EXHIBIT 2

ORDINANCE NO. 2014-_____

AN ORDINANCE FINDING THAT A PUBLIC USE AND NECESSITY EXISTS TO ACQUIRE THROUGH THE EXERCISE OF THE RIGHT OF EMINENT DOMAIN (I) FEE SIMPLE TO AN APPROXIMATE 1.074 ACRE TRACT (THE "SUBSTATION TRACT") LOCATED IN THE W. ROARK SURVEY, ABSTRACT NO. 1087 AND THE J. SEVERE SURVEY, ABSTRACT NO. 1164, BOTH IN DENTON COUNTY, TEXAS, LOCATED GENERALLY ALONG THE EAST LINE OF U. S. HIGHWAY 377 ADJACENT TO AND EAST OF THE FORT WORTH DRIVE SUBSTATION ADDITION, AND (II) FEE SIMPLE TO AN APPROXIMATE 0.627 ACRE TRACT (THE "PUMP STATION TRACT") LOCATED IN THE B.B.B. & C. R. R. CO. SURVEY, ABSTRACT NO. 196 AND THE J. W. WITHERS SURVEY, ABSTRACT NO. 1343, BOTH IN DENTON COUNTY, TEXAS, GENERALLY LOCATED WEST AND ADJACENT TO THE G. C. & S. F. RAILROAD RIGHT OF WAY AND RUNNING TO THE WEST RIGHT OF WAY LINE OF F. M. HIGHWAY 1830, AND (III) AN APPROXIMATE 0.476 ACRE INGRESS AND EGRESS EASEMENT TRACT LOCATED IN THE J. SEVERE SURVEY, ABSTRACT NO. 1164, DENTON COUNTY, TEXAS, LOCATED GENERALLY ALONG THE EAST LINE OF U. S. HIGHWAY 377 ADJACENT TO AND SOUTH OF THE FORT WORTH DRIVE SUBSTATION ADDITION, DENTON COUNTY, TEXAS, AND (IV) AN APPROXIMATE 1.802 ACRE ELECTRIC UTILITY AND COMMUNICATION EASEMENT LOCATED IN THE W. ROARK SURVEY, ABSTRACT NO. 1087, DENTON COUNTY, TEXAS, LOCATED GENERALLY EAST OF THE FT. WORTH DRIVE SUBSTATION ADDITION AND RUNNING TO THE WEST LINE OF A TRACT OF LAND OWNED BY CITY OF DENTON, TEXAS, CALLED 37.95 ACRES IN DEED RECORDED IN INSTRUMENT NUMBER 2014-68891, DEED RECORDS, DENTON COUNTY, TEXAS, (THE "CITY TRACT") AND (V) AN APPROXIMATE 1.793 ACRE TEMPORARY CONSTRUCTION AND ACCESS EASEMENT LOCATED IN THE W. ROARK SURVEY, ABSTRACT NO. 1087, DENTON COUNTY, TEXAS, LOCATED GENERALLY NORTH OF AND ADJACENT TO 1.802 ACRE TRACT; FOR (A) AS CONCERNS THE SUBSTATION TRACT, INGRESS AND EGRESS EASEMENT, ELECTRIC UTILITY AND COMMUNICATION EASEMENT AND THE TEMPORARY CONSTRUCTION AND ACCESS EASEMENT, THE PUBLIC USE OF EXPANSION, CONSTRUCTION, MAINTENANCE, OPERATION, AND IMPROVEMENT OF ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, FACILITIES, AND STRUCTURES; AND (B) AS CONCERNS THE PUMP STATION TRACT, THE PUBLIC USE OF A WET WEATHER PUMP STATION AND DETENTION FACILITY PROJECT (THE "HICKORY CREEK DETENTION FACILITY"); AS ATTACHED TO THIS ORDINANCE AND MADE A PART HEREOF (SAID TRACTS OF LAND AND ALL RELATED INTERESTS THEREIN TO BE ACQUIRED AND DAMAGES RESULTING THEREFROM COLLECTIVELY REFERRED TO HEREIN AS THE "PROPERTY INTERESTS"), (I) AUTHORIZING THE FILING AND PROSECUTION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE THE PROPERTY INTERESTS; (II) AUTHORIZING THE EXPENDITURE OF FUNDS THEREFORE; (III) MAKING FINDINGS; (IV) PROVIDING A SAVINGS CLAUSE; AND (V) PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton, Texas (the "City") has initiated plans for the expansion of electrical utilities and infrastructure and the construction of a wet weather pump station and detention facility, which affect, among other lands and interests, the Property Interests;

WHEREAS, the Denton Municipal Electric Fort Worth T1 Addition Expansion, and Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution Projects constitute a valid public use, of the City and its citizens;

WHEREAS, the Hickory Creek Detention Facility Project constitutes a valid public use of the City and its citizens;

WHEREAS, the City made a written initial offer (herein so called) to Burch Family Farm, Ltd., a Texas Limited Partnership, the Owner of the Property Interests ("Owner") to purchase the Property Interests on June 25, 2014, pursuant to Ordinance No. 2014-185, passed and approved by the City Council of the City of Denton on June 17, 2014;

WHEREAS, the City provided to the Owner of the Property Interests at the time of presenting the Initial Offer, by certified mail, return receipt requested, all appraisal reports produced or acquired by the City relating specifically to the Owner's property prepared in the ten (10) years preceding the date of the Initial Offer;

WHEREAS, the Initial Offer made by the City to the Owner of the Property Interests did not include a confidentiality provision and further informed the Owner of the Property Interests that such Owner had the right to (i) discuss any offer or agreement regarding the City's acquisition of the Property Interests with others; or (ii) keep the offer or agreement confidential, unless the offer or agreement would be subject to Chapter 552 of the Texas Government Code (the "Non Confidential Notice");

WHEREAS, the City made a written Final Offer (herein so called) to Burch Family Farm, Ltd., a Texas Limited Partnership, the Owner of the Property Interests to purchase the Property Interests on August 6, 2014, pursuant to Ordinance No. 2014-235, passed and approved by the City Council of the City of Denton on August 5, 2014; said date being after the thirtieth ($30^{th}$) day after the date on which the City made the Initial Offer to the Owner of the Property Interests;

WHEREAS, along with such Final Offer, the Owner of the Property Interests was provided a written appraisal from a certified appraiser of the value of the Property Interests and the damages, if any, to any of the Owner's remaining property;

WHEREAS, the Final Offer made to the Owner of the Property Interests was equal to or greater than the amount of the written appraisal obtained by the City;

WHEREAS, the Final Offer made to the Owner of the Property Interests included (i) a copy of the written appraisal; (ii) copies of the (a) Special Warranty Deed (Substation Deed), (b) Special Warranty Deed (Pump Station Deed), (c) Ingress and Egress Easement, (d) Electric Utility and Communication Easement, and (e)Temporary Construction and Access Easement, all being the instruments proposed to convey the Property Interests sought to be acquired by the

City; (iii) the Landowner's Bill of Rights statement prescribed by Section 21.0112 of the Texas Property Code; and (iv) the Non Confidential Notice:

WHEREAS, the City provided the Owner of the Property Interests at least fourteen (14) days to respond to the Final Offer and the Owner of the Property Interests did not agree to the terms of the Final Offer within that period;

WHEREAS, the notice for the public meeting of the City Council of the City in which this Ordinance is considered, as required by Subchapter C, Chapter 551, of the Texas Government Code, in addition to other information, as required by that subchapter, expressly included the consideration by the City of Denton of the use of eminent domain to condemn the Property Interests;

WHEREAS, in ordaining the matters set forth herein, the motion to pass and approve this ordinance was stated as "I move that the City of Denton, Texas authorize the use of the power of eminent domain to acquire (i) fee simple to an approximate 1.074 acre tract (the "Substation Tract"), (ii) fee simple to an approximate 0.627 acre tract (the "Pump Station Tract") , (iii) an approximate 0.476 acre ingress and egress easement tract, (iv) an approximate 1.802 acre electric utility and communication easement, and (v) an approximate 1.793 acre temporary construction and access easement tract, for; (a) as concerns the Substation Tract, the ingress and egress easement, electric utility and communication easement and the temporary construction and access easement: the public use of expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures; and (b) as concerns the Pump Station Tract: the public use of a wet weather pump station and detention facility. All tracts are generally located along a noncontiguous line running west to east, commencing at U.S. Highway 377 adjacent to the Fort Worth Drive Substation and continuing to the west right of way line of F.M. 1830. The affected tracts are located in one of more of the following surveys: the W. Roark Survey, Abstract No. 1087, J. Severe Survey, Abstract 1164, B.B.B. & C.R.R. Co. Survey, Abstract No. 196 and the J. W. Withers Survey, Abstract No. 1343, in Denton County, Texas, and are more particularly described in Exhibit "A" (Property Interests) to the ordinance now under consideration and on the overhead screen being now displayed to the audience, for the Denton Municipal Electric Fort Worth T1 Addition Expansion, Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution, and Hickory Creek Detention Facility Projects for the City of Denton, Texas"; and

WHEREAS, after due consideration of the public interest to be furthered by the Denton Municipal Electric Fort Worth T1 Addition Expansion, Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution, and Hickory Creek Detention Facility Projects for the City of Denton, Texas; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The City Council hereby finds and determines that the: Denton Municipal Electric Fort Worth T1 Addition Expansion, Denton Municipal Electric Fort Worth Drive and FM 1830 Distribution, and Hickory Creek Detention Facility Projects, do constitute a valid public use to (a) as concerns the Substation Tract, ingress and egress easement, electric utility and communication easement and the temporary construction and access easement: provide

expansion, construction, maintenance, operation, and improvement of electric transmission and distribution lines, facilities, and structures; and (b) as concerns the Pump Station Tract: the public use of a wet weather pump station and detention facility to serve the public and the citizens of the City of Denton, Texas, that the public welfare and convenience requires the acquisition of the Property Interests, and the City of Denton, Texas does hereby exercise its home-rule and statutory authority to acquire by eminent domain (i) fee simple to an approximate 1.074 acre tract (the "Substation Tract") and (ii) fee simple to an approximate 0.627 acre tract (the "Pump Station Tract"), (iii) an approximate 0.476 acre ingress and egress easement tract, (iv) an approximate 1.802 acre electric utility and communication easement, and (v) an approximate 1.793 acre temporary construction and access easement; all affected tracts are more particularly described in Exhibit "A" attached hereto.

