AGENDA

CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
April 2, 2018
6:00 p.m.

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

[Public comment will not be accepted during Work Session unless Council determines otherwise.]

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

1. Consider the Consent Agenda

A member of the City Council may ask for discussion or further information on an item posted as a consent agenda item on the next Regular Meeting of the City Council. The Council Member may also ask that an item on the posted consent agenda be pulled from the consent agenda and considered for a vote separate from consent agenda items on the regular agenda. All discussions or deliberations on this portion of the work session agenda are limited to posted agenda items and may not include a new or unposted subject matter.

2. Written Briefings:

a. Rockwall Central Appraisal District Request

A portion of the Garland city limits extends into Rockwall County as an artifact of an old strip annexation that formerly ran from the general city limits, through northeast Dallas County, into Rockwall County, and then onward through Collin County, ending at the City's Olinger power plant located on Lake Lavon. The strip annexation consisted mostly of a 100' wide strip that generally followed the City's transmission lines connecting the Olinger power plant to the City's load centers. The portion of the Garland city limits still located with Rockwall County is minimal, stills generally consists of the City's transmission lines, contains no known population, and has a virtually non-existent taxable value. Nonetheless, the City's presence in Rockwall County makes it a "taxing unit" under the law and hence a "member" as such of the Rockwall Central Appraisal District. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 3, 2018 Regular Meeting.

b. Appointment to the Animal Services Advisory Committee

Council is requested to consider appointing Oswaldo Rodriguez, Code Compliance Manager, to fill the vacant position on the Animal Services Advisory Committee.

c. Notice of Intent to Issue Certificates of Obligation

Council is requested to consider approval of a notice of intent resolution to meet the legal requirements for issuing certificates of obligation in the amount of approximately $33.8 million to fund a portion of the CIP and pay related issuance costs of approximately $150,000.00. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 3, 2018 Regular Meeting.

d. Bond Refunding - Water and Sewer Utility System Commercial Paper Notes

Council is requested to consider refunding approximately $55 million of Water and Sewer Utility System Commercial Paper Notes, Series 2015 with Water and Sewer Utility Revenue Refunding Bonds. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

e. Bond Refunding - Electric Utility System Commercial Paper Notes & Revenue Refunding Bonds

Council is requested to consider authorizing staff to refund approximately $30 million of Electric Utility System Commercial Paper Notes, Series 2014 and approximately $6 million of Electric System Revenue Bonds, Series 2008 with Electric Utility System Revenue Refunding Bonds, Series 2018. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

f. Electric Utility System Commercial Paper Program

Council is requested to authorize staff to terminate Electric Utility System Commercial Paper program, Series 2014 and establish Electric Utility System Commercial Paper program, Series 2018. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

g. Amendment to Water and Sewer System Commercial Paper Program

Council is requested to authorize staff to amend the Water and Sewer Commercial Paper Program, Series 2015. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

h. TMPA Waiver Agreement

Council is requested to approve a waiver agreement relating to the Global Settlement Agreement to extend the date for which the Member Cities will commence paying directly for wholesale transmission postage stamp delivery charges that are currently paid through TMPA. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 17, 2018 Regular Meeting.

i. SH 78 (Lavon Dr.) Speed Limit Modifications

Council is requested to approve the speed limits as follows by increasing the speed limit from Gautney Street to 520 feet north of Castle from 40 MPH to 45 MPH and reducing the speed limit from PGBT to 350 feet north of Firewheel Parkway from 55 MPH to 50 MPH.

j. Sale of ROW to TxDOT - SH 78 at Miller Intersection

Council is requested to authorize the City Manager to sell a parcel to TxDOT for the sum of $236,142.00. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 17, 2018 Regular Meeting.

k. Consider assistance request for nonprofit special event Wheels of Hope 2018

The Hope Clinic has requested the City Council to consider waiving expenditures for city services required for their event, Wheels of Hope in Downtown Garland on Saturday, April 28, 2018. The City Council Policy on Special Event Policies states that requests from nonprofit organizations for donated services in excess of $5,000 be brought to the City Council for consideration.

l. Consider assistance request for Nonprofit Special Event Cinco de Mayo 2018

The Garland Association for Hispanic Affairs and Dos Banderas Restaurant have requested Council to consider waiving expenditures for city services required for their event celebrating Cinco De Mayo in Downtown Garland on Sunday, May 6, 2018. The City Council Policy on Special Event Policies states that requests from nonprofit organizations for donated services in excess of $5,000 be brought to the City Council for consideration.

3. Verbal Briefings:

a. Internal Audit Committee Report

Council Member Rich Aubin, chair of the Internal Audit Committee, will provide a committee report on the following items:

- *Fiscal Year 2017 External Audit*
- *Concrete Recycling Facility Lease Agreement Audit*
- *Health Inspection and Permit Audit*

b. Pet Adoption Center Lease Renewal

The Pet Adoption Center located at 813 Main Street was initially leased in June of 2013 for a term of five years. The current lease expires on May 31, 2018 and staff seeks to renew the lease for a period of three years with an option for one additional year.

4. Regular Items:

a. 2018-2019 CDBG, HOME and ESG Budgets

Council is requested to discuss federal fund applications, funding history, and available funds for the Community Development Block Grant (CDBG), HOME Infill Partnership Grant (HOME) and Emergency Solutions Grant (ESG). Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 17, 2018 Regular Meeting.

b. Proposed Amendments to the Smoking Ordinance

Council will have additional discussions regarding proposed changes to Article IV, Chapter 22 (Smoking Ordinance).

5. Announce Future Agenda Items

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

6. Council will move into Executive Session

**EXECUTIVE SESSION
AGENDA**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

The City Council will convene in executive session pursuant to Sections 551.071 and 551.087, of the Texas Government Code to discuss the potential offer of a financial or other incentive to a business prospect or prospects and potential legal issues involved therewith relating to the creation of a medical center tax increment financing district to be generally located at intersection of Buckingham Road and Shiloh Road to the south, bounded to the west by land formerly known as Wyrick Farms and to the east by Clearview Drive, Bonnie View Drive, and Duck Creek extending south to the northern border of the former hospital campus named Baylor Scott & White Medical Center – Garland facility.

7. Adjourn

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **2.a.**

Meeting Date: April 2, 2018

Item Title: Rockwall Central Appraisal District Request

Summary of Request/Problem

A portion of the Garland city limits extends into Rockwall County as an artifact of an old strip annexation that formerly ran from the general city limits, through northeast Dallas County, into Rockwall County, and then onward through Collin County, ending at the City's Olinger power plant located on Lake Lavon. The strip annexation consisted mostly of a 100' wide strip that generally followed the City's transmission lines connecting the Olinger power plant to the City's load centers. The portion of the Garland city limits still located with Rockwall County is minimal, stills generally consists of the City's transmission lines, contains no known population, and has a virtually non-existent taxable value. Nonetheless, the City's presence in Rockwall County makes it a "taxing unit" under the law and hence a "member" as such of the Rockwall Central Appraisal District.

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 3, 2018 Regular Meeting.

Recommendation/Action Requested and Justification

The Rockwall Central Appraisal District has run out of room at its existing facilities and wants to update, renovate, and expand those facilities to serve the needs of the public. In order to do the renovation project, the Rockwall Central Appraisal District needs the City's assistance. State law requires a tax appraisal district to obtain the approval of at least three-fourths of the taxing units that constitute the district. Because the City has such minimal involvement with the affairs of the Rockwall Central Appraisal District, it would seem the easiest approach for Garland would be to take no position. That creates a problem for the District, though, because a failure to vote under the controlling law is the equivalent of a disapproval. That is, unless the District obtains sufficient affirmative votes of approval from its taxing units, it cannot move forward with the project even if none of the taxing units actually disapproves.

Staff is unaware of any reason why the City Council should not provide Rockwall Central Appraisal District with a resolution in support of the renovation project. The District appears to make a good case for the project, the project will not cost the City any money, and the people served by the Rockwall Central Appraisal District will have better and roomier facilities in which to conduct their business.

Attachments

Proposed Form of Resolution of Approval

RESOLUTION NO.

A RESOLUTION APPROVING A PROPOSAL FROM THE ROCKWALL CENTRAL APPRAISAL DISTRICT TO RENOVATE CERTAIN PROPERTY FOR CONTINUED USE BY THE DISTRICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, § 6.051, TEX. TAX CODE authorizes the Board of Directors of an appraisal district to construct or renovate a building or other improvements as necessary to establish and operate the appraisal office;

WHEREAS, the Board of Directors of the Rockwall Central Appraisal District has delivered a copy of Resolution # 2018-______ setting forth the desire of the Board of Directors to renovate and expand the property situated at 841 Justin Road, Rockwall, Texas for the use of the Rockwall Central Appraisal District and the public served thereby;

WHEREAS, the Board of Directors of the Rockwall Central Appraisal District has also delivered information showing the costs of available alternatives to the renovation of the property situated at 841 Justin Road, Rockwall, Texas;

WHEREAS, § 6.051, TEX. TAX CODE requires that an appraisal district's construction or renovation of such real property and improvements must be approved by three-fourths (3/4) of the taxing units entitled to vote on the appointment of board members;

WHEREAS, the City of Garland is partially located within Rockwall County and is therefore a taxing entity within the territory of the Rockwall Central Appraisal District;

WHEREAS, the City of Garland is a taxing entity entitled to vote on the appointment of board members; and

WHEREAS, the City Council concurs with the Board of Directors of the Rockwall Central Appraisal District that the proposed renovations are the most logical and fiscally responsible means of continuing to provide the District's services to the public it serves and that the referenced provisions of the Texas Property Tax Code authorize the following action;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That the Rockwall Central Appraisal District's proposal to renovate the property situated at 841 Justin Road, Rockwall, Texas as generally described in Exhibit A attached hereto is hereby approved.

Section 2

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the ___ day of _________________, 2018.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

ROCKWALL CENTRAL
APPRAISAL DISTRICT

PROPOSED BUILDING ADDITION
ROCKWALL, TEXAS

Sec. 6.051. Ownership or Lease of Real Property.

(a) The board of directors of an appraisal district may purchase or lease real property and may construct improvements as necessary to establish and operate the appraisal office or a branch appraisal office.

(b) The acquisition or conveyance of real property or the construction or renovation of a building or other improvement by an appraisal district must be approved by the governing bodies of three-fourths of the taxing units entitled to vote on the appointment of board members.

a. The board of directors by resolution may propose a property transaction or other action for which this subsection requires approval of the taxing units.

b. The chief appraiser shall notify the presiding officer of each governing body entitled to vote on the approval of the proposal by delivering a copy of the board's resolution, together with information showing the costs of other available alternatives to the proposal.

c. On or before the 30th day after the date the presiding officer receives notice of the proposal, the governing body of a taxing unit by resolution may approve or disapprove the proposal. If a governing body fails to act on or before that 30th day or fails to file its resolution with the chief appraiser on or before the 10th day after that 30th day, the proposal is treated as if it were disapproved by the governing body.

(c) The board of directors may convey real property owned by the district, and the proceeds shall be credited to each taxing unit that participates in the district in proportion to the unit's allocation of the appraisal district budget in the year in which

Executive Summary

The Rockwall Central Appraisal District (RCAD) office building has stood in its existing location for 20 years. In that time the population of Rockwall County has almost tripled and continues to grow at an ever increasing rate. While our building remains structurally sound, it now lacks the space and parking capacity to adequately serve our employees and, more importantly, our citizens.

The Texas Tax Code authorizes the Board of Directors of an appraisal district, with the approval of its taxing units, to purchase, lease, or renovate a building as necessary to operate the appraisal office. A search of existing properties for sale or lease within Rockwall County has been conducted and no suitable facility was found. All properties either lacked the appropriate space, parking, or were far too costly to renovate. Details of those properties is available upon request.

The Board of Directors has determined that the most logical and fiscally responsible approach to address our immediate needs and prepare for the future is to build an expansion to our current facility for the following reasons:

- Office space is very limited, with some appraisers having to double up. The Texas adopted manual "Property Appraisal and Assessment Administration" recommends one appraiser for every 3,000 to 3,500 parcels. Currently there are eight appraisers, each appraiser managing 4,000-6,000 parcels. The District is currently three appraisers short.
- Storage space for files is overflowing into the workspace. Off-site climate controlled storage is now leased every month to fill this immediate need.
- The public waiting area is very small and easily becomes overcrowded and uncomfortable. The District expects the number of protests to double in eight years.
- The parking lot is also very small with only one entrance and exit. Citizens must park in other business parking lots down the street, or on the street some distance away.
- There is only one conference room for the Appraisal Review Board (ARB) to hear citizen protests. Increasing demand now requires conducting two boards simultaneously. The second board is held in the Assistant Chief Appraiser's office, who is then forced to double up in another office for those three months.
- The District Office is centrally located in Rockwall County. The Taxing Entities already own this building and the land on a corner lot, which is large enough to easily accommodate this building and parking lot expansion.

The planned 12,000 square foot Two Story Addition, expanded parking lot and some updates to the current building will not exceed $4,000,000. The estimated annual budget for each entity is included in this packet.

This space and redesign will greatly enlarge and enhance the comfort in the public areas. The parking area will triple and with a one-way flow of traffic, will accommodate all visitors and make access to the building safer. It will allow for the hiring of additional employees to more closely reach the recommended workload levels. This project will provide the opportunity to better serve the citizens of Rockwall County now and for many years to come.

ENTITY	2017 Levy	% of Budget	* Projected Allocation per Year
City of Dallas	83,781	0.036%	$ 115
City of Fate	2,934,573	1.262%	$ 4,030
City of Garland	10	0.000%	$ 0
City of Heath	6,434,833	2.768%	$ 8,836
City of McLendon Chisholm	582,165	0.250%	$ 799
City of Rockwall	21,802,342	9.380%	$ 29,937
City of Rowlett	4,941,878	2.126%	$ 6,786
City of Royse City	4,813,417	2.071%	$ 6,609
City of Wylie	533,570	0.230%	$ 733
Rockwall ISD	124,119,475	53.397%	$ 170,431
Royse City ISD	27,795,058	11.958%	$ 38,166
Rockwall County	36,335,523	15.632%	$ 49,893
Rockwall County Mud # 8	4,241	0.002%	$ 6
Rockwall County Mud # 9	46,831	0.020%	$ 64
Rockwall County MUD #1	1,781,552	0.766%	$ 2,446
Rockwall County MUD #6	209,904	0.090%	$ 288
Rockwall County MUD #7	26,369	0.011%	$ 36
	232,445,522	100%	$ 319,176

* Based on 20 Yr. Mtg @ 5.09% rate

CARROLL architects

750 Interstate 30
Suite 110
Rockwall,TX 75087
t: 972-732-6085
f: 972-732-8058

MEMO TO: RCAD Rockwall, Texas

MEMO FROM: Carroll Architects

DATE: Monday, March 26, 2018 Revised

RE: RCAD Building Addition / Updating Existing Offices

Construction Budget:

New12,000 SF Two Story Addition and Existing Building Updating.

Existing Building Updating: $165,400.00

A) Provide new Carpet

B) Provide new Paint

C) Removing Overhead Door for Window

New 12,000 SF Addition: $2,554,000.00

A) Site Work, Utilities, Paving

B) Building Shell with Interiors

City Fees and Soft Cost: $176,000.00

F. F. E.: $355,000.00

TOTAL BUDGET: $3,250,400.00

END OF MEMO

JC

Proposed Addition
to the
ROCKWALL CENTRAL APPRASIAL DISTRICT OFFICE

841 Justin Road
Rockwall, Texas 75087-4842

CA Project No. 2017001

CARROLL architects

PROJECT TEAM

OWNER:

Rockwall Central Apprasial District
841 Justin Rd.
Rockwall, Texas 75087

ARCHITECT:
CARROLL ARCHITECTS
Jeff Carroll
750 E. Interstate 30, Ste 110
Rockwall, Texas 75087
PH: 972.732.6085
E-MAIL: jc@carrollarch.com

ABBREVIATION SCHEDULE

A.F.F.	ABOVE FINISHED FLOOR
ALUM.	ALUMINUM
BLDG.	BUILDING
℄	CENTER LINE
CFM	CUBIC FEET PER MINUTE
CMU	CONCRETE MASONRY UNITS
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
CYL.	CYLINDER
Φ	DIAMETER
DOCS.	DOCUMENTS / DRAWINGS
EA.	EACH
E.I.F.S.	EXTERIOR INSULATION & FINISH SYSTEM
ELEV.	ELEVATION
E.S.C.	EXTERIOR SPECIAL COATING
F.D.	FLOOR DRAIN
F.O.C.	FACE OF CURB/CONCRETE
F.O.M.	FACE OF MASONRY
FIN.	FINISHED
FLR.	FLOOR
FT.	FEET
FR-S	FIRE-RETARDENT WOOD TREATMENT
GA.	GAUGE
GALV.	GALVANIZED
G.I.	GALVANIZED IRON OR STEEL
G.L.	GLUE LAMINATED STRUCTURE MEMBER
GYP. BD.	GYPSUM BOARD
H.M.	HOLLOW METAL
HR.	HOUR
HT.	HEIGHT
H.V.A.C.	HEATING VENTILATING & AIR CONDITIONING
I.D.	INSIDE DIMENSION
IN.	INCH
LBS.	POUNDS
MAX.	MAXIMUM
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTD.	MOUNTED
MTL.	METAL
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
NTS	NOT TO SCALE
O.C.	ON CENTER
O.D.	OUTSIDE DIMENSION
OPP.	OPPOSITE
O.S.B.	ORIENTED STRAND BOARD
PLYWD.	PLYWOOD
P.S.F	POUNDS PER SQUARE FOOT
P.S.I	POUNDS PER SQUARE INCH
RE:	REFER TO, REFERENCE FROM
REQ'D	REQUIRED
R.O.	ROUGH OPENING
SHEATH.	SHEATHING
SIM.	SIMILAR
SPECS.	SPECIFICATIONS
STL.	STEEL
STRUCT.	STRUCTURAL
SQ.	SQUARE
T & G	TONGUE & GROOVE
T.D.	TOP OF DRAIN
T.O.	TOP OF
T.O.C.	TOP OF CURB/CONCRETE
T.O.S.	TOP OF STEEL
TYP.	TYPICAL
W/	WITH
W.P.	WEATHERPROOF
W.W.F.	WELDED WIRE FABRIC
WRGBB	WATER RESISTANT GYPSUM BACKER BOARD

MATERIAL SCHEDULE

MATERIALS	DESCRIPTION
	BRICK WALL
	STUD PARTITION
	C.M.U. WALL
	CONCRETE
	EARTH OR COMPACTED FILL
	METAL
	BATT INSULATION
	WOOD, CONTINUOUS BLOCKING
	FINISHED WOOD
	GYPSUM BOARD
	PLYWOOD
	RIGID INSULATION
	MOISTURE RESISTANT BOARD
	PLASTER OR E.I.F.S.

SYMBOL SCHEDULE

SYMBOLS	DESCRIPTION
XX/XXXX	WALL SECTION
XX/XXXX	BUILDING SECTION
XX/XXXX	ELEVATION
XX/XXXX	DETAIL
ROOM NAME XXX	ROOM NAME & NUMBER
100.00	SPOT FINISH GRADE ELEVATION
XX	COLUMN, BUILDING GRID
100'-0"	FINISH ELEVATION
	INDICATES HIDDEN CONDITION ABOVE, BELOW, OR BEYOND
	INDICATES CENTERLINE, STRUCTURAL GRID, WITNESS LINE, LIMIT LINE, OR EXTENSION LINE
X	DOOR NUMBER
X	WINDOW NUMBER
1	REVISION NUMBER
X	WALL TYPE NUMBER

DIMENSION TO FACE OF STUD OR MASONRY

DIMENSION TO FACE OF FINISH MATERIAL

CODE ANALYSIS

A. BUILDING CRITERIA:

OCCUPANCY CLASSIFICATION:	A3 / B
CONSTRUCTION TYPE:	VB
FULLY SPRINKLERED:	YES
TRAVEL DISTANCE NOT EXCEED:	200'-0"
COMMON PATH NOT EXCEED:	75'-0"

B. BUILDING CODES:

2015 INTERNATIONAL BUILDING CODE
2015 INTERNATIONAL ENERGY CONSERVATION CODE
2015 INTERNATIONAL MECHANICAL CODE
2014 NATIONAL ELECTRICAL CODE
2015 INTERNATIONAL PLUMBING CODE
20015 INTERNATIONAL FIRE CODE AND AMENDMENTS
2012 TEXAS ACCESSIBILITY STANDARDS

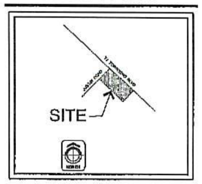
C. OCCUPANCY:

A-3 (ASSEMBLY)	
ADDITION	1,960 / 7 = 280
B (OFFICE/BUSINESS)	
EXISTING	8,142 / 100 = 82
ADDITION	8,681 / 100 = 97
TOTAL OCCUPANCY	= 439

D. SQUARE FOOTAGE:

EXISTING	A/C S. F.	= 8,142 s.f.
FIRST FLR ADDITION	A/C S. F.	= 6,102 s.f.
SECOND FLR ADDITION	A/C S. F.	= 6,519 s.f.
TOTAL SQUARE FOOTAGE		= 17,766 s.f.

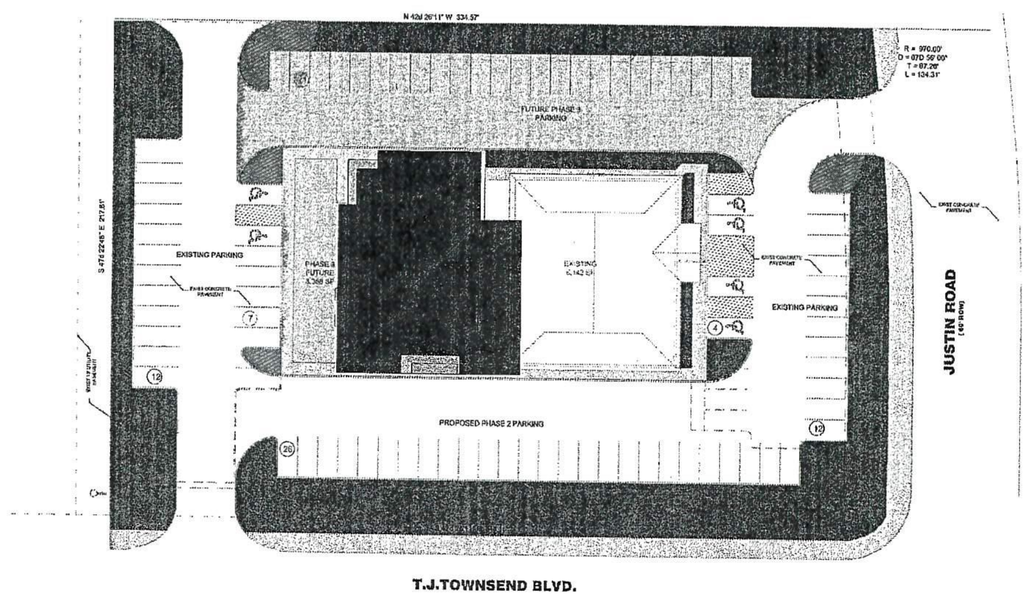
VICINITY MAP



DRAWING INDEX

NOTES:
1. Engineered wood truss designs to be sealed by a Texas registered engineer.
2. Provide thermostatic mixing valves on all public use sinks or lavatories limiting tempered water to not more than 120 degrees F.
3. Provide GFCI protected 120v outlets at the water cooler location, damp locations and as convenience outlets serving mechanical equipment.

DESIGN DEVELOPMENT SET - 4.19.2017



EXISTING & PROPOSED SITE PLAN
SCALE: 1" = 20'-0"

0 20 40 80

NORTH

ISSUE: DD PACKAGE 04-19-2017

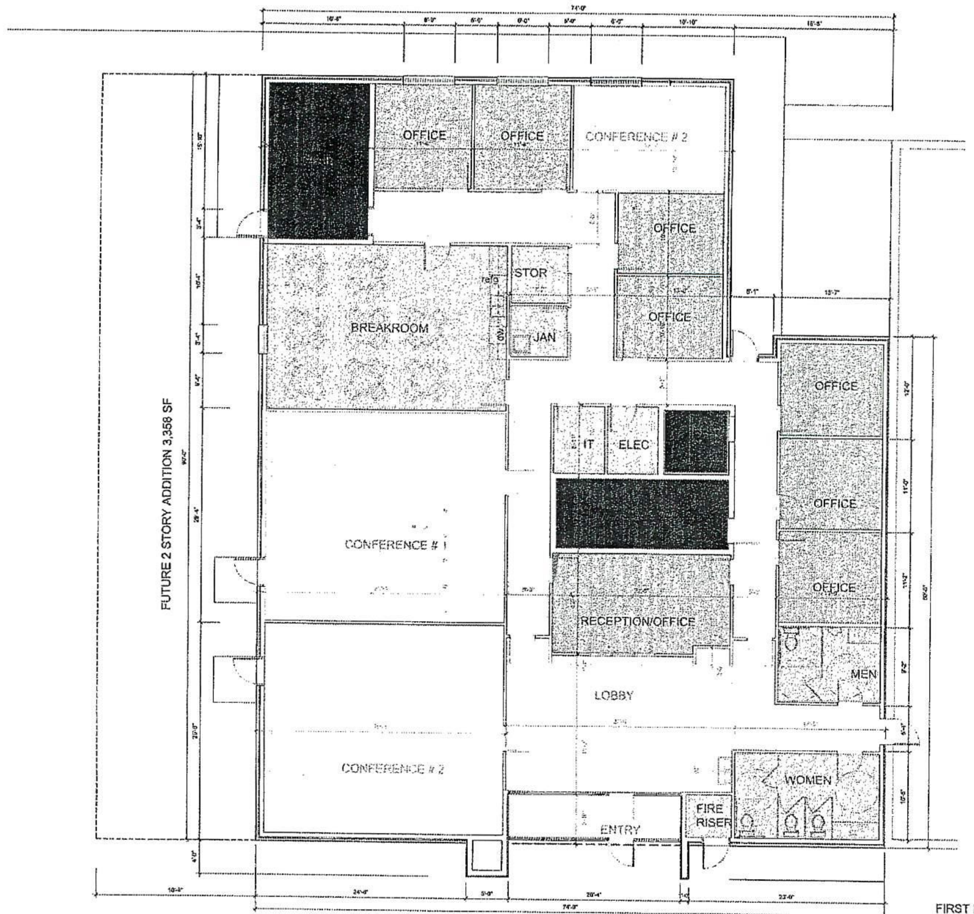
ADDITION TO THE
ROCKWALL CENTRAL APPRASIAL
DISTRICT OFFICE
841 Justin Road
Rockwall, Texas 75087-4842

Rockwall Central Appraisal District
841 Justin Road
Rockwall, Texas
75087-4842

CARROLL architects

EXISTING
& PROPOSED
SITE PLAN

DATE: APRIL 2017
PROJECT NO: 2017001
DRAWN BY: SK
CHECKED BY: JC
SHEET NO: A100



FIRST FLOOR	6,102 AC SF
SECOND FLOOR	5,519 AC SF
TOTAL	11,621 AC SF

1 FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

ISSUE: DD PACKAGE 04-19-2017

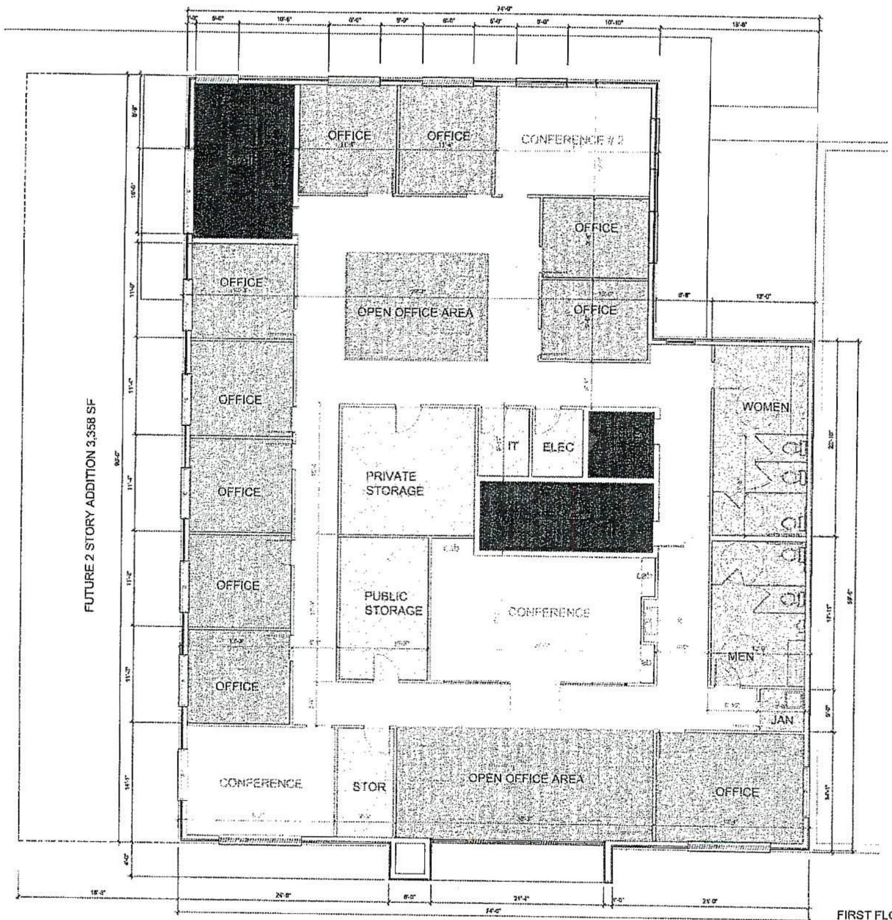
ADDITION TO THE
ROCKWALL CENTRAL APPRASIAL DISTRICT OFFICE
841 Justin Road
Rockwall, Texas 75087-4842

Rockwall Central Appraisal District
841 Justin Road
Rockwall, Texas 75087-4842

CARROLL architects
750 E. Interstate 30
Suite 110
Rockwall, TX 75087
T: 972 732 6085
F: 972 732 8058

FIRST FLOOR PLAN

DATE: APRIL 2017
PROJECT NO.: 2017001
DRAWN BY: SK
CHECKED BY: JC
SHEET NO.: A200



FIRST FLOOR	6,102 AC SF
SECOND FLOOR	5,519 AC SF
TOTAL	11,621 AC SF

(1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

ADDITION TO THE
ROCKWALL CENTRAL APPRASIAL DISTRICT OFFICE
841 Justin Road
Rockwall, Texas 75087-4842

ISSUE: DD PACKAGE 04-19-2017

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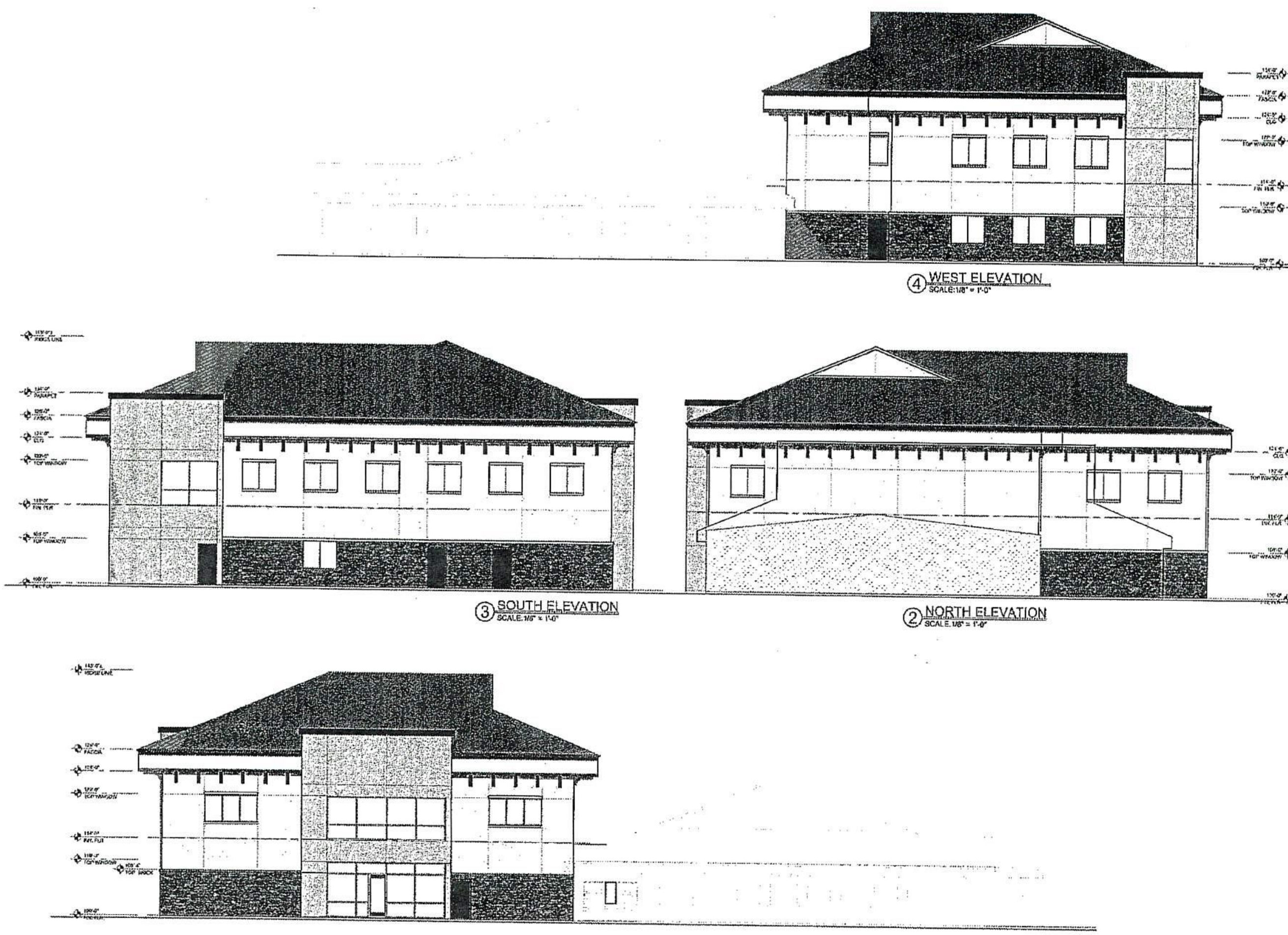
841 Justin Road
Rockwall, Texas 75087-4842

SECOND FLOOR PLAN

DATE: APRIL 2017
PROJECT NO: 2017001
DRAWN BY: SC
CHECKED BY: JC
SHEET NO: A201



④ WEST ELEVATION
SCALE: 1/8" = 1'-0"

③ SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

② NORTH ELEVATION
SCALE: 1/8" = 1'-0"

① EAST ELEVATION
SCALE: 1/8" = 1'-0"

DD PACKAGE 04-19-2017

ADDITION TO THE
ROCKWALL CENTRAL APPRASIAL
DISTRICT OFFICE
841 Justin Road
Rockwall, Texas 75087-4842

Rockwall Central Appraisal District
841 Justin Road
Rockwall, Texas
75087-4842

CARROLL architects
750 E. Interstate 30
Suite 110
Rockwall, TX 75087

EXTERIOR
ELEVATIONS

DATE: APRIL 2017	SHEET NO:
PROJECT NO: 2017001	A501
DRAWN BY: SK	
CHECKED BY: JC	

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.b.**

Meeting Date: April 2, 2018

Item Title: Appointment to the Animal Services Advisory Committee

Submitted By: Jason Chessher, Health Director

Council Goal: Fully Informed and Engaged Citizenry
Consistent Delivery of Reliable City Services

ISSUE

A position on the Animal Services Advisory Committee (ASAC) has become vacant. One qualified application has been received.

OPTIONS

1. Appoint Oswaldo Rodriguez, Code Compliance Manager, to fill the vacant position on the ASAC.
2. Direct staff to solicit additional qualified individuals for the vacancy.

RECOMMENDATION

Because ASAC membership qualifications are unique, it is often difficult to find qualified individuals willing to serve. Staff has historically been responsible for recruiting new members. Staff recommends selecting Oswaldo Rodriguez, Code Compliance Manager, to fill the vacancy for a county or municipal official.

BACKGROUND

The Animal Services Advisory Committee (ASAC) is a six person committee with each member appointed by the Council as a body (that is, the Council shares in all the appointments as a whole rather than making individual appointments). Garland ordinance establishes the six ASAC member positions as one licensed veterinarian, one county or municipal official, one person whose duties include daily operation of an animal shelter, one representative from an animal welfare organization, one public health official, and one Garland citizen not affiliated with the other members. State law also mandates an ASAC for certain counties and municipalities (including Garland) and the requirements in state law are similar to Garland Ordinance.

The position that requires a county or municipal official has become vacant. Since the establishment of the ASAC, only two persons have served in this position and both have been management level Garland employees outside of the Health Department. Staff seeks to fill the vacant ASAC position and has identified a management level Garland employee willing to fill the vacancy.

Attachments

Oswaldo Rodriguez ASAC Application

GARLAND

TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly: Date: 1-25-18

Name: Oswaldo Rodriguez Phone: 972-485-6420 *(Home)*

Address: 10702 James A Forster Phone: 972-475-5787 *(Other*

City, State, Zip: Rowlett, TX 75089 Email: orodrigu@garlandtx.gov

Resident of Garland for 10 years Resident of Texas for 42 years

Dallas County Voter Registration Number ______ Garland City Council District Number ____

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I am currently a manager with Garland Code Compliance. I understand the duties Animal Services has.

If you have previously served on a City Board or Commission, please specify and list dates of service.

No previous service.

List civic or community endeavors with which you have been involved.

Board member with the Garland Girls Softball Association for the past 7 years.

What is your educational background?

Bachelors in Public Administration (March 2018)

What is your occupational experience?

I have 12 years of supervisory experience with the City. Before that I was a computer technician.

I hereby affirm that all statements herein are true and correct. ________ Signature of Applicant

Board or Commission of first, second, and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Building and Fire Codes Board	___ Garland Youth Council *	___ Plan Commission
___ Citizens Environmental and Neighborhood Advisory Committee	___ Property Standards Board	___ Plumbing and Mechanical Codes Board
___ Community Multicultural Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Electrical Board	** Garland Youth Council has a separate application*	

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current___ Past Due___

Utility Account Status Current___ Past Due___

CSO Suit/Claim Filed Yes___ No___

Clerk Signature & Date

____

Date Appointed ______________

Appointed By ______________

Date Notified ______________

Disclosure Form Filed ______________

Revised 03/2017

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.c.**

Meeting Date: April 2, 2018

Item Title: Notice of Intent to Issue Certificates of Obligation

Submitted By: Matt Watson, Finance Director

Council Goal: Sustainable Quality Development and Redevelopment
Financially Stable Government with Tax Base that Supports Community Needs

ISSUE

On February 20, 2018 Council approved the 2018 Capital Improvement Program (CIP), which contemplates a Certificate of Obligation (CO) bond sale in the amount of approximately $33.8 million to fund a portion of the CIP. Council is asked to consider approving a notice of intent resolution at the April 3, 2018 Regular Meeting to provide legal authorization for the certificates. Approval of the notice of intent resolution will not obligate the City to issue debt.

OPTIONS

1. Consider approval of a notice of intent resolution on April 3, 2018 to meet the legal requirements for issuing certificates of obligation in an amount of approximately $33.8 million to fund a portion of the CIP and pay related issuance costs of approximately $150,000.
2. Do not approve a funding source for a portion of the CIP.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 3, 2018 Regular Meeting.

BACKGROUND

City management reviewed the proposed CIP in January and February 2018, and ensured that the projects and fiscal impacts were aligned with the assumptions and priorities established by Council. The City Manager formally submitted the proposed CIP to Council at the Regular Meeting on January 16, 2018 and staff made copies of the proposed CIP available for public inspection and review the next day in libraries and the City Secretary's Office. The City Council held a Special Budget Work Session on January 20, 2018 to review the proposed program. In addition, a Public Hearing on the Proposed CIP was held on February 6, 2018. The 2018 Capital Improvement Program was approved by Council on February 20, 2018 by Ordinance No. 6958.

The adopted CIP is a $291.3 million work program for 2018. The work program will require the issuance of Certificates of Obligation. The CO's will fund $28.2 million tax-supported projects and $4.9 million revenue and internal service projects.

In compliance with City Council's Financial Policy, Certificates of Obligation debt is issued so the debt maturities are aligned with the useful lives of the capital improvements being funded. CO principal maturities range from 5 years to 20 years. CO's require approval by Council and publication of a notice of intention for issuance.

CONSIDERATION

Legal

Council approval of a resolution to publish a notice of intent to issue certificates of obligation will meet the legal requirements for debt issuance but will not obligate the City to issue the debt. Legally, a notice of intention must be published in a newspaper of general circulation at least twice during the 30-day period preceding a certificate of obligation bond sale.

Financial

Since neither cash nor voter authorized bonds are available to fund a portion of the adopted 2018 CIP, staff requests the issuance of Certificates of Obligation. Based on information from the City's Financial Advisors, First Southwest Company, the proposed certificates of obligation can be sold at an estimated interest rate of 3.3% in the current interest rate environment. At this interest rate, the City will incur additional debt service (principal and interest payments) for the certificate of approximately $3.8 million per year for fiscal years 2019 to 2023, approximately $2.4 million per year for fiscal years 2024 to 2028, approximately $1.5 million for fiscal years 2029 to 2033 and approximately $722,000 for fiscal years 2034 to 2038. The actual interest rate, annual debt service and issue costs will be finalized at the time of the bond sale (May 15, 2018). The Interest and Sinking debt service tax rate is not impacted as a result of this debt issuance.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.d.**

Meeting Date: April 2, 2018
Item Title: Bond Refunding - Water and Sewer Utility System Commercial Paper Notes
Submitted By: Matt Watson, Finance Director
Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

ISSUE

Consider refunding approximately $55 million of Water and Sewer Utility Commercial Paper Notes, Series 2015 with Water and Sewer Utility Revenue Refunding Bonds. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt.

OPTIONS

1. Authorize staff to refund approximately $55 million Water and Sewer Utility System Commercial Paper Notes, Series 2015 with Water and Sewer Utility Revenue Refunding Bonds.
2. Do not approve the refunding transaction.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

BACKGROUND

Commercial paper (CP) is a short-term debt instrument that is issued incrementally as funds are needed to finance the Water and Wastewater Capital Improvement Program and has maturities ranging from 1 to 270 days. Interest is paid at each maturity date but principal is rolled to a new maturity date by issuing replacement commercial paper. This process continues until long-term debt is issued at a fixed rate to refinance the outstanding commercial paper.

By utilizing CP, the City is able to lower its overall debt payments due to the deferral of principal payments and by taking advantage of short-term interest rates which are typically lower than long-term interest rates. Furthermore, CP is only issued as the funds are needed, not in advance at a given time each year as with other debt instruments.

Staff and the City's Financial Advisor, First Southwest, are recommending to refund the $55 million of outstanding CP into fixed rate long-term Water & Sewer Revenue Bonds at this time.

CONSIDERATION

Based on information from the City's Financial Advisors, First Southwest Company, the proposed Refunding Revenue Bonds can be sold at an estimated interest rate of 3.8% in the current interest rate environment. At this interest rate, the City will incur additional debt service (principal and interest payments) of approximately $3.9 million per year for fiscal years 2019 to 2038. The actual interest rate, annual debt service and issue costs will be finalized at the time of the bond sale (May 15, 2018). These projections are incorporated in the long-term Water and Wastewater financial rate model.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.e.**

Meeting Date: April 2, 2018

Item Title: Bond Refunding - Electric Utility System Commercial Paper Notes & Revenue Refunding Bonds

Submitted By: Matt Watson, Finance Director

Council Goal: Sustainable Quality Development and Redevelopment
Financially Stable Government with Tax Base that Supports Community Needs

ISSUE

Consider refunding approximately $30 million of Electric Utility System Commercial Paper Notes, Series 2014 and approximately $6 million of Electric Utility System Revenue Bonds, Series 2008 with Electric System Revenue Refunding Bonds, Series 2018. The purpose of this transaction is to refund a portion of variable rate commercial paper notes with fixed rate long-term debt and to generate savings in debt service.

OPTIONS

1. Authorize staff to refund approximately $30 million Electric Utility System Commercial Paper Notes, Series 2014 and approximately $6 million of Electric System Revenue Bonds, Series 2008 with Electric Utility System Revenue Refunding Bonds, Series 2018.
2. Do not approve the refunding transaction.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

BACKGROUND

The Electric Utility Commercial Paper Program finances the construction of various capital improvement projects for the Electric Utility. Funding capacity of this program is $60 million with approximately $30 million of capital improvement projects being completed. It is now necessary to refund the $30 million of variable rate commercial paper notes with fixed rate long-term Electric Utility System Revenue Refunding Bonds.

In addition, due to current market conditions, The City of Garland has an opportunity to refund approximately $6 million Electric Utility System Revenue Bonds, Series 2008. This refunding transaction will not extend the amortization period of these bonds and will save approximately $455,000 in debt service cost between fiscal years 2018 and 2028. The exact amount of savings is subject to market conditions between now and the final pricing date of May 15, 2018.

CONSIDERATION

The Refunding Bonds will be fixed rate debt with a 30 year amortization period. Annual debt service is projected to be $2.5 million between 2019 and 2028 and $1.8 million between 2029 and 2048. The projected interest rate is 4.2%. The exact amount of annual debt service and net interest is subject to market conditions between now and the final pricing date of May 15, 2018.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.f.**

Meeting Date: April 2, 2018
Item Title: Electric Utility System Commercial Paper Program
Submitted By: Matt Watson, Finance Director
Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

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ISSUE

The Electric Utility System Tax-Exempt Commercial Paper Program was approved in 2014. The program has been a low cost financing tool for the construction of various capital projects approved in the Capital Improvement Program. Staff is requesting Council to consider termination of the 2014 program and authorization to establish a 2018 Electric Utility System Commercial Paper Program.

