

9

ORDINANCE NO. 589

DEED RECORD

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A ROAD EASEMENT NORTH OF BELT LINE AND SOUTH OF REALTY ROAD; 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.

A 4046 9.00 DEED 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 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:

VOL. 8 PAGE 80126 0486

94

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

BEING a tract of land situated in the D. Meyers Survey, Abstract No. 923, and in the T.L. Chenoweth Survey, Abstract No. 273, in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the East line of Marsh Lane (a 60' R.O.W.), said point also being in the Southwest line of the St. Louis and Southwestern Railway (a 100' R.O.W.);

THENCE S 0° 02' 48" W with said East line of Marsh Lane, 1442.78 feet to a point;

THENCE S 44° 35' 11" E, 43.14 feet to a point for corner, said point being in the North line of Belt Line Road (S 110' R.O.W.);

THENCE N 89° 52' 24" W with said North line of Belt Line Road, 119.98 feet to a point for corner;

THENCE N 44° 49' 43" E, 42.17 feet to a point, said point being in the West line of the aforementioned Marsh Lane;

THENCE N 0° 02' 48" E with said West line of Marsh Lane, 1456.30 feet to a point for corner, said point being in the aforementioned Southwest line of the St. Louis and Southwestern Railway;

THENCE S 77° 46' 49" E with said Southwest line of the St. Louis and Southwestern Railway, 61.30 feet to the POINT OF BEGINNING and containing 2.057 acres of land, more or less.

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.

VOL 2 281E
80126 0487

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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.

VOL 1 PAGE


80126 0488

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.

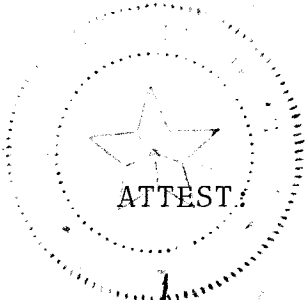
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SECTION 7. That the necessity for abandoning the property hereinabove described creates an urgency and an emergency and requires that this Ordinance take effect from and after its passage as the law in such cases provides.

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



MAYOR





CITY SECRETARY

VOL PAGE
80126 0489

FILED
L. E. Murdoch
COUNTY CLERK
DALLAS COUNTY

'80 JUN 25 AM 9:41

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VOL 70A
PAGE 284

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 record books
of Dallas County, Texas as stamped hereon by me.

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