

5550 LBJ Freeway, Suite 610  
Dallas, Texas 75240



DBE/WBE/HUB

12830 Willow Centre Dr., Suite A  
Houston, TX 77066

99 Regency Parkway, Suite 105  
Mansfield, Texas 76063

**Stateside**  
Right of Way Services

6208 West Adams Ave.  
Temple, Texas 76502

November 22, 2017

Response Required: **Yes**

Response Date: 30 days from the date hereof

City of North Richland Hills  
c/o Mark Hindman, City Manager  
4301 City Point Drive  
North Richland Hills, TX 76180

CERTIFIED MAIL RETURN RECEIPT  
7016 0910 0000 2676 1679

Re: Revised Offer to Purchase Real Property  
NE Loop 820, North Richland Hills, TX 76118  
TEX Rail Parcel Number: X0791

Dear City of North Richland Hills:

The Fort Worth Transportation Authority ("FWTA") has identified your property located at NE Loop 820, North Richland Hills, Tarrant County, Texas, as a parcel of land needed for the improvement of its transit facilities for the citizens of Tarrant County. The property and all improvements ("the Property") situated thereon are described in **EXHIBIT A**, attached to this letter which outlines the boundaries of the subject property.

FWTA has employed an independent appraiser to provide an estimate of the value of the property and based upon the information from that appraiser, FWTA has determined that just compensation for the purchase of your property is **\$474,102.00 (Four Hundred Seventy Four Thousand One Hundred Two (NO/100 Dollars))**, calculated as shown in the Statement of Just Compensation, **EXHIBIT B**, attached to this letter. The appraisal on which the determination of just compensation was based is enclosed with this letter.

FWTA offers to accept the donation of your Property in return for applying the appraised value towards the local match from North Richland Hills, subject to the terms and conditions described in the Revised Terms of Purchase, **EXHIBIT C**, attached to this letter. If you have any questions prior to my follow up contact concerning this offer to purchase the Property, please contact **Carrie Weir**, FWTA's designated acquisition agent, at **(817) 369-3191** or **CarrieW@statesiderow.com**.

If this offer is acceptable to you, please sign one copy of **Exhibit C** and return it to me in the enclosed envelope.

Sincerely,

Carrie Weir  
Right of Way Director  
Stateside Right of Way  
(817) 369-3191

City of North Richland Hills  
Parcel X0791  
November 22, 2017  
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EXHIBIT A: Legal Description of Property  
EXHIBIT B: Statement of Just Compensation  
EXHIBIT C: Terms of Purchase

Encl.:

- Independent Appraisal Dated August 22, 2017
- Right of Entry
- FTA Acquisition Booklet – FHWA-HEP-05-030
- FTA Relocation Booklet – FHWA-HEP-05-031
- Landowner Bill of Rights, Revision 03/12
- Information About Brokerage Services
- Acknowledgement of Receipt of Enclosures

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**PARCEL 791**

BEING 4.837 acres of land located in the TELITHA AKERS SURVEY, Abstract No. 19, North Richland Hills, Tarrant County, Texas, and being all of Tract 1, conveyed to the City of North Richland Hills, according to the deed recorded in County Clerk's File No. D215169983, of the Deed Records of Tarrant County, Texas, a portion of a 5.836 acre tract also conveyed to the City of North Richland Hills, according to the deed recorded in County Clerk's File No. D215135869, of the Official Public Records of Tarrant County, Texas, and all of the tracts of land designated as Area A and Area B, and a portion of Area E, according to the deed to the City of North Richland Hills, recorded in County Clerk's File No. D217142283, of the Official Public Records of Tarrant County, Texas. Said 4.837 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod marked "Brittain & Crawford", set at the North corner of said Tract 1, also being the West corner of said 5.836 acre tract, and said POINT OF BEGINNING also lying in the Southeast right-of-way line of Dallas Area Rapid Transit Railroad (a 100 feet wide railroad right-of-way);

THENCE along the Southeast right-of-way line of said Dallas Area Rapid Transit Railroad and the Northwest boundary line of said 5.836 acre tract, as follows:

1. N 31° 00' 23" E 19.20 feet, to a ½" iron rod marked "Brittain & Crawford", set at the beginning of a curve to the right;
2. NORTHEASTERLY 562.38 feet, along said curve to the right, having a radius of 1860.00 feet, a central angle of 17° 19' 25", and a chord bearing N 39° 28' 54" E 560.24 feet, to a ½" iron rod marked "Brittain & Crawford" set;

THENCE S 47° 25' 52" E 209.60 feet, to a ½" iron rod marked "PACHECO KOCH", found at the North corner of a 2.310 acre tract of land conveyed to Skeeter & Bucky, L.P., by the deed recorded in County Clerk's File No. D215169982, of the Official Public Records of Tarrant County, Texas;

THENCE S 40° 04' 19" W 528.91 feet, along the Northwest boundary line of said 2.310 acre Skeeter & Bucky Tract, to a ½" iron rod marked "Brittain & Crawford", set at the most Northerly corner of said Area E tract;

THENCE S 51° 08' 06" E 10.04 feet, along the Northeast boundary line of said Area E tract, to a point;

THENCE S 31° 02' 45" W 226.87 feet, along the Southeast boundary line of said Tract 1, to a ½" iron rod marked "Brittain & Crawford", set at the most Southerly Northeast corner of said Area B;

THENCE S 56° 53' 40" W 279.80 feet, along the Southeast boundary line of said Area B Tract, with its projection, to a ½" iron rod marked "Brittain & Crawford", set at the South corner of the aforesaid Area A Tract;

THENCE along the Southwest boundary line of said Area A Tract, as follows:

1. N 41° 48' 53" W 44.55 feet, to a ½" iron rod marked "Brittain & Crawford", set;
2. SOUTHWESTERLY 13.22 feet, with a curve to the right, having a radius of 25.00 feet, a central angle of 30° 17' 45", and a chord bearing S 33° 00' 50" W 13.07 feet, to a ½" iron rod marked "Brittain & Crawford", set at the end of said curve;

