

ORDINANCE NO. 580

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A UTILITY EASEMENT SOUTH OF REALTY ROAD AND EAST OF MARSH LANE; PROVIDING FOR THE RETURN THEREOF TO DAL-MAC DEVELOPMENT COMPANY; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE MADE HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

DEED RECORD

6687 9.00 DEED 0 1 05/29/80


WHEREAS, the City Council of the City of Addison, acting pursuant to law, and upon the request and petition of Grantee herein deems it advisable to abandon and convey the hereinafter described tract of land to Grantee and is of the opinion that said utility easement is not needed for public use, and the same should be abandoned and quitclaimed to Dal-Mac Development as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Addison is of the opinion that the best interest and welfare of the public will be served by abandoning and conveying the same to Dal-Mac Development Company for the consideration hereinafter more fully set forth.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That the following described tract of land in the City of Addison, Dallas County, Texas, be, and the same is hereby abandoned, vacated and closed insofar as the right, title and easement of the public are concerned; subject, however, to the conditions hereinafter more fully set out:

VOLUME PAGE
80106 0292



City of Addison
P.O. Box 144
Addison, Texas
75001

COMMENCING at a point in the Southwest line of Realty Road, said point being the most Easterly point in a corner clip on the East side of Marsh Lane:

THENCE S 77° 47' 59" with said Southwest line of Realty Road, 142.63 feet to the beginning of a curve to the left, said curve having a total central angle of 3° 35' 21" and a radius of 530.00 feet;

THENCE continuing with said Southwest line of Realty Road, and with said curve, an arc distance of 18.00 feet to the PLACE OF BEGINNING, said point also being in the North line of a utility easement to the City of Addison, as recorded in Volume 80007, at Page 1349, Deed Records, Dallas County, Texas;

THENCE continuing with said Southwest line of Realty Road and with said utility easement, and also continuing with said curve, an arc distance of 15.20 feet to the end of said curve and a point for corner;


THENCE continuing with said utility easement, S 0° 04' 38" W, 73.79 feet to a point for corner;

THENCE S 45° 04' 38" W, 21.21 feet to a point for corner, said point being in the West line of the aforementioned utility easement;

THENCE with said utility easement, N 0° 04' 38" E, 91.25 feet to the PLACE OF BEGINNING.

SECTION 2. That for and in consideration of the sum of One Dollar (\$1.00) paid by Dal-Mac Development Company the City of Addison does by these presents BARGAIN, SELL, RELEASE, AND FOREVER QUITCLAIM unto the said Dal-Mac Development Company, its heirs and assigns, all its rights, title and interest in and to that certain tract or parcel of land hereinabove described, TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said Dal-Mac Development Company, its heirs and assigns forever, so that neither it, the said City of Addison, Texas, nor its successors, nor any person or persons claiming under it shall, at any time hereinafter have, claim or demand any right or title to the aforesaid premises and appurtenances, or any part thereof.

80106 0293



City of Addison
P.O. Box 144
Addison, Texas 75001

SECTION 3. This conveyance is made subject to all present zoning and deed restrictions, if the latter exist, and is subject to all existing easement rights of others, if any, whether apparent or nonapparent, aerial, surface, underground, or otherwise, and is subject to any existing utilities or communication facilities presently located within the abandoned area, owned and/or operated by the City of Addison or any utility or communications company, public or private, and to any vested rights presently owned by any public or private utility for the use of the abandoned area for facilities presently located within the boundaries of said abandoned area; and the relocation, removal, or adjustment of any or all such utilities or facilities, including water and sanitary sewer lines, gas lines, storm sewers, communication facilities and electrical facilities. If such relocation, removal or adjustment is made necessary by Grantee's use of the said subject property, shall be at the expense of Grantee herein, his heirs, successors or assigns.

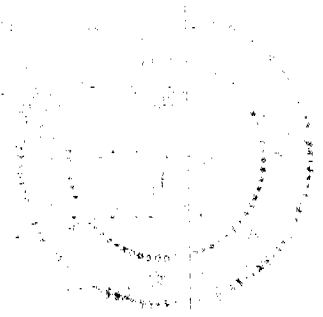
SECTION 4. That the terms and conditions contained in this ordinance shall be binding upon Grantee, his heirs, and assigns.

SECTION 5. That the abandonment and conveyance provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest of the City Council of the City of Addison may legally and lawfully abandon and vacate.

SECTION 6. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance to be recorded in the Deed Records of Dallas County, Texas, and a certified copy of same shall be delivered to Grantee upon receipt of said consideration.

80106 0294

City of Addison
P.O. Box 144
Addison, Texas
75001



SECTION 7. That the necessity for abandoning the property hereinabove described creates an urgency and an emergency and requires that this Ordinance take effect from and after tis passage as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, this the 8 day of April, 1980.

J. Kelly
MAYOR



Jacquie Sharp
CITY SECRETARY

VGD PAGE
80106 0295

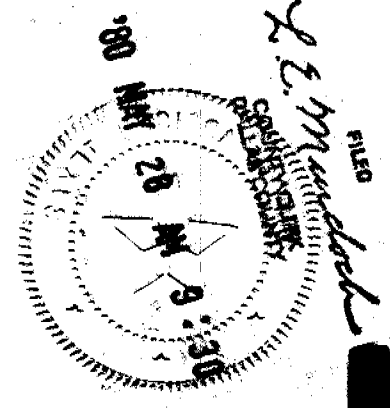
COUNTY CLERK, Dallas County, Texas

J. E. M... ..



MAY 29 1980

STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify that this instrument was filed on the
date and time stamped hereon by me and was duly re-
corded in the volume and page of the named records
of Dallas County, Texas as stamped hereon by me.



City of Addison
P.O. Box 144
Addison, Texas
75001