



# CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	
Council Meeting Date:	9/8/14
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>	

### CAPTION

Public Hearing and consideration of a Resolution to approve the use or taking of a portion of City of Plano public Park Land, known as Haggard Park pursuant to Chapter 26 of the Texas Parks and Wildlife Code and Section 4(f) of the Department of Transportation Act (49 U.S.C. §303) to approve using a portion of dedicated Park Land as a permanent easement for purposes of relocating Dallas Area Rapid Transit (DART) owned 15<sup>th</sup> Street Signal Equipment to a Central Instrumentation House (CIH); authorizing the City Manager, or his designee, to execute all necessary documents; and providing an effective date.

### FINANCIAL SUMMARY

NOT APPLICABLE      OPERATING EXPENSE      REVENUE      CIP

FISCAL YEAR: <b>2013-14</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	10	0	<b>10</b>
<b>BALANCE</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>10</b>

**FUND(S): GENERAL FUND**

**COMMENTS:** This item grants Dallas Area Rapid Transit (DART) an addition to an existing permanent easement in exchange for \$10.

**STRATEGIC PLAN GOAL:** Holding a public hearing regarding a proposed easement relates to the City's Goal of Financially Strong City with Service Excellence and granting an addition to an existing easement to facilitate the relocation of a signal box relates to the City's Goals of Partnering for Community Benefit and Exciting Urban Centers – Destination for Residents and Guests.

### SUMMARY OF ITEM

At the City's request, it is proposed that the City allow the Dallas Area Rapid Transit (DART) to use a portion of Haggard Park as a permanent easement to house Central Instrumentation House (CIH). The easement would be 1,060 square feet (0.024 acres) in addition to an existing DART Red Line transportation corridor. An existing CIH is in place at the proposed Douglass Walk portion of the 15<sup>th</sup> and I development. The easement will be used for the purpose of relocating the existing CIH. Relocation of the CIH improves accessibility along the Douglass Walk, benefits pedestrian movement downtown and to the DART Downtown Plano platform, and forms a component of the Plano Transit Village Veloweb connecting pedestrians and cyclists to businesses, residential neighborhoods, and DART transit stations. Loss of affected parking spaces will not affect park use; additional parking is being planned on Avenue H on the west side of the park; new accessible spaces will be designated within the park to replace the spaces affected by this project.



# CITY OF PLANO COUNCIL AGENDA ITEM

DART will compensate the City for a sum of ten (\$10.00) for the easement. To permit the use or taking of park land, the governing body with jurisdiction over the park, City Council in this instance, must find the following:

1. There is no feasible and prudent alternative to the use or taking of the Park Land as proposed by the Project; and
2. The Project includes all reasonable planning to minimize harm to the Park Land, resulting from the use or taking.
3. The Project will not adversely affect the activities, features, and attributes of Park Land.

Alternatives to the proposed location for the CIH considered were (1) leaving the current CIH in place in the middle of the proposed Douglass Walk, a key component to the Plano Transit Village Veloweb Plan, (2) locating the CIH in the southeast quadrant of the intersection of 15<sup>th</sup> and DART tracks, currently occupied by McCall Plaza, (3) locating the CIH in the northeast quadrant of the intersection of 15<sup>th</sup> and DART tracks, currently occupied by the historic Schell Building.

Witnesses will be presented at the public hearing on these issues.

Project Location Map:  
<http://goo.gl/maps/Cljp6>

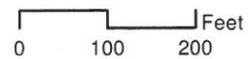
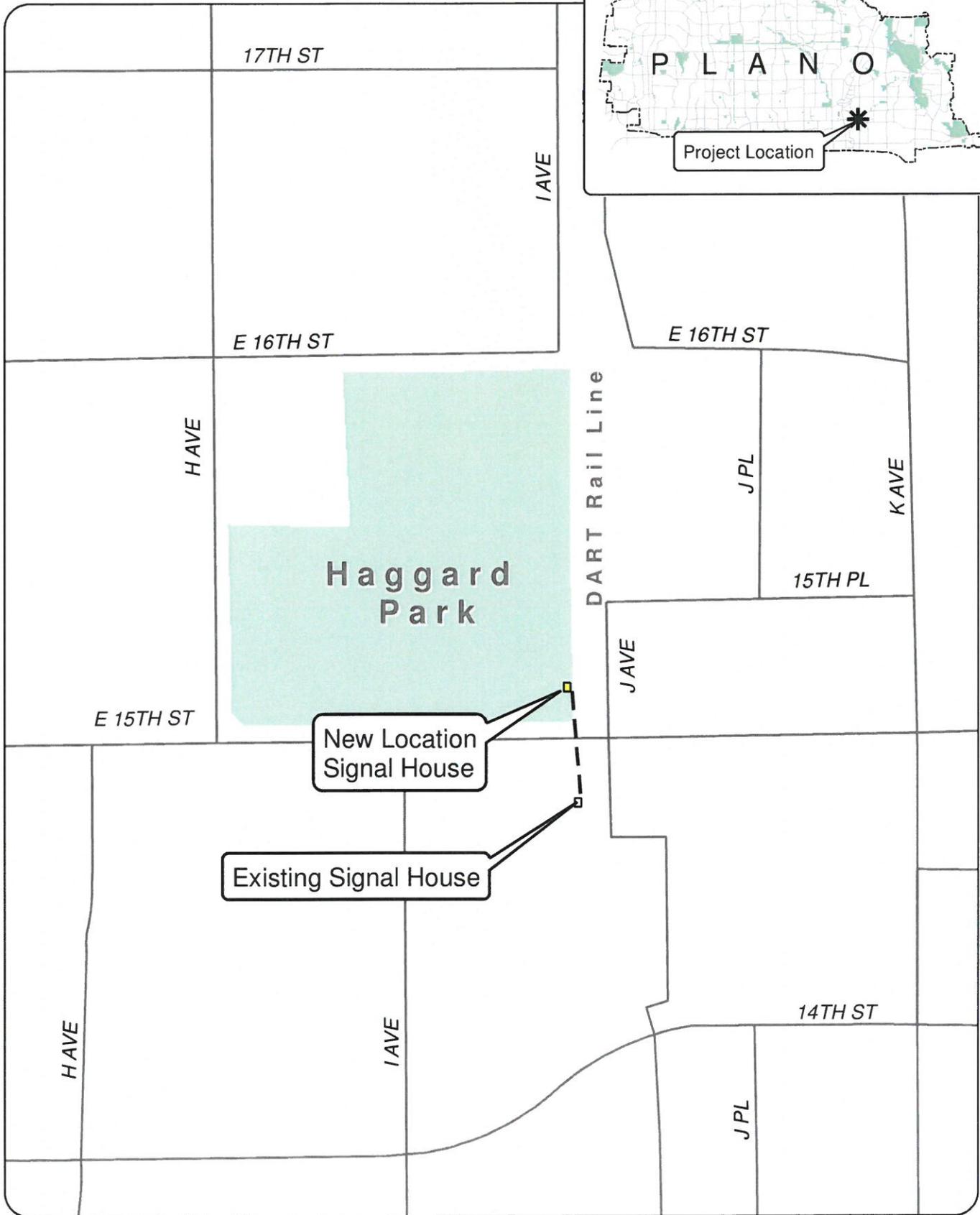
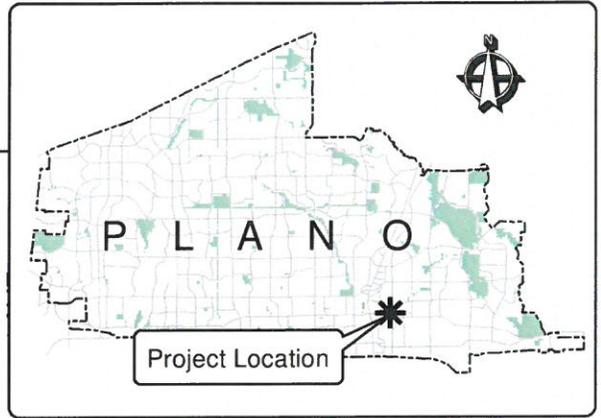
List of Supporting Documents:

- Location Map
- Site Plan
- DART Section 4(f) Statement
- Resolution
- Exhibit "A" - Survey

Other Departments, Boards, Commissions or Agencies

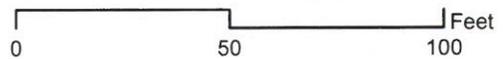
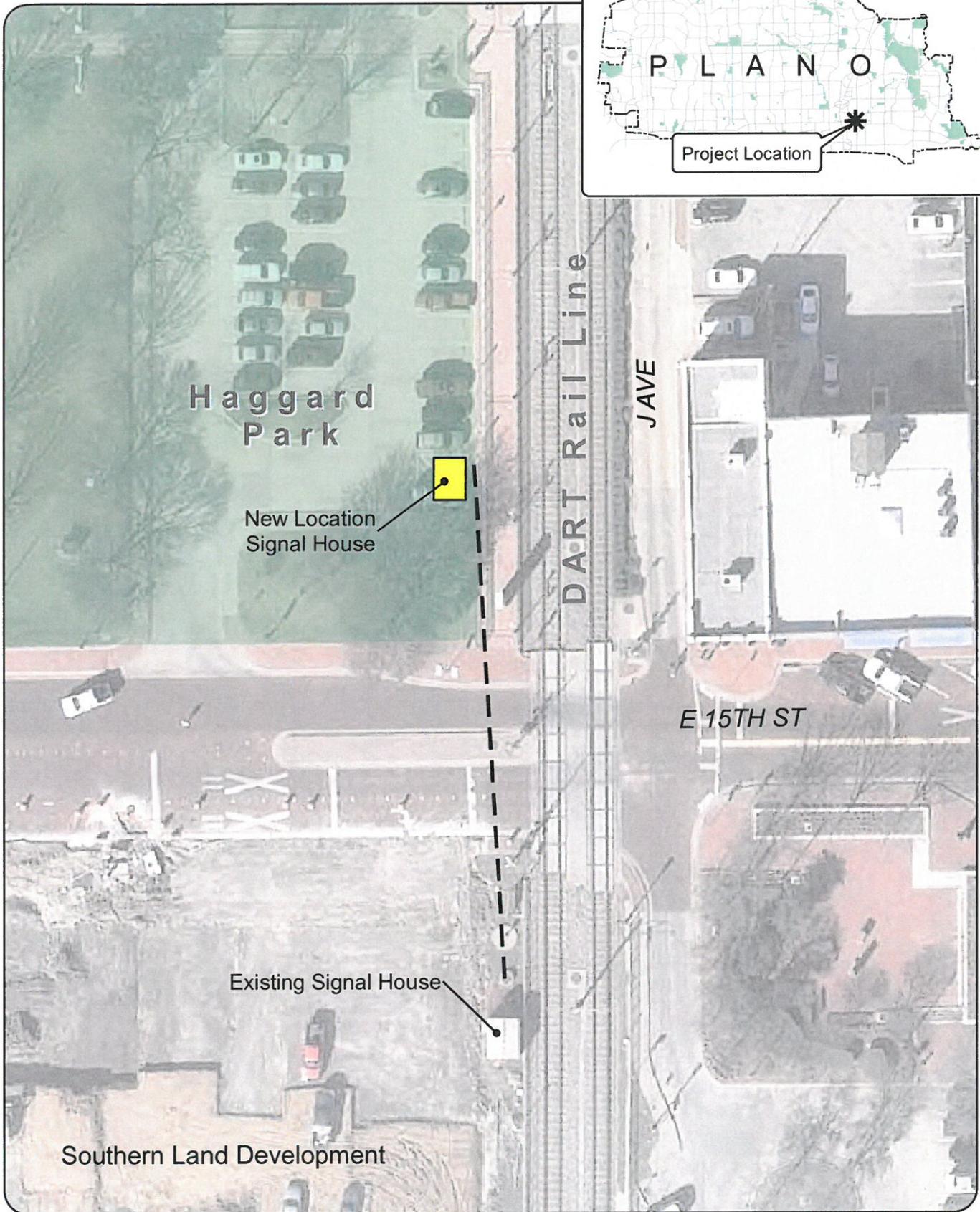
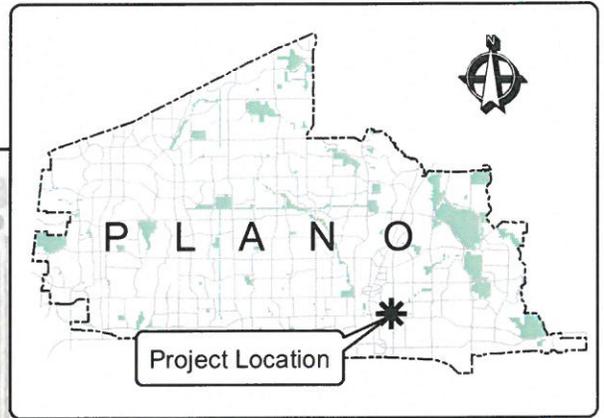
# Location Map

## DART/ Haggard Park Signal House Relocation



# Site Plan

## DART/ Haggard Park Signal House Relocation



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## **Section 4(f) Statement**

### **De minimis Section 4(f) Statement & Chapter 26 Documentation**

## **DART 15th Street Signal Equipment Relocation**

*Prepared by:*



**Dallas Area Rapid Transit**

1401 Pacific Avenue  
Dallas, Texas 75266

September 2014

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## ATTCHMENT 2: PARK USE EASEMENT LEGAL DESCRIPTION

## ATTACHMENT 3: CITY OF PLANO RESOLUTION



**De minimis Section 4(f) Statement  
& Chapter 26 Documentation  
DART 15th Street Signal Equipment Relocation**

**A. INTRODUCTION**

Section 4(f) of the Department of Transportation Act of 1966 (49 USC 1653, now 49 USC 303) declares a national policy that special effort be made to preserve the natural beauty of the countryside, including public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

As amended, Section 4(f) allows the U.S. Department of Transportation (DOT) to determine that certain uses of Section 4(f) land will have no adverse effect on the protected resource. These uses are referred to as *de minimis impacts*. A *de minimis* impact determination considers the requirement for all possible planning to minimize harm by reducing the impacts on the Section 4(f) property to a *de minimis* level.

Chapter 26 of the Texas Parks and Wildlife Code was established to protect parks, recreational and scientific areas, wildlife refuges, and historic sites from being used or taken by the state or local agencies for public projects.

This report documents the direct use of parkland resulting from the relocation of a railroad crossing control facility that was originally installed as part of the federally funded North Central Corridor Light Rail Transit (LRT) project. Documentation of the planning and coordination activities is provided that demonstrates the use of the property is justified, necessary and meets the *de minimis* impact requirements of the Section 4(f) legislation. Additionally, this report demonstrates that, in compliance with Chapter 26 of the Texas Parks and Wildlife Code, there is no feasible and prudent alternative to the use and the project includes all reasonable planning to minimize harm to the land, as a park, resulting from the use.

**B. APPLICATION OF SECTION 4(f)**

As defined in 23 CFR Section 771.135(p), the "use" of a protected Section 4(f) resource occurs when any of the following conditions are met.

- (1) Land is permanently incorporated into a transportation facility through partial or full acquisition (i.e., "direct use").
- (2) There is a temporary occupancy of land that is adverse in terms of preservationist purposes of Section 4(f) (i.e., "temporary use").
- (3) There is no permanent incorporation of land, but the proximity of a transportation facility results in impacts so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired (i.e., "constructive use").



### **De Minimis Impacts**

For publicly owned parks, recreation areas, and wildlife and waterfowl refuges, *de minimis impacts* are defined as those that do not "adversely affect the activities, features and attributes" of the Section 4(f) resource. After consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. Officials with jurisdiction over the property must provide written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) and the public must be afforded an opportunity to review and comment on the effects of the project.