City of North Richland Hills

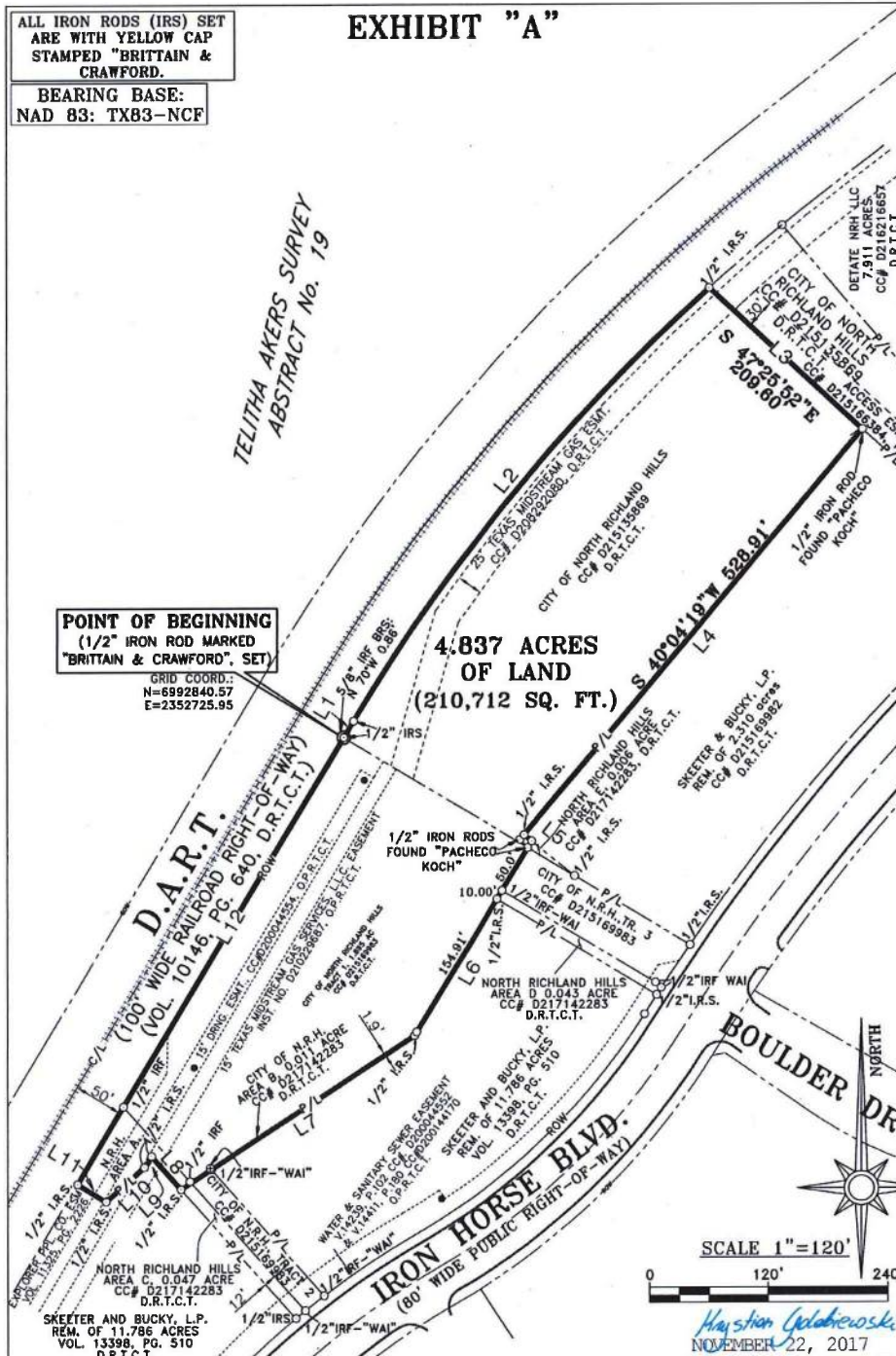
Parcel X0791

November 22, 2017

Page 4

3. S 48° 09' 43" W      51.42 feet, to a ½" iron rod marked "Brittain & Crawford" set;
4. N 58° 57' 18" W      33.89 feet, to a ½" iron rod marked "Brittain & Crawford", set at the West corner of said Area A Tract, same point lying in the Southeast right-of-way line of the aforesaid Dallas Area Rapid Transit Railroad;

THENCE    N 30° 59' 33" E      519.97 feet, along the Northwest boundary line of said Area A Tract, the Northwest boundary line of aforesaid Tract 1, and the Southeast right-of-way line of said Dallas Area Rapid Transit Railroad, to the POINT OF BEGINNING, containing 4.837 acres, (210,712 square feet), of land.



ALL IRON RODS (IRS) SET  
 ARE WITH YELLOW CAP  
 STAMPED "BRITTAIN &  
 CRAWFORD."  
 BEARING BASE:  
 NAD 83: TX83-NCF

EXHIBIT "A"

POINT OF BEGINNING  
 (1/2" IRON ROD MARKED  
 "BRITTAIN & CRAWFORD", SET)  
 GRID COORD.:  
 N=6992840.57  
 E=2352725.95

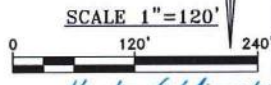
4.837 ACRES  
 OF LAND  
 (210,712 SQ. FT.)

COPYRIGHTS:  
**BRITTAIN & CRAWFORD**  
 LAND SURVEYING &  
 TOPOGRAPHIC MAPPING  
 FIRM CERTIFICATION# 1019000  
 TEL (817) 926-0211 - FAX (817) 926-9347  
 P.O. BOX 11374 • 3908 SOUTH FREEWAY  
 FORT WORTH, TEXAS 76110  
 EMAIL: admin@brittain-crawford.com  
 WEBSITE: www.brittain-crawford.com  
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 PARCEL 791-NRH-TO-FWTA-EXHIBIT.dwg

EXHIBIT MAP  
 OF  
**4.837 ACRES OF LAND**  
 LOCATED IN THE  
**TELITHA AKERS SURVEY**  
**ABSTRACT No. 19**  
 CITY OF NORTH RICHLAND HILLS  
 TARRANT COUNTY, TEXAS



PAR# 791  
 PAGE 3 OF 4



ALL IRON RODS (IRS) SET  
 ARE WITH YELLOW CAP  
 STAMPED "BRITAIN &  
 CRAWFORD.

