

7.02

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, PROVIDING FOR THE ABANDONMENT OF AN ALLEY DEDICATION OVER LOT 5, BLOCK 8171, NAN'S LITTLE ACRE ADDITION TO THE TOWN OF ADDISON, (FORMERLY IN THE CITY OF DALLAS), DALLAS COUNTY, TEXAS; PROVIDING FOR THE RETURN THEREOF TO FRANK W. TILLEY; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE MADE HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town 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 alley dedication is not needed for public use, and the same should be abandoned and quitclaimed to Mr. Frank W. Tilley ("Grantee"), as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the Town 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 Grantee for the consideration hereinafter more fully set forth.

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

SECTION 1. That the following described tract of land in the Town of Addison, (formerly in the City of Dallas) 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: the ten (10) foot alley dedication ("Alley Dedication") over and along the western most property line of Lot 5, Block 8171 of Nan's Little Acre Addition, (14675 Winnwood Road) to the Town of Addison, Dallas County, Texas, as shown on the plat recorded in the plat records of Dallas County, Texas.

88163 2468 2977

SECTION 2. That for and in consideration of the sum of Ten Dollars (\$10.00) paid by Grantee, the Town of Addison does by these presents BARGAIN, SELL, RELEASE AND FOREVER QUITCLAIM unto the said Grantee, their 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 Grantee, their heirs and assigns forever, so that neither it, the said Town 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, or 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 Town 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. 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.

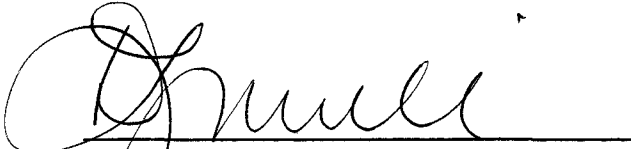
SECTION 4. That the terms and conditions contained in this ordinance shall be binding upon Grantee, their heirs and assigns.

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 Town 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.

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 TOWN OF ADDISON, TEXAS, this the 12th day of July, 1988.


MAYOR

ATTEST:


CITY SECRETARY

Published 7-28-88

PROVISIONS CONTAINED IN ANY DOCUMENT WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED, THEREIN BECAUSE OF RACE OR COLOR ARE INVALID UNDER FEDERAL LAW AND ARE UNENFORCEABLE.

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL, OR USE OF ANY REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Return to:

Carmen Moran
P.O. Box 144
Addison, Texas
75001

FILED

Earl Bullock
COUNTY CLERK
DALLAS COUNTY

88 AUG 22 PM 3:09

STATE OF TEXAS
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.

COUNTY OF DALLAS

AUG 23 1988



Earl Bullock
COUNTY CLERK, Dallas County, Texas