### **C. APPLICATION OF CHAPTER 26**

As stated in Chapter 26 of the Texas Parks and Wildlife Code, a municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used as a park unless the municipality, determines that:

- (1) there is no feasible and prudent alternative to the use or taking of such land; and
- (2) the project includes all reasonable planning to minimize harm to the land, as a park, resulting from the use or taking.

### **D. BACKGROUND**

DART's Red Line in Downtown Plano was environmentally cleared through the North Central Corridor LRT Expansion Final Environmental Impact Statement (FEIS) (April 1997) and subsequent North Central Corridor 15<sup>th</sup> Street Station Environmental Study (July 1998). As part of the project, which opened in December 2002, DART constructed a Central Instrumentation House (CIH) within DART right-of-way, west of the tracks approximately 60 feet south of 15<sup>th</sup> Street (See Figure 1 in Attachment 1).

This 14'-8" by 12'-4" CIH is centered in an otherwise unused section of DART owned right-of-way that is approximately 15 feet wide. A CIH is used for controlling railroad crossing gates and signals at a street crossing. A CIH or similar device are required to be located near the controlled street crossing, ideally within a line of site of the crossing.

As part of its ongoing effort to improve mobility, the City of Plano proposes to locate a new walking trail in the portion of the DART owned right-of-way currently occupied by the CIH. The Douglass Walk will extend from the Douglass Community, a historic African-American community, to downtown Plano (See Figure 2 in Attachment 1). The Douglass Walk is a critical link in Plano's extensive trail system that will provide important connectivity from the Douglass Community north to the Downtown Plano LRT Station and Haggard Park; and south to the George Bush LRT Station and the CityLine mixed use development (six million square feet of office space, almost 4,000 apartments and more than 300,000 square feet of shopping space). In order to accommodate the walking trail, the City of Plano proposed that the CIH be relocated approximately 180 feet north, into the parking lot of the City owned Haggard Park (See Figure 3 in Attachment 1). Haggard Park is located west of the LRT right-of-way on the north side of 15<sup>th</sup> Street.



Haggard Park is a landscaped 6.34 acre park in the middle of downtown Plano. The land for Haggard Park was donated to the City of Plano in 1928. Haggard Park amenities include a playground, a gazebo, a pond, picnic areas, and paved recreational trails. The park is home to the Interurban Railway Museum. The park also provides drinking fountains and restrooms for the comfort of visitors. Haggard Park can be accessed by foot, bicycle, DART train and automobile. Including the Douglass Walk, several existing and future sidewalks, trails and bike route converge on Haggard Park which also features direct access to the Downtown Plano DART LRT Platform. A 109 space parking lot can be accessed from 15<sup>th</sup> Street. Four of these parking spaces are designated handicapped parking spaces. Weekdays, between the hours of 5:00 a.m. and 5:00 p.m., parking in Haggard Park is limited to 4 hours. The four handicapped spaces are exempt from this restriction. Two designated handicapped spaces are located near park facilities and two are in the southeast corner of the parking lot. These latter two handicapped spaces not only serve the park but also serve downtown Plano and the DART Station.

### **E. PROPOSED PROJECT**

As shown in Figure 3 in Attachment 1, the existing CIH would be relocated into the southeast corner of the paved portion of the Haggard Park parking lot. New conduit will be bored under the DART right-of-way to provide connectivity to the relocated CIH. The project would permanently displace two designated handicapped parking spaces (near 15<sup>th</sup> Street) and two additional parking spaces. The City of Plano would install a landscape strip with screening vegetation and replace the two handicapped parking spaces by restriping a portion of the parking lot. A new accessible walk from the relocated parking spaces to an existing path would be provided. The two relocated designated handicapped parking spaces would remain the closest parking spaces to accessible access to the DART Station, 15<sup>th</sup> Street and downtown Plano. The project will result in a net loss of 8 non-handicapped spaces.

#### **Direct Use of Parkland**

The 14'-8" by 12'-4" CIH would permanently occupy approximately 181 square feet of parkland. In order to provide access, maintenance parking, appropriate clearance, and setback the City has agreed to provide a 1060.38 square foot easement (43-foot by 24.66-foot) for the signaling facility. Approximately 215 square feet of the easement (5-foot by 43-foot) would be used to construct a new American's with Disabilities Act (ADA) accessible walkway to serve the park and its parking lot. All proposed park use occurs within the Haggard Park parking lot. The proposed easement is shown in Figure 4 in Attachment 1. A legal description of the proposed park use is contained in Attachment 2.

#### **Temporary Use of Parkland**

Except for construction/installation of the facility there would be no Temporary use of parkland. The duration of the construction is anticipated to be approximately 1 month.

#### **Constructive Use of Parkland**

No constructive use of Haggard Park is anticipated as part of this proposed project.



## **De Minimis Impacts**

For publicly owned parks, *de minimis impacts* are defined as those that do not "adversely affect the activities, features and attributes" of the Section 4(f) resource.

The proposed use of parkland occurs in a corner of the parking lot at the perimeter of the park, adjacent to the DART owned right-of-way. Other than parking, there are no existing or proposed park amenities or recreational facilities at this location. The proposed use would not affect any adjacent landscaped. The displaced handicapped parking spaces will be replaced. The non-handicapped spaces are underutilized and would not be replaced as part of this project. The proposed facility would segregate the relocated handicapped parking from an existing accessible pathway. As shown in Figure 5 in Attachment 1, this would be mitigated by constructing a new accessible path along the eastern portion of the CIH easement. No other pedestrian routes through the park would be altered. The proposed placement of the CIH in Haggard Park will not adversely affect the activities, features and attributes of the Section 4(f) resource.

## **F. ALTERNATIVES CONSIDERED**

Chapter 26 of the Texas Parks and Wildlife Code requires consideration of avoidance alternatives. After consideration of avoidance alternatives, the City of Plano may make a determination that there is no feasible and prudent alternative to the use of the parkland and the project has incorporated all possible planning to minimize harm.

Avoidance alternatives considered included an alternative signal housing facility as well as alternative locations. The CIH could be replaced by two 10-foot by 2-foot Automatic Highway Crossing Warning (AHCW) Cabinets. These cabinets would be placed side-by-side, five to six feet apart. The advantage of using AHCW cabinets is that the overall width of the facility could be reduced to allow use on parcels too narrow to accommodate the CIH. However the AHCW cabinets are not readily available and would need to be manufactured. With spacing requirements, this alternative facility would be significantly longer than the existing CIH. Because of the added cost and time required for the manufacturing of the AHCW cabinets, they were only considered in locations where a narrower footprint was required. Elsewhere, reuse of the existing CIH is considered more prudent.

As indicated earlier, the CIH or a similar facility is required to be located near the 15<sup>th</sup> Street crossing of the DART rail line. As such, this limits placement of the facility to the four quadrants surrounding this intersection. Within these quadrants, DART developed four alternatives for consideration (See Figure 5 in Attachment 1). They are: A) No-Build (Leaving the CIH in place), B) Replacing the CIH with AHCW cabinets at the existing location, C) Placing the AHCW cabinets in a narrow landscape strip between the DART right-of-way and Avenue J, and D) the proposed Haggard Park location.

- Southeast: This quadrant is located in the Downtown Plano Heritage District which has strict guidelines for development. The southeast quadrant is occupied by McCall Plaza, a multiuse public space maintained by the City of Plano. McCall Plaza is currently being renovated and will feature a nearly 800-square-foot covered stage for live music and dance performances. The City does not



consider the either signal house option to be visually compatible with McCall Plaza or adjacent properties within the historic district and opposes placing the facility in this quadrant. No alternatives were considered in this quadrant.