SECTION 2. The Council hereby authorizes and directs the filing and prosecution of eminent domain proceedings by the City of Denton, Texas to acquire the Property Interests.

SECTION 3. The City Council hereby finds that the Owner was the record title owner of said Property Interests at the time of making the Initial Offer and Final Offer. Without limiting the general authorization provided in Section 2, above, the City Council further authorizes joinder of additional or differing owner or owners, or claimant or claimants, of the Property Interests, if applicable, in the eminent domain proceedings, and to condemn the interests of each such parties to acquire the Property Interests.

SECTION 4. The City Manager, or his designee, shall have the authority to do all things necessary or appropriate to acquire the Property Interests by eminent domain, including without limitation, the authority to expend funds related to the prosecution of such eminent domain proceedings.

SECTION 5. The recitals provided in this Ordinance, as set forth above, are specifically and expressly adopted by the Council as express findings by the Council.

SECTION 6. 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 7. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2014.

_____

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

By: _____

## LEGAL DESCRIPTION

**BEING** a 1.074 acre tract of land situated in the W. Roark Survey, Abstract No. 1087 and the J. Severe Survey, Abstract No. 1164, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found for the Southwest corner of Lot 1, Block A of Fort Worth Drive Substation Addition, as recorded in Cabinet Y, Page 300 of the Plat Records of Denton County, Texas;

**THENCE** North 88°54'50" East along the South line of said Lot 1, Block A, for a distance of 231.58 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the Southeast corner of said Lot 1, Block A, said point being the **POINT OF BEGINNING** for the herein described tract;

**THENCE** North 17°30'27" East along the East line of said Lot 1, Block A, for a distance of 226.58 feet to a 1/2 inch iron rod found for corner at the Northeast corner of said Lot 1, Block A;

**THENCE** North 70°04’07" West along the North line of said Lot 1, Block A, for a distance of 288.06 feet to a 1/2 inch iron rod found for corner at the Northwest corner of said Lot 1, Block A, said point also being in the Easterly line of U.S. Highway 377 (a variable width right-of-way);

**THENCE** North 43°23’16" East along the Easterly line of said U.S. Highway 377, for a distance of 76.31 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner;

**THENCE** South 70°04’07" East departing the Easterly line of said U.S. Highway 377, for a distance of 354.82 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 17°30’27” West for a distance of 258.76 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner;

**THENCE** South 88°54’50” West for a distance of 105.51 feet to the **POINT OF BEGINNING**, and containing 1.074 acres of land, more or less.

Exhibit "A" - to Ordinance (Property Interests)

***LEGAL DESCRIPTION***

**BEING** a 1.074 acre tract of land situated in the W. Roark Survey, Abstract No. 1087 and the J. Severe Survey, Abstract No. 1164, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found for the Southwest corner of Lot 1, Block A of Fort Worth Drive Substation Addition, as recorded in Cabinet Y, Page 300 of the Plat Records of Denton County, Texas;

**THENCE** North 88°54'50" East along the South line of said Lot 1, Block A, for a distance of 231.58 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the Southeast corner of said Lot 1, Block A, said point being the **POINT OF BEGINNING** for the herein described tract;

**THENCE** North 17°30'27" East along the East line of said Lot 1, Block A, for a distance of 226.58 feet to a 1/2 inch iron rod found for corner at the Northeast corner of said Lot 1, Block A;

**THENCE** North 70°04'07" West along the North line of said Lot 1, Block A, for a distance of 288.06 feet to a 1/2 inch iron rod found for corner at the Northwest corner of said Lot 1, Block A, said point also being in the Easterly line of U.S. Highway 377 (a variable width right-of-way);

**THENCE** North 43°23'16" East along the Easterly line of said U.S. Highway 377, for a distance of 76.31 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 70°04'07" East departing the Easterly line of said U.S. Highway 377, for a distance of 354.82 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 17°30'27" West for a distance of 258.76 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 88°54'50" West for a distance of 105.51 feet to the **POINT OF BEGINNING**, and containing 1.074 acres of land, more or less.

***TITLE COMMITMENT COMMENTS:***

FIRST NATIONAL TITLE INSURANCE COMPANY
GF No. 14-180412-DU
EFFECTIVE DATE: APRIL 20, 2014
COMMITMENT ISSUE DATE: MAY 02, 2014

**THE FOLLOWING SCHEDULE B ITEMS AFFECT THIS TRACT, AS SHOWN HEREON:**

**10j.** Easement and Right-of-Way granted to TEXAS POWER & LIGHT COMPANY by instrument filed March 26, 1968, recorded under Vol. 563, Pg. 80, Deed Records of Denton County, Texas.

**10k.** Easement granted to TEXAS MUNICIPAL POWER AGENCY by instrument filed May 6, 1982, recorded under Vol. 1141, Pg. 128, Deed Records of Denton County, Texas.

**10m.** Easement granted to CITY OF DENTON by instrument filed November 7, 2000, recorded under Vol. 4712, Pg. 478, Real Property Records of Denton County, Texas.

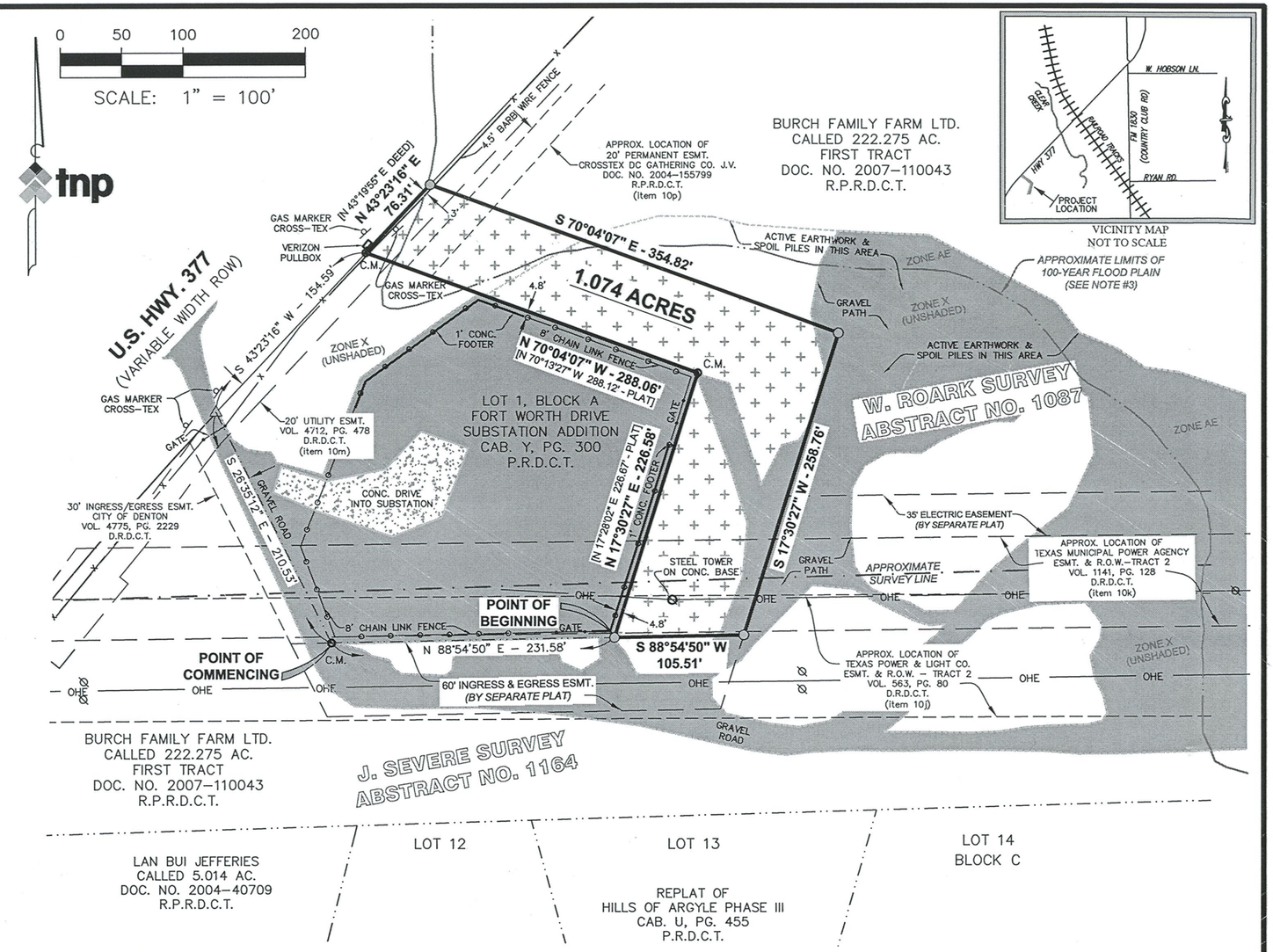
**10p.** Right-of-Way Agreement dated July 22, 2004, executed by and between RICHARD LEE BURCH, NELDA G. HACKETT, MARVIN C. BURCH as Executor of the V.D. BURCH ESTATE to CROSSTEX DC GATHERING J.V., filed December 3, 2004, recorded under Clerk's File No. 2004-155799, Real Property Records of Denton County, Texas.