OPTIONS

1. Authorize staff to terminate Electric Utility System Commercial Paper program, Series 2014 and establish Electric Utility System Commercial Paper program, Series 2018.
2. Do not approve termination of Series 2014 and establishing Series 2018.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

BACKGROUND

The Electric Utility System Commercial Paper Program, Series 2014 has been a low cost financing tool utilized to finance the Electric Utility System's Capital Improvement Program. The existing program is set to expire on June 30, 2018 and has a funding capacity of $60 million.

CONSIDERATION

The Electric Utility Department desires to continue utilizing commercial paper notes to finance future system improvements. Ongoing system improvements anticipated to be debt funded in the near term are projected to require a commercial paper program capacity of $80 million. Therefore, staff is recommending increasing the size of the commercial paper program by replacing the $60 million program with a $80 million program.

The process of terminating the existing commercial paper program and establishing a new program will involve First Southwest and Fulbright & Jaworski LLP, the City's financial advisor and bond counsel, respectively. Establishing a new commercial program will require staff to select a qualified liquidity facility provider and a qualified remarketing agent.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.g.**

Meeting Date: April 2, 2018
Item Title: Amendment to Water And Sewer System Commercial Paper Program
Submitted By: Matt Watson, Finance Director
Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

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ISSUE

The Water and Sewer System Tax-Exempt Commercial Paper (CP) Program was approved in 2015. The program has been a low cost financing tool for the Water and Wastewater Capital Improvement Program. Staff would like to extend the 2015 CP program beyond the current expiration date to lock in favorable pricing. Sumitomo Mitsui Bank, the liquidity provider for the Water and Sewer CP Program, has agreed to an extension of the liquidity facility.

OPTIONS

1. Authorize staff to amend the Water and Sewer Commercial Paper Program, Series 2015.
2. Do not approve the amendment to the Water and Sewer Commercial Paper Program, Series 2015.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 15, 2018 Regular Meeting.

BACKGROUND

Commercial Paper (CP) is a short-term debt instrument that is issued incrementally as funds are needed to finance the Water and Wastewater Capital Improvement Program. By utilizing CP, the City is able to lower its overall debt payments due to the deferral of principal payments and by taking advantage of short-term interest rates which are typically lower than long-term rates. Furthermore, CP is only issued as funds are needed, not in advance at a given time each year as with other debt instruments.

The existing Water and Sewer Utility System Commercial Paper Program has a capacity of $90 million and is set to terminate on September 30, 2020. Liquidity facility is provided by Sumitomo Mitsui Bank and the City pays a .40% liquidity facility fee to Sumitomo. Sumitomo has agreed to extend the existing agreement to September 30, 2023 with the following changes in terms and conditions.

1. Existing pricing will remain in place until September 30, 2020 (0.40%).

2. New Pricing (.44%) will be effective October 1, 2020 to September 30, 2023.

CONSIDERATION

Staff and the City Financial Advisor, First Southwest Company, are recommending that the City amend the existing Water and Sewer Commercial Paper Program and extend the agreement to September 30, 2023. Liquidity fees and short-term interest rates are anticipated to increase and this agreement provides the City an opportunity to lock in pricing for liquidity fees over the next five years. If market conditions change the City will have the ability to terminate this contract and issue an RFP for a more desirable rate.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.h.**

Meeting Date: April 2, 2018
Item Title: TMPA Waiver Agreement
Submitted By: Jeff Janke, Administration
Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

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ISSUE

Whether to approve a waiver agreement relating to the Global Settlement Agreement to extend the date for which the Member Cities will commence paying directly for wholesale transmission postage stamp delivery charges that are currently paid through TMPA.

OPTIONS

(A) Approve the waiver agreement as proposed.
(B) Do not approve the waiver agreement.

RECOMMENDATION

Option (A) – Approve the waiver agreement as proposed. Unless otherwise directed by Council, a resolution authorizing the City Manager to execute, on the City's behalf, will be placed on the April 17th Regular Council Meeting Agenda for consideration.

BACKGROUND

In 2009, the Texas Municipal Power Agency ("TMPA") and the cities of Bryan, Denton, Garland, and Greenville ("Member Cities") entered into the Global Settlement Agreement to resolve outstanding legal disputes amongst TMPA and the Member Cities. As part of this Agreement, effective September 1, 2018, the wholesale transmission postage stamp delivery charges paid by TMPA would move to the Member Cities. However, because the Public Utility Commission of Texas ("PUCT") adopts wholesale transmission charges on a calendar basis, changing payment responsibilities on September 1, 2018 will create accounting difficulties and may prove impracticable. Given this, TMPA and the Member Cities desire that the payment responsibility change be waived until the PUCT adopts its 2019 ERCOT wholesale transmission charge matrix.

CONSIDERATION

Staff seeks the Council's concurrence for approving the waiver amendment to extend the date for which the TMPA Member Cities will commence paying directly for wholesale transmission postage stamp delivery charges that are currently paid through TMPA.

Attachments

TMPA Waiver Agreement

WAIVER AGREEMENT RELATING TO THE

GLOBAL SETTLEMENT AGREEMENT

BETWEEN

TEXAS MUNICIPAL POWER AGENCY

AND

CITY OF BRYAN, TEXAS

CITY OF DENTON, TEXAS

CITY OF GARLAND, TEXAS

CITY OF GREENVILLE, TEXAS

This Waiver Agreement Relating to the Global Settlement Agreement (the "Waiver Agreement") is made and entered into by and between the Texas Municipal Power Agency (the "Agency"), a municipal corporation and political subdivision of the State of Texas established pursuant to the provisions of Chapter 163 of the Texas Utilities Code, and the City of Bryan, the City of Denton, the City of Garland, and the City of Greenville, Texas, each of which cities is a municipal corporation of the State of Texas and a home rule city (herein collectively "Cities" or individually "City") (collectively, the "Parties"), to be effective as of the Effective Date set forth in the recitals below.

R E C I T A L S

The Parties have previously entered into the Global Settlement Agreement, effective December 17, 2009, as amended by Amendment No. 1 to the Global Settlement Agreement, effective September 15, 2016 ("Amendment No. 1"). Amendment No. 1 is no longer of any force or effect because the proposed asset purchase agreement contemplated by Amendment No. 1 was not executed and did not close.

The Global Settlement Agreement provides that, commencing after September 1, 2018, the Agency will discontinue paying the postage stamp delivery charges associated with the sale of power and energy from Gibbons Creek, and that, also after such date, the Cities will become responsible for paying such charges directly to transmission providers (such date, the "Delivery Charges Date").

Because the PUC approved transmission rates are adopted on a calendar year basis, designating September 1, 2018, as the Delivery Charges Date will create accounting difficulties and may prove impracticable and, accordingly, the Parties desire to waive the requirement that the Delivery Charges Date occur on September 1, 2018, to enable TMPA to charge the rates set by the

PUC for calendar year 2018 as final rates until December 31, 2018, and beyond, on an interim basis and subject to refund or surcharge, in accordance with the terms of the order setting such rates, until but not beyond the date upon which final matrix rates set by the PUC for 2019 become effective.

The “Effective Date” of this Waiver Agreement shall be the date that this Waiver Agreement is approved and executed by the last Party to approve this Waiver Agreement.

NOW, THEREFORE, in consideration of the recitals set forth above, the mutual covenants, benefits, agreements and obligations of the Parties, as set forth herein, the Agency and each City, each intending to be legally bound, agree as follows:

Section 1. For purposes of this Waiver Agreement:

“2019 Matrix Date” means the date on which final rates as set by the PUC in its order adopting the ERCOT wholesale transmission charge matrix for calendar year 2019 become effective.

Section 2. The Parties hereby waive the requirement that the Delivery Charges Date occur on September 1, 2018, and agree to extend such date to the 2019 Matrix Date, so that TMPA may charge wholesale transmission charges for delivery of Gibbons Creek-supplied power and energy in accordance with the PUC’s order adopting the 2018 matrix until the 2019 Matrix Date. Effective with the 2019 Matrix Date, TMPA shall exclude transmission costs from any rates charged to the Cities for power or energy, and each City shall pay individually all wholesale transmission costs associated with delivery of power from Gibbons Creek to each City’s points of delivery, shall be responsible for paying such charges directly to transmission providers, and shall not seek reimbursement of such costs from TMPA.

Section 3. In the event the PUC’s 2019 Matrix order is not adopted by January 1, 2019, the Agency shall continue to bill for transmission service in accordance with the 2018 Matrix Order, and shall be responsible for and make such surcharges and/or refunds as may be required by the PUC, such that the Agency shall have paid 100% of such refunds or surcharges for payments made in 2019 under the 2018 Matrix Order, in accordance with the PUC’s 2018 and 2019 matrix orders. Similarly, each City shall be responsible for and pay such refunds or surcharges as may be required of each City for transmission services provided in 2019, but initially billed on an interim basis under the 2018 Matrix Order, in accordance with the PUC’s 2019 Matrix Orders, such that each City shall have paid 100% of such charges for delivery of power and energy from TMPA to each City effective as of the 2019 Matrix Date.

Section 4. OTHER AGREEMENTS.

(a) All other terms and conditions of the Global Settlement Agreement shall remain in full force and effect.

(b) Each Party warrants that all necessary actions have been taken to make this a binding agreement, including Board or Council action, as applicable.

(c) This Waiver Agreement may be executed in multiple counterparts, each of which shall constitute an original but both or all of which, when taken together, shall constitute but one instrument. This Waiver Agreement may be delivered by the exchange of signed signature pages by facsimile transmission or by attaching a pdf copy to an email, and any printed or copied version of any signature page so delivered shall have the same force and effect as an originally signed version of such signature page.

IN WITNESS WHEREOF, the Parties have executed this Waiver Agreement, to be effective on the Effective Date set forth in the Recitals.

TEXAS MUNICIPAL POWER AGENCY

By: ______________________________

Name: ____________________________

Title: _____________________________

Date: _____________________________

Attest: ____________________________

Approved as to form: __________________
Counsel for Texas Municipal Power Agency

CITY OF BRYAN, TEXAS

By: _____________________________

Name: ___________________________

Title: ____________________________

Date: ____________________________

Attest: ___________________________

Approved as to form: _______________
Counsel for the City of Bryan, Texas

CITY OF DENTON, TEXAS

By: ______________________________
Name: _________________________

Title: __________________________

Date: ____________________________

Attest: ____________________________

Approved as to form: __________________
Counsel for the City of Denton, Texas

CITY OF GARLAND, TEXAS

By: ______________________________

Name: ____________________________

Title: _____________________________

Date: _____________________________

Attest: ____________________________

CITY OF GREENVILLE, TEXAS

By: ______________________________

Name: ____________________________

Title: _____________________________

Date: _____________________________

Attest: _____________________________

GEUS, acting on behalf of the City of Greenville pursuant to its Charter

By: ______________________________

Name: ___________________________

Title: Chair of the Board of Trustees of the Electric Utility Board

Date: ____________________________

Attest: ___________________________

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.i.**

Meeting Date: April 2, 2018
Item Title: SH 78 (Lavon Dr.) Speed Limit Modifications
Submitted By: Paul Luedtke, Transportation Director
Council Goal: Consistent Delivery of Reliable City Services

ISSUE

The Transportation Department has worked with TxDOT to revise speed limits on SH 78 (Lavon Dr.) and is requesting approval from the City Council.

RECOMMENDATION

Approve the revised speed limits as follows:
Increase the speed limit from Gautney Street to 520 feet north of Castle from 40 MPH to 45 MPH
Reduce the speed limit from PGBT to 350 feet north of Firewheel Parkway from 55 MPH to 50 MPH

BACKGROUND

The Transportation Department periodically reviews the speed limits on roadways to determine if existing speed limits are appropriate.

Speed limits must be set by state law which specifies that they be set according to the 85th percentile speed. This is the speed at which 85 percent of the traffic is traveling at or slower.

A higher than expected crash frequency was detected north of the PGBT interchange. A speed study conducted on this section determined that the speed limit was 55 mph beginning at the loop ramp from PGBT. This does not match the 85th percentile speed and is not appropriate for the character of this roadway since the development of the outparcels of Firewheel Mall

Citizens have complained of the low speed between Castle Drive and First Street especially traveling southbound down hill under the DART bridge. A speed study in fact determined the 85th percentile speed to be 45 mph.

CONSIDERATION

Speed limits are intended to aid drivers in determining the maximum safe speed.
Speed limits set near the 85th percentile speed results in drivers traveling closer to the same speed which has proven to reduce accidents.
Most drivers will drive at the appropriate speed for the roadway characteristics.

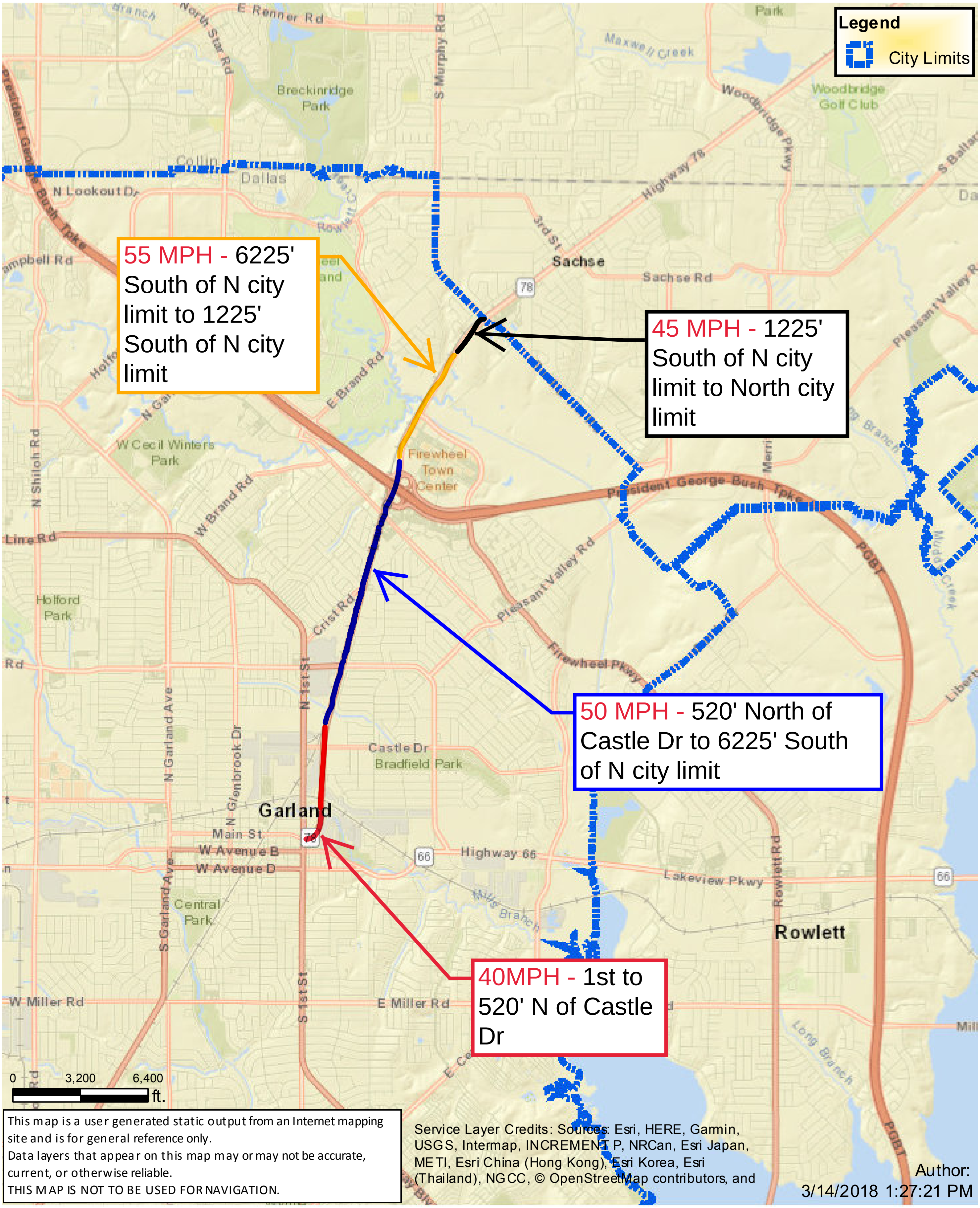
Attachments

Current Speed Limits

Proposed Speed Limits

SH 78 current Speed Limits as per city Ordinance

N



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THIS MAP IS NOT TO BE USED FOR NAVIGATION.

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Author:
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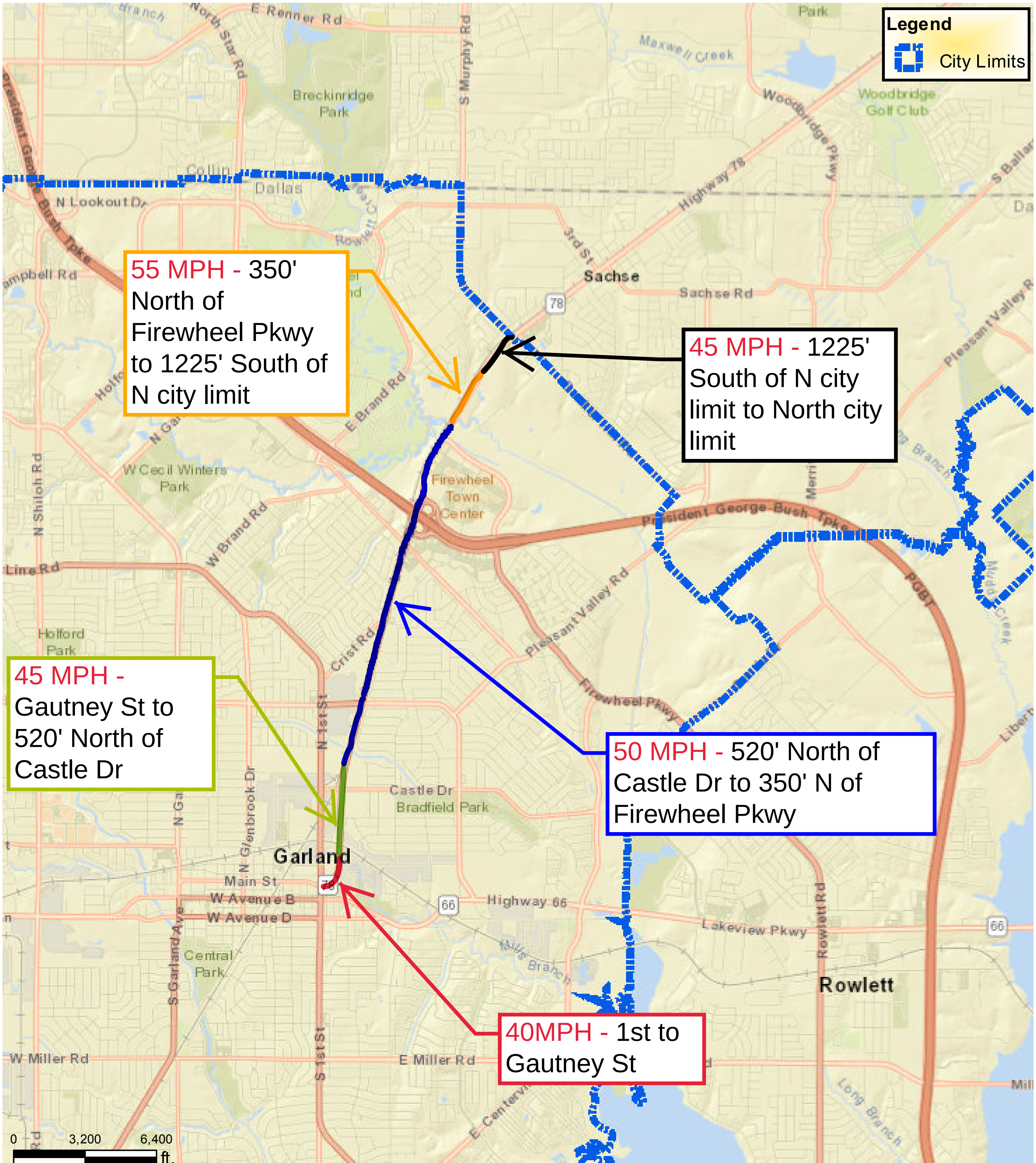
SH 78 proposed Speed Limits



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Author:
3/14/2018 1:27:21 PM

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.j.**

Meeting Date: April 2, 2018

Item Title: Sale of ROW to TxDOT - SH 78 at Miller Intersection

Submitted By: Paul Luedtke, Transportation Director

Council Goal: Financially Stable Government with Tax Base that Supports Community Needs
Consistent Delivery of Reliable City Services

ISSUE

TxDOT is making capacity improvements to the intersection of SH 78 and Miller Road. City owned right of way is needed for this project and TxDOT has offered to purchase this property. Based on an appraisal, the value for the tract has been determined to be $236,142.00.

RECOMMENDATION

Authorize the City Manager to sell the parcel to TxDOT for the sum of $236,142.00. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the April 17, 2018 Regular Meeting.

BACKGROUND

The Transit PASS project along SH 78 includes turn lane improvements to the intersections of Miller Road, Kingsley Road, and Shiloh Road.

These improvements require right of way that is currently owned by the City of Garland.

This parcel was acquired by DART for this project during the time the Transit PASS project was managed by DART and dedicated to the City of Garland at that time.

Because this parcel will become part of the State Highway System, TxDOT has offered to purchase this parcel for the sum of $236,142.00.

Attachments

Offer letter by TxDOT

Parcel 14 description

Property Description

Property Acquisition Services, LLC.

Date: January 5, 2018

County: Dallas
Federal Project No.: N/A
Highway: SH 78

ROW CSJ: 0009-02-064
Parcel: 014
Limits: IH 635 to Forest Lane in Garland, Texas

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. 7015 1520 0002 9598 1524

CITY OF GARLAND, TEXAS
200 N. FIFTH STREET
GARLAND, TEXAS 75040

Dear Property Owners,

In acquiring property for the highway system of Texas, the Texas Department of Transportation (the "Department") follows a definite procedure for appraising the land needed and for handling personal negotiations with each owner. As has been or will be explained by the State's negotiator, Mike Mahar, a portion of your property located Northwest corner of S. Garland Avenue and W. Miller Road, Garland, TX 75041, as described in the enclosed property description, is to be acquired for the construction or improvement of the above-referenced highway project.

We believe at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal, the State is authorized to offer you $236,142.00 for your property, which includes $236,142.00 for the property to be purchased and $0.00 for damages to your remaining property. This amount is the total amount of just compensation for all interests in the portion of your property to be acquired, as determined in accordance with State law, less oil, gas and sulphur, subject to clear title being conveyed to the State. In accordance with State law, it is the policy of the Department to negotiate with the fee owner(s) of the real property with the understanding that you will, in turn, negotiate with any lessee or other party who may own any interest in the land or improvements, with the exception of public utility easements, which will be handled separately by the Department.

This offer to purchase includes the contributory values of the improvement(s) listed below, which are considered to be part of the real property. Since the improvement(s) must be removed, it is the policy of the Department to permit owners who convey voluntarily to the Department to thereafter retain the improvement(s), if they wish to do so. The retention values shown below are the estimated amounts the improvement(s) would bring if sold on public bids. If you wish to retain title to any of the following improvement(s) and remove it (them) from the right of way, the amount of the above offer must be reduced by the appropriate retention amount(s). This option to retain the improvement(s) does NOT apply should it become necessary for the Department to acquire the real property by eminent domain.

Improvement	Amount to be Subtracted if Retained
Sidewalks-Concrete	$1.00
Landscaping-Grass, Trees, Shrubs	$1.00
Curbing-Concrete	$1.00
Paving-Concrete	$1.00

*NIOL *

12801 North Central Expressway, Suite 555, Dallas, Texas 75243 ◆ Office: 972-490-3700 ◆ Fax: 972-490-3719

If you wish to accept the offer based upon this appraisal, please contact me as soon as possible, at (972) 490-3700, so that the process of issuing your payment may be started. If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter. *Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is not received by the Department within the 30 day time deadline.*

In the event the condition of the property changes for any reason, the State shall have the right to withdraw or modify this offer.

After the date of payment of the purchase price, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire real property, you will be reimbursed for any fair and reasonable incidental expenses necessarily incurred in transferring title to the property for use by the Texas Department of Transportation. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes and similar expenses incidental to conveying the real property to the Department and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the Department failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard form on which to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the Department's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the State's Relocation Assistance Program. It is emphasized, however, that any benefits to which you may be entitled under this program will be handled entirely separate from and in addition to this transaction. You will receive a brochure entitled *"Relocation Assistance"* which will inform you of eligibility requirements, payments and services which are available.

You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the subject property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it may apply to the Department.

Attached is a copy of the Texas Department of Transportation brochure entitled *"Right of Way Purchase"* which we trust will give you a better understanding of the procedures followed by the Department in purchasing property. We respectfully request the opportunity to meet with you or to otherwise discuss and answer any questions you may have regarding the details of the type of facility to be built, or concerning the Department's offer or proposed purchase transaction. Also, please do not hesitate to contact me at the telephone number provided above regarding any question you may have.

Please see the enclosed copy of the Texas Landowner Bill of Rights.

Finally, we enclose copies of all appraisal reports relating to your property being acquired which were prepared in the ten (10) years preceding the date of this offer and produced or acquired by the Department, including the appraisal on which this offer is based.

Sincerely,

Mike Mahar
Acquisition Agent

ENCLOSURES:
Appraisal Report(s)
Acknowledgement of Receipt of Appraisal Report
Landowner Bill of Rights
Brochure ("Right of Way Purchase")

ACKNOWLEDGEMENT OF RECEIPT OF APPRAISAL REPORT

Dallas County
Highway: SH 78
ROW CSJ: 0009-02-064
Parcel: 014

I, ________________________, do hereby acknowledge receipt on ______________________, of a copy of an appraisal report prepared by Matthew Browne, dated April 10, 2017, related to the above parcel.

____
Owner Name

____
Owner Address

____
Owner Phone Number

____
Signature of Owner

Please Sign and Return To:
Property Acquisition Services, LLC
12801 North Central Expressway, Suite 555
Dallas, Texas 75243

OWNER'S OBLIGATION

Section 21.0111 of the Property code required the property owner disclose to the acquiring governmental agency any appraisal reports acquired by the property owner to determine the owner's opinion of value. Such disclosure shall take place within ten days of the owner's receipt of the appraisal report, but not later than 10 days prior to any Special Commissioner's Hearing.

Form ROW-A-5
(Rev. 08/11)

REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Northwest corner of S. Garland Avenue and W. Miller Road, Garland, TX 75041 District: Dallas
Property Owner: City of Garland, Texas Parcel: 14
Address of Property Owner: 800 Main Street, Garland, Texas 75040 ROW CSJ: 0009-02-064
Occupant's Name: Vacant Land Federal Project No: N/A
Whole: [ ] Partial: [X] Acquisition Highway: SH 78 County: Dallas County

Purpose of the Appraisal

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulphur. If this acquisition is of less than the whole property, then any special benefits and /or damages to the remainder property must be included in accordance with the laws of Texas.

Market Value

Market value is defined as follows: “Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future.”

Certificate of Appraiser

I hereby certify:

That it is my opinion the total compensation for the acquisition of the herein described property is $236,142 as of 4/10/2017, based upon my independent appraisal and the exercise of my professional judgment;

That on 04/06/2017 and 04/10/2017 (date)(s), I personally inspected in the field the property herein appraised; that I afforded Glenn Breysacher, RPLS, the representative of the property owner, the opportunity to accompany me at the time of the inspection; that the property representatives allowed the appraisers to inspect the property without their presence;

That the comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on March 21, 2017 through March 30, 2017 (date)(s);

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the Texas Department of Transportation or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified to such findings;

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82nd Regular Legislative Session and finds as follows:

1. Is there a denial of direct access on this parcel? No (yes or no)
2. If so, is the denial of direct access material? Not Applicable (yes, no or not applicable)
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of $0 .

I certify to the best of my knowledge and belief:

That the statements of fact contained in this report are true and correct;

That the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;

That I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

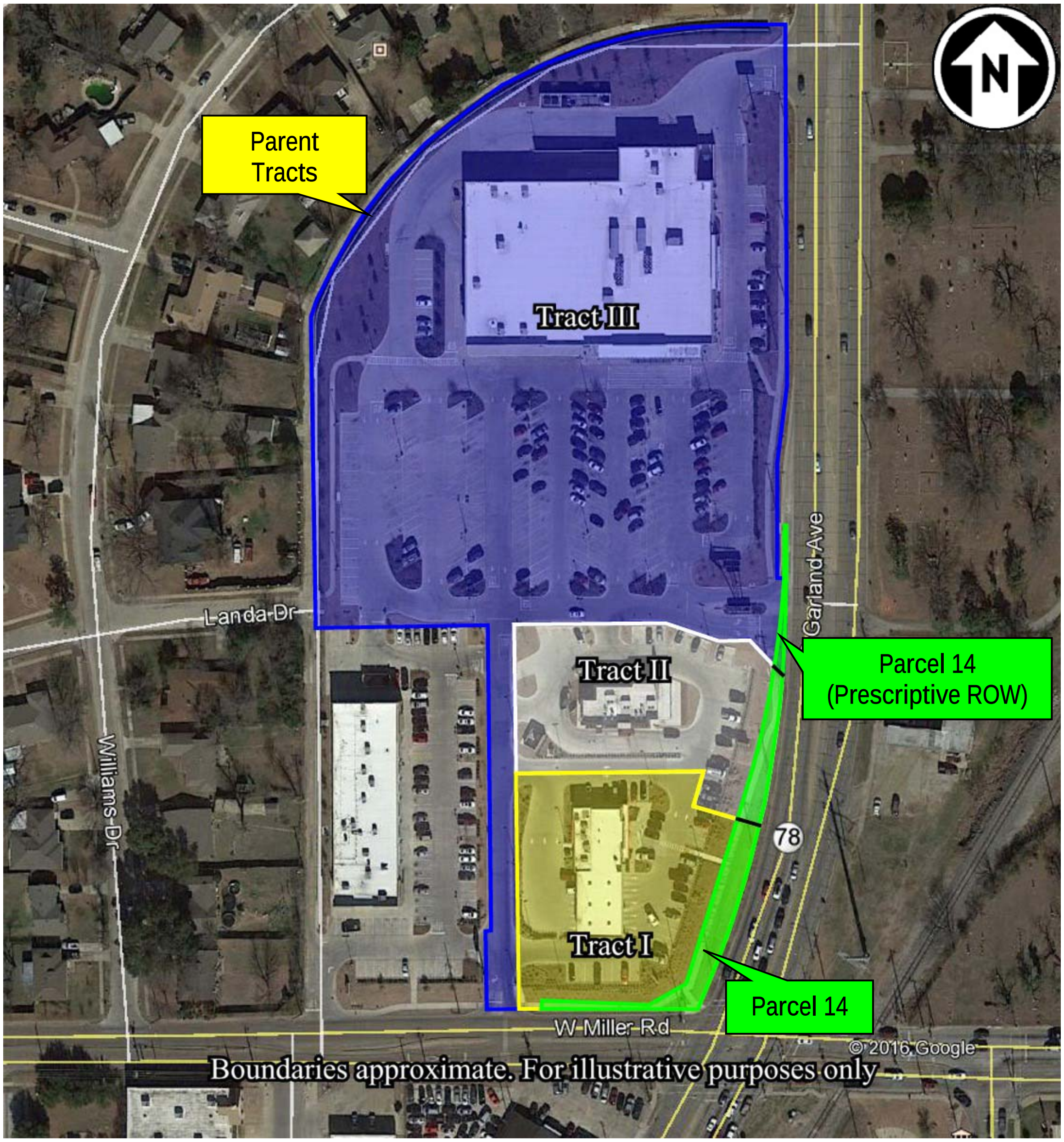
That my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right of way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement for which such property is to be acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration within the reasonable control of the owner, has been disregarded in estimating the compensation for the property.

Appraiser Signature – Matthew D. Browne, MAI
Certification Number – TX-13334444-G
4/27/2017
Date

To the best of my knowledge, the value does not include any items which are not compensable under State law.

April 28, 2017
Reviewing Appraiser Date

* A 5 *



Parcel 14, SH 78 Project
Northwest corner of S. Garland Avenue and W. Miller Road
Garland, Texas

Salient Facts

Summary of Salient Facts	File Number: 1402-2017-0145
+/- 7.8339 Acres, or 341,243 Square Feet of Land	
Northwest corner of S. Garland Avenue and W. Miller Road, Garland, Dallas County, Texas.	
Latitude, Longitude Coordinates	32.894916, -96.648665
Legal Description	Lot 1, 2, & 3, Block 1 of the Final Plat of Williams Retail Estates, City of Garland, Dallas County, Texas.
Zoning Designation	The subject is currently zoned "CR" - Community Retail District, which is intended for a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration.
Property Tax Numbers	26678570010030000; 26678570010010000; 26678570010030000
Owner of Record	City of Garland, Texas
Land Area	Approximately 7.8339 acres or 341,243 square feet.
Improvements	The subject is currently improved with a Bank of America building, attached drive-through canopy, Wendy's Restaurant, and a Wal-Mart Neighborhood Market and minor site improvements.
Floodplain Designation	FEMA Zone X: Areas determined to be outside the 500-year flood plain.
Highest and Best Use As Vacant	Commercial Use
Property Rights Appraised	Fee simple estate, subject to existing easements, encumbrances and restrictions
Effective Date	April 10, 2017

The subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tract from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual. The parent tract (whole property) is currently owned by three entities: Craig N. Pedersen and Kris B. Pedersen and The Pedersen Triplet Trust 2007, UTD November 15, 2007 (Tract I - Bank of America), Craig N. Pedersen and Kris B. Pedersen (Tract II - Wendy's), and Wal-Mart Real Estate Business Trust (Tract III - Wal-Mart). The Tracts are occupied by a Bank of America Building (Tract I), Wendy’s restaurant (Tract II) and a Wal-Mart Neighborhood Market (Tract III). Parcel 14 is valued as though it is still part of that parent tract for valuation purposes (see hypothetical conditions).

Compensation Summary

Whole Property								
Concrete Flatwork (Sidewalk)	3,073	SF					$16,594	
Landscaping	4,891	SF					$30,813	
Concrete Curbing	14	LF					$145	
Concrete Paving	555	SF					$3,371	
Total Improvements							$50,923	
Fee Area (Tract I)	49,264	SF	@	$24.00 / SF			$1,182,336	
Fee Area (Tract II)	39,419	SF	@	$22.00 / SF			$867,218	
Fee Area (Tract III)	251,951	SF	@	$15.00 / SF			$3,779,265	
Fee Area (Tract III - Prescriptive ROW)	609	SF	@	$15.00 / SF	@	1%	$91	
Total								$5,879,833
Part to be Acquired								
Concrete Flatwork (Sidewalk)	3,073	SF					$16,594	
Landscaping	4,891	SF					$30,813	
Concrete Curbing	14	LF					$145	
Concrete Paving	555	SF					$3,371	
Total Improvements							$50,923	
Parcel 14 (Tract I)	5,554	SF	@	$24.00 / SF			$133,296	
Parcel 14 (Tract II)	2,356	SF	@	$22.00 / SF			$51,832	
Parcel 14 (Tract III - Prescriptive ROW)	609	SF	@	$15.00 / SF	@	1%	$91	
Total								$236,142
Remainder Property								
Remainder immediately before acquisition:								$5,643,691
Remainder immediately after acquisition:								
Fee Area (Tract I)	43,710	SF	@	$24.00 / SF			$1,049,040	
Fee Area (Tract II)	37,063	SF	@	$22.00 / SF			$815,386	
Fee Area (Tract III)	251,951	SF	@	$15.00 / SF			$3,779,265	
Total								$5,643,691
Net Damages/Enhancements								
Net Damages/Enhancements								$0
Total Compensation								
Part to be Acquired								$236,142
Net Damages/Enhancements								$0
Cost to Cure (if necessary)								$0
Temporary Easements (if necessary)								$0
Total								$236,142

General Information and Scope of Work

Identification of Subject and Project

The subject property is identified by the client as Parcel 14, which is a portion of a parent tract, or the "whole property," with the following identifying characteristics:

Subject Identification and Legal Description	
+/- 7.8339 Acres, or 341,243 Square Feet of Land	
Northwest corner of S. Garland Avenue and W. Miller Road, Garland, Dallas County, Texas.	
Latitude, Longitude Coordinates:	32.894916, -96.648665
Legal Description: Lot 1, 2, & 3, Block 1 of the Final Plat of Williams Retail Estates, City of Garland, Dallas	

The larger parcel must be identified for valuation. The tests to determine the larger parcel are unified ownership, unified or integrated highest and best use, and proximity or contiguity.[1]" In this case the subject is a sliver of land that was previously acquired for future right of way purposes. It no longer shares common ownership with the neighboring retail pad sites (Tracts I and II), occupied by a Bank of America and Wendy's Restaurant, or the neighboring large retail site (Tract III), occupied by a Wal-Mart Neighborhood Market, which comprise the "parent tract" for purposes of this assignment. The main improvements on the parent tract are not impacted by the acquisition and the improvements that lay outside the subject (acquisition area) are not valued in this assignment (see Highest and Best Use of the Remainder).

The whole property is a 7.8339-acre, or 341,243-square foot improved with a Bank of America building, attached drive-through canopy, Wendy's Restaurant, and a Wal-Mart Neighborhood Market and minor site improvements. The client has proposed to acquire Parcel 14, which is itemized in the table on the following page.

[1] *Dictionary of Real Estate Appraisal, 6th Edition, "larger parcel," Appraisal Institute (2015)*

Subject Land Areas

Whole Property	Square Feet
Fee Area (Tract I)	49,264
Fee Area (Tract II)	39,419
Fee Area (Tract III)	251,951
Fee Area (Tract III - Prescriptive ROW)	609
Total Whole Property	341,243
Part Acquired	**Square Feet**
Parcel 14 (Tract I)	5,554
Parcel 14 (Tract II)	2,356
Parcel 14 (Tract III - Prescriptive ROW)	609
Total Part Acquired in Fee	8,519
Remainder Property	**Square Feet**
Fee Area (Tract I)	43,710
Fee Area (Tract II)	37,063
Fee Area (Tract III)	251,951
Total Remainder Property	332,724

As noted herein, the subject/part to be acquired extends across three "parent tracts," and is valued as though it is still combined with the parent tracts from which it was acquired originally (see hypothetical condition below), resulting in three unique unit values for the land. As such, and given that three separate economic units comprise the adjacent "parent tract," we have estimated via aerial measurements the portions of the subject/part to be acquired that will be combined with the adjacent "parent tract" (Tract I, II or III, respectively). These measurements are assumed to be correct for purposes of this analysis.

The proposed acquisition of Parcel 14 will facilitate future improvements to SH 78 through the City of Garland, within Dallas County. TxDOT contractors are improving and widening over 15 intersections in this area of the county. The project will either improve or add left turn bays at some locations, and curb ramps at most locations. Signal and utility work will be performed, and new pavement markings will be installed. The overall purpose of the project is to provide the traveling public a good, traversable, and safe public roadway.

Current Ownership and Sales History

The owner of record for the part to be acquired is the City of Garland, Texas. This party acquired the property from Dallas Area Rapid Transit by dedication deed on March 28, 2011 for an undisclosed price, as recorded in document 201100126979. The owner of the parent tracts on which the Bank of America, Wendy's and Wal-Mart are located are Craig N. Pedersen and Kris B. Pedersen and The Pedersen Triplet Trust 2007, UTD November 15, 2007 (Tract I - Bank of America), Craig N. Pedersen and Kris B. Pedersen (Tract II - Wendy's), and Wal-Mart Real Estate Business Trust (Tract III - Wal-Mart). The tax addresses for the aforementioned Tracts are 1855, 1905 and 1913 S. Garland Avenue.

Within the last five years, the following transactions have taken place for each “parent tract”:

- Tract I (Bank of America): The owner of record is Craig N. Pedersen and Kris B. Pedersen and The Pedersen Triplet Trust 2007, UTD November 15, 2007. This party acquired the property from Corner GMI LP by warranty deed on June 23, 2014 for an undisclosed price, as recorded in document 201400164544. Within the past five years, the subject site was previously conveyed from Garland Miller Investors LP to

Corner GMI, LP, the most recent grantor, on June 2, 2014 (No. 201400136081), and prior to this, was conveyed from Daredia A. Barkat and Roger M. Yale, et al to Garland Miller Investors LP on January 30, 2013 (No. 201300029899).

- It is also important to note that on April 17, 2013, the prior property owner (Garland Miller Investors LP) entered into a ground lease agreement with Bank of America, National Association to construct and operate a bank building on the site. The lease is for an initial term of fifteen years with options to extend the term of the lease for eight successive periods of five years each, as described in Instrument Number 201400177807, of the Dallas County public records. Since we are appraising the report on a fee simple basis, further analysis of the impact to the ground lease agreement is beyond the scope of this report.

- Tract II (Wendy's): The owner of record is Craig N. Pedersen and Kris B. Pedersen. This party acquired the property from North GMI LP by special warranty deed on July 10, 2015 for an undisclosed price, as recorded in document 201500181631. Within the past five years, the subject site was previously conveyed from Garland Miller Investors LP to North GMI, LP, the most recent grantor, on April 30, 2014 (No. 201400136082), and prior to this, was conveyed from Daredia A. Barkat and Roger M. Yale, et al to Garland Miller Investors LP on January 30, 2013 (No. 201300029899).
    - It is also important to note that on August 25, 2014, the prior property owner (North GMI, LP) entered into a ground lease agreement with Muy Hamburger Partners, LLC, to construct and operate a restaurant building on the site. The lease is for an initial term of twenty years with options to extend the term of the lease for four successive periods of five years each, as described in Instrument Number 201500030096, of the Dallas County public records. Since we are appraising the report on a fee simple basis, further analysis of the impact to the ground lease agreement is beyond the scope of this report.

- Tract III (Wal-Mart): The owner of record is Wal-Mart Real Estate Business Trust. This party acquired the property from 1901 S. Garland Trust by special warranty deed on January 30, 2013 for an undisclosed price, as recorded in document 201300039898. To the best of our knowledge, no other sale or transfer of ownership has occurred within the past five years. A five-year transaction history of the subject property was provided by the client and is included in the addenda.

To the best of our knowledge, no other sale or transfer of ownership has occurred within the past five years. A five-year transaction history of the subject property was provided by the client and is included in the addenda.

Inspection

On March 8, 2017 a certified owner contact letter and property owner information sheet were mailed to the property owner listed on the assessment office records. The receipt for the letter was signed by the recipient on March 14, 2017. Copies of the owner contact letter, property information sheet and return receipt are located in the addenda.

On March 24, 2017 contact was established with the representative of the property, Mr. Glenn Breysacher, RPLS, City Surveyor, and subsequently on April 3, 2017 with Mr. Michael C. Polocek, P.E., Director – Engineering Department for the City of Garland. An inspection of the property was made on April 6, 2017. The property representatives allowed the appraisers to inspect the property without their presence. The reported contact information for the subject property is:

Primary Contact		Alternate Contact
Name	City of Garland, Texas, Owner	Michael C. Polocek, P.E. and Glenn Breysacher, RPLS , Director - Engineering Department and City Surveyor
Company		City of Garland-Engineering Department
Address	800 Main Street	800 Main Street, 3rd Floor
City, State, Zip	Garland, Texas 75040	Garland, Texas 75040
Email		gbreysac@garlandtx.gov
Phone 1	(972) 205-2000	(972) 205-2157

Purpose of the Appraisal

The purpose of the appraisal is to develop an opinion of real property compensation due to the property owner, which includes the market value of the part to be acquired, plus any applicable damages to the remainder property, as of the effective date of the appraisal, April 10, 2017. Market value is based upon analysis of the underlying fee simple interest in the property. In some assignments, the market value of permanent or temporary easement interest(s) are required. The appraisal is valid only as of the stated effective date or dates.

Definition of Market Value

Market Value is defined by City of Austin v. Cannizzo, 267 S.W. 2d 808 (Tex 1954) as being:

“The price the property would bring when offered for sale by one who desires to sell, but is not obliged to sell, and is bought by one who desires to buy, but is under no necessity of buying, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is, or in all reasonable probability, will become available within the reasonable future.”

Intended Use and User

The intended use of this appraisal is to assist the client in their determination of adequate compensation due to the property owner, in compliance with the Texas Constitution, Article 1, Section 17, to be paid for the acquisition of Real Property interest for a public purpose as described herein. Others may receive a copy of this report due to legal requirements of disclosure, but the report is not intended for any other use or user (i.e., mortgage lending, tax assessment, etc.).

The client is TxDOT. This appraisal report is prepared for TxDOT, its employees, agents and assigns.

Although the appraisal is not intended for any other use or user, the client may designate use of this report to an outside entity to assist in the project, which may use or rely on the information, opinions, and conclusions contained in this report.

Applicable Requirements

This appraisal is intended to conform to the requirements of the following:

- Uniform Standards of Professional Appraisal Practice (USPAP);
- Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
- Applicable state appraisal regulations including Texas Property Code, Title 4, Chapter 21;
- Appraisal requirements of Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs (Uniform Act), CFR 49: Part 24;
- Appraisal guidelines of TxDOT

Report Format

This report is prepared under the Appraisal Report option of Standards Rule 2-2(a) of the 2016-2017 edition of USPAP.

Prior Services

USPAP requires appraisers to disclose to the client any other services they have provided in connection with the subject property in the prior three years, including valuation, consulting, property management, brokerage, or any other services. We have performed no other services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

Scope of Work

To determine the appropriate scope of work for the assignment, we considered the intended use of the appraisal, the needs of the user, the complexity of the property, and other pertinent factors. Our concluded scope of work is described below.

Valuation Methodology

Appraisers usually consider the use of three approaches to value when developing a market value opinion for real property. These are the cost approach, sales comparison approach, and income capitalization approach.

