	Jarrod C McGhee
30	Catdenton 35 Five Inc	Shula Netzer
7 / 7A	Catdenton 35 Seven Inc.	Shula Netzer
8	Catdenton 35 Seven Inc.	Shula Netzer

DocuSign Envelope ID: DC8D44C



**PARCEL 074-1A WWE**

**METES & BOUNDS DESCRIPTION CONTINUED**  
WATER AND WASTEWATER EASEMENT

**THENCE** North 00°03'04" West, along the west line of the said called 7.54 acre tract, a distance of 30.03 feet to a point for corner, from which a 1/2-inch iron rod found for the northwest corner of the said called 7.54 acre tract bears North 0°03'04" West, a distance of 488.36 feet;

**THENCE** South 89°38'38" East, departing the said west line, a distance of 627.80 feet to the **POINT OF BEGINNING** and containing 23,835 square feet or 0.5472 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D.W.* 5/18/23  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com



WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/18/2023	061024063	2 OF 4

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**BEING** a 23,835 square foot (0.5472 acre) tract of land situated in the S.L. Johnson Survey, Abstract No. 683, Denton County, Texas, and being part of a called 7.54 acre tract of land described in Special Warranty Deed to TLB3A Investments, LLC recorded in Instrument No. 2022-128054, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2-inch iron rod found for the northeast corner of the said called 7.54 acre tract;

**THENCE** South 01°10'06" East, along the east line of the said called 7.54 acre tract, a distance of 490.56 feet to the **POINT OF BEGINNING**;

**THENCE** South 01°10'06" East, continuing along the said east line, a distance of 55.02 feet to a point for corner at the beginning of a non-tangent curve to the left with a radius of 840.00 feet, a central angle of 02°05'49", and a chord bearing and distance of North 88°45'18" West, 30.74 feet, and being in the north line of Parcel 1, Part 1 described in Special Warranty Deed to the State of Texas recorded in Instrument No. 2021-148586, said Official Public Records, and being in the north right-of-way line of Barthold Road, a variable width right-of-way;

**THENCE** along the said north right-of-way line, the following five (5) calls:

In a westerly direction, along the said north line, with said non-tangent curve to the left, an arc distance of 30.74 feet to a point for corner;

North 89°48'12" West, a distance of 43.21 feet to a point for corner in the east line of Parcel P00055953.001 described in the Deed to the State of Texas recorded in Instrument No. 2022-113487, said Official Public Records;

North 00°11'48" East, along the east line of said Parcel P00055953.001, a distance of 0.08 feet to a point for corner, being the northeast corner of said Parcel P00055953.001, and being at the beginning of a non-tangent curve to the left with a radius of 3,080.00 feet, a central angle of 07°09'57", and a chord bearing and distance of North 85°59'19" West, 384.96 feet;

In a westerly direction, along the north line of said Parcel P00055953.001, with said non-tangent curve to the left, an arc distance of 385.21 feet to a point for corner;

North 89°38'47" West, continuing along the said north line, a distance of 170.92 feet to a point for corner, being the southwest corner of the said called 7.54 acre tract;

**(CONTINUED ON SHEET 2)**

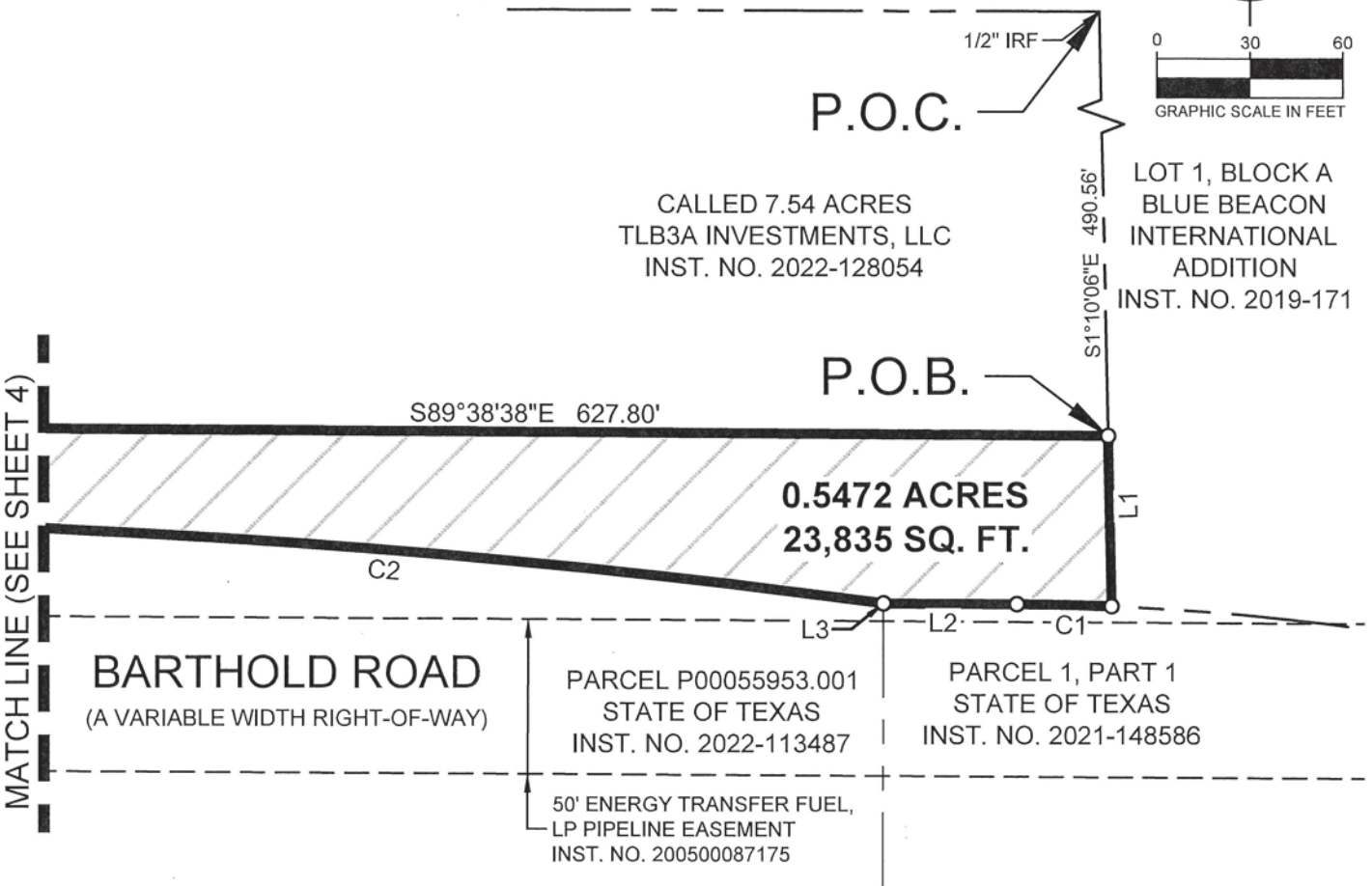
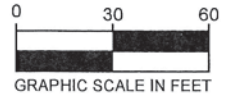
**WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS**

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/18/2023	061024063	1 OF 4

**PARCEL 074-1A WWE**



**LEGEND**

P.O.C. = POINT OF COMMENCING  
 P.O.B. = POINT OF BEGINNING  
 IRF = IRON ROD FOUND

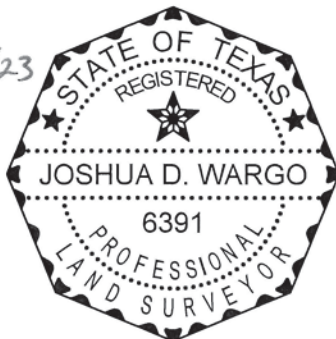
CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	2°05'49"	840.00'	30.74'	N88°45'18"W	30.74'
C2	7°09'57"	3080.00'	385.21'	N85°59'19"W	384.96'

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/18/23  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
 josh.wargo@kimley-horn.com