**THE FOLLOWING SCHEDULE B ITEMS DO NOT LIE ON THIS TRACT:**

**10i.** Easement and Right-of-Way granted to TEXAS POWER & LIGHT COMPANY by instrument filed December 1, 1967, recorded in Vol. 559, Pg. 542, Deed Records of Denton County, Texas.

**10o.** Easement granted to CITY OF DENTON by instrument filed June 23, 2003, recorded in Vol. 5359, Pg. 5333, Real Property Records of Denton County, Texas.

**10q.** Right-of-Way Agreement dated July 19, 2005, executed by and between RICHARD LEE BURCH, NELDA GRACE BURCH HACKETT and SOUTHWESTERN GAS PIPELINE, INC., filed August 26, 2005, recorded under Clerk's File No. 2005-107073, Real Property Records of Denton County, Texas.




***SURVEYOR'S CERTIFICATION***

TO: BURCH FAMILY FARM, LTD., FIRST NATIONAL TITLE INSURANCE COMPANY AND THE CITY OF DENTON, TEXAS:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 3, 4, 8, 11(a), 16, 17, and 18 of Table A thereof. The field work was completed on May 08, 2014.

Todd B. Turner, R.P.L.S.
Texas Registration No. 4859

Date of Plat or Map: May 13, 2014

STATE OF TEXAS REGISTERED TODD B. TURNER 4859 PROFESSIONAL LAND SURVEYOR

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| ◎ | 5/8 IRON ROD SET STAMPED "TNP" |
| C.M. | CONTROLLING MONUMENT |
| | POWER POLE |
| | VERIZON PULLBOX |
| | SIGN |
| | BOUNDARY LINE |
| | ADJACENT PROPERTY LINE |
| | EXISTING RIGHT-OF-WAY |
| | APPROXIMATE SURVEY LINE |
| | EXISTING EASEMENT LINE |
| OHE | OVERHEAD ELECTRIC LINE |
| X | BARBWIRE FENCE LINE |
| | EDGE OF GRAVEL |

***SURVEY NOTES:***

1. All property corners are marked with a 5/8 inch iron rod with cap stamped "TNP" set, unless otherwise noted.
2. Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83(CORS96) Epoch 2002.00) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. The distances shown hereon represent surface values utilizing an Average Combination Factor of 1.000150630
3. This property lies within Zone "AE" and Zone "X" (unshaded), as determined by scaled map location and graphical plotting on the FEMA Flood Insurance Rate Map, Community Panel No. 48121C0370G Map Revision Date April 18, 2011. Zone "AE" is defined as "Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood with Base Flood Elevations determined" and Zone "X" - Other Areas (unshaded) is defined as "Areas determined to be outside the 0.2% annual chance floodplain".
4. Utility information shown hereon is based on above ground visible evidence only. Underground utilities have not been located and/or identified. Additional utilities may affect this property that are not shown hereon.
5. There was no visible above ground evidence of site use as a solid waste dump, sump or sanitary landfill at time of survey.
6. This Survey was prepared with benefit of that certain Title Commitment GF No. 14-180412-DU with effective dateof April 20, 2014 provided by First National Title Insurance Company. For easements, rights-of-way and other matters of record that may affect this tract, the Surveyor relied solely on said Title Commitment.


tnp
teague nall & perkins
1517 Centre Place Drive, Suite 320
Denton, Texas 76205
940.383.4177 ph 940.383.8026 fx
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T.B.P.L.S. Firm No. 10011601


*ALTA/ACSM LAND TITLE SURVEY*

# 1.074 ACRE TRACT

SITUATED IN THE
W. ROARK SURVEY, ABSTRACT NO. 1087
& THE J. SEVERE SURVEY, ABSTRACT NO. 1164
*DENTON COUNTY, TEXAS*
SHEET 1 OF 1 JOB NO. DEN13179

L:\PROJECTS\DEN14117 Burch Access ESMT\cad\survey\DEN14117_SUBSTATION_ALTA.dwg

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## LEGAL DESCRIPTION

**BEING** a 0.627 acre tract of land situated in the B.B.B. & C. R.R. Co. Survey, Abstract No. 196 and the J.W. Withers Survey, Abstract No. 1343, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with cap stamped “McCullah” found for corner in the Westerly line of the G.C. & S.F. Railroad (a variable width right-of-way), said point being the occupied Northeast corner of the above cited 222.275 acre tract, said point also being the occupied Southeast corner of a called 37.87 acre tract of land described in a Deed to Connie M. Altemus, as recorded in Volume 901, Page 777 of the Deed Records of Denton County, Texas;

**THENCE** South 35°21'14" East along the Easterly line of said 222.275 acre tract and the Westerly line of said Railroad, for a distance of 794.39 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner at the most Easterly Northeast corner of said 222.275 acre tract, said point also being in the West line of F.M. Highway No. 1830 (an 80’ wide right-of-way also known as Country Club Road);

**THENCE** South 00°48'32" East along the West line of said F.M. Highway No. 1830, for a distance of 50.00 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner, from which a 1/2 inch iron rod with cap stamped “Coleman RPLS 4001” found for reference bears South 00°48'32" East a distance of 440.92 feet;

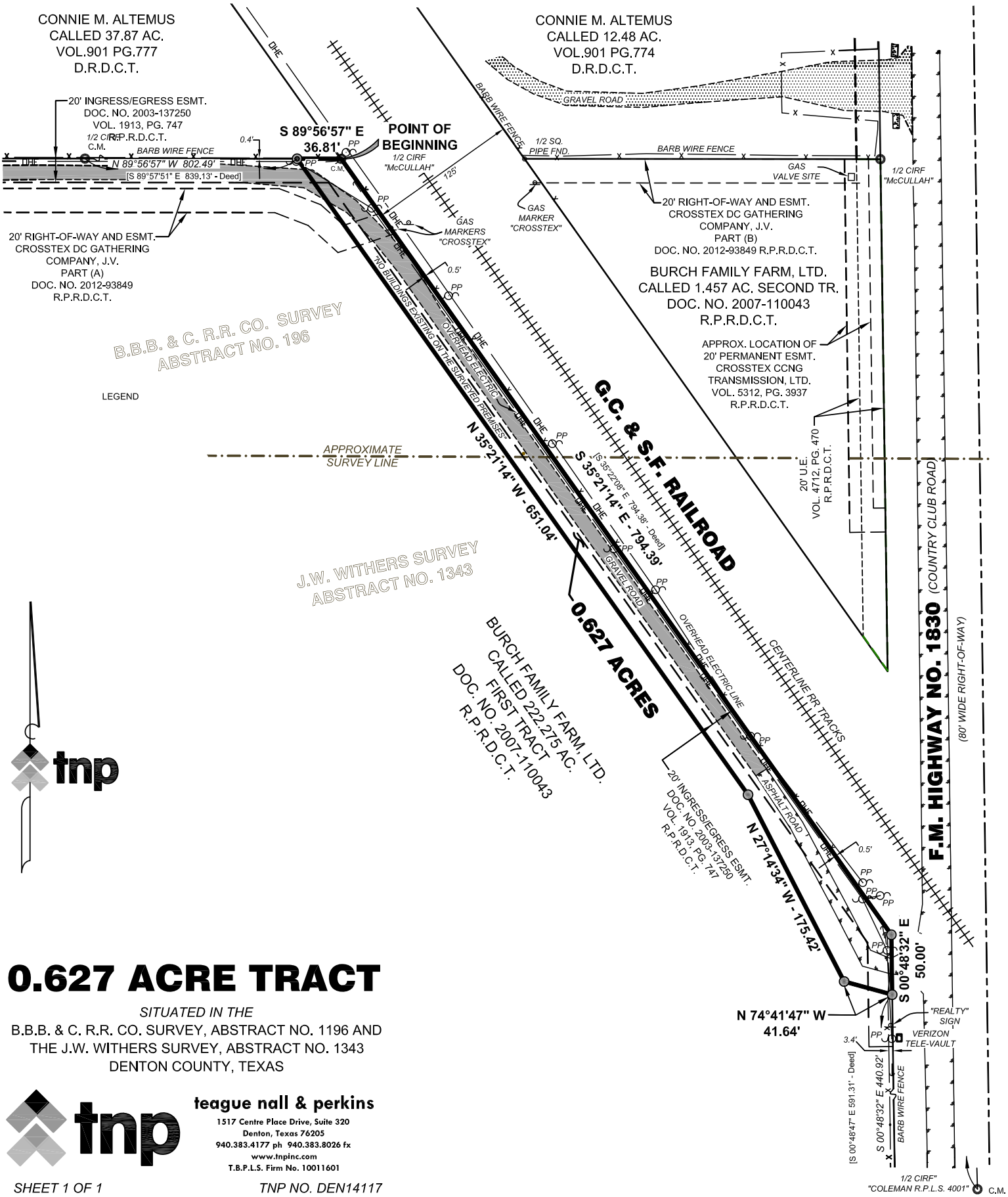
**THENCE** North 74°41'47" West departing the West line of said F.M. Highway No. 1830, for a distance of 41.64 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner;

