

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 094-029

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS
ACCEPTING THE DEDICATION OF FRANK LUKE
STREET AS A PUBLIC STREET; PROVIDING A
SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Frank Luke Street is a private street located within the Town of Addison (the "City"); and

WHEREAS, the owners of the land abutting both sides of Frank Luke Street (as depicted on Exhibits "A" and "B" attached hereto and incorporated herein) have expressed, by instruments duly executed and recorded (which instruments are attached hereto as Exhibit "B" and incorporated herein), of their desire to dedicate Frank Luke Street as a public street; and

WHEREAS, the City desires by the adoption of this Ordinance to accept the dedication of Frank Luke Street as a public street, and finds that the adoption of this Ordinance is in the interest of the welfare of the citizens of the City.

Now, therefore,

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

Section 1. Incorporation of premises. The above and foregoing premises are true and correct and are incorporated herein for all purposes.

Section 2. Acceptance of dedication. The City does hereby accept the dedication as a public street and right-of-way that street known and commonly referred to as Frank Luke Street as shown on Exhibits "A" and "B" and as reflected by the instruments attached as Exhibit "C", together with sufficient access on both sides of the street for the purpose of providing and performing maintenance and reconstruction of the street, as required. The name of the said street shall remain Frank Luke Street.

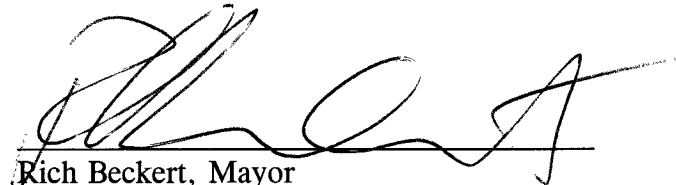
Section 3. Recordation. The City Manager is directed to file this Ordinance in the Deed Records of Dallas County, Texas, and to provide a copy of the same to the owners abutting Frank Luke Street who have dedicated the street.

Section 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would


have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. This Ordinance shall take effect from and after its date of passage.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the _____ day of _____, 1994.

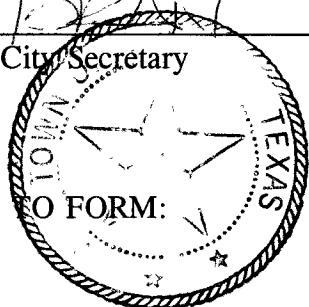

Rich Beckert, Mayor

ATTEST:


Carmen Moran, City Secretary

[SEAL]

APPROVED AS TO FORM:

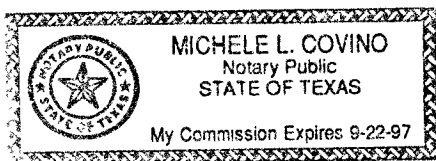


Ken Dippel, City Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

ACKNOWLEDGMENT

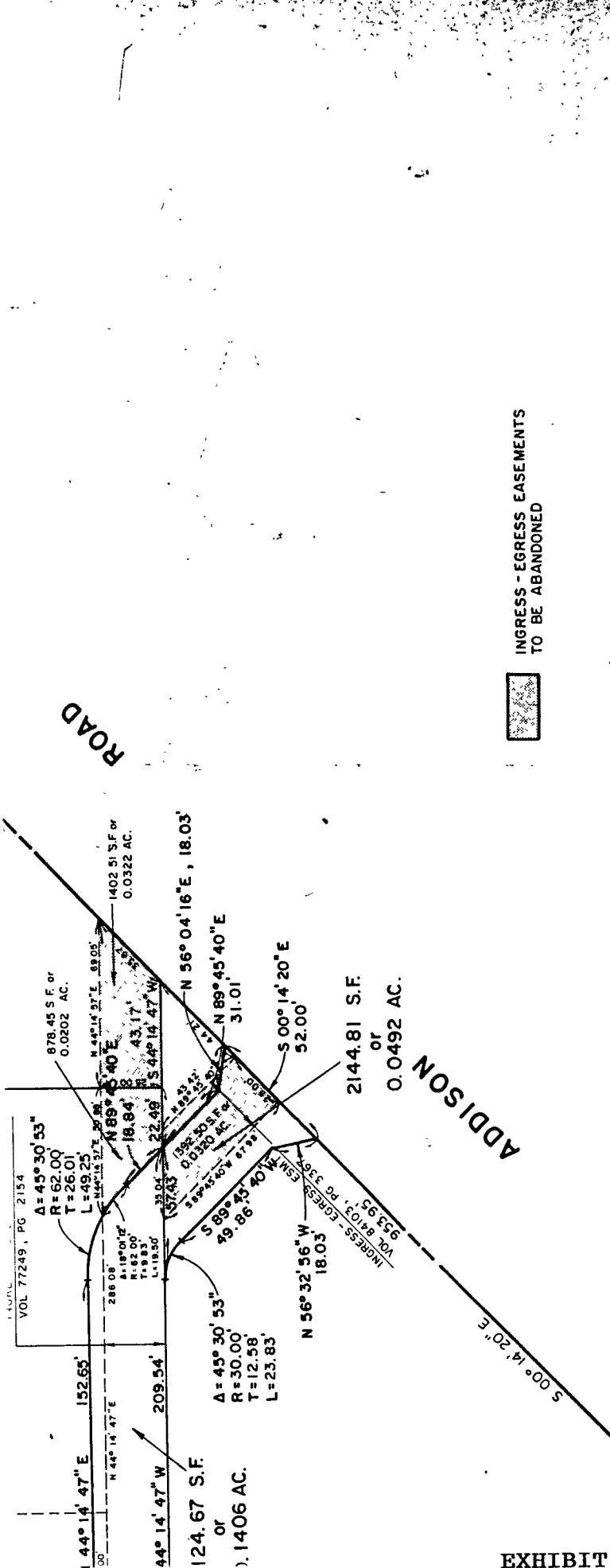
This instrument was acknowledged before me on JANUARY 10, 1994 by Rich Beckert, Mayor, Town of Addison, Texas, a Texas municipal corporation, on behalf of the said corporation.