**WATER AND WASTEWATER  
 EASEMENT**  
 S.L. JOHNSON SURVEY  
 ABSTRACT NO. 683  
 DENTON COUNTY, TEXAS

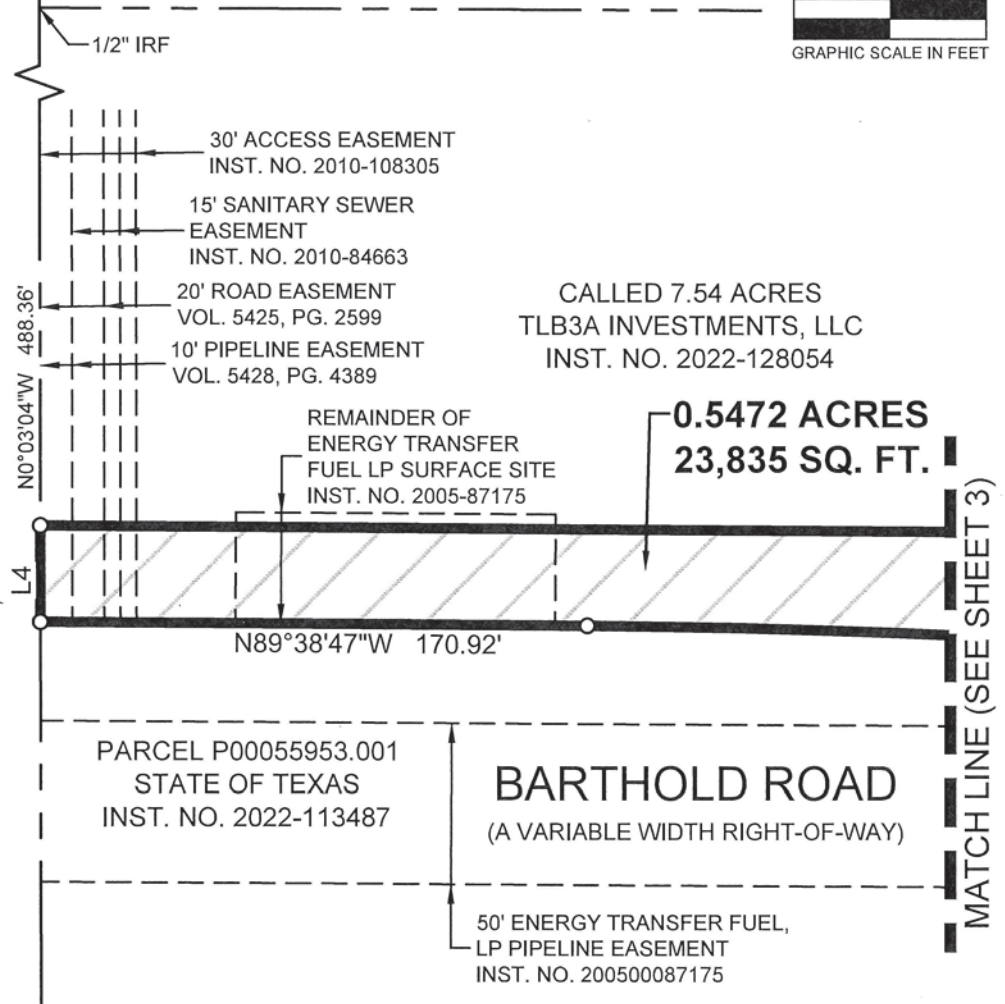
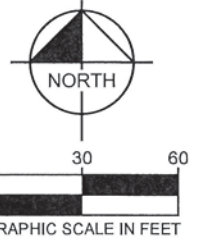
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	5/18/2023	061024063	3 OF 4

**PARCEL 074-1A WWE**

LINE TABLE		
NO.	BEARING	LENGTH
L1	S01°10'06"E	55.02'
L2	N89°48'12"W	43.21'
L3	N00°11'48"E	0.08'
L4	N00°03'04"W	30.03'

LOT 1, BLOCK A  
BLUE BEACON  
INTERNATIONAL ADDITION  
INST. NO. 2019-171



TRACT 3  
HARLAN PROPERTIES, INC  
VOL. 4296, PG. 1246

PARCEL P00055953.001  
STATE OF TEXAS  
INST. NO. 2022-113487

**BARTHOLD ROAD**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

50' ENERGY TRANSFER FUEL,  
LP PIPELINE EASEMENT  
INST. NO. 200500087175

**LEGEND**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRF = IRON ROD FOUND

WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	5/18/2023	061024063	4 OF 4

DocuSign Envelope ID: DC8D44DB-852A-44



**EXHIBIT A**

DocuSign Envelope ID: DC8D44DB-852A-44A1-9E52-7AD7221147B9

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**THENCE** North 00°03'09" West, a distance of 414.07 feet to a point for corner;  
**THENCE** North 43°05'46" West, a distance of 212.44 feet to a point for corner;  
**THENCE** North 00°03'05" West, a distance of 597.32 feet to a point for corner;  
**THENCE** North 89°57'23" East, a distance of 175.01 feet to a point for corner;  
**THENCE** North 00°03'21" West, a distance of 292.93 feet to a point for corner;  
**THENCE** North 02°44'50" East, a distance of 412.20 feet to a point for corner;  
**THENCE** North 00°02'01" West, a distance of 1,367.54 feet to a point for corner;  
**THENCE** North 00°00'36" West, a distance of 84.04 feet to a point for corner;

**THENCE** North 60°39'54" East, a distance of 45.88 feet to the **POINT OF BEGINNING** and containing 173,138 square feet or 3.9747 acres of land.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/16/23  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
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WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS

**Kimley»»Horn**

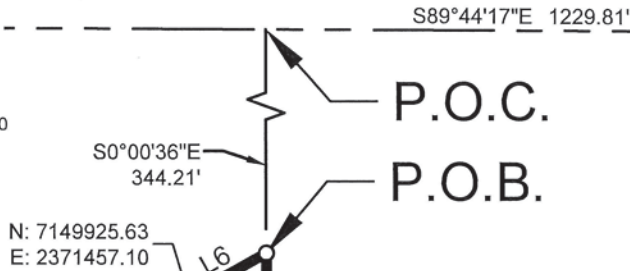
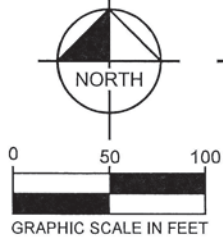
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/15/2023	061024063	2 OF 6

**PARCEL 074-4A WWE**

CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)



N: 7149925.63  
E: 2371457.10

JEJM DENTON PROPERTY, LLC  
INST. NO. 2022-84601

TRACT 3  
HARLAN PROPERTIES, INC  
VOL. 4296, PG. 1246

**3.9747 ACRES**  
**173,138 SQ. FT.**

NEW FARMS, LLC  
INST. NO. 2010-108304

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°00'36"E	106.51'
L5	N00°00'36"W	84.04'
L6	N60°39'54"E	45.88'

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND  
ROW = RIGHT-OF-WAY

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

MATCH LINE (SEE SHEET 4)

*J.D.W. 5/16/23*  
 JOSHUA D. WARGO  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
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WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	5/15/2023	061024063	3 OF 6

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**BEING** a 3.9747 acre (173,138 square foot) tract of land situated in the S.L. Johnson Survey, Abstract No. 683, Denton County, Texas, and being part of Tract 3 described in Warranty Deed with Vendor's Lien to Harlan Properties, Inc. recorded in Volume 4296, Page 1246, Deed Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at the northeast corner of said Tract 3, from which a wooden right-of-way monument found in the west right-of-way line of Interstate Highway No. 35, bears South 89°44'17" East, a distance of 1229.81 feet;

**THENCE** South 00°00'36" East, along the east line of said Tract 3, a distance of 344.21 feet to the **POINT OF BEGINNING**;

**THENCE**, along the said east line of Tract 3, the following three (3) calls:

South 00°00'36" East, a distance of 106.51 feet to a point for corner;

South 00°02'01" East, at a distance of 717.97 feet passing a 1/2-inch iron rod with cap stamped "EAGLE SURVEYING" found, and continuing in all a total distance of 1,779.24 feet to a 1/2-inch iron rod found for corner, being the northwest corner of Lot 1, Block A, I-35 Warehouse Addition, and addition to the City of Denton according to the plat recorded in Instrument No. 2021-351, said Official Public Records;

South 00°03'17" East, along the west line of said Lot 1, a distance of 352.92 feet to a point for corner;

**THENCE** South 89°57'23" West, departing the said east line, and the said west line, a distance of 175.00 feet to a point for corner;

**THENCE** South 00°03'05" East, a distance of 513.65 feet to a point for corner, from which a 5/8-inch iron rod found for the southwest corner of said Lot 1, bears North 88°18'27" East, a distance of 175.12 feet;

**THENCE** South 43°05'46" East, a distance of 183.13 feet to a point for corner, from which a 1/2-inch iron rod with cap stamped "RPLS 4561" found for the westernmost southwest corner of Lot 1, Block A, Blue Beacon International Addition, an addition to the City of Denton according to the plat recorded in Instrument No. 2019-171, said Official Public Records, bears North 40°19'16" East, a distance of 77.25 feet;

**THENCE** South 00°03'08" East, a distance of 429.32 feet to a point for corner;

**THENCE** South 89°50'09" East, a distance of 50.04 feet to a point for corner in the aforementioned east line of Tract 3;

**THENCE** South 00°03'04" East, along the said east line, a distance of 30.03 feet to a point for corner, being the northwest corner of Parcel P00055953.01 described in Special Warranty Deed to the State of Texas recorded in Instrument No. 2022-113487, said Official Public Records;

**THENCE** North 89°48'14" West, departing the said east line, a distance of 90.04 feet to a point for corner;

(CONTINUED ON SHEET 2)

WATER AND WASTEWATER  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS

<b>Kimley»Horn</b>					
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com					
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>	<u>Sheet No.</u>
N/A	DMD	JDW	5/15/2023	061024063	1 OF 6

# JEJM Denton Property LLC



I-35 SERVICE

I-35

96150

37700

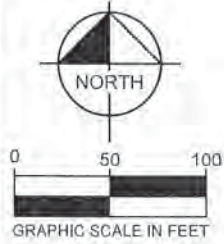
37709

991045

991043

37692

**EXHIBIT B  
PARCEL 074-6 WWE**



CALLLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

P.O.B.

P.O.C.

