

9
ORDINANCE NO. 587

DEED RECORD

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A ROAD EASEMENT WEST OF THE EXISTING RIGHT-OF-WAY LINE OF MIDWAY ROAD; PROVIDING FOR THE RETURN THEREOF TO AMERICAN COLDSET CORPORATION; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE MADE HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

A 4047 9.00 DEED 0 2 06/26/80

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 road easement is not needed for public use, and the same should be abandoned and quitclaimed to American Coldset Corporation 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 American Coldset Corporation 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:

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Jacque Sharp
City of Addison
P.O. Box 144
Addison, TX. 75001

BEGINNING at the intersection of the west line of said original Midway Road right-of-way, with the south line of a variable width right-of-way line for Keller Springs Road;

THENCE, S 56° 25' 39" E, with said line of Keller Springs Road, a distance of 12.00 feet to a point for corner;

THENCE, South, parallel with and ten feet east of the west line of said Midway Road right-of-way and the east line of said American Coldset Corporation property, a distance of 1,190.32 feet to a point for corner;

THENCE S 56° 38' 56" W, a distance of 11.97 feet to a point for corner in the west line of said Midway Road right-of-way and the east line of said American Coldset Corporation tract;

THENCE North, with said east line of American Coldset Corporation property, a distance of 1,203.54 feet to the PLACE OF BEGINNING;

CONTAINING 11,969.30 square feet of land.

SECTION 2. That for and in consideration of the sum of One Dollar (\$1.00) paid by American Coldset Corporation the City of Addison does by these presents BARGAIN, SELL, RELEASE, AND FOREVER QUITCLAIM unto the said American Coldset Corporation, 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 American Coldset Corporation, 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.

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

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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 and upon receipt of said consideration.

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 its passage as the law in such cases provides.

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DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS, this the 13th day of May, 1980.

Jim Kelly
MAYOR



ATTEST:

Jacque Sharp
CITY SECRETARY

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FILED
L. E. Murdoch
COUNTY CLERK
DALLAS COUNTY

80126 0935

14:09 AM JUN 25 '80

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COUNTY CLERK, Dallas County, Texas

L. E. Murdoch



JUN 26 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
recorded in the volume and page of the named records
of Dallas County, Texas as stamped hereon by me.

*Jacque Sharp
City of Addison
P.O. Box 144
Addison, TX. 75001*