**EXHIBIT "A"**

BEARING BASE:  
 NAD 83: TX83-NCF

Course	Bearing	Distance
L1	N 31°00'23" E	19.20'
L2	Rad: 1860.00' Tan: 283.35' Chd: N 39°28'54" E	Arc: 562.38' CA: 17°19'25" 560.24'
L3	S 47°25'52" E	209.60'
L4	S 40°04'19" W	528.91'
L5	S 51°08'06" E	10.04'
L6	S 31°02'45" W	226.87'
L7	S 56°53'40" W	279.80'
L8	N 41°48'53" W	44.55'
L9	Rad: 25.00' Tan: 6.77' Chd: S 33°00'50" W	Arc: 13.22' CA: 30°17'45" 13.07'
L10	S 48°09'43" W	51.42'
L11	N 58°57'18" W	33.90'
L12	N 30°59'33" E	519.97'

**CERTIFICATION**

TO: FORT WORTH TRANSPORTATION AUTHORITY, and ALAMO TITLE  
 INSURANCE COMPANY:

The undersigned does hereby certify that a survey was this day made on the ground on the property legally described hereon or in attached field notes prepared by the undersigned, and is correct; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible easements or rights-of-way, except as shown on the plat hereon; that said property has access to and from a public roadway; and, that the plat hereof is a true, correct and accurate representation of the property described hereinabove. Further, the undersigned hereby certifies that he has calculated the quantity of land or acreage contained within the tract shown on this plat of survey and described hereon or in said attached field notes, and certifies that the quantity of land shown hereon is correct. No portion of this property is located within a 100-year flood hazard area.

SURVEYED ON THE GROUND  
 JUNE 29, 2017

*Krystian Golebiewski*  
 KRYSZTIAN GOLEBIEWSKI  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR  
 STATE OF TEXAS NO. 6400

NOVEMBER 22, 2017

COPYRIGHTS:

**BRITAIN & CRAWFORD**  
 LAND SURVEYING &  
 TOPOGRAPHIC MAPPING  
 FIRM CERTIFICATION# 1019000  
 TEL (817) 926-0211 - FAX (817) 926-9347  
 P.O. BOX 11374 • 3908 SOUTH FREEWAY  
 FORT WORTH, TEXAS 76110  
 EMAIL: admin@brittain-crawford.com  
 WEBSITE: www.bcfirm.com

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 PARCEL 791-NRH-TO-FWTA-EXHIBIT.dwg

EXHIBIT MAP  
 OF  
**4.837 ACRES OF LAND**  
 LOCATED IN THE  
**TELITHA AKERS SURVEY**  
**ABSTRACT No. 19**  
 CITY OF NORTH RICHLAND HILLS  
 TARRANT COUNTY, TEXAS



PAR# 791

**EXHIBIT B**

**STATEMENT OF JUST COMPENSATION**

1. **Owner(s):** City of North Richland Hills, a municipal corporation of Tarrant County, Texas
2. **Identification of the Property:**
  - a. Fee Acquisition: The land described in **EXHIBIT A** attached to this letter.
  - b. Improvements: None
3. **Personal property being acquired:** None  
**Owner of personal property:** N/A
4. **Interest Being Acquired:** Unencumbered, fee simple, title to the Property, free and clear of all liens, leases, and other agreements related to possession, including billboard agreements, and any other encumbrances and rights of use except those approved by FWTA, being more particularly described in **EXHIBIT A**. FWTA is not acquiring any oil, gas and other minerals or mineral rights, but will acquire all surface rights held by the mineral estate.
5. **Basis of Just Compensation:** Just compensation is based on the fair market value of good, unencumbered, fee simple title to the Property.
6. **Amount of Just Compensation:** **\$474,102.00**

The figure stated above, in FWTA's opinion, is the full amount of just compensation due for the interest being acquired. This value is based on an inspection of the Property and an appraisal prepared for FWTA by an independent professional appraiser. A copy of the appraisal report supporting the determination of value is included with the accompanying Offer Letter. This **\$474,102.00** compensation does not reflect consideration of, or allowance for, any relocation assistance and payments to which you might be eligible to receive under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or any agreement to pay closing costs.
7. **Allocation of Just Compensation:**
  - a. Land and Improvements: **\$474,102.00** (See appraisal report for details)
  - b. No other items included

If an environmental inspection (performed by an independent employed by FTWA) indicates that contamination exists on the Property, FWTA will provide you with a copy of FWTA's environmental report describing the nature of environmental contamination and the estimated cost of environmental remediation. The just compensation for the Property may be adjusted by the amount of the environmental remediation costs. (This issue will be discussed with you and you will be given an opportunity to comment and have input for an agreement prior to a conclusion of this adjustment.)