WOODEN ROW  
MONUMENT  
(LEANING)

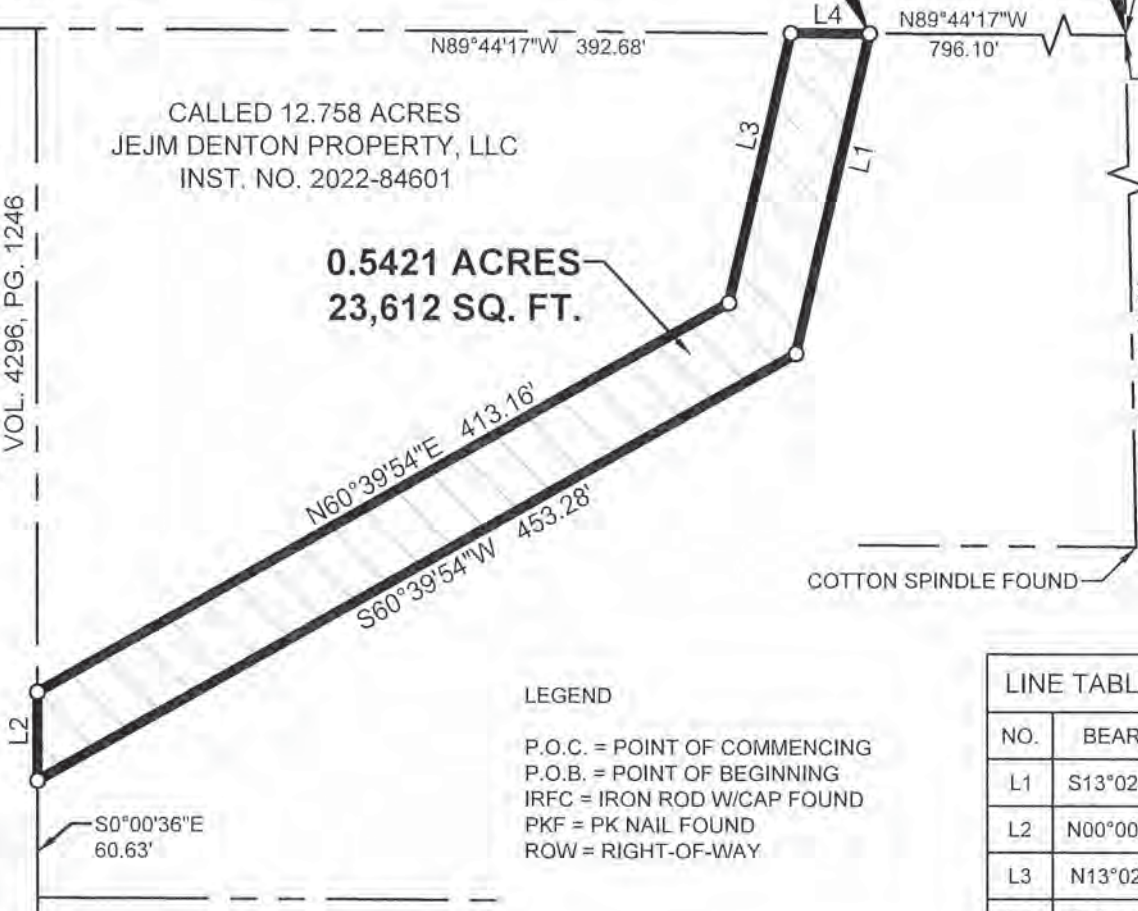
PKF BEARS  
S1°07'45" E ~ 0.99'

CALLLED 12.758 ACRES  
JEJM DENTON PROPERTY, LLC  
INST. NO. 2022-84601

**0.5421 ACRES  
23,612 SQ. FT.**

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

TRACT 3  
HARLAN PROPERTIES, INC  
VOL. 4296, PG. 1246



**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
PKF = PK NAIL FOUND  
ROW = RIGHT-OF-WAY

**LINE TABLE**

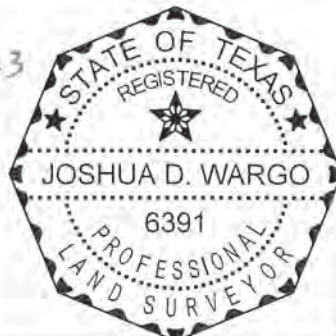
NO.	BEARING	LENGTH
L1	S13°02'42"W	170.44'
L2	N00°00'36"W	45.88'
L3	N13°02'42"E	143.71'
L4	S89°44'17"E	41.02'

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/12/23  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
 josh.wargo@kimley-horn.com



**WATER AND WASTEWATER  
EASEMENT**  
 S.L. JOHNSON SURVEY  
 ABSTRACT NO, 683  
 DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	5/11/2023	061024063	2 OF 2

**EXHIBIT A**  
**PARCEL 074-6 WWE**

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**BEING** a 23,612 square foot (0.5421 acre) tract of land situated in the S.L. Johnson Survey, Abstract No. 683, Denton County, Texas, and being part of a called 12.758 acre tract described in Special Warranty Deed with Vendor's Lien to JEJM Denton Property, LLC recorded in Instrument No. 2022-84601, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a wooden right-of-way monument found for the northeast corner of the said called 12.758 acre tract, and being in the west right-of-way line of Interstate Highway No. 35, a variable width right-of-way, from which a PK nail found bears South 1°07'45" East, a distance of 0.99 feet, and from which a cotton spindle found for the southeast corner of the said called 12.758 acre tract bears South 1°07'45" East, a distance of 451.27 feet;

**THENCE** North 89°44'17" West, along the north line of the said called 12.758 acre tract, a distance of 796.10 feet to the **POINT OF BEGINNING**;

**THENCE** South 13°02'42" West, departing the said north line, a distance of 170.44 feet to a point for corner;

**THENCE** South 60°39'54" West, a distance of 453.28 feet to a point for corner in the west line of the said called 12.758 acre tract;

**THENCE** North 00°00'36" West, along the said west line, a distance of 45.88 feet to a point for corner;

**THENCE** North 60°39'54" East, departing the said west line, a distance of 413.16 feet to a point for corner;

**THENCE** North 13°02'42" East, a distance of 143.71 feet to a point for corner in the aforementioned north line of the called 12,758 acre tract;

**THENCE** South 89°44'17" East, along the said north line, a distance of 41.02 feet to the **POINT OF BEGINNING** and containing 23,612 square feet or 0.5421 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/12/23  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
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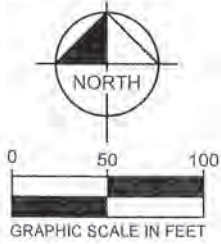
**WATER AND WASTEWATER  
 EASEMENT**  
**S.L. JOHNSON SURVEY**  
**ABSTRACT NO. 683**  
**DENTON COUNTY, TEXAS**

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511  
 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/11/2023	061024063	1 OF 2

**EXHIBIT B  
PARCEL 074-6 TCE**



CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

CALLLED 12.758 ACRES  
JEJM DENTON PROPERTY, LLC  
INST. NO. 2022-84601

TRACT 3  
HARLAN PROPERTIES, INC  
VOL. 4296, PG. 1246

**0.3703 ACRES  
16,130 SQ. FT.**

P.O.C.  
P.O.B.

WOODEN ROW  
MONUMENT  
(LEANING)

PKF BEARS  
S1°07'45" E ~ 0.99'

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

N89°44'17"W 433.70'

N89°44'17"W  
770.47'

S1°07'45"E 451.27'

N13°02'42"E 170.44'  
S13°02'42"W 187.14'

N60°39'54"E 453.28'  
S60°39'27"W 478.39'

COTTON SPINDLE FOUND

L1  
S0°02'56"W  
31.90'

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
PKF = PK NAIL FOUND  
ROW = RIGHT-OF-WAY

**LINE TABLE**

NO.	BEARING	LENGTH
L1	N00°00'36"W	28.75'
L2	S89°44'17"E	25.64'

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*Josh D. Wargo* 5/12/23  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
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**TEMPORARY CONSTRUCTION  
EASEMENT**  
S.L. JOHNSON SURVEY  
ABSTRACT NO, 683  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	5/11/2023	081024063	2 OF 2

**EXHIBIT A  
PARCEL 074-6 TCE**

**METES & BOUNDS DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT**

**BEING** a 16,130 square foot (0.3703 acre) tract of land situated in the S.L. Johnson Survey, Abstract No. 683, Denton County, Texas, and being part of a called 12.758 acre tract described in Special Warranty Deed with Vendor's Lien to JEJM Denton Property, LLC recorded in Instrument No. 2022-84601, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a wooden right-of-way monument found for the northeast corner of the said called 12.758 acre tract, and being in the west right-of-way line of Interstate Highway No. 35, a variable width right-of-way, from which a PK nail found bears South 1°07'45" East, a distance of 0.99 feet, and from which a cotton spindle found for the southeast corner of the said called 12.758 acre tract bears South 1°07'45" East, a distance of 451.27 feet;

**THENCE** North 89°44'17" West, along the north line of the said called 12.758 acre tract, a distance of 770.47 feet to the **POINT OF BEGINNING**;

**THENCE** South 13°02'42" West, departing the said north line, a distance of 187.14 feet to a point for corner;

**THENCE** South 60°39'27" West, a distance of 478.39 feet to a point for corner in the west line of the said called 12.758 acre tract;

**THENCE** North 00°00'36" West, along the said west line, a distance of 28.75 feet to a point for corner;

**THENCE** North 60°39'54" East, departing the said west line, a distance of 453.28 feet to a point for corner;

**THENCE** North 13°02'42" East, a distance of 170.44 feet to a point for corner in the aforementioned north line of the called 12.758 acre tract;

**THENCE** South 89°44'17" East, along the said north line, a distance of 25.64 feet to the **POINT OF BEGINNING** and containing 16,130 square feet or 0.3703 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

**TEMPORARY CONSTRUCTION  
EASEMENT  
S.L. JOHNSON SURVEY  
ABSTRACT NO. 683  
DENTON COUNTY, TEXAS**

*J.D.W. 5/12/23*  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
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<b>Kimley»Horn</b>					
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102			FIRM # 10194040		
Tel. No. (817) 335-6511			www.kimley-horn.com		
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>	<u>Sheet No.</u>
N/A	DMD	JDW	5/11/2023	061024063	1 OF 2