We use only the sales comparison approach and cost approach in developing an opinion of value for the subject. The sales comparison approach is applicable to the subject because there is an active market for similar properties, and sufficient sales data is available for analysis. The cost approach is applicable because there are improvements that contribute value to the property. The cost approach is only applied to the affected site improvements in the part to be acquired.

The income approach is not applicable because the subject vertical improvements are not valued and therefore will not generate rental income.

Additionally, and as noted herein, the subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tracts from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual (see hypothetical condition). In order to do so, the larger parcel must be identified for valuation. The tests to determine the larger parcel are unified ownership, unified or integrated highest and best use, and proximity or contiguity. [2]" In this case the subject is a sliver of land that was previously acquired for future right of way purposes. It no longer shares common ownership with the neighboring retail pad sites (Tracts I and II), occupied by a Bank of America and Wendy's Restaurant, or the neighboring large retail site (Tract III), occupied by a Wal-Mart Neighborhood Market, which comprise the "parent tract" for purposes of this assignment. The main improvements on the parent tract are not impacted by the acquisition and the improvements that lay outside the subject (acquisition area) are not valued in this assignment (see Highest and Best Use of the Remainder).

Lastly, each of these economic units has a separate tax account through Dallas County Appraisal District, are separately platted, and are under separate ownership. Thus, for the purposes of this analysis, and based on the

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[2] *Dictionary of Real Estate Appraisal, 6th Edition, "larger parcel," Appraisal Institute (2015)*

commercial viability along S. Garland Avenue and W. Miller Road, we have valued each tract separately based on its particular highest and best use as determined herein.

Research and Analysis

The type and extent of our research and analysis is detailed in individual sections of the report. In general, the following steps were taken to perform this assignment:

- Physically inspected the subject property and the surrounding market area. The inspection of the property is limited to those things readily observable without the use of special testing or equipment.
- Collected factual information about the property and the surrounding market, and confirmed the information with various sources.
- Performed a highest and best use analysis of the subject site as vacant and as improved when applicable.
- Gathered market information relevant to the valuation of the subject. Data on comparables were confirmed with at least one of the parties to the transaction.
- Analyzed market information and developed indications of value under the necessary approaches to value for a credible assignment result. The market information was analyzed for an appraisal of the Whole Property, the Part to be Acquired and the value of the Remainder Before and Remainder After the acquisition.
    - In certain partial right-of-way acquisitions, if it has been determined that the proposed acquisition will not result in permanent damages to the remainder property, the opinion of compensation can be limited to the valuation of the land and affected site improvements. The valuation of the unaffected improvements is not necessary in some cases for a credible assignment result. In this case, the subject improvements are removed and not impacted by the proposed project. As such the valuation is limited to the land and affected site improvements.
    - The appraisal of real estate typically employs three traditional valuation methods: the sales comparison approach, the cost approach, and the income approach. The valuation is limited to the sales comparison approach for land and the cost approach for affected site improvements.
    - Because of the numerous mathematical calculations that are inherent for partial acquisition valuations, very little rounding of value estimates is made in this report. Value estimates are not exact, but opinions of approximate value only.
- Partitioned the Whole Property value opinion between the Part to be Acquired and the Remainder Before the acquisition. In this case, the part to be acquired and remainder before estimates are prorated allocations of the whole property (e.g., If the whole property is 100% and the part to be acquired is 10%, the remainder before the acquisition is 90%).
- Performed a highest and best use analysis on the Remainder After with consideration to the impact on the residual property as a result of the proposed acquisition. The appraisal of a remainder property is performed as though the proposed public or private improvements are complete as of the effective date of valuation. If necessary, the cost to cure and restore the functional utility of the remainder after was estimated.

- Derived an estimate of the total compensation due to the owner of the property as the result of a proposed acquisition by summation of the part to be acquired and any damages. Permanent damages were calculated based on the difference in the value opinion for the remainder before and remainder after.
- Prepared an appraisal report summarizing our analyses, opinions and conclusions.

Other elements of the scope of work undertaken to perform this assignment are outlined throughout the narrative of the report.

Extraordinary Assumptions and Hypothetical Conditions

In this assignment, we have assumed typical general assumptions and limiting conditions as cited in the addenda of this report. The use of hypothetical conditions derived from public policy and case law does not result in a process that is limited or renders the results no longer credible. In this particular assignment, the following additional special assumptions were made:

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. The most recently recorded deed for the subject (Dedication Deed No. 201100126979) indicates a subject size of 8,518 square feet. However, the client-provided survey of the part to be acquired indicates a size of 8,519 square feet for the subject. While similar, we have relied on the most recent survey size of 8,519 square feet for purposes of this analysis. This size is assumed to be correct for purposes of this analysis.
2. As noted herein, the subject/part to be acquired extends across three "parent tracts," and is valued as though it is still combined with the parent tracts from which it was acquired originally (see hypothetical condition below), resulting in three unique unit values for the land. As such, and given that three separate economic units comprise the adjacent "parent tract," we have estimated via aerial measurements the portions of the subject/part to be acquired that will be combined with the adjacent "parent tract" (Tract I, II or III, respectively). These measurements are assumed to be correct for purposes of this analysis.
3. The survey provided by the client indicates that the northernmost portion of the subject property/part to be acquired extends north into S. Garland Avenue, which would indicate that approximately 609 square feet is located within the prescriptive right-of-way area. The measurements concluded for this area are based on aerial measurements and are assumed to be accurate for purposes of this assignment.

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to a fact known by the appraiser on the effective date of the appraisal but is supposed for the purpose of analysis, relating to a specific assignment.

1. The subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tracts from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual. The parent tract (whole property) is currently owned by three entities: Craig N. Pedersen and Kris B. Pedersen and The Pedersen Triplet Trust 2007, UTD November 15, 2007 (Tract I - Bank of America), Craig N. Pedersen and Kris B. Pedersen (Tract II - Wendy's), and Wal-Mart Real Estate Business Trust (Tract III - Wal-Mart). The Tracts are occupied by a Bank of America Building (Tract I), Wendy’s restaurant (Tract II) and a Wal-Mart Neighborhood Market (Tract III). Parcel 14 is valued as though it is still part of that parent tract for valuation purposes.

Jurisdictional Exceptions

The Jurisdictional Exception Rule allows “an assignment condition established by applicable law or regulation, which precludes an appraiser from complying with a part of USPAP.[3]” This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard a part of *USPAP*.

Case Law and Legislative Precedents

For right-of-way projects in the State of Texas, there are also several cases that may establish compensable and non-compensable elements resulting from a project. For example, regarding the compensation for landscaping, the Texas Supreme Court stated in the case of White vs. Natural Gas that “in eminent domain proceedings our courts have consistently held that the landowner cannot recover for damage to crops, loss of trees, ornamental shrubs, etc., as separate items. These features can be taken into consideration in determining compensation only insofar as they affect the market value of the land, as land.[4]”

Significant Appraisal Assistance

It is acknowledged that Robert W. Snider, RWA, R/W-AC made a significant professional contribution to this appraisal, consisting of participating in the property inspection, conducting research on the subject and transactions involving comparable properties, performing appraisal analyses, and assisting in report writing, under the supervision of the persons signing the report.

Personal Property and Trade Fixtures

The estimate of compensation in this report is for real property interest, or real estate which includes the physical land and improvements attached to the land. This report does not include a value estimate for personal property or trade fixtures unless represented otherwise in this report. According to the *Code of Federal Regulations (CFR), Title 49 – Transportation, Section 24.103(a)(1),* “The appraisal report should identify the items considered in the appraisal to be real property, as well as those identified as personal property”. The real property or real estate is described in other sections of this report, or the *Description and Analysis of the Land* and in the *Description and Analysis of the Improvements*.

The appraisers observed several items during the inspection that are considered personal property. However, because the primary improvements on the parent tract are situated well away from the acquisition area and were not considered to be impacted by the project, the main improvements were not valued and this report is limited to the valuation of land and affected site improvements. As such, the items considered to be personal property have not been valued as part of this appraisal and are assumed to remain the property of the occupant after the acquisition. These include:

[3] *Uniform Standards of Professional Appraisal Practice, 2016-2017 Ed., “Jurisdictional Exception.” Washington, D.C.: The Appraisal Foundation, 2015.*

[4] *White v. Natural Gas Pipeline Company of America*, 444 S.W.2d 298, 301 (Tex. 1969)

Personal Property

- All furniture, phones, and computer equipment
- Wall hangings and artwork
- Display racks, tenant signage, and product signage
- All building inventory
- Freestanding cabinets and storage shelving and or tables, including the cashier’s counter
- All sign logos or other trademarked or copyrighted materials are considered personal property.

Sign structures are often built with a frame, support poles/posts and electrical lighting. The sign structure is considered part of the real estate; however, any sign inserts with logos or other trademarked or copyrighted materials are considered personal property. If the sign structure is in the shape of a trademark (i.e. McDonalds Arches), then the trademarked or copyrighted components of the sign structure is considered personal property.

We have not performed an exhaustive audit of the occupying business’s assets, inventory, or other items of personal property which may not have been present as of our date of inspection.

Form ROW-A-5 (Rev. 08/11)

PHOTOGRAPHS OF SUBJECT PROPERTY
Include Each Major Improvement

Parcel No.:	14	Local Address:	Northwest corner of S. Garland Avenue and W. Miller Road
Date Taken:	April 10, 2017	Taken By:	Matthew D. Browne and Robert W. Snider
1. Point from which taken:	Southeast corner of Parent Tract II	Looking:	Southwest toward Parent Tract II

2. Point from which taken:	Northeast corner of Parent Tract II	Looking:	Southwest toward Parent Tract II

PHOTOGRAPHS OF SUBJECT PROPERTY
Include Each Major Improvement

Parcel No.:	14	Local Address:	Northwest corner of S. Garland Avenue and W. Miller Road
Date Taken:	April 10, 2017	Taken By:	Matthew D. Browne and Robert W. Snider
3. Point from which taken:	East parking area of Parent Tract III	Looking:	Northerly toward Parent Tract III

4. Point from which taken: South driveway of Parent Tract III Looking: East toward the proposed ROW area

Form ROW-A-5 (Rev. 08/11)

PHOTOGRAPHS OF SUBJECT PROPERTY
Include Each Major Improvement

Parcel No.:	14	Local Address:	Northwest corner of S. Garland Avenue and W. Miller Road
Date Taken:	April 10, 2017	Taken By:	Matthew D. Browne and Robert W. Snider
5. Point from which taken:	Northeast portion of Tract II	Looking:	South along the proposed ROW area

6. Point from which taken:	Northeast portion of Tract II	Looking:	North along the proposed ROW area

PHOTOGRAPHS OF SUBJECT PROPERTY
Include Each Major Improvement

Parcel No.:	14	Local Address:	Northwest corner of S. Garland Avenue and W. Miller Road
Date Taken:	April 10, 2017	Taken By:	Matthew D. Browne and Robert W. Snider
7. Point from which taken:	SH-78 ROW	Looking:	Northerly along S. Garland Avenue

8. Point from which taken:	SH-78 ROW	Looking:	Southerly along S. Garland Avenue

PHOTOGRAPHS OF SUBJECT PROPERTY
Include Each Major Improvement

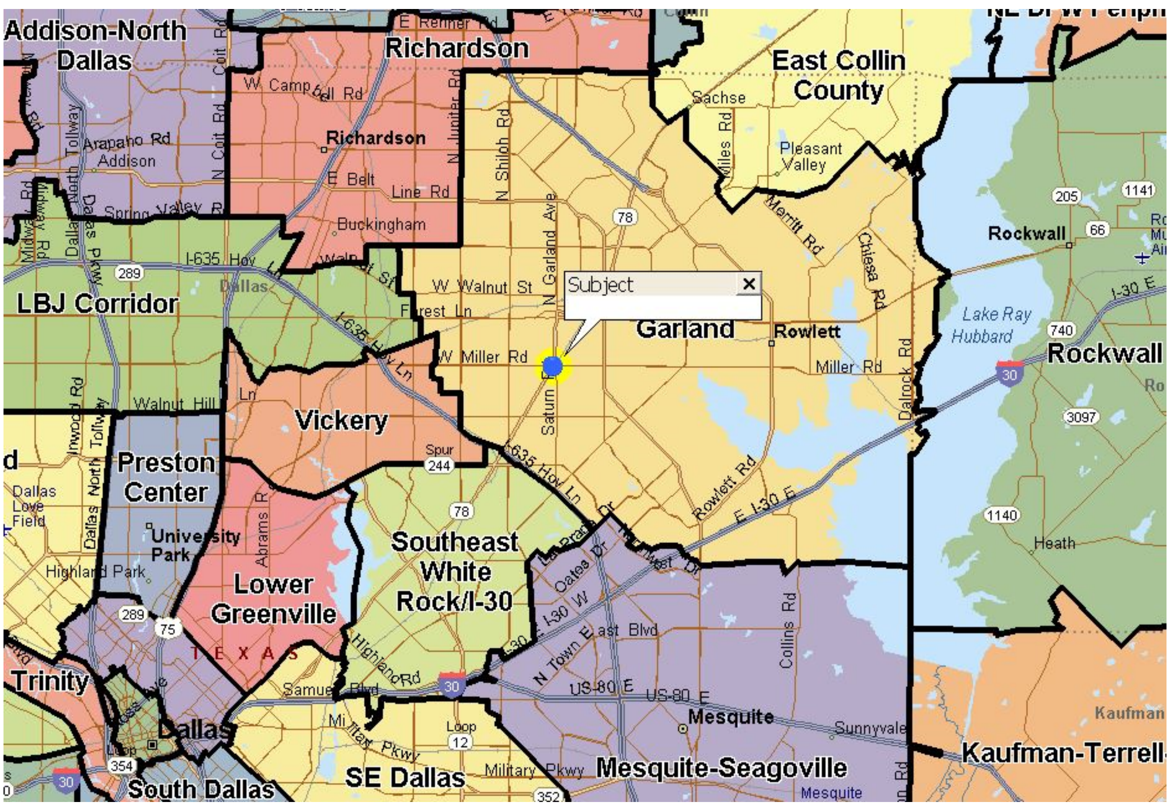
Parcel No.:	14	Local Address:	Northwest corner of S. Garland Avenue and W. Miller Road
Date Taken:	April 10, 2017	Taken By:	Matthew D. Browne and Robert W. Snider
9. Point from which taken:	South driveway of Parent Tract III	Looking:	East along W. Miller Road

Market Area Analysis

The subject is located in the Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area, hereinafter called the Dallas MSA, as defined by the U.S. Office of Management and Budget. The Dallas MSA is 9,278 square miles in size, and is the fourth most populous metropolitan area in the nation.

Looking forward, the Dallas MSA's population is projected to increase at a 1.7% annual rate from 2016 - 2021, equivalent to the addition of an average of 126,880 residents per year. The Dallas MSA growth rate is expected to exceed that of Texas, which is projected to be 1.6%.

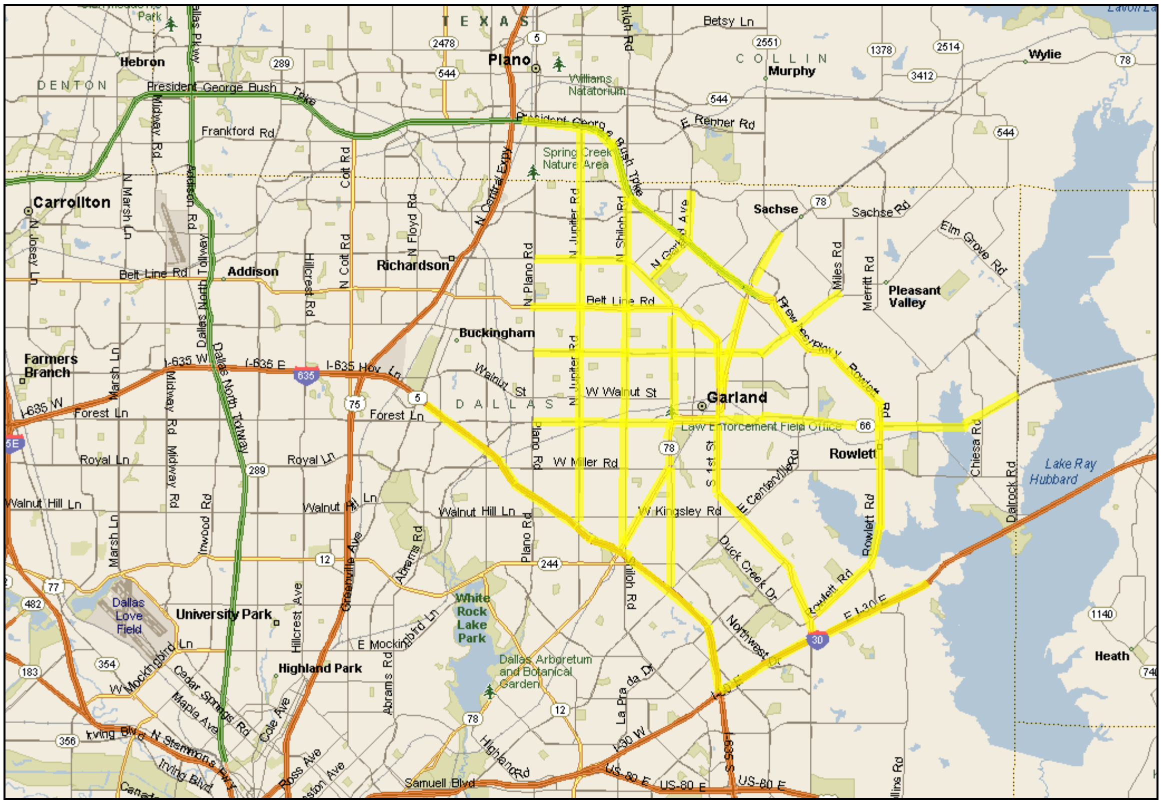
The Dallas MSA's economy will benefit from a rapidly growing population base, and higher income and education levels. The Dallas MSA saw an increase in the number of jobs in the past 10 years and has maintained a lower unemployment than Texas during the past decade. Furthermore, the Dallas MSA is well-positioned from being the fourth most populous metropolitan area in the country and having a higher level of GDP per capita than Texas overall. We project that the Dallas MSA's economy will improve and employment will grow, strengthening the demand for real estate overall.



The subject is located in the Garland surrounding area, within the Dallas-Fort Worth-Arlington Metropolitan Statistical Area (Dallas MSA). The Garland surrounding area is located in the eastern area of the Dallas metro and is comprised of the following zip codes: 75044, 75040, 75042, 75041, 75089, 75088 and 75043.

Access and Linkages

Roadways providing access to the area and major city streets are highlighted on the following map.



Surrounding Area Access & Linkages	
Primary North-South Access:	State Highway 78
	SH 190/President George Bush Turnpike
Primary East-West Access:	Interstate 635/LBJ
	SH 190/President George Bush Turnpike
	Interstate 30
Major Roads:	Garland Avenue Jupiter Road
	Shiloh Road Belt Line Road
	Forest Lane First Street

Transportation

Public transportation is provided by Dallas Area Rapid Transit (DART). The Garland surrounding area is served by the blue line. The local market perceives public transportation as good compared to other areas in the region. However, the primary mode of transportation in this area is the automobile.

Public Services

The Garland surrounding area is served by the Garland Independent School District and Rockwall Independent School District. Police and fire protection is provided by the cities of Garland and Rowlett.

Major Employers

The table below contains major employers in the Garland surrounding area.

Major Employers - Garland Surrounding Area

	Name	Number of Employees
1	GISD	7,300
2	City of Garland	2,000
3	Baylor Medical Center Garland	1,185
4	Kraft Foods	650
5	US Food Service	520
6	Hatco (Resistol)	401
7	L3 Communication	400
8	SilverLine Window	400
9	KARLEE	330
10	Atlas Copco	300
11	Interceramic	300
12	Plastipak Packaging	269
13	General Dynamics OTS	250
14	Valspar	250
15	Daisy Brand	216
16	Sherwin Williams	210
17	Arrow Fabricated Tubing	200
18	Sars Logistic Services	150

Source: Garland Economic Development Partnership 3/10/2017

Demand Generators

These demand generators support the demographic profile described in the following section.

- **Firewheel Town Center**, located at Highway 78 and SH-190, is an open-air main street center opened in 2005 by Simon Properties Group that includes approximately 750,000 square feet of retail/entertainment uses and 75,000 square feet of high-end office space. The more than 125 stores are anchored by Dillard's, Macy's and AMC/IMAX Theaters, as well as featuring Barnes & Noble, Pier 1 and Old Navy. An additional 245,000 square feet of in-line and specialty retail space opened in 2007 and soon after the Parkside at Firewheel Apartments and Townhomes were constructed.[5]

- **Firewheel Golf Park** is one of the largest golf parks in Texas, encompassing over 600 acres. Firewheel Golf Park includes 63 holes of golf on three different courses – The Old Course, The Lakes Course and The Bridges Course. The Old Course, the first of the three courses, was opened by the City of Garland in 1983. The golf park also includes a clubhouse and the Branding Iron, a full-service restaurant.[6]

- **Patty Granville Arts Center** is a complex owned and operated by the City of Garland. The complex includes the Theatres at the Granville Arts Center, the Atrium at the Granville Arts Center, the Plaza Theatre and the Pace House.[7]

- **Baylor Scott & White - Garland** is located at Shiloh Road and Walnut Street. The hospital first opened in 1964 as Memorial Hospital of Garland and in 1991 joined the Baylor Health Care System. Since then the complex has undergone several renovations and additions, most recently an expansion of the Emergency Department in 2010. The facility, now known as Baylor Scott & White – Garland, employs 548 physicians and has 970 full-time employees.[8]

[5] Firewheel Town Center, www.simon.com/mall/?id=1074
[6] Firewheel Golf Park, www.golffirewheel.com
[7] City of Garland Recreation & Cultural Services, http://www.ci.garland.tx.us/Home/Departments/Recreation+and+Cultural+Services/Garland+Arts/
[8] Baylor Scott & White - Garland, http://www.baylorhealth.com/PhysiciansLocations/Garland/About/FactsStats/Pages/Default.aspx

Demographics

A snapshot of the surrounding area demographics, including population, households, and income data, is displayed in the following table. The five-mile radius is centered at the intersection of South Garland Avenue and West Miller Road.

Surrounding Area Demographics

2016 Estimates	1 mile radius	3 mile radius	5 mile radius	Dallas MSA	Texas
Population 2010	15,756	125,133	359,046	6,426,214	25,145,561
Population 2016	16,663	130,506	378,576	7,062,433	27,637,152
Population 2021	17,627	137,205	400,405	7,696,835	29,966,830
Compound % Change 2010 - 2016	0.9%	0.7%	0.9%	1.6%	1.6%
Compound % Change 2016 - 2021	1.1%	1.0%	1.1%	1.7%	1.6%
Households 2010	5,060	39,847	126,753	2,320,283	8,922,933
Households 2016	5,230	40,842	131,650	2,523,352	9,741,019
Households 2021	5,483	42,619	138,365	2,736,754	10,533,940
Compound % Change 2010 - 2016	0.6%	0.4%	0.6%	1.4%	1.5%
Compound % Change 2016 - 2021	0.9%	0.9%	1.0%	1.6%	1.6%
Median Household Income	$40,573	$41,512	$50,286	$60,841	$54,075
Average Household Size	3.2	3.2	2.9	2.8	2.8
College Graduate %	10%	10%	17%	33%	28%
Median Age	32	32	34	34	34
Owner Occupied %	60%	54%	56%	59%	61%
Renter Occupied %	40%	46%	44%	41%	39%
Median Home Value	$92,517	$111,236	$140,352	$177,860	$152,219
Median Year Structure Built	1957	1973	1976	1986	1984
Avg. Travel Time to Work in Min.	-	-	-	27	25

Source: ESRI 2017. Compiled by JLL Valuation & Advisory Services, LLC.

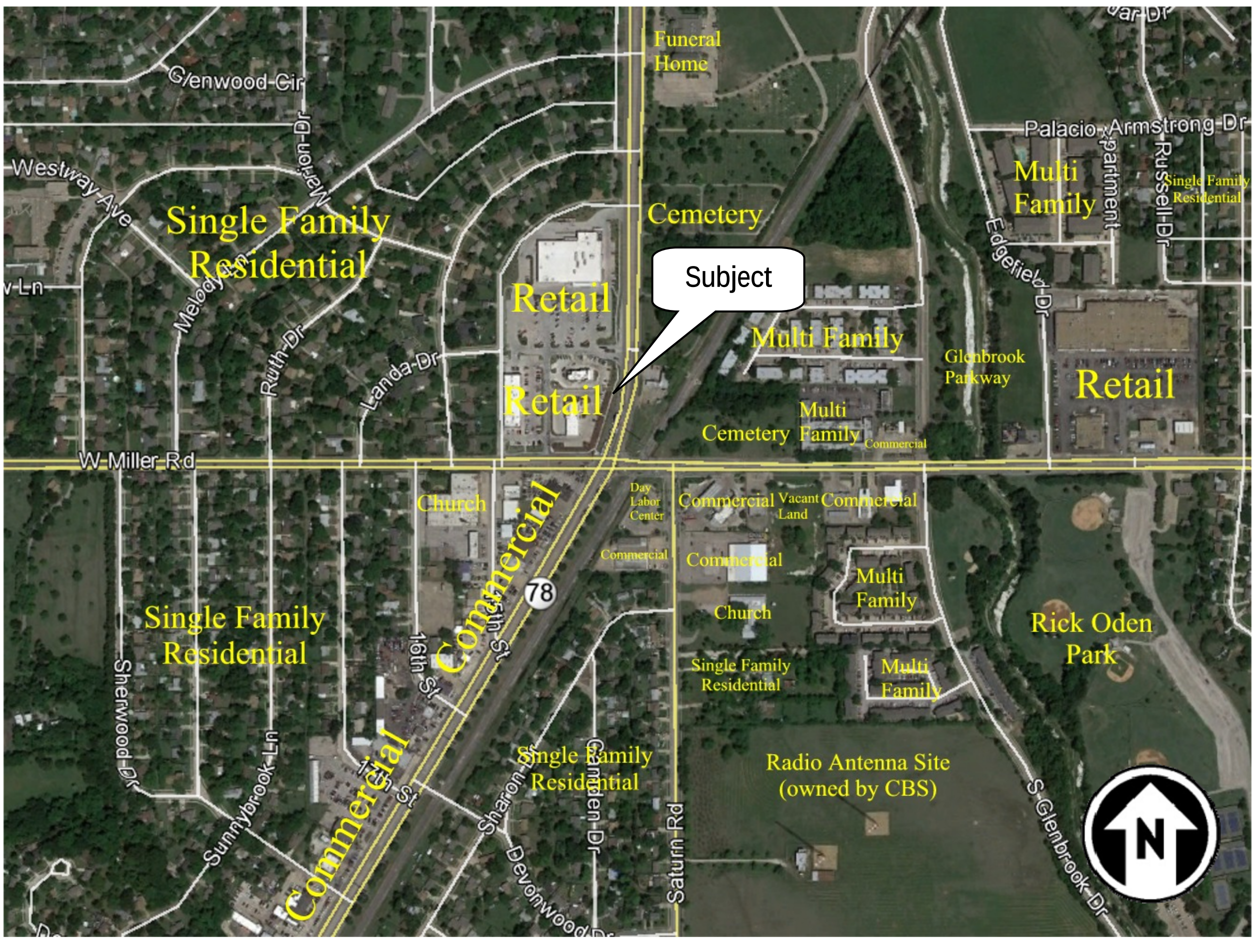
As illustrated above, the current population within a three mile radius of the subject is 130,506, and the average household size is 3.2. Population in the area has risen since the 2010 census, and this trend is expected to continue in the ensuing five years. The pace of population growth within a three mile radius is projected to be less than that of the Dallas MSA overall.

Median household income is $41,512, which is considerably lower than the household income for the Dallas MSA as a whole. The populace within a three mile radius has a notably lower level of formal college education than residents in the Dallas MSA, and median home values in the area are also substantially lower.

Land Use

In the immediate vicinity of the subject, predominant land uses are commercial and residential. On the west side of SH 78, south of West Miller Road the commercial improvements are generally automotive in nature with some retail and office uses. North of West Miller Road, there is a Wal-Mart Neighborhood Market and the Garland Shopping Center (Wendy's, Bank of America, Subway, Pizza Patron, Metro PCS, Great Clips, Lopez Insurance). On the east side of SH 78, north of West Miller Road is the Garland Memorial Cemetery as well as the Williams Funeral Directors. Single family and multi-family residential uses are throughout the area along with public parks, day labor center, and religious facilities. The following map depicts these uses in more detail.

Land Use Map



Other land use characteristics are summarized as follows:

Surrounding Area Land Uses	
Character of Area	Suburban
Predominant Age of Improvements	New to 40 years
Predominant Quality and Condition	Average
Approximate Percent Developed	70%
Infrastructure/Planning	Average
Prospective Change in Land Use	East & West
Prevailing Direction of Growth	North & East

Development Activity and Trends

During the last five years, development has been predominantly of retail and multifamily uses. The following developments are planned, proposed, under construction or complete:

REIS

New Construction Listings As of 6/6/2016

Property Name	Secondary Type	Street Address	City	Size SF/Units	Status
CARRIAGE HOMES ON THE LAKE PH II	Apartment	N GARLAND AVE @ BELT LINE RD	GARLAND	133	Planned
OAKS 5TH STREET CROSSING PH II	Apartment	250 N 5TH ST @ AUSTIN ST	GARLAND	155	Complete
THE DOMAIN AT FIREWHEEL PH I	Apartment	4909 BUNKER HILL RD @	GARLAND	301	Planned
BAYSIDE	Apartment	DALROCK RD @ I-30\COOKE LN	ROWLETT	845	Planned
HARMONY HILL PH I	Apartment	3100 MERRITT RD @ PLEASANT VALLEY RD	ROWLETT	326	Under Constr.
HARMONY HILL PH II	Apartment	3100 MERRITT RD @ PLEASANT VALLEY RD	ROWLETT	318	Planned
VILLAGE OF ROWLETT	Apartment	MAIN ST @ COMMERCE ST\DENNIS ST	ROWLETT	225	Proposed
TERRA LAGO APARTMENTS	Apartment	SCENIC DR @ STATE HWY 66	ROWLETT	447	Under Constr.
CENTERVILLE MARKETPLACE EAST PH II	Neighborhood	1540 EASTGATE DR @ I-635/CENTREVILLE DR	GARLAND	150,000	Planned
DALROCK CROSSING - RETAIL PORTION	Neighborhood	8800 LAKEVIEW PKWY @ DALROCK RD	ROWLETT	38,000	Under Constr.
SPROUTS LAKEVIEW MARKET RETAIL PH I	Neighborhood	2801 LAKEVIEW PKWY @ ROWLETT RD	ROWLETT	35,500	Complete
WALMART @ DALROCK CROSSING PH I	Free Standing	8800 LAKEVIEW PKWY @ DALROCK RD	ROWLETT	41,000	Complete
DISTRIBUTION DRIVE	Warehouse/Distribution	3839 DISTRIBUTION DR @ SANDEN DR\MILLER RD	GARLAND	169,105	Complete
JUPITER TRADE CENTER	Warehouse/Distribution	3300 WOOD DR @ JUPITER RD	GARLAND	472,244	Complete

Outlook and Conclusions

The area is in the stabilization stage of its life cycle. Given the history of the area and the growth trends, it is anticipated that property values will increase in the near future.

The surrounding neighborhoods are desirable. The school district is reputable, median household income for the surrounding neighborhoods are increasing, and major employment centers are within close proximity to the west.

The intersection the subject resides on is composed of two major thoroughfares that serve as connector roadways from state highways towards Downtown Dallas. The traffic counts are high and they serve as primary thoroughfares to many commuters traveling to and from work. These factors are strengths of the subject's location which positively influence value.

Whole Property Analysis

Land Analysis

No survey of the whole property was made available for review. The size of the "parent tract" (Tracts I, II and III) are based on recently recorded plat maps. The size of the subject/part acquired (Parcel 14) is based on a survey of the part to be acquired. As mentioned in the Hypothetical Conditions section of this report, Parcel 14 is valued as part of the parent tract that includes the Bank of America, Wendy's and Wal-Mart Neighborhood Market. These size estimates are assumed to be correct for purposes of this assignment.

As noted herein, while the subject/part to be acquired is one contiguous parcel, it extends across three separately owned and platted economic units, or "parent tracts," as identified below, and is valued as though it is still combined with the parent tracts from which it was acquired originally (see hypothetical condition below). As such, and given that three separate economic units comprise the adjacent "parent tract," we have estimated via aerial measurements the portions of the subject/part to be acquired that will be combined with the adjacent "parent tract" (Tract I, II or III, respectively). These measurements are assumed to be correct for purposes of this analysis.

The whole property includes the following land areas:

Subject Land Areas

Whole Property	Square Feet
Fee Area (Tract I)	49,264
Fee Area (Tract II)	39,419
Fee Area (Tract III)	251,951
Fee Area (Tract III - Prescriptive ROW)	609
Total Whole Property	341,243

Land Description & Physical Features

Source of Land Area	Survey of Part to be Acquired	
	Primary Street Frontage	Secondary Street Frontage
Street	S. Garland Avenue (TX-78)	W. Miller Road
Frontage Feet	952	215
Paving	Asphalt	Asphalt
Curbs	Concrete	Concrete
Sidewalks	Concrete	Concrete
Lanes	Two Way - Three Lanes Each Way	Two Way - Two Lanes Each Way
Direction of Traffic	North/South	East/West
Condition	Average	Average
Signals/Traffic Control	Traffic Light	Traffic Light
Access/Curb Cuts	None	One
Visibility	Above Average	Above Average
Shape	Irregular	
Corner	Yes	
Topography	Generally level and at street grade	
Drainage	No problems reported or observed	
Environmental Hazards	No problems reported or observed	
Ground Stability	No problems reported or observed	
Flood Area Panel Number	48113C0220L	
Date	July 7, 2014	
Zone	X	
Description	Outside of 500-year floodplain	
Insurance Required?	No	

Utilities
All available to site

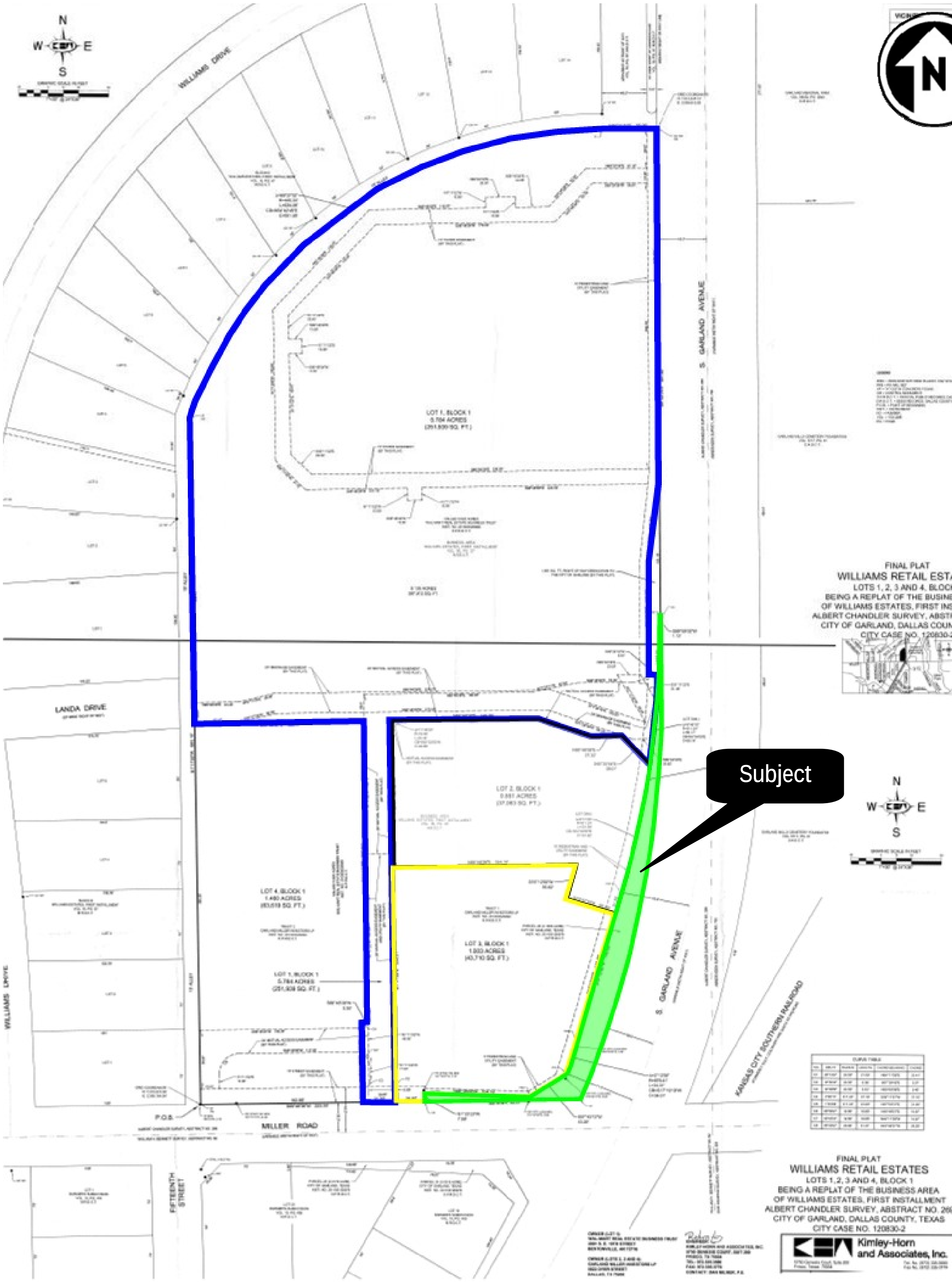
Flood Map


Subject
S Garland Ave
Landa Dr
Saturn Rd
15th St
16th St
Glenbrook Dr
78
N
REFERENCE LAYERS
NFHL Data Available
FIRM Panel Boundary
LOMR Boundary
SPECIAL FLOOD HAZARD AREAS
1% Annual Chance Flood Hazard
Zone A, AE, A99, AO, AH, AR, V, VE
Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD
0.2% Annual Chance Flood Hazard Zone X
Future Conditions 1% Annual Chance Flood Hazard Zone X
Area with Reduced Flood Risk due to Levee Zone X
NO SCREEN
Areas Outside the 0.2% Annual Chance Floodplain Zone X
Areas of Undetermined Flood Hazard Zone D
CROSS SECTIONS & BFES
Cross Sections with 1% Annual Chance Water Surface Elevation
Coastal Transect
Coastal Transect Baseline
Profile Baseline
Base Flood Elevation
SUPPORTING INFORMATION
Limit of Study
Jurisdictional Boundary
© 2016 Google
Google Earth

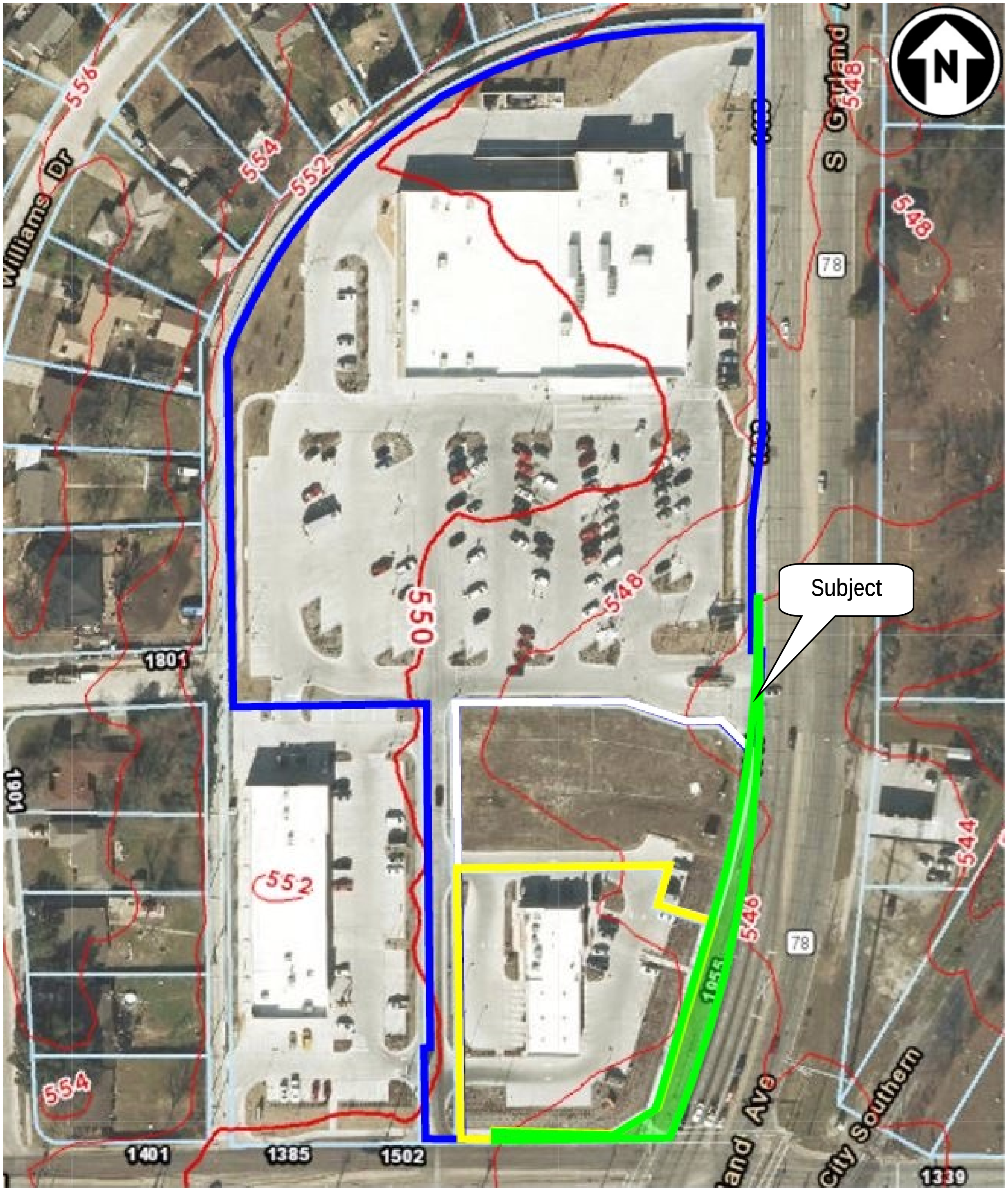
Tax Map


Subject
Williams Dr
S Garland Ave
78
78
1801
1801
1901
1509
1401
1385
1502
1339
Garland Ave
Kansas City Southern
W Mi

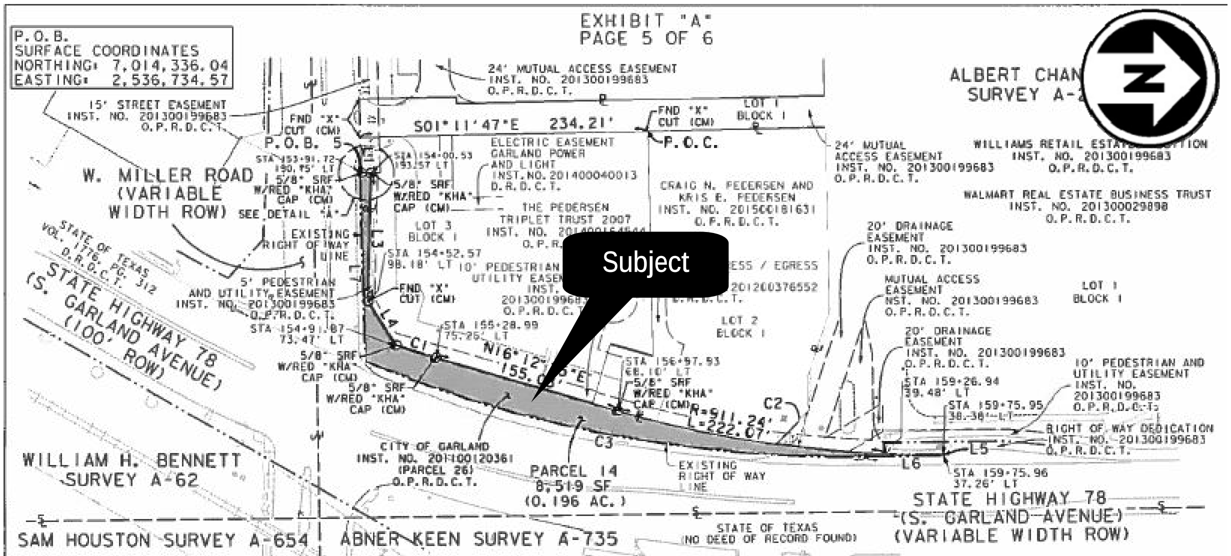
Plat Map


N
W E
S
WILLIAMS DRIVE
LOT 1, BLOCK 1
5.784 ACRES
(251,939 SQ. FT.)
S. GARLAND AVENUE
FINAL PLAT
WILLIAMS RETAIL ESTA
LANDA DRIVE
LOT 2, BLOCK 1
LOT 4, BLOCK 1
1.460 ACRES
LOT 3, BLOCK 1
Subject
S. GARLAND AVENUE
KANSAS CITY SOUTHERN RAILROAD
WILLIAMS DRIVE
P.O.B.
MILLER ROAD
FIFTEENTH STREET
FINAL PLAT
WILLIAMS RETAIL ESTATES
LOTS 1, 2, 3 AND 4, BLOCK 1
BEING A REPLAT OF THE BUSINESS AREA
OF WILLIAMS ESTATES, FIRST INSTALLMENT
ALBERT CHANDLER SURVEY, ABSTRACT NO. 269
CITY OF GARLAND, DALLAS COUNTY, TEXAS
CITY CASE NO. 120830-2
Kimley-Horn and Associates, Inc.

Topographic Map



TxDOT Survey



** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

NOTES:

1. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (NAD83), AS DETERMINED BY GPS OBSERVATIONS USING THE TXDOT-VRS NETWORK AND ADJUSTED TO SURFACE WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506 (DALLAS COUNTY).
2. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
3. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED 02-22-16 FOR THE TXDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-JOB: 0009-02-064.

