

ORDINANCE NO. 090-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS,  
PROVIDING FOR THE ABANDONMENT OF AN ALLEY OVER AND  
BETWEEN LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 OF BLOCK C  
OF THE ORIGINAL TOWN OF ADDISON, DALLAS COUNTY,  
TEXAS; PROVIDING FOR RETURN THEREOF TO PUMA  
VENTURE V JOINT VENTURE; PROVIDING FOR THE TERMS  
AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE  
MADE HEREIN; PROVIDING FOR THE 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 is not needed for public use, and the same should be abandoned and quitclaimed to Puma Venture V Joint Venture ("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, 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: that certain twenty (20) foot alley ("Alley") over, along and between Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Block C of the Original Town of Addison as more specifically described on Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That for and in consideration of the sum of One Dollars (\$1.00) paid by Grantee, the Town of Addison does by these presents BARGAIN, SELL, RELEASE AND FOREVER QUITCLAIM unto the said Grantee, its successors 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, its successors 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, 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, 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, its successors or assigns.

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

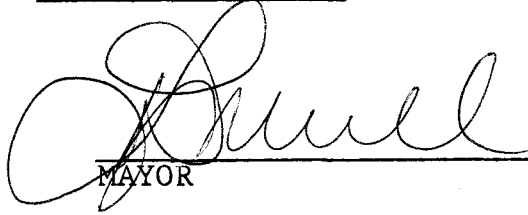
SECTION 5. That the abandonment and conveyance provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest of the City Council of the Town of Addison may legally and lawfully abandon and vacate.

SECTION 6. That upon final passage of this ordinance, the City Secretary shall transmit a certified copy of this ordinance to the Grantee.

SECTION 7. This ordinance shall take effect upon receipt by the City Secretary of a duly executed deed conveying to the City certain tracts of land described in an agreement between it and Grantee or immediately from and after its passage and publication in accordance with the provisions of the charter of the Town of

Addison which either occurs latter.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this the 12th day of June, 1990.

  
MAYOR

ATTEST:

  
CITY SECRETARY

C9-Puma

Published 7-5-90

# EXHIBIT "A"

## ALLEY DESCRIPTION

A tract or parcel of land situated in the G. W. Fisher Survey, Abstract No. 482, in the Town of Addison, Dallas County, Texas, and being all of the 20 foot wide alley in BLOCK C of the ORIGINAL TOWN OF ADDISON an addition recorded in Volume 1 Page 35 in the Dallas County Map Records, and being more particularly described as follows:

BEGINNING at the intersection of the south line of Mildred Street (50 ft. right-of-way) and the west line of the 20 foot wide alley, being also the northeast corner of LOT 4 BLOCK C of the ORIGINAL TOWN OF ADDISON addition;

THENCE Easterly 20 feet along the south line of Mildred Street to the northwest corner of LOT 8 BLOCK C;

THENCE Southerly 400 feet along the east side of the alley and the west side of LOT'S 8, 7, 6, and 5 BLOCK C to the north line of Clara Street (50 ft. right-of-way);

THENCE Westerly 20 feet along the north line of Clara Street to the southeast corner of LOT 1 BLOCK C;

THENCE Northerly 400 feet along the east side of LOT'S 1, 2, 3, and 4 to the Point of Beginning.