- Southwest: The CIH currently occupies the only vacant property in the southwestern quadrant of the intersection. The new Douglass Walk is proposed in the DART right-of-way occupied by the CIH. Immediately to the west, a new mixed use development is being constructed directly adjacent to the DART right-of-way. Alternatives A and B are located in this quadrant.
- Northeast: This quadrant is located in the Downtown Plano Heritage District which has strict guidelines for development. The quadrant is occupied by Avenue J and the historic Plano National Bank/IOOF Lodge building, a recorded Texas Historic Landmark and a contributing structure to the Downtown Plano Heritage District. Alternative C is located in this quadrant.
- Northwest: The Northwest quadrant is occupied by Haggard Park and pedestrian access to the DART LRT Station. Alternative D, the proposed project, is located in this quadrant.

The following summarizes the alternatives considered.

- A. The No-Build alternative is lowest cost option; however, leaving the CIH in place would preclude development of the Douglass Walk, which is an important connection between the historic African-American, Douglass Community and downtown Plano and the DART LRT line. The Douglass Walk will also provide access to the CityLine development which will provide jobs for the Douglass Community. The Douglass walk is a significant link in Plano's existing and planned trail system. In that it would preclude development of the Douglass Walk, the City of Plano opposes the No-Build option.
- B. Replacing the CIH with AHCW cabinets at the existing location was also considered. This option would reduce the overall width of the infrastructure, but spacing and setback requirements would still present an obstacle to the walking trail. The width of the trail would be significantly reduced. Accessing the cabinets may require temporary closure of the trail. Additionally, the City of Plano is attempting to visually tie the Douglass Walk with the new development and a refurbished McCall Plaza. The cabinets are not considered to be visually compatible with the plaza or adjacent development. At over six feet tall and over 20 feet long, the cabinets represent a visual barrier between the Douglass Walk and McCall Plaza. The City of Plano also opposes this option.
- C. Placing AHCW cabinets in a narrow landscape strip between the DART right-of-way and Avenue J was considered by DART because necessary underground conduit and infrastructure are in place at this location. This option would require removal of established landscaping. Accessing the cabinets would require temporarily closing Avenue J on a regular basis. The cabinets are not considered to be compatible with the Downtown Plano Heritage District or the adjacent historic structure, a recorded Texas Historic Landmark. The City of Plano opposes this option.



- D. Relocating the signal facility to Haggard Park is an alternative that was suggested by the City of Plano. The designated easement (See Attachment 2) could accommodate either the CIH or the AHCW cabinets. However, manufacturing the AHCW cabinets would increase costs and would delay the project at least six months. The wall-like appearance of the cabinets could be perceived as a visual barrier. Relocating and reusing the existing signaling equipment is both economical and practical. For these reasons, the City of Plano supports relocation of the existing CIH to Haggard Park as the proposed project.

### **Conclusions**

Although it requires a direct use of parkland, relocating the CIH to the Haggard Park parking lot is the preferred alternative by the City of Plano, the entity with jurisdiction over the Section 4(f) protected resource. Reuse of the existing CIH at the new location minimizes costs and allows the project to advance in a timely fashion. All other feasible alternative locations would negatively affect other city resources including a planned trail, existing public open space, a heritage district, existing landscaping and a public roadway. The proposed project will not adversely affect the activities, features and attributes of the park.

### **G. PLANNING TO MINIMIZE HARM**

DART has coordinated with the City of Plano to insure that all planning to minimize harm has been accomplished. Planning to minimize harm includes:

- The CIH would be located in a previously disturbed, paved portion of the park.
- Project would not affect any existing vegetation or landscaping.
- The CIH would be located away from park facilities and amenities
- The proposed facility would not alter any pedestrian routes through the park.
- Pedestrian access through the park would be enhanced by the construction of a new accessible walkway.
- Facility would be located in the corner of the parking adjacent to DART right-of-way.
- An existing right-of-way fence and existing landscaping will partially shield the view of the CIH.
- The relocated CIH would be repainted to blend in with the surrounding environment.
- The City of Plano would add a landscape strip to provide additional vegetative screening of the CIH.
- Displaced handicapped parking will be replaced by the City in an appropriate, adjacent location
- The two relocated handicapped parking spaces would remain the closest parking spaces to the DART Station, 15<sup>th</sup> Street and downtown Plano.
- Offsetting loss of non-handicapped parking, the City will add 10 additional parking spaces over the next 3 years



#### **H. PROJECT COORDINATION**

The City of Plano has requested that DART relocate the CIH from its current location to Haggard Park. DART has had extensive coordination with City of Plano staff to ensure all planning to minimize harm has occurred. The project has also been coordinated with the City of Plano Parks and Recreation Department, the entity with jurisdiction over the property.

#### **I. PUBLIC PARTICIPATION**

The Plano City Council was briefed on the proposed direct use of Haggard Park. In accordance with Section 4(f) of the Department of Transportation Act and Chapter 26 of the Texas Parks and Wildlife Code, the City of Plano held a public hearing on the use of parkland on September 8, 2014.

X speakers spoke in favor the proposed use of parkland and X speakers spoke against the proposed use of parkland. ... This is attributable to the fact that the proposed use does not adversely affect the activities, features and attributes of the Section 4(f) resource.

#### **J. CITY OF PLANO DETERMINATION**

In July 2014, the City of Plano Parks and Recreation Department was provided the Draft Section 4(f) Statement that demonstrates that the proposed project does not adversely affect the activities, features and attributes of Haggard Park.

On September 8, 2014 the City of Plano **unanimously** passed a resolution authorizing the direct use of the parkland. This was based on a determination that:

- 1) There is no feasible and prudent alternative to the use or taking of the portion of public Park Land at Haggard Park as proposed by the Project;
- 2) The Project includes all reasonable planning to minimize the harm to the Park Land resulting from the use or taking; and
- 3) The Project will not adversely affect the activities, features, and attributes of the Park Land.

A copy of this resolution is included as Attachment 3.

#### **K. RECOMMENDED FTA DETERMINATION**

A direct use of Haggard Park is required for the proposed project. Furthermore, the transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property.