LEGEND

EXISTING ROW LINE
PROPERTY LINE
SURVEY LINE
EASEMENTS
RAILROAD

* = NOT ABLE TO SET; ACCESS NOT GRANTED
○** = SET TxDOT "CD" MONUMENT UNLESS OTHERWISE NOTED
SRF = STEEL ROD FOUND
SET CD = 2" TXDOT PINK PLASTIC CAP ON TOP OF A 5/8" IRON ROD
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING

A PLAT OF A SURVEY OF
PARCEL 14
FOR STATE HIGHWAY 78
RIGHT OF WAY CSJ: 0009-02-064
8,519 SQ.FT. [0.196 AC.]
TRACT OF LAND IN THE
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
CITY OF GARLAND
DALLAS COUNTY, TEXAS
DECEMBER 16, 2016

SCALE IN FEET
0 50 100 150 200
SCALE: 1"=100'

Zoning

The subject is located in a municipality that has zoning ordinances. Specific zoning requirements are summarized in the following tables.

Zoning Summary

Zoning Jurisdiction	City of Garland			
Zoning Designation	"CR"/"S 14-48"			
Description	Community Retail District and S 14-48			
Legally Conforming?	Appears to be legally conforming (Tracts I and III) and legally nonconforming (Tract II)			
Zoning Change Likely?	No			
Permitted Uses	Accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration			
Category	Zoning Requirement	Existing Conditions - Tract I	Existing Conditions - Tract II	Existing Conditions - Tract III
Minimum Lot Area	None	49,264 SF; 1.1309 acres	39,419 SF; 0.9049 acre	252,560 SF; 5.7980 acres
Minimum Lot Width (Feet)	None	244.05 - 234.21 feet	260 feet	890 feet
Minimum Lot Depth (Feet)	None	133.66 - 234.64 feet	131.94 - 146.14 feet	445 feet
Minimum Setbacks (Feet)	Front - 30 feet; Side - 20 feet; Rear - None (Tracts I and II), 30 feet (Tract III)	Front - 102 feet; Side - 30-70 feet; Rear - 56 feet	Front - 101 feet; Side - 45-58 feet; Rear - 65 feet	Front - 657 feet; Side - 72 - 148 feet; Rear - 62 - 134 feet
Maximum Building Height	35 feet	Appears conforming	Apprears conforming	22 - 24 feet.
Maximum Site Coverage	40%	12.32%	8.45%	16.85%
Maximum Floor Area Ratio	None	6.08%	8.45%	16.85%
Parking Requirement - Tract I	Financial Institution - 1/300 GFA (or 10 required spaces); plus each teller window or station, human or mechanical, requires a minimum of five stacking spaces. One escape lane must be provided Restaurant with Drive-Through - 1/100 GFA (or 34 required spaces); plus for each service window of a drive-through restaurant, a minimum of five stacking spaces is required for the first vehicle stop (usually the menu/order board), and two stacking spaces is required for each additional vehicle stop (such as order/pick-up windows). One escape lane is required from the beginning of the stacking lane to the first stop (that is, the menu/order board) Grocery Store (>5,000 SF) - 1/250 GFA (171 spaces required)	37 spaces + 5 drive through aisles	31 surface spaces plus adequate stacking and escape lane	215 surface spaces
Source:	City of Garland Zoning Ordinance			

Tract II (Wendy’s) also falls within Special Use 14-48, which was approved on January 20, 2015 to permit a restaurant with a drive-through on the property and allowing for the use of metal on the façade of the building.

A determination of compliance with all zoning regulations would require an extensive evaluation of existing conditions and a thorough knowledge of all aspects of the city ordinances, as well as fire, electrical, plumbing and safety codes that are usually incorporated by reference into most cities’ ordinances. Local municipalities have no process available to investigate and render a judgment regarding full compliance with all applicable standards for existing properties. The appraiser is not in a capacity to give an opinion about the property’s overall compliance with zoning regulations as of the effective date.

It is noted that according to the Garland Development Code, Chapter 4, Article 3, Section 4.34, landscape materials must cover a minimum of 10% of the total site area for all nonresidential properties. The GDC also states that a landscape buffer, 15’ in depth is required in nonresidential yards adjacent to Type A through D thoroughfares. South Garland Avenue is classified as a type B thoroughfare and West Miller Road is a D1 thoroughfare, according to the City’s Thoroughfare Plan.

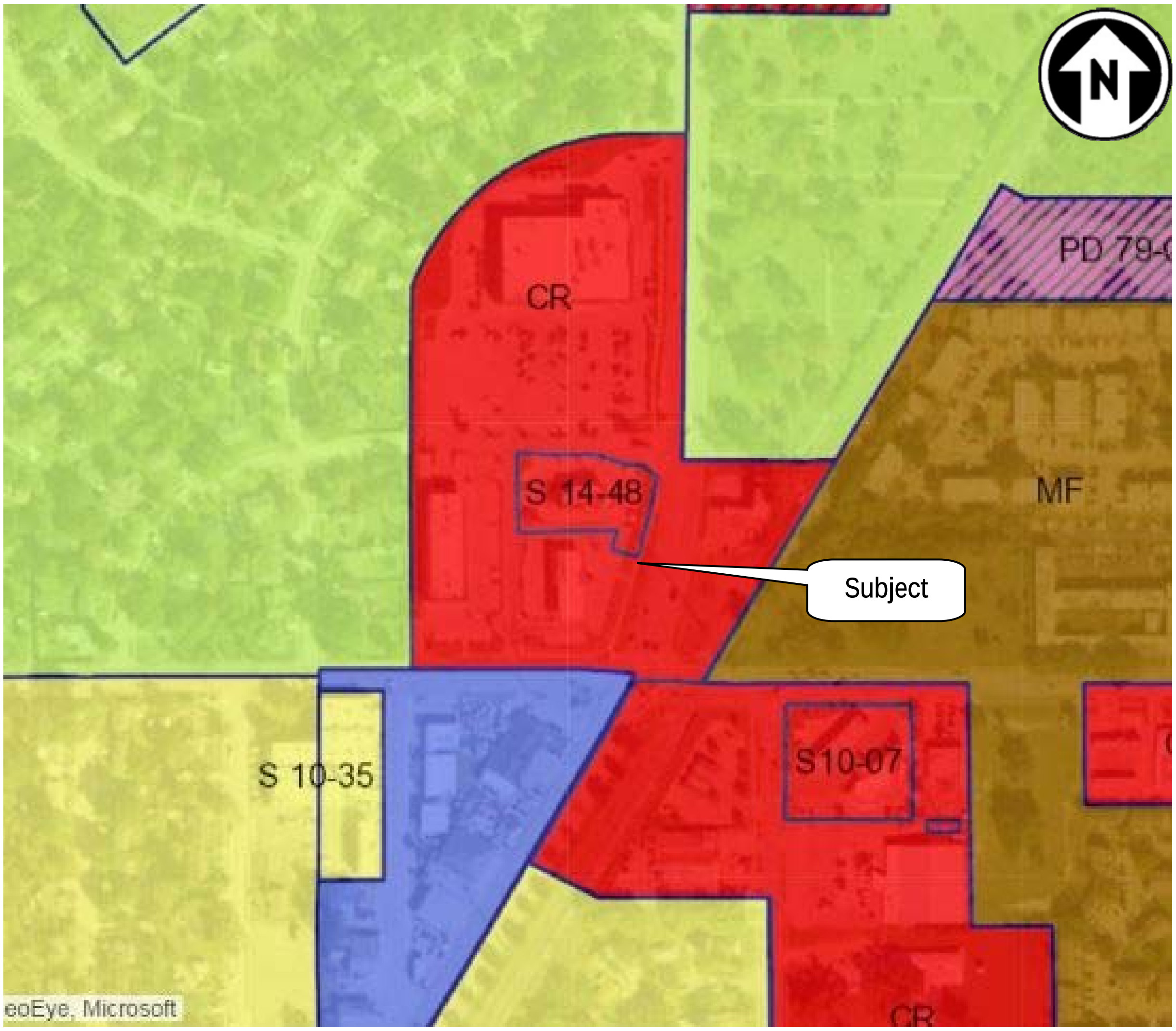
Based on our inspection, the subject appears to meet the 10% site area requirement and the 15' landscape buffer requirement. However, Tract II (Wendy's) does not appear conforming with regards to parking based on a required 34 spaces. It is noted that given its recent construction and approval for use by the City Council ("S 14-48"), that it would likely have been approved for development considering its nonconforming parking count. As such, we have assumed that it is a legally nonconforming use in its current state with regards to parking. As no other issues of nonconformity are readily apparent to the appraiser, it is assumed the subject meets current zoning regulation.

Other Land Use Regulations

In addition to the aforementioned, the subject site is also subject to the Easements with Covenants and Restrictions Affecting Land (ECR) effective January 30. 2013, and the First Amendment to Easement with Covenants and Restrictions Affecting Land (ECR) effective October 19, 2015, between the Wal-Mart Real Estate Business Trust and the property owners of the "Adjacent Tracts" which includes the subject. This ECR document provides additional requirements for development of the subject, including specified use, size, location, parking ratios (4 per 1,000 square feet of gross building area – or 24 spaces for the subject), etc.

We are not aware of any land use regulations other than zoning that would affect the property, nor are we aware of any moratoria on development.

Zoning Map



Easements, Encroachments and Restrictions

We have reviewed a Commitment for Title Insurance prepared by Fidelity National Title Insurance Company dated February 23, 2017. The following exceptions are noted.

a. Rights of parties in possession.

b. The following exception will appear in any policy issued (other than the T-1R Residential Owner Policy of Title Insurance and the T-2R Short-Form Residential Mortgagee Policy) if the Company is not provided a survey of the Land, acceptable to the Company, for review at or prior to closing:

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.

Note: Upon receipt of a survey acceptable to the Title Company, this exception will be deleted. The Company reserves the right to except additional items and/or make additional requirements after reviewing said survey.

c. If any portion of the proposed loan and/or the Owner's Title Policy coverage amount includes funds for immediately contemplated improvements, the following exceptions will appear in Schedule B of any policy issued as indicated:

Owner and Loan Policy(ies): Any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land. However, the Company does insure the insured against loss, if any, sustained by the Insured under this policy if such liens have been filed with the County Clerk of County, Texas, prior to the date hereof.

Owner Policy(ies) Only: Liability hereunder at the date hereof is limited to $ 0.00. Liability shall increase as contemplated improvements are made, so that any loss payable hereunder shall be limited to said sum plus the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of this policy.

Loan Policy(ies) Only: Pending disbursement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy insures only to the extent of the amount actually disbursed, but increase as each disbursement is made in good faith and without knowledge of any defect in, or objections to, the title up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy.

d. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.

e. A lease with certain terms, covenants, conditions and provisions set forth therein.

Dated: April 23, 1970
Lessor: Sam Leake, Jr., et al
Lessee: Texaco, Inc.
Recording Date: September 11, 1970
Recording No: Volume 70177, Page 341, Deed Records, Dallas County, Texas.

f. A lease with certain terms, covenants, conditions and provisions set forth therein.

Dated: May 29, 1952
Lessor: Skillers & Sons, Inc.
Lessee: The Texas Company
Recording Date: July 14, 1952
Recording No: Volume 3697, Page 51, Deed Records, Dallas County, Texas.

g. A lease with certain terms, covenants, conditions and provisions set forth therein.

Dated: November 29, 1958
Lessor: Skillern & Sons, Inc.
Lessee: Wyatt Food Stores
Recording Date: December 24, 1958
Recording No: Volume 5024, Page 530, Deed Records, Dallas County, Texas.

The report identifies exceptions to title, which include various exceptions that are typical for a property of this type. Such exceptions do not appear to have an adverse effect on value. Our valuation assumes no adverse impacts from easements, encroachments, or restrictions, and further assumes that the subject has clear and marketable title.

Hazardous Substances

An environmental assessment report was not provided for review and environmental issues are beyond our scope of expertise. No hazardous substances were observed during our inspection; however, we are not qualified to detect such substances. Unless otherwise stated, we assume no hazardous conditions exist on or near the subject.

Conclusion of Land Analysis

Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses including those permitted by zoning. We are not aware of any other particular restrictions on development.

Improvements Description and Analysis



Improvement Summary

Name of Property	Bank of America Property	Wendy's Restaurant Property	Wal-Mart Property
General Property Type	Retail	Retail	Retail
Property Sub/Improvement Type	Bank/Financial Institution	Restaurant: Fast Food	Grocery Store
Occupancy Type	Single-tenant	Single-tenant	Single-tenant
Size:			
Gross Building Area (GBA)	6,067	3,329	42,567
Net Rentable Area (NRA)	2,995	3,329	42,567
Source of SF Info	Historical tax records and aerial measurements	Historical tax records and aerial measurements	Historical tax records and aerial measurements
Number of Buildings	1	1	1
Number of Stories	1	1	1
Number of Tenants	1	1	1
Building Shape	Rectangular	Rectangular	Rectangular
Current Occupancy	100%	100%	100%
Construction Type	Wood Frame	Wood Frame	Masonry
Construction Quality	Average	Good	Good
Condition	Good	Good	Good
Land to Building Ratio (LTB)	8.12	11.84	5.93
Floor Area Ratio (FAR)	6.08%	8.45%	16.85%
Year Built/Renovated	2014	2015	2013
Parking Type	Surface	Surface	Surface
Number of Parking Spaces	37 spaces + 5 drive through aisles	31 surface spaces plus adequate stacking and escape lane	215 surface spaces
Source of Parking Count	Aerial Imagery	Aerial Imagery	Aerial Imagery
Landscaping	Trees, grass and shrubs	Trees, grass and shrubs	Trees, grass and shrubs
Site Improvements	Concrete paving, curbing and sidewalk, single-and dual-head light standards, parking signs, a two-sided illuminated pylon sign, bollards, drive-through ordering equipment, etc.		

Real Estate Taxes

The subject property is in Dallas County. Real estate taxes in this state and this jurisdiction represent ad valorem taxes, meaning a tax applied in proportion to value. The real estate taxes for an individual property may be determined by dividing the assessed value for a property by $100, then multiplying the estimate by the composite rate. The composite rate is based on a consistent state tax rate throughout the state, in addition to one or more local taxing district rates.

Real estate taxes and assessments for the current tax year are shown in the following table.

Property Tax Analysis

Tax ID Numbers: 26678570010010000; 26678570010020000; 26678570010030000	
Land Assessment	$2,661,700
Building Assessment	$6,702,530
Total Assessment	$9,364,230
Tax Rate	2.819304%
Indicated Tax Liability	$264,006

The above tax rates and tax values are 'current' for tax year 2016.

Tax records indicate that the site has 7.6380 acres, or 332,712 square feet, indicating a land assessment of $8.00 per square foot of land area. The building size stated on the tax records is 48,891 square feet, indicating a total assessment of $191.53 per square foot of building area. Based on our investigations, analyses and conclusions in this report, the assessed value of the subject property for the current tax year appears to be low.

As noted herein, the subject/part to be acquired extends across three "parent tracts," and is valued as though it is still combined with the parent tracts from which it was acquired originally (see hypothetical condition below). As such, the sizes for the Tracts valued herein is different from the total land size delineated in the tax information above. The sizes presented herein for Tracts I, II and III are assumed to be correct for purposes of this analysis.

Assessment valuations, when compared to market valuations, are different due to multiple factors that are outside of the scope of this analysis, which include methodology, purpose, and variations in opinion. Furthermore, the size of the subject property utilized in this report is based upon a survey of the part to be acquired. The size of a property as described in the tax records may differ from the size described deed records or independent surveys. Tax records utilize different techniques for determining property boundaries than do surveyors, including consideration of Geographic Information Systems (GIS) protocols and are generally given less credence than an on-the-ground survey of a property. When current plat, survey or metes and bounds descriptions are not available, tax record estimates can still be sufficient to develop a credible opinion of value.

PROPERTY VALUATION SUMMARY

Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐

HIGHEST AND BEST USE ANALYSIS: (The *Highest and Best Use* analysis should consider the reasonably probable and legal use of vacant land or improved property considering legally permissible, physically possible, financially feasible, and maximally productive. Use separate page, numbered accordingly, as necessary.) See the Highest and Best Use Analysis Starting on the following page.

VALUATION APPROACHES

Insert value estimate, then describe, analyze, and support each approach as required.

Cost Approach .... $ 5,879,833

Sales Comparison Approach (Land Only).......... $ 5,828,910

Income Approach .... $ N/A

Reconciliation of Approaches to Value: Based on the analyses and conclusions for the valuation of the whole property, it is our opinion that a market value of approximately $5,879,833 is appropriate for the subject.

Contributory Value of Improvements (Itemized)				
Concrete Flatwork (Sidewalk)	3,073	SF	$	16,594
Landscaping	4,891	SF	$	30,813
Concrete Curbing	14	LF	$	145
Concrete Paving	555	SF	$	3,371
Total Contributory Value of Improvements			$	50,923

Fee Area (Tract I)	49,264	SF	@	$24.00 /	SF			$	1,182,336
Fee Area (Tract II)	39,419	SF	@	$22.00 /	SF			$	867,218
Fee Area (Tract III)	251,951	SF	@	$15.00 /	SF			$	3,779,265
Fee Area (Tract III - Prescriptive ROW)	609	SF	@	$15.00 /	SF	@	1%	$	91

Reconciled Final Value... $ 5,879,833

Valuation Methodology

Appraisers usually consider three approaches to estimating the market value of real property. These are the cost approach, sales comparison approach and the income capitalization approach.

The cost approach assumes that the informed purchaser would pay no more than the cost of producing a substitute property with the same utility. This approach is particularly applicable when the improvements being appraised are relatively new and represent the highest and best use of the land or when the property has unique or specialized improvements for which there is little or no sales data from comparable properties.

The sales comparison approach assumes that an informed purchaser would pay no more for a property than the cost of acquiring another existing property with the same utility. This approach is especially appropriate when an active market provides sufficient reliable data. The sales comparison approach is less reliable in an inactive market or when estimating the value of properties for which no directly comparable sales data is available. The sales comparison approach is often relied upon for owner-user properties.

The income capitalization approach reflects the market's perception of a relationship between a property's potential income and its market value. This approach converts the anticipated net income from ownership of a property into a value indication through capitalization. The primary methods are direct capitalization and discounted cash flow analysis, with one or both methods applied, as appropriate. This approach is widely used in appraising income-producing properties.

Reconciliation of the various indications into a conclusion of value is based on an evaluation of the quantity and quality of available data in each approach and the applicability of each approach to the property type.

Applicability of Valuation Approaches

The subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tracts from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual (see hypothetical condition). In order to do so, the larger parcel must be identified for valuation. The tests to determine the larger parcel are unified ownership, unified or integrated highest and best use, and proximity or contiguity. [9]" In this case the subject is a sliver of land that was previously acquired for future right of way purposes. It no longer shares common ownership with the neighboring retail pad sites (Tracts I and II), occupied by a Bank of America and Wendy's Restaurant, or the neighboring large retail site (Tract III), occupied by a Wal-Mart Neighborhood Market, which comprise the "parent tract" for purposes of this assignment. The main improvements on the parent tract are not impacted by the acquisition and the improvements that lay outside the subject (acquisition area) are not valued in this assignment (see Highest and Best Use of the Remainder).

The primary improvements on the parent tract are situated well away from the acquisition area and were not considered to be impacted by the project. Therefore, the main improvements were not valued and this report is limited to the valuation of land and affected site improvements. As such, consideration of the land value and the site improvements in the acquisition area was investigated. The following analysis of the whole property is limited to the sales comparison approach to estimate the land value and the cost approach for a value indication of the site improvements located in the part to be acquired.

[9] *Dictionary of Real Estate Appraisal, 6th Edition, "larger parcel," Appraisal Institute (2015)*

As previously discussed herein, each of these economic units has a separate tax account through Dallas County Appraisal District, are separately platted, and are separately owned. Thus, for the purposes of this analysis, and based on the commercial viability along S. Garland Avenue and W. Miller Road, we have valued each tract separately based on its particular highest and best use as determined herein.

Highest and Best Use – Tracts I and II

Process

Before a property can be valued, an opinion of highest and best use must be developed for the subject site, both as vacant, and as improved. The highest and best use must be:

- Physically possible.
- Legally permissible under the zoning regulations and other restrictions that apply to the site.
- Financially feasible.
- Maximally productive, i.e., capable of producing the highest value from among the permissible, possible, and financially feasible uses.

As Vacant

As noted herein, the subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tracts from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual (see hypothetical condition). In order to do so, the larger parcel must be identified for valuation. The discussion below is reflective of the adjacent parent tracts, inclusive of the subject, that have been identified for valuation herein.

Additionally, two of the tracts that the subject is herein assumed to be combined with, Tracts I and II, are smaller pad sites in comparison to Tract III which is a larger surrounding commercial retail land tract. Given the size discrepancy, we have valued the portions of the subject site combined within the pad sites separately from the valuation of the larger surrounding tract. The analysis that follows is reflective of the pad site tracts only.

Physically Possible

The physical characteristics of the site do not appear to impose any unusual restrictions on development. Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses.

Legally Permissible

The site is zoned "CR"/"S 14-48", Community Retail District and S 14-48, which is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration.

Tract II (Wendy's) also falls within Special Use 14-48, which was approved on January 20, 2015 to permit a restaurant with a drive-through on the property and allowing for the use of metal on the façade of the building.

In addition to the aforementioned, the subject site is also subject to the Easements with Covenants and Restrictions Affecting Land (ECR) effective January 30. 2013, and the First Amendment to Easement with Covenants and Restrictions Affecting Land (ECR) effective October 19, 2015, between the Wal-Mart Real Estate Business Trust and the property owners of the "Adjacent Tracts" which includes the subject. This ECR document provides additional requirements for development of the subject, including specified use, size, location, parking ratios, etc. The subject sites appear to conform to these requirements.

To our knowledge, there are no other legal restrictions such as easements or deed restrictions that would effectively limit the use of the property. Given prevailing land use patterns in the area, only commercial use is given further consideration in determining highest and best use of the site, as though vacant.

Financially Feasible

Based on our analysis of the market, there is currently adequate demand for commercial use in the subject's area. It appears that a newly developed commercial use on the site would have a value commensurate with its cost. Therefore, commercial use is financially feasible.

Maximally Productive

There does not appear to be any reasonably probable use of the site that would generate a higher residual land value than commercial use. Accordingly, it is our opinion that commercial use, developed to the normal market density level permitted by zoning, is the maximally productive use of the property.

Conclusion

Development of the site for commercial use is the only use that meets the four tests of highest and best use. Therefore, it is concluded to be the highest and best use of the property as vacant.

As Improved

The subject is currently improved with a Bank of America building, attached drive-through canopy, Wendy's Restaurant, and minor site improvements. Because the primary improvements are not impacted by the partial acquisition the valuation of the building is outside the scope of this analysis.

Most Probable Buyer

Considering the functional utility of the site and area development trends, the probable buyer is a developer, investor or owner-user.

SALES COMPARISON APPROACH
Tract I

Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐
Land: ☒ Improved: ☐

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor	-	Southern Star Capital, LLC	Resource One Credit Union	IUM Investors, LP	BOKF, NA, d/b/a Bank of Texas, et al
Grantee	-	William Waugh Holdings, LLC-Series 34	Quiktrip Corporation	National Retail Properties, LP	Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date of Sale	4/10/2017	10/28/2015	4/22/2016	1/26/2016	11/30/2016
Relative Location	Garland	Plano	Dallas	Garland	Garland
Size (Acres)	1.1309	0.8110	0.9525	1.3470	1.6800
Size (Square Feet)	49,264	35,327	41,491	58,675	73,180
Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Effective Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Unit Price	**Per SF**	**$29.72**	**$30.40**	**$18.00**	**$16.94**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	9%	6%	7%	2%
Adjusted Price	**Per SF**	**$32.39**	**$32.22**	**$19.26**	**$17.28**
Location	Garland	-5%	-10%		10%
Physical Characteristics					
Size	1.1309 acres			5%	5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None				
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-5%	-10%	5%	15%
	Indicated Unit Value	**$30.77**	**$29.00**	**$20.22**	**$19.87**
Estimated Unit Value				$24.00	

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.*)*:

SALES COMPARISON APPROACH
Tract II

Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐
Land: ☒ Improved: ☐

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor	-	Southern Star Capital, LLC	Resource One Credit Union	IUM Investors, LP	BOKF, NA, d/b/a Bank of Texas, et al
Grantee	-	William Waugh Holdings, LLC-Series 34	Quiktrip Corporation	National Retail Properties, LP	Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date of Sale	4/10/2017	10/28/2015	4/22/2016	1/26/2016	11/30/2016
Relative Location	Garland	Plano	Dallas	Garland	Garland
Size (Acres)	0.9049	0.8110	0.9525	1.3470	1.6800
Size (Square Feet)	39,419	35,327	41,491	58,675	73,180
Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Effective Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Unit Price	**Per SF**	**$29.72**	**$30.40**	**$18.00**	**$16.94**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	9%	6%	7%	2%
Adjusted Price	**Per SF**	**$32.39**	**$32.22**	**$19.26**	**$17.28**
Location	Garland	-10%	-15%	-5%	5%
Physical Characteristics					
Size	0.9049 acres			5%	5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None				
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-10%	-15%	0%	10%
	Indicated Unit Value	**$29.15**	**$27.39**	**$19.26**	**$19.01**
Estimated Unit Value				$22.00	

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.*)*:

COMPARABLE DATA SUPPLEMENT

District: Dallas | Parcel No.: 14 | Highway: SH 78
County: Dallas County | ROW CSJ: 0009-02-064

Land Sale **1** | Improved Sale | Rental Data


Grantor/Lessor: Southern Star Capital, LLC
Grantee/Lessee: William Waugh Holdings, LLC-Series 34
Date: 10/28/2015
Recording Information: 20151028001365900
Lat/Lon: 33.004816, -96.698940
Address: NEC President George Bush Hwy & K Ave, Plano, Texas
Zip Code: 75074

Legal Description: 0.811 acres of land in the James Beverly Survey, Abstract No. 120, City of Plano, Collin County, Texas

Confirmed Price: $1,050,000
Verified with: Matthew Rosenfeld, Selling Broker, ph. (214) 720-6676
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 35,327 Square Feet or 0.8110 Acres
Unit Price as Vacant: $29.72 Per SF
Type Street: Arterial/Collector Corner
Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA)
Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Burger Street - Pad Site
Highest & Best Use: Commercial
Date of Inspection: 3/21/2017
Zoning: Light Industrial
Flood Plain: None

Attach additional information as necessary. The property was purchased for the construction of a Burger Street. Construction of the improvements is expected to begin sometime in Q2 or Q3 of 2017. High voltage powerlines owned by Oncor Energy run east and west to the south of the sale. According to the confirmation source, the powerline easement did not affect the sale price. Excluding the powerline easement, this sale is the first property on the corner. The site is generally level and is ready for immediate development. K Avenue has a traffic count of 19,400 cars per day and surrounding median income levels of $57,154.

Appraiser: Matthew D. Browne, MAI | 4/27/2017
(Typed, not signed) | Date

COMPARABLE DATA SUPPLEMENT

District: Dallas   Parcel No.: 14   Highway: SH 78
County: Dallas County   ROW CSJ: 0009-02-064

Land Sale **2**   Improved Sale   Rental Data

Grantor/Lessor: Resource One Credit Union   Grantee/Lessee: Quiktrip Corporation
Date: 4/22/2016   Recording Information: 201600113407   Lat/Lon: 32.792860, -96.684447
Address: 5500 S. Buckner Boulevard, Dallas, Texas   Zip Code: 75228

Legal Description: 0.9525 acres in the William Chenault Survey, Abstract No. 276, City of Dallas, Dallas County, Texas

Confirmed Price: $1,261,502   Verified with: John C. Weber, Selling Broker, ph. (214) 679-2427
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 41,491 Square Feet or 0.9525 Acres   Unit Price as Vacant: $30.40 Per SF
Type Street: Arterial   Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA)   Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Quiktrip - Pad Site   Highest & Best Use: Commercial
Date of Inspection: 3/21/2017   Zoning: RR - Regional Retail   Flood Plain: None

Attach additional information as necessary. This property was purchased for the development of a Quiktrip gas station. The sale is located on the southeast side of Dallas just south of I-30. Buckner Boulevard is a highly trafficked road with a traffic count of 39,744 vehicles per day and surrounding median income levels of $32,557.

Appraiser: Matthew D. Browne, MAI   4/27/2017
(Typed, not signed)   Date

COMPARABLE DATA SUPPLEMENT

District: Dallas | Parcel No.: 14 | Highway: SH 78
County: Dallas County | ROW CSJ: 0009-02-064

Land Sale **3** | Improved Sale | Rental Data

Grantor/Lessor: IUM Investors, LP | Grantee/Lessee: National Retail Properties, LP

Date: 1/26/2016 | Recording Information: 201600025299 | Lat/Lon: 32.511561, -96.383707

Address: 1380 W. Centerville Road, Garland, TX | Zip Code: 75049

Legal Description: Lot 2R3, Block 1, New World Shopping Center No. 1 Replat of Lot 2R, Block 1, City of Garland, Dallas County, Texas (Tract 1); Tracts II and III are Easement Estates

Confirmed Price: $1,056,150 | Verified with: Ken Wise - Provident Realty Advisors, Listing Broker, ph. (972) 385-4100

Terms and Conditions of Sale: Cash to seller

Rental Data: N/A

Land Size: 58,675 Square Feet or 1.3470 Acres | Unit Price as Vacant: $18.00 Per SF

Type Street: Highway | Utilities: All Available

Improvement(s) Description: N/A

Improvement(s) Size N/A (GBA) N/A (NRA) | Unit Price as Improved: N/A

Condition and Functional Design: N/A

Current Use: Old Chicago - Pad Site | Highest & Best Use: Commercial

Date of Inspection: 3/30/2017 | Zoning: PD (CR) - Planned Dev, Community Retail | Flood Plain: None

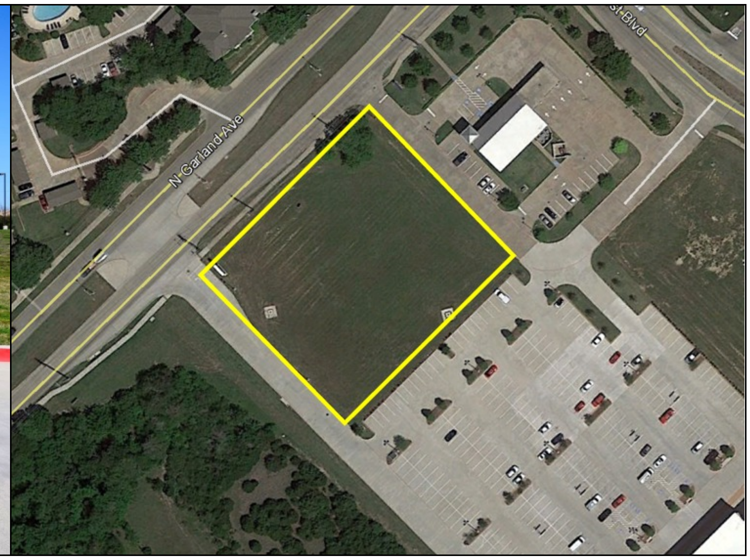
Attach additional information as necessary. This pad site sold for a reported price of $18 per square foot. It was acquired for the development of an Old Chicago Pizza and Taproom. The site adjacent to the northwest was also acquired (August 2015) for $18 per square foot and is improved with a Panda Express. West Centerville near IH-635 is a highly trafficked road with a traffic count of 43,052 vehicles per day and surrounding median income levels of $38,223.

Appraiser: Matthew D. Browne, MAI | 4/27/2017
(Typed, not signed) | Date

COMPARABLE DATA SUPPLEMENT

District: Dallas | Parcel No.: 14 | Highway: SH 78
County: Dallas County | ROW CSJ: 0009-02-064

Land Sale **4** | Improved Sale | Rental Data



Grantor/Lessor: BOKF, NA, d/b/a Bank of Texas, et al Grantee/Lessee: Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date: 11/30/2016 Recording Information: 201600343512 and 201600343513 Lat/Lon: 32.959928, -96.647708
Address: 4900 N. Garland Avenue, Garland, Texas Zip Code: 75040

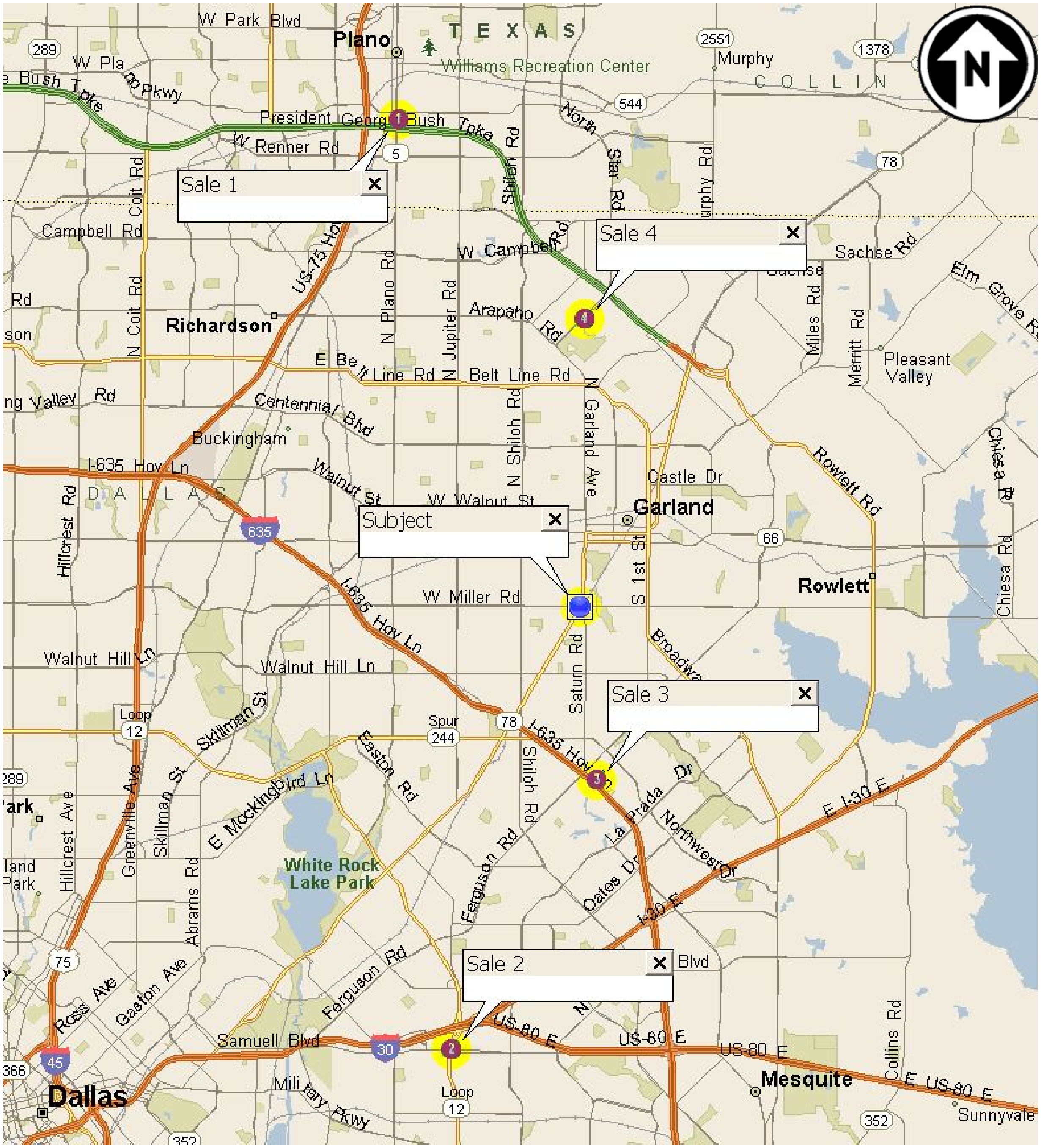
Legal Description: Lot 2 and 3, Block 1, of Mayor Foundation Addition No. 2, an addition to the City of Garland, Dallas County, Texas

Confirmed Price: $1,240,000 Verified with: Allison Goodhart - , Listing Broker
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 73,180 Square Feet or 1.6800 Acres Unit Price as Vacant: $16.94 Per SF
Type Street: Arterial Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA) Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Pad Site Land Highest & Best Use: Commercial
Date of Inspection: 3/30/2017 Zoning: PD (CR) - Planned Dev, Community Retail Flood Plain: None

Attach additional information as necessary. Two adjacent pad sites sold simultaneously to two buyers for $1,240,000. Bank of Texas acted as a trustee to the seller. One site to be developed with a restaurant and the other a commercial use. North Garland Avenue near PGBT receives traffic counts of 22,790 vehicles per day and surrounding median income levels of $58,354.

Appraiser: Matthew D. Browne, MAI 4/27/2017
(Typed, not signed) Date

Comparable Land Sales Map



Analysis and Adjustment of Sales

The sales are compared to the subject and adjusted to account for material differences that affect value. For this analysis, we use price per SF as the appropriate unit of comparison because market participants typically compare sale prices and property values on this basis.

The adjustment process is typically applied through either quantitative or qualitative analysis. Quantitative adjustments are often developed as dollar or percentage amounts, while qualitative adjustments are simply expressed through relative comparison (i.e. significantly inferior). Quantitative adjustments are more applicable when the quality and quantity of data allows paired sales or statistical analysis. Market participants can often identify superior or inferior characteristics when comparing properties. Without paired sales or statistical information, applying quantitative adjustments to reflect the differences is often problematic or subjective. Given the availability of data and imperfect nature of the real estate market, participants most often rely on relative or qualitative comparisons.

Blended Adjustments

Relative Comparisons	Pre-Assigned Quantitative Adjustment
Slight Adjustment	5%
Moderate Adjustment	10%
Fair Adjustment	15%
Significant Adjustment	20%
Large Adjustment	25% plus

The research in the market included property that has sold in addition to property listed for sale. Four land sales were selected for direct comparison and adjusted accordingly. Before adjustment for physical characteristics of each comparable are made, the sales are adjusted for real property rights conveyed, financing terms, condition of sale and time (market conditions). Multiple sources have been consulted to provide an indication of value changes over time and are summarized as follows.

Indicators of Value Change Over Time

Moody's/RCA Retial Non-Major Index 4Q15 to 4Q16	+ 1.4%
Moody's/RCA Retial Non-Major Index 4Q14 to 4Q16	+ 6.4% per year
CoStar DFW MSA Total Retail Quoted Rental Rate 4Q15 to 4Q16	+5.7%
CoStar DFW MSA General Retail Quoted Rental Rate 4Q15 to 4Q16	+ 7.5%
CoStar Near North Dallas Retail Quoted Rental Rate 4Q15 to 4Q16	+ 8.3%

Quoted rental rates provide a more recent indication of changes in price. Leases occur much more frequently than sales and generally provide a larger sample size of recent transactions compared to sales. Given the larger sample size, more data was available which has allowed data to be taken from smaller market areas.

Based on the price trends noted in the Market Area Analysis section of this report and the Indicators of Value change table above, for this analysis, each sale is adjusted by 6% per year to allow for changing market conditions since the time of the transaction.

The above adjustments are applied to arrive at an adjusted price before the following adjustments:

Land Sale 1 is located near the northeast corner of President George Bush Highway service road and Avenue K. Although the sale is not a corner site, it is in closer proximity to major employment centers, more desirable neighborhoods and areas with higher median household incomes. A downward location adjustment was applied.

With regards to Tract II, this sale is located near the northeast corner of President George Bush Highway service road and Avenue K. It is in closer proximity to major employment centers, more desirable neighborhoods and areas with higher median household incomes. A downward location adjustment was applied.

Land Sale 2 is located on a hard corner just south of Interstate 30. The sale is in closer proximity to major employment centers, more desirable neighborhoods and areas with higher median household incomes. A downward adjustment is made for the sale's superior location.

With regards to Tract II, this sale is located on a hard corner just south of Interstate 30. The sale is in closer proximity to major employment centers, more desirable neighborhoods and areas with higher median household incomes. A downward adjustment is made for the sale's superior location.

Land Sale 3 is not a corner site; however, it is situated along the exit ramp of IH 635. This was deemed similar to the subject's location amongst superior development and no adjustment for location was applied. The sale contained 1.347 acres and an upward size adjustment was necessary to account for the inverse relationship that exists between total tract size and unit value.

With regards to Tract II, this sale is a non-corner site situated along the exit ramp of IH 635. This was deemed superior to the subject's location and a downward adjustment was applied.

Land Sale 4 is located in front of an Academy Sports and Outdoors along N. Garland Road at an entrance to the development. The site is not a hard corner and an upward location adjustment was made. The sale contained 1.680 acres and an upward size adjustment was necessary.

With regards to Tract II, this sale is located in front of an Academy Sports and Outdoors along N. Garland Road at an entrance to the development. This is considered inferior to the subject's location and an upward location adjustment was made.

Listings and Other Sales Considered

In addition to the sales previously presented, the appraisers have analyzed current listings and found several for comparison to the subject property.

Listings and Pending Sales in Market Area

Address	Use	DOM	Listed Price	Size (SF)	Price/SF
1600 Holford Rd., Garland	Office	32	$750,103	50,094	$14.97
4118 Live Oak St., Dallas	Retail	137	$2,525,000	100,624	$25.09
215-309 N. Carroll Ave., Dallas	Commercial	277	$1,750,000	50,530	$34.63
8101 LBJ Freeway, Dallas	Retail	307	$250,000	8,712	$28.70
12520 N. Central Expy, Dallas	Retail	307	$650,000	28,750	$22.61
9777 Greenville Ave., Dallas	Commercial	Pending	$500,000	21,344	$23.43
Miles Rd., Sachse	Commercial	Pending	$1,692,300	67,518	$25.06
Average			$1,159,629	46,796	$24.93

Land Value Conclusion

Based on the preceding analysis and adjustments, the comparable sales provide a range of value indications from $19.87 to $30.77 per square foot with an average of $24.97 per square foot. Giving slightly greater weight to Land Sales 3 and 4 based on their closer proximity to the subject in addition to the listings and pending sales that were also given some consideration, it is our opinion that the applicable unit value is $24.00 per square foot for the corner pad site (Tract I), and $22.00 per square foot for the off-corner pad site (Tract II), based on the newer developments that have occurred on the northern half of this arterial intersection and the higher values that are warranted for corner versus off-corner parcels. This results in a concluded property value as follows:

Sales Comparison Analysis - Land Value per SF

	Unit Value	Land Area	Concluded Land Value
Fee Area (Tract I)	$24.00 / SF	49,264 SF	$1,182,336
Fee Area (Tract II)	$22.00 / SF	39,419 SF	$867,218
Total			$2,049,554

Highest and Best Use – Tract III

Process

Before a property can be valued, an opinion of highest and best use must be developed for the subject site, both as vacant, and as improved. The highest and best use must be:

- Physically possible.
- Legally permissible under the zoning regulations and other restrictions that apply to the site.
- Financially feasible.
- Maximally productive, i.e., capable of producing the highest value from among the permissible, possible, and financially feasible uses.

As Vacant

As noted herein, the subject of this assignment is Parcel 14, a narrow strip of land previously acquired and is currently owned by the City of Garland. To value this parcel, it is appraised as though still combined with the parent tracts from which it was acquired as required by the TxDOT ROW Appraisal and Review Manual (see hypothetical condition). In order to do so, the larger parcel must be identified for valuation. <u>The discussion below is reflective of the adjacent parent tracts, inclusive of the subject, that have been identified for valuation herein.</u>

Additionally, two of the tracts that the subject is herein assumed to be combined with, Tracts I and II, are smaller pad sites in comparison to Tract III which is a larger surrounding commercial retail land tract. Given the size discrepancy, we have valued the portions of the subject site combined within the pad sites separately from the valuation of the larger surrounding tract. The analysis that follows is reflective of the larger Tract III site only.

Physically Possible

The physical characteristics of the site do not appear to impose any unusual restrictions on development. Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses.

Legally Permissible

The site is zoned "CR" - Community Retail District, which is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration.

In addition to the aforementioned, the subject site is also subject to the Easements with Covenants and Restrictions Affecting Land (ECR) effective January 30. 2013, and the First Amendment to Easement with Covenants and Restrictions Affecting Land (ECR) effective October 19, 2015, between the Wal-Mart Real Estate Business Trust and the property owners of the “Adjacent Tracts.” This ECR document provides additional requirements for development of the subject, including specified use, size, location, parking ratios, etc. The subject appears to conform to these requirements.

To our knowledge, there are no legal restrictions such as easements or deed restrictions that would effectively limit the use of the property. Given prevailing land use patterns in the area, only commercial use is given further consideration in determining highest and best use of the site, as though vacant.

Financially Feasible

Based on our analysis of the market, there is currently adequate demand for commercial use in the subject's area. It appears that a newly developed commercial use on the site would have a value commensurate with its cost. Therefore, commercial use is financially feasible.

Maximally Productive

There does not appear to be any reasonably probable use of the site that would generate a higher residual land value than commercial use. Accordingly, it is our opinion that commercial use, developed to the normal market density level permitted by zoning, is the maximally productive use of the property.

Conclusion

Development of the site for commercial use is the only use that meets the four tests of highest and best use. Therefore, it is concluded to be the highest and best use of the property as vacant.

As Improved

The subject is currently improved with a Wal-Mart Neighborhood Market and minor site improvements. Because the primary improvements are not impacted by the partial acquisition the valuation of the building is outside the scope of this analysis.

Most Probable Buyer

Considering the functional utility of the site and area development trends, the probable buyer is a developer, investor or owner-user.