**THENCE** North 27°14'34" West for a distance of 175.42 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner;

**THENCE** North 35°21'14" West for a distance of 651.04 feet to a 5/8 inch iron rod with cap stamped “TNP” set for corner in the North line of said 222.275 acre tract and the South line of said 37.87 acre tract, from which a 1/2 inch iron rod with cap found for an interior corner of said 222.275 acre tract bears North 89°56'57" West a distance of 802.49 feet;

**THENCE** South 89°56'57" East along the North line of said 222.275 acre tract and the South line of said 37.87 acre tract, for a distance of 36.81 feet to the **POINT OF BEGINNING**, and containing 0.627 acres of land, more or less.

# Exhibit "A" - to Ordinance (Property Interests)




# 0.627 ACRE TRACT

*SITUATED IN THE*

B.B.B. & C. R.R. CO. SURVEY, ABSTRACT NO. 1196 AND
THE J.W. WITHERS SURVEY, ABSTRACT NO. 1343
DENTON COUNTY, TEXAS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940.383.4177 ph 940.383.8026 fx
www.tnpinc.com
T.B.P.L.S. Firm No. 10011601

## LEGAL DESCRIPTION
## 60' WIDE INGRESS & EGRESS EASEMENT
*Burch Family Farm Ltd. Tract*

**BEING** a 0.476 acre tract of land situated in the J. Severe Survey, Abstract No. 1164, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found for the Southwest corner of Lot 1, Block A of Fort Worth Drive Substation Addition, as recorded in Cabinet Y, Page 300 of the Plat Records of Denton County, Texas;

**THENCE** North 88°54'50" East along the South line of said Lot 1, Block A, passing a 5/8 inch iron rod with cap stamped "TNP" set for the Southeast corner of said Lot 1, Block A at a distance of 231.58 feet, and continuing for a total distance of 337.09 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

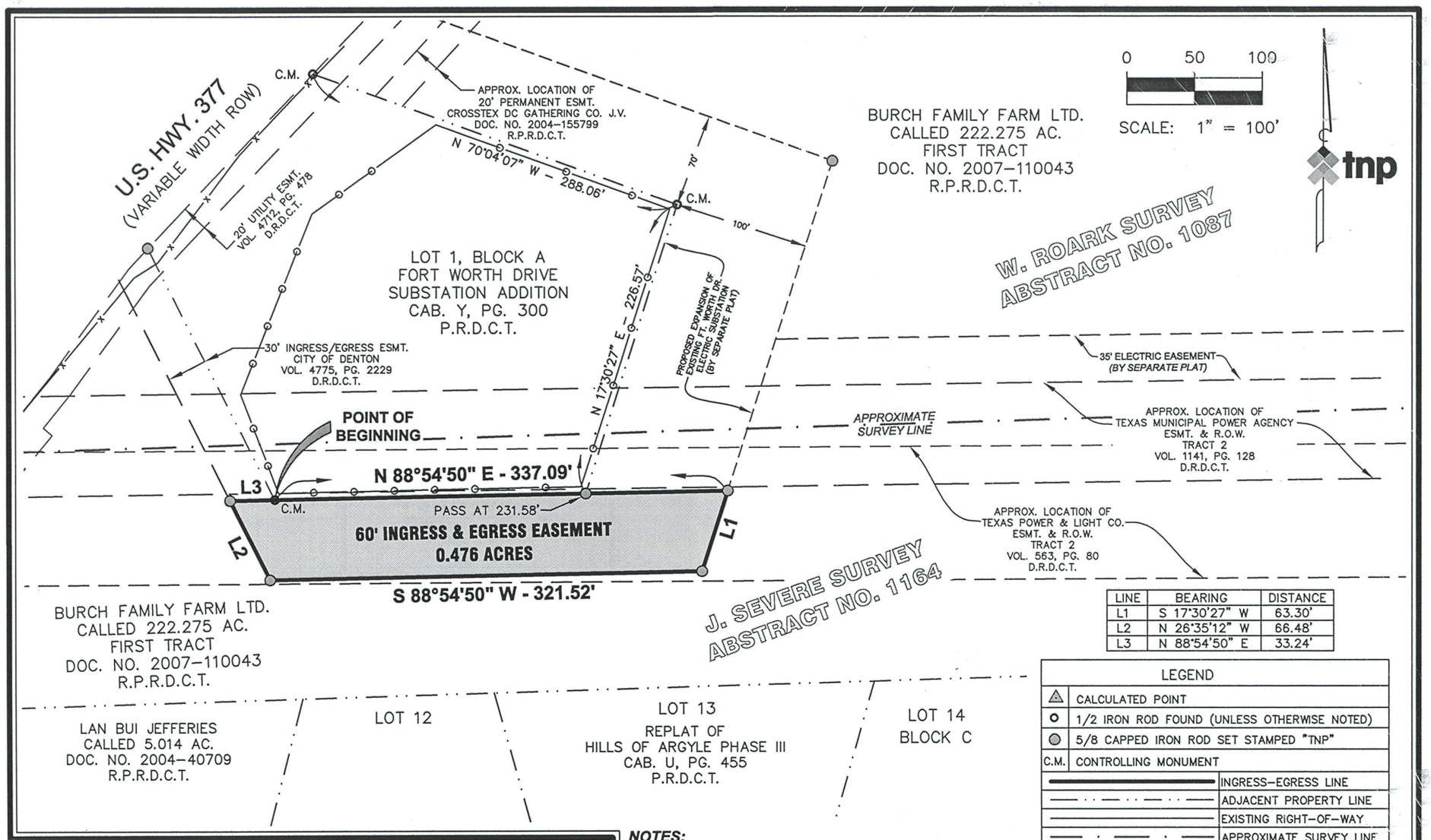
**THENCE** South 17°30'27" West for a distance of 63.30 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** South 88°54'50" West along a line being 60 feet South of and parallel to the South line of said Lot 1, Block A, for a distance of 321.52 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** North 26°35'12" West for a distance of 66.48 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** North 88°54'50" East for a distance of 33.24 feet to the **POINT OF BEGINNING**, and containing 0.476 acres of land, more or less.

Exhibit "A" - to Ordinance (Property Interests)




| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S 17°30'27" W | 63.30' |
| L2 | N 26°35'12" W | 66.48' |
| L3 | N 88°54'50" E | 33.24' |

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| ● | 5/8 CAPPED IRON ROD SET STAMPED "TNP" |
| C.M. | CONTROLLING MONUMENT |
| | INGRESS-EGRESS LINE |
| | ADJACENT PROPERTY LINE |
| | EXISTING RIGHT-OF-WAY |
| | APPROXIMATE SURVEY LINE |
| | CHAIN LINK FENCE LINE |
| | EXISTING EASEMENT LINE |

**NOTES:**

1. Bearings are based on grid North of the Texas State Plane Coordinate System, North Central Zone No. 4202, NAD83 (CORS96), Epoch 2002.00, as derived locally from WDS continually operating reference stations by RTK survey methods.