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**ATTACHMENT 1  
FIGURES**

**De minimis Section 4(f) Statement  
& Chapter 26 Documentation**

**DART 15th Street Signal Equipment Relocation**

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Figure 1

# Current CIH Location

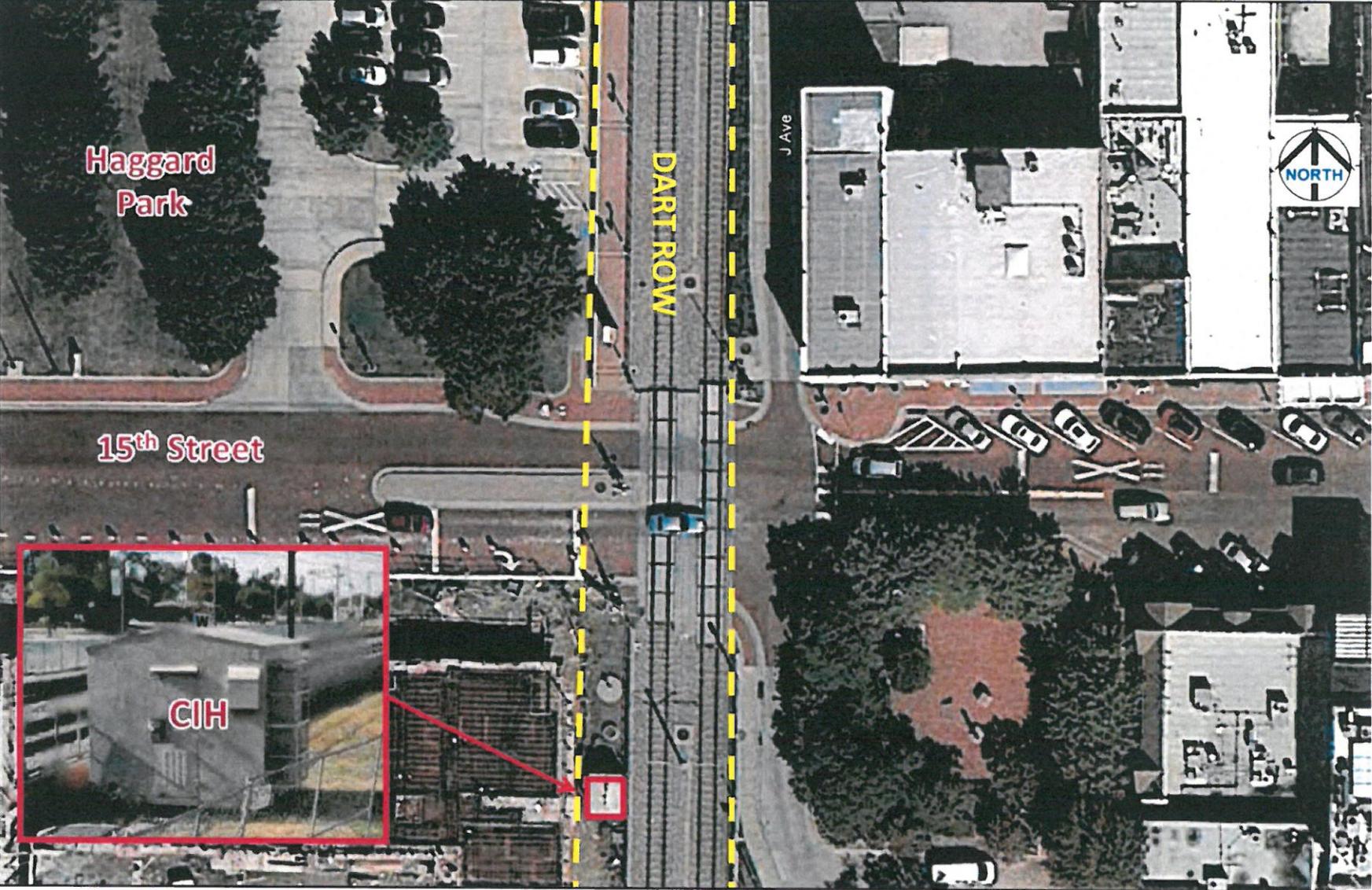
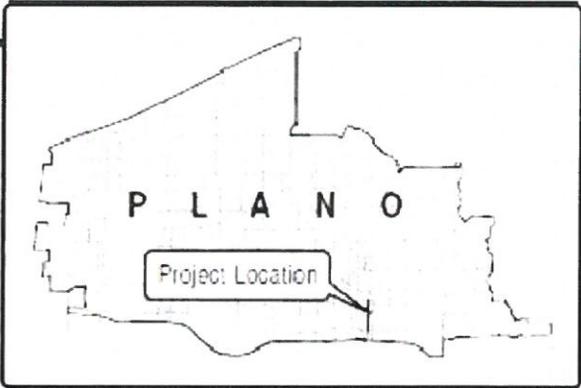
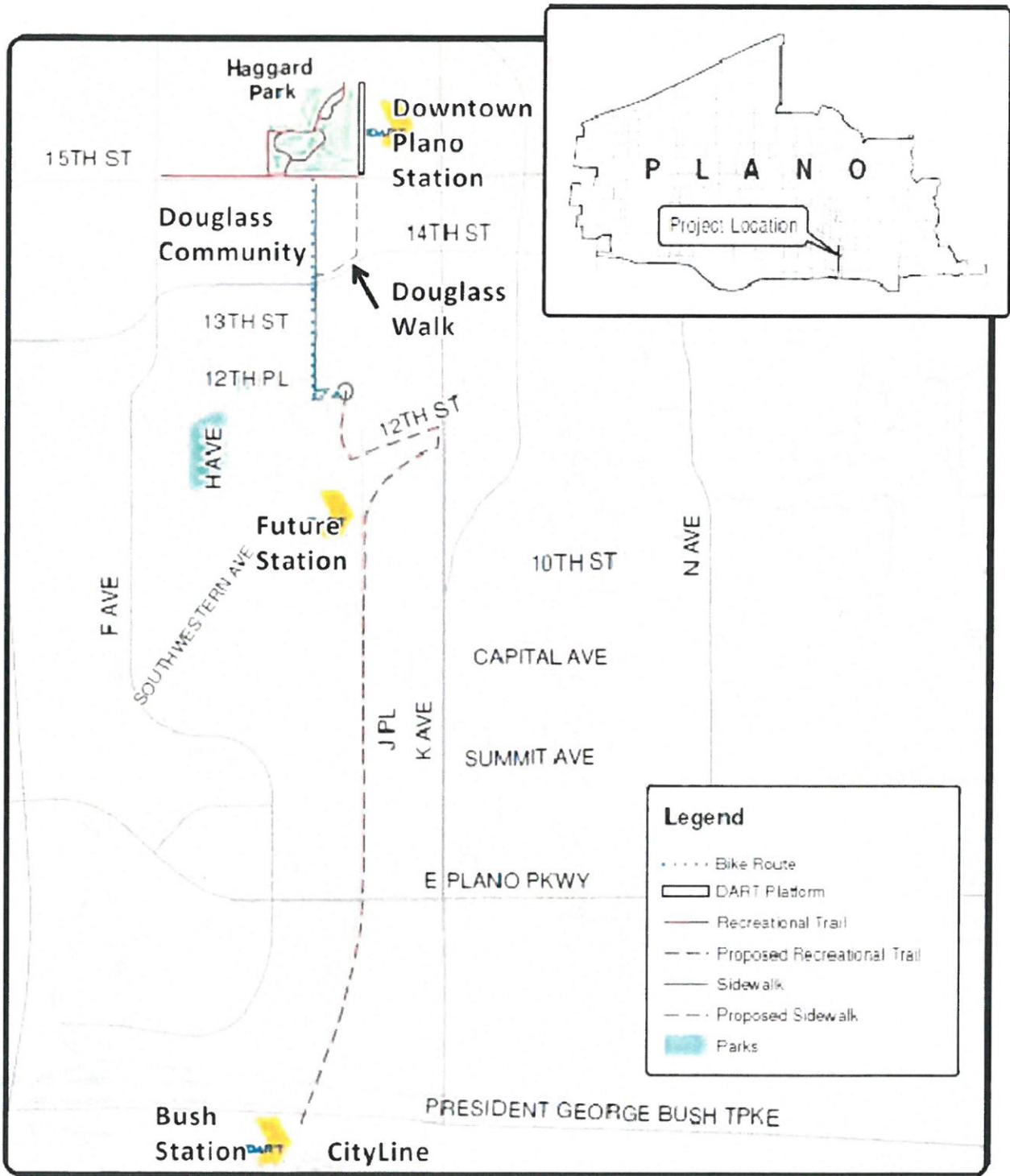


Figure 2



# Location Map

Transit Village Veloweb/ Douglass Walk



**Legend**

- ..... Bike Route
- ▭ DART Platform
- Recreational Trail
- - - Proposed Recreational Trail
- Sidewalk
- - - Proposed Sidewalk
- Parks