NOTARY PUBLIC, State of Texas

Revised
8/3/95





INGRESS - EGRESS EASEMENTS
TO BE ABANDONED

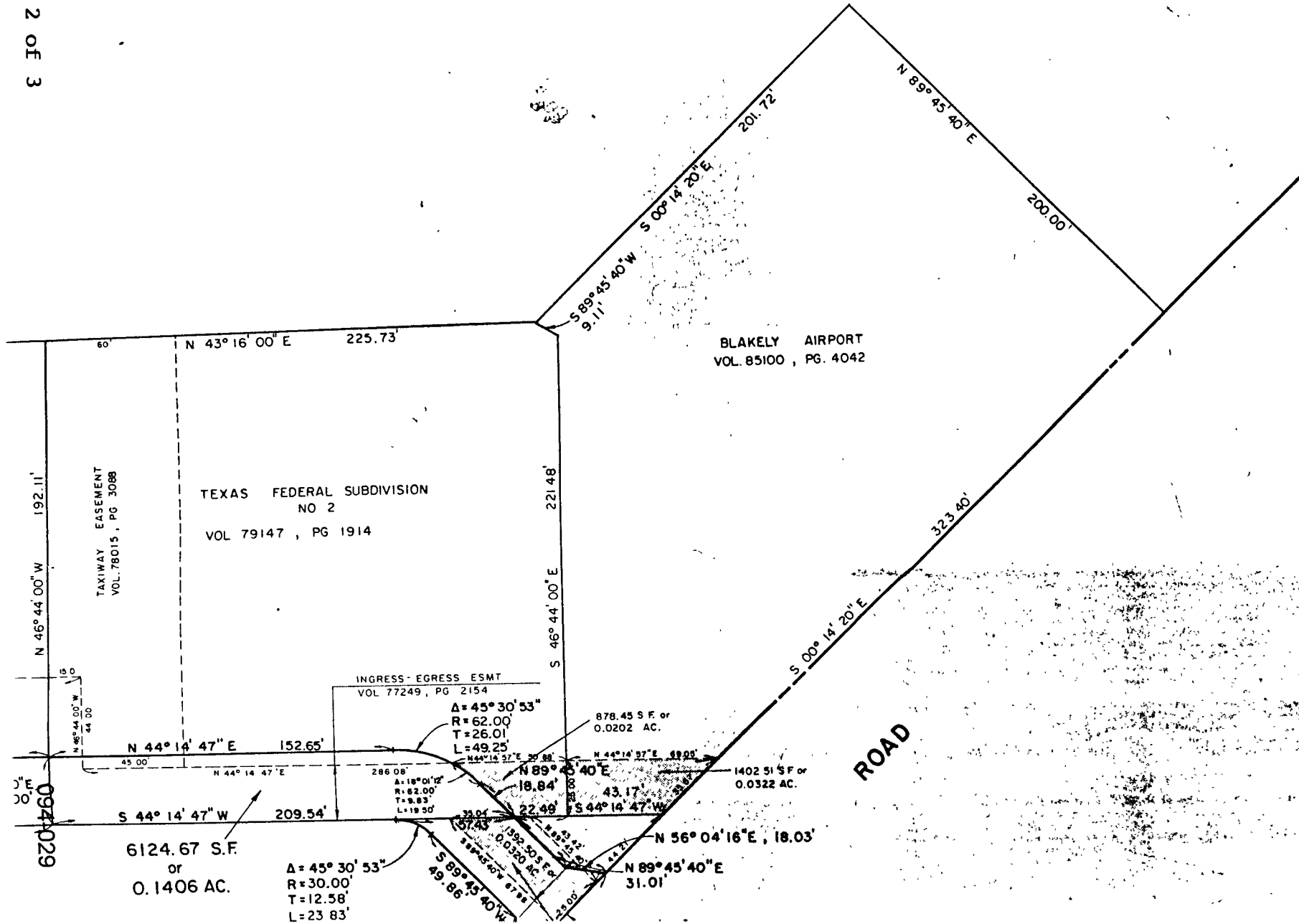


#2F-3

EXHIBIT 'A'
PROPOSED R.O.W. DEDICATION
FRANK LUKE STREET

TOWN OF ADDISON, TEXAS			
DRAWN	DESIGN	DATE	SCALE