Todd B. Turner, R.P.L.S.
Date: Dec. 11, 2013
Field: Oct. 01, 2013
Revised: May 5, 2013
(Fence Location)

STATE OF TEXAS
REGISTERED
TODD B. TURNER
4859
PROFESSIONAL
LAND SURVEYOR


tnp
teague nall & perkins
1517 Centre Place Drive, Suite 320
Denton, Texas 76205
940.383.4177 ph 940.383.8026 fx
www.tnpinc.com
T.B.P.L.S. FIRM 10011601


# 60' INGRESS & EGRESS EASEMENT

*BEING 0.476 ACRES*
SITUATED IN THE
J. SEVERE SURVEY, ABSTRACT NO. 1164
DENTON COUNTY, TEXAS

SHEET 2 OF 2 JOB NO. DEN13179

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## LEGAL DESCRIPTION
## ELECTRIC EASEMENT
*Burch Family Farm, Ltd. Tract*

**BEING** a 1.802 acre tract of land situated in the W. Roark Survey, Abstract No. 1087, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found for the Southwest corner of Lot 1, Block A of Fort Worth Drive Substation Addition, as recorded in Cabinet Y, Page 300 of the Plat Records of Denton County, Texas;

**THENCE** North 88°54'50" East along the South line of said Lot 1, Block A, passing a 5/8 inch iron rod with cap stamped "TNP" set for the Southeast corner of said Lot 1, Block A at a distance of 231.58 feet, and continuing for a total distance of 337.08 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** North 17°30'27" East along a line being 100 feet East of and parallel to the East line of said Lot 1, Block A, for a distance of 81.73 feet to the **POINT OF BEGINNING** for the herein described tract;

**THENCE** North 17°30'27" East continuing along said line being 100 feet East of and parallel to the East line of said Lot 1, Block A, for a distance of 36.85 to a point for corner;

**THENCE** North 89°17'42" East for a distance of 1322.97 feet to a point for corner at an angle point;

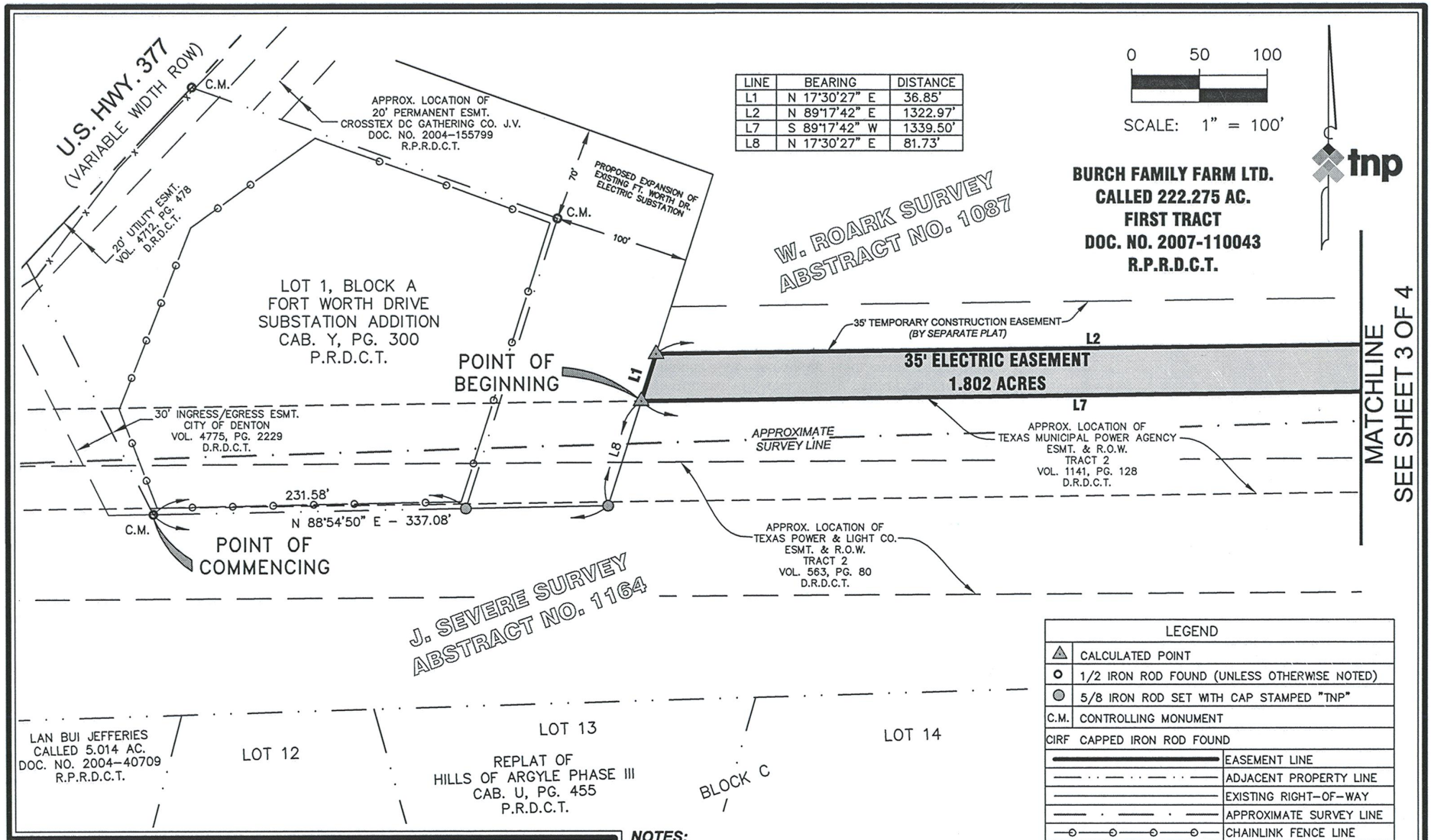
**THENCE** North 73°00'14" East for a distance of 910.20 feet to a point for corner at an angle point;

**THENCE** South 89°26'11" East for a distance of 4.61 feet to a point for corner in the most Northerly East line of the above cited 222.275 acre tract, said point also being in the West line of a called 37.87 acre tract of land described in a Deed to Connie M. Altemus, as recorded in Volume 901, Page 777 of the Deed Records of Denton County, Texas;

**THENCE** South 00°44'19" East along the most Northerly East line of said 222.275 acre tract and the West line of said 37.87 acre tract, for a distance of 35.01 feet to a 1/2" square pipe found for corner at an ell corner of said 222.275 acre tract and the Southwest corner of said 37.87 acre tract;

**THENCE** South 73°00'14" West for a distance of 909.80 feet to a point for corner at an angle point;

**THENCE** South 89°17'42" West for a distance of 1339.50 feet to the **POINT OF BEGINNING**, and containing 1.802 acres of land, more or less.




| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | N 17°30'27" E | 36.85' |
| L2 | N 89°17'42" E | 1322.97' |
| L7 | S 89°17'42" W | 1339.50' |
| L8 | N 17°30'27" E | 81.73' |

0 50 100

SCALE: 1" = 100'

**BURCH FAMILY FARM LTD.**
**CALLED 222.275 AC.**
**FIRST TRACT**
**DOC. NO. 2007-110043**
**R.P.R.D.C.T.**

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| ● | 5/8 IRON ROD SET WITH CAP STAMPED "TNP" |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| | EASEMENT LINE |
| | ADJACENT PROPERTY LINE |
| | EXISTING RIGHT-OF-WAY |
| | APPROXIMATE SURVEY LINE |
| | CHAINLINK FENCE LINE |
| | BARBED WIRE FENCE LINE |
| | 35' ELECTRIC EASEMENT |
| | EXISTING EASEMENT LINE |

***NOTES:***

1. Bearings are based on grid North of the Texas State Plane Coordinate System, North Central Zone No. 4202, NAD83 (CORS96), Epoch 2002.00, as derived locally from WDS continually operating reference stations by RTK survey methods.

Todd B. Turner, R.P.L.S.
Date: Dec. 11, 2013
Field: Oct. 01, 2013
Revised: May 5, 2013
(Fence Location)

STATE OF TEXAS
REGISTERED
TODD B. TURNER
4859
PROFESSIONAL
LAND SURVEYOR

tnp
teague nall & perkins
1517 Centre Place Drive, Suite 320
Denton, Texas 76205
940.383.4177 ph 940.383.8026 fx
www.tnpinc.com
T.B.P.L.S. FIRM 10011601