**CATDENTON 35 Seven Inc.**



632459

38276

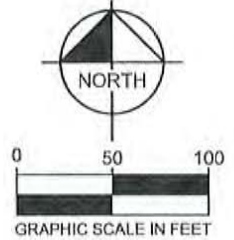
37351

583

RD

**EXHIBIT B  
PARCEL 074-7 WWE**

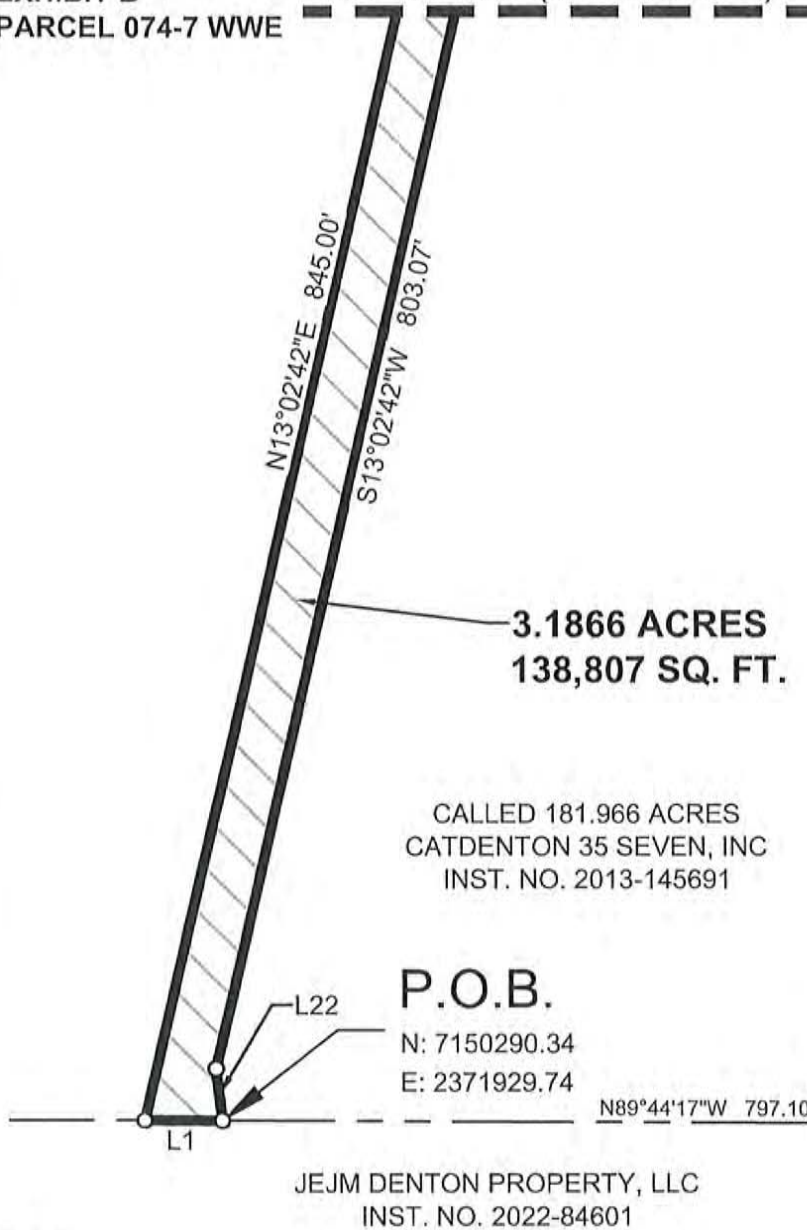
MATCH LINE (SEE SHEET 4)



**LEGEND**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- PKF = PK NAIL FOUND
- ROW = RIGHT-OF-WAY

SEE SHEET 7 FOR LINE TAG TABLE



**3.1866 ACRES  
138,807 SQ. FT.**

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

**P.O.B.**

N: 7150290.34  
E: 2371929.74

**P.O.C.**

N89°44'17"W 797.10'

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

WOODEN ROW  
MONUMENT (LEANING)

PKF BEARS  
S1°07'45" E ~ 0.99'

JEJM DENTON PROPERTY, LLC  
INST. NO. 2022-84601

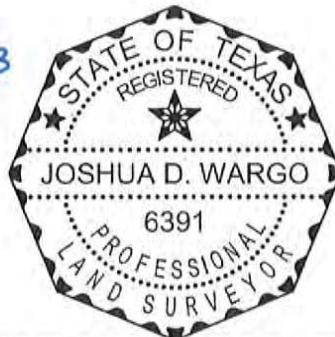
**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

**WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS**

*J.D.V.* 11/17/23  
**JOSHUA D. WARGO**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com

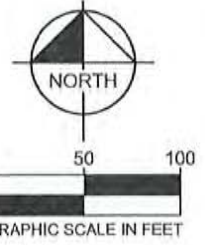


**Kimley»Horn**

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	11/17/2023	061024063	3 OF 7

**EXHIBIT B  
PARCEL 074-7 WWE**



**GANZER RD.**

60D NF  
N: 7153388.46  
E: 2372305.79

L13  
L14  
L12  
L11  
L10

WOODEN ROW MONUMENT  
(CUTOFF)

N88°55'20"E 350.00'

S88°55'20"W 266.13'

**3.1866 ACRES  
138,807 SQ. FT.**

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

5/8" IRFC  
"TXDOT"

L9  
L8  
L7  
L6  
L5  
L18  
L17  
L16

STATE OF TEXAS  
RIGHT-OF-WAY  
EASEMENT  
VOL. 426, PG. 281

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

**LEGEND**

- P.O.C. = POINT OF COMMENCING
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- IRFC = IRON ROD W/CAP FOUND
- PKF = PK NAIL FOUND
- ROW = RIGHT-OF-WAY

SEE SHEET 7 FOR LINE TAG TABLE

MATCH LINE (SEE SHEET 5)

WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

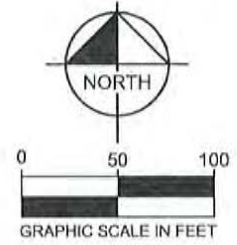
**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	11/17/2023	061024063	6 OF 7

**EXHIBIT B  
PARCEL 074-7 WWE**

MATCH LINE (SEE SHEET 6)



**3.1866 ACRES  
138,807 SQ. FT.**

N1°07'37"W 785.31'

S1°07'37"E 782.38'

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

**LEGEND**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- PKF = PK NAIL FOUND
- ROW = RIGHT-OF-WAY

SEE SHEET 7 FOR LINE TAG TABLE

STATE OF TEXAS  
RIGHT-OF-WAY  
EASEMENT  
VOL. 426, PG. 281

**WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS**

MATCH LINE (SEE SHEET 4)

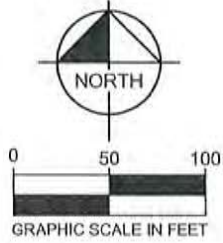
**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	11/17/2023	061024063	5 OF 7

**EXHIBIT B  
PARCEL 074-7 WWE**



STATE OF TEXAS  
RIGHT-OF-WAY  
EASEMENT  
VOL. 426, PG. 281

MATCH LINE (SEE SHEET 5)

**3.1866 ACRES  
138,807 SQ. FT.**

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

N25°54'55"E 434.69'  
S25°54'55"W 489.96'

L3

L20

L2

L21

LEGEND

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- PKF = PK NAIL FOUND
- ROW = RIGHT-OF-WAY

SEE SHEET 7 FOR LINE TAG TABLE

WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

MATCH LINE (SEE SHEET 3)

		801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102		FIRM # 10194040		Tel. No. (817) 335-6511 www.kimley-horn.com	
		Scale 1" = 100'	Drawn by DMD	Checked by JDW	Date 11/17/2023	Project No. 061024063	Sheet No. 4 OF 7

**EXHIBIT A**  
**PARCEL 074-7 WWE**

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**BEING** a 3.1866 acre (138,807 square foot) tract of land situated in the Ignacio De Los Santos Coy Survey, Abstract No. 212, Denton County, Texas, and being part of a called 181.966 acre tract of land described in General Warranty Deed to Catdenton 35 Seven, Inc. recorded in Instrument No. 2013-145691, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a wooden right-of-way monument found at the southeast corner of the said called 181.966 acre tract, and being in the west right-of-way line of Interstate Highway No. 35, a variable width right-of-way, from which a PK nail found bears South 1°07'45" East, a distance of 0.99 feet;

**THENCE** North 89°44'17" West, along the south line of the said called 181.966 acre tract, a distance of 797.10 feet to the **POINT OF BEGINNING**;

**THENCE** North 89°44'17" West, continuing along the said south line, a distance of 40.02 feet to a point for corner;

**THENCE** North 13°02'42" East, departing the said south line, a distance of 845.00 feet to a point for corner;

**THENCE** North 41°17'50" East, a distance of 271.12 feet to a point for corner;

**THENCE** North 71°15'04" East, a distance of 183.07 feet to a point for corner;

**THENCE** North 25°54'55" East, a distance of 434.69 feet to a point for corner;

**THENCE** North 01°22'45" West, a distance of 63.89 feet to a point for corner;

**THENCE** North 01°07'37" West, a distance of 785.31 feet to a point for corner;

**THENCE** North 02°08'51" West, a distance of 203.32 feet to a point for corner;

**THENCE** North 06°15'55" West, a distance of 122.89 feet to a point for corner;

**THENCE** North 03°55'23" East, a distance of 149.27 feet to a point for corner;

**THENCE** North 02°37'25" West, a distance of 106.75 feet to a point for corner;

**THENCE** North 26°22'29" West, a distance of 33.79 feet to a point for corner;

**THENCE** South 88°55'20" West, a distance of 266.13 feet to a point for corner;

**THENCE** North 89°59'48" West, a distance of 40.75 feet to a point for corner;

**THENCE** North 00°00'12" East, a distance of 39.43 feet to a point for corner;

**THENCE** North 01°04'26" West, a distance of 138.42 feet to a point for corner in the north line of the said called 181.966 acre tract, and being in the south right-of-way line of Ganzer Road;

**THENCE** along the said north line, and along the said south right-of-way line, the following three (3) calls:

South 73°41'27" East, a distance of 41.90 feet to a 60D nail found for corner;

South 01°04'40" East, a distance of 126.08 feet to a wooden right-of-way monument found for corner;

