



201300139206 ✓

ORD 1/39

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 013-016

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS PROVIDING FOR THE ABANDONMENT WITHOUT WARRANTY OF THE TOWN'S EASEMENT INTEREST IN SAKOWITZ DRIVE FOR RIGHT-OF-WAY (VEHICULAR AND PEDESTRIAN ACCESS) PURPOSES ONLY AS DESCRIBED HEREIN; RESERVING THE TOWN'S INTEREST IN SAKOWITZ DRIVE FOR UTILITY, DRAINAGE, AND OTHER PURPOSES; ACCEPTING A UTILITY EASEMENT IN SAKOWITZ DRIVE; PROVIDING A GOVERNING LAW AND VENUE PROVISION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "City"), a home rule municipality, owns an easement for street, utility, and drainage purposes in, across, upon and under Sakowitz Drive within the City; and

WHEREAS, Sakowitz Drive is approximately .15 miles in length and of varying width but is generally approximately 65 feet wide, and is more particularly described and depicted in Exhibit A attached hereto and incorporated herein (which Exhibit consists of four sets of metes and bounds and corresponding surveys that are separately identified as Exhibit A-1, Exhibit A-2, Exhibit A-3, and Exhibit A-4), and extends from its intersection with Belt Line Road southeast to its intersection with Montfort Drive ("Sakowitz Drive"); and

WHEREAS, the City acquired its easement interest in (a) the most northerly 50 (approximately) feet of the street by prescription (to the best of the City's knowledge) (one-half (approximately 25 feet) of which is highlighted by forward slash marks (/ / /) on the attached Exhibits A-1, A-2, and A-3 (the "North 25 Feet"), and one-half of which is highlighted by hash tag marks (# # #) on the attached Exhibit A-4 (the "South 25 Feet")), (b) the most southerly 15 feet (highlighted by backward slash marks (\ \ \) on the attached Exhibit A-4 ("Most Southerly 15 Feet")) by dedication of an easement for street widening pursuant to an instrument entitled Plat Revision, Village on the Parkway, and recorded in Volume 79076, Page 2532 and in Volume 79197, Page 1378, Official Public Records, Dallas County, Texas, and (c) the remainder of the street, being a triangular portion (highlighted by asterisks (* * *) on Exhibit A-3 (the "Triangular Portion")) located along its north side and at its intersection with Montfort Drive, by a plat of Oaks North-West No. 2, record in Volume 79121, Page 579, Official Public Records, Dallas County, Texas (on which plat the said Triangular Portion is shown as "Proposed Street R.O.W."); and

WHEREAS, three (3) tracts of land abut the north side of Sakowitz Drive (the "North Side Tracts"), which tracts are generally described as (a) Lot A, Block 1, Oaks North-West No. 1, the plat of which is recorded in Volume 78176, Page 2184, Official Public Records, Dallas County, Texas (the "New Drive Tract"), (b) Lot B, Block 1, Oaks North-West No. 1, the plat of which is recorded in Volume 78176, Page 2184, Official Public Records, Dallas County, Texas,

and (c) Block 1, Lot C, Oaks North-West No. 2, the plat of which is recorded in Volume 79121, Page 529, Official Public Records, Dallas County, Texas; and

WHEREAS, the North Side Tracts are all owned in fee simple title by Stonegate Company, Ltd., a Texas limited partnership ("Stonegate"), and are leased to Prestonwood Place Limited Partnership, a limited partnership ("PPLP"), and Stonegate is the fee simple title owner of (and PPLP has a certain leasehold interest in) the North 25 Feet and the Triangular Portion; and

WHEREAS, a single tract of land (the "South Side Tract"), generally described as Lot 2A, Village on the Parkway, a replat of which is recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, abuts the south side of Sakowitz Drive and is owned in fee simple title by VOP, LP, a Delaware limited partnership ("VOP"), and VOP is the fee simple title owner of the South 25 Feet and the Most Southerly 15 Feet; and

WHEREAS, VOP, Stonegate, and PPLP intend to establish a new drive for vehicular and pedestrian access extending from Belt Line Road (approximately 130 feet east of the intersection of Sakowitz Drive and Belt Line Road) south into and across the New Drive Tract and the South Side Tract, which new drive will be accessible to east bound and west bound traffic traveling along Belt Line Road, and VOP, Stonegate, and PPLP have entered into an agreement to accomplish the same; and

WHEREAS, in connection therewith, VOP, Stonegate, and PPLP have asked the City to abandon its easement interest in Sakowitz Drive for vehicular right-of-way purposes, but excluding the City's other interests in Sakowitz Drive, including its easement for water, sanitary sewer, other utility, and drainage purposes, and have represented to the City that there are no tenants, subtenants, or holders of any interest in either the North Side Tracts or the South Side Tracts that have any objection to such abandonment, and in making the abandonment set forth herein the City is relying upon such representations; and

WHEREAS, the City (i) has exclusive control and authority over its streets and may change a public street (Section 311.001, Tex. Transp. Code), (ii) has authority to abandon and discontinue a City street (Section 1.05, City Charter; Section 311.007, Tex. Transp. Code), (iii) may sell and convey an abandoned part of a street (Section 253.001(a), Tex. Loc. Gov. Code), and (iv) is authorized to convey a street, owned in fee or used by easement, to abutting property owners in the same subdivision (if the land has been subdivided) or to abutting property owners in proportion to their abutting ownership (and the division between owners must be made in an equitable manner), and such conveyance may be for less than the fair market value if the conveyance is with one or more abutting property owners who own the underlying fee simple (Section 272.001(b), (c) Tex. Loc. Gov. Code); and

WHEREAS, the City Council, acting pursuant to law, deems it advisable to abandon only the City's street right-of-way interest (for vehicular and pedestrian traffic) in Sakowitz Drive, which is surplus and is no longer needed for such public use, and the same should be abandoned, relinquished and vacated to the abutting property owner who owns the underlying fee simple title, subject to the provisions set forth herein.

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. Abandonment; Reservation of Utility and Other Rights; Easement. Subject to the provisions set forth in Section 3, below, and other terms and provisions of this Ordinance, the Town of Addison does hereby abandon the City's interest for street right-of-way (vehicular and pedestrian traffic) purposes only in Sakowitz Drive described and depicted in Exhibit A attached hereto and incorporated herein. By this Ordinance the City does not and has not, and shall not be construed to have, abandoned the City's interests, rights, and easements in Sakowitz Drive for utility (including but not limited to water and sanitary sewer), drainage, or other (if any) purposes whatsoever, all of such interests, rights and easements being hereby reserved and retained by the City.

In connection with the abandonment of Sakowitz Drive as set forth in this Ordinance, and in order to confirm, and to ensure the City's retention of, the City's interest for certain utility, drainage, and related purposes, VOP, Stonegate and PPLP have granted to the City an Easement for Utilities as set forth in Exhibit B attached hereto. Subject to the other terms and provisions of this Ordinance, the City accepts the Easement for Utilities.

Section 3. Extent of Abandonment; No Warranty. The abandonment provided for herein shall apply only to the public right, easement, and interest that the Town of Addison may lawfully abandon in Sakowitz Drive. Without limiting the foregoing, there is no abandonment of any use of or right to occupy Sakowitz Drive or any portion of Sakowitz Drive by any public utility (including, without limitation, for electric, gas, telephone, fiber optic, and/or cable television purposes). Notwithstanding any other provision of this Ordinance, the Town of Addison makes no warranty or other representation as to title to or interests in Sakowitz Drive or its easement interest abandoned.