SALES COMPARISON APPROACH Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐
Tract III Land: ☒ Improved: ☐

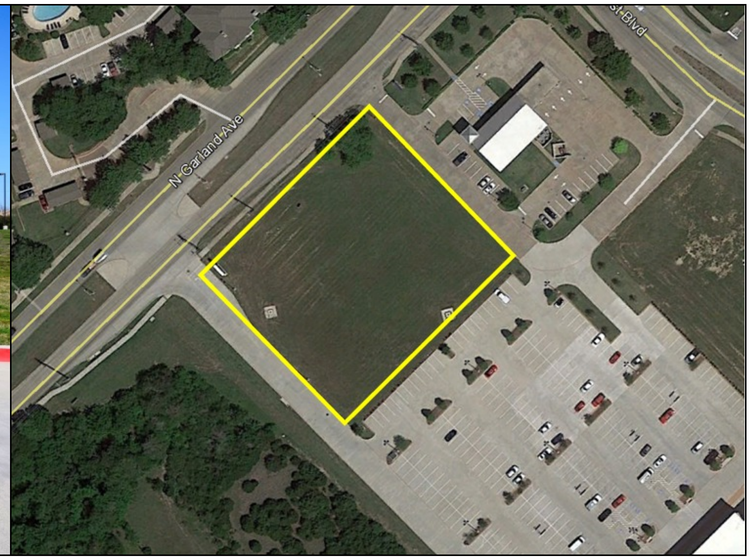
VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 4**	**Comp No. 5**	**Comp No. 6**	**Comp No. 7**
Grantor	-	BOKF, NA, d/b/a Bank of Texas, et al	William F. Callejo	ERI-Garland, LP	Rowlett Farm Partnership
Grantee	-	Firebrand Properties, LP and Turbo Restaurant Management, LLC	Not Yet Recorded	Shiloh CM Partners, LP	Green Center Invest Ltd.
Date of Sale	4/10/2017	11/30/2016	3/17/2017	3/16/2017	5/8/2014
Relative Location	Garland	Garland	Garland	Garland	Allen
Size (Acres)	5.7980	1.6800	3.0060	5.4048	3.4011
Size (Square Feet)	252,560	73,180	130,941	235,435	148,150
Sale Price	-	$1,240,000	$1,702,233	$1,624,502	$2,222,250
Effective Sale Price	-	$1,240,000	$1,702,233	$1,624,502	$2,222,250
Unit Price	**Per SF**	**$16.94**	**$13.00**	**$6.90**	**$15.00**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	2%	0%	0%	18%
Adjusted Price	**Per SF**	**$17.28**	**$13.00**	**$6.90**	**$17.70**
Location	Garland	5%	10%	15%	-10%
Physical Characteristics					
Size	5.7980 acres	-10%	-5%		-5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None			40%	
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-5%	5%	55%	-15%
	Indicated Unit Value	**$16.42**	**$13.65**	**$10.70**	**$15.05**
Estimated Unit Value				$15.00	

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.*)*:

COMPARABLE DATA SUPPLEMENT

District: Dallas   Parcel No.: 14   Highway: SH 78
County: Dallas County   ROW CSJ: 0009-02-064

Land Sale **4**   Improved Sale   Rental Data



Grantor/Lessor: BOKF, NA, d/b/a Bank of Texas, et al   Grantee/Lessee: Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date: 11/30/2016   Recording Information: 201600343512 and 201600343513   Lat/Lon: 32.959928, -96.647708
Address: 4900 N. Garland Avenue, Garland, Texas   Zip Code: 75040

Legal Description: Lot 2 and 3, Block 1, of Mayor Foundation Addition No. 2, an addition to the City of Garland, Dallas County, Texas

Confirmed Price: $1,240,000   Verified with: Allison Goodhart - , Listing Broker
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 73,180 Square Feet or 1.6800 Acres   Unit Price as Vacant: $16.94 Per SF
Type Street: Arterial   Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA)   Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Pad Site Land   Highest & Best Use: Commercial
Date of Inspection: 3/30/2017   Zoning: PD (CR) - Planned Dev, Community Retail   Flood Plain: None

Attach additional information as necessary. Two adjacent pad sites sold simultaneously to two buyers for $1,240,000. Bank of Texas acted as a trustee to the seller. One site to be developed with a restaurant and the other a commercial use. North Garland Avenue near PGBT receives traffic counts of 22,790 vehicles per day and surrounding median income levels of $58,354.

Appraiser: Matthew D. Browne, MAI   4/27/2017
(Typed, not signed)   Date

COMPARABLE DATA SUPPLEMENT

District: Dallas   Parcel No.: 14   Highway: SH 78
County: Dallas County   ROW CSJ: 0009-02-064

Land Sale **5**   Improved Sale   Rental Data

Grantor/Lessor: William F. Callejo   Grantee/Lessee: Not Yet Recorded
Date: 3/17/2017   Recording Information: Not Yet Recorded   Lat/Lon: 32.959217, -96.666029
Address: 2602-2630 Arapaho Road, Garland, Texas   Zip Code: 75044

Legal Description: Lots 3, 4 and 5, Block 1, ILT HS Addition, City of Garland, Dallas County, Texas

Confirmed Price: $1,702,233   Verified with: JD Callejo, Selling Broker, ph. (214) 402-9741
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 130,941 Square Feet or 3.0060 Acres   Unit Price as Vacant: $13.00 Per SF
Type Street: Arterial Corner   Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA)   Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Commercial Mixed Use Site   Highest & Best Use: Commercial
Date of Inspection: 4/10/2017   Zoning: Multiple Districts - PD 13-28   Flood Plain: None

Attach additional information as necessary. Vacant land acquired for future retail use. The intersection of N. Shiloh Road and Arapaho Road receives 23,651 vehicles per day and has surrounding median income levels of $56,903.

Appraiser: Matthew D. Browne, MAI   4/27/2017
(Typed, not signed)   Date

COMPARABLE DATA SUPPLEMENT

District: Dallas | Parcel No.: 14 | Highway: SH 78
County: Dallas County | ROW CSJ: 0009-02-064

Land Sale **6** | Improved Sale | Rental Data

Grantor/Lessor: ERI-Garland, LP | Grantee/Lessee: Shiloh CM Partners, LP

Date: 3/16/2017 | Recording Information: 201700076026 | Lat/Lon: 32.976059, -96.666217

Address: NWC of N. Shiloh Rd. and W. Campbell Rd., Garland, Texas | Zip Code: 75044

Legal Description: Being a tract of land situated in the City of Garland, Dallas County, Texas, out of the Delilah C. Manning Survey, Abstract No. 945

Confirmed Price: $1,624,502 | Verified with: Nathan Tune, Selling Broker, ph. (940) 381-2220

Terms and Conditions of Sale: Cash to seller

Rental Data: N/A

Land Size: 235,435 Square Feet or 5.4048 Acres | Unit Price as Vacant: $6.90 Per SF

Type Street: Arterial Corner | Utilities: All Available

Improvement(s) Description: N/A

Improvement(s) Size N/A (GBA) N/A (NRA) | Unit Price as Improved: N/A

Condition and Functional Design: N/A

Current Use: Commercial Site | Highest & Best Use: Commercial

Date of Inspection: 4/10/2017 | Zoning: PD (NO) - Planned Development (NO) | Flood Plain: None

Attach additional information as necessary. Vacant land acquired for future rehabilitation center use. The site slopes heavily from northeast to southwest and drops approximately 38 feet. The intersection of N. Shiloh Road and W. Campbell Road receives 16,450 vehicles per day and has surrounding median income levels of $83,716.

Appraiser: Matthew D. Browne, MAI | 4/27/2017
(Typed, not signed) | Date

Form ROW-A-5S
(Rev. 11/11)

COMPARABLE DATA SUPPLEMENT

District: Dallas | Parcel No.: 14 | Highway: SH 78
County: Dallas County | ROW CSJ: 0009-02-064

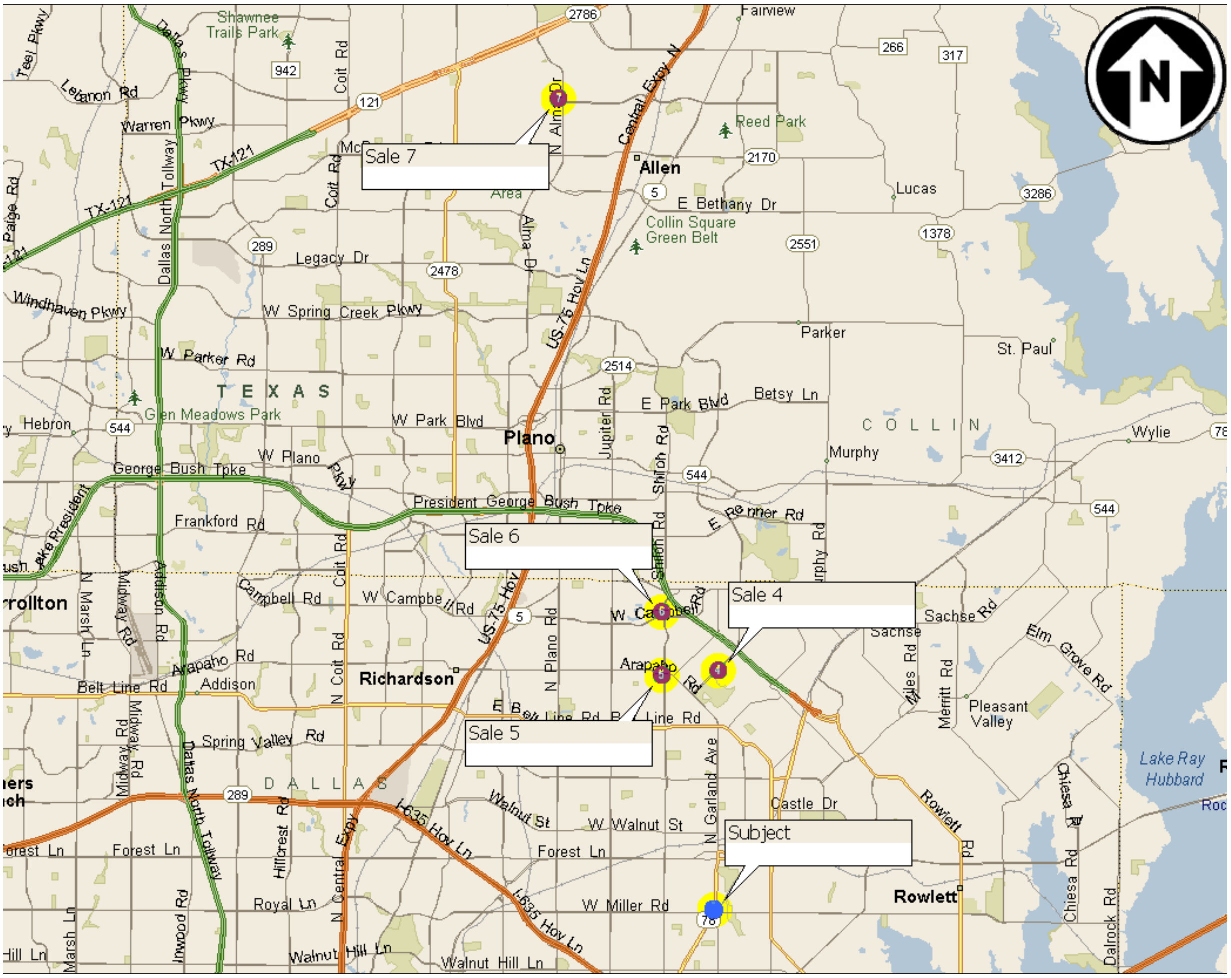
Land Sale **7** | Improved Sale | Rental Data


Grantor/Lessor: Rowlett Farm Partnership | Grantee/Lessee: Green Center Invest Ltd.
Date: 5/8/2014 | Recording Information: 20140509000461210 | Lat/Lon: 33.115912, -96.699068
Address: NWC of Alma Drive and W. Exchange Pkwy., Allen, Texas | Zip Code: 75013
Legal Description: Being a part of Lot 1R, Block A, of Replat of Kids R Kids, Lots 1R, 3 & 4, Block A, an Addition to the City of Allen, Collin County, Texas
Confirmed Price: $2,222,250 | Verified with: Michael Turng, Selling Broker, ph. (972) 780-8199
Terms and Conditions of Sale: Cash to seller
Rental Data: N/A
Land Size: 148,150 Square Feet or 3.4011 Acres | Unit Price as Vacant: $15.00 Per SF
Type Street: Arterial Corner | Utilities: All Available
Improvement(s) Description: N/A
Improvement(s) Size N/A (GBA) N/A (NRA) | Unit Price as Improved: N/A
Condition and Functional Design: N/A
Current Use: Commercial Site | Highest & Best Use: Commercial
Date of Inspection: 4/20/2017 | Zoning: PD-53 (SC) - Planned Development (Shopping Center) | Flood Plain: None

Attach additional information as necessary. Vacant land acquired for the development of a commercial-retail use. The intersection of N. Alma Drive and W. Exchange Parkway receives 24,504 vehicles per day and has surrounding median income levels of $118,528.

Appraiser: Matthew D. Browne, MAI | 4/27/2017
(Typed, not signed) | Date

Comparable Land Sales Map



Analysis and Adjustment of Sales

The sales are compared to the subject and adjusted to account for material differences that affect value. For this analysis, we use price per SF as the appropriate unit of comparison because market participants typically compare sale prices and property values on this basis.

The adjustment process is typically applied through either quantitative or qualitative analysis. Quantitative adjustments are often developed as dollar or percentage amounts, while qualitative adjustments are simply expressed through relative comparison (i.e. significantly inferior). Quantitative adjustments are more applicable when the quality and quantity of data allows paired sales or statistical analysis. Market participants can often identify superior or inferior characteristics when comparing properties. Without paired sales or statistical information, applying quantitative adjustments to reflect the differences is often problematic or subjective. Given the availability of data and imperfect nature of the real estate market, participants most often rely on relative or qualitative comparisons.

Blended Adjustments

Relative Comparisons	Pre-Assigned Quantitative Adjustment
Slight Adjustment	5%
Moderate Adjustment	10%
Fair Adjustment	15%
Significant Adjustment	20%
Large Adjustment	25% plus

The research in the market included property that has sold in addition to property listed for sale. Four land sales were selected for direct comparison and adjusted accordingly. Before adjustment for physical characteristics of each comparable are made, the sales are adjusted for real property rights conveyed, financing terms, condition of sale and time (market conditions). Multiple sources have been consulted to provide an indication of value changes over time and are summarized as follows.

Indicators of Value Change Over Time

Moody's/RCA Retial Non-Major Index 4Q15 to 4Q16	+ 1.4%
Moody's/RCA Retial Non-Major Index 4Q14 to 4Q16	+ 6.4% per year
CoStar DFW MSA Total Retail Quoted Rental Rate 4Q15 to 4Q16	+5.7%
CoStar DFW MSA General Retail Quoted Rental Rate 4Q15 to 4Q16	+ 7.5%
CoStar Near North Dallas Retail Quoted Rental Rate 4Q15 to 4Q16	+ 8.3%

Quoted rental rates provide a more recent indication of changes in price. Leases occur much more frequently than sales and generally provide a larger sample size of recent transactions compared to sales. Given the larger sample size, more data was available which has allowed data to be taken from smaller market areas.

Based on the price trends noted in the Market Area Analysis section of this report and the Indicators of Value change table above, for this analysis, each sale is adjusted by 6% per year to allow for changing market conditions since the time of the transaction.

The above adjustments are applied to arrive at an adjusted price before the following adjustments:

Land Sale 4 is located in front of an Academy Sports and Outdoors along N. Garland Road at an entrance to the development. The site does not benefit from frontage along two thoroughfares in comparison to the subject and an upward location adjustment was made. The sale contained 1.680 acres and a downward size adjustment was necessary.

Land Sale 5 is located on the southwest corner of N. Shiloh Road and Arapaho Road. Although the sale is located in an area with higher median household incomes, it does not benefit from surrounding traffic counts in comparison to the subject. An upward location adjustment was applied. The sale contained 3.0060 acres and a downward size adjustment was necessary to account for the inverse relationship that exists between total tract size and unit value.

Land Sale 6 is located on the northwest corner of N. Shiloh Road and W. Campbell Road. Although the sale is located in an area with higher median household incomes, it does not benefit from surrounding traffic counts in comparison to the subject. An upward location adjustment was applied. Land Sale 6 has heavily sloping topography that slopes approximately 38 feet from northeast to southwest. An upward topography adjustment is warranted.

Land Sale 7 is located on the northwest corner of Alma Road and W. Exchange Parkway in an area with superior median income levels and surrounding development. However, these characteristics are partially offset by the superior traffic counts received by the subject site. A downward location adjustment is warranted.

Analysis of the Subject's Prescriptive Right-of-Way and Discount

As noted in the Extraordinary Assumptions section herein, the survey provided by the client indicates that the northernmost portion of the subject property/part to be acquired extends north into S. Garland Avenue, which would indicated that approximately 609 square feet is located within the prescriptive right-of-way area. The measurements concluded for this area are based on aerial measurements and are assumed to be accurate for purposes of this assignment.

This is considered prescriptive right-of-way or, in other words, a prescriptive easement. Prescriptive easement is defined as "the right to use another's land, which is established by exercising the right over a period of time. Such an easement is not specifically granted, it is understood." Buyers and sellers of such land typically disregard this land area in their negotiations so that the land is generally considered to have no contributory value. We have included a nominal value for the existing Prescriptive ROW for purposes of title conveyance.

The following chart (Right of Way Magazine, "The Valuation of Easements", Sherwood, November/December 2014) outlines a very basic analysis of typical easement encumbrances. It can be used as a generic guide in order to analyze the extent of ownership the fee owner loses as a result of the encumbrance brought about by an easement.

Percentage of Fee	Comments	Potential Types of Easements
90% - 100%	•Severe impact on surface use •Conveyance of future uses	Overhead electric, flowage easements, railroad ROW, irrigation canals, exclusive access easements
75% - 89%	•Major impact on surface use •Conveyance of future uses	Overhead electric, pipelines, drainage easements, railroad ROW, flowage easements
51% - 74%	•Some impact on surface use •Conveyance of ingress/egress rights	Pipelines, scenic easements
50%	•Balanced use by both owner and easement holder	Water or sewer lines, cable lines, telecommunications
26% - 49%	•Location along a property line or location across non usable land area	Water or sewer line, cable lines
11% - 25%	•Subsurface or air rights that have minimal effect on use and utility •Location within a setback	Air rights, water or sewer lines
0% - 10%	•Nominal effect on use and utility	Small subsurface easements

Since 609 square feet of the whole property is considered Prescriptive ROW, its surface use is severely limited. Thus, based upon the rights being acquired, the value estimated for this portion of the property will be 1%, or discounted 99%, of the fee simple unit value. This encumbrance discount is supported by the easement matrix above.

Land Value Conclusion

Based on the preceding analysis and adjustments, the comparable sales provide a range of value indications from $10.70 to $16.42 per square foot with an average of $13.96 per square foot. Comparables 1, 2 and 4 are given greatest weight in our valuation based on their recent sales dates and/or few overall adjustments. Additionally, conversations with local brokers in the Garland area have indicated that the supply of land sites, and especially large land sites, within the Garland area is very small. As such, prices paid for the remaining land are trending upward as the supply decreases. While note that Sale 4 receives no adjustments herein, it appears to be an outlier in comparison to the other tracts and receives nominal weight. Accordingly, it is our opinion that the applicable unit value is $15.00 per square foot. This results in a concluded property value as follows:

Sales Comparison Analysis - Land Value per SF

	Unit Value	Ownership Interest		Land Area	Concluded Land Value
Fee Area (Tract III)	$15.00 / SF			251,951 SF	$3,779,265
Fee Area (Tract III - Prescriptive ROW)	$15.00 / SF	@	1%	609 SF	$91
Total					$3,779,356

Land Value Total

Combining the land values reconciled for Tracts I and II with the value reconciled for Tract III above results in a total land value for the site as follows:

Sales Comparison Analysis - Land Value per SF

	Unit Value			Land Area	Concluded Land Value
Fee Area (Tract I)	$24.00 / SF			49,264 SF	$1,182,336
Fee Area (Tract II)	$22.00 / SF			39,419 SF	$867,218
Fee Area (Tract III)	$15.00 / SF			251,951 SF	$3,779,265
Fee Area (Tract III - Prescriptive ROW)	$15.00 / SF	@	1%	609 SF	$91
Total					$5,828,910

COST APPROACH Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐

Estimated Replacement/ Reproduction Cost					
Improvement	**Number of sq ft**	**$ per sq ft**	**Cost New**	**<Depreciation>**	**Value**
Contributory Value of the Buildings					
Accessory Improvements					
Contributory Value of the Accessory Improvements					
Site Improvements					
Concrete Flatwork (Sidewalk)	3,073 SF	$6.00 / SF	$18,438	$1,844	$16,594
Landscaping	4,891 SF	$7.00 / SF	$34,237	$3,424	$30,813
Concrete Curbing	14 LF	$11.50 / LF	$161	$16	$145
Concrete Paving	555 SF	$6.75 / SF	$3,746	$375	$3,371
Contributory Value of the Site Improvements					$50,923
Contributory Value of all Improvements					$50,923
Fee Area (Tract I)	49,264 SF	$24.00 / SF			$1,182,336
Fee Area (Tract II)	39,419 SF	$22.00 / SF			$867,218
Fee Area (Tract III)	251,951 SF	$15.00 / SF			$3,779,265
Fee Area (Tract III - Prescriptive ROW)	609 SF	$15.00 / SF	1%		$91
Estimated Value by Cost Approach					$5,879,833

Furnish sources of cost data and support for depreciation factors (physical, functional, and economic. Use separate page, numbered accordingly, as necessary.):

Cost Approach

The steps taken to apply the cost approach are:

- Develop an opinion of the value of the land as though vacant and available to be developed to its highest and best use, as of the effective date of the appraisal.
- Estimate the replacement cost new of the existing improvements using Marshall Valuation Service (MVS) and/or local contractor estimates. local and current multipliers are applied MVS figures; margins for indirect cost and entrepreneurial incentive are also added.
- Estimate depreciation from all causes and deduct this estimate from replacement cost new to arrive at depreciated replacement cost of the improvements. In this case, no external or functional obsolescence appears to be present.
- Add land value to the depreciated replacement cost of the improvements to arrive at a market value indication for the property overall.

The following tables summarize our valuation by the cost approach.

Cost Approach Summary

	MVS Sec./Page	Class-Type	Description	Reconciled Unit Cost	Quantity Unit	Estimated Cost New	Reconciled Effective Age	Physical Life	Reconciled Depreciation %	Depreciated Cost	Depreciated Unit Cost Unit
Site Improvements											
Concrete Flatwork (Sidewalk)	66/6		Good	$6.00	3,073 SF	$18,438	2	20	10%	$16,594	$5.40 SF
Landscaping	66/8	Small Area	Good	$7.00	4,891 SF	$34,237	2	20	10%	$30,813	$6.30 SF
Concrete Curbing	66/1		6-inch	$11.50	14 LF	$161	2	20	10%	$145	$10.36 LF
Concrete Paving	66/1		6-inch	$6.75	555 SF	$3,746	2	20	10%	$3,371	$6.07 SF
Source: Marshall Valuation Service (MVS) & prior construction estimates						$56,582			10%	$50,923	

It is noted that the landscaping dollar figure above is reflective of irrigation and superior landscaping quality.

SALES COMPARISON APPROACH Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐
Land: ☐ Improved: ☒

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor					
Grantee					
Date of Sale					
Relative Location					
Land Size (Acres)					
Land Size (Square Feet)					
Land To Building (LTB) Ratio					
Effective Sale Price					
Unit Price					
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustmt)					
Adjusted Price					
Location					
Physical Characteristics					
Age Condition Utility					
Land to Building Ratio					
Size					
Parking					
Quality					
Amenities					
Total Adjustments					
	Indicated Unit Value				
Estimated Unit Value					

Estimated Value by Sales Comparison Approach ………………………………………… N/A

Explanation of Adjustments with Reconciliation (Attach Comparable Data Supplement and Map; use separate page, numbered accordingly, as necessary.):

The subject is appraised as vacant land with minor site improvements. As such, the Sales Comparison Approach – As Improved, is not applicable.

INCOME APPROACH Whole: ☒ Part to be Acquired: ☐ Remainder After: ☐

Potential Gross Income		$				
Reimbursement Income		$				
Other Income		$				
Potential Gross Income		$				
Vacancy		$				
Other Income		$				
Effective Gross Income	……				$	
Expenses:		$				
Fixed	Real Estate Taxes……	$				
	Insurance……	$				
	Repairs/Maintenance……	$				
Variable	Management……	$				
Other	Replacement Reserves……	$				
		$				
		$				
		$				
		$				
		$				
Total Expenses	……				$	
Net Operating Income	……				$	
Income Capitalized @	……				$	
Plus: Value of Excess Land (if any)		……			$	
Total $ Amount Bottom-Line Adjustments					$	
Estimated Value by Income Approach		……			$	**N/A**

Furnish supporting information/data, justification of gross income estimates, expenses, method of capitalization and capitalization rate (Attach Comparable Rental Data Supplement and Map. Use separate page, numbered accordingly, as necessary.):

The subject is appraised as vacant land with minor site improvements. Typically speaking, vacant land is not purchased based on an anticipated income stream. Thus, the Income Approach is not applicable.

Conclusion of Value – Whole Property

Reconciliation involves the analysis of alternative value indications to determine a final value conclusion. The appraisal of real estate typically employs three traditional valuation methods: the Sales Comparison Approach, the Cost Approach, and the Income Approach. The values indicated by the applicable approaches are as follows:

Value Indications - Whole Property	
Cost Approach	$5,879,833
Sales Comparison Approach (Land Only)	$5,828,910
Income Capitalization Approach	N/A

The subject is currently improved with a Bank of America building, attached drive-through canopy, Wendy's Restaurant, and a Wal-Mart Neighborhood Market and minor site improvements. The part to be acquired contains only land with minor site improvements. Therefore, only the sales comparison approach for land and the cost approach for affected site improvements are applicable.

Based on the analyses and conclusions in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed herein, it is our opinion that the market value as of 4/10/2017, which is appraised as vacant land with minor site improvements, is:

Concluded Value - Whole Property	
Improvements (Allocated)	$50,923
Land	$5,828,910
Reconciled Value - Whole Property	$5,879,833

Exposure Time – Whole Property

Exposure time is the length of time the subject property would have been exposed for sale in the market had it sold on the effective valuation date at the concluded market value. Exposure time is always presumed to precede the effective date of the appraisal. Based on our review of recent sales transactions for similar properties and our analysis of supply and demand in the local market, it is our opinion that the probable exposure time for the subject at the concluded market value for the whole property before the acquisition stated previously is 12 months.

PART TO BE ACQUIRED

Highest and Best Use (Use separate page, numbered accordingly, as necessary): See data starting on Page 4.1

Contributory Value of Improvements (Itemized)									
Concrete Flatwork (Sidewalk)	3,073 SF					$	$16,594		
Landscaping	4,891 SF					$	$30,813		
Concrete Curbing	14 LF					$	$145		
Concrete Paving	555 SF					$	$3,371		
						$			
Total Contributory Value of Improvements								$	50,923
Parcel 14 (Tract I)	5,554 SF	@	$24.00 / SF			$	$133,296		
Parcel 14 (Tract II)	2,356 SF	@	$22.00 / SF			$	$51,832		
Parcel 14 (Tract III - Prescriptive ROW)	609 SF	@	$15.00 / SF	@	1%	$	$91		
Total Land								$	185,219
Total Value of Part to be Acquired								$	**236,142**

REMAINDER BEFORE THE ACQUISITION

Contributory Value of Improvements (Itemized)							
				$			
				$			
Total Contributory Value of Improvements						$	0
Fee Area (Tract I)	43,710 SF	@	$24.00 / SF	$	$1,049,040		
Fee Area (Tract II)	37,063 SF	@	$22.00 / SF	$	$815,386		
Fee Area (Tract III)	251,951 SF	@	$15.00 / SF	$	$3,779,265		
Total Land						$	5,643,691
TOTAL VALUE AS A UNIT						$	**5,643,691**

Part to Be Acquired

The part to be acquired may be valued in two different manners in Texas. If the part to be acquired can be considered an individual economic entity, then it is valued as a separate parcel. Thus, this may require that all three approaches to value and possibly, a whole new set of market data be considered, which would be more comparable to the part acquired, than just the reuse of the market data utilized in the whole property valuation. On the other hand, if the part acquired cannot be considered an individual economic entity, then its value contribution to the entire parcel is used. In this case, the value of the part to be acquired would not be independent and the part to be acquired represents the prorated value from the whole property.

Property Description – Part to Be Acquired

The size of the part acquired is based upon survey maps provided by the client. The acquisition consists of a fee simple acquisition, the impact of which is discussed in the Highest and Best Use of the Remainder After property.

The acquisition is located along the eastern property line of the parent tract. There is no control of access noted in the surveys provided by the client.

While smaller than the whole site, there is no market evidence that would suggest a unit value of a parcel smaller than the whole subject and in the configuration of the acquisition could command a higher unit value than its contribution to the whole. Due to the size and shape of the partial acquisition, the parcel would not stand alone as a separate economic unit. Thus, it would have the same unit value as the whole property. Therefore, its highest and best use is to serve as part of the whole site.

The project/survey map and legal description of the part to be acquired are presented in the addenda of this report.

Remainder Before

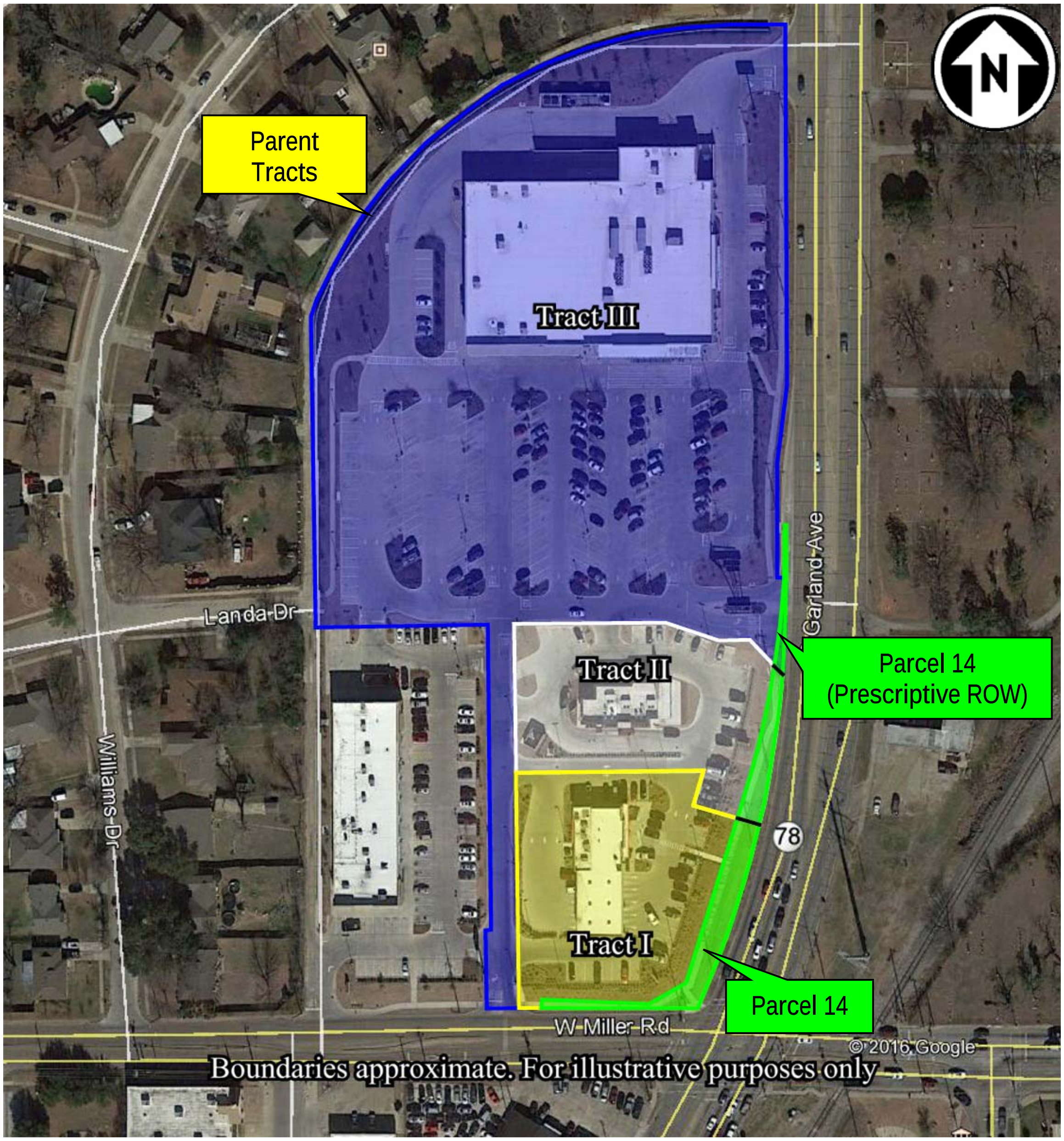
The value of the remainder before the acquisition is found by subtracting the value of the part to be acquired from the value of the whole property. The remaining property before the acquisition is sometimes referred to as the "residue."

When the total estimated value of the part to be acquired is deducted from the estimated value of the whole property, a residual value or Remainder Before value is indicated as follows:

Part to be Acquired and Remainder Before Summary

Whole Property Value	$5,879,833
Less: Part To Be Acquired	$236,142
Equals: Remainder Before Value	$5,643,691

Aerial Overlay– Part to Be Acquired



PROPERTY VALUATION SUMMARY

Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒

HIGHEST AND BEST USE ANALYSIS: (The *Highest and Best Use* analysis should consider the reasonably probable and legal use of vacant land or improved property considering legally permissible, physically possible, financially feasible, and maximally productive. Use separate page, numbered accordingly, as necessary.) See the Highest and Best Use Analysis Starting on the following page.

VALUATION APPROACHES
Insert value estimate, then describe, analyze, and support each approach as required.

Cost Approach .... $ N/A

Sales Comparison Approach (Land Only)........ $ 5,643,691

Income Approach .... $ N/A

Reconciliation of Approaches to Value: Based on the analyses and conclusions for the valuation of the whole property, it is our opinion that a market value of approximately $5,643,691 is appropriate for the subject.

Contributory Value of Improvements (Itemized)	
Total Contributory Value of Improvements	$ -

Fee Area (Tract I)	43,710	SF	@	$24.00 / SF	$	1,049,040
Fee Area (Tract II)	37,063	SF	@	$22.00 / SF	$	815,386
Fee Area (Tract III)	251,951	SF	@	$15.00 / SF	$	3,779,265

Reconciled Final Value.. $ 5,643,691

Each approach developed follows this page and is sequenced as shown below.

Land Value,	Cost Approach,	Sales Comparison Approach,	Income Approach,
pg 5.5	pg 5.8	pg 5.9	pg 5.10

Remainder After Analysis

The value of the remainder after the acquisition is an estimate of the market value taking into consideration the effect that the proposed easement or right-of-way will have on the remainder. This valuation is based upon a new site analysis, highest and best use analysis, as well as the consideration of the three approaches to value.

Specific damages or benefits to the remainder are found by subtracting the value of the remainder after the acquisition from the value of the remainder before the acquisition. If positive, damages exist. Likewise, if the figure is negative, benefits are present (enhancement). The State of Texas through legislative prescription and case law provide some direction with regard to the estimation of damages specific to a remainder property.

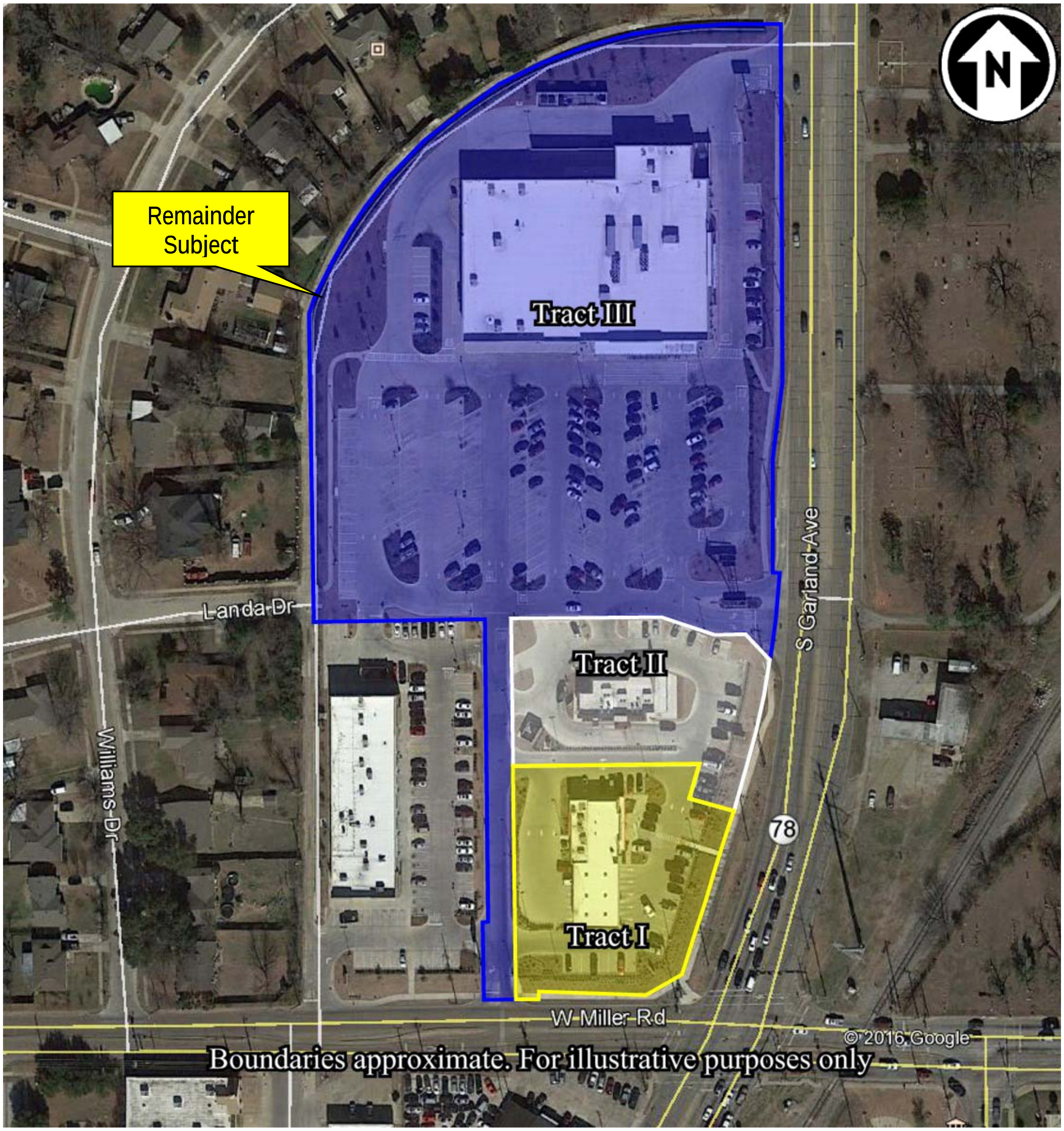
Property Description – Remainder After

The size of the remainder property is calculated as the whole property less any fee simple acquisitions. Based on this calculation the remainder contains 7.6383 acres, or 332,724 square feet. The land areas in the remainder are indicated as follows:

Remainder Property	Square Feet
Fee Area (Tract I)	43,710
Fee Area (Tract II)	37,063
Fee Area (Tract III)	251,951
Total Remainder Property	332,724

The remainder property will be very similar to the whole property before the acquisition, as illustrated on the following exhibit.

Aerial Overlay– Remainder After



Highest and Best Use – Remainder After

The highest and best use of the remainder after the acquisition is the same as that of the remainder with the part to be acquired. After the acquisition, the remainder will be like the whole property, except that it will be slightly smaller. There are no major building improvements bisected or within the proposed area of the acquisition. In addition, the proposed acquisition does not impact the functional utility of the site or any of the major improvements.

While it is noted that the subject will lose approximately 15.83 feet of existing landscaping buffer as a result of the acquisition, the property will maintain more than 15 feet of landscaping along the east border and more than 20 feet along the south border which appears to still comply with zoning standards set forth by the City's zoning ordinance.

Because there is no impact to the improvements or the functional utility of the site, we conclude that the highest and best use of the remainder after the acquisition is the same as that of the whole property. No damages to the remainder result from the proposed acquisition.

SALES COMPARISON APPROACH
Tract I

Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒
Land: ☒ Improved: ☐

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor	-	Southern Star Capital, LLC	Resource One Credit Union	IUM Investors, LP	BOKF, NA, d/b/a Bank of Texas, et al
Grantee	-	William Waugh Holdings, LLC-Series 34	Quiktrip Corporation	National Retail Properties, LP	Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date of Sale	4/10/2017	10/28/2015	4/22/2016	1/26/2016	11/30/2016
Relative Location	Garland	Plano	Dallas	Garland	Garland
Size (Acres)	1.0034	0.8110	0.9525	1.3470	1.6800
Size (Square Feet)	43,710	35,327	41,491	58,675	73,180
Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Effective Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Unit Price	**Per SF**	**$29.72**	**$30.40**	**$18.00**	**$16.94**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	9%	6%	7%	2%
Adjusted Price	**Per SF**	**$32.39**	**$32.22**	**$19.26**	**$17.28**
Location	Garland	-5%	-10%		10%
Physical Characteristics					
Size	1.0034 acres			5%	5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None				
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-5%	-10%	5%	15%
	Indicated Unit Value	**$30.77**	**$29.00**	**$20.22**	**$19.87**
Estimated Unit Value				$24.00	

Estimated Value by Sales Comparison Approach ………………………………………… **$1,049,040**

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.):

SALES COMPARISON APPROACH Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒
Tract II Land: ☒ Improved: ☐

VALUATION GRID		**Representative Comparable Sales**			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor	-	Southern Star Capital, LLC	Resource One Credit Union	IUM Investors, LP	BOKF, NA, d/b/a Bank of Texas, et al
Grantee	-	William Waugh Holdings, LLC-Series 34	Quiktrip Corporation	National Retail Properties, LP	Firebrand Properties, LP and Turbo Restaurant Management, LLC
Date of Sale	4/10/2017	10/28/2015	4/22/2016	1/26/2016	11/30/2016
Relative Location	Garland	Plano	Dallas	Garland	Garland
Size (Acres)	0.8508	0.8110	0.9525	1.3470	1.6800
Size (Square Feet)	37,063	35,327	41,491	58,675	73,180
Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Effective Sale Price	-	$1,050,000	$1,261,502	$1,056,150	$1,240,000
Unit Price	**Per SF**	**$29.72**	**$30.40**	**$18.00**	**$16.94**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	9%	6%	7%	2%
Adjusted Price	**Per SF**	**$32.39**	**$32.22**	**$19.26**	**$17.28**
Location	Garland	-10%	-15%	-5%	5%
Physical Characteristics					
Size	0.8508 acres			5%	5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None				
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-10%	-15%	0%	10%
	Indicated Unit Value	**$29.15**	**$27.39**	**$19.26**	**$19.01**
Estimated Unit Value				$22.00	

Estimated Value by Sales Comparison Approach $815,386

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.*)*:

SALES COMPARISON APPROACH Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒
Surrounding Tract III Land: ☒ Improved: ☐

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 5**	**Comp No. 6**	**Comp No. 7**	**Comp No. 8**
Grantor	-	BOKF, NA, d/b/a Bank of Texas, et al	William F. Callejo	ERI-Garland, LP	Rowlett Farm Partnership
Grantee	-	Firebrand Properties, LP and Turbo Restaurant Management, LLC	Not Yet Recorded	Shiloh CM Partners, LP	Green Center Invest Ltd.
Date of Sale	4/10/2017	11/30/2016	3/17/2017	3/16/2017	5/8/2014
Relative Location	Garland	Garland	Garland	Garland	Allen
Size (Acres)	5.7840	1.6800	3.0060	5.4048	3.4011
Size (Square Feet)	251,951	73,180	130,941	235,435	148,150
Sale Price	-	$1,240,000	$1,702,233	$1,624,502	$2,222,250
Effective Sale Price	-	$1,240,000	$1,702,233	$1,624,502	$2,222,250
Unit Price	**Per SF**	**$16.94**	**$13.00**	**$6.90**	**$15.00**
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustment)	6%	2%	0%	0%	18%
Adjusted Price	**Per SF**	**$17.28**	**$13.00**	**$6.90**	**$17.70**
Location	Garland	5%	10%	15%	-10%
Physical Characteristics					
Size	5.7840 acres	-10%	-5%		-5%
Utilities	All available to site				
Shape	Irregular				
Topography/Flood	Level / None			40%	
Zoning/Use Potential	Commercial Use				
Legal Encumbrances	None Adverse				
Total Adjustments		-5%	5%	55%	-15%
	Indicated Unit Value	**$16.42**	**$13.65**	**$10.70**	**$15.05**
Estimated Unit Value				$15.00	

Estimated Value by Sales Comparison Approach ………………………………………… $3,779,265

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map;* use separate page, numbered accordingly, as necessary.*)*:

Sales Comparison Analysis Remainder After - Land Value per SF

	Unit Value	Land Area	Concluded Land Value
Fee Area (Tract I)	$24.00 / SF	43,710 SF	$1,049,040
Fee Area (Tract II)	$22.00 / SF	37,063 SF	$815,386
Fee Area (Tract III)	$15.00 / SF	251,951 SF	$3,779,265
Total			$5,643,691

COST APPROACH Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒

Estimated Replacement/ Reproduction Cost					
Improvement	**Number of sq ft**	**$ per sq ft**	**Cost New**	**<Depreciation>**	**Value**
Contributory Value of the Buildings					
Accessory Improvements					
Contributory Value of the Accessory Improvements					
Site Improvements					
Contributory Value of the Site Improvements					
Contributory Value of all Improvements					
Land Value					
Estimated Value by Cost Approach					N/A

Furnish sources of cost data and support for depreciation factors (physical, functional, and economic. Use separate page, numbered accordingly, as necessary.):

The remainder is appraised as vacant land. As such, the Cost Approach, is not applicable.