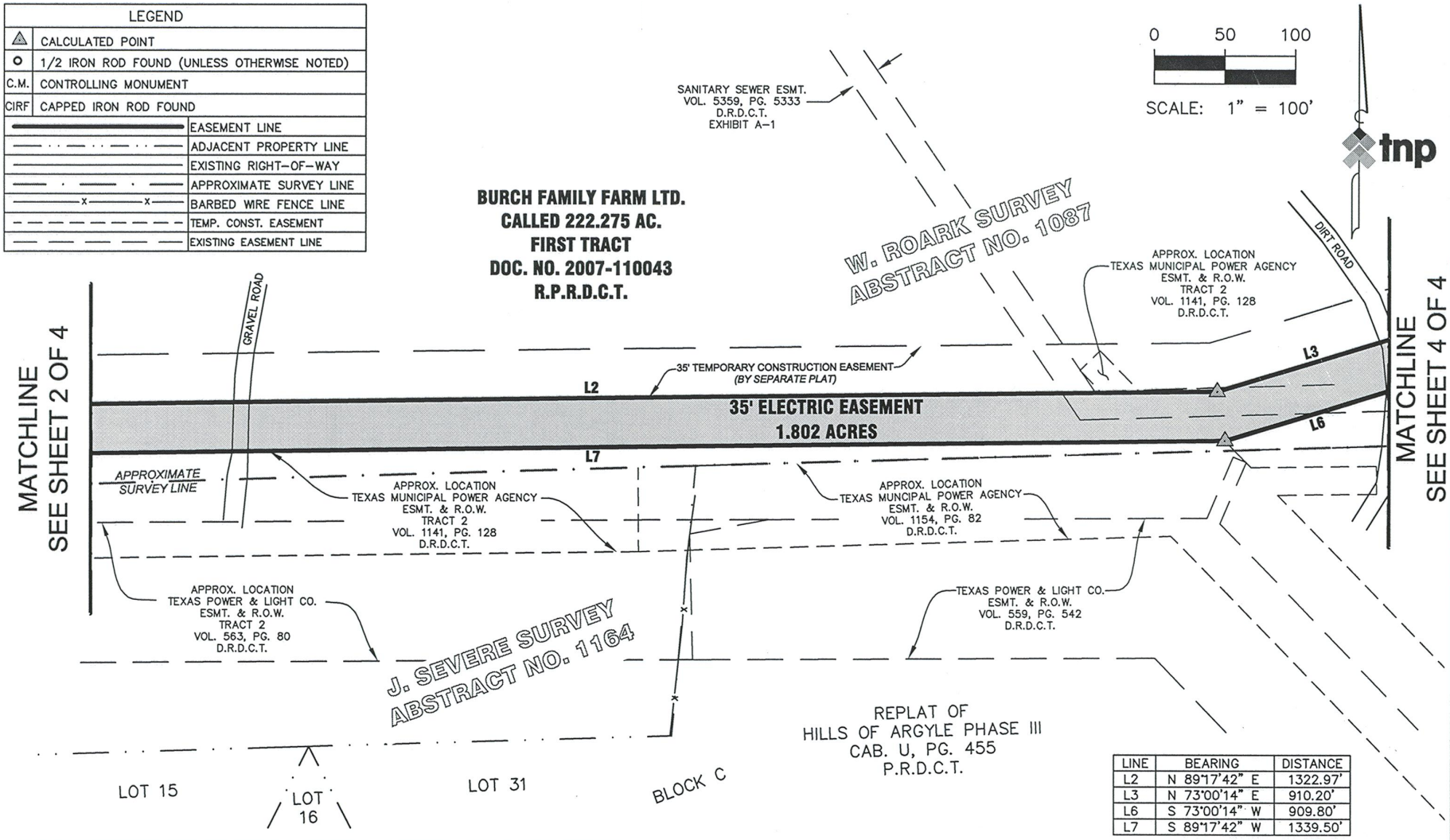
# ELECTRIC EASEMENT

*BEING 1.802 ACRES*
SITUATED IN THE
W. ROARK SURVEY, ABSTRACT NO. 1087
DENTON COUNTY, TEXAS
SHEET 2 OF 4 JOB NO. DEN13179

L:\PROJECTS\DEN13179-Burch-Altemus\cad\survey\ESMTS\DEN13179_BURCH EE NO. 1.dwg

Exhibit "A" - to Ordinance (Property Interests)

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| | EASEMENT LINE |
| | ADJACENT PROPERTY LINE |
| | EXISTING RIGHT-OF-WAY |
| | APPROXIMATE SURVEY LINE |
| | BARBED WIRE FENCE LINE |
| | TEMP. CONST. EASEMENT |
| | EXISTING EASEMENT LINE |




| LINE | BEARING | DISTANCE |
|---|---|---|
| L2 | N 89°17'42" E | 1322.97' |
| L3 | N 73°00'14" E | 910.20' |
| L6 | S 73°00'14" W | 909.80' |
| L7 | S 89°17'42" W | 1339.50' |

***NOTES:***

1. Bearings are based on grid North of the Texas State Plane Coordinate System, North Central Zone No. 4202, NAD83 (CORS96), Epoch 2002.00, as derived locally from WDS continually operating reference stations by RTK survey methods.

Todd B. Turner, R.P.L.S.
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# ELECTRIC EASEMENT

*BEING 1.802 ACRES*
SITUATED IN THE
W. ROARK SURVEY, ABSTRACT NO. 1087
DENTON COUNTY, TEXAS

SHEET 3 OF 4 JOB NO. DEN13179

L:\PROJECTS\DEN13179-Burch-Altemus\cad\survey\ESMTS\DEN13179_BURCH EE NO. 1.dwg

Exhibit "A" - to Ordinance (Property Interests)

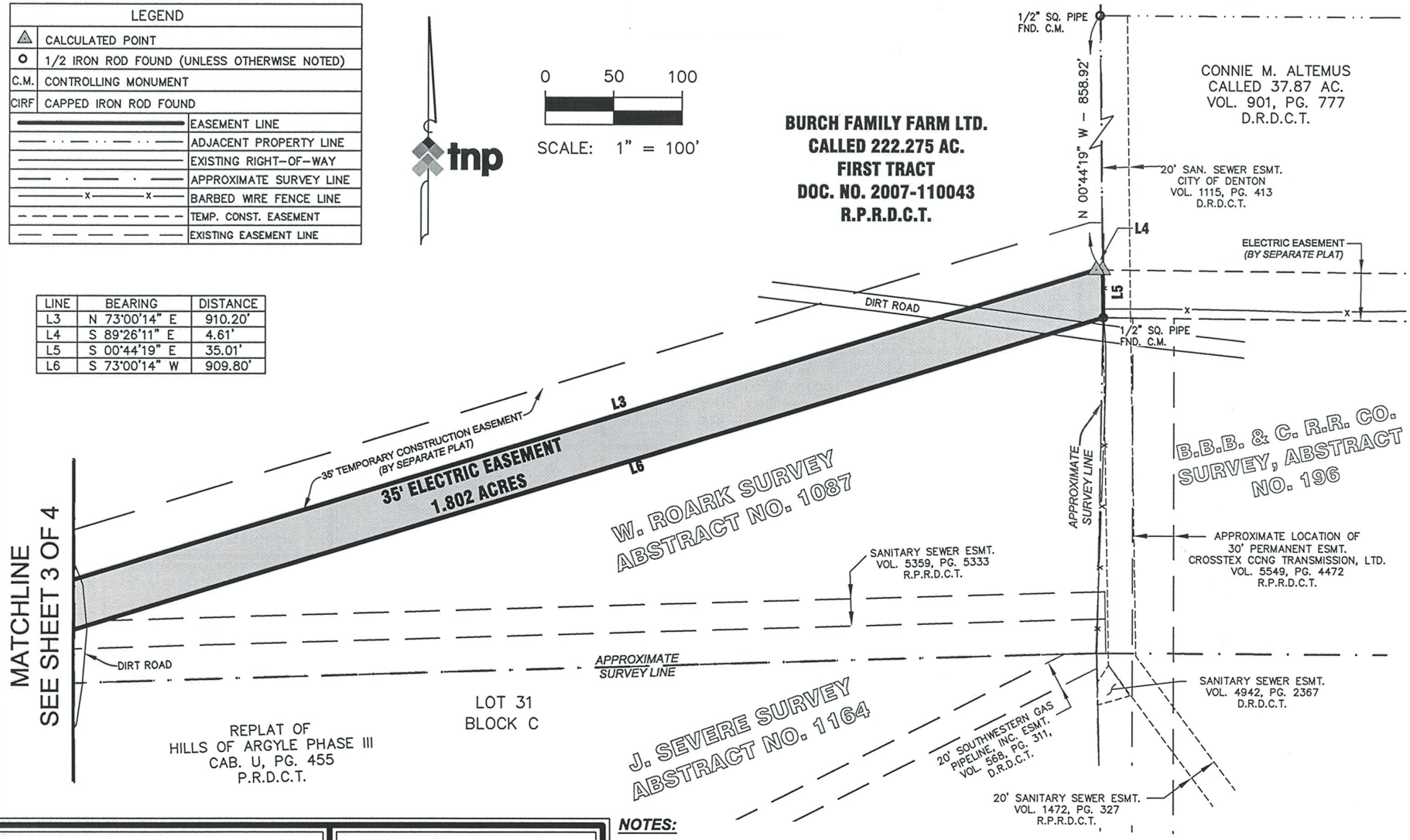
| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| ——— | EASEMENT LINE |
| —·—·— | ADJACENT PROPERTY LINE |
| ——— | EXISTING RIGHT-OF-WAY |
| —·—·— | APPROXIMATE SURVEY LINE |
| —x—x— | BARBED WIRE FENCE LINE |
| - - - - | TEMP. CONST. EASEMENT |
| — — — | EXISTING EASEMENT LINE |

tnp

0 50 100

SCALE: 1" = 100'

| LINE | BEARING | DISTANCE |
|---|---|---|
| L3 | N 73°00'14" E | 910.20' |
| L4 | S 89°26'11" E | 4.61' |
| L5 | S 00°44'19" E | 35.01' |
| L6 | S 73°00'14" W | 909.80' |




**NOTES:**

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*BEING 1.802 ACRES*
SITUATED IN THE
W. ROARK SURVEY, ABSTRACT NO. 1087
DENTON COUNTY, TEXAS