North 88°55'20" East, a distance of 350.00 feet to a point for corner, being at the easternmost northeast corner of the said called 181.966 acre tract, and being at the intersection of the said south right-of-way line, and the west right-of-way line of Interstate Highway No. 35, a variable width right-of-way;

(CONTINUED ON SHEET 2)

WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	11/17/2023	061024063	1 OF 7

**EXHIBIT A  
PARCEL 074-7 WWE**

**METES & BOUNDS DESCRIPTION CONTINUED  
WATER AND WASTEWATER EASEMENT**

**THENCE** South 02°26'24" East, along the east line of the said 181.966 acre tract, and along the said west right-of-way line, a distance of 123.70 feet to a 5/8-inch iron rod with cap stamped "TXDOT found for corner;

**THENCE** South 07°52'44" West, departing the said east line, and the said west right-of-way line, a distance of 208.59 feet to a point for corner;

**THENCE** South 01°27'25" East, a distance of 93.01 feet to a point for corner;

**THENCE** South 02°08'46" East, a distance of 228.84 feet to a point for corner;

**THENCE** South 01°07'37" East, a distance of 782.38 feet to a point for corner;

**THENCE** South 09°44'32" East, a distance of 42.96 feet to a point for corner;

**THENCE** South 25°54'55" West, a distance of 489.96 feet to a point for corner;

**THENCE** South 71°15'04" West, a distance of 187.57 feet to a point for corner;

**THENCE** South 41°17'50" West, a distance of 255.54 feet to a point for corner;

**THENCE** South 13°02'42" West, a distance of 803.07 feet to a point for corner;

**THENCE** South 06°25'34" East, a distance of 27.07 feet to the **POINT OF BEGINNING** and containing 138,807 square feet or 3.1866 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

WATER AND WASTEWATER  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

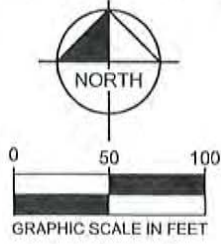
*Joshua D. Wargo* 11/17/23  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
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**Kimley»Horn**  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	11/17/2023	061024063	2 OF 7

**EXHIBIT B  
PARCEL 074-7 TCE**



STATE OF TEXAS  
RIGHT-OF-WAY  
EASEMENT  
VOL. 426, PG. 281

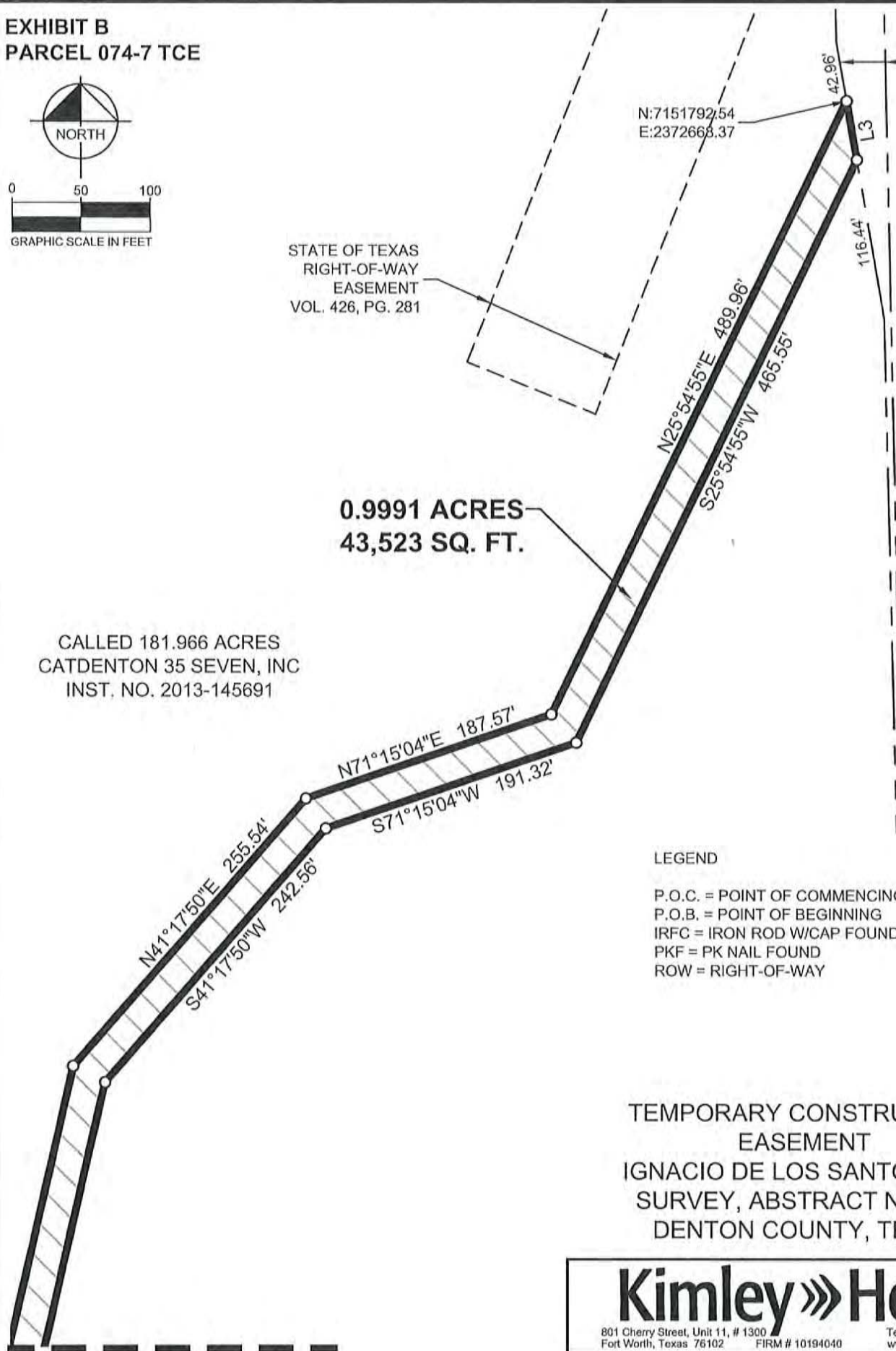
**0.9991 ACRES  
43,523 SQ. FT.**

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

N:7151792.54  
E:2372663.37

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

**INTERSTATE  
HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)



**LEGEND**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- PKF = PK NAIL FOUND
- ROW = RIGHT-OF-WAY

**TEMPORARY CONSTRUCTION  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS**

**Kimley»Horn**

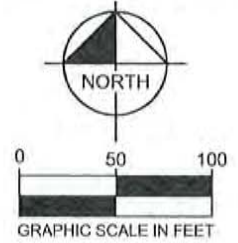
801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	DMD	JDW	11/17/2023	061024063	3 OF 3

**EXHIBIT B  
PARCEL 074-7 TCE**

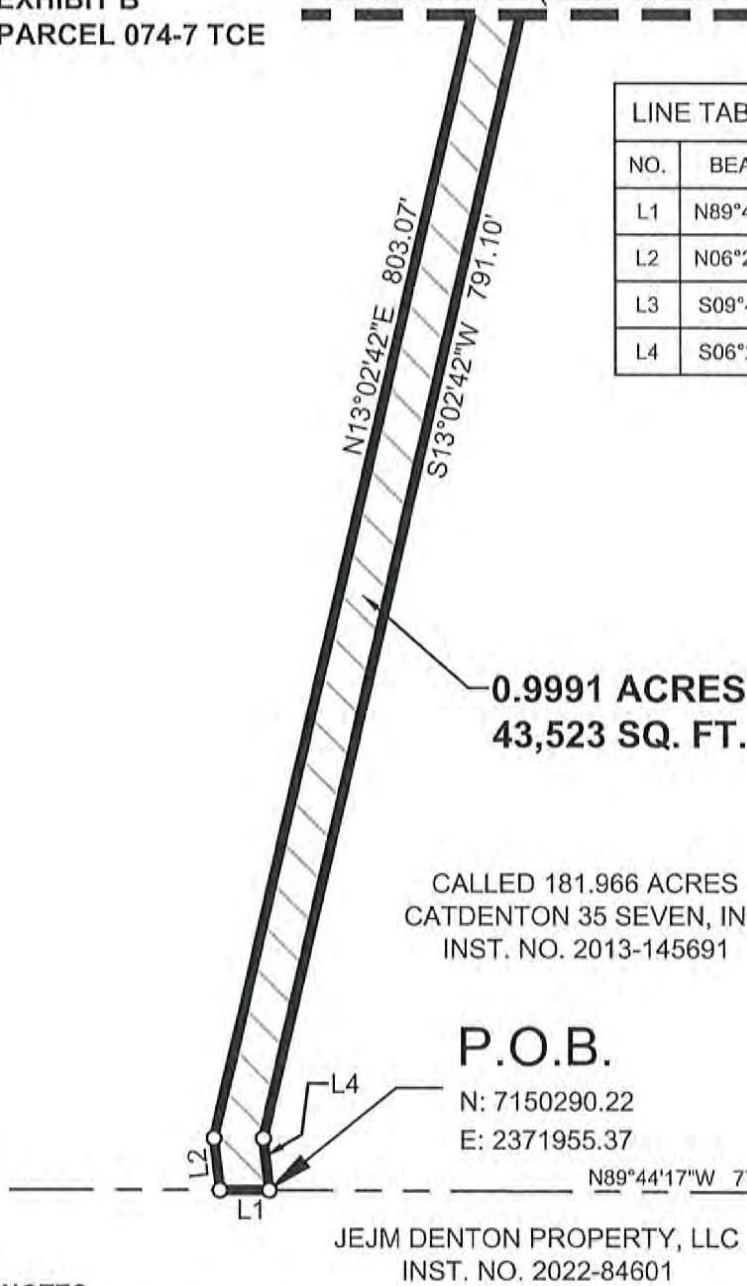
MATCH LINE (SEE SHEET 3)



LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°44'17"W	25.64'
L2	N06°25'34"W	27.07'
L3	S09°44'32"E	42.89'
L4	S06°25'34"E	27.07'

**LEGEND**

P.O.C. = POINT OF COMMENCING  
 P.O.B. = POINT OF BEGINNING  
 IRFC = IRON ROD W/CAP FOUND  
 PKF = PK NAIL FOUND  
 ROW = RIGHT-OF-WAY



0.9991 ACRES  
43,523 SQ. FT.

CALLED 181.966 ACRES  
CATDENTON 35 SEVEN, INC  
INST. NO. 2013-145691

**P.O.B.**

N: 7150290.22  
E: 2371955.37

**P.O.C.**

N89°44'17"W 771.47'

JEJM DENTON PROPERTY, LLC  
INST. NO. 2022-84601

INTERSTATE  
HIGHWAY NO. 35  
(A VARIABLE WIDTH RIGHT-OF-WAY)

WOODEN ROW  
MONUMENT (LEANING)

PKF BEARS  
S1°07'45" E ~ 0.99'

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*J.D.W. 11/17/23*  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
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 josh.wargo@kimley-horn.com



TEMPORARY CONSTRUCTION  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale 1" = 100'	Drawn by DMD	Checked by JDW	Date 11/17/2023	Project No. 061024063	Sheet No. 2 OF 3
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**EXHIBIT A  
PARCEL 074-7 TCE**

**METES & BOUNDS DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT**

**BEING** a 0.9991 acre (43,523 square foot) tract of land situated in the Ignacio De Los Santos Coy Survey, Abstract No. 212, Denton County, Texas, and being part of a called 181.966 acre tract of land described in General Warranty Deed to Catdenton 35 Seven, Inc. recorded in Instrument No. 2013-145691, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a wooden right-of-way monument found at the southeast corner of the said called 181.966 acre tract, and being in the west right-of-way line of Interstate Highway No. 35, a variable width right-of-way, from which a PK nail found bears South 1°07'45" East, a distance of 0.99 feet;

**THENCE** North 89°44'17" West, along the south line of the said called 181.966 acre tract, a distance of 771.47 feet to the **POINT OF BEGINNING**;

**THENCE** North 89°44'17" West, continuing along the said south line, a distance of 25.64 feet to a point for corner;

**THENCE** North 06°25'34" West, departing the said south line, a distance of 27.07 feet to a point for corner;

**THENCE** North 13°02'42" East, a distance of 803.07 feet to a point for corner;

**THENCE** North 41°17'50" East, a distance of 255.54 feet to a point for corner;

**THENCE** North 71°15'04" East, a distance of 187.57 feet to a point for corner;

**THENCE** North 25°54'55" East, a distance of 489.96 feet to a point for corner;

**THENCE** South 09°44'32" East, a distance of 42.89 feet to a point for corner;

**THENCE** South 25°54'55" West, a distance of 465.55 feet to a point for corner;

**THENCE** South 71°15'04" West, a distance of 191.32 feet to a point for corner;

**THENCE** South 41°17'50" West, a distance of 242.56 feet to a point for corner;

**THENCE** South 13°02'42" West, a distance of 791.10 feet to a point for corner;

**THENCE** South 06°25'34" East, a distance of 27.07 feet to the **POINT OF BEGINNING** and containing 43,523 square feet or 0.9991 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D.W. 11/17/23*  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
 josh.wargo@kimley-horn.com



**TEMPORARY CONSTRUCTION  
EASEMENT  
IGNACIO DE LOS SANTOS COY  
SURVEY, ABSTRACT NO. 212  
DENTON COUNTY, TEXAS**

**Kimley»Horn**  
 801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	11/17/2023	061024063	1 OF 3

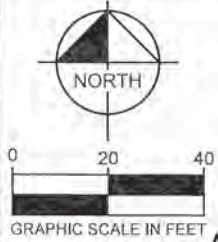
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CATDENTON 35 Inc.



**EXHIBIT B  
PARCEL 074-8 LSE**

**GANZER RD.**



**P.O.B.**

CALLED 4.20 ACRES  
STATE OF TEXAS  
VOL. 400, PG. 223

N: 7153268.14  
E: 2373115.68

N88°55'11"E  
23.72'

N88°55'11"E 130.05'

N88°55'11"E 146.39'

106.40'

3/8" IRF

5/8" IRFC  
"TXDOT"

**P.O.C.**

PKF

**INTERSTATE HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

TRACT 4  
CATDENTON 35, INC.  
INST. NO. 2013-15912

N0°23'14"E 174.80'

**0.5592 ACRES  
24,360 SQ. FT.**

S0°23'14"W 178.13'

N: 7153092.47  
E: 2373244.50

N89°36'46"W 79.50'

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND  
PKF = PK NAIL FOUND

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°23'35"W	10.19'
L2	S42°42'47"W	52.61'
L3	N16°41'25"W	51.34'

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/10/23

JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com



LIFT STATION EASEMENT  
IGNACIO DE LOS SANTOS  
COY SURVEY  
ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	DMD	JDW	5/8/2023	061024063	2 OF 2

**EXHIBIT A  
PARCEL 074-8 LSE**

**METES & BOUNDS DESCRIPTION  
LIFT STATION EASEMENT**

**BEING** a 24,360 square foot (0.5592 acre) tract of land situated in the Ignacio De Los Santos Coy Survey, Abstract No. 212, Denton, County, Texas, and being part of Tract 4 described in Special Warranty Deed to Catdenton 35, Inc. recorded in Instrument No. 2013-15912, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 3/8-inch iron rod found for an interior corner of a called 4.20 acre tract of land described in the Deed to the State of Texas, recorded in Volume 400, Page 223, Deed Records, Denton County, Texas, and being in the west line of said Tract 4, and being at the intersection of the east right-of-way line of Interstate Highway No. 35, a variable width right-of-way, and the south right-of-way line of Ganzer Road;

**THENCE** North 88°55'11" East, along a south line of the said called 4.20 acre tract, at a distance of 106.40 feet passing a 5/8-inch iron rod with cap stamped "TXDOT" found, and continuing along the said south line, in all a total distance of 146.39 feet to the **POINT OF BEGINNING**;

**THENCE** North 88°55'11" East, continuing along the said south line, a distance of 130.05 feet to a point for corner, from which a PK nail found bears North 88°55'11" East, a distance of 23.72 feet;

**THENCE** South 00°23'14" West, departing the said south line, a distance of 178.13 feet to a point for corner;

**THENCE** North 89°36'46" West, a distance of 79.50 feet to a point for corner;

**THENCE** South 00°23'35" West, a distance of 10.19 feet to a point for corner;

**THENCE** South 42°42'47" West, a distance of 52.61 feet to a point for corner;

**THENCE** North 16°41'25" West, a distance of 51.34 feet to a point for corner;

**THENCE** North 00°23'14" East, a distance of 174.80 feet to the **POINT OF BEGINNING** and containing 24,360 square feet or 0.5592 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/10/23  
**JOSHUA D. WARGO**  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
 josh.wargo@kimley-horn.com



LIFT STATION EASEMENT  
 IGNACIO DE LOS SANTOS  
 COY SURVEY  
 ABSTRACT NO. 212  
 DENTON COUNTY, TEXAS

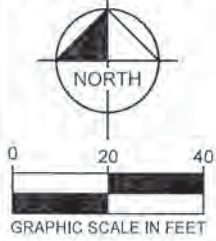
**Kimley»Horn**  
 801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/9/2023	061024063	1 OF 2

**EXHIBIT B  
PARCEL 074-8 AE**

**LEGEND**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- IRF = IRON ROD FOUND
- PKF = PK NAIL FOUND



**GANZER RD.**

CALLED 4.20 ACRES  
STATE OF TEXAS  
VOL. 400, PG. 223

**P.O.C.**

PKF  
N88°55'11"E  
23.72'

N88°55'11"E 276.44'  
106.40'  
3/8" IRF  
5/8" IRFC  
"TXDOT"

S0°23'14"W  
9.34'

**P.O.B.**

N: 7153261.26  
E: 2373245.64

**0.4278 ACRES  
18,634 SQ. FT.**

REMAINDER OF TRACT 4  
CATDENTON 35, INC.  
INST. NO. 2013-15912

N0°23'14"E 127.87'

N: 7153133.39  
E: 2373244.78

**INTERSTATE HIGHWAY NO. 35**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

MATCH LINE (SEE SHEET 4)

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

*J.D.W.* 5/10/23  
**JOSHUA D. WARGO**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com



**ACCESS EASEMENT  
IGNACIO DE LOS SANTOS  
COY SURVEY  
ABSTRACT NO. 212  
DENTON COUNTY, TEXAS**

**Kimley»Horn**  
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale 1" = 40'	Drawn by DMD	Checked by JDW	Date 5/8/2023	Project No. 061024063	Sheet No. 3 OF 4
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**EXHIBIT A**  
**PARCEL 074-8 AE**

**METES & BOUNDS DESCRIPTION**  
**ACCESS EASEMENT**

**BEING** an 18,634 square foot (0.4278 acre) tract of land situated in the Ignacio De Los Santos Coy Survey, Abstract No. 212, Denton County, Texas, and being part of Tract 4 described in Special Warranty Deed to Catdenton 35, Inc. recorded in Instrument No. 2013-15912, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 3/8-inch iron rod found for an interior corner of a called 4.20 acre tract of land described in the Deed to the State of Texas, recorded in Volume 400, Page 223, Deed Records, Denton County, Texas, and being in the west line of said Tract 4, and being at the intersection of the east right-of-way line of Interstate Highway No. 35, a variable width right-of-way, and the south line of Ganzer Road;