Figure 3

# Proposed CIH Relocation

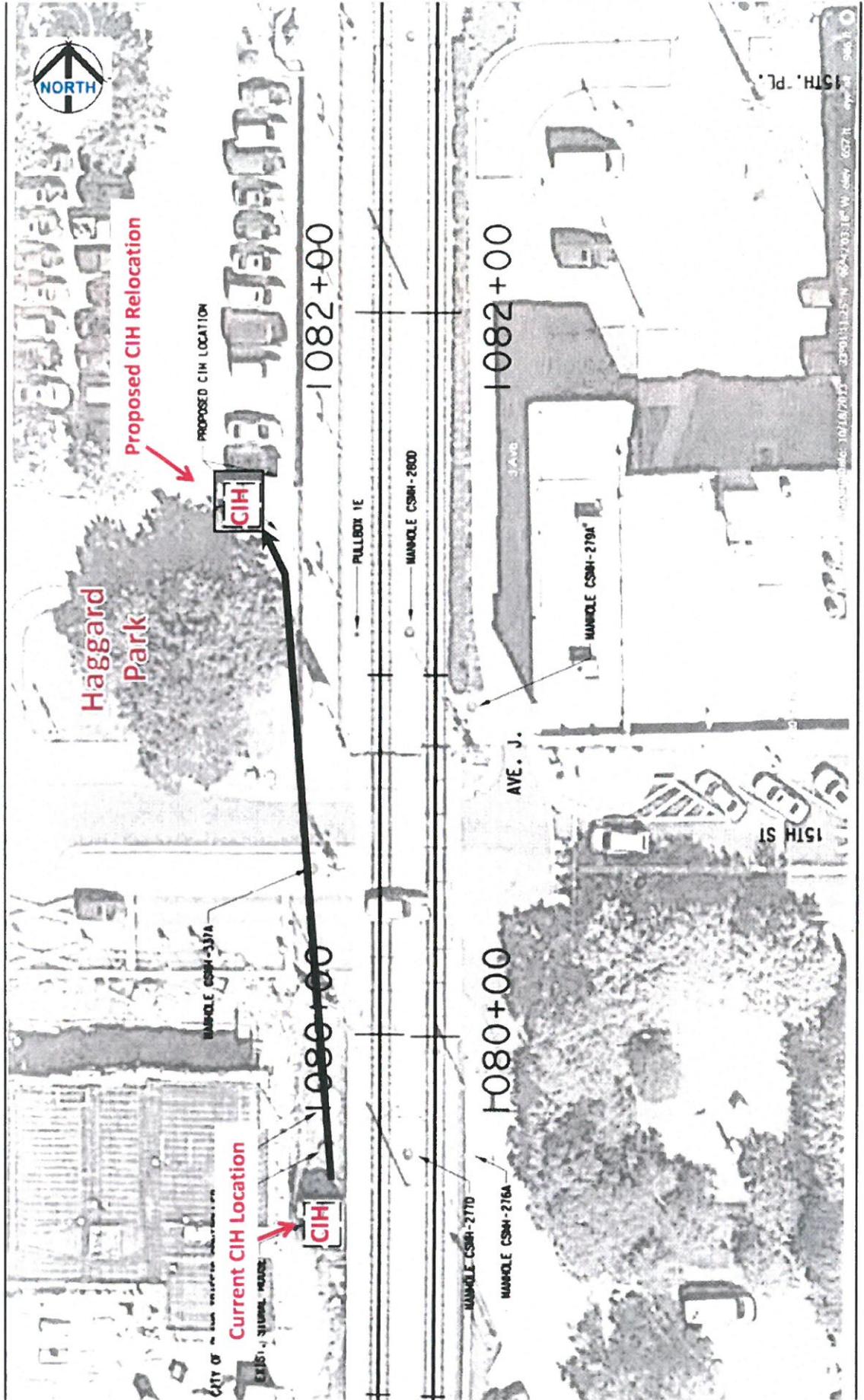


Figure 4

# Proposed CIH Park Use

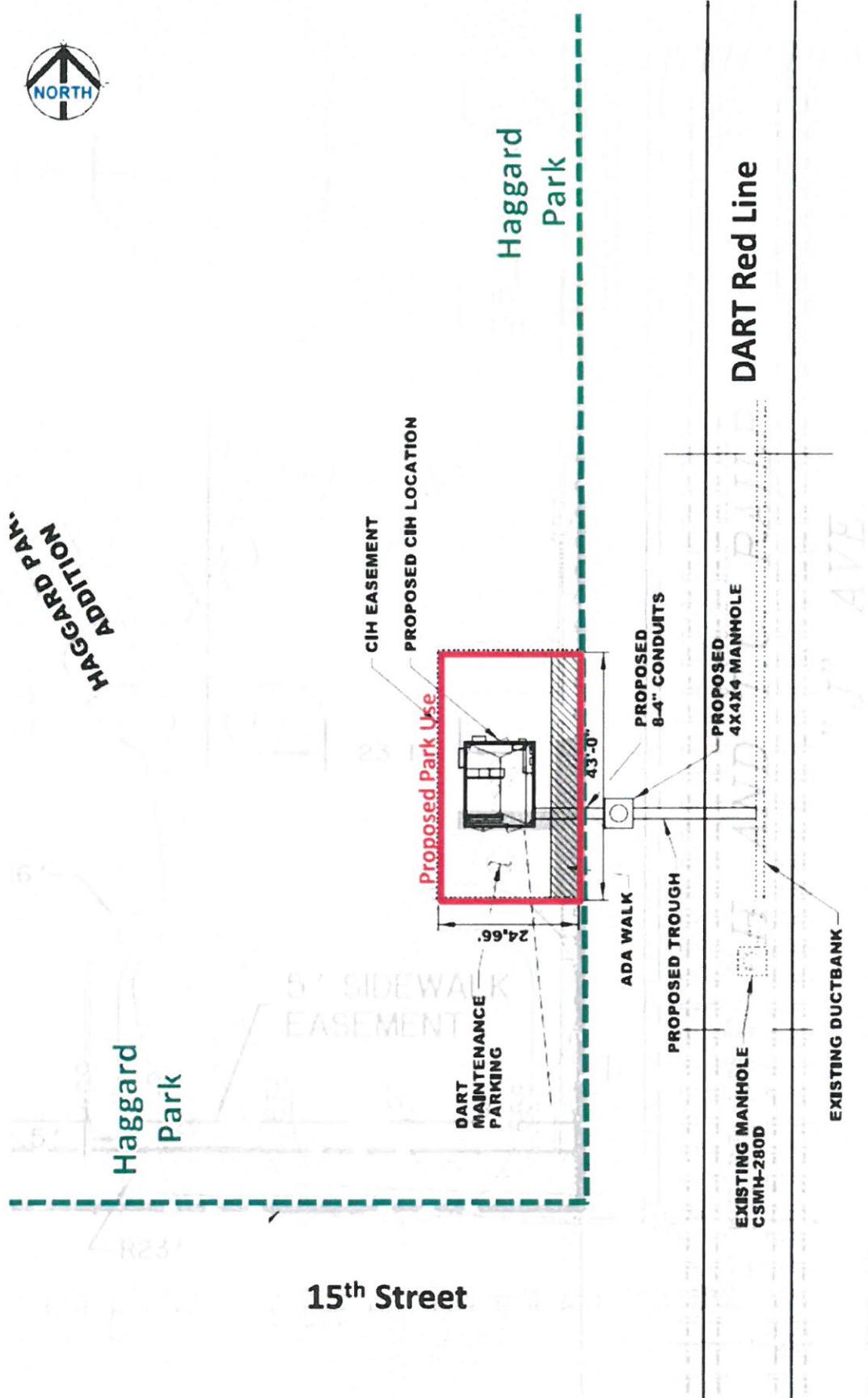
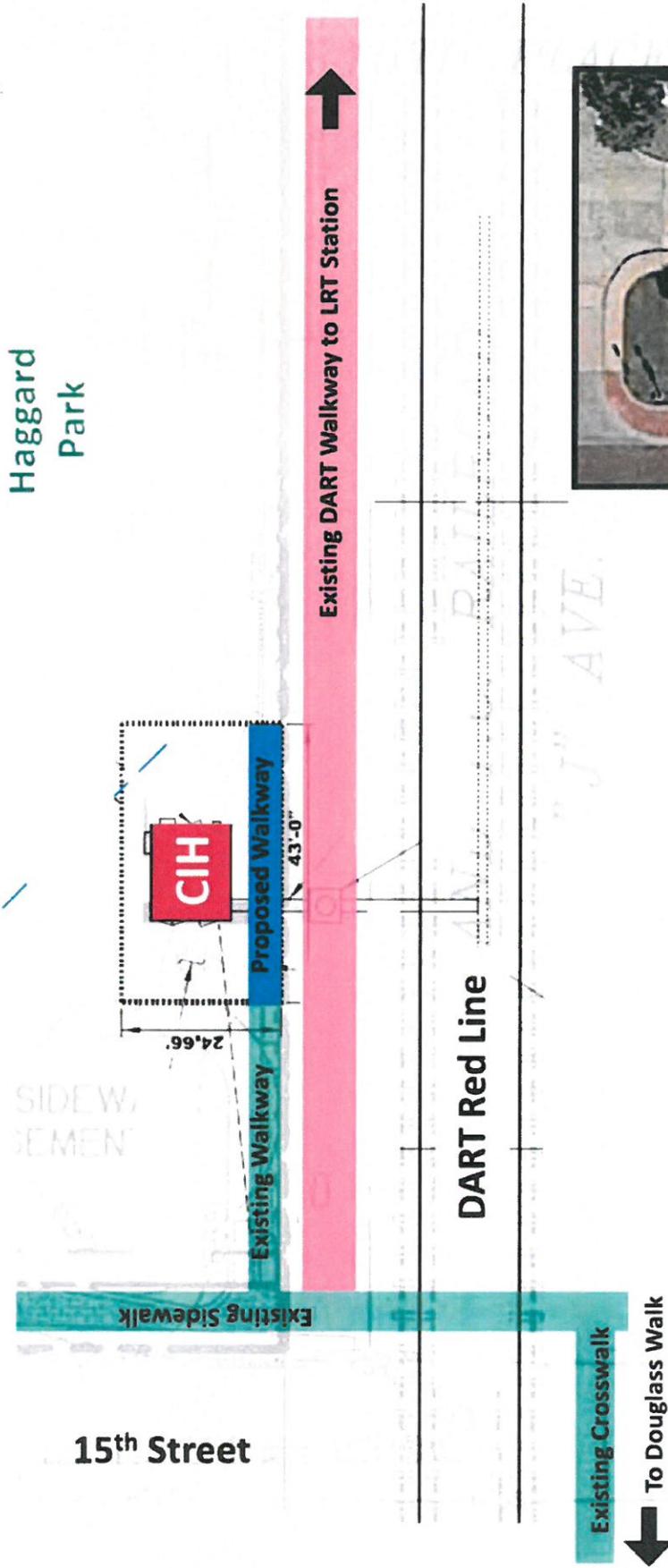