SHEET 4 OF 4 JOB NO. DEN13179

L:\PROJECTS\DEN13179-Burch-Altemus\cad\survey\ESMTS\DEN13179_BURCH EE NO. 1.dwg

## LEGAL DESCRIPTION
## TEMPORARY CONSTRUCTION EASEMENT
*Burch Family Farm, Ltd. Tract*

**BEING** a 1.793 acre tract of land situated in the W. Roark Survey, Abstract No. 1087, Denton County, Texas, and being part of a called 222.275 acre tract of land described as the First Tract in a Deed to Burch Family Farm, Ltd., as recorded in Document Number 2007-110043 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 1/2 inch iron rod found for the Southwest corner of Lot 1, Block A of Fort Worth Drive Substation Addition, as recorded in Cabinet Y, Page 300 of the Plat Records of Denton County, Texas;

**THENCE** North 88°54'50" East along the South line of said Lot 1, Block A, passing a 5/8 inch iron rod with cap stamped "TNP" set for the Southeast corner of said Lot 1, Block A at a distance of 231.58 feet, and continuing for a total distance of 337.08 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

**THENCE** North 17°30'27" East along a line being 100 feet East of and parallel to the East line of said Lot 1, Block A, for a distance of 118.64 feet to the **POINT OF BEGINNING** for the herein described tract;;

**THENCE** North 17°30'27" East for a distance of 36.85 feet to a point for corner;

**THENCE** North 89°17'42" East for a distance of 1306.45 feet to a point for corner at an angle point;

**THENCE** North 73°00'14" East for a distance of 910.59 feet to a point for corner at an angle point;

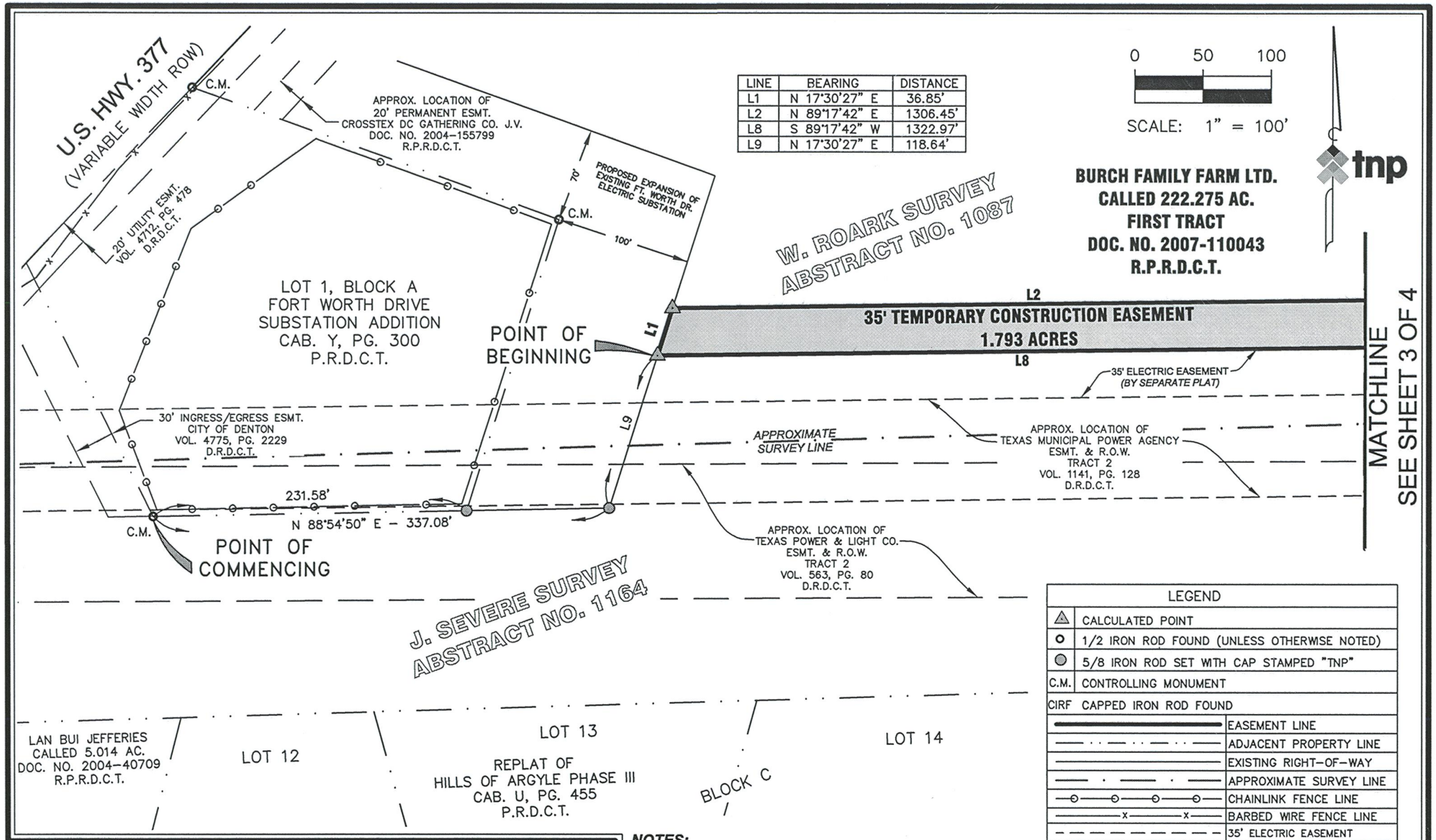
**THENCE** South 89°26'11" East for a distance of 9.22 feet to a point for corner in the most Northerly East line of the above cited 222.275 acre tract, said point also being in the West line of a called 37.87 acre tract of land described in a Deed to Connie M. Altemus, as recorded in Volume 901, Page 777 of the Deed Records of Denton County, Texas;

**THENCE** South 00°44'19" East along the most Northerly East line of said 222.275 acre tract and the West line of said 37.87 acre tract, for a distance of 35.01 feet to a point for corner, from which a 1/2" square pipe found at an ell corner of said 222.275 acre tract and the Southwest corner of said 37.87 acre tract bears South 00°44'19" East a distance of 35.01 feet;

**THENCE** North 89°26'11" West departing the most Northerly East line of said 222.275 acre tract and the West line of said 37.87 acre tract, for a distance of 4.61 feet to a point for corner at an angle point;

**THENCE** South 73°00'14" West for a distance of 910.20 feet to a point for corner at an angle point;

**THENCE** South 89°17'42" West for a distance of 1322.97 feet to the **POINT OF BEGINNING**, and containing 1.793 acres of land, more or less.




| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | N 17°30'27" E | 36.85' |
| L2 | N 89°17'42" E | 1306.45' |
| L8 | S 89°17'42" W | 1322.97' |
| L9 | N 17°30'27" E | 118.64' |

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| ● | 5/8 IRON ROD SET WITH CAP STAMPED "TNP" |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| | EASEMENT LINE |
| | ADJACENT PROPERTY LINE |
| | EXISTING RIGHT-OF-WAY |
| | APPROXIMATE SURVEY LINE |
| | CHAINLINK FENCE LINE |
| | BARBED WIRE FENCE LINE |
| | 35' ELECTRIC EASEMENT |
| | EXISTING EASEMENT LINE |

Todd B. Turner, R.P.L.S.
Date: Dec. 11, 2013
Field: Oct. 01, 2013
Revised: May 5, 2013
(Fence Location)

STATE OF TEXAS
REGISTERED
TODD B. TURNER
4859
PROFESSIONAL
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***NOTES:***

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# TEMPORARY CONSTRUCTION EASEMENT

*BEING 1.793 ACRES*
SITUATED IN THE
W. ROARK SURVEY, ABSTRACT NO. 1087
DENTON COUNTY, TEXAS
SHEET 2 OF 4 JOB NO. DEN13179