**8. Lien Holders of Record:**

<u>Name</u>	<u>Amount</u>	<u>Type of Lien</u>
N/A	N/A	N/A



**EXHIBIT C**  
**REVISED TERMS OF PURCHASE**

1. **Seller:** City of North Richland Hills, a municipal corporation of Tarrant County, Texas
2. **Purchaser:** Fort Worth Transportation Authority (FWTA)
3. **Property:** FWTA offers to purchase unencumbered, fee simple title to the Property in **EXHIBIT A**, free and clear of all liens, leases, and other agreements relating to possession, including billboard agreements, and any other encumbrances and rights of use except those approved by FWTA. FWTA is not acquiring any oil, gas, and other minerals or mineral rights, but will acquire all surface rights held by the mineral estate.
4. **Donation Value:**
  - a. The donation of this property, valued at **\$474,102.00**, will fulfill the commitments by North Richland Hills in that Interlocal Agreement regarding Commuter Rail Service dated July 20, 2015 between the Fort Worth Transportation Authority and the city of North Richland Hills, Texas in which the city of North Richland Hills committed to provide that certain land necessary for the TEX Rail parking at the Iron Horse Station as noted in Section 2.3.2 of said Interlocal Agreement. This is contingent on FTA and FWTA Board approval.
  - b. If environmental contamination is found on the Property before the closing, then the closing may be delayed pending an agreement regarding the estimated costs of environmental remediation, based on an estimate from FWTA's independent environmental consultant. If environmental contamination is found and the Buyer and Seller reach an agreement regarding the responsibility for the cleanup of this contamination the net amount of the Donation Value will be adjusted to reflect the agreed upon adjustment.
5. **Closing:**
  - a. Date and time of closing will be a date agreed on by Seller and FWTA, but no later than 30 days from the date FWTA provides written notice to Seller that all conditions precedent to closing have occurred.
  - b. Place of closing will be at the offices of the title company selected by FWTA for this transaction, as follows:

Alamo Title Company  
2900 S. Hulen Street, Suite 30  
Fort Worth, TX 76109  
LaVonne Keith  
(817) 921-1215
  - c. Closing Documents: At the closing Seller will execute all documents appropriate for the proper and legal closing of the transaction which will include the following: (i) Warranty Deed, in a form provided by FWTA, using a final legal description for the Property based on the survey; and (ii) ancillary documents typically required by the title company, including, if Seller is a legal entity rather than a natural person, satisfactory evidence of authorization for the sale of the Property; in a form provided by FWTA and any other documents considered necessary for the proper and legal transfer of the Property.

- d. Closing Costs: FWTA will pay all costs of title insurance, recording costs, and other usual and customary closing costs. Seller will pay all property taxes and other assessments on the Property accrued through the closing date. FWTA is not obligated to pay any broker or real estate agent a real estate commission, finder's fee, or similar payment for this transaction.

**6. Special Provisions:**

- a. Board Approval: Acquisition and date of closing will be subject to FWTA's Board review and approval of the acquisition and related costs.
- b. Federal Transit Administration (FTA) approval, if needed.
7. **Effective Date**: To accept this offer, please sign one copy of **EXHIBIT C** within thirty (30) days of the date of this letter. When FWTA receives your signed **EXHIBIT C** and FWTA's management executes it in the space(s) provided below, this offer becomes a binding agreement between Seller and FWTA for the sale of the Property to FWTA on the terms set forth herein. The date FWTA receives and executes your signed **EXHIBIT C** is the "**Effective Date**" of the agreement.

ACCEPTED AND AGREED TO BY SELLER:

ACCEPTED AND AGREED TO BY BUYER:

CITY OF NORTH RICHLAND HILLS

FORT WORTH TRANSPORTATION  
AUTHORITY

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: Paul J Ballard  
Title: President/Chief Executive Officer

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: Bob Baulsir  
Title: Vice President of Rail and Procurement

Effective Date: \_\_\_\_\_