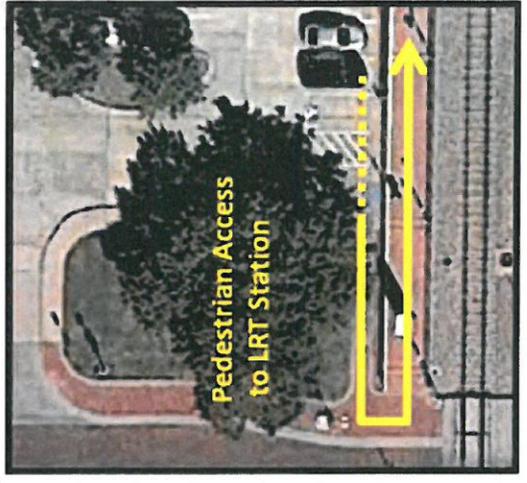
Figure 5



# Existing and Proposed Walkways



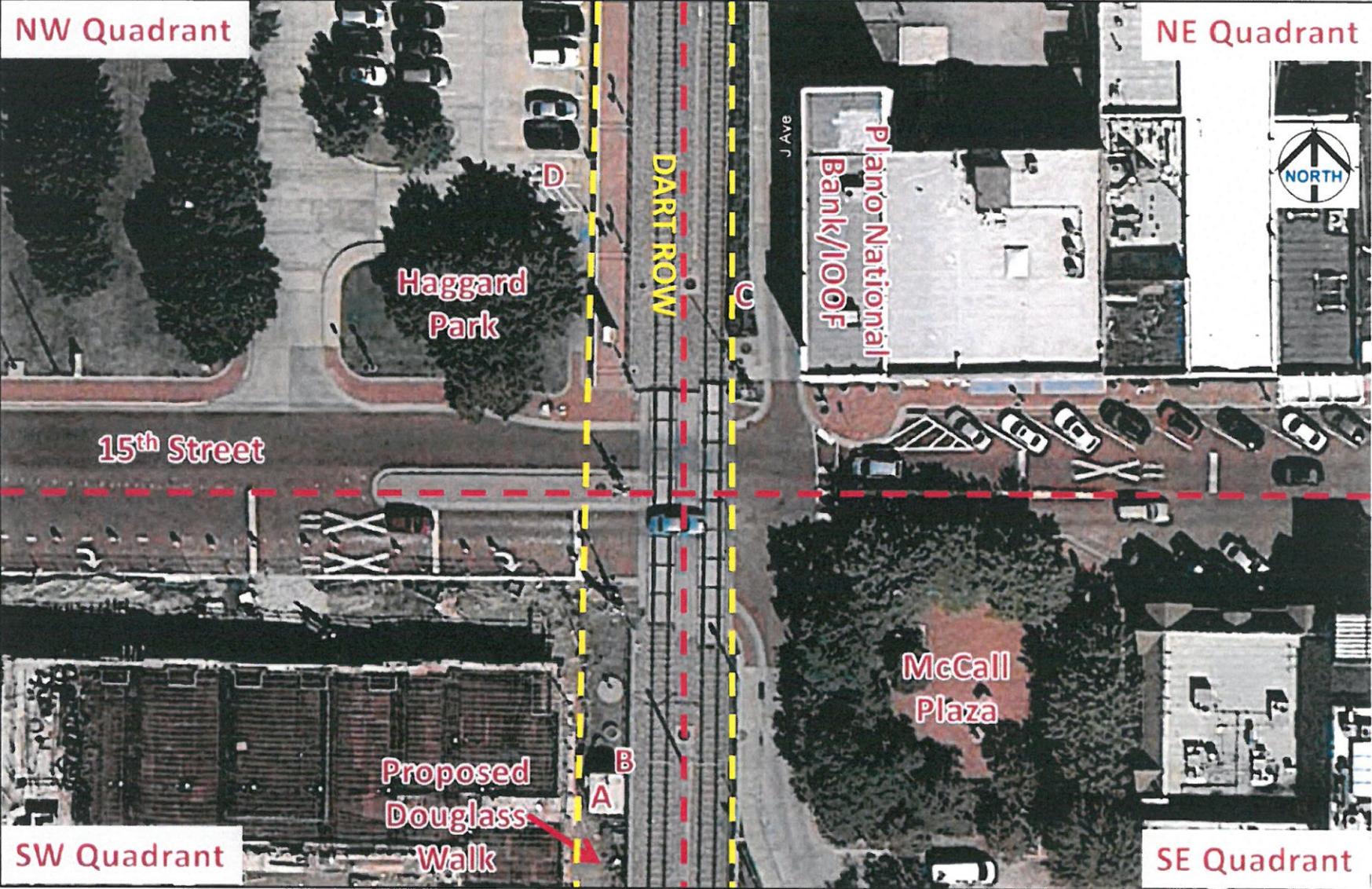
Haggard  
Park



**NOTE: All existing and proposed walkways, sidewalks, and crossings are Americans With Disabilities Act (ADA) accessible**

Figure 6

# CIH Alternatives Considered



**A Resolution of the City of Plano, Texas, approving the use or taking of a portion of City of Plano public Park Land, known as Haggard Park pursuant to Chapter 26 of the Texas Parks and Wildlife Code and Section 4(f) of the Department of Transportation Act (49 U.S.C. §303) to approve using a portion of dedicated Park Land as a permanent easement for purposes of relocating Dallas Area Rapid Transit (DART) owned 15<sup>th</sup> Street Signal Equipment to a Central Instrumentation House (CIH); authorizing the City Manager, or his designee, to execute all necessary documents; and providing an effective date.**

**WHEREAS**, the City has requested that Dallas Area Rapid Transit relocate an existing CIH to another location as depicted on the drawing attached hereto as Exhibit "A" (called "Easement") which requires the use or taking of a portion of City of Plano public Park Land known as Haggard Park (called the "Park Land"); and