SALES COMPARISON APPROACH Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒
Land: ☐ Improved: ☒

VALUATION GRID		Representative Comparable Sales			
	Subject	**Comp No. 1**	**Comp No. 2**	**Comp No. 3**	**Comp No. 4**
Grantor	-				
Grantee	-				
Date of Sale	-				
Relative Location	-				
Land Size (Acres)	-				
Land Size (Square Feet)	-				
YearBuilt/Rennovated	-				
Land To Building (LTB) Ratio					
Effective Sale Price	-				
Unit Price					
Property Rights					
Financing					
Condition of Sale					
Date of Sale (Annual Adjustmt)					
Adjusted Price					
Location					
Physical Characteristics					
Age Condition Utility					
Land to Building Ratio					
Size					
Parking					
Quality					
Amenities					
Total Adjustments					
	Indicated Unit Value				
Estimated Unit Value					

Estimated Value by Sales Comparison Approach ………………………………………… N/A

Explanation of Adjustments with Reconciliation (Attach Comparable Data Supplement and Map; use separate page, numbered accordingly, as necessary.):

The remainder is appraised as vacant land. As such, the Sales Comparison Approach for improved property, is not applicable.

INCOME APPROACH Whole: ☐ Part to be Acquired: ☐ Remainder After: ☒

Potential Gross Income			$				
Reimbursement Income			$				
Other Income			$				
Potential Gross Income			$				
Vacancy			$				
Other Income			$				
Effective Gross Income	………………………………………………………………					$	
Expenses:			$				
Fixed	Real Estate Taxes………………		$				
	Insurance………………………		$				
	Repairs/Maintenance…………		$				
Variable	Management……………………		$				
Other	Replacement Reserves…………		$				
			$				
			$				
			$				
			$				
			$				
Total Expenses	………………………………………………………………					$	
Net Operating Income	………………………………………………………………					$	
Income Capitalized @	………………...………………………					$	
Plus: Value of Excess Land (if any)	………………...………………………					$	
Estimated Value by Income Approach	………………...………………………					$	**N/A**

Furnish supporting information/data, justification of gross income estimates, expenses, method of capitalization and capitalization rate (Attach Comparable Rental Data Supplement and Map. Use separate page, numbered accordingly, as necessary.):

The remainder is appraised as vacant land. Vacant land is not typically bought based on an anticipated income stream. Thus, the Income Approach is not applicable.

Conclusion of Value – Remainder After

Reconciliation involves the analysis of alternative value indications to determine a final value conclusion. The values indicated by the applicable approaches are as follows:

Value Indications - Remainder After the Acquisition	
Cost Approach	N/A
Sales Comparison Approach (Land Only)	$5,643,691
Income Capitalization Approach	N/A

The remainder is appraised as vacant land and as such, only the sales comparison approach is relevant and utilized.

Based on the analyses and conclusions in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed herein, it is our opinion that the market value as of April 10, 2017, which is appraised as vacant land, is:

Concluded Value - Remainder After the Acquisition	
Reconciled Value - Remainder After	$5,643,691

Exposure Time – Remainder After

Exposure time is the length of time the subject property would have been exposed for sale in the market had it sold on the effective valuation date at the concluded market value. Exposure time is always presumed to precede the effective date of the appraisal. Based on our review of recent sales transactions for similar properties and our analysis of supply and demand in the local market, it is our opinion that the probable exposure time for the subject at the concluded market value for the Remainder After property stated previously is 12 months.

EXPLANATION OF DAMAGES (if any): No permanent damages are anticipated after the acquisition.

COMPENSATION SUMMARY

WHOLE PROPERTY:

The market value of the whole property is…………………………………………… $ 5,879,833

PART TO BE ACQUIRED:

Considered as severed land, the fee simple title to the part being acquired for highway purposes (less oil, gas and sulphur and subject to existing easements, if any, which are not to be extinguished) is……………………………………………………… $ 236,142

REMAINING PROPERTY:

The value of the remainder immediately before the taking is…………………… $ 5,643,691

Considering the uses to which the part taken is to be subjected, the market value of the remainder immediately after the acquisition is………………………………………………………………… $ 5,643,691

NET DAMAGES OR ENHANCEMENTS, if any…………………………………………………… $ 0

ACCESS:

The lack of any access or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of ……………………………………………………………… $ 0

Cost to Cure…………………………………………………………………………………… $ 0

TOTAL COMPENSATION……………………………………………………………………… $ 236,142

Certification

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice as well as applicable state appraisal regulations.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.
11. It is our opinion that the subject does not include any enhancement in value as a result of any natural, cultural, recreational or scientific influences retrospective or prospective.
12. We have experience in appraising properties similar to the subject and are in compliance with the Competency Rule of USPAP.
13. We have performed no other services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
14. Matthew D. Browne, MAI made a personal inspection of the property that is the subject of this report. Robert W. Snider, RWA, R/W-AC has personally inspected the subject.
15. Significant real property appraisal assistance was provided by Robert W. Snider, RWA, R/W-AC who has not signed this certification.

16. As of the date of this report, Matthew D. Browne, MAI, has completed the continuing education program for Designated Members of the Appraisal Institute.
17. As of the date of this report, Robert W. Snider, RWA, R/W-AC, has completed the Standards and Ethics Education Requirements for Practicing Affiliates of the Appraisal Institute.

Matthew D. Browne, MAI
Executive Vice President
TX-13334444-G

Assumptions and Limiting Conditions

This appraisal and any other work product related to this engagement are limited by the following standard assumptions, except as otherwise noted in the report:

1. The title is marketable and free and clear of all liens, encumbrances, encroachments, easements and restrictions. The property is under responsible ownership and competent management and is available for its highest and best use.
2. There are no existing judgments or pending or threatened litigation that could affect the value of the property.
3. There are no hidden or undisclosed conditions of the land or of the improvements that would render the property more or less valuable. Furthermore, there is no asbestos in the property.
4. The property is in compliance with all applicable building, environmental, zoning, and other federal, state and local laws, regulations and codes.
5. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

This appraisal and is subject to the following limiting conditions, except as otherwise noted in the report:

1. An appraisal is inherently subjective and represents our opinion as to the value of the property appraised.
2. The conclusions stated in our appraisal apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events.
3. No changes in any federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.
4. No environmental impact studies were either requested or made in conjunction with this appraisal, and we reserve the right to revise or rescind any of the value opinions based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the appraisal assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.
5. Unless otherwise agreed to in writing, we are not required to give testimony, respond to any subpoena or attend any court, governmental or other hearing with reference to the property without compensation relative to such additional employment.
6. We have made no survey of the property and assume no responsibility in connection with such matters. Any sketch or survey of the property included in this report is for illustrative purposes only and should not be considered to be scaled accurately for size. The appraisal covers the property as described in this report, and the areas and dimensions set forth are assumed to be correct.
7. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in our appraisal.
8. We accept no responsibility for considerations requiring expertise in other fields. Such considerations include, but are not limited to, legal descriptions and other legal matters such as legal title, geologic considerations such as soils and seismic stability; and civil, mechanical, electrical, structural and other

engineering and environmental matters. Such considerations may also include determinations of compliance with zoning and other federal, state, and local laws, regulations and codes.

9. The distribution of the total valuation in the report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. The appraisal report shall be considered only in its entirety. No part of the appraisal report shall be utilized separately or out of context.
10. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the persons signing the report.
11. Information, estimates and opinions contained in the report and obtained from third-party sources are assumed to be reliable and have not been independently verified.
12. Any income and expense estimates contained in the appraisal report are used only for the purpose of estimating value and do not constitute predictions of future operating results.
13. If the property is subject to one or more leases, any estimate of residual value contained in the appraisal may be particularly affected by significant changes in the condition of the economy, of the real estate industry, or of the appraised property at the time these leases expire or otherwise terminate.
14. Unless otherwise stated in the report, no consideration has been given to personal property located on the premises or to the cost of moving or relocating such personal property; only the real property has been considered.
15. The current purchasing power of the dollar is the basis for the values stated in the appraisal; we have assumed that no extreme fluctuations in economic cycles will occur.
16. The values found herein is subject to these and to any other assumptions or conditions set forth in the body of this report but which may have been omitted from this list of Assumptions and Limiting Conditions.
17. The analyses contained in the report necessarily incorporate numerous estimates and assumptions regarding property performance, general and local business and economic conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from our estimates, and the variations may be material.
18. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether the physical aspects of the improvements meet the ADA accessibility guidelines. We claim no expertise in ADA issues, and render no opinion regarding compliance of the subject with ADA regulations. Inasmuch as compliance matches each owner’s financial ability with the cost to cure the non-conforming physical characteristics of a property, a specific study of both the owner’s financial ability and the cost to cure any deficiencies would be needed for the Department of Justice to determine compliance.
19. The appraisal report is prepared for the exclusive benefit of the Client, its subsidiaries and/or affiliates. It may not be used or relied upon by any other party. All parties who use or rely upon any information in the report without our written consent do so at their own risk.

20. Unless otherwise stated in the report, no studies have been provided to us indicating the presence or absence of hazardous materials on the subject property or in the improvements, and our valuation is predicated upon the assumption that the subject property is free and clear of any environment hazards including, without limitation, hazardous wastes, toxic substances and mold. No representations or warranties are made regarding the environmental condition of the subject property. JLL Valuation & Advisory Services, JLL Valuation & Advisory Services, LLC and/or any of their respective officers, owners, managers, directors, agents, subcontractors or employees (the "JLL Parties"), shall not be responsible for any such environmental conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because we are not experts in the field of environmental conditions, the appraisal report cannot be considered as an environmental assessment of the subject property.
21. The persons signing the report may have reviewed available flood maps and may have noted in the appraisal report whether the subject property is located in an identified Special Flood Hazard Area. We are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal.
22. JLL Valuation & Advisory Services is not a building or environmental inspector. JLL VAS does not guarantee that the subject property is free of defects or environmental problems. Mold may be present in the subject property and a professional inspection is recommended.
23. The appraisal report and value conclusions for an appraisal assume the satisfactory completion of construction, curative measures, repairs or alterations in a workmanlike manner.
24. If condemnation proceedings become necessary, this appraiser must be engaged or notified to proceed in writing in order to testify to an updated opinion reflecting the value of the whole property, the part to be acquired, the value of the entire remainder prior to the acquisition and the value of the entire remainder after the acquisition, reflecting any change in the size or character of the land and/or changes in number and/or conditions of the improvements located thereon.
25. The conclusions of this report are estimates based on known current trends and reasonably foreseeable future occurrences. These estimates are based partly on property information, data obtained in public records, interviews, existing trends, buyer-seller decision criteria in the current market, and research conducted by third parties, and such data are not always completely reliable. The JLL Parties are not responsible for these and other future occurrences that could not have reasonably been foreseen on the effective date of this assignment. Furthermore, it is inevitable that some assumptions will not materialize and that unanticipated events may occur that will likely affect actual performance. While we are of the opinion that our findings are reasonable based on current market conditions, we do not represent that these estimates will actually be achieved, as they are subject to considerable risk and uncertainty. Moreover, we assume competent and effective management and marketing for the duration of the projected holding period of this property.
26. All prospective value opinions presented in this report are estimates and forecasts which are prospective in nature and are subject to considerable risk and uncertainty. In addition to the contingencies noted in the preceding paragraph, several events may occur that could substantially alter the outcome of our estimates such as, but not limited to changes in the economy, interest rates, and capitalization rates, behavior of consumers, investors and lenders, fire and other physical destruction, changes in title or conveyances of easements and deed restrictions, etc. It is assumed that conditions reasonably foreseeable at the present time are consistent or similar with the future.

27. The appraisal is also subject to the Extraordinary Assumptions and Hypothetical Conditions described in the body of the report.

Addendum A

Appraiser Qualifications

Matthew Browne, MAI

Executive Vice President
Valuation and Advisory Services, U.S.
Matt.Browne@am.jll.com

Current responsibilities

Matthew Browne serves as Executive Vice President of JLL's Valuation and Advisory Services (VAS) Right-of-Way Division in the Fort Worth office. In this role, he is focused on the implementation, marketing and expansion of JLL's VAS strategy. Mr. Browne has been an appraiser of all types of real property since April 1998 including, but not limited to, commercial, industrial, apartment, medical/professional offices, hotel, vacant land, and eminent domain/condemnation valuations throughout Texas, New Mexico and the Southwestern United States. Mr. Browne has testified in a number of Special Commissioner's Hearings and Jury Trials as an expert on real estate value.

Experience

Prior to joining JLL in late 2016, Mr. Browne was with Integra Realty Resources, where he most recently served as a Managing Director. During his tenure with the firm, he developed appraisal and consulting expertise involving a wide range of property types including commercial, office, multifamily, industrial, residential and special purpose properties.

Affiliations and designations

- Appraisal Institute, Member (MAI) Appraisal Institute
- Appraisal Institute, Board Member (2017) – Central Texas Chapter
- International Right of Way Association (IRWA), Member Chapter 36
- Certified General Real Estate Appraiser in Texas – TX-1334444-G
- Certified General Real Estate Appraiser in Oklahoma – 13076CGA

Education

- Bachelor of Science in Real Estate with concentration in Appraisal & Finance 2004
  Marylhurst University, Portland, OR
- Successfully completed numerous real estate related courses and seminars sponsored by the Appraisal Institute, the International Right-of-Way Association, and others.

Robert W. “Will” Snider, RWA, R/W-AC

Analyst
Valuation and Advisory Services, U.S.
Will.Snider@am.jll.com

Current responsibilities

Will Snider serves as an Analyst for JLL's Valuation and Advisory Services (VAS) in the Fort Worth office. Mr. Snider has performed valuation and consulting services across the State of Texas on various properties including, but not limited to, retail centers, apartment complexes, industrial facilities, raw and developed land, office buildings, mixed use developments and hotels/motels. His experience in appraisal for right-of-way acquisition purposes includes projects for TxDOT, local municipalities, TRA, pipeline companies, and other agencies.

Experience

Prior to joining JLL in late 2016, Mr. Snider was an analyst for the Fort Worth office of Integra Realty Resources DFW, LLC, a full service real estate consulting and appraisal firm. Mr. Snider joined IRR, DFW as an intern in May 2013 and accepted an analyst position upon graduating with his graduate degree from Texas A&M University in December 2013.

Affiliations and designations

- International Right of Way Association (IRWA), Member – RWA, R/W-AC
- Chapter 36 IRWA Young Professionals Committee Chair
- Practicing Affiliate, Appraisal Institute
- Member, Real Estate Council of Greater Fort Worth (REC of GFW), Young Leaders Council
- Member, Society of Texas A&M Real Estate Professionals (STAMREP)
- Member, Tarrant Regional Transportation Coalition (TRTC)
- Appraiser Trainee in Texas, TX-1340714, Expires May 2018

Education

- Bachelor of Science-Texas A&M University, College Station, Texas 2012
- Master of Real Estate - Texas A&M University, College Station, Texas 2013
- Successfully completed numerous real estate related courses and seminars sponsored by the Appraisal Institute, the International Right-of-Way Association, and others.

Addendum B

Definitions

Definitions

Unless otherwise noted, these definitions have been extracted, solely or in combination, from definitions and descriptions printed in:

- Uniform Standards of Professional Appraisal Practice, 2016-2017 Edition (USPAP)
- The Dictionary of Real Estate Appraisal, Sixth Edition, Chicago, IL: Appraisal Institute, 2015 (Dictionary)
- The Appraisal of Real Estate, Fourteenth Edition, Chicago, IL: Appraisal Institute, 2013 (The Appraisal of Real Estate)

Appraisal
The act or process of developing an opinion of value; an opinion of value. (USPAP)

Assignment
1. An agreement between an appraiser and a client to provide a valuation service; (Dictionary)
2. The valuation service that is provided as a consequence of such an agreement. (USPAP, 2016-2017 ed.)

Compensable Damages
Damages for which a condemnor is legally required to compensate the owner or tenant of the property that is being wholly or partially condemned. In most jurisdictions, physical invasion of the property by a condemning authority or the taking of some property right must occur before damages are considered compensable. (Dictionary). The special commissioners shall consider an injury or benefit that is peculiar to the property owner and that relates to the property owner's ownership, use, or enjoyment of the particular parcel of real property, but they may not consider an injury or benefit that the property owner experiences in common with the general community, including circuity of travel and diversion of traffic. Texas Property Code, Title 4. Sec. 21.042

Community Damages
Damages resulting from a public project that are borne by the "community" at large and which are not specific to singular properties (special damages). These damages include loss of visibility, diversion of traffic, circuitous access and construction inconvenience. State v. Schmidt, 867 S.W.2d 769 (Tex. 1993)

Deferred Maintenance
Items of wear and tear on a property that should be fixed now to protect the value or income-producing ability of the property, such as a broken window, a dead tree, a leak in the roof, or a faulty roof that must be completely replaced. These items are almost always curable. (Dictionary)

Depreciation
A loss in property value from any cause; the difference between the cost of an improvement on the effective date of the appraisal and the market value of the improvement on the same date. (Dictionary)

Easement
The right to use another's land for a stated purpose. (Dictionary)

Easement Interest
An interest in real property that transfers use, but not ownership, of a portion of an owner's property. (The Appraisal of Real Estate)

Effective Age
The age of property that is based on the amount of observed deterioration and obsolescence it has sustained, which may be different from its chronological age. (Dictionary)

Effective Date
The date on which the analyses, opinions, and advice in an appraisal, review, or consulting service apply. (Dictionary)

Entrepreneurial Profit
1. A market-derived figure that represents the amount an entrepreneur receives for his or her contribution to a project and risk; the difference between the total cost of a property (cost of development) and its market value (property value after completion), which represents the entrepreneur's compensation for the risk and expertise associated with development. An entrepreneur is motivated by the prospect of future value enhancement (i.e., the entrepreneurial incentive). An entrepreneur who successfully creates value through new development, expansion, renovation, or an innovative change of use is rewarded by entrepreneurial profit. Entrepreneurs may also fail and suffer losses.
2. In economics, the actual return on successful management practices, often identified with coordination, the fourth factor of production following land, labor, and capital; also called entrepreneurial return or entrepreneurial reward. (Dictionary)

Excess Land; Surplus Land
Excess Land: Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land may have the potential to be sold separately and is valued independently. (Dictionary)

Surplus Land: Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel. (Dictionary)

Exposure Time
1. The time a property remains on the market.
2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Comment: Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market. (USPAP, 2016-2017 ed.) (Dictionary)

Fee Simple Estate
Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Dictionary)

Floor Area Ratio (FAR)
The relationship between the above-ground floor area of a building, as described by the building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area.

Gross Building Area (GBA)

3. Total floor area of a building, excluding unenclosed areas, measured from the exterior of the walls of the above-grade area. This includes mezzanines and basements if and when typically included in the market area of the type of property involved.
4. Gross leaseable area plus all commons areas.
5. For residential space, the total area of all floor levels measured from the exterior of the walls and including the superstructure and substructure basement; typically does not include garage space. (Dictionary)

Gross Leaseable Area (GLA)
Total floor area designed for the occupancy and exclusive use of tenants, including basements and mezzanines; measured from the center of joint partitioning to the outside wall surfaces. (Dictionary)

Gross Living Area (GLA)
Total area of finished, above-grade residential space; calculated by measuring the outside perimeter of the structure and includes only finished, habitable, above-grade living space. (Finished basements and attic areas are not generally included in total gross living area. Local practices, however, may differ.) (Dictionary)

Ground Lease
A lease that grants the right to use and occupy land. Improvements made by the ground lessee typically revert to the ground lessor at the end of the lease term. (Dictionary)

Ground Rent
The rent paid for the right to use and occupy land according to the terms of a ground lease; the portion of the total rent allocated to the underlying land. (Dictionary)

Highest and Best Use
The reasonably probable use of property that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. (Dictionary)

Intended Use
The use or uses of an appraiser's reported appraisal, appraisal review assignment opinions and conclusions, as identified by the appraiser based on communications with the client at the time of the assignment. (USPAP)

Intended User
The client and any other party as identified, by name or type, as users of the appraisal or appraisal review report by the appraiser on the basis of communication with the client at the time of the assignment. (USPAP)

Jurisdictional Exception
An assignment condition established by applicable law or regulation, which precludes an appraiser from complying with a part of USPAP. (USPAP)

Lease
A contract in which rights to use and occupy land, space, or structures are transferred by the owner to another for a specified period of time in return for a specified rent. (Dictionary)

Leased Fee Interest
The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires. (Dictionary)

Leasehold Interest
The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease. (Dictionary)

Lease Type
Full Service Lease or Gross Lease: A lease in which the landlord receives stipulated rent and is obligated to pay all of the property's operating and fixed expenses. (Dictionary)

Modified Gross Lease: A lease in which the landlord receives stipulated rent and is obligated to pay some, but not all, of the property's operating and fixed expenses. Since assignment of expenses varies among modified gross leases, expense responsibility must always be specified. In some markets, a modified gross lease may be called a double net lease, net net lease, partial net lease, or semi-gross lease.

Triple Net Lease: A lease in which the tenant assumes all expenses (fixed and variable) of operating a property except that the landlord is responsible for structural maintenance, building reserves, and management. Also called NNN, net net net, or fully net lease. (Dictionary)

Absolute Net Lease: A lease in which the tenant pays all expenses including structural maintenance, building reserves, and management; often a long-term lease to a credit tenant. (Dictionary)

Legally Nonconforming Use
A use that was lawfully established and maintained, but no longer conforms to the use regulations of its current zoning; also known as a *grandfathered use*. (Dictionary)

Load Factor
A measure of the relationship of common area to usable area and therefore the quality and efficiency of building area layout, with higher load factors indicating a higher percentage of common area to overall rentable space than lower load factors; calculated by subtracting the amount of usable area from the rentable area and then dividing the difference by the usable area: Load Factor = (Rentable Area – Usable Area) / Usable Area. Also known as add-on factor. (Dictionary)

Marketing Time
An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Dictionary)

Market Rent
The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, terms, concessions, renewal and purchase options, and tenant improvements. (Dictionary)

Market Value
Market Value is *defined* by the Texas Supreme Court in City of Austin v. Cannizzo, 267 S.W. 2d 808 (Tex 1954) as being:

> "[T]he price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

Partial Taking
The taking of part of any real property interest for public use under the power of eminent domain; requires the payment of just compensation. (Dictionary) Also called "partial acquisition."

Personal Property
1. The interests, benefits, and rights inherent in the ownership of tangible objects that are considered by the public as being personal; also called tangible personal property.

2. Identifiable tangible objects that are considered by the general public as being "personal" – for example, furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and equipment; all tangible property that is not classified as real estate. (USPAP) (Dictionary)

Prospective Opinion of Value
A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy. (Dictionary)

Real Property
1. An interest or interests in real estate.

2. The interests, benefits, and rights inherent in the ownership of physical real estate; the bundle of rights with which the ownership of the real estate is endowed.

3. All rights, interests and benefits related to the ownership of real estate. (IVS) (Dictionary)

Replacement Cost
The estimated cost to construct, at current prices as of a specified date, a substitute for the building or other improvements, using modern materials and current standards, design and layout. (Dictionary)

Reproduction Cost
The estimated cost to construct, at current prices as of the effective date of the appraisal, an exact duplicate or replica of the building being appraised, using the same materials, construction standards, design, layout, and quality of workmanship and embodying all the deficiencies, superadequacies, and obsolescence of the subject building. (Dictionary)

Stabilized Income
An estimate of income, either current or forecasted, that presumes the property is at stabilized occupancy. (Dictionary)

Stabilized Occupancy

1. The occupancy of a property that would be expected at a particular point in time, considering its relative competitive strength and supply and demand conditions at the time, and presuming it is priced at market rent and has had reasonable market exposure. A property is at stabilized occupancy when it is capturing its appropriate share of market demand.

2. An expression of the average or typical occupancy that would be expected for a property over a specified projection period or over its economic life.

Value

The monetary relationship between properties and those who buy, sell, or use the properties. Value expresses an economic concept. As such, it is never a fact but always an opinion of the worth of a property at a given time in accordance with a specific definition of value. In appraisal practice, value must always be qualified – for example, market value, liquidation value, or investment value. (Appraisal Institute Code of Professional Ethics, 2003)

Addendum C

Project/Survey Maps And Legal Descriptions

EXHIBIT "A"

Page 1 of 6
December 16, 2016

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

Description for Parcel 14

BEING 8,519 square feet of land, more or less, in the Albert Chandler Survey, Abstract Number 269, City of Garland, Dallas County, Texas, and being all of that certain called 0.196 acre tract of land described as "Parcel 26" in a deed to the City of Garland, Dallas County, Texas, as recorded in Instrument Number 201100120361 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said 8,519 square feet of land being more particularly described by metes and bounds as follows:

COMMENCING at a found "X" cut (controlling monument) for the northwest corner of Lot 3, Block 1 of Williams Retail Estates, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Instrument Number 201300199683 of said Official Public Records, conveyed to The Pederson Triplet Trust 2007, by deed recorded in Instrument Number 201400164544 of said Official Public Records and the southwest corner of Lot 2, Block 1 of said Williams Retail Estates addition, conveyed to Craig N. Pedersen & Kris B. Pedersen, as recorded in Instrument Number 201500181631 of said Official Public Records, said commencing point also being in an easterly line of Lot 1, Block 1 of said Williams Retail Estates addition, conveyed to Walmart Real Estate Business Trust, as recorded in Instrument Number 201300029898 of said Official Public Records;

THENCE South 01 degrees 11 minutes 47 seconds East, along the westerly line of said Lot 3 and the easterly line of said Lot 1, a distance of 234.21 feet to a found "X" cut (controlling monument) in the existing northerly right of way line of W. Miller Road (variable width right of way), also being the southeast corner of said Lot 1 and the southwest corner of said Lot 3;

THENCE North 88 degrees 48 minutes 13 seconds East, departing the westerly line of said Lot 3 and said Lot 1, along the existing northerly right of way line of said W. Miller Road and the southerly line of said Lot 3, a distance of 28.92 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) for the **POINT OF BEGINNING** at Station 153+91.72, 190.15 feet Left and having a Texas State Plane Coordinate System, N.A.D.83 (1993 ADJ.), North Central Zone (4202), surface coordinate of Northing 7,014,336.04 and Easting 2,536,734.57;

1) THENCE North 01 degrees 22 minutes 58 seconds East, departing the existing northerly right of way line of said W. Miller Road, along the southerly line of said Lot 3, a distance of 7.68 feet to a found 5/8 inch steel rod with red plastic cap stamped "KHA" (controlling monument) at Station 154+00.53, 193.57 feet Left;

EXHIBIT "A"

Page 2 of 6
December 16, 2016

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

Description for Parcel 14

2) THENCE South 88 degrees 38 minutes 33 seconds East, continuing along the southerly line of said Lot 3, a distance of 104.74 feet to a found "X" cut (controlling monument) at Station 154+52.57, 98.18 feet Left and being the southerly end of a corner clip;

3) THENCE North 57 degrees 42 minutes 47 seconds East, along said corner clip, a distance of 43.20 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 154+91.87, 73.47 feet Left, being in the easterly line of said Lot 3, also being the northerly end of said corner clip and the beginning of a non-tangent curve to the left;

4) THENCE Northwardly, along the easterly line of said Lot 3, and along said non-tangent curve to the left with a central angle of 02 degrees 12 minutes 58 seconds, a radius of 879.41 feet and an arc length of 34.01 feet, the chord bears North 17 degrees 18 minutes 54 seconds East, a distance of 34.01 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 155+28.99, 75.25 feet Left;

5) THENCE North 16 degrees 12 minutes 25 seconds East, continuing along the easterly line of said Lot 3, a distance of 155.03 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 156+97.93, 68.10 feet Left, being the beginning of a curve to the left;**

6) THENCE Northwardly, along said curve to the left with a central angle of 17 degrees 02 minutes 47 seconds, a radius of 911.24 feet, passing at an arc length of 222.07 feet to a point in the existing westerly right of way line of State Highway 78, better known as S. Garland Avenue (variable width right of way), at Station 159+26.94, 39.48' Left, being an easterly corner of said Lot 1 and the southeasterly corner of a right of way dedication to the City of Garland as described by plat of said Williams Retail Estates addition, continuing along the existing westerly right of way line of said S. Garland Avenue and said curve to the left a total arc length of 271.11 feet, the chord bears North 07 degrees 41 minutes 02 seconds East, a distance of 270.11 feet to a point at Station 159+75.95, 38.38 feet Left;

7) THENCE North 89 degrees 08 minutes 38 seconds East, continuing along the existing westerly right of way line of said S. Garland Avenue, a distance of 1.12 feet to a point at Station 159+75.96, 37.26 feet Left;

EXHIBIT "A"

Page 3 of 6
December 16, 2016

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

Description for Parcel 14

8) THENCE South 00 degrees 51 minutes 22 seconds East, continuing along the existing westerly right of way line of said S. Garland Avenue, a distance of 63.74 feet to a point at the beginning of a curve to the right;

9) THENCE Southwardly, continuing along the existing westerly right of way line of said S. Garland Avenue and along said curve to the right with a central angle of 23 degrees 25 minutes 30 seconds, a radius of 1,029.13 feet and an arc length of 420.75 feet, the chord bears South 10 degrees 51 minutes 23 seconds West, a distance of 417.83 feet to a point in the existing northerly right of way line of said W. Miller Road;

10) THENCE South 88 degrees 31 minutes 42 seconds West, departing the existing westerly right of way line of said S. Garland Avenue, along the existing northerly right of way line of said W. Miller Road, a distance of 154.37 feet to a point;

11) THENCE North 01 degrees 22 minutes 58 seconds East, continuing along the existing northerly right of way line of said W. Miller Road, a distance of 0.74 feet to the **POINT OF BEGINNING** and containing 8,519 square feet [0.196 Acres] of land, more or less.

** The monument described in this call, if destroyed or damaged during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Basis of Bearings is the Texas State Plane Coordinate System, Texas North Central Zone 4202, North American Datum 1983 (N.A.D. 83) as determined by GPS observations using the TxDOT VRS network. All coordinates listed are adjusted to surface, with a grid to surface adjustment factor of 1.000136506 (Dallas County).

A survey plat of even survey date herewith accompanies this field note description.

The Station and Offset Information refers to the baseline described in the Control Sheet created 02-22-16 for the TxDOT Right of Way Mapping Project Control-Section-Job: 0009-02-064.

EXHIBIT "A"

Page 4 of 6
December 16, 2016

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

Description for Parcel 14

I, Joseph S. Benitez, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this land description and attached plat accurately depict an actual survey made on the ground under my supervision.

STATE OF TEXAS
REGISTERED
JOSEPH S. BENITEZ
5934
PROFESSIONAL
LAND SURVEYOR

12-19-2016

Joseph S. Benitez
Registered Professional Land Surveyor
Texas No. 5934

Date

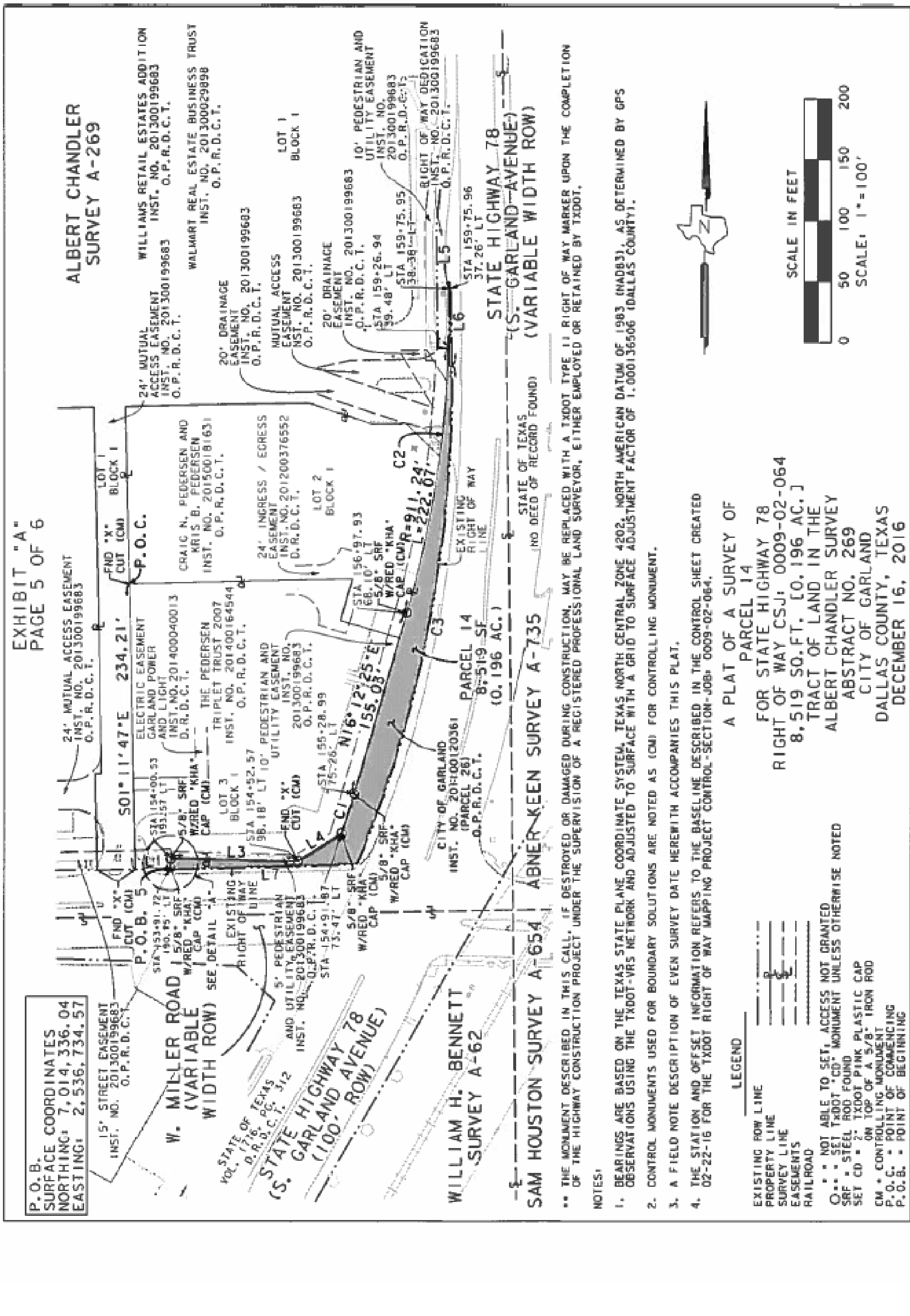
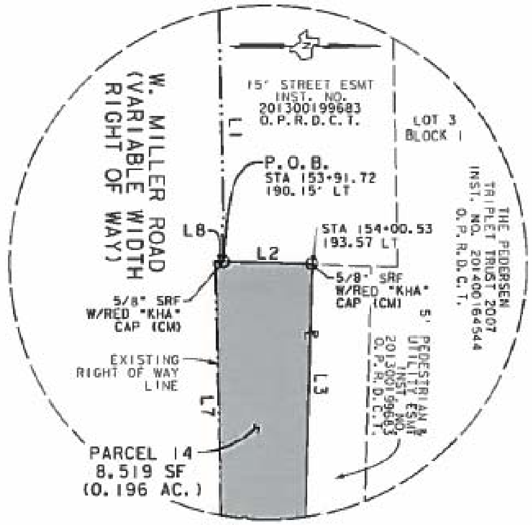


EXHIBIT "A"
PAGE 5 OF 6
P.O.B.
SURFACE COORDINATES
NORTHING: 7,014,336.04
EASTING: 2,536,734.57
ALBERT CHANDLER
SURVEY A-269
W. MILLER ROAD
(VARIABLE
WIDTH ROW)
S01° 11' 47"E 234.21'
N16° 12' 25"E
155.03'
R=911.24'
L=222.07'
P.O.B. 5
P.O.C.
PARCEL 14
8,519 SF
(0.196 AC.)
CITY OF GARLAND
INST. NO. 201100120361
(PARCEL 26)
O.P.R.D.C.T.
WILLIAM H. BENNETT
SURVEY A-62
STATE HIGHWAY 78
(S. GARLAND AVENUE)
(100' ROW)
SAM HOUSTON SURVEY A-654
ABNER KEEN SURVEY A-735
STATE OF TEXAS
(NO DEED OF RECORD FOUND)
STATE HIGHWAY 78
(S. GARLAND AVENUE)
(VARIABLE WIDTH ROW)
CRAIG N. PEDERSEN AND
KRIS B. PEDERSEN
INST. NO. 201500181631
O.P.R.D.C.T.
THE PEDERSEN
TRIPLET TRUST 2007
INST. NO. 201400164544
O.P.R.D.C.T.
WILLIAMS RETAIL ESTATES ADDITION
INST. NO. 201300199683
O.P.R.D.C.T.
WALMART REAL ESTATE BUSINESS TRUST
INST. NO. 201300029898
O.P.R.D.C.T.
** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
NOTES:
1. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (NAD83), AS DETERMINED BY GPS OBSERVATIONS USING THE TXDOT-VRS NETWORK AND ADJUSTED TO SURFACE WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506 (DALLAS COUNTY).
2. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
3. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED 02-22-16 FOR THE TXDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-JOB: 0009-02-064.
LEGEND
EXISTING ROW LINE
PROPERTY LINE
SURVEY LINE
EASEMENTS
RAILROAD
• = NOT ABLE TO SET; ACCESS NOT GRANTED
O** = SET TxDOT "CD" MONUMENT UNLESS OTHERWISE NOTED
SRF = STEEL ROD FOUND
SET CD = 2" TXDOT PINK PLASTIC CAP ON TOP OF A 5/8" IRON ROD
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
A PLAT OF A SURVEY OF
PARCEL 14
FOR STATE HIGHWAY 78
RIGHT OF WAY CSJ: 0009-02-064
8,519 SQ.FT. [0.196 AC.]
TRACT OF LAND IN THE
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
CITY OF GARLAND
DALLAS COUNTY, TEXAS
DECEMBER 16, 2016
SCALE IN FEET
0 50 100 150 200
SCALE: 1"=100'

EXHIBIT "A"
PAGE 6 OF 6



DETAIL "A"
N.T.S.

LINE	BEARING	DISTANCE
L1	N88°48'13"E	28.92'
L2	N01°22'58"E	7.68'
L3	S88°38'33"E	104.74'
L4	N57°42'47"E	43.20'
L5	N89°08'38"E	1.12'
L6	S00°51'22"E	63.74'
L7	S88°31'42"W	154.37'
L8	N01°22'58"E	0.74'

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD BRG.	CHORD DIST.
C1	02°12'58" (LT)	879.41'	34.01'	N17°18'54"E	34.01'
C2	17°02'47" (LT)	911.24'	271.11'	N07°41'02"E	270.11'
C3	23°25'30" (RT)	1,029.13'	420.75'	S10°51'23"W	417.83'

** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

NOTES:

1. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (NAD83), AS DETERMINED BY GPS OBSERVATIONS USING THE TXDOT-VRS NETWORK AND ADJUSTED TO SURFACE WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506 (DALLAS COUNTY).
2. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
3. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED 02-22-16 FOR THE TXDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-JOB: 0009-02-064.

LEGEND

EXISTING ROW LINE
PROPERTY LINE
SURVEY LINE
EASEMENTS
RAILROAD

* = NOT ABLE TO SET; ACCESS NOT GRANTED
O** = SET TxDOT "CD" MONUMENT UNLESS OTHERWISE NOTED
SRF = STEEL ROD FOUND
SET CD = 2" TXDOT PINK PLASTIC CAP ON TOP OF A 5/8" IRON ROD
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING

A PLAT OF A SURVEY OF
PARCEL 14
FOR STATE HIGHWAY 78
RIGHT OF WAY CSJ: 0009-02-064
8,519 SQ.FT. [0.196 AC.]
TRACT OF LAND IN THE
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
CITY OF GARLAND
DALLAS COUNTY, TEXAS
DECEMBER 16, 2016

STATE OF TEXAS REGISTERED JOSEPH S. BENITEZ 5934 PROFESSIONAL LAND SURVEYOR

12-19-2016

JOSEPH BENITEZ R.P.L.S. No. 5934 DATE

S:\TxDOT\NR-2012\2\4009,002\TxDOT Intersections\Sandfiles\12-19-16\Final Documents\CSJ 0009-02-064 S Garland Ave 12-19-16\Dgn\Parcels\Parcel-14-Sht-2.dgn

Addendum D

Property Information

DEDICATION DEED

This deed is being re-recorded to correct the dates of the signature and notary.

STATE OF TEXAS §
§ **KNOW ALL BY THESE PRESENTS:**
COUNTY OF DALLAS §

201100126979
05/18/2011 02:34:26 PM
DEED 1/48

That DALLAS AREA RAPID TRANSIT, a regional transportation authority ("Grantor"), for an in consideration of Ten and No/100 Dollars ($10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by the City of Garland, Texas ("Grantee"), a Texas home-rule municipality, has **GIVEN, GRANTED AND CONVEYED**, and by these presents does **GIVE, GRANT AND CONVEY** unto Grantee all those certain lots, tracts, or parcels of land situated in the County of Dallas, State of Texas, and more particularly described in Exhibit "A' attached hereto and incorporated herein by reference (the "Land").

TO HAVE AND TO HOLD the Land, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the Land unto Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 28th day of March 2011 ~~2010~~ cg

GRANTOR: DALLAS AREA RAPID TRANSIT

BY: Cleo Grounds
CLEO GROUNDS
Assistant Vice President of Real Estate

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this 28th day of March 2011 CBB ~~2010~~, personally appeared Cleo Grounds known to me to be the Assistant Vice President of Real Estate for DALLAS AREA RAPID TRANSIT, a regional transportation authority, on behalf of said authority.

CHRISTOPHER B. BLUITT
Notary Public, State of Texas
My Commission Expires
November 09, 2013

Notary Public in and for the State of Texas

Printed Name: CHRISTOPHER B. BLUITT

Exhibit "A"

County Dallas
Parcel 26
Intersection of S. Garland Avenue
At: Miller Road

Page 1 of 6
Nov. 8, 2001
Revised Mar. 27, 2008

Legal Land Description for Parcel 26

019 0325

BEING a 8,518 square foot tract of land situated in the ALBERT CHANDLER SURVEY, Abstract Number 269, City of Garland, Dallas County, Texas, and being a portion of that area being designated "Business Area" as depicted by the WILLIAMS ESTATES, FIRST INSTALLMENT, an addition to the City of Garland as described by plat recorded in Volume 16, Page 67, Map Records of Dallas County, Texas, and also being a portion of that certain tract of land described to 2007 Garland LLC by the deed recorded in Document Number 20070034278, Deed Records of Dallas County, Texas (DRDCT), said 8,518 square feet tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for southeast corner of said 2007 Garland LLC tract and the being the point of intersection of the north right-of-way line of Miller Road (variable width right-of-way) and the southwesterly right-of-way line of S. Garland Avenue (100-foot right-of-way);

(1) **THENCE** South 88 degrees 44 minutes 09 seconds West along the south line of said 2007 Garland LLC tract and the north right-of-way line of said Miller road, a distance of 154.37 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner,

(2) **THENCE** North 01 degrees 35 minutes 25 seconds East, a distance of 8.42 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner;

(3) **THENCE** South 88 degrees 26 minutes 06 seconds East, a distance of 104.74 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner;

(4) **THENCE** North 57 degrees 55 minutes 14 seconds East, a distance of 43.20 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for a point of curvature of a curve to the left, the radius point of which bears North 71 degrees 22 minutes 11 seconds West, at a distance of 879.41 feet;

(5) **THENCE** along said curve to the left through a central angle of 02 degrees 12 minutes 57 seconds, an arc distance of 34.01 feet and a chord bearing of North 17 degrees 31 minutes 21 seconds East, a chord distance of 34.01 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner;

Exhibit "A"

County Dallas
Parcel 26
Intersection of S. Garland Avenue
At: Miller Road

Page 2 of 6
Nov. 8, 2001
Revised Mar. 27, 2008

Legal Land Description for Parcel 26

(6) **THENCE** North 16 degrees 24 minutes 52 seconds East, a distance of 155.03 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for the point of curvature of a curve to the left having a radius of 911.24 feet;

019 0326

(7) **THENCE,** along said curve to the left through a central angle of 17 degrees 02 minutes 47 seconds, an arc distance of 271.10 feet and a chord bearing of North 07 degrees 53 minutes 29 seconds East, a chord distance of 270.11 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner;

(8) **THENCE** North 89 degrees 21 minutes 05 seconds East, a distance of 1.12 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for corner in the northeasterly line of said 2007 Garland LLC tract and southwesterly right-of-way line of said S. Garland Avenue;

(9) **THENCE** South 00 degrees 38 minutes 55 seconds East along the northeasterly line of said 2007 Garland LLC tract and the southwesterly right-of-way line of said S. Garland Avenue, a distance of 63.74 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for a point of curvature of curve to the right having a radius of 1,029.13 feet;

(10) **THENCE** continuing along said lines and along said curve to the right through a central angle of 23 degrees 25 minutes 31 seconds, an arc distance of 420.75 feet and a chord bearing of South 11 degrees 03 minutes 50 seconds West, a chord distance of 417.83 feet to a 5/8-inch iron rod with yellow plastic cap stamped "LGG" set for the **POINT OF BEGINNING** and containing 8,518 square feet or 0.1955 of an acre of land.