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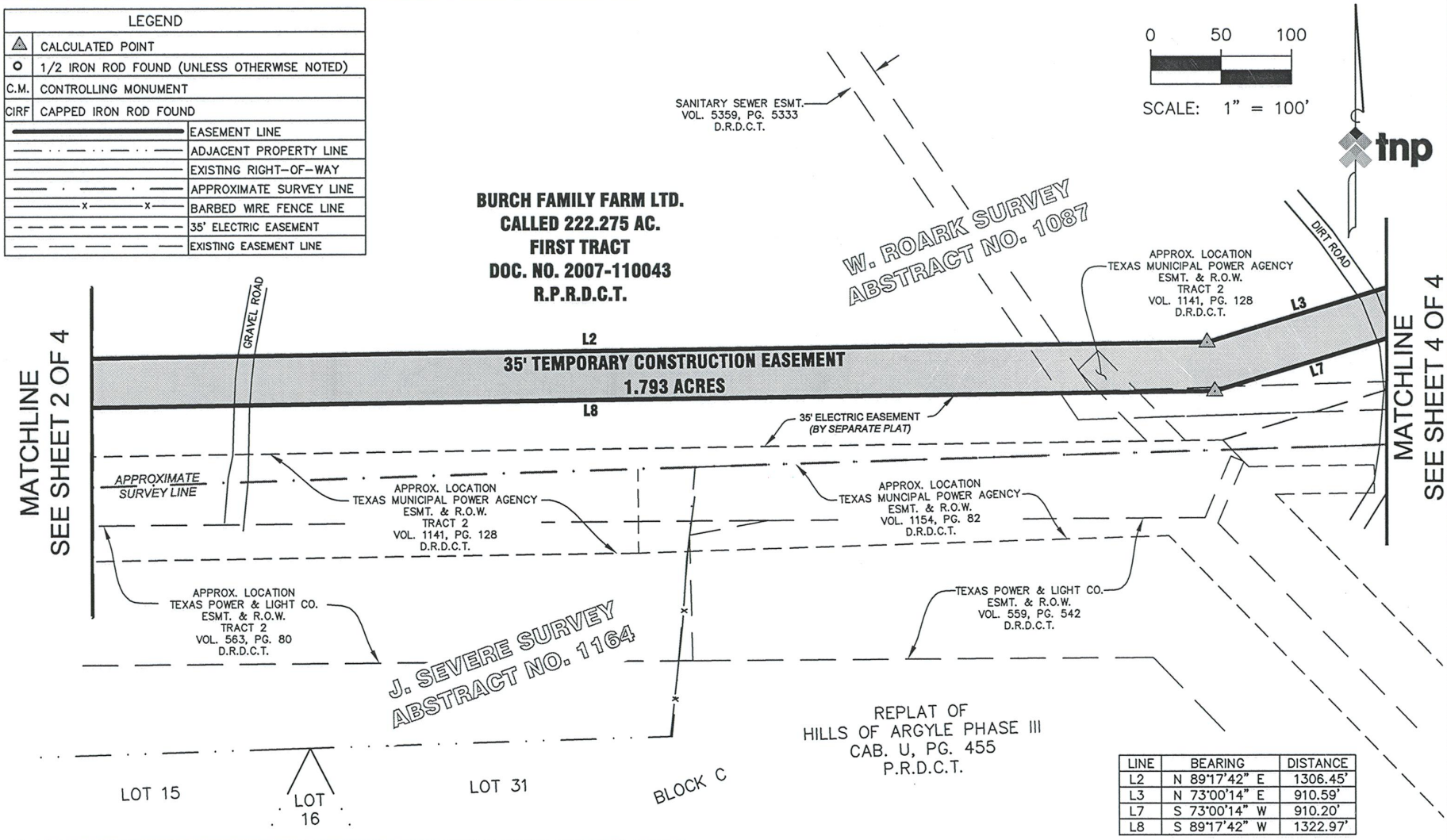
Exhibit "A" - to Ordinance (Property Interests)

Exhibit "A" - to Ordinance (Property Interests)

| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| ——— | EASEMENT LINE |
| —·—·— | ADJACENT PROPERTY LINE |
| ——— | EXISTING RIGHT-OF-WAY |
| —·—·— | APPROXIMATE SURVEY LINE |
| —x—x— | BARBED WIRE FENCE LINE |
| - - - - | 35' ELECTRIC EASEMENT |
| — — — | EXISTING EASEMENT LINE |




| LINE | BEARING | DISTANCE |
|---|---|---|
| L2 | N 89°17'42" E | 1306.45' |
| L3 | N 73°00'14" E | 910.59' |
| L7 | S 73°00'14" W | 910.20' |
| L8 | S 89°17'42" W | 1322.97' |

**NOTES:**

1. Bearings are based on grid North of the Texas State Plane Coordinate System, North Central Zone No. 4202, NAD83 (CORS96), Epoch 2002.00, as derived locally from WDS continually operating reference stations by RTK survey methods.

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DENTON COUNTY, TEXAS

SHEET 3 OF 4 JOB NO. DEN13179

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Exhibit "A" - to Ordinance (Property Interests)

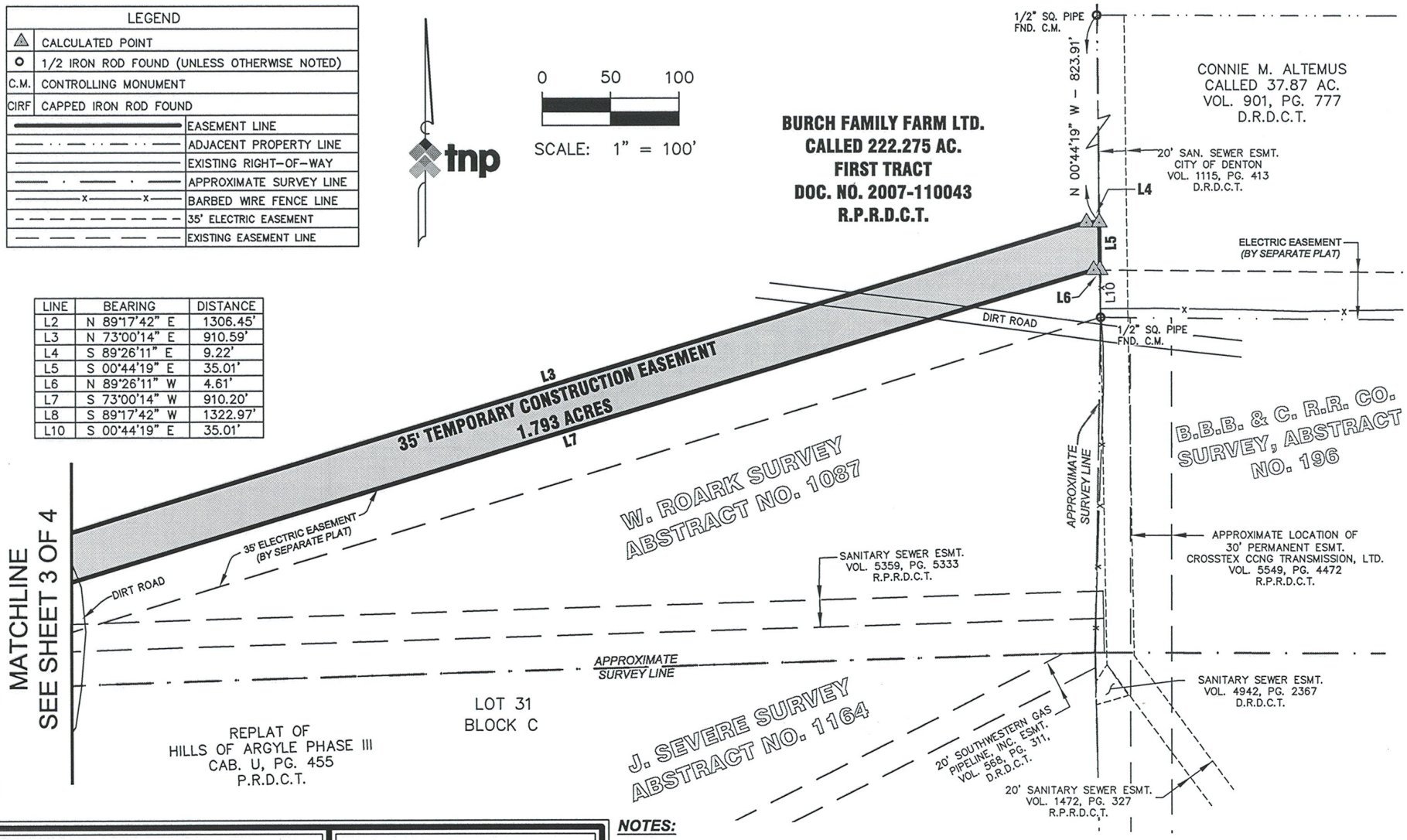
| LEGEND | |
|---|---|
| △ | CALCULATED POINT |
| ○ | 1/2 IRON ROD FOUND (UNLESS OTHERWISE NOTED) |
| C.M. | CONTROLLING MONUMENT |
| CIRF | CAPPED IRON ROD FOUND |
| ——— | EASEMENT LINE |
| —·—·— | ADJACENT PROPERTY LINE |
| ——— | EXISTING RIGHT-OF-WAY |
| —·—·— | APPROXIMATE SURVEY LINE |
| —x—x— | BARBED WIRE FENCE LINE |
| - - - - | 35' ELECTRIC EASEMENT |
| — — — | EXISTING EASEMENT LINE |

tnp

0 50 100

SCALE: 1" = 100'

| LINE | BEARING | DISTANCE |
|---|---|---|
| L2 | N 89°17'42" E | 1306.45' |
| L3 | N 73°00'14" E | 910.59' |
| L4 | S 89°26'11" E | 9.22' |
| L5 | S 00°44'19" E | 35.01' |
| L6 | N 89°26'11" W | 4.61' |
| L7 | S 73°00'14" W | 910.20' |
| L8 | S 89°17'42" W | 1322.97' |
| L10 | S 00°44'19" E | 35.01' |

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Todd B. Turner, R.P.L.S.
Date: Dec. 11, 2013
Field: Oct. 01, 2013
Revised: May 5, 2013
(Fence Location)

STATE OF TEXAS REGISTERED TODD B. TURNER 4859 PROFESSIONAL LAND SURVEYOR

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