N.W.L.	N.W.L.	4-12-94	1"=40'
FILE	NOTES	DATE	SCALE

N NEEDHAM WRIGHT LASKEY
W L ENGINEERS INC.
10290 MONROE DRIVE
SUITE 305
DALLAS, TEXAS, 75229
JOB NO. 93 - 443 PH. 214 357 2981 SHEET NO.



094-029

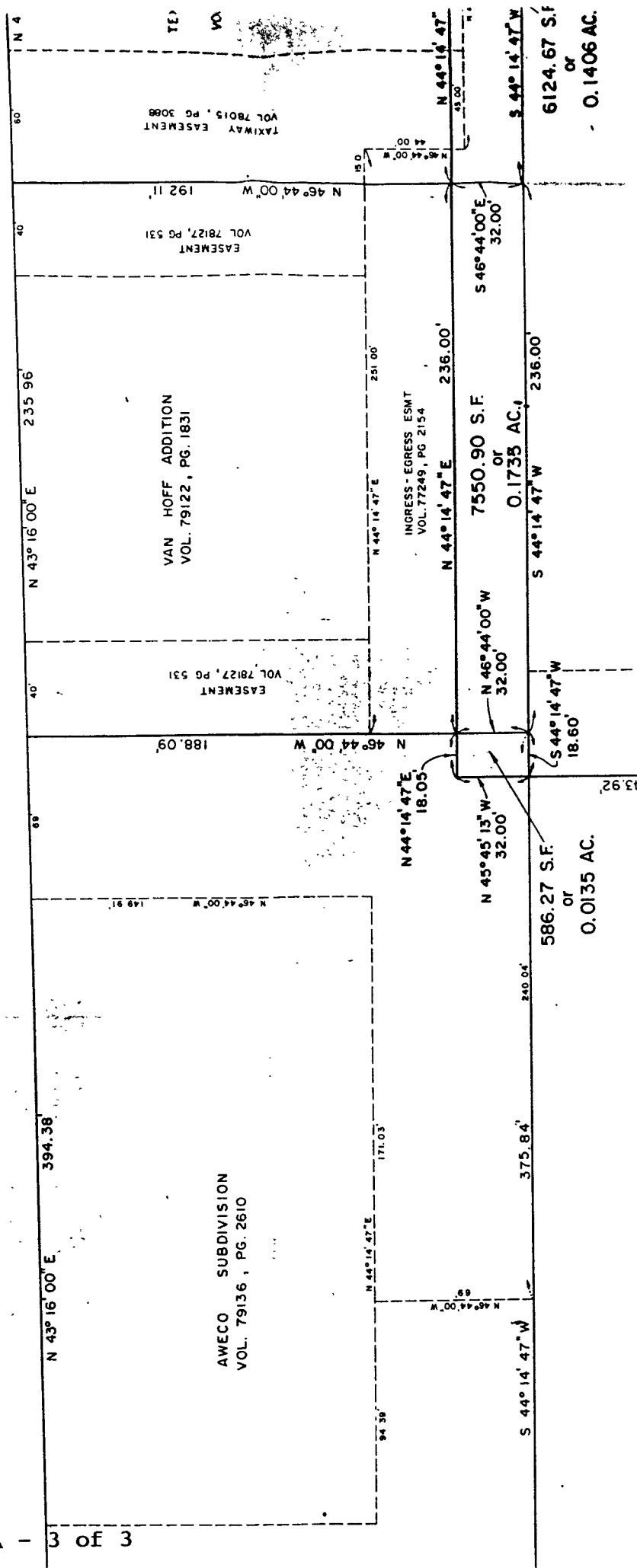


EXHIBIT 'B'