Exhibit "A"

County Dallas
Parcel 26
Intersection of S. Garland Avenue
At: Miller Road

Page 3 of 6
Nov. 8, 2007
Revised Mar. 27, 2008

Legal Land Description for Parcel 26

Note: The Basis of Bearings is the Texas State Plane Coordinate System, North Central Zone, N.A.D. 83.
A survey plat of even date herewith accompanies this legal description

019 0327

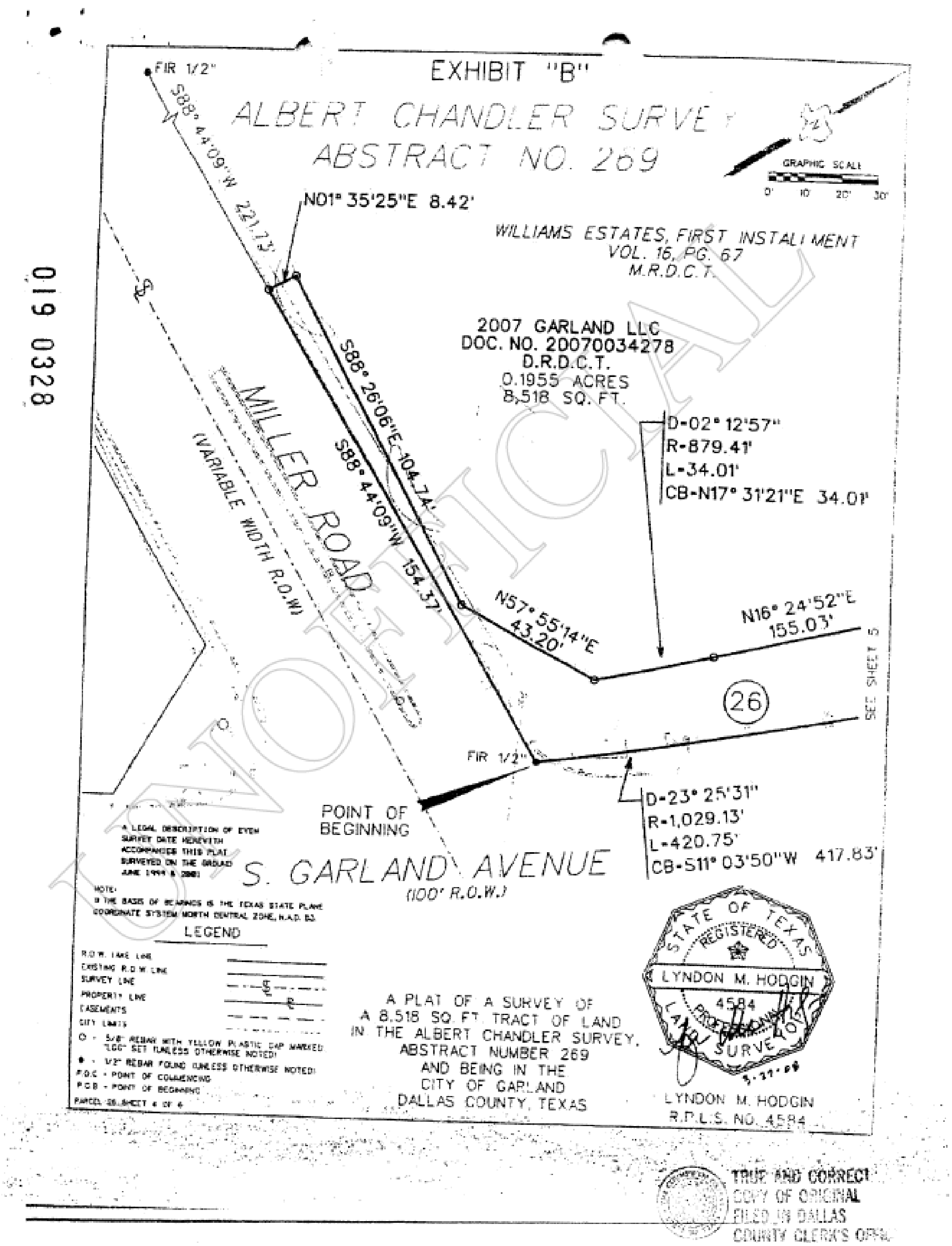
I hereby certify that this field note description and attached plat represent a survey made on the ground under my supervision and described in the field notes above and accompanying parcel plat.

Lyndon M. Hodgin
Registered Professional Land Surveyor
Texas No. 4584

3-27-08
Date

STATE OF TEXAS
REGISTERED
LYNDON M. HODGIN
4584
PROFESSIONAL
LAND SURVEYOR

TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE



019 0328
EXHIBIT "B"
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
GRAPHIC SCALE
0' 10' 20' 30'
FIR 1/2"
S88° 44'09"W 221.73'
N01° 35'25"E 8.42'
WILLIAMS ESTATES, FIRST INSTALLMENT
VOL. 16, PG. 67
M.R.D.C.T.
2007 GARLAND LLC
DOC. NO. 20070034278
D.R.D.C.T.
0.1955 ACRES
8,518 SQ. FT.
D=02° 12'57"
R=879.41'
L=34.01'
CB=N17° 31'21"E 34.01'
MILLER ROAD
(VARIABLE WIDTH R.O.W.)
S88° 26'06"E 104.74'
S88° 44'09"W 154.37'
N57° 55'14"E
43.20'
N16° 24'52"E
155.03'
SEE SHEET 5
26
FIR 1/2"
POINT OF
BEGINNING
D=23° 25'31"
R=1,029.13'
L=420.75'
CB=S11° 03'50"W 417.83'
S. GARLAND AVENUE
(100' R.O.W.)
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT. SURVEYED ON THE GROUND JUNE 1999 & 2001
NOTE:
THE BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE, N.A.D. 83.
LEGEND
R.O.W. TAKE LINE
EXISTING R.O.W. LINE
SURVEY LINE
PROPERTY LINE
EASEMENTS
CITY LIMITS
O - 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "LGC" SET (UNLESS OTHERWISE NOTED)
● - 1/2" REBAR FOUND (UNLESS OTHERWISE NOTED)
P.O.C. - POINT OF COMMENCING
P.O.B. - POINT OF BEGINNING
PARCEL 26, SHEET 4 OF 6
A PLAT OF A SURVEY OF
A 8,518 SQ. FT. TRACT OF LAND
IN THE ALBERT CHANDLER SURVEY,
ABSTRACT NUMBER 269
AND BEING IN THE
CITY OF GARLAND
DALLAS COUNTY, TEXAS
STATE OF TEXAS
REGISTERED
LYNDON M. HODGIN
4584
PROFESSIONAL
LAND SURVEYOR
LYNDON M. HODGIN
R.P.L.S. NO. 4584
TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFI

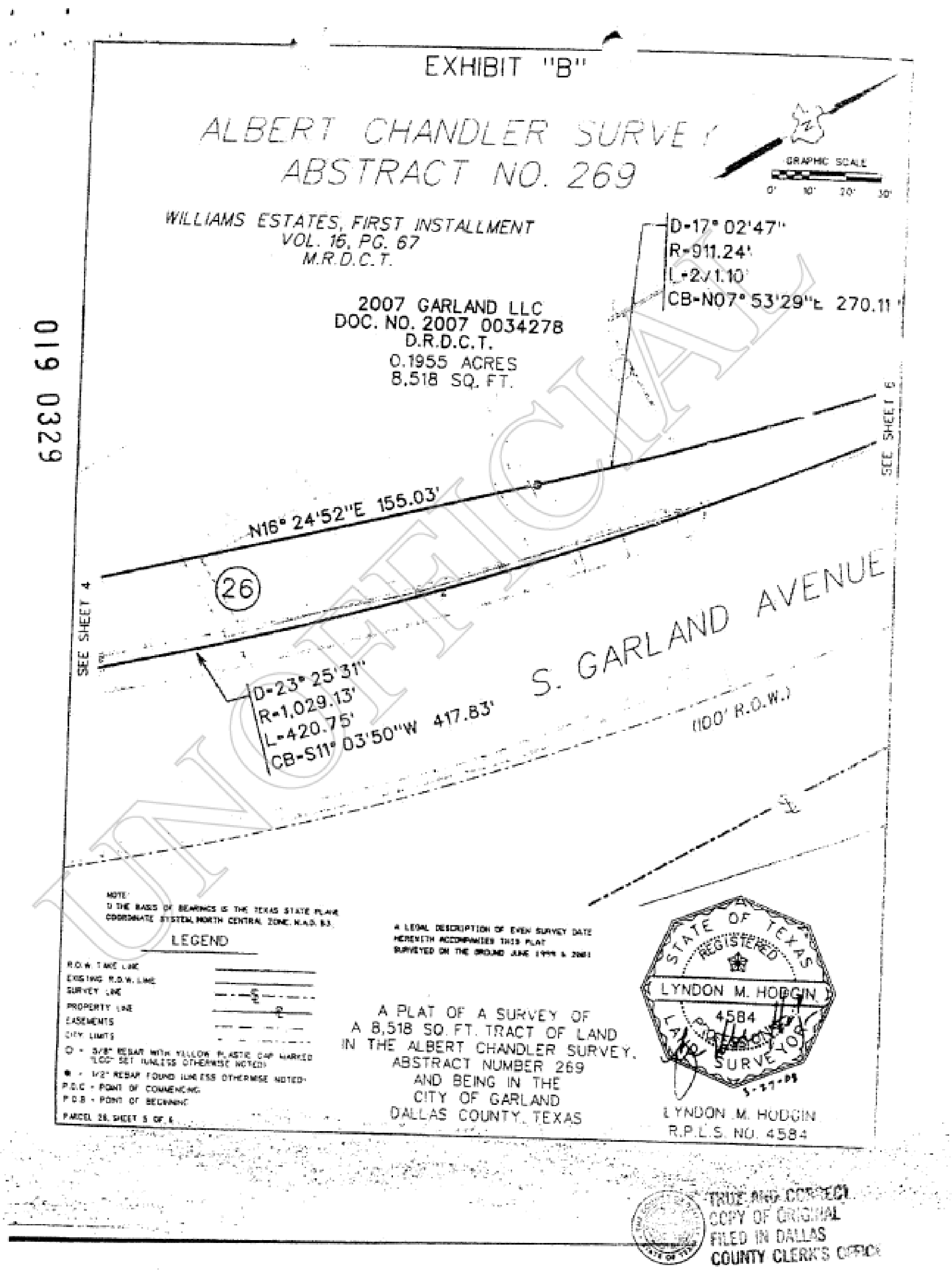


EXHIBIT "B"
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
GRAPHIC SCALE
0' 10' 20' 30'
WILLIAMS ESTATES, FIRST INSTALLMENT
VOL. 16, PG. 67
M.R.D.C.T.
D=17° 02'47"
R=911.24'
L=271.10'
CB=N07° 53'29"E 270.11'
2007 GARLAND LLC
DOC. NO. 2007 0034278
D.R.D.C.T.
0.1955 ACRES
8,518 SQ. FT.
019 0329
SEE SHEET 6
N16° 24'52"E 155.03'
26
SEE SHEET 4
D=23° 25'31"
R=1,029.13'
L=420.75'
CB=S11° 03'50"W 417.83'
S. GARLAND AVENUE
(100' R.O.W.)
NOTE:
1) THE BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, N.A.D. 83.
LEGEND
R.O.W. TAKE LINE
EXISTING R.O.W. LINE
SURVEY LINE
PROPERTY LINE
EASEMENTS
CITY LIMITS
5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "LCC" SET (UNLESS OTHERWISE NOTED)
1/2" REBAR FOUND (UNLESS OTHERWISE NOTED)
P.O.C. - POINT OF COMMENCING
P.O.B. - POINT OF BEGINNING
PARCEL 26, SHEET 5 OF 6
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT
SURVEYED ON THE GROUND JUNE 1999 & 2001
A PLAT OF A SURVEY OF
A 8,518 SQ. FT. TRACT OF LAND
IN THE ALBERT CHANDLER SURVEY,
ABSTRACT NUMBER 269
AND BEING IN THE
CITY OF GARLAND
DALLAS COUNTY, TEXAS
STATE OF TEXAS
REGISTERED
LYNDON M. HODGIN
4584
LAND SURVEYOR
LYNDON M. HODGIN
R.P.L.S. NO. 4584
TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE
UNOFFICIAL

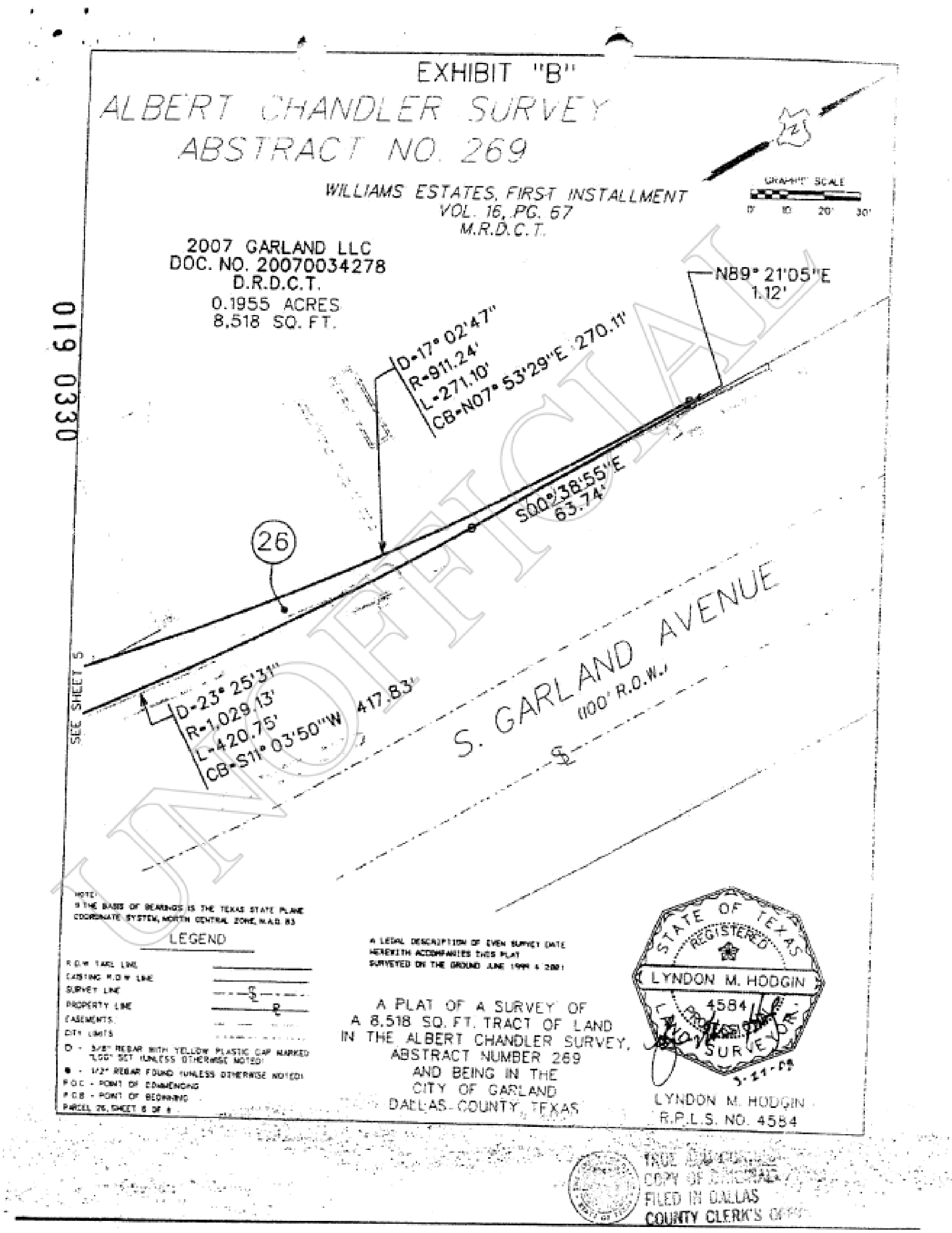


EXHIBIT "B"
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
WILLIAMS ESTATES, FIRST INSTALLMENT
VOL. 16, PG. 67
M.R.D.C.T.
GRAPHIC SCALE
0' 10' 20' 30'
2007 GARLAND LLC
DOC. NO. 20070034278
D.R.D.C.T.
0.1955 ACRES
8,518 SQ. FT.
N89° 21'05"E
1.12'
D=17° 02'47"
R=911.24'
L=271.10'
CB=N07° 53'29"E 270.11'
S00°38'55"E
63.74'
26
019 0330
SEE SHEET 5
D=23° 25'31"
R=1,029.13'
L=420.75'
CB=S11° 03'50"W 417.83'
S. GARLAND AVENUE
(100' R.O.W.)
NOTE:
THE BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, N.A.D. 83
LEGEND
R.O.W. TAKE LINE
EXISTING R.O.W. LINE
SURVEY LINE
PROPERTY LINE
EASEMENTS
CITY LIMITS
O - 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "LOG" SET (UNLESS OTHERWISE NOTED)
● - 1/2" REBAR FOUND (UNLESS OTHERWISE NOTED)
P.O.C. - POINT OF COMMENCING
P.O.B. - POINT OF BEGINNING
PARCEL 26, SHEET 6 OF 6
A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT
SURVEYED ON THE GROUND JUNE 1999 & 2001
A PLAT OF A SURVEY OF
A 8,518 SQ. FT. TRACT OF LAND
IN THE ALBERT CHANDLER SURVEY,
ABSTRACT NUMBER 269
AND BEING IN THE
CITY OF GARLAND
DALLAS COUNTY, TEXAS
STATE OF TEXAS
REGISTERED
LYNDON M. HODGIN
4584
PROFESSIONAL
LAND SURVEYOR
LYNDON M. HODGIN
R.P.L.S. NO. 4584
TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE
UNOFFICIAL

FIDELITY NATIONAL TITLE INSURANCE COMPANY **COMMITMENT NO.: 9000141700072**

Parcel # 14

CSJ: 0009-02-064

SCHEDULE A

Effective Date: February 23, 2017 at 8:00 AM
Commitment No.: 9000141700072-Commitment for Title Insurance (T-7) - 2014

GF No.: FTDAL-14-9000141700072-DS
Issued: March 4, 2017 at 8:00 AM

1. The policy or policies to be issued are:

   a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
   (Not applicable for improved one-to-four family residential real estate)

   Policy Amount: TBD
   PROPOSED INSURED: STATE OF TEXAS

   b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

   Policy Amount:
   PROPOSED INSURED:

   c. LOAN POLICY OF TITLE INSURANCE (Form T-2)

   Policy Amount:
   PROPOSED INSURED:
   Proposed Borrower:

   d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)

   Policy Amount:
   PROPOSED INSURED:
   Proposed Borrower:

   e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

   Policy Amount:
   PROPOSED INSURED:
   Proposed Borrower:

   f. OTHER

   Policy Amount:
   PROPOSED INSURED:

2. The interest in the land covered by this Commitment is:

   Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

   City of Garland, Texas

4. Legal description of land:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

Form T-7: Commitment for Title Insurance (01/03/14) TX—SPS-1-17-9000141700072

FIDELITY NATIONAL TITLE

1802 Pleasant Valley Rd., Ste. 100
Garland, TX 75040

CERTIFICATE OF SALES

DATE: March 6, 2017.

PARCEL NO: 14

CSJ: 0009-02-064

FT NO: 9000141700072

We certify that we have searched the records for conveyances for a period of five (5) years immediately preceding the date of this certificate and find the following:

The last Deed found of record affecting the Land was recorded on 05/12/2011 under Clerk's File No. 201100120361 and refiled under Clerk's No. 201100126979, Real Property Records, Dallas County, Texas, wherein grantor acquired subject property.

Addendum E

Correspondence

JLL Valuation & Advisory Services
201 Main Street
Suite 500
Fort Worth, TX 76102
T 817.332.5522
F 817.336.1621
www.us.jll.com

March 8, 2017

City of Garland
200 N. Fifth Street
Garland, TX 75040

TxDOT Project: SH 78
Property Identification: Parcel 14
Tax Records Address: 1905-1913 S Garland Ave, Garland, TX 75041

Property Owner or Property Owners Representative:

The Texas Transportation Commission has approved a redevelopment and improvement project to State Highway 78. The Texas Department of Transportation and their partners are now proceeding with this project. As part of the project teams, TxDOT has retained JLL Valuation & Advisory Services to perform real estate appraisals of the proposed right-of-way acquisitions.

According to the tax records of Dallas County, you are an owner/representative of the above-referenced property, which has been identified as part of the proposed public project. JLL Valuation & Advisory Services has been asked to appraise your property as identified on the project maps. In order to meet federal regulations, it is necessary that we make owner contact in conjunction with the appraisal. It is not mandatory that you accompany us during the property inspection, but we would like to request your permission to allow our representatives to access your property to perform the necessary tasks to complete the appraisal process. These tasks include measuring and photographing the property. If you would like to accompany us on an inspection, please call or email us to make arrangements. You may contact Will Snider at 817-334-8122 or by email at will.snider@am.jll.com.

In addition, please complete and return the enclosed PROPERTY OWNER INFORMATION sheet. At the request of TxDOT, please return the enclosed *"Pre-Appraisal Contact with Property Owners"* form.

Your prompt attention to this matter will be greatly appreciated. We look forward to hearing from you or your representatives, and we appreciate your diligence and cooperation in this project.

Sincerely,
INTEGRA REALTY RESOURCES

Robert W. Snider

Robert "Will" Snider, RWA, R/W-AC
Analyst
Fort Worth Office

PROPERTY OWNER INFORMATION

Please complete the following information and return by fax to 312-601-1192 or email to Kyle Parker at kylea.parker@am.jll.com.

Owner per Tax Records:	City of Garland

TxDOT Project: SH 78
Property Identification: Parcel 9
Tax Records Address: 2009 S Garland Ave, Garland, TX 75041

Please check and complete the following.

☐ I am **not** the owner of the property as described by the enclosed project map.

☒ I am the property owner ☐ or designated representative ☒ of the property described by the enclosed map.

- How long has the property been owned? SINCE 2011
- Is the property currently listed for sale ☐ or under contract ☐ to sell? ☐ Yes ☒ No

For the purpose of obtaining additional property information and for negotiations with project representatives, the best person to contact is:

MICHAEL C. POLOCEK, P.E.	972-205-2178 W/K.
Print Name	Telephone Number
P.O. BOX 469002	214-707-7183 MBL.
Address	Alternate Phone Number
GARLAND, TX. 75046-9002	mpolocek@garlandtx.gov
City, State, Zip Code	E-mail

☒ Permission is herby granted for appraisers to enter on my property, as identified on the enclosed property map, for the purpose of appraising my property in connection with the construction of the above identified project.

☐ I would like to have myself ☐ or have my designated property representative ☐ accompany the appraiser during his inspection of my property.

[signature]	04/03/2017
Signature	Date

The above information is used strictly for this project, and is not distributed to outside parties or databases.

JLL

PROPERTY OWNER INFORMATION

Please complete the following information and return by fax to 817-336-1621 or email to Will Snider at will.snider@am.jll.com.

Owner per Tax Records: City of Garland

TxDOT Project: SH 78
Property Identification: Parcel 14
Tax Records Address: 1905-1913 S Garland Ave, Garland, TX 75041

Please check and complete the following.

☐ I am not the owner of the property as described by the enclosed project map.

☒ I am the property owner ☐ or designated representative ☒ of the property described by the enclosed map.

- How long has the property been owned? Since 2011
- Is the property currently listed for sale ☐ or under contract ☐ to sell? ☐ Yes ☒ No

For the purpose of obtaining additional property information and for negotiations with project representatives, the best person to contact is:

Michael C. Polocek, P.E.	972-205-2178 Wk.
Print Name	Telephone Number
P.O. Box 469002	214-707-7183 Mbl.
Address	Alternate Phone Number
Garland, TX 75046-9002	mpolocek@garlandtx.gov
City, State, Zip Code	E-mail

☒ Permission is herby granted for appraisers to enter on my property, as identified on the enclosed property map, for the purpose of appraising my property in connection with the construction of the above identified project.

☐ I would like to have myself ☐ or have my designated property representative ☐ accompany the appraiser during his inspection of my property.

Michael C. Polocek 03/27/2017
Signature Date

The above information is used strictly for this project, and is not distributed to outside parties or databases.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

City of Garland
200 N. Fifth St.
Garland, Texas 75040

9590 9402 1908 6104 3472 85

2. Article Number *(Transfer from service label)*

7016 0600 0000 3888 3761

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X CITY OF GARLAND ☒ Agent ☐ Addressee

B. Received by (Printed Name) City of Garland C. Date of Delivery MAR 20 2017

MPO, GARLAND 75040-US

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

JLL Valuation & Advisory Services, LLC
201 Main St. Suite 500
Fort Worth, Texas 76102

RWS

Certified Mail Fee
$
Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total
$

Postmark Here

3/17/17

7016 0600 0000 3888 3761

City of Garland
200 N. Fifth St.
Garland, Texas 75040

Instructions

Property Acquisition Services, LLC.

December 21, 2017

Parcel No.: **014** Certified Mail: 7015 1520 0002 9598 1371
County: Dallas County
Road: SH 78
CSJ No.: 0009-02-064
Limits: IH 635 to Forest Lane in Garland, Texas

City of Garland
200 N. Fifth Street
Garland, Texas 75040

Re: Initial Notice Letter

Dear Property Owner,

The Texas Department of Transportation has plans to make improvements to SH 78. Our initial research indicates that a portion of your property will be needed as right of way for the proposed improvement of the highway. PAS, Property Acquisition Services, LLC has been selected to conduct the right of way acquisition for this project.

We have attached, pursuant to state law, the Texas Landowner's Bill of Rights which explains the procedures to be followed as well as your rights as a landowner. Also attached is an information booklet entitled "State Right of Way Purchase" and a photocopy of the legal description and parcel sketch for the proposed right-of-way. Please sign the enclosed Acknowledgment of Receipt of Texas Landowner's Bill of Rights document and remit back to this office by email or in the enclosed self-addressed stamped envelope.

I will be contacting you in the near future to begin negotiations on the purchase of your property. In the meantime, please do not hesitate to call me at 972-490-3700 or email at mark@pascorp.net if you have any questions.

Sincerely,
Mark Heidaker
Mark Heidaker
Project Manager

Enclosures:
(1) Photocopy of Field Notes
(2) Texas Landowner's Bill of Rights
(3) Title III - Notice of Land Acquisition Procedures
(4) Acknowledgment of Receipt
(5) State Right of Way Purchase Booklet

12801 North Central Expressway, Suite 555, Dallas, Texas 75243 ◆ Office: 972-490-3700 ◆ Fax: 972-490-3719

EXHIBIT "A"

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

December 16, 2016
Revised April 10, 2017

Description for Parcel 14

BEING 8,519 square feet of land, more or less, in the Albert Chandler Survey, Abstract Number 269, City of Garland, Dallas County, Texas, and being all of that certain called 0.196 acre tract of land described as "Parcel 26" in a deed to the City of Garland, Dallas County, Texas, as recorded in Instrument Number 201100126979 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said 8,519 square feet of land being more particularly described by metes and bounds as follows:

COMMENCING at a found "X" cut (controlling monument) for the northwest corner of Lot 3, Block 1 of Williams Retail Estates, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Instrument Number 201300199683 of said Official Public Records, conveyed to The Pederson Triplet Trust 2007, by deed recorded in Instrument Number 201400164544 of said Official Public Records and the southwest corner of Lot 2, Block 1 of said Williams Retail Estates addition, conveyed to Craig N. Pedersen & Kris B. Pedersen, as recorded in Instrument Number 201500181631 of said Official Public Records, said commencing point also being in an easterly line of Lot 1, Block 1 of said Williams Retail Estates addition, conveyed to Walmart Real Estate Business Trust, as recorded in Instrument Number 201300029898 of said Official Public Records;

THENCE South 01 degrees 11 minutes 47 seconds East, along the westerly line of said Lot 3 and the easterly line of said Lot 1, a distance of 234.21 feet to a found "X" cut (controlling monument) in the existing northerly right of way line of W. Miller Road (variable width right of way), also being the southeast corner of said Lot 1 and the southwest corner of said Lot 3;

THENCE North 88 degrees 48 minutes 13 seconds East, departing the westerly line of said Lot 3 and said Lot 1, along the existing northerly right of way line of said W. Miller Road and the southerly line of said Lot 3, a distance of 28.92 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) for the **POINT OF BEGINNING** at Station 153+91.72, 190.15 feet Left and having a Texas State Plane Coordinate System, N.A.D.83 (1993 ADJ.), North Central Zone (4202), surface coordinate of Northing 7,014,336.04 and Easting 2,536,734.57;

1) THENCE North 01 degrees 22 minutes 58 seconds East, departing the existing northerly right of way line of said W. Miller Road, along the southerly line of said Lot 3, a distance of 7.68 feet to a found 5/8 inch steel rod with red plastic cap stamped "KHA" (controlling monument) at Station 154+00.53, 193.57 feet Left;

EXHIBIT "A"

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

December 16, 2016
Revised April 10, 2017

Description for Parcel 14

2) THENCE South 88 degrees 38 minutes 33 seconds East, continuing along the southerly line of said Lot 3, a distance of 104.74 feet to a found "X" cut (controlling monument) at Station 154+52.57, 98.18 feet Left and being the southerly end of a corner clip;

3) THENCE North 57 degrees 42 minutes 47 seconds East, along said corner clip, a distance of 43.20 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 154+91.87, 73.47 feet Left, being in the easterly line of said Lot 3, also being the northerly end of said corner clip and the beginning of a non-tangent curve to the left;

4) THENCE Northwardly, along the easterly line of said Lot 3, and along said non-tangent curve to the left with a central angle of 02 degrees 12 minutes 58 seconds, a radius of 879.41 feet and an arc length of 34.01 feet, the chord bears North 17 degrees 18 minutes 54 seconds East, a distance of 34.01 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 155+28.99, 75.25 feet Left;

5) THENCE North 16 degrees 12 minutes 25 seconds East, continuing along the easterly line of said Lot 3, a distance of 155.03 feet to a found 5/8 inch steel rod with a red plastic cap stamped "KHA" (controlling monument) at Station 156+97.93, 68.10 feet Left, being the beginning of a curve to the left;**

6) THENCE Northwardly, along said curve to the left with a central angle of 17 degrees 02 minutes 47 seconds, a radius of 911.24 feet, passing at an arc length of 222.07 feet to a point in the existing westerly right of way line of State Highway 78, better known as S. Garland Avenue (variable width right of way), at Station 159+26.94, 39.48' Left, being an easterly corner of said Lot 1 and the southeasterly corner of a right of way dedication to the City of Garland as described by plat of said Williams Retail Estates addition, continuing along the existing westerly right of way line of said S. Garland Avenue and said curve to the left a total arc length of 271.11 feet, the chord bears North 07 degrees 41 minutes 02 seconds East, a distance of 270.11 feet to a point at Station 159+75.95, 38.38 feet Left;

7) THENCE North 89 degrees 08 minutes 38 seconds East, continuing along the existing westerly right of way line of said S. Garland Avenue, a distance of 1.12 feet to a point at Station 159+75.96, 37.26 feet Left;

EXHIBIT "A"

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

December 16, 2016
Revised April 10, 2017

Description for Parcel 14

8) THENCE South 00 degrees 51 minutes 22 seconds East, continuing along the existing westerly right of way line of said S. Garland Avenue, a distance of 63.74 feet to a point at the beginning of a curve to the right;

9) THENCE Southwardly, continuing along the existing westerly right of way line of said S. Garland Avenue and along said curve to the right with a central angle of 23 degrees 25 minutes 30 seconds, a radius of 1,029.13 feet and an arc length of 420.75 feet, the chord bears South 10 degrees 51 minutes 23 seconds West, a distance of 417.83 feet to a point in the existing northerly right of way line of said W. Miller Road;

10) THENCE South 88 degrees 31 minutes 42 seconds West, departing the existing westerly right of way line of said S. Garland Avenue, along the existing northerly right of way line of said W. Miller Road, a distance of 154.37 feet to a point;

11) THENCE North 01 degrees 22 minutes 58 seconds East, continuing along the existing northerly right of way line of said W. Miller Road, a distance of 0.74 feet to the **POINT OF BEGINNING** and containing 8,519 square feet [0.196 Acres] of land, more or less.

** The monument described in this call, if destroyed or damaged during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Basis of Bearings is the Texas State Plane Coordinate System, Texas North Central Zone 4202, North American Datum 1983 (N.A.D. 83) as determined by GPS observations using the TxDOT VRS network. All coordinates listed are adjusted to surface, with a grid to surface adjustment factor of 1.000136506 (Dallas County).

A survey plat of even survey date herewith accompanies this field note description.

The Station and Offset Information refers to the baseline described in the Control Sheet created 02-22-16 for the TxDOT Right of Way Mapping Project Control-Section-Job: 0009-02-064.

EXHIBIT "A"

December 16, 2016
Revised April 10, 2017

County: Dallas
Highway: State Highway 78
STA. 153+91.72 to STA. 159+75.96
R.O.W. CSJ: 0009-02-064

Description for Parcel 14

I, Joseph S. Benitez, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this land description and attached plat accurately depict an actual survey made on the ground under my supervision.

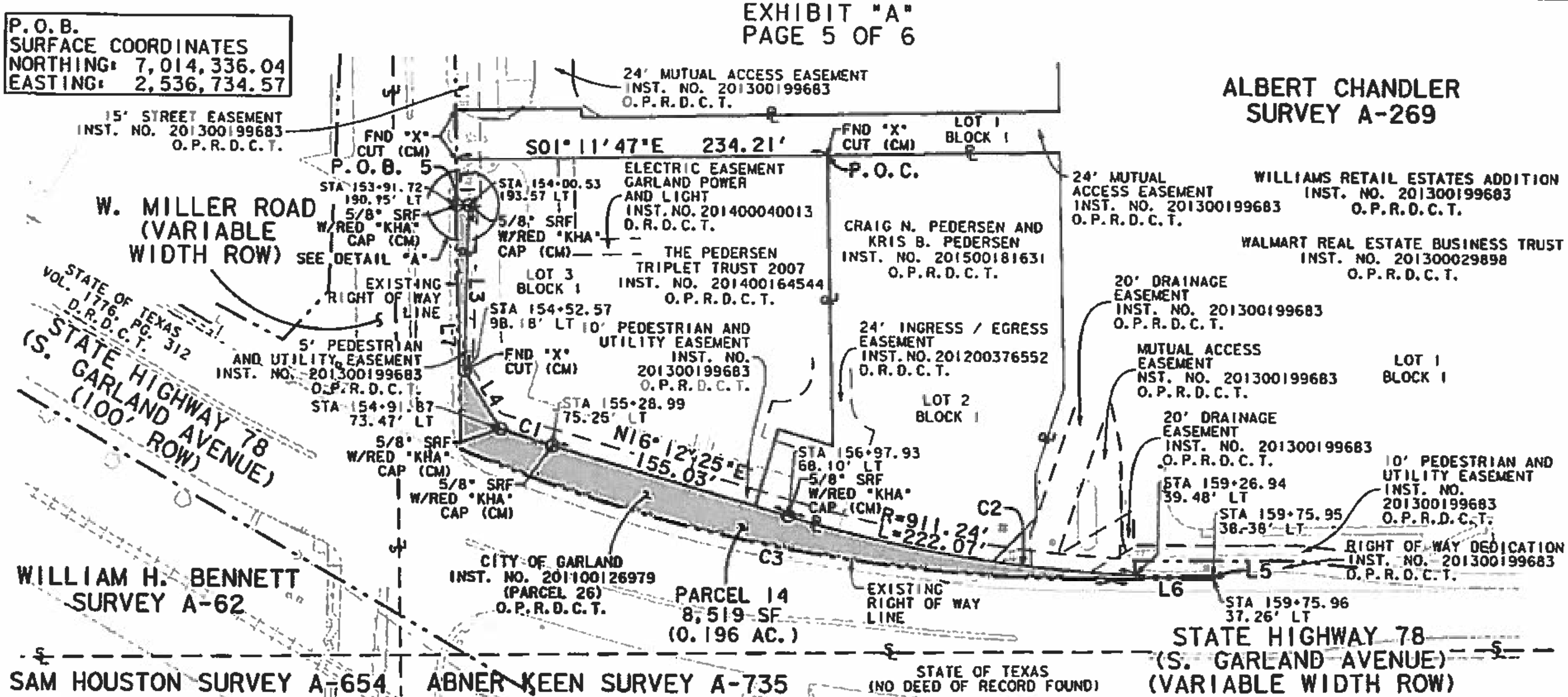
STATE OF TEXAS
REGISTERED
JOSEPH S. BENITEZ
5934
PROFESSIONAL
LAND SURVEYOR

04-10-2017

Joseph S. Benitez
Registered Professional Land Surveyor
Texas No. 5934

Date

EXHIBIT "A"



** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

NOTES:

1. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (NAD83), AS DETERMINED BY GPS OBSERVATIONS USING THE TXDOT-VRS NETWORK AND ADJUSTED TO SURFACE WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506 (DALLAS COUNTY).
2. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
3. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED 02-22-16 FOR THE TXDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-JOB: 0009-02-064.

LEGEND

EXISTING ROW LINE
PROPERTY LINE
SURVEY LINE
EASEMENTS
RAILROAD

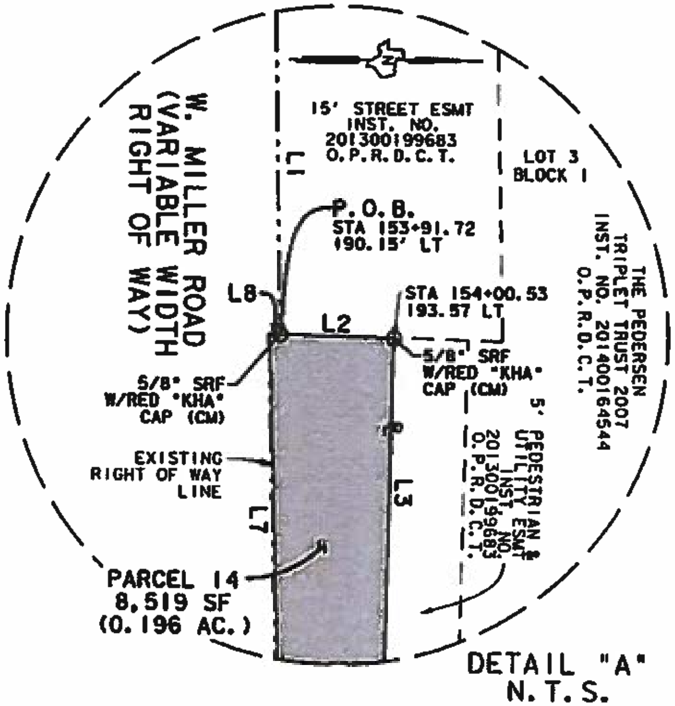
* = NOT ABLE TO SET; ACCESS NOT GRANTED
⊙** = SET TxDOT "CD" MONUMENT UNLESS OTHERWISE NOTED
SRF = STEEL ROD FOUND
SET CD = 2" TXDOT PINK PLASTIC CAP ON TOP OF A 5/8" IRON ROD
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING

A PLAT OF A SURVEY OF
PARCEL 14
FOR STATE HIGHWAY 78
RIGHT OF WAY CSJ: 0009-02-064
8,519 SQ.FT. [0.196 AC.]
TRACT OF LAND IN THE
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
CITY OF GARLAND
DALLAS COUNTY, TEXAS
DECEMBER 16, 2016
REVISED APRIL 10, 2017

SCALE IN FEET
0 50 100 150 200
SCALE: 1" = 100'

REVISION No. 1 04-10-17 CORRECTION DEED (DART TO CITY)

S:\Temp\Joseph\Deliverables\TxDOT Intersections\Dgn\Parcels\Parcel-14-Sht-1.dgn



DETAIL "A"
N.T.S.

LINE	BEARING	DISTANCE
L1	N88°48'13"E	28.92'
L2	N01°22'58"E	7.68'
L3	S88°38'33"E	104.74'
L4	N57°42'47"E	43.20'
L5	N89°08'38"E	1.12'
L6	S00°51'22"E	63.74'
L7	S88°31'42"W	154.37'
L8	N01°22'58"E	0.74'

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD BRG.	CHORD DIST.
C1	02°12'58" (LT)	879.41'	34.01'	N17°18'54"E	34.01'
C2	17°02'47" (LT)	911.24'	271.11'	N07°41'02"E	270.11'
C3	23°25'30" (RT)	1,029.13'	420.75'	S10°51'23"W	417.83'

** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

NOTES:

1. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (NAD83), AS DETERMINED BY GPS OBSERVATIONS USING THE TXDOT-VRS NETWORK AND ADJUSTED TO SURFACE WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506 (DALLAS COUNTY).
2. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
3. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE CONTROL SHEET CREATED 02-22-16 FOR THE TXDOT RIGHT OF WAY MAPPING PROJECT CONTROL-SECTION-JOB: 0009-02-064.

LEGEND

EXISTING ROW LINE
PROPERTY LINE
SURVEY LINE
EASEMENTS
RAILROAD

* = NOT ABLE TO SET, ACCESS NOT GRANTED
⊙** = SET TxDOT "CD" MONUMENT UNLESS OTHERWISE NOTED
SRF = STEEL ROD FOUND
SET CD = 2" TXDOT PINK PLASTIC CAP
ON TOP OF A 5/8" IRON ROD
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING

A PLAT OF A SURVEY OF
PARCEL 14
FOR STATE HIGHWAY 78
RIGHT OF WAY CSJ: 0009-02-064
8,519 SQ.FT. [0.196 AC.]
TRACT OF LAND IN THE
ALBERT CHANDLER SURVEY
ABSTRACT NO. 269
CITY OF GARLAND
DALLAS COUNTY, TEXAS
DECEMBER 16, 2016
REVISED APRIL 10, 2017

STATE OF TEXAS
REGISTERED
JOSEPH S. BENITEZ
5934
PROFESSIONAL
LAND SURVEYOR

04-10-2017

JOSEPH BENITEZ R.P.L.S. No. 5934 DATE

REVISION No. 1 04-10-17 CORRECTION DEED (DART TO CITY)

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GARLAND
POLICY REPORT

City Council Work Session Agenda **2.k.**

Meeting Date: April 2, 2018

Item Title: Consider assistance request for nonprofit special event Wheels of Hope 2018

Submitted By: Jermel Stevenson, Managing Director

Council Goal: Fully Informed and Engaged Citizenry
Consistent Delivery of Reliable City Services
Embrace Diversity

ISSUE

The Hope Clinic has requested the City Council to consider waiving expenditures for city services required for their event, Wheels of Hope in Downtown Garland on Saturday, April 28, 2018. The City Council Policy on Special Event Policies states that requests from nonprofit organizations for donated services in excess of $5,000 be brought to the City Council for consideration.

OPTIONS

The City Council may: 1) approve the Wheels of Hope event as a Special Event, 2) approve, deny or revise proposed funding levels in accordance with the Special Event Assistance Program, 3) approve the following event dates and times, 4) approve the following site plan with street closures, and/or 5) return the item to staff for further review and recommendations.

RECOMMENDATION

Over the past several years the event has grown exponentially and the city has taken a more proactive planning role for the event to prevent any risk management issues such as providing perimeter fencing for safety and street closures, providing public restrooms, some setup and teardown, and increasing the amount of police officers and paramedics to make sure the event is a safe event. We have had no issues in this area due to the city's planning and oversight of these areas.

For the 2018 Wheels of Hope event, planning discussions via email to each necessary department has been conducted to capture costs and layout plans for the event. In addition, a final meeting between representatives from Transportation, Police, Health, Environmental Waste, Fire, Park Maintenance, and Cultural Arts will be held on:

- April 4, 2018

At the meetings, the below areas were studied and plans were made for each:

- Traffic Plan/Street Closure Plan
- Emergency Services (EMS and Fire) Plans
- Police and Event Security Plans
- Environmental Waste Plan
- Setup/Teardown Plan

Based off of these planning meetings, it has been determined that this year's estimated cost for Wheels of Hope will be:

CITY SERVICE	APRIL 28, 2018	DESCRIPTION
Police	$900	Security and safety/ Overtime rate
Transportation Services	$600	Installation and removal of barricades
Environmental Waste Services	$20	Delivery and removal of (50) waste containers.
Cultural Arts Facilities	$75	Plaza Theater rental fee
EMS	$500	Paramedics
Equipment Rental	$3400	Public restrooms (8), Barricades (130+)
In-Kind Equipment & Services	$0	
TOTAL COST:	**$5,495**	

Staff recommends that the Council decide the following issues:

1. Approve the Wheels of Hope event as a special event;
2. Waive the cost for providing city services for $5495 and in accordance with the Special Event Assistance Program due to budget constraints.
3. Approve the following event date(s) and time(s) of Saturday, April 28, 2018 from 10 a.m. to 2 p.m.
4. Approve the following site plan including street closures. See attached.

BACKGROUND

This annual event spotlights the unity among Garland's diverse community. By assisting various nonprofit organizations through the donation of City services for nonprofit special events, the City promotes and celebrates the diversity and vitality of the community. From parades and festivals to various multicultural events, the City of Garland is showcased through the efforts of these nonprofit organizations.

CONSIDERATION

The 2017-18 annual operating budget has $43,000 budgeted in the General Fund (non-departmental) to provide assistance in covering fees and charges for City services for special events held by nonprofit organizations.