**WHEREAS**, Chapter 26 of the Texas Parks and Wildlife Code requires a public hearing for the use or taking of public Park Land, at which the governing body must determine whether any feasible and prudent alternative to the use or taking of public Park Land exists, and whether the proposed use or taking includes all reasonable planning to minimize the harm to the Park Land; and

**WHEREAS**, Section 4(f) of the Department of Transportation Act (now 49 U.S.C. §303) provides that officials with jurisdiction over the property must provide written concurrence that the project will have a de minimus impact on the property and will not adversely affect the activities, features, and attributes of the Park Land and the public must be afforded an opportunity to review and comment on the effects of the project; and

**WHEREAS**, Notice of the Public Hearing was duly served and published in conformity with Chapter 26 of the Texas Parks and Wildlife Code for the Project; and

**WHEREAS**, the City Council held a public hearing on September 8, 2014, regarding the Project during which all interested persons had the opportunity to testify and present relevant evidence before the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** After hearing and review of all the testimony, evidence, and other relevant information at the Public Hearing, the City Council hereby finds and determines that:

- 1) There is no feasible and prudent alternative to the use or taking of the portion of public Park Land at Haggard Park as proposed by the Project;
- 2) The Project includes all reasonable planning to minimize the harm to the Park Land resulting from the use or taking; and

- 3) The Project will not adversely affect the activities, features, and attributes of the Park Land.

**Section II.** The City Council further finds that the Project is in the public interest generally, and in the best interest of the citizens of the City of Plano, Texas. Accordingly, the City Council approves the use or taking of a portion of Haggard Park through a permanent easement, as depicted in Exhibit "A".

**Section III.** The City Manager, or his designee, is hereby authorized to execute all necessary documents in connection with the change in use and the permanent easement on behalf of the City of Plano.

**Section IV.** This Resolution shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED** this the 8th day of September, 2014.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

**1,060 Sq.Ft. D.A.R.T. CIH Easement**  
**Part of Lot 1, Block 1, Haggard Park Addition**  
**Joseph Klepper Survey, Abstract No. 213**  
**City of Plano, Collin County, Texas**

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Joseph Klepper Survey, Abstract No. 213, being part of Lot 1, Block 1, Haggard Park Addition, an addition to the City of Plano as recorded in Volume Q, Page 626 of the Collin County Map Records with said premises being more particularly described as follows:

BEGINNING at a "X" cut for corner in concrete in the west right-of-way line of an existing D.A.R.T. Railway Right-of-Way Line, said corner being in the east line of said Haggard Park Addition, the west line of Lot 1, Block 1, 15th Street Station Addition, an addition to the City of Plano as recorded in Volume O, Page 297 of the Collin County Map Records, and marking the northeast corner of the herein described premises, from said corner an "X" found cut in concrete marking the northeast corner of said Haggard Park Addition bears North 00°22'17" West, 473.02 feet and a Weir Capped iron rod found marking the most westerly northwest corner of Haggard Park Addition bears North 67°01'13" West, 592.73 feet;

THENCE with the east line of said Haggard Park Addition, said premises, and the west line of said 15th Street Station Addition, South 00°22'17" East, 43.00 feet to an "X" cut in concrete marking the southeast corner of said premises;

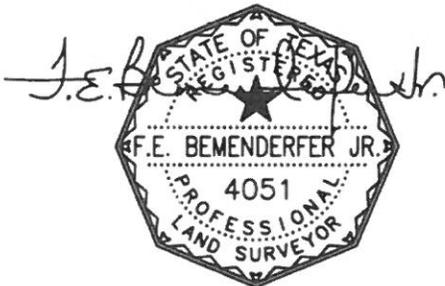
THENCE with the south line of said premises, South 89°37'43" West, 24.66 feet to an "X" cut in concrete marking the southwest corner of said premises;

THENCE with the west line of said premises, being parallel to and 24.66 feet west of the west right-of-way line of said D.A.R.T. Railway, North 00°22'17" West, 43.00 feet to an "X" cut in concrete marking the northwest corner of said premises;

THENCE with the north line of said premises. North 89°37'43" East, 24.66 feet to the point of beginning and containing 1,060 square feet of land.

**1,060 Sq.Ft D.A.R.T. CIH Easement**

**Part of Lot 1, Block 1, Haggard Park Addition**  
**Joseph Klepper Survey, Abstract No. 213**  
**City of Plano, Collin County, Texas**  
**April 18, 2014**



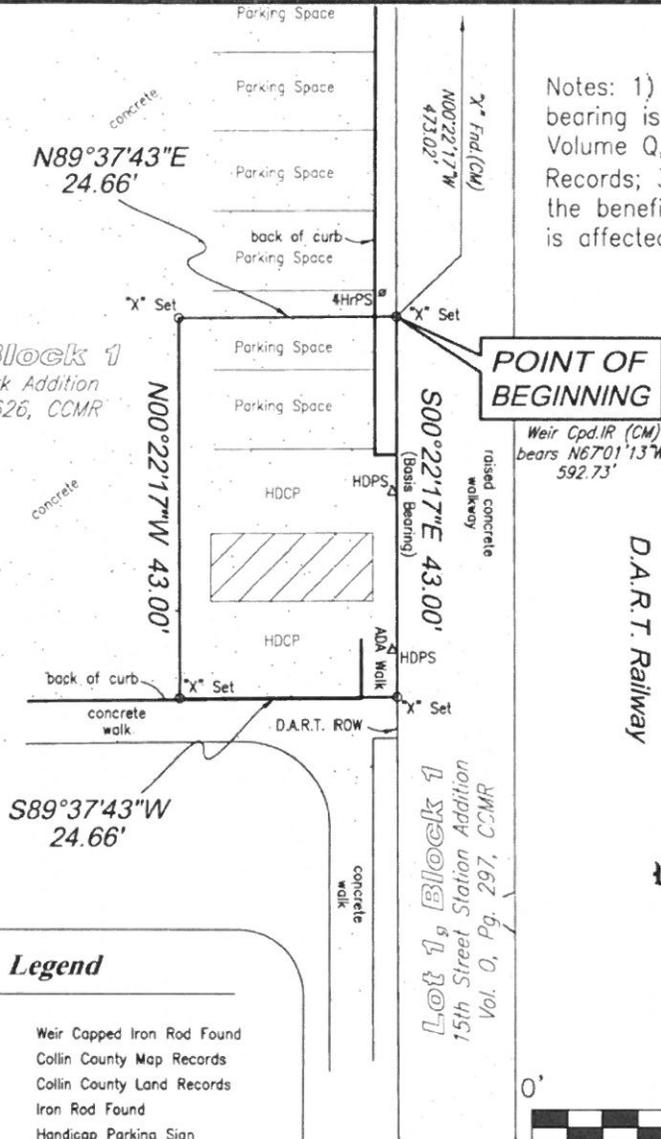
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**R**oome Land Surveying, Inc. 

2000 Avenue G, Suite 810  
Plano, Texas 75074  
Phone (972) 423-4372 / Fax (972) 423-7523  
www.roomsurveying.com

Notes: 1) CM is a controlling monument; 2) Basis bearing is Haggard Park Addition as recorded in Volume Q, Page 626 of the Collin County Map Records; 3) Survey has been performed without the benefit of a title commitment. Subject property is affected by any or all easements of record.

Lot 1, Block 1  
Haggard Park Addition  
Vol. Q, Pg. 626, CCMR



**POINT OF BEGINNING**

Weir Cpd.IR (CM)  
bears N67°01'13"W  
592.73'

D.A.R.T. Railway



Scale: 1"=20'

**Legend**

Weir Cpd.IRF	Weir Capped Iron Rod Found
C.C.M.R.	Collin County Map Records
C.C.L.R.	Collin County Land Records
IRF	Iron Rod Found
HCDCPS $\Delta$	Handicap Parking Sign
HCDCP	Handicap Parking
4HrPS $\square$	4 Hour Parking Sign
ADA	American Disabilities Act

**1,060 Sq.Ft. CIH Easement**

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