**THENCE** North 88°55'11" East, along a south line of the said called 4.20 acre tract, at a distance of 106.40 feet passing a 5/8-inch iron rod with cap stamped "TXDOT" found, and continuing along the said south line, in all a total distance of 276.44 feet to a point, from which a PK nail found bears North 88°55'11" East, a distance of 23.72 feet;

**THENCE** South 0°23'14" West, departing the said south line, a distance of 9.34 feet to the **POINT OF BEGINNING**;

**THENCE** North 88°53'50" East, a distance of 7.01 feet to a point for corner at the beginning of a tangent curve to the left with a radius of 27.50 feet, a central angle of 90°00'00", and a chord bearing and distance of North 43°53'50" East, 38.89 feet;

**THENCE** in a northerly direction, with said tangent curve to the left, an arc distance of 43.20 feet to a point for corner;

**THENCE** North 01°06'10" West, a distance of 6.23 feet to a point for corner at the beginning of a tangent curve to the right with a radius of 42.50 feet, a central angle of 89°58'01", and a chord bearing and distance of North 43°52'51" East, 60.09 feet;

**THENCE** in a northerly direction, with said tangent curve to the right, an arc distance of 66.73 feet to a point for corner;

**THENCE** North 88°51'51" East, a distance of 248.70 feet to a point for corner at the beginning of a tangent curve to the left with a radius of 27.50 feet, a central angle of 89°05'58", and a chord bearing and distance of North 44°18'52" East, 38.58 feet;

**THENCE** in a northerly direction, with said tangent curve to the left, an arc distance of 42.76 feet to a point for corner;

**THENCE** North 00°14'07" West, a distance of 36.72 feet to a point for corner in the south line of aforementioned Ganzer Road, from which a 5/8-inch iron rod with cap stamped "4573" found at the easternmost southeast corner of the said called 4.20 acre tract, bears South 88°42'40" West, a distance of 29.82 feet;

**THENCE** North 88°42'40" East, along the said south line, a distance of 25.00 feet to a point for corner;

**THENCE** South 00°14'04" East, departing the said south line, a distance of 47.02 feet to a point for corner at the beginning of a non-tangent curve to the right with a radius of 42.50 feet, a central angle of 89°05'58", and a chord bearing and distance of South 44°18'52" West, 59.63 feet;

**THENCE** in a southerly direction, with said non-tangent curve to the right, an arc distance of 66.09 feet to a point for corner;

**(CONTINUED ON SHEET 2)**

**ACCESS EASEMENT**  
**IGNACIO DE LOS SANTOS**  
**COY SURVEY**  
**ABSTRACT NO. 212**  
**DENTON COUNTY, TEXAS**

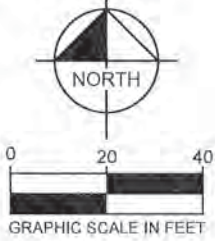
**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/8/2023	061024063	1 OF 4

**EXHIBIT B  
PARCEL 074-8 AE**



CALLED 4.20 ACRES  
STATE OF TEXAS  
VOL. 400, PG. 223

**GANZER RD.**

APPARENT  
RIGHT-OF-WAY LINE BY  
USE AND OCCUPATION

5/8" IRFC  
"4573"

S88°42'40"W  
29.82'

PROPOSED TXDOT  
RIGHT-OF-WAY  
ACQUISITION

N88°51'51"E 248.70'

S88°51'51"W 248.55'

**0.4278 ACRES  
18,634 SQ. FT.**

REMAINDER OF TRACT 4  
CATDENTON 35, INC.  
INST. NO. 2013-15912

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND

MATCH LINE (SEE SHEET 3)

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°53'50"E	7.01'
L2	N01°06'10"W	6.23'
L3	N00°14'07"W	36.72'
L4	N88°42'40"E	25.00'
L5	S00°14'04"E	47.02'
L6	N89°31'15"W	19.25'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°00'00"	27.50'	43.20'	N43°53'50"E	38.89'
C2	89°58'01"	42.50'	66.73'	N43°52'51"E	60.09'
C3	89°05'58"	27.50'	42.76'	N44°18'52"E	38.58'
C4	89°05'58"	42.50'	66.09'	S44°18'52"W	59.63'
C5	89°58'01"	27.50'	43.18'	S43°52'51"W	38.88'
C6	91°28'59"	42.50'	67.86'	S44°38'20"W	60.88'

ACCESS EASEMENT  
IGNACIO DE LOS SANTOS  
COY SURVEY  
ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

**Kimley»Horn**

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Fort Worth, Texas 76102 FIRM # 10194040

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	DMD	JDW	5/8/2023	061024063	4 OF 4

**EXHIBIT A  
PARCEL 074-8 AE**

**METES & BOUNDS DESCRIPTION CONTINUED  
ACCESS EASEMENT**

**THENCE** South 88°51'51" West, a distance of 248.55 feet to a point for corner at the beginning of a tangent curve to the left with a radius of 27.50 feet, a central angle of 89°58'01", and a chord bearing and distance of South 43°52'51" West, 38.88 feet;

**THENCE** in a southerly direction, with said tangent curve to the left, an arc distance of 43.18 feet to a point for corner;

**THENCE** South 01°06'10" East, a distance of 109.61 feet to a point for corner at the beginning of a tangent curve to the right with a radius of 42.50 feet, a central angle of 91°28'59", and a chord bearing and distance of South 44°38'20" West, 60.88 feet;

**THENCE** in a southerly direction, with said tangent curve to the right, an arc distance of 67.86 feet to a point for corner;

**THENCE** North 89°31'15" West, a distance of 19.25 feet to a point for corner;

**THENCE** North 00°23'14" East, a distance of 127.87 feet to the **POINT OF BEGINNING** and containing 18,634 square feet or 0.4278 acres of land, more or less.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

*J.D. Wargo* 5/10/23

JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com



ACCESS EASEMENT  
IGNACIO DE LOS SANTOS  
COY SURVEY  
ABSTRACT NO. 212  
DENTON COUNTY, TEXAS

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

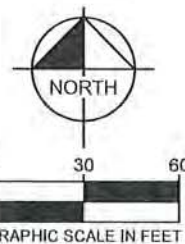
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	5/8/2023	061024063	2 OF 4



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**EXHIBIT B  
PARCEL 087-30 WWE**

PARCEL 4, PART 1  
STATE OF TEXAS  
VOL. 4843, PG. 2093



**P.O.B.  
P.O.C.**

N: 7145551.79  
E: 2374262.69

ADF  
"TXDOT"

LOT 1, BLOCK A  
DENTON TRAVEL CENTER  
ADDITION, PHASE 1  
INST. NO. 2009-21

CALLED 78.486 ACRES  
CATDENTON 35 FIVE, INC.  
INST. NO. 2013-145670

**N ELM STREET**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

**0.9844 ACRES  
42,881 SQ. FT.**

LOT 1R2, BLOCK A  
BARUCH ADDITION  
INST. NO. 2013-320

S0°14'54"W 542.07'

1/2" IRFC  
"RPLS 6329"

**NOTES**

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202). Coordinates have been scaled to surface values using a surface adjustment factor of 1.000150630. A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this survey plat accurately sets out the metes and bounds of the easement tract.

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND

**WATER AND WASTEWATER  
EASEMENT**

ALEXANDER WHITE SURVEY  
ABSTRACT NO. 1406  
NATHAN WADE SURVEY  
ABSTRACT NO. 1407  
DENTON COUNTY, TEXAS

MATCH LINE (SEE SHEET 4)

*J.D.W.*  
JOSHUA D. WARGO  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6391  
801 CHERRY STREET  
UNIT 11 SUITE 1300  
FORT WORTH, TEXAS 76102  
PH. 817-335-6511  
josh.wargo@kimley-horn.com



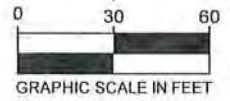
**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	6/5/2023	061024063	3 OF 6

MATCH LINE (SEE SHEET 5)

**EXHIBIT B  
PARCEL 087-30 WWE**



N0°19'03"W 781.60'

**0.9844 ACRES  
42,881 SQ. FT.**

CALLED 78.486 ACRES  
CATDENTON 35 FIVE, INC.  
INST. NO. 2013-145670

LINE TABLE		
NO.	BEARING	LENGTH
L1	N58°46'09"W	10.09'
L2	S46°15'00"E	8.99'
L3	S00°14'54"W	2.45'
L4	S44°34'45"E	22.18'
L5	N81°42'49"W	20.23'
L6	N44°35'09"W	5.81'
L7	N46°15'00"W	29.04'
L8	S58°46'09"E	23.36'

**LEGEND**

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND

CITY OF DENTON  
16' SANITARY SEWER  
EASEMENT  
INST. NO. 2012-135859

CITY OF DENTON  
SANITARY SEWER  
EASEMENT  
INST. NO. 2022-114276

CITY OF DENTON  
16' PUBLIC UTILITY  
EASEMENT  
VOL. 735, PG. 515

N: 7143809.84  
E: 2374690.94

L5

CITY OF DENTON  
WATER EASEMENT  
INST. NO. 2022-114276

PROPOSED TXDOT R.O.W.  
ACQUISITION LINE FOR LOOP 288

**WATER AND WASTEWATER  
EASEMENT  
ALEXANDER WHITE SURVEY  
ABSTRACT NO. 1406  
NATHAN WADE SURVEY  
ABSTRACT NO. 1407  
DENTON COUNTY, TEXAS**

**Kimley»Horn**

801 Cherry Street, Unit 11, # 1300  
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	6/5/2023	061024063	6 OF 6

LOT 1R1, BLOCK A  
BARUCH ADDITION  
INST. NO. 2013-320

EXHIBIT B  
PARCEL 087-30 WWE

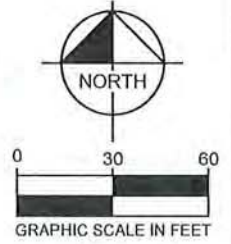
MATCH LINE (SEE SHEET 4)