Attachments

Temporary Permit-WOH'18

Layout - WOH'18

GARLAND

BUILDING INSPECTION DEPARTMENT

TEMPORARY ACTIVITY/COMMERCIAL AMUSEMENTS

CITY OF GARLAND
P.O. BOX 469002, 800 MAIN STREET
GARLAND, TX 75040-6299
OFFICE (972) 205-2300 FAX (972) 205-2839
INSPECTION REQUEST: (972) 205-2325
http://www.garlandtx.gov

PERMIT# ____________

DATE RECEIVED: February 26, 2018

PLEASE PRINT FIRMLY – FILL IN ALL BLANKS

ACTIVITY ADDRESS Downtown square, surrounding areas & Plaza Theater

NAME OF BUSINESS Wheels of Hope Classic Car Show IV

ENTITY CONDUCTING ACTIVITY The Hope Clinic **PHONE**

PROPERTY OWNER Jamie Miller - Event Chair **PHONE** 214-536-9817

MAILING ADDRESS 622 Clara Barton **CITY** Garland **STATE** TX **ZIP** 75042

TYPE OF ACTIVITY: Classic Car Show DATE OF ACTIVITY: Friday, April 27, 2018 FROM: 4:00 PM TO: 8:00 PM - Plaza

NUMBER OF PEOPLE EXPECTED: 3,500+ Saturday, April 28, 2018 TIME OF ACTIVITY: FROM: 6:00 AM TO: 4:30 PM

WE REQUIRE AN ACCURATE SITE PLAN DRAWN TO SCALE SHOWING ALL PARKING, THE BUILDING LOCATION, EXIT(S) AND THE LOCATION OF ON SITE ACTIVITIES. IF THERE IS A TENT A FLAME PROOF CERTIFICATE IS REQUIRED AND WE WILL NEED TO KNOW THE LOCATION, AND SEATING . (IF APPLICABLE). (MAXIMUM PERMIT 14 CONSECUTIVE DAYS)

TEMPORARY ACTIVITY		**TEMPORARY COMMERCIAL AMUSEMENT**	
✓ INDOOR ACTIVITY Plaza	___ OUTDOOR ACTIVITY	✓ AMPLIFIED SOUND	___ ANIMALS
___ CHURCH BAZAAR	___ COMMERCIAL SPORTING EVENT	___ CARNIVAL	___ CIRCUS
✓ CONSESSIONS - Donor Non-Profit Booths	✓ AMPLIFIED SOUND	___ INSURANCE BOND REQUIRED	___ CONCESSIONS
___ ANIMALS	___ PUBLIC AUCTION	___ PONY RIDES	___ MECHANICAL RIDES
___ REVIVAL	___ TENT – CERTIFICATE OF FIRE PROOFING REQUIRED	___ TENT- CERTIFICATE OF FIRE PROOFING REQUIRED	
OTHER:		OTHER:	

NOTE: ALL OUTDOOR TEMPORARY ACTIVITY EXCEPT CHURCH BAZAAR MUST BE LOCATED 300' FROM RESIDENTIAL STRUCTURE.

NOTE: ALL TEMPORARY COMMERCIAL AMUSEMENTS MAY NOT BE LOCATED WITHIN 300' FROM CHURCH, SCHOOL, OR HOSPITAL.

NOTICE TO APPLICANT This permit is issued on the basis of information furnished in this application and on any submitted plans, and is subject to the provisions and requirements of the City of Garland Code of Ordinances and any other applicable ordinances of the City, regardless of information and/or plans submitted. This permit holder is required to use only subcontractors licensed and registered by the City of Garland where such a requirement is applicable.

PRINT NAME Dana Cooper cell phone 214-763-9641

SIGNATURE Dana Cooper DATE February 26 2018

DL# 06284806 - TX EXP. DATE 1-27-2022 D.O.B. 01-27-54

FOR OFFICE USE ONLY

ZONING	CASH	CHECK	PERMIT:
			TENT:
RECEIPT NO.	DATE	REVIEWED BY	TOTAL:

SPECIAL INSTRUCTIONS:

Revised 04/03/2013

GARLAND

TEXAS MADE HERE

Special Event Assistance Program Application

Date Submitted Feb 26, 2018
(Must be minimum 45 days prior to event)

Please type or print legibly

SECTION 1: Event Information

Event title: Wheels of Hope Classic Car Show

Organization: The Hope Clinic

Event location: downtown square, surrounding areas, Plaza Theater

Event date(s): Saturday, April 28, 2018 Start time: 6:30 AM End time: 4:00 PM

Load in date/time: Friday, April 27, 2018 4:00 PM Load out date/time: Saturday, April 28, 2018 4:00 PM 4:30

Event description: Classic Car Show

Is this a new event? Yes (No) If no, # years event has been held prior to current year: 3 yrs

Attendance last time: 3,500 Estimated attendance this year: 3,500+

What is the purpose of this event? fundraiser for Hope Clinic

How will this event benefit the Garland community? community awareness involvement

How will the proceeds of this event be used? benefits Hope Clinic

SECTION 2: Event Sponsor Information

Event contact 1: Jamie Miller event chair Email: jmiller@veritexbank.com

Address: 622 Clara Barton Garland 75042 Phone: 214-536-9817

Event contact 2: Dana Cooper Email: dcooper@veritexbank.com

Address: 622 Clara Barton Garland 75042 Phone: 214-763-9641

Organization tax ID #: 75-2960314 Non-Profit Status: (501(c)3) 501(c)4 Neither

Hope Clinic of Garland, Inc.

NOTE: Upon approval of the event application, and at least ten (10) days prior to the event, the event sponsor shall provide the City with evidence of public event liability insurance in the amount of $500,000 per occurrence for bodily injury and property damage arising from the event. The insurance shall be written with an insurance company authorized to transact business in the State of Texas and have a current rating of "A" or better by A.M. Best Key Rating Guide.

SECTION 3: Event Logistics

Listed below are logistical elements that may be a part of your event. "Services available through City" indicates what the City of Garland may be able to provide through the Special Event Assistance Program. The "Applicant's Responsibilities" section refers to logistical elements which may be a part of your event, but that are typically provided by the event sponsor or producer. Please check all in both sections that apply to your event:

<u>Services available through City</u>

- ☐ Police security
- ☑ Street closures
- ☑ Barricades
- ☐ Traffic/crowd control
- ☑ Trash/recycling containers
- ☑ Running water (if available at site)
- ☑ Electrical power (if available at site)
- ☐ Park use (must be approved by Parks Dept. Director)
- ☑ Preparation of City-owned facility/property

<u>Applicant's Responsibility</u>

- ☐ Concessions/health permits
- ☐ Portable restrooms
- ☐ Stage/grandstand
- ☐ Tents
- ☐ Amusement rides
- ☐ Temporary fencing
- ☑ Signs, banners (City signage ordinances apply)
- ☐ Merchandising
- ☑ Sound amplification
- ☐ Animals (contact Animal Services Dept.)
- ☐ Overnight security
- ☐ Open flames
- ☐ Generators
- ☐ Off-site parking and transportation
- ☑ Event insurance
- ☐ Clean up of facility or event area

SECTION 4: Supplemental Application Materials

Listed below are additional documents that are required in order to complete the application for event assistance. Each item is due at the time the application is submitted, unless otherwise indicated.

please see last years

- ☑ Copy of proposed event site plan (fairs, festivals and carnivals) and/or route plan (parades/runs)
- ☑ Proof of 501(c)3 or 501(c)4 status (official IRS letter) on file
- ☑ Temporary Activity Permit application
- ☑ Copy of the group's insurance declarations page, listing City of Garland as additional insured (<u>due no later than 10 days prior to the event date</u>)

I certify that the event for which this application has been prepared will be open to all citizens, and that attendance will not be limited by age, sex race, physical impairment, or other means. I further certify that this event is sponsored by a non-profit organization. On behalf of the event producer or sponsor, I agree to abide by the Special Events Guidelines provided with this Application. I further certify that the facts contained in this Application are accurate.

The event sponsor/producer does hereby fully release, discharge and Indemnify the City of Garland and its officers, agents, servants, and employees from and against any and all claims from injuries, damage or loss which might occur during the special event set forth in this Application, regardless of cause and even if caused by the City of Garland.

Dana Cooper
Signature of organization representative

February 26, 2018
Date

Wheels of Hope
Print name of organization representative

PRE-EVENT BUDGET

Budget must be submitted on this form or in this format for review. If applying as a pre-existing event, applicant must submit final total profit/loss from the previous year's event as well.

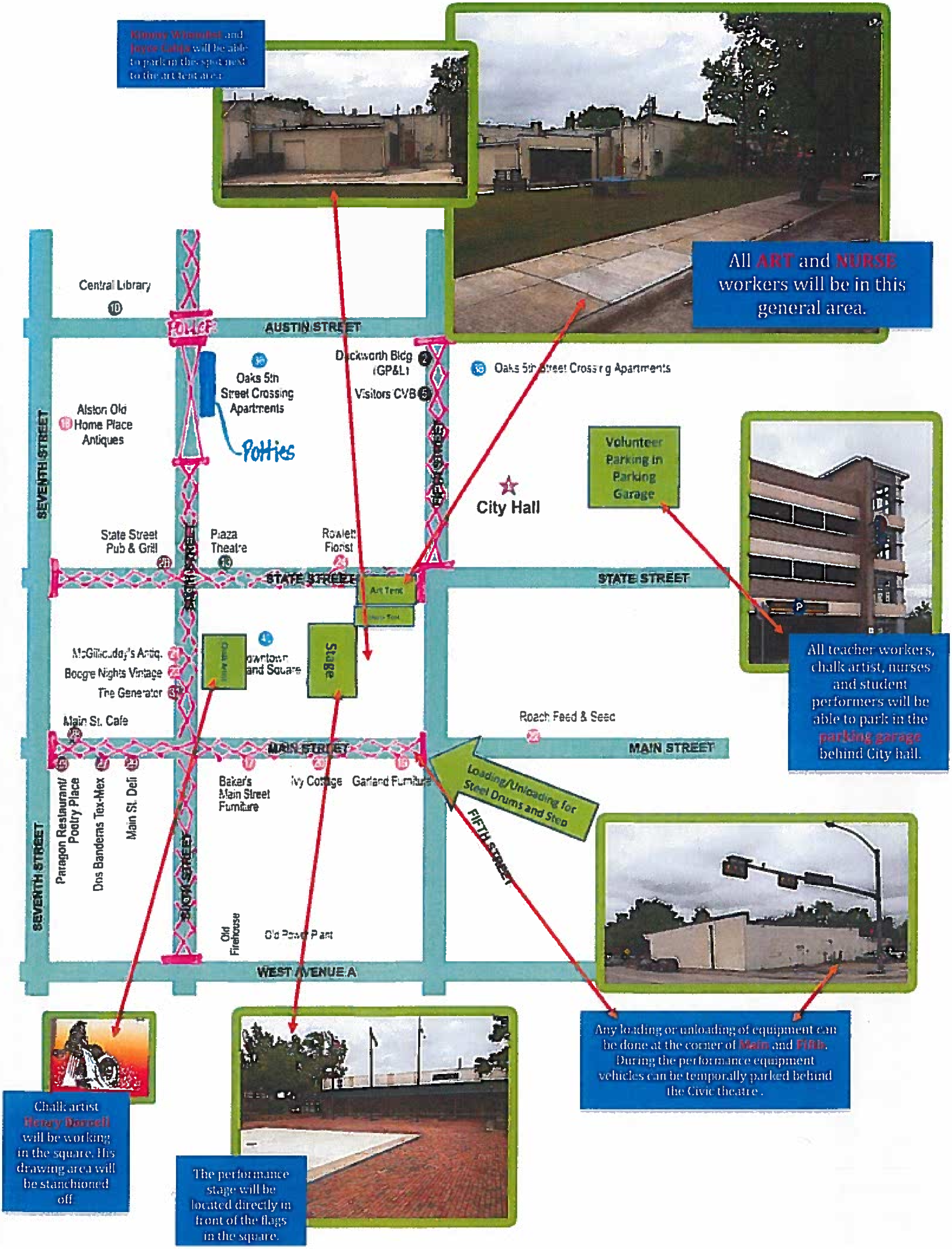
PROJECTED REVENUE

Admission fees/ticket sales	700.00
Booth sales/rental	500.00
Souvenir/merchandise sales	
Concession sales	
Donations	25,000.00
Sponsorships	
Other ______________	
Total projected revenue	26,250.00

PROJECTED EXPENSE

Administrative Expenses:	
Staff	Volunteer
Facility rental	
Supplies	
Operating Expenses:	
Entertainment	2,000
Portable restrooms	
Generators Tent	~~[illegible]~~
Stage/sound/lighting	1,000
Food, lodging	
Decorations/signage	1,000
Rental expense (tables, chairs, etc.)	
Other printing	1,500
Advertising/Promotion Expenses:	
Posters/flyers (design & printing)	See above
Brochures (design & printing) & posters	1,000
Print ads	
Radio/television ads	
Total projected expense	6,500.00

PROJECTED PROFIT OR (LOSS) $20,000.00


and
will be able
to park in the spot next
to the art tent area
All ART and NURSE workers will be in this general area.
Central Library
10
AUSTIN STREET
POLICE
Oaks 5th Street Crossing Apartments
Duckworth Bldg (GP&L) 2
Visitors CVB 5
Oaks 5th Street Crossing Apartments
Alston Old Home Place Antiques
Potties
SEVENTH STREET
SIXTH STREET
FIFTH STREET
City Hall
Volunteer Parking in Parking Garage
State Street Pub & Grill
Plaza Theatre
Rowlett Florist
STATE STREET
Art Tent
STATE STREET
McGillicuddy's Antiq.
Boogie Nights Vintage
The Generator
Downtown Grand Square
Stage
Main St. Cafe
Roach Feed & Seed
MAIN STREET
MAIN STREET
Paragon Restaurant/ Poetry Place
Dos Banderas Tex-Mex
Main St. Deli
Baker's Main Street Furniture
Ivy Cottage
Garland Furniture
Loading/Unloading for Steel Drums and Step
FIFTH STREET
All teacher workers, chalk artist, nurses and student performers will be able to park in the parking garage behind City hall.
SEVENTH STREET
SIXTH STREET
Old Firehouse
Old Power Plant
WEST AVENUE A
Any loading or unloading of equipment can be done at the corner of Main and Fifth. During the performance equipment vehicles can be temporally parked behind the Civic theatre.
Chalk artist
will be working in the square. His drawing area will be stanchioned off
The performance stage will be located directly in front of the flags in the square.

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.I.**

Meeting Date: April 2, 2018

Item Title: Consider assistance request for Nonprofit Special Event Cinco De Mayo 2018

Submitted By: Christopher Hallmark, Special Events & Marketing Supervisor

Council Goal: Fully Informed and Engaged Citizenry
Consistent Delivery of Reliable City Services
Embrace Diversity

ISSUE

The Downtown Square events have requested the City Council to consider waiving expenditures for city services required for their event celebrating Cinco De Mayo in Downtown Garland on Sunday, May 6, 2018. The City Council Policy on Special Event Policies states that requests from nonprofit organizations for donated services in excess of $5,000 be brought to the City Council for consideration.

OPTIONS

The City Council may:

1. Approve the Cinco de Mayo event as a Special Event
2. Approve, deny or revise proposed funding levels in accordance with the Special Event Assistance Program
3. Approve the following event dates and times
4. Approve the following site plan with street closures, and/or 5) return the item to staff for further review and recommendations.

RECOMMENDATION

Over the past several years the event has grown exponentially and the city has taken a more proactive planning role for the event to prevent any risk management issues such as providing perimeter fencing to comply with TABC rules, providing public restrooms, some setup and teardown, and increasing the amount of police officers and paramedics to make sure the event is a safe event. We have had no issues in this area due to the city's planning and oversight of these areas.

For the 2018 Cinco De Mayo event, planning discussions via email to each necessary department has been conducted to capture costs and layout plans for the event. In addition, a final meeting between representatives from Transportation, Police, Health, Environmental Waste, Fire, Park Maintenance, and Cultural Arts will be held on:

- April 4, 2018

At the meetings, the below areas were studied and plans were made for each:

- Traffic Plan/Street Closure Plan
- Emergency Services (EMS and Fire) Plans
- Police and Event Security Plans
- Environmental Waste Plan
- Setup/Teardown Plan

Based off of these planning meetings, it has been determined that this year's estimated cost for Cinco de Mayo will be:

CITY SERVICE	MAY 6, 2018	DESCRIPTION:
Police	$3000	Security and safety/ Overtime rate
Transportation Services	$100	Installation and removal of barricades
Environmental Waste Services	$500	Delivery and removal of (50) waste containers
Cultural Arts Facilities	$75	Plaza Theater rental fee
EMS	$500	Paramedics
Equipment Rental	$2600	Public restrooms (8), Barricades (90-100)
In-Kind Equipment & Services	$1300	Stage, chairs (200), bounce houses (3), perimeter signage, electricity, Parks staff OT
TOTAL:	**$8,075**	

Staff recommends that the Council decide the following issues:

1. Approve the Cinco de Mayo event as a special event;
2. Waive the cost for providing city services for $8075 and in accordance with the Special Event Assistance Program due to budget constraints.
3. Approve the following event date(s) and time(s) of Sunday, May 6, 2018 from 12 p.m. to 8 p.m.
4. Approve the following site plan including street closures. See attached.

BACKGROUND

This annual event spotlights the unity among Garland's diverse community. By assisting various nonprofit organizations through the donation of City services for nonprofit special events, the City promotes and celebrates the diversity and vitality of the community.

From parades and festivals to various multicultural events, the City of Garland is showcased through the efforts of these nonprofit organizations.

CONSIDERATION

The 2017-18 annual operating budget has $43,000 budgeted in the General Fund (non-departmental) to provide assistance in covering fees and charges for City services for special events held by nonprofit organizations.

Attachments

Temp Permit - Cinco De Mayo 2018

Event Layout - Cinco De Mayo 2018

GARLAND

BUILDING INSPECTION DEPARTMENT

TEMPORARY ACTIVITY/COMMERCIAL AMUSEMENTS

CITY OF GARLAND
P.O. BOX 469002, 800 MAIN STREET
GARLAND, TX 75040-6299
OFFICE (972) 205-2300 FAX (972) 205-2839
INSPECTION REQUEST: (972) 205-2325
http://www.garlandtx.gov

PERMIT# ____________

DATE RECEIVED: 3-16-18

PLEASE PRINT FIRMLY – FILL IN ALL BLANKS

ACTIVITY ADDRESS: 532 Main St

NAME OF BUSINESS: Downtown Square Events

ENTITY CONDUCTING ACTIVITY: Downtown Square Events — PHONE: 972-487-4342

PROPERTY OWNER: City of Garland — PHONE:

MAILING ADDRESS: Student Serv 720 Stadium Dr — CITY: Garland — STATE: TX — ZIP: 75040

TYPE OF ACTIVITY: Cinco de Mayo — DATE OF ACTIVITY: FROM: 5-6-18 TO: 5-6-18

NUMBER OF PEOPLE EXPECTED: 12,000 — TIME OF ACTIVITY: FROM: 8:00 am TO: 9:30 pm

WE ~~REQUIRE AN ACCURATE SITE PLAN DRAWN TO SCALE SHOWING ALL PARKING, THE BUILDING LOCATION, EXIT(S) AND THE LOCATION OF~~ ON SITE ACTIVITIES. IF THERE IS A TENT A FLAME PROOF CERTIFICATE IS REQUIRED AND WE WILL NEED TO KNOW THE LOCATION, AND SEATING. (IF APPLICABLE). (MAXIMUM PERMIT 14 CONSECUTIVE DAYS)

TEMPORARY ACTIVITY		TEMPORARY COMMERCIAL AMUSEMENT	
___ INDOOR ACTIVITY	✓ OUTDOOR ACTIVITY	___ AMPLIFIED SOUND	___ ANIMALS
___ CHURCH BAZAAR	___ COMMERCIAL SPORTING EVENT	✓ CARNIVAL	___ CIRCUS
___ CONSESSIONS	✓ AMPLIFIED SOUND	___ INSURANCE BOND REQUIRED	___ CONCESSIONS
___ ANIMALS	___ PUBLIC AUCTION	___ PONY RIDES	___ MECHANICAL RIDES
___ REVIVAL	___ TENT – CERTIFICATE OF FIRE PROOFING REQUIRED	___ TENT- CERTIFICATE OF FIRE PROOFING REQUIRED	
OTHER:		OTHER:	

NOTE: ALL OUTDOOR TEMPORARY ACTIVITY EXCEPT CHURCH BAZAAR MUST BE LOCATED 300' FROM RESIDENTIAL STRUCTURE.

NOTE: ALL TEMPORARY COMMERCIAL AMUSEMENTS MAY NOT BE LOCATED WITHIN 300' FROM CHURCH, SCHOOL, OR HOSPITAL.

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PRINT NAME: Javier Solis

SIGNATURE: Javier Solis — 3-16-18

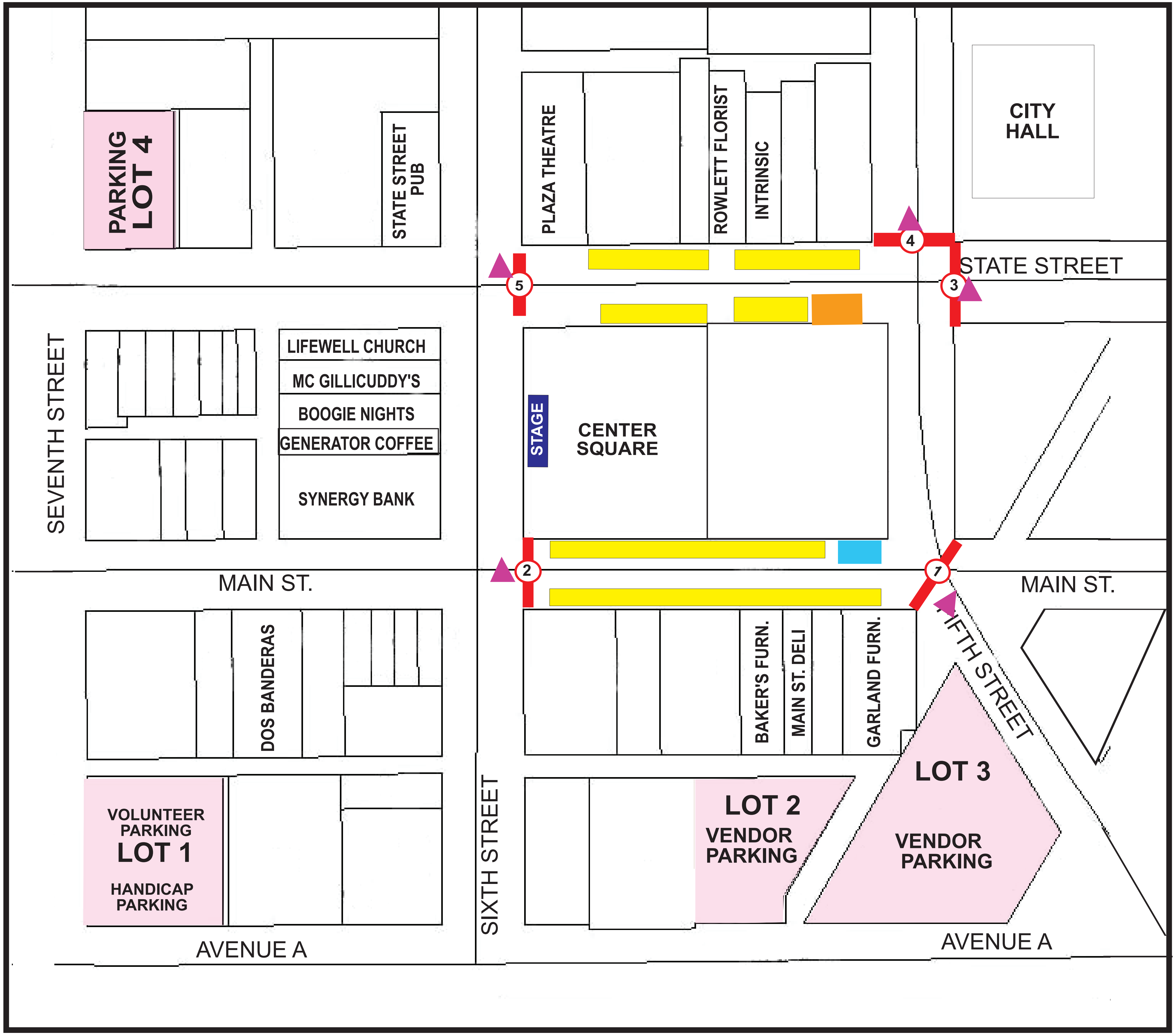
DL#: 09318308 — EXP. DATE: 8-11-2020 — D.O.B.: 8-11-62

↓ FOR OFFICE USE ONLY ↓

[redacted]

SPECIAL INSTRUCTIONS:

Revised 04/03/2013



Saturday-5/6/18

TABC LAYOUT LEGEND

- STAGE
- KIDS CORNER
- VENDORS
- SECURE ENTRANCES/EXITS
- PARKING
- BARRICADES/FENCING
- ROLL-OFF TRASH BIN
- AMBULANCE
- RESTROOMS

REVISED 04/13/17

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.a.**

Meeting Date: April 2, 2018

Item Title: Internal Audit Committee Report

Submitted By: Jed Johnson, Internal Auditor

Summary of Request/Problem

Council Member Rich Aubin, chair of the Internal Audit Committee, will provide a committee report on the following items:

- Fiscal Year 2017 External Audit
- Concrete Recycling Facility Lease Agreement Audit
- Health Inspection and Permit Audit

Recommendation/Action Requested and Justification

Council discussion.

GARLAND
POLICY REPORT

City Council Work Session Agenda **3.b.**

Meeting Date: April 2, 2018

Item Title: Pet Adoption Center Lease Renewal

Submitted By: Jason Chessher, Health Director

Council Goal: Fully Informed and Engaged Citizenry
Consistent Delivery of Reliable City Services

ISSUE

The Pet Adoption Center located at 813 Main Street was initially leased in June of 2013 for a term of five years. The current lease expires on May 31, 2018 and staff seeks to renew the lease.

OPTIONS

1. Renew the lease for a period of three years with an option for one additional year.
2. Direct staff to renegotiate the lease terms.
3. Direct staff to seek alternative locations for the Pet Adoption Center.
4. Terminate the lease and close the Pet Adoption Center.

RECOMMENDATION

Staff recommends renewing the lease for a period of three years with an option for one additional year.

BACKGROUND

The Pet Adoption Center was opened in 2013 as part of a continuing collaboration with Garland Pawsibilities. Formerly known as Garland Bark Park, Garland Pawsibilities' focus is to help Garland Animal Services place unwanted pets in new homes through adoption, and to promote spay and neuter of pets to prevent pet overpopulation. Since the early 2000's members of Garland Bark Park/Garland Pawsibilities have worked toward these goals by operating offsite pet adoptions and by facilitating low cost spay/neuter events for Garland citizens. In 2010, Garland Pawsibilities was given access to former Fire Station 2 at 3136 S Shiloh Road for use as a pet adoption center and as a location to facilitate low cost spay/neuter clinics. When the former Fire Station 2 facility was slated for demolition in 2013, staff was directed to find a suitable location to continue the collaboration with Garland Pawsibilities. The Pet Adoption Center was opened in October of 2013, and since May 2015 has been continuously staffed and operated by Garland Pawsibilities volunteers.

CONSIDERATION

Since 2012, the collaboration with Garland Pawsibilities has resulted in the adoption of over 2,300 pets. Garland Pawsibilities organizes volunteer activities for individuals interested in volunteering to work with pets from Garland Animal Services. Additionally, Garland Pawsibilities organizes multiple sterilization clinics at the Pet Adoption Center each month and they coordinate the TNR (Trap, Neuter & Release) program for feral cats. Staff anticipates that the proposed three year lease will provide continuity in the collaboration with Garland Pawsitilities as we pursue other animal shelter and adoption facility options.

Attachments

Pet Adoption Center Lease Renewal 2018

Pet Adoption Center Lease Renewal Presentation

AGREEMENT FOR EXTENSION OF
RETAIL LEASE AGREEMENT

Date:	Effective June 1, 2018, regardless of the date signed
Lease	
Date:	May 9, 2013
Landlord:	GARLAND CONSTRUCTION COMPANY, a Texas corporation
Tenant:	CITY OF GARLAND, a Texas home-rule municipality
Premises	
Approximate square feet:	5,500
Address:	813 Main Street, Garland, Dallas County, Texas 75040
Lease Commencement Date:	June 1, 2013
Lease Termination Date:	May 31, 2018
Security Deposit:	$5,000.00

Landlord and Tenant agree to the extension of the Lease as provided below:

1. Extension Term: The term of the extension ("the Extension Term") shall be as follows:

   (A) Extension Commencement Date: June 1, 2018

   (B) Extension Termination Date: May 31, 2021

2. Renewal Option: Tenant shall have an option to renew the Lease for one (1) year, subject to and in accordance with the provisions of Article 26 of the Lease. If this Option is exercised, the Renewal Term will commence on June 1, 2021 and will terminate on May 31, 2022.

3. Rent: The Base Rent during the Extension Term shall be as follows:

Period	Monthly Rent	Annual Rent Per Square Ft.
June 1, 2018 - May 31, 2019	$3,875.00	$8.45
June 1, 2019 - May 31, 2020	$4,250.00	$9.27
June 1, 2020 - May 31, 2021	$4,500.00	$9.82

The Base Rent during the one- year Renewal Term, if exercised, shall be as follows:

Period	Monthly Rent	Annual Rent Per Square Ft.
June 1, 2021 - May 31, 2022	$4,500.00	$9.82

4. All references in the Lease to the "Term", "Original Term" or "Initial Term" shall mean this 3-year Extension Term commencing June 1, 2018 and terminating May 31, 2021; and all references to the "Renewal Term" shall mean the 1-year Renewal Option commencing on June 1, 2021 and terminating May 31, 2022.

5. All terms, provisions and covenants of the Lease shall remain in full force for the duration of the Extension Term, except as provided herein.

LANDLORD:

GARLAND CONSTRUCTION COMPANY

By:___________________________________
Robert A. Smith, President

Date signed:___________________________

TENANT:

CITY OF GARLAND, TEXAS,
ANIMAL SERVICES DIVISION

By:_____________________________________

_____________________________________,
(*printed name*)
Managing Director of Health

Date signed:_____________________________

PET ADOPTION CENTER UPDATE

Jason Chessher & Uriel Villalpando
ANIMAL SERVICES

GARLAND
TEXAS MADE HERE

A History of Collaboration

The Partnership between Garland Pawsibilities (GPaws) and Garland Animal Services (GAS) outdates current staff and most GPaws Volunteers

- Partnership began in early 2000's with GPaws' precursor, the Garland Bark Park Advocacy group
- In 2010, GPaws was given access to the former Fire Station #2 for use as an adoption center
- The Pet Adoption Center (PAC), located at 813 Main Street, was leased in 2013 when the former Fire Station #2 building was demolished

GARLAND
TEXAS MADE HERE

Benefits of Collaboration

PAC serves as a public facing adoption facility with a storefront presence in a more accessible location that allows adoptable animals to be marketed to the public

- GAS adoptable animals are provided to GPaws for adoption at the PAC
    - Since 2012, over 2,300 animals from GAS have been adopted through GPaws, at the PAC and other offsite adoption events
- GPaws, GAS, and the Texas Coalition for Animal Protection have partnered to host five low cost pet sterilization/vaccination clinics per month at the PAC

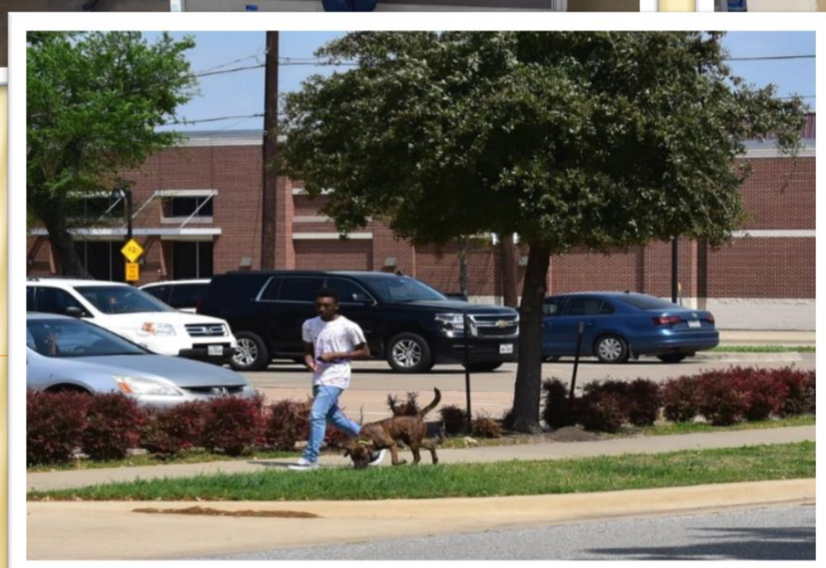
GARLAND
TEXAS MADE HERE

Benefits of Collaboration

- GPaws coordinates the feral cat Trap, Neuter & Return (TNR) program for GAS
  - TNR program activities include regular training seminars for colony managers, and coordination of trapping & sterilization events
  - TNR program provides an alternative to humane euthanasia for nuisance feral cats
  - 1,530 feral cat sterilizations since 2015
- GPaws provides and coordinates volunteer opportunities at the PAC
- GPaws partners with GISD's Transition Learning Center to provide vocational training for students

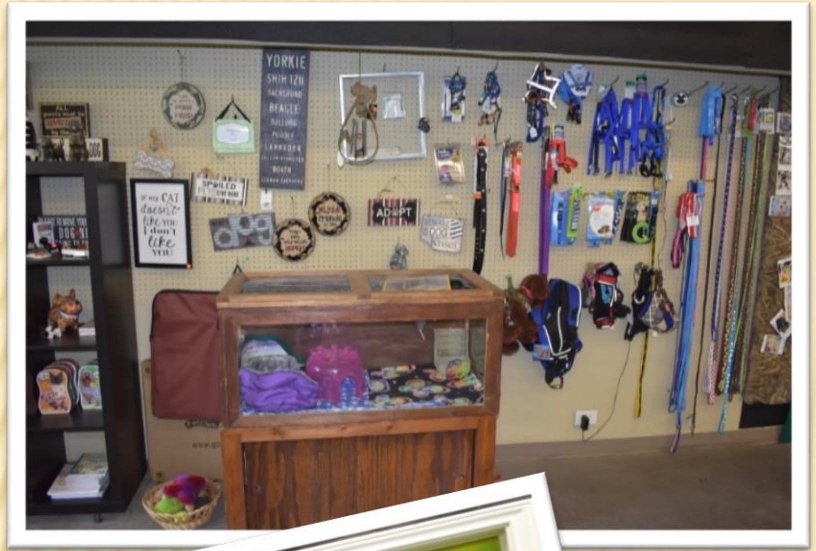
GARLAND
TEXAS MADE HERE

Opportunities to volunteer



GARLAND
TEXAS MADE HERE

Pet store atmosphere



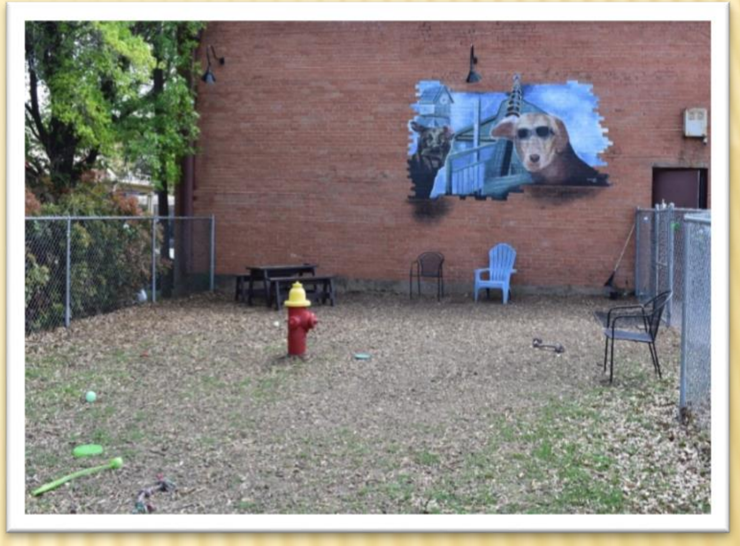
Working with the community

Bonding rooms where citizens can interact with adoptable pets

GARLAND
TEXAS MADE HERE

Some of the thousands of pets adopted from the PAC

Play area



Waiting area for low cost shot clinics

Questions?

GARLAND
POLICY REPORT

City Council Work Session Agenda **4.a.**

Meeting Date: April 2, 2018
Item Title: 2018-2019 CDBG, HOME and ESG Budgets
Submitted By: Mona Woodard, Neighborhood Services Administrator
Council Goal: Sustainable Quality Development and Redevelopment

ISSUE

Discussion of federal fund applications, funding history, and available funds for the Community Development Block Grant (CDBG), HOME Infill Partnership Grant (HOME) and Emergency Solutions Grant (ESG) budgets are provided to City Council for background information and review.

RECOMMENDATION

Further review and deliberation by City Council of the CDBG, HOME and ESG programs is planned for the City Council Work Session scheduled April 2, 2018. Final review and consideration of CDBG, HOME and ESG grant proposals will be conducted during the City Council Work Session scheduled for April 16, 2018. Adoption by City Council of the 2018-2019 CDBG, HOME and ESG budgets will be scheduled for the regular City Council meeting on April 17, 2018.

BACKGROUND

H&CS anticipates the City of Garland will receive the following federal funding for 2018-2019 program year:

CDBG: $1,872,146
HOME: $515,574
ESG: $168,777

The City's proposed federal CDBG, HOME, and ESG 2019/19 budget must be submitted to the Department of Housing and Urban Development (HUD) by August 15, 2018. The Housing and Community Services Department conducted two federal mandated public input meetings to solicit feedback on the proposed use of funds.

CONSIDERATION
H&CD received applications for $451,200 CDBG-Public Services; and, applications for $3,313,946 for City sponsored projects; and, $374,429 for administrative costs, for next fiscal year.

CDBG funds available to reprogram total $7,159. City Council may reprogram the funds to other eligible projects.

Grant planning and administration is limited to 20% ($374,429) of the City's annual entitlement funding by HUD. Also, HUD limits CDBG-Public Services expenditures to a maximum of 15% ($280,000) of the City's annaul entitlement funding.

Including reprogrammed CDBG funds, the City Council must program $1,224,054 for eligible CDBG projects.

For FY18/19, $515,574 of federal HOME funds are available for City Council to program. HUD regulations limit administrative cost to 10% of HOME grant funding; and, 15% of HOME grant funding must be used by Community Housing Development Organizations (CHDO)(501C3).

Staff proposes using FY 18/19 HOME funds for City sponsored housing programs.

FY 18/19 Emergency Shelter Grant (ESG) program funds are $168,777. H&CD proposed to use $12,658 ESG funds to administer the program and $9,283 for data collection. The remainder of the the ESG funds may be used as follows:

Shelter Operations ($54,009), Homeless Prevention ($50,633) and Rapid-Re-housing ($42,194).

Requests for FY 18/19 ESG funding exceeded the amount of FY 18/19 ESG funds available by $48,416.

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **4.b.**

Meeting Date: April 2, 2018

Item Title: Proposed Amendments to the Smoking Ordinance

Submitted By: Jason Chessher, Health Director

Summary of Request/Problem

The City Council will have additional discussions regarding proposed changes to Article IV, Chapter 22 (Smoking Ordinance).

Recommendation/Action Requested and Justification

Council discussion. This item is scheduled for final consideration at the April 3, 2018 Regular Meeting.

Attachments

Community Services Committee Proposed Changes

Amended Version - Private Club Exemption

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 22, "HEALTH," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Section 22.55, Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas, is hereby amended in its entirety to read as follows:

"Sec. 22.55 Definitions

In this article:

Bar means an area which is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of such beverages. A "bar" includes those facilities located within a hotel, motel, or other similar transient occupancy establishment.

Business means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making or not-for-profit purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.

Electronic vaping device or *E-cigarette* means an electronic delivery device composed of a mouthpiece, heating elements, battery or electronic circuits that produces or is capable of producing a vapor of liquid nicotine or other liquid or solid for inhalation by the user. The term includes such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name."

Employer means any person, partnership, corporation, including a municipal corporation, or nonprofit entity, which employs the services of one (1) or more individual persons.

Enclosed area means an area that is covered by a roof or other overhead covering of any material and has forty percent or more of its perimeter closed in by walls or other coverings of any material, whether permanent or temporary.

Food establishment means any operation defined as such in section 22.26 of this Code.

Place of employment means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference rooms and classrooms, employee cafeterias and hallways. A private residence is not a "place of employment" unless it is used as a child care, adult day care or health care facility.

Possession means actual care, custody, control, or management.

Private place means any enclosed area to which the public is not invited or in which the public is not permitted, including but not limited to, personal or private residences; private social clubs or personal automobiles.

Public place means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, food establishments; banks; educational facilities; health facilities; laundromats; public transportation facilities; reception areas; production and marketing establishments; retail service establishments; retail stores; theaters and waiting rooms.

Retail electronic vaping store means a retail store utilized primarily for the sale of electronic vaping devices, accessories, and/or electronic vaping liquid or any other article or product that is for use in an electronic vaping device and in which the sale of other products, other than tobacco, is merely incidental.

Retail store means an establishment whose purpose is to offer for sale and sell to consumers goods, wares, merchandise and food, which items are purchased for use or consumption off premises, including but not limited to, supermarkets, convenience stores, drug stores, and warehouse stores.

Retail tobacco store means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

Retailer means a person who engages in the practice of selling electronic vaping devices to consumers in a retail store, retail electronic vaping store, or retail tobacco store.

Smoking or *smoke* means inhaling, exhaling, possessing or carrying any lighted or burning cigar or cigarette, or any pipe or other device that contains a lighted or unlit plant product (including tobacco), or inhaling or exhaling from an electronic vaping device.

Sports arena means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Tobacco product means a cigarette; a cigar; an electronic vaping device; smoking tobacco, including granulated, plug-cut, crimp-cut, ready rubbed and any form of tobacco suitable for smoking in a pipe or as a cigarette; chewing tobacco, including plug, scrap, and any kind of tobacco suitable for chewing, snuff or other preparations of pulverized tobacco; nicotine product; dissolvable nicotine; electronic vaping liquid; or any other article or product that is for use in an electronic vaping device."

Section 2

That Section 22.56, Chapter 22, "Health" of the Code of Ordinances of the City of Garland, Texas, is hereby amended in its entirety to read as follows:

"Section 22.56 Smoking Prohibited in certain places

(A) Smoking is prohibited in all enclosed public places and enclosed places of employment within the city, including, but not limited to, the following places:

(1) Elevators;

(2) Restrooms, lobbies, reception areas, hallways, and any other common-use areas;

(3) Buses, bus terminals, taxicabs, train stations, airports and other facilities and means of public transit, as well as ticket, boarding, and waiting areas of public transit depots;

(4) Retail stores;

(5) All areas available to and customarily used by the general public in all businesses, including but not limited to, attorneys' offices and other offices, banks, laundromats, and country clubs;

(6) Enclosed facilities within a place of employment;

(7) Food establishments, nightclubs, pubs, and bars;

(8) Galleries, libraries, museums, zoo facilities and their grounds;

(9) Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital or other similar performance except when smoking is a part of a theatrical performance upon a stage or in the course of a film or television production and smoking is part of the performance or production;

(10) Sports arenas and convention halls, including bowling and billiard facilities;

(11) Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of the city or any political subdivision of the state during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the city;

(12) Waiting rooms, hallways, wards, private and semiprivate rooms of physical and mental health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices;

(13) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities;

(14) Polling places;

(15) Hotels and motels, including at least ninety (90) percent of rooms rented to guests;

(16) On or in covered parking garages;

(17) Within twenty-five feet of any door, operable window/vent or other opening to an indoor enclosed area.

(B) The owner, manager, or other person having control of an establishment or area designated in above subsection (A) must post a conspicuous sign either clearly stating "No Smoking, City of Garland Ordinance" or the international "No Smoking" symbol at each public entrance. "No Smoking" signs shall have bold lettering of not less than one inch in height.

(C) Smoking is prohibited in the following public places:

(1) On public property located within 50 feet of playground areas, or other areas primarily designed for recreational activities, within a city park;

(2) On public property located within the interior edge of the perimeter sidewalk around the downtown city square;

(3) On public property, or portion thereof, designated by the City Manager as a "no-smoking" area, where such area is demarcated by sign(s) that are consistent with the requirements of above section (B).

(D) Exemptions. Notwithstanding any other provision of this article to the contrary, the following places are not subject to the smoking restrictions of this article:

(1) Private residences, except when used as a child day care, adult day care, or household care facility;

(2) Personal automobiles, except when located within or on a covered parking garage and the vehicle is not fully enclosed;

(3) Retail tobacco stores, smoke shops, and electronic vaping stores;

(4) Not more than ten percent of hotel and motel rooms rented to guests and designated as smoking rooms. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under provisions of this article;

(5) Outdoor places of employment that are not generally accessible to the public, except within twenty five feet of any door, operable window, operable vent, or other opening to an enclosed area;

(6) Bingo Halls, except that a no smoking area accessible to patrons shall be provided and designated with the international “No Smoking” symbol or “No Smoking” signs having bold lettering of not less than one inch in height.”

(7) Uncovered outdoor areas, which are no closer than 25 feet to any window, door, entrance, or exit of patios, pavilions, or other buildings or structures designed for human occupancy, located within golf courses that are open to the public.

Section 3

That Section 22.58, Chapter 22, “Health” of the Code of Ordinances of the City of Garland, Texas, is hereby repealed.

Section 4

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 5

That Chapter 22, “Health” of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 7

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the______day of_________________, 2018.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

-DRAFT-
Non-Final and Unapproved
FOR DISCUSSION PURPOSES ONLY

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Possession means actual care, custody, control, or management.

Private club means a premises holding a valid private club registration pursuant to Chapter 32 of the Texas Alcoholic Beverage Code and operated as a private club by a private club registration permittee (as defined by the Texas Alcoholic Beverage Code).

Private place means any area to which the public is not invited or in which the general public is not permitted, including but not limited to private residences, premises operated by a private not-for-profit social club or organization to which the general public does not have access.

Public place means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, food establishments; banks; educational facilities; health facilities; laundromats; public transportation facilities; reception areas; production and marketing establishments; retail service establishments; retail stores; theaters and waiting rooms.

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(10) Sports arenas and convention halls, including bowling and billiard facilities;

(11) Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of the city or any political subdivision of the state during such time as a public meeting is in progress, to

the extent such place is subject to the jurisdiction of the city;

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demarcated by sign(s) that are consistent with the requirements of above section (B).

(D) Notwithstanding any other provision of this article to the contrary, the following places are not subject to the smoking restrictions of this article:

(1) Private clubs and private places, except when used as a child day care, adult day care, or household care facility;

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CITY OF GARLAND, TEXAS

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Mayor

ATTEST:

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City Secretary