Section 4. Governing Law; Venue. This Ordinance is governed by, subject to, and shall be construed in accordance with the laws of the State of Texas (without reference to the choice of law rules or conflicts of laws rules of any jurisdiction) and with the City Charter and ordinances of the City, and venue for any action or proceeding in connection with this Ordinance shall lie exclusively in Dallas County, Texas.


Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.


Section 7. Recording. The City Secretary is hereby directed to certify a copy of this Ordinance and cause it to be recorded in the Official Public Records of Dallas County, Texas.

Section 8. Effective Date. As set forth in the Recitals above, VOP, Stonegate, and PPLP intend to establish a new drive for vehicular and pedestrian access extending from Belt Line Road (approximately 130 feet east of the intersection of Sakowitz Drive and Belt Line Road) south into and across the New Drive Tract and the South Side Tract, which new drive will be accessible to east bound and west bound traffic traveling along Belt Line Road. Access to the new drive for west bound traffic traveling along Belt Line Road is contingent upon the City of Dallas granting and authorizing such access and the construction of a turn lane on Belt Line Road to allow such access. This Ordinance is contingent upon such grant and authorization by the City of Dallas and the construction of the turn lane, and, accordingly, the effective date of this Ordinance shall be the date that the City of Dallas issues its written approval of the turn lane following its construction. If such written approval has not been issued by October 1, 2013, this Ordinance shall be deemed null and void *ab initio* and of no force or effect whatsoever, and the City will not have abandoned any interest in Sakowitz Drive.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 23rd day of April, 2013.



Todd Meier, Mayor

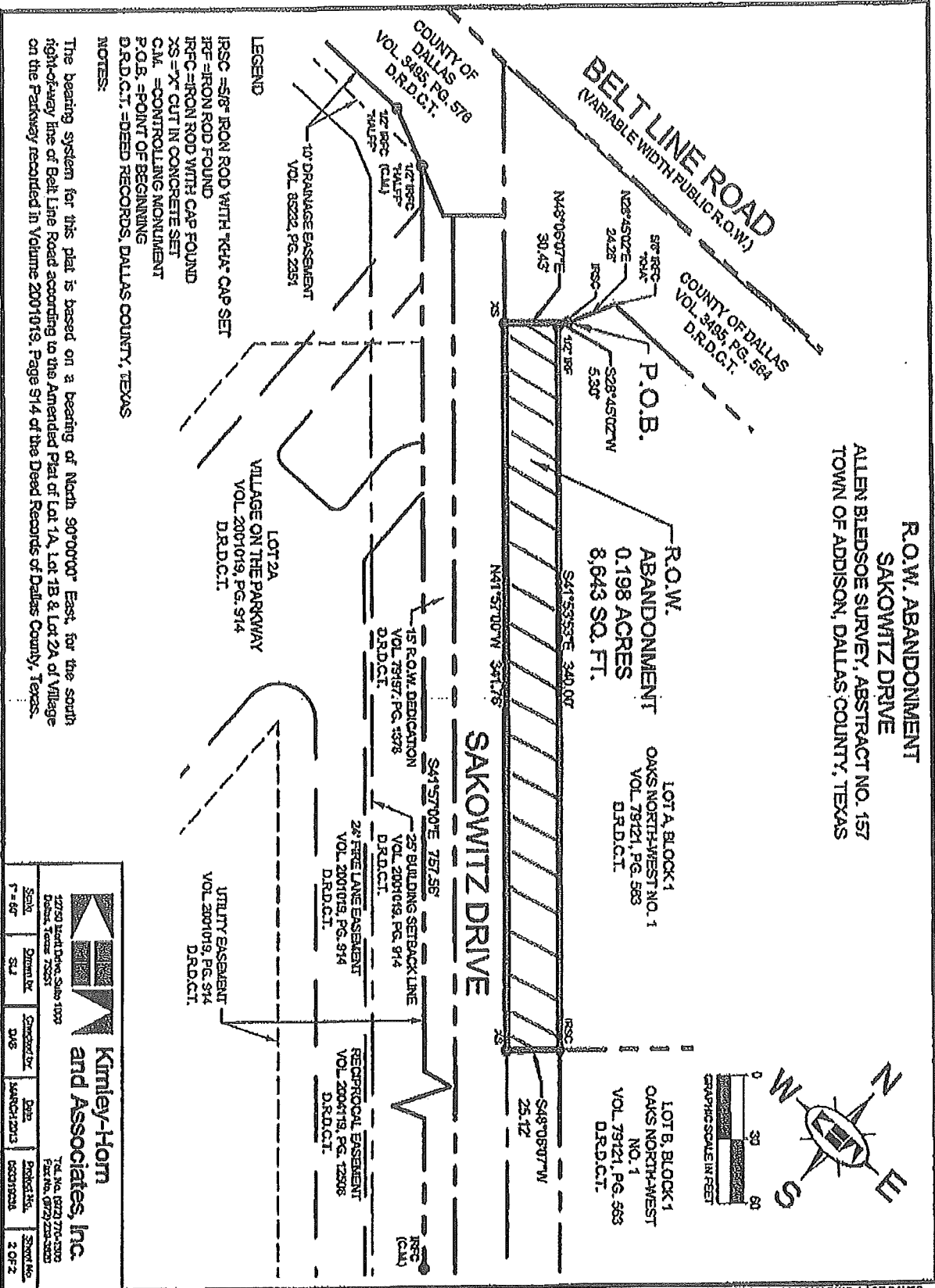
ATTEST:


Chris Terry, City Secretary

EXHIBIT A

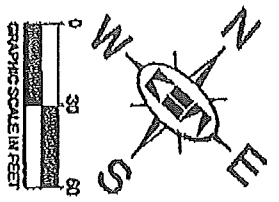
[Description of Sakowitz Drive]

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE
ALLEN BIEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**



LEGEND
 IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
 IRF = IRON ROD FOUND
 IRRC = IRON ROD WITH CAP FOUND
 XS = "X" CUT IN CONCRETE SET
 C.M. = CONTROLLING MONUMENT
 P.O.B. = POINT OF BEGINNING
 D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:
 The bearing system for this plat is based on a bearing of North 30°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.



		22750 North Dime, Suite 1000	
		Dallas, Texas 75251	
Scale	Drawn by	Checked by	Date
1" = 60'	SJL	DAS	MARCH 2013
Kimley-Horn and Associates, Inc.		Project No.	Sheet No.
Vol. No. 0921276-0002 Plat No. 0921276-0002		06371928	2 OF 2

PLOTTED BY JONES, STEPHANIE 3/27/2013 8:59 AM DWG NAME KDAL_SURVEY063319038-VILLAGE ON THE PARKWAY.DWG\G63319038-OAKS NORTH ABND 20130328.DWG LAST SAVED 3/27/2013 8:49 AM

Exhibit A-1

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 167
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 167, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

BEGINNING at a 5/8" Iron rod with "KHA" cap set for corner in a right-of-way corner clip at the intersection of the south right-of-way line of Beltline Road (a variable width public right-of-way) and the northeast right-of-way line of Sakowitz Drive; same being the west line of Lot A, Block 1, Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 563 of the Deed Records of Dallas County, Texas; from said point a 5/8" iron rod with "KHA" cap found for the northernmost corner of said right-of-way corner clip bears North 28°46'02" East, a distance of 24.28 feet;

THENCE with said corner clip and the west line of said Lot A, South 28°46'02" West, a distance of 6.30 feet to a 1/2" iron rod found for corner;

THENCE continuing with the said west line of Lot A and with the said northeast right-of-way line of Sakowitz Drive, South 41°53'53" East, a distance of 340.00 feet to a 5/8" iron rod with "KHA" cap set for corner;

THENCE departing the said west line of Lot A and the said northeast right-of-way line of Sakowitz Drive, South 46°06'07" West, a distance of 25.12 feet to an "X" cut in concrete set for corner in the centerline of said Sakowitz Drive;

THENCE along the centerline of said Sakowitz Drive, North 41°57'00" West, a distance of 341.76 feet to a an "X" cut in concrete set for corner in the said south right-of-way line of Beltline Road;

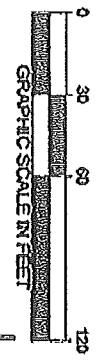
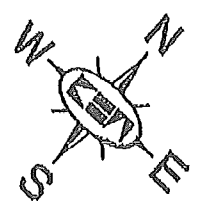
THENCE with the said south right-of-way line of Beltline Road, North 48°06'07" East, a distance of 30.43 feet to the **POINT OF BEGINNING** and containing 8,643 square feet or 0.198 acres of land.

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

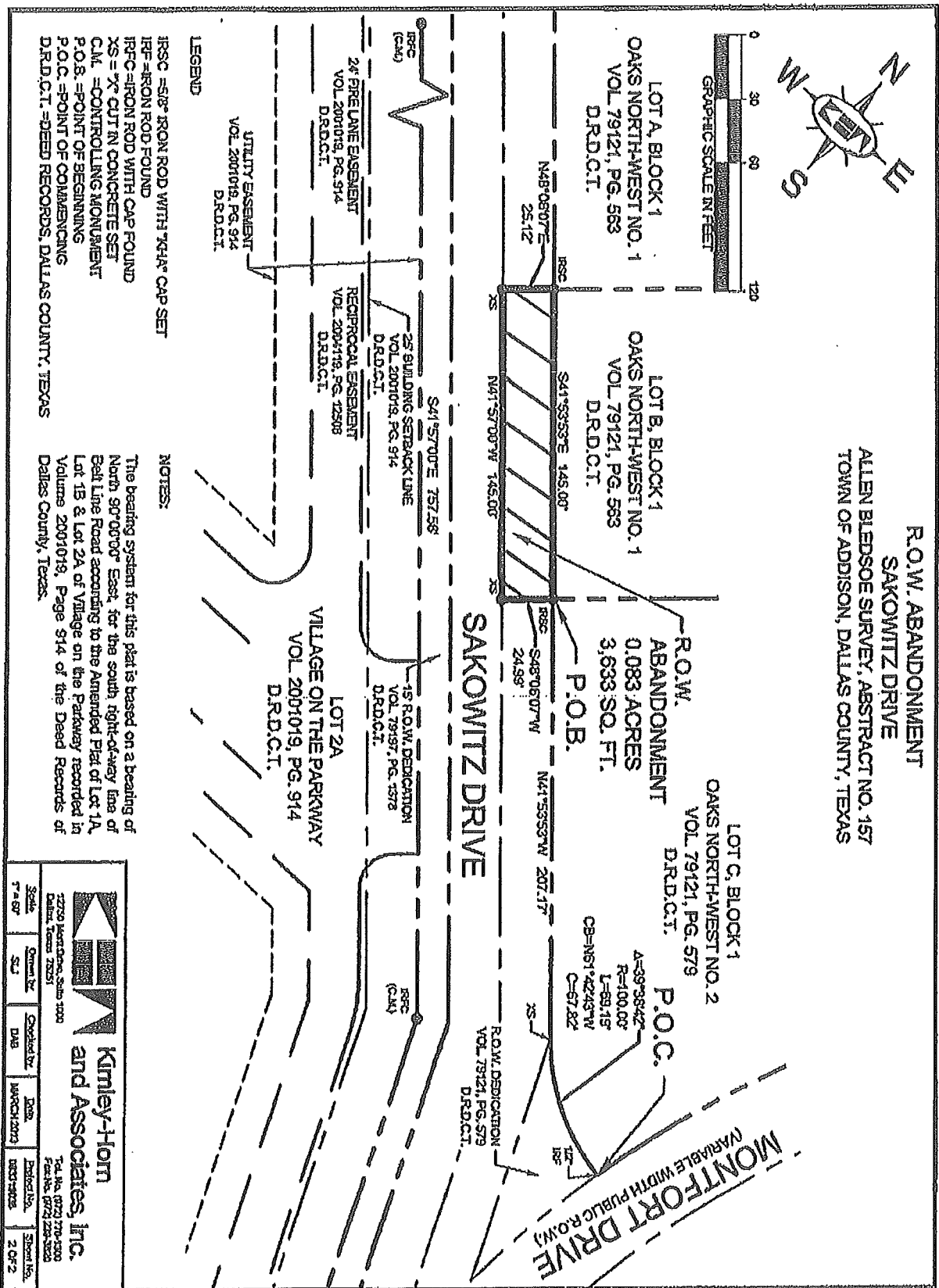
DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



		Kimley-Horn and Associates, Inc.			
		12750 Merit Drive, Suite 1000 Dallas, Texas 75251			
Tel. No. (972) 770-1300 Fax No. (972) 239-3820					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SLJ	DAB	MARCH 2013	053319039	1 OF 2



**R.O.W. ABANDONMENT
SAKOMITZ DRIVE
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**



LEGEND

IRFC = 5/8" IRON ROD WITH 7/32" CAP SET
IRF = IRON ROD FOUND
IRFC = IRON ROD WITH CAP FOUND
XS = "X" CUT IN CONCRETE SET
C.M. = CONTROLLING MONUMENT
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

**Kimley-Horn
and Associates, Inc.**

2720 Henderson, Suite 100
Dallas, Texas 75201

Tel: (972) 776-1300
Fax: (972) 776-1300

Scale	Drawn by	Checked by	Date	Revised by	Sheet No.
1" = 50'	SJ	DAB	MARCH 2013		2 OF 2

Exhibit A-2

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 167, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found for corner at the intersection of the west right-of-way line of Montfort Drive (a variable width right-of-way) and the northeast right-of-way line of said Sakowitz Drive at the beginning of a non-tangent curve to the right having a central angle of 39°38'42", a radius of 100.00 feet, a chord bearing and distance of North 61°42'43" West, 67.82 feet; same being the east corner of a variable width right-of-way dedication and the south corner of Lot C, Block 1, Oaks North-West No. 2, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 679 of the Deed Records of Dallas County, Texas;

THENCE with the said northeast right-of-way line of Sakowitz Drive, the southwest line of said Lot C, Block 1, and said curve to the right, an arc distance of 69.19 feet to an "X" cut in concrete set at the end of said curve;

THENCE continuing with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot C, Block 1, North 41°53'53" West, a distance of 207.17 feet to a 5/8" iron rod with "KHA" cap set for the **POINT OF BEGINNING**; same being the south corner of Lot B, Block 1 of Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 683 of the Deed Records of Dallas County, Texas;

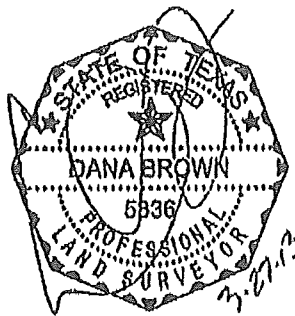
THENCE departing the said northeast right-of-way line of Sakowitz Drive, South 48°08'07" West, a distance of 24.99 feet to an "X" cut in concrete set for corner in the centerline of said Sakowitz Drive;

THENCE along the said centerline of Sakowitz Drive, North 41°57'00" West, a distance of 145.00 feet to an "X" cut in concrete set for corner;

THENCE departing the said centerline of Sakowitz Drive, North 48°08'07" East, a distance of 25.12 feet to a 5/8" iron rod with "KHA" cap set in the said northeast right-of-way line of Sakowitz Drive for the west corner of said Lot B;

THENCE with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot B, South 41°53'53" East, a distance of 145.00 feet to the **POINT OF BEGINNING** and containing 3,633 square feet or 0.083 acres of land.

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.



**DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336**

		Kimley-Horn and Associates, Inc.			
		12720 North Drive, Suite 1000 Dallas, Texas 75251			
Tel. No. (972) 710-1300 Fax No. (972) 239-3520					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1/4"	BLJ	OAB	MARCH 2013	05319038	1 OF 2

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 167
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 167, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

COMMENCING at a 1/2" Iron rod found for corner at the intersection of the west right-of-way line of Monfort Drive (a variable width right-of-way) and the northeast right-of-way line of said Sakowitz Drive at the beginning of a non-tangent curve to the right having a central angle of 39°38'42", a radius of 100.00 feet, a chord bearing and distance of North 61°42'43" West, 67.82 feet; same being the east corner of a variable width right-of-way dedication and the south corner of Lot C, Block 1, Oaks North-West No. 2, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 579 of the Deed Records of Dallas County, Texas;

THENCE with the said northeast right-of-way line of Sakowitz Drive, the southwest line of said Lot C, Block 1, and said curve to the right, an arc distance of 69.19 feet to an "X" cut in concrete set at the end of said curve;

THENCE continuing with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot C, Block 1, North 41°53'53" West, a distance of 207.17 feet to a 5/8" Iron rod with "KHA" cap set for the **POINT OF BEGINNING**; same being the south corner of Lot B, Block 1 of Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 583 of the Deed Records of Dallas County, Texas;

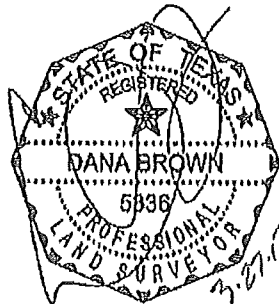
THENCE departing the said northeast right-of-way line of Sakowitz Drive, South 48°08'07" West, a distance of 24.99 feet to an "X" cut in concrete set for corner in the centerline of said Sakowitz Drive;

THENCE along the said centerline of Sakowitz Drive, North 41°57'00" West, a distance of 145.00 feet to an "X" cut in concrete set for corner;

THENCE departing the said centerline of Sakowitz Drive, North 48°08'07" East, a distance of 25.12 feet to a 5/8" Iron rod with "KHA" cap set in the said northeast right-of-way line of Sakowitz Drive for the west corner of said Lot B;

THENCE with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot B, South 41°53'53" East, a distance of 145.00 feet to the **POINT OF BEGINNING** and containing 3,633 square feet or 0.083 acres of land.

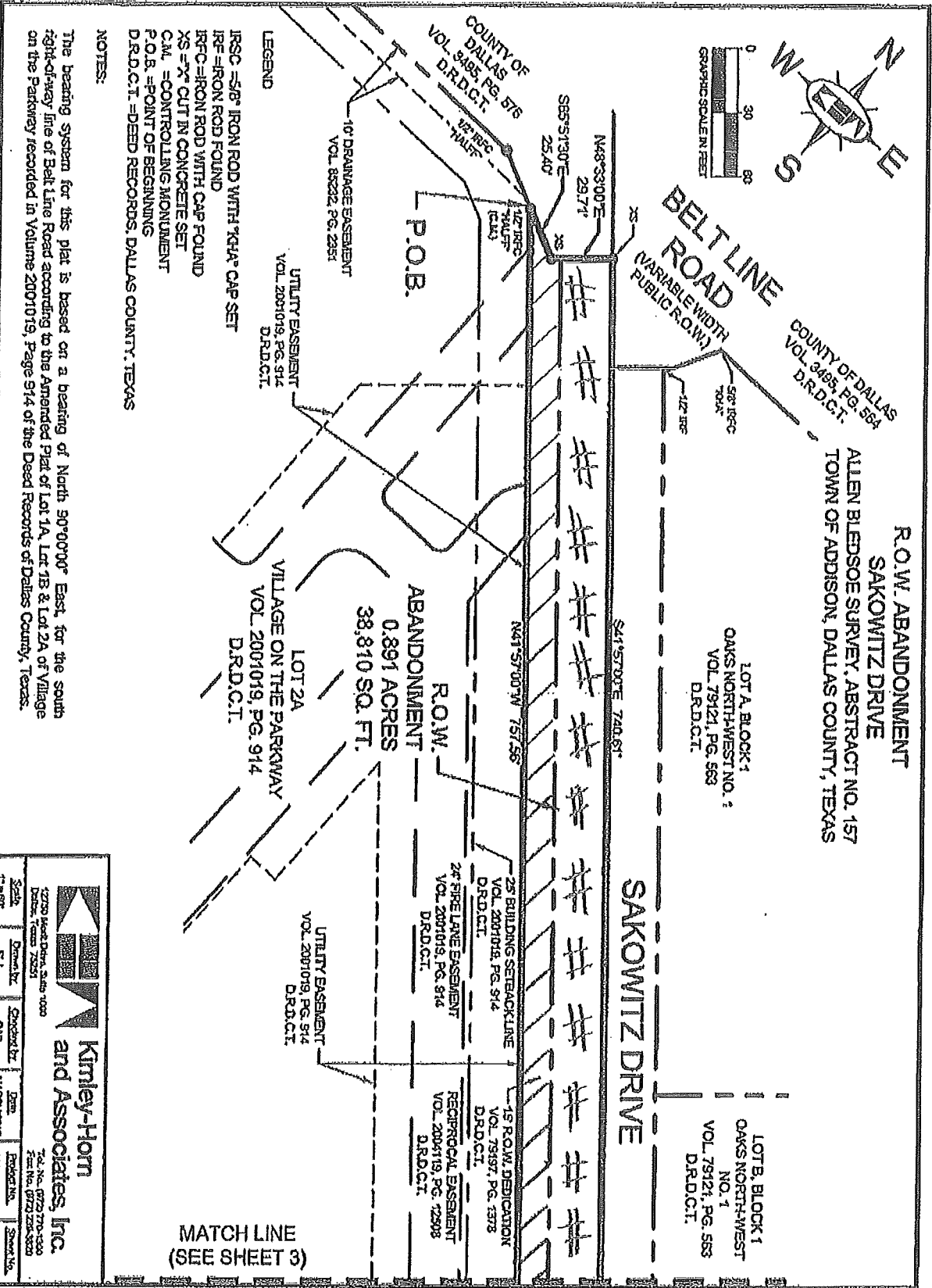
The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.



DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6338

		Kimley-Horn and Associates, Inc.		Tel. No. (972) 776-1300 Fax No. (972) 233-3270	
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	ELJ	OAB	MARCH 2013	053319038	1 OF 2

PLOTTED BY JONES, STEPHANIE 3/27/2013 9:41 AM DWG NAME KIDAL, SURVEY NO 63319038-VILLAGE ON THE PARKWAY DWG NO 053319038-OAKS HWY2 ABND 20130320.DWG LAST SAVED 3/27/2013 9:32 AM



NOTES:
 The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

LEGEND
 IRSC = 5/8" IRON ROD WITH 1/4" CAP SET
 IFR = IRON ROD FOUND
 X = 1/2" CUT IN CONCRETE SET
 C.M. = CONTROLLING MONUMENT
 P.O.B. = POINT OF BEGINNING
 D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

Kimley-Horn and Associates, Inc.
 4270 Lead Drive, Suite 1000
 Dallas, Texas 75251
 Tel: (972) 770-8300
 Fax: (972) 770-8300

Scale	Drawn By	Checked By	Date	Project No.	Sheet No.
1"=50'	SJ	DAS	MARCH 2013	00019008	2 OF 3

Exhibit A-4

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE**
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

**MATCH LINE
(SEE SHEET 2)**

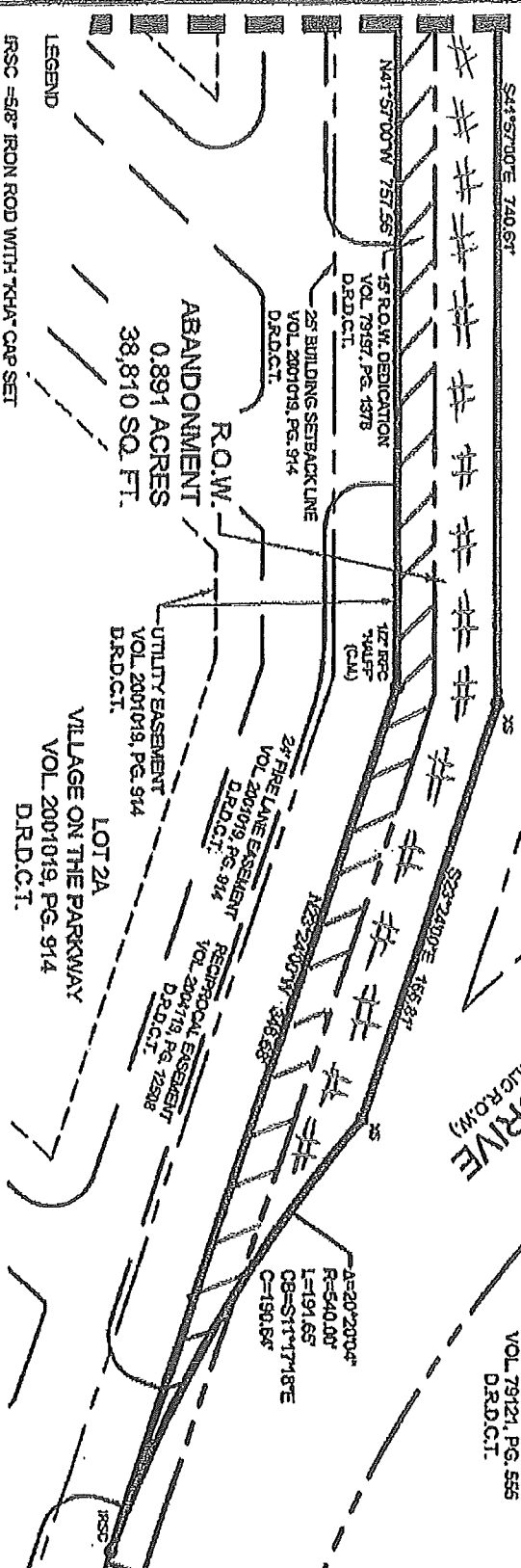
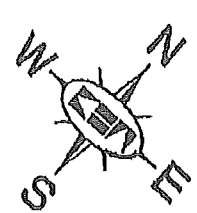
LOT C, BLOCK 1
OAKS NORTHWEST NO. 2
VOL. 79121, PG. 579
D.R.D.C.T.

ROW DEDICATION
VOL. 79121, PG. 579
D.R.D.C.T.

SAKOWITZ DRIVE

MONTFORT DRIVE
(VARIABLE WIDTH PUBLIC ROW)

REMAINDER
LOT D, BLOCK 2
OAKS NORTH-EAST NO. 4
VOL. 79121, PG. 555
D.R.D.C.T.



- LEGEND**
- IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
 - IRF = IRON ROD FOUND
 - IRFC = IRON ROD WITH CAP FOUND
 - C.M. = CONTROLLING MONUMENT
 - P.O.B. = POINT OF BEGINNING
 - D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:
The bearing system for this plat is based on a bearing of North 90°00'00" East for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

Kimley-Horn and Associates, Inc.	
Project No.	2220
Drawn By	SLJ
Checked By	DAB
Date	11/03/2013
Project No.	2220
Drawn By	SLJ
Checked By	DAB
Date	11/03/2013

Exhibit A-4

**R.O.W. ABANDONMENT
SAKOWITZ DRIVE
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

BEGINNING at a 1/2" Iron rod with "Halff & Associates" cap found for corner at the south end of a right-of-way corner clip at the intersection of the southwest right-of-way line of said Sakowitz Drive with the south right-of-way line of Belt Line Road (a variable width public right-of-way);

THENCE departing said right-of-way corner clip and with the said south right-of-way line of Belt Line Road, the following courses and distances:

South 66°51'30" East, a distance of 25.40 feet to an "X" cut in concrete set for corner;
North 48°33'00" East, a distance of 29.71 feet to an "X" cut in concrete set for corner in the centerline of said Sakowitz Drive;

THENCE along the said centerline of Sakowitz Drive, the following courses and distances:

South 41°57'00" East, a distance of 740.61 feet to an "X" cut in concrete set for corner;
South 23°24'00" East, a distance of 166.81 feet to an "X" cut in concrete set in the west right-of-way line of Montfort Drive (a variable width right-of-way) at the beginning of a non-tangent curve to the left having a central angle of 20°20'04", a radius of 540.00 feet, a chord bearing and distance of South 11°17'18" East, 190.64 feet;

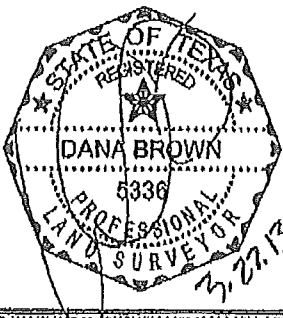
THENCE with the said west right-of-way line of Montfort Drive and said curve to the left, in a southeasterly direction, an arc distance of 191.66 feet to a 5/8" iron rod with "KHA" cap set for corner at the south end of a right-of-way corner clip at the intersection of the said west right-of-way line of Montfort Drive and the said southwest right-of-way line of Sakowitz Drive at the end of said curve;


THENCE with said right-of-way corner clip, North 23°24'00" West, a distance of 346.68 feet to a 1/2" iron rod with "Halff & Associates" cap found for corner in the said southwest right-of-way line of Sakowitz Drive;

THENCE with the said southwest right-of-way line of Sakowitz Drive, North 41°57'00" West, a distance of 757.56 feet to the **POINT OF BEGINNING** and containing 38,810 square feet or 0.891 acres of land.

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



 Kimley-Horn and Associates, Inc.		12750 Merit Drive, Suite 1000 Dallas, Texas 75251		Tel. No. (972) 770-1300 Fax No. (972) 239-3970	
		Set by HJA	Reviewed by SLJ	Checked by DAB	Date MARCH 2013

PLOTTED BY JONES, STEPHANIE 3/27/2013 8:53 AM DWG NAME: K:\AL\2\SURVEY\063316039-VILLAGE ON THE PARKWAY\DWG\063316039-VCP ABND 120130328.DWG LAST SAVED 3/28/2013 6:50 PM

Exhibit A-4

EXHIBIT B

[Executed Copy of Utility Easement]

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

After Recording Return To:
Ms. Carmen Moran
Town of Addison, Texas
P.O. Box 9010
Addison, Texas 75001

EASEMENT FOR UTILITIES

DATE: April __, 2013

GRANTORS: VOP, LP
 2000 McKinney Avenue, Suite 1000
 Dallas, Texas 75201
 Attn: Mr. Robert Dozier

 STONEGATE COMPANY, LTD.
 3709 Bryn Mawr Drive
 Dallas, Texas 75225
 Attn: Mr. Keith Young

 PRESTONWOOD PLACE LIMITED PARTNERSHIP
 c/o Rushmore Properties, LLC
 212 W. Kinzie Street, 6th Floor
 Chicago, Illinois 60654
 Attn: Mr. Scott J. McCubbrey

GRANTEE: TOWN OF ADDISON, TEXAS
 5300 Belt Line Road
 Dallas, Texas 75254
 (Dallas County, Texas)

CONSIDERATION:

Ten Dollars (\$10.00) in hand paid by Grantee, the receipt and sufficiency of which is acknowledged by Grantors, and other good and valuable consideration.

EASEMENT PROPERTY:

See Exhibit "A" attached hereto and incorporated herein by reference.

EASEMENT PURPOSE: For the construction, installation, operation, improvement, use, inspection, repair, maintenance, reconstruction, replacement, relocation and removal of utilities (including, without limitation, water, sanitary sewer, storm sewer, drainage, electric, gas, telephone, telecommunications, and cable television), together with all and singular related rights and appurtenances, facilities, equipment and attachments thereto, including, without limitation, lines, pipelines, valves, manholes, manhole vents, lateral line connections, and junction boxes (collectively, the "Facilities"), and customary uses attendant thereto.

RESERVATIONS FROM CONVEYANCE:

None.

EXCEPTIONS TO WARRANTY:

None.

GRANT OF EASEMENT: Grantors, for the Consideration described above and subject to the Reservations from Conveyance and the Exceptions to Warranty, DEDICATE, GRANT, SELL, and CONVEY to Grantee and Grantee's successors and assigns, each as to their respective interests in and to the Easement Property, an easement and right-of-way on, in, over, under, through, and across the Easement Property, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), TO HAVE AND TO HOLD the Easement to Grantee and Grantee's heirs, successors and assigns forever. Grantors bind Grantors and each Grantor's heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND the title to the Easement in Grantee and Grantee's heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement, by, through or under Grantors, but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Warranty.

TERMS AND CONDITIONS:

1. *Character of Easement.* The Easement is exclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee's heirs, successors and assigns. The Easement is appurtenant to and runs with the real property of Grantee which abuts the Easement Property or any portion thereof.

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Grantors reserve for Grantors and each Grantor's heirs, successors and assigns the right to use all or part of the Easement Property in conjunction with Grantors as long as such use by Grantors and each Grantor's heirs, successors and assigns does not interfere with the use of the Easement Property by Grantee and Grantee's successors and assigns.

4. *Improvement and Maintenance of Easement Property.* Grantors agree, for the consideration set forth herein, not to construct or place within the Easement Property any

buildings, structures, fences, or other improvements of any nature whatsoever, or any shrubs, trees or other growth of any kind, or otherwise interfere with the Easement, without the prior written consent of Grantee; however, Grantors reserve the right to pave all or parts of the area of the Easement Property and use such area for parking and vehicular and pedestrian ingress and egress. Grantee shall have the right to remove, and keep removed, all or parts of any building, structure, fence, or other improvement, or any shrub, tree, or other growth, of any character that is located within the Easement Property and which, in the judgment of Grantee, may endanger or in any way interfere with the construction, efficiency, or convenient and safe operation and maintenance of the Easement or the Facilities described herein or the exercise of Grantee's rights hereunder. Grantee, its heirs, successors and assigns and its officers, employees, contractors, and licensees shall at all times have the right and privilege to access the Easement Property for the Easement Purpose.

5. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties or to those benefited by this agreement; provided, however that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law, in equity, or otherwise.

6. *Binding Effect.* This Easement for Utilities agreement binds and inures to the benefit of the Grantors and each Grantor's heirs, successors and assigns and the Grantee and Grantee's, heirs, successors and assigns.

7. *Choice of Law.* This Easement for Utilities agreement shall be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Exclusive venue is in Dallas County, Texas.

8. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any rights or remedies set forth in this Easement for Utilities agreement does not preclude pursuit of any other rights or remedies in this Easement for Utilities agreement or provided by law, in equity, or otherwise.

9. *Integration.* This Easement for Utilities agreement contains the complete agreement of the parties with respect to the matters set forth herein and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations or warranties that are not expressly set forth in this Easement for Utilities agreement.

10. *Legal Construction.* If any provision of this Easement for Utilities agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this Easement for Utilities agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section

headings in this Easement for Utilities agreement are for reference only and are not intended to restrict or define the text of any section. This Easement for Utilities agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

11. *Notices.* Any notice, demand, request or communication required or permitted under this Easement for Utilities agreement shall be in writing, addressed as provided hereinafter to the party to whom the notice or request is given, and shall be either (i) delivered personally, (ii) sent by United States certified mail, postage prepaid, return receipt requested, or (iii) placed in the custody of Federal Express Corporation or other nationally recognized carrier to be delivered overnight. Notice shall be deemed given: when received if delivered personally; forty-eight (48) hours after deposit if sent by mail; and twenty-four (24) hours after deposit if sent by Federal Express or other nationally recognized carrier. Address for notice are as follows:

To Grantors:

VOP, LP
2000 McKinney Avenue, Suite 1000
Dallas, Texas 75202
Attn: Mr. Robert Dozier

Stonegate Company, Ltd.
3709 Bryn Mawr Drive
Dallas, Texas 75225
Attn: Mr. Keith Young

Prestonwood Place Limited Partnership
c/o Rushmore Properties, LLC
212 W. Kinzie Street, 6th Floor
Chicago, Illinois 60654
Attn: Mr. Scott J. McCubbre

With a copy to:

GFIII/VO Parkway LLC
c/o Long Wharf Real Estate Partners LLC
One Federal Street
Boston, Massachusetts 02110
Attn: Executive Managing Director

To Grantee:

Town of Addison, Texas
5300 Belt Line Road
Dallas, Texas 75254
Attn: City Manager

From time to time either party may designate another address within the 48 contiguous states of the United States of America for all purposes of this Easement for Utilities agreement by giving the other party not less than ten (10) days advance notice of such change of address in accordance with the provisions hereof.

12. *Third Party Beneficiaries.* This Easement for Utilities and all of its provisions are solely for the benefit of the parties hereto and their respective heirs, successors, and assigns.

13. *Authorized Persons.* The undersigned persons are the properly authorized representatives of each of the respective parties and have the necessary authority to execute this Easement for Utilities on behalf of the parties hereto.

MISCELLANEOUS:

When the context requires it, singular nouns and pronouns include the plural.

EXECUTED effective as of the date first written above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

GRANTORS:

VOP, LP,
a Delaware limited partnership

By: VOP GP LLC,
a Delaware limited liability company,
its General Partner


By: GF III VOP, LP,
a Delaware limited partnership,
its Manager

By: VOP SEC LP,
a Texas limited partnership,
its General Partner

By: VOP SEC GP LLC,
a Texas limited liability company,
its General Partner

By: LO VILLAGES ON THE PARWAY LLC,
a Delaware limited liability company,
its sole Member

By: Non-Member Manager, Inc.,
a Texas corporation,
its Manager

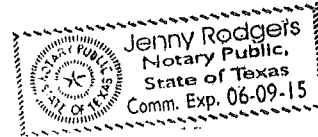
By: 
Name: Robert Dozier
Title: Executive Vice President

STATE OF TEXAS)
)
COUNTY OF DALLAS)

I, Jenny Rodgers, a Notary Public in and for the State of Texas, do hereby certify that Robert Dozier, as Executive Vice President of Non-Member Manager, Inc., a Texas corporation, as Manager of LO VILLAGES ON THE PARKWAY LLC, a Delaware limited liability company, as sole Member of VOP SEC GP LLC, a Texas limited liability company, as General Partner of VOP SEC LP, a Texas limited partnership, as General Partner of GF III VOP, LP, a Delaware limited partnership, as Manager of VOP GP LLC, a Delaware limited liability company, as General Partner of VOP, LP, a Delaware limited partnership, personally appeared before me in said State and County on the 30th day of April, 2013, and acknowledged the same to be the act and deed of said entities on behalf of said entities.

Given under by hand and seal this 30th day of April, 2013.

Jenny Rodgers
Notary Public, State of Texas

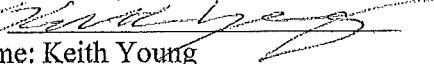


Printed Name: Jenny Rodgers

My commission expires: 06-09-15

STONEGATE COMPANY, LTD.,
a Texas limited partnership

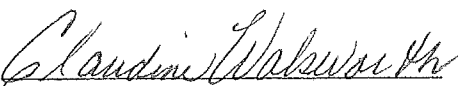
By: M.S.M. Land Incorporated,
a Texas corporation,
its general partner

By: 
Name: Keith Young
Title: President

STATE OF TEXAS)
)
COUNTY OF DALLAS)

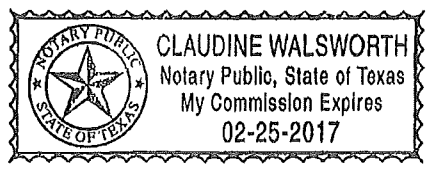
I, Claudine Walsworth, a Notary Public in and for the State of Texas, do hereby certify that Keith Young, as President of M.S.M. Land Incorporated, a Texas corporation, as general partner of STONEGATE COMPANY, LTD., a Texas limited partnership, personally appeared before me in said State and County on the 24th day of April, 2013, and acknowledged the same to be the act and deed of said entities on behalf of said entity.

Given under by hand and seal this 24th day of April, 2013.


Notary Public, State of Texas

Printed Name: Claudine Walsworth

My commission expires: 02/25/2017

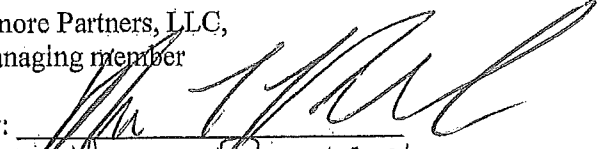


PRESTONWOOD PLACE LIMITED PARTNERSHIP,
a Texas limited partnership

By: Rushmore Prestonwood Place GP, LLC,
Its general partner

By: Rushmore Properties, LLC,
Its manager

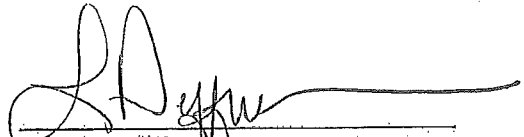
By: Rushmore Partners, LLC,
Its managing member

By: 
Name: Marc Benisch
Title: authorized signatory

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, Laure Heffernan, a Notary Public in and for the State of Illinois, do hereby certify that Marc Benisch, as authorized signatory of Rushmore Partners, LLC, as Managing Member of Rushmore Properties, LLC, as Manager of Rushmore Prestonwood Place GP, LLC, as General Partner of PRESTONWOOD PLACE LIMITED PARTNERSHIP, a Texas limited partnership, personally appeared before me in said State and County on the 26th day of April, 2013, and acknowledged the same to be the act and deed of said entities on behalf of said entities.

Given under by hand and seal this 26th day of April, 2013.


Notary Public

Printed Name: Laure Heffernan

My commission expires: 6/13/14



GRANTEE:

Town of Addison, Texas

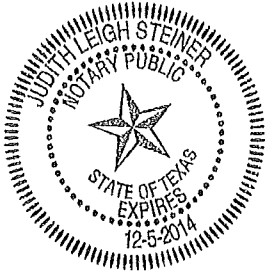
By: *Ron Whitehead*
Ron Whitehead, City Manager

STATE OF TEXAS §

COUNTY OF DALLAS §

Before me, the undersigned authority, on this day personally appeared Ron Whitehead, City Manager of the Town of Addison, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [s]he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 3rd day of ^{MAY}~~April~~, 2013.



Judith Leigh Steiner
Notary Public, State of Texas

Printed Name: JUDITH LEIGH STEINER

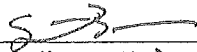
My commission expires: 12-5-2014

**Consent and Subordination by Lienholder
(VOP LENDER)**

Bank of America, N.A. ("Lender") hereby joins in the execution of this Agreement for the purpose of confirming Lender's consent to the terms and provisions of this Agreement and further confirming that the liens and security interests evidenced by that certain Amended and Restated Deed of Trust, Assignment of Rents and Leases, Security Agreement, fixture Filing and Financing Statement recorded in the Real Property Records of Dallas County, Texas (as the same has been and may be amended from time to time, together with any corresponding loan documents), are and shall be and remain subject and subordinate in all respects to the terms and provisions of this Agreement and the easements created hereby.

LENDER:

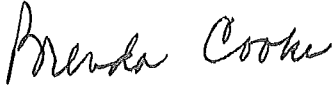
BANK OF AMERICA, N.A.

By: 
Name: Shana M. Bowen
Title: Senior Vice President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

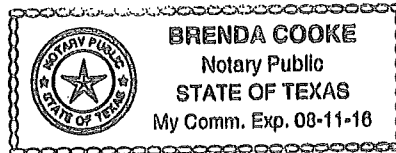
This instrument was acknowledged before me this 30th day of April, 2013, by Shana M. Bowen, SVP of BANK OF AMERICA, N.A., and as the act and deed of such national association, for the consideration therein expressed, and in the capacity therein stated.

Given under by hand and seal this 30th day of April, 2013.


Notary Public, State of Texas

Printed Name: Brenda Cooke

My commission expires: August 11, 2016



**Consent and Subordination by Lienholder
(PRESTONWOOD PLACE LENDER)**

Lienholder, the undersigned U.S. BANK NATIONAL ASSOCIATION, as Trustee, successor in interest to Bank of America, N.A., as Trustee, successor-by-merger to LaSalle Bank National Association, as Trustee for the Registered Holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2007-GG9, Commercial Mortgage Pass-Through Certificates, Series 2007-GG9, whose address is c/o Wells Fargo Bank, National Association, Commercial Mortgage Servicing, 550 South Tryon Street, 12th Floor, MAC D1086-120, Charlotte, NC 28202, as the holder of liens on the Easement Property, consents to the terms of the above grant of Easement, including the terms and conditions of the grant and all provisions of this Easement for Utilities, and Lienholder hereby subordinates its liens to the rights and interests of Grantee (and Grantee's heirs, successors and assigns), so that a foreclosure of the liens (or transfer in lieu of foreclosure, or Lienholder's succession to the interests of Grantor, its successors and assigns, by other means) will not extinguish the rights and interests of the Grantee, its heirs, successors and assigns. The person signing on behalf of Lienholder hereby represents that the person has authority and is duly authorized to sign this Consent and Subordination by Lienholder on behalf of and to bind Lienholder.

LIENHOLDER:

U.S. BANK NATIONAL ASSOCIATION, as Trustee, successor in interest to Bank of America, N.A., as Trustee, successor-by-merger to LaSalle Bank National Association, as Trustee for the Registered Holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2007-GG9, Commercial Mortgage Pass-Through Certificates, Series 2007-GG9

By:  _____

Name: Tim Teague

Title: Vice President of Wells Fargo Bank, N.A.,

Attorney-in-Fact for U.S. Bank National Association, as Trustee

STATE OF NORTH CAROLINA §

§

COUNTY OF MECKLENBURG §

On April 23, 2013, personally appeared the above named Tim Teague, a Vice President of Wells Fargo Bank, National Association, acting in its authorized capacity as Master Servicer for and on behalf of U.S. BANK NATIONAL ASSOCIATION, as Trustee, successor in interest to Bank of America, N.A., as Trustee, successor-by-merger to LaSalle Bank National Association, as Trustee for the Registered Holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2007-GG9, Commercial Mortgage Pass-Through Certificates, Series 2007-GG9, and acknowledged the foregoing to be the free act and deed of said association, before me.

Given under my hand and seal of office this 23 day of April, 2013.

Janet Garner
Notary Public

Printed Name: Janet Garner

My commission expires: 3-27-2015 2015

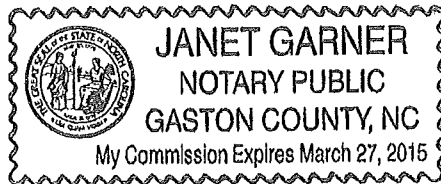


EXHIBIT "A"
TO EASEMENT FOR UTILITIES

[Description of Easement Property]

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with "Halff & Associates" cap found for corner at the south end of a right-of-way corner clip at the intersection of the southwest right-of-way line of said Sakowitz Drive with the south right-of-way line of Belt Line Road (a variable width public right-of-way);

THENCE departing said right-of-way corner clip and with the said south right-of-way line of Belt Line Road, the following courses and distances:

South 65°51'30" East, a distance of 25.40 feet to an "X" cut in concrete set for corner;
 North 48°33'00" East, a distance of 29.71 feet to an "X" cut in concrete set for corner in the centerline of said Sakowitz Drive;

THENCE along the said centerline of Sakowitz Drive, the following courses and distances:

South 41°57'00" East, a distance of 740.61 feet to a PK nail set for corner;
 South 23°24'00" East, a distance of 166.81 feet to a 5/8" iron rod with "KHA" cap set in the west right-of-way line of Montfort Drive (a variable width right-of-way) at the beginning of a non-tangent curve to the left having a central angle of 20°20'04", a radius of 540.00 feet, a chord bearing and distance of South 11°17'18" East, 190.64 feet;

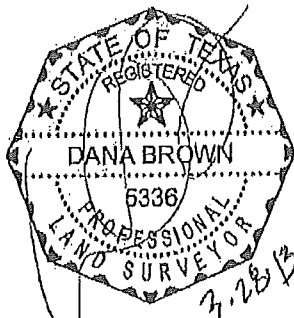
THENCE with the said west right-of-way line of Montfort Drive and said curve to the left, in a southeasterly direction, an arc distance of 191.65 feet to a 5/8" iron rod with "KHA" cap set for corner at the south end of a right-of-way corner clip at the intersection of the said west right-of-way line of Montfort Drive and the said southwest right-of-way line of Sakowitz Drive at the end of said curve;

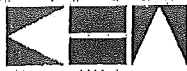
THENCE with said right-of-way corner clip, North 23°24'00" West, a distance of 346.68 feet to a 1/2" iron rod with "Halff & Associates" cap found for corner in the said southwest right-of-way line of Sakowitz Drive;

THENCE with the said southwest right-of-way line of Sakowitz Drive, North 41°57'00" West, a distance of 757.56 feet to the **POINT OF BEGINNING** and containing 38,810 square feet or 0.891 acres of land.

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

DANA BROWN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5336
 12750 MERIT DRIVE, SUITE 1000
 DALLAS, TEXAS 75251
 PH. 972-770-1300
 dana.brown@kimley-horn.com



 Kimley-Horn and Associates, Inc.		Tel. No. (972) 770-1300 Fax No. (972) 239-3820			
		12750 Merit Drive, Suite 1000 Dallas, Texas 75251			
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SLJ	DAB	MARCH 2013	063319038	1 OF 3



COUNTY OF DALLAS
VOL. 8495, PG. 584
D.R.D.C.T.

BELT LINE ROAD
(VARIABLE WIDTH PUBLIC R.O.W.)

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

LOT A, BLOCK 1
OAKS NORTH-WEST
NO. 1
VOL. 79121, PG. 563
D.R.D.C.T.

LOT B, BLOCK 1
OAKS NORTH-WEST
NO. 1
VOL. 79121, PG. 563
D.R.D.C.T.

SAKOWITZ DRIVE

S41°57'00"E 740.61'

N48°33'00"E 29.71'
S65°51'30"E 25.40'

COUNTY OF DALLAS
VOL. 8495, PG. 576
D.R.D.C.T.

1/2" IRFC "HALF" (C.M.)
10' DRAINAGE EASEMENT
VOL. 85232, PG. 2351

25' BUILDING SETBACKLINE
VOL. 2001019, PG. 914
D.R.D.C.T.

15' R.O.W. DEDICATION
VOL. 79197, PG. 1878
D.R.D.C.T.

24' FIRE LANE EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

RECIPROCAL EASEMENT
VOL. 2004119, PG. 12506
D.R.D.C.T.

UTILITY EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

UTILITY EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

UTILITY EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

UTILITY EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

UTILITY EASEMENT
VOL. 2001019, PG. 914
D.R.D.C.T.

UTILITY EASEMENT
0.891 ACRES
38,810 SQ. FT.

P.O.B.

LOT 2A
VILLAGE ON THE PARKWAY
VOL. 2001019, PG. 914
D.R.D.C.T.

MATCH LINE
(SEE SHEET 3)

LEGEND

- IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
- IRF = IRON ROD FOUND
- IRFC = IRON ROD WITH CAP FOUND
- XS = "X" CUT IN CONCRETE SET
- C.M. = CONTROLLING MONUMENT
- P.O.B. = POINT OF BEGINNING
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

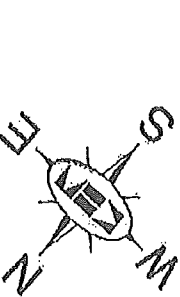
NOTES:

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

Kimley-Horn and Associates, Inc.
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 233-3820

Scale	Drawn by	Checked by	Date	Sheet No.
1" = 60'	SLJ	DAS	MARCH 2013	063319033
				2 OF 3

ALLEN BLED SOE SURVEY, ABSTRACT NO. 157 TOWN OF ADDISON, DALLAS COUNTY, TEXAS