PROPOSED PAVING IMPROVEMENTS

FRANK LUKE STREET

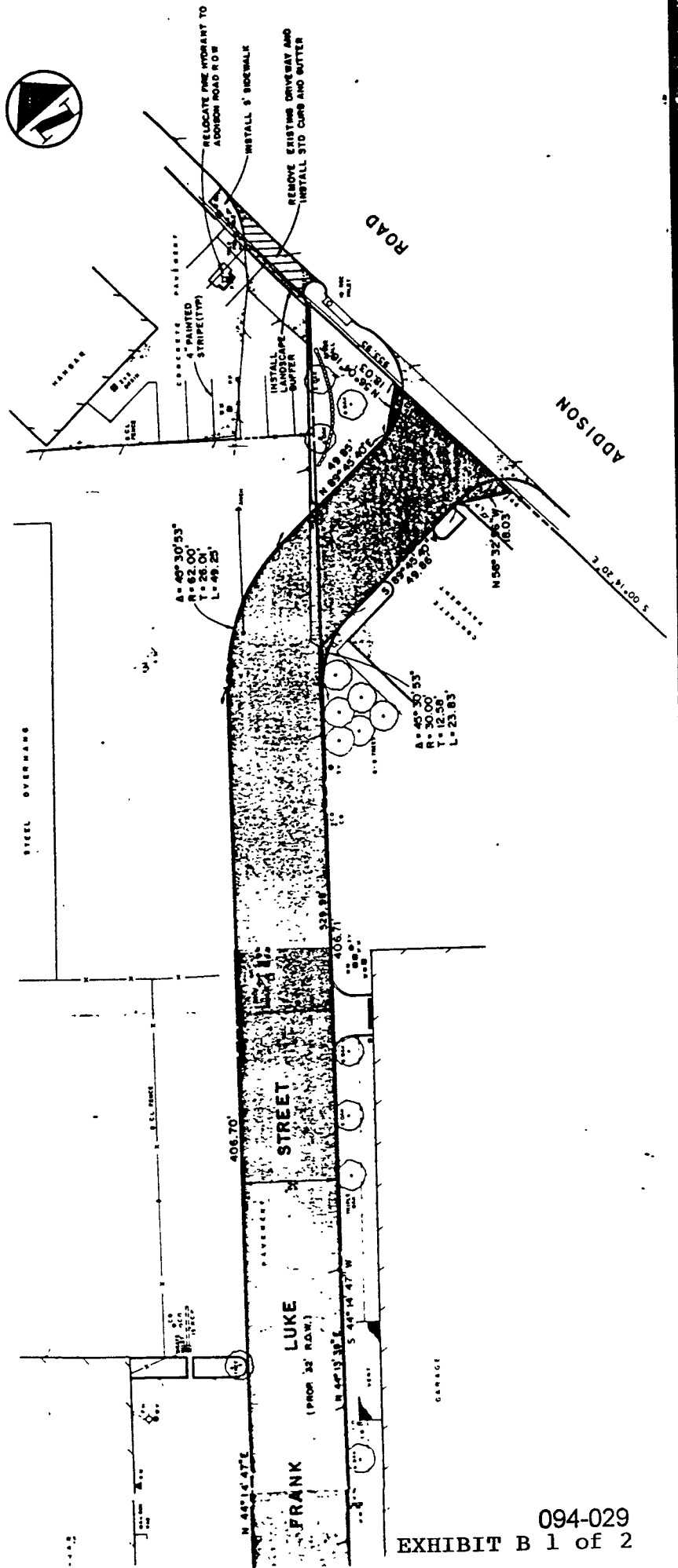
TOWN OF ADDISON, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
N.W.L.	N.W.L.	4-12-94	1" = 20' H. 1" = 6' V.			

N NEEDHAM WRIGHT LASKBY
W ENGINEERS INC

10290 WINDROSE DRIVE
SUITE 305
DALLAS, TEXAS 75228
PH 214 357 2268

JOB NO. 93-443 SHEET NO.



STEEL OVERHANG

CONCRETE PAVEMENT

HANGAR

$\Delta = 45^\circ 30' 53''$
 $R = 62.00'$
 $T = 28.01'$
 $L = 49.25'$

$\Delta = 45^\circ 30' 53''$
 $R = 30.00'$
 $T = 12.38'$
 $L = 23.83'$

$M = 56^\circ 32' 56''$
 $18.03'$

$5.00' \times 1.00'$

406.70'

STREET

LUKE

FRANK

(PROP. 32' P.D.M.)

$N 44^\circ 14' 47'' E$

$S 44^\circ 14' 47'' W$

PARKING

GARAGE

$N 45^\circ 45' 13'' W$
 $32.00'$

$N 46^\circ 22' 48'' W$
 $243.92'$

094-029

EXHIBIT C

STATE OF TEXAS §
COUNTY OF DALLAS §

ABANDONMENT OF EASEMENT

DEED 11.0
TOTL 11.00
ADD1 2785 0000000 5955 2:15PM 7/21/94

The undersigned, owner of the property shown as cross-hatched on Exhibit "A" attached hereto (the "Property"), hereby abandons all right, title and interest of the undersigned in and to the easement estate created under that certain easement agreement recorded in Volume 77249, Page 2154, of the Real Property Records, Dallas County, Texas.

Executed effective as of July 15, 1994.

SKY/RGS PROPERTIES, LTD.,
a Texas limited partnership

By: Sky America, Inc.,
a Texas corporation,
General Partner

By: *Rick Redle*
Name: Rick Redle
Title: Vice President

Before me, this instrument was acknowledged by RICK REDLE, the VICE PRESIDENT of Sky America, Inc., a Texas corporation, the sole general partner of Sky/RGS Properties, Ltd., a Texas limited partnership, on this 11th day of August, 1994, on behalf of such partnership and corporation.

Roxie Peveto
NOTARY PUBLIC, State of Texas
ROXIE PEVETO
[Print Name]
My Commission Expires: Jan. 21, 1997



FILED

95 JUL 21 AM 10:49

EARL BULLOCK
COUNTY CLERK
DALLAS COUNTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
I hereby certify this instrument was filed on the date and time stamped herein by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped herein by me.

JUL 21 1995

Earl Bullock
COUNTY CLERK, Dallas County, Texas



STATE OF TEXAS §
 §
COUNTY OF DALLAS §

DEED 13.00
TGTL 13.00
A001 2727 0000000 5957 2:15PM 7/21/94

**RIGHT-OF-WAY DEDICATION
AND ABANDONMENT OF EASEMENT**

Date: Effective as of July 15, 1994

Grantor: Carter-Crowley Properties, Inc.

Grantee: Town of Addison
 Post Office Box 144
 Addison, Texas 75001

Consideration:

- (a) Ten dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are acknowledged by Grantor; and
- (b) Benefits to be derived by Grantor and its Property as a result of proposed public improvements.

Description of Area Dedicated:

See Exhibit "A" attached hereto and by reference made a part hereof.

Purpose of Dedication:

Public right-of-way for the passage of vehicular and pedestrian traffic, including (without limitation) streets, roads, alleys, sidewalks, utilities, drainage and other customary uses of public right-of-way.

Dedication: Grantor conveys to Grantee an easement and dedicates to the public a right-of-way along, over and under the Dedication Area for the purposes permitted above TO HAVE AND TO HOLD, unto Grantee, its successors and assigns, and Grantor, together with Grantor's heirs, executors, administrators or successors, shall Warrant and Forever Defend all and singular the said easement and dedication unto Grantee, its successors and assigns.

EXHIBIT "A"

ADDISON CENTER TRACT

LEGAL DESCRIPTION

BEING a parcel of land situated in the William Lomax Survey, Abstract No. 792, Town of Addison, Dallas County, Texas and being a part of Addison Center, an addition to the Town of Addison as recorded in Volume 84103, Page 3367 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at the most northerly property corner of said Addison Center, said point also being in the West right-of-way line of Addison Road; thence South 00 deg. 14 min. 20 sec. East a distance of 39.21 feet along said West line of Addison Road to the POINT OF BEGINNING;

THENCE continuing along said West line of Addison Road South 00 deg. 14 min. 20 sec. East a distance of 52.00 feet to a point for corner;

THENCE North 56 deg. 32 min. 56 sec. West a distance of 18.03 feet to a point for corner;

THENCE South 89 deg. 45 min. 40 sec. West a distance of 49.86 feet to a point for the beginning of a curve to the left having a radius of 30.00 feet and a central angle of 45 deg. 30 min. 53 sec.;

THENCE along said curve to the left a distance of 23.83 feet to a point for the end of said curve in the South line of Texas Federal Subdivision No. 2, an addition to the Town of Addison as recorded in Volume 79147, Page 1914, Deed Records, Dallas County, Texas;

THENCE North 44 deg. 14 min. 47 sec. East along the south line of said Texas Federal Subdivision a distance of 57.43 feet to a point for corner;

THENCE North 89 deg. 45 min. 40 sec. East a distance of 31.01 feet to a point for corner;

THENCE North 56 deg. 04 min. 16 sec. East a distance of 18.03 feet to the POINT OF BEGINNING and containing 2144.81 square feet or 0.0492 acres of land.

FILED
95 JUL 21 AM 10:50
EARL BULLOCK
COUNTY CLERK
DALLAS COUNTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
I hereby certify 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.

JUL 21 1995

Earl Bullock
COUNTY CLERK, Dallas County, Texas



Abandonment:

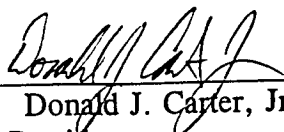
For the same consideration, Grantor abandons all right, title and interest of Grantor in and to any easement rights created under that certain easement agreement recorded in Volume 77249, Page 2154, of the Real Property Records, Dallas County, Texas.

Miscellaneous:

- (a) The rights and obligations set forth in this Dedication shall bind and inure to the benefit of the successors and assigns of Grantor and Grantee and shall run with land so as to benefit and burden the future owners of any direct or indirect interest in the real property encumbered by this Dedication.
- (b) Nothing in this instrument shall be construed as a waiver by Grantee of any utility connection charge or other charges imposed by ordinance or Charter of the Town of Addison.
- (c) When the context requires it, singular nouns and pronouns include the plural.

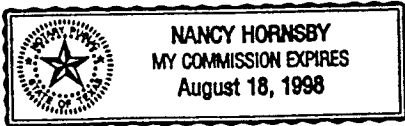
EXECUTED effective as of the day first written above.

PERSONAL WAY AVIATION, INC.,
a Texas corporation

By: 
Name: Donald J. Carter, Jr.
Title: President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Before me, this instrument was acknowledged by Donald J. Carter, Jr., as President of Personal Way Aviation, Inc., a Texas corporation, on this 10 day of NOVEMBER 1994, on behalf of the corporation.



Nancy Hornsby
NOTARY PUBLIC, State of Texas

NANCY HORNSBY
[Print Name]

My Commission Expires: Aug. 18, 1998

F:\CCP\Dedication.PWA

UPON RECORDING, RETURN TO:

Carter-Crowley Properties, Inc.
Attn: Jeffrey Fink, Esq.
General Counsel
2711 LBJ Freeway, Suite 400
Dallas, Texas 75234

EXHIBIT "A"

VAN HOFF TRACT

LEGAL DESCRIPTION

BEING a parcel of land situated in the William Lomax Survey, Abstract No. 792, Town of Addison, Dallas County, Texas and being a part of the Van Hoff Addition, an addition to the Town of Addison as recorded in Volume 79122, Page 1831 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner at the most easterly corner of said Van Hoff Addition, said point also being in the north line of Addison Center, an addition to the Town of Addison as recorded in Volume 84103, Page 3367, Deed Records, Dallas County, Texas;

THENCE South 44 deg. 14 min. 47 sec. West along the north line of said Addison Center a distance 214.00 feet to a point for corner;

THENCE North 46 deg. 44 min. 00 sec. West a distance of 32.00 feet to a point for corner;

THENCE North 44 deg. 14 min. 47 sec. East a distance of 214.00 feet to a point for corner in the southwest line of Texas Federal Subdivision No. 2, an addition to the Town of Addison as recorded in Volume 79147, Page 1914, Deed Records, Dallas County, Texas;

THENCE South 46 deg. 44 min. 00 sec. East along the southwest line of said Texas Federal Subdivision No. 2 a distance of 32.00 feet to the POINT OF BEGINNING and containing 6847.0 square feet or 0.1572 acres of land.

FILED

95 JUL 21 AM 10:50

EARL BULLOCK
COUNTY CLERK
DALLAS COUNTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
I hereby certify this Instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the same records of Dallas County, Texas as stamped hereon by me.

COUNTY OF DALLAS

JUL 21 1995



Earl Bullock
COUNTY CLERK, Dallas County, Texas

STATE OF TEXAS §
COUNTY OF DALLAS §

ABANDONMENT OF EASEMENT

DEED 11.
TOTL 11-0
#001 2784 0000000 5954 2:15PM 7/21/

The undersigned, owner of the property shown as cross-hatched on Exhibit "A" attached hereto (the "Property"), hereby abandons all right, title and interest of the undersigned in and to the easement estate created under that certain easement agreement recorded in Volume 77249, Page 2154, of the Real Property Records, Dallas County, Texas, but only in so far as such easement lies within the cross-hatched area shown on Exhibit "B" attached hereto. The undersigned retains all easement rights in areas lying outside the cross-hatched area shown on Exhibit "B".

Executed effective as of July 15, 1994.

EDDINS ENTERPRISES, INC.,
a Texas corporation

By: Roy A. Eddins
Name: Roy A. Eddins
Title: President

Before me, this instrument was acknowledged by Roy A. Eddins, the President of Eddins Enterprises, Inc., a Texas corporation, on this 7 day of Sept., 1994, on behalf of the corporation.

UPON RECORDING, RETURN TO:

Carter-Crowley Properties, Inc.
Attn: Jeffrey Fink, Esq.
General Counsel
2711 LBJ Freeway, Suite 400
Dallas, Texas 75234

Jackie Bellinger
NOTARY PUBLIC, State of Texas
Jackie Bellinger
[Print Name]
My Commission Expires: 1/29/98

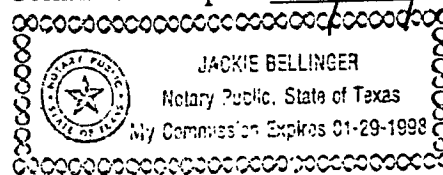
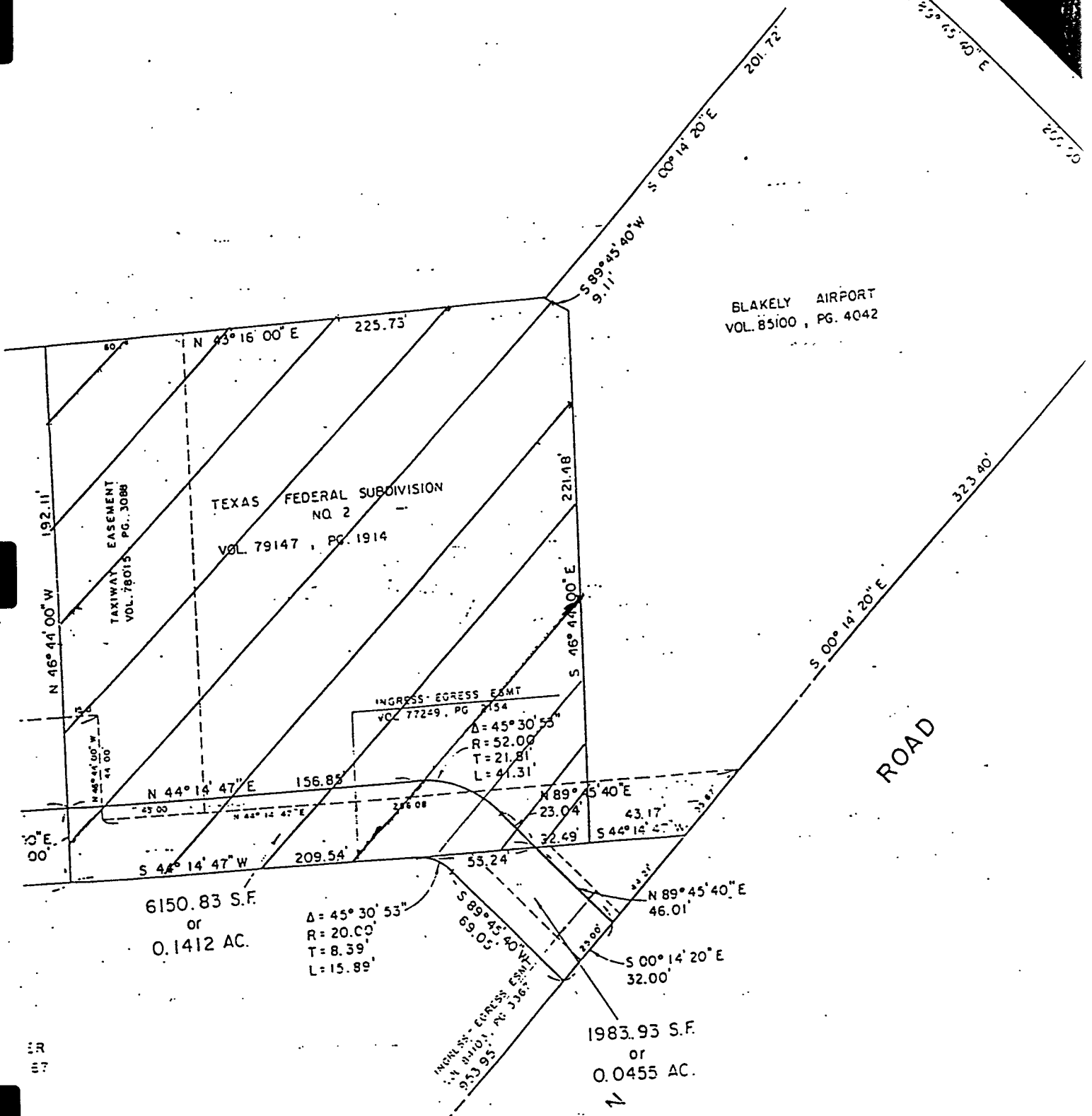


EXHIBIT "A"



57

ANNECO SUBDIVISION

199C0 14156

N 46° 25' 48" W 243.92'

N 46° 44' 00" W 220.09'

EASEMENT VOL. 78127, PG. 531

VAN HOFF ADDITION VOL. 79122, PG. 1831

EASEMENT VOL. 78127, PG. 531

TAXIWAY EASEMENT VOL. 78015, PG. 3088

TEXAS FEDERAL SUBDIVISION NO. 2 VOL. 79147, PG. 1914

INGRESS - EGRESS ESMT VOL. 83185, PG. 6881

ADDISON CENTER VOL. 84103, PG. 3367

6124.67 S.F. OR 0.1406 AC.

A = 45° 30' 53" R = 30.00 T = 12.58 L = 23.83

N 56° 32' 56" W 18.03

INGRESS - EGRESS ESMT VOL. 84103, PG. 3367 953.95

INGRESS - EGRESS ESMT VOL. 77249, PG. 2154 A = 45° 30' 53" R = 62.00 T = 26.01 L = 49.25

N 46° 44' 00" W 32.00
S 44° 14' 47" W 214.00
6,847.0 S.F. OR 0.1572 AC.

INGRESS - EGRESS ESMT VOL. 77249, PG. 2154

S 46° 44' 00" E 32.00

N 44° 14' 47" E 209.74

N 44° 14' 47" E 152.65

INGRESS - EGRESS ESMT VOL. 77249, PG. 2154



FILED

95 JUL 21 AM 10:49

EARN BULLOCK
COUNTY CLERK
DALLAS COUNTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
I hereby certify this instrument was filed on this date and time at the office of the County Clerk of Dallas County, Texas as stamped herein by me.



JUL 21 1995

Earn Bullock
COUNTY CLERK, Dallas County, Texas

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

DEED 15.0
TOTL 15.00
#001 2783 0000000 5958 2:15PM 7/21/94

**RIGHT-OF-WAY DEDICATION
AND ABANDONMENT OF EASEMENT**

Date: Effective as of July 15, 1994

Grantor: Eddins Enterprises, Inc.

Grantee: Town of Addison
 Post Office Box 144
 Addison, Texas 75001

Consideration:

- (a) Ten dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are acknowledged by Grantor; and
- (b) Benefits to be derived by Grantor and its Property as a result of proposed public improvements.

Description of Area Dedicated:

See Exhibit "A" attached hereto and by reference made a part hereof.

Purpose of Dedication:

Public right-of-way for the passage of vehicular and pedestrian traffic, including (without limitation) streets, roads, alleys, sidewalks, utilities, drainage and other customary uses of public right-of-way.

Dedication: Grantor conveys to Grantee an easement and dedicates to the public a right-of-way along, over and under the Dedication Area for the purposes permitted above TO HAVE AND TO HOLD, unto Grantee, its successors and assigns, and Grantor, together with Grantor's heirs, executors, administrators or successors, shall Warrant and Forever Defend all and singular the said easement and dedication unto Grantee, its successors and assigns.

TEXAS FEDERAL SUBDIVISION NO. 2 TRACT

LEGAL DESCRIPTION

BEING a parcel of land situated in the William Lomax Survey, Abstract No. 792, Town of Addison, Dallas County, Texas and being a part of the Texas Federal Subdivision No. 2, an addition to the Town of Addison as recorded in Volume 79147, Page 1914 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for corner at the most southerly corner of said Texas Federal Subdivision No. 2, said point also being in the north line of Addison Center, an addition to the Town of Addison as recorded in Volume 84103, Page 3367, Deed Records, Dallas County, Texas;

THENCE North 46 deg. 44 min. 00 sec. West a distance of 32.00 feet to a point for corner;

THENCE North 44 deg. 14 min. 47 sec. East a distance of 152.65 feet to a point for the beginning of a curve to the right having a radius of 62.00 feet and a central angle of 45 deg. 30 min. 53 sec.;

THENCE along said curve to the right a distance of 49.25 feet to a point for the end of said curve;

THENCE North 89 deg. 45 min. 40 sec. East a distance of 18.84 feet to a point for corner in the north line of said Addison Center;

THENCE South 44 deg. 14 min. 47 sec. West along the north line of said Addison Center a distance of 209.54 feet to the POINT OF BEGINNING and containing 6124.67 square feet or 0.1406 acres of land.

1920
SUBDIVISION

46° 25' 48" W 243.92'

N 46° 44' 00" W 220.09'

EASEMENT
VOL. 78127, PG. 531

VAN HOFF ADDITION
VOL. 79122, PG. 1831

N 43° 16' 00" E 235.96'

INGRESS - EGRESS ESMT.
VOL. 83185, PG. 6881

ADDISON CENTER
VOL. 84103, PG. 3367

N 46° 44' 00" W 32.00'
S 44° 14' 47" W 214.00'
6,847.0 S.F.
0.1572 AC.

INGRESS - EGRESS ESMT.
VOL. 77249, PG. 2154

EASEMENT
VOL. 78127, PG. 531

N 46° 44' 00" W 192.11'

TAXIWAY EASEMENT
VOL. 78015, PG. 3088

N 43° 16' 00" E 225.73'

TEXAS FEDERAL SUBDIVISION
NO. 2
VOL. 79147, PG. 1914

6124.67 S.F.
OR
0.1406 AC.

A = 45° 30' 53"
R = 30.00'
T = 12.58'
L = 23.83'

N 56° 32' 56" W 18.03'
S 89° 43' 40" W 49.86'

INGRESS - EGRESS ESMT.
VOL. 77249, PG. 2154

A = 45° 30'
R = 62.00'
T = 26.01'
L = 49.25'

0514 | 03681

COUNTY CLERK, Dallas County, Texas

Gay R. Kuntz



JUL 21 1995

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
I hereby certify 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
STATE OF TEXAS

FILED
95 JUL 21 AM 10:50
EARL HULL LOCK
COUNTY CLERK
DALLAS COUNTY