S89°21'09"E 403.68'

N89°21'09"W 400.73'

0.9844 ACRES  
42,881 SQ. FT.

CALLED 78.486 ACRES  
CATDENTON 35 FIVE, INC.  
INST. NO. 2013-145670



S0°19'03"E 792.76'

MATCH LINE (SEE SHEET 6)

LEGEND

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRFC = IRON ROD W/CAP FOUND
- IRF = IRON ROD FOUND

WATER AND WASTEWATER  
EASEMENT  
ALEXANDER WHITE SURVEY  
ABSTRACT NO. 1406  
NATHAN WADE SURVEY  
ABSTRACT NO. 1407  
DENTON COUNTY, TEXAS

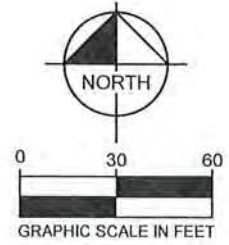
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801 Cherry Street, Unit 11, # 1300      Fort Worth, Texas 76102      FIRM # 10194040      Tel. No. (817) 335-6511      www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	6/5/2023	061024063	5 OF 6

MATCH LINE (SEE SHEET 3)

**EXHIBIT B  
PARCEL 087-30 WWE**



CALLED 78.486 ACRES  
CATDENTON 35 FIVE, INC.  
INST. NO. 2013-145670

LOT 1R2, BLOCK A  
BARUCH ADDITION  
INST. NO. 2013-320

1/2" IRFC  
"RPLS 6329"

N0°06'51"E 931.61'

LOT 1R1, BLOCK A  
BARUCH ADDITION  
INST. NO. 2013-320

**0.9844 ACRES  
42,881 SQ. FT.**

LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRF = IRON ROD FOUND

MATCH LINE  
(SEE SHEET 5)

WATER AND WASTEWATER  
EASEMENT  
ALEXANDER WHITE SURVEY  
ABSTRACT NO. 1406  
NATHAN WADE SURVEY  
ABSTRACT NO. 1407  
DENTON COUNTY, TEXAS

CITY OF DENTON  
16' PUBLIC UTILITY  
EASEMENT  
VOL. 735, PG. 515

CITY OF DENTON  
16' SANITARY SEWER  
EASEMENT  
INST. NO. 2012-135859

L2  
L3  
1/2" IRF (DISTURBED)  
BEARS N55°25'24"E ~ 0.52'

**Kimley»Horn**

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Fort Worth, Texas 76102 FIRM # 10194040

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	DMD	JDW	6/5/2023	061024063	4 OF 6

**EXHIBIT A**  
**PARCEL 087-30 WWE**

**METES & BOUNDS DESCRIPTION**  
**WATER AND WASTEWATER EASEMENT**

**BEING** a 42,881 square foot (0.9844 acre) tract of land situated in the Alexander White Survey, Abstract No. 1406, and the Nathan Wade Survey, Abstract No. 1407, Denton County, Texas, and being part of a called 78.486 acre tract of land described in General Warranty Deed to Catdenton 35 Five, Inc recorded in Instrument No. 2013-145670, Official Public Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at an aluminum disk stamped "TXDOT" found for the southeast corner of Parcel 4, Part 1 described in the Deed to the State of Texas recorded in Volume 4843, Page 2093, Deed Records, Denton County, Texas, and being at the northwest corner of Lot 1R2, Baruch Addition, an addition to the City of Denton according to the plat recorded in Instrument No. 2013-320, said Official Public Records, and being in the south right-of-way line of N Elm Street, a variable width right-of-way, from which a 1/2-inch iron rod stamped "RPLS 6329" found for the southwest corner of said Lot 1R2 bears South 0°14'54" West, a distance of 542.07 feet;

**THENCE** North 58°46'09" West, along the south line of said Parcel 4, and along the said south right-of-way line, a distance of 10.09 feet to the **POINT OF BEGINNING**;

**THENCE** South 00°06'52" West, departing the said south line, and the said south right-of-way line, a distance of 910.97 feet to a point for corner;

**THENCE** South 46°15'00" East, a distance of 8.99 feet to a point for corner in the west line of Lot 1R1, said Baruch Addition;

**THENCE** South 00°14'54" West, along the said west line, a distance of 2.45 feet to a point for corner, being the southwest corner of said Lot 1R1, from which a 1/2-inch iron rod found (disturbed) bears North 55°25'24" East, a distance of 0.52 feet;

**THENCE** South 89°21'09" East, along the south line of said Lot 1R1, a distance of 403.68 feet to a point for corner;

**THENCE** South 44°34'45" East, departing the said south line, a distance of 22.18 feet to a point for corner;

**THENCE** South 00°19'03" East, a distance of 792.76 feet to a point for corner;

**THENCE** North 81°42'49" West, a distance of 20.23 feet to a point for corner;

**THENCE** North 00°19'03" West, a distance of 781.60 feet to a point for corner;

**THENCE** North 44°35'09" West, a distance of 5.81 feet to a point for corner;

**THENCE** North 89°21'09" West, a distance of 400.73 feet to a point for corner;

**THENCE** North 46°15'00" West, a distance of 29.04 feet to a point for corner;

(CONTINUED ON SHEET 2)

WATER AND WASTEWATER  
 EASEMENT  
 ALEXANDER WHITE SURVEY  
 ABSTRACT NO. 1406  
 NATHAN WADE SURVEY  
 ABSTRACT NO. 1407  
 DENTON COUNTY, TEXAS

**Kimley»Horn**

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DMD	JDW	6/5/2023	061024063	1 OF 6

**EXHIBIT A**  
**PARCEL 087-30 WWE**

**METES & BOUNDS DESCRIPTION CONTINUED**  
**WATER AND WASTEWATER EASEMENT**

**THENCE** North 00°06'51" East, a distance of 931.61 feet to a point for corner in the aforementioned south line of Parcel 4, and the aforementioned south right-of-way line of N Elm Street;

**THENCE** South 58°46'09" East, along the said south line, and along the said south right-of-way line, a distance of 23.36 feet to the **POINT OF BEGINNING** and containing 42,881 square feet or 0.9844 acres of land.

**NOTES**

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), North Central Zone (4202). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract.

WATER AND WASTEWATER  
 EASEMENT  
 ALEXANDER WHITE SURVEY  
 ABSTRACT NO. 1406  
 NATHAN WADE SURVEY  
 ABSTRACT NO. 1407  
 DENTON COUNTY, TEXAS

*J.D. Wargo*  
 6/6/23  
 JOSHUA D. WARGO  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6391  
 801 CHERRY STREET  
 UNIT 11 SUITE 1300  
 FORT WORTH, TEXAS 76102  
 PH. 817-335-6511  
 josh.wargo@kimley-horn.com



<b>Kimley»Horn</b>					
801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102			FIRM # 10194040		Tel. No. (817) 335-6511 www.kimley-horn.com
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>	<u>Sheet No.</u>
N/A	DMD	JDW	6/5/2023	061024063	2 OF 6

**Certificate Of Completion**

Envelope Id: DC8D44DB852A44A19E527AD7221147B9	Status: Completed
Subject: Complete with DocuSign: Exhibit 2 - Ordinance - Milam Creek Basin_I35 Split to Milam Phase II_D...	
Source Envelope:	
Document Pages: 43	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Captoria Brown
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	901B Texas Street
	Denton, TX 76209
	captoria.brown@cityofdenton.com
	IP Address: 198.49.140.10

**Record Tracking**

Status: Original	Holder: Captoria Brown	Location: DocuSign
5/2/2024 7:20:47 AM	captoria.brown@cityofdenton.com	

**Signer Events**

Benjamin Samples  
 benjamin.samples@cityofdenton.com  
 Security Level: Email, Account Authentication (None)

**Signature**

DocuSigned by:  
  
 F6B2F9E1BC01456...  
 Signature Adoption: Pre-selected Style  
 Using IP Address: 184.169.45.4  
 Signed using mobile

**Timestamp**

Sent: 5/2/2024 7:26:10 AM  
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 Viewed: 5/2/2024 8:42:10 AM  
 Signed: 5/2/2024 8:46:42 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 5/2/2024 7:36:05 AM  
 ID: f2cd0f52-daaa-412c-a130-85144a6901e2

**In Person Signer Events**

**Signature**

**Timestamp**

**Editor Delivery Events**

**Status**

**Timestamp**

**Agent Delivery Events**

**Status**

**Timestamp**

**Intermediary Delivery Events**

**Status**

**Timestamp**

**Certified Delivery Events**

**Status**

**Timestamp**

**Carbon Copy Events**

**Status**

**Timestamp**

Benjamin Samples  
 benjamin.samples@cityofdenton.com  
 Security Level: Email, Account Authentication (None)

**COPIED**

Sent: 5/2/2024 8:46:44 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 5/2/2024 7:36:05 AM  
 ID: f2cd0f52-daaa-412c-a130-85144a6901e2

**Witness Events**

**Signature**

**Timestamp**

**Notary Events**

**Signature**

**Timestamp**

**Envelope Summary Events**

**Status**

**Timestamps**

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Certified Delivered	Security Checked	5/2/2024 8:42:10 AM
Signing Complete	Security Checked	5/2/2024 8:46:42 AM

Envelope Summary Events	Status	Timestamps
Completed	Security Checked	5/2/2024 8:46:44 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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To contact us by email send messages to: [purchasing@cityofdenton.com](mailto:purchasing@cityofdenton.com)

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To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [melissa.kraft@cityofdenton.com](mailto:melissa.kraft@cityofdenton.com) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to [purchasing@cityofdenton.com](mailto:purchasing@cityofdenton.com) and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> <li>•Allow per session cookies</li> <li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li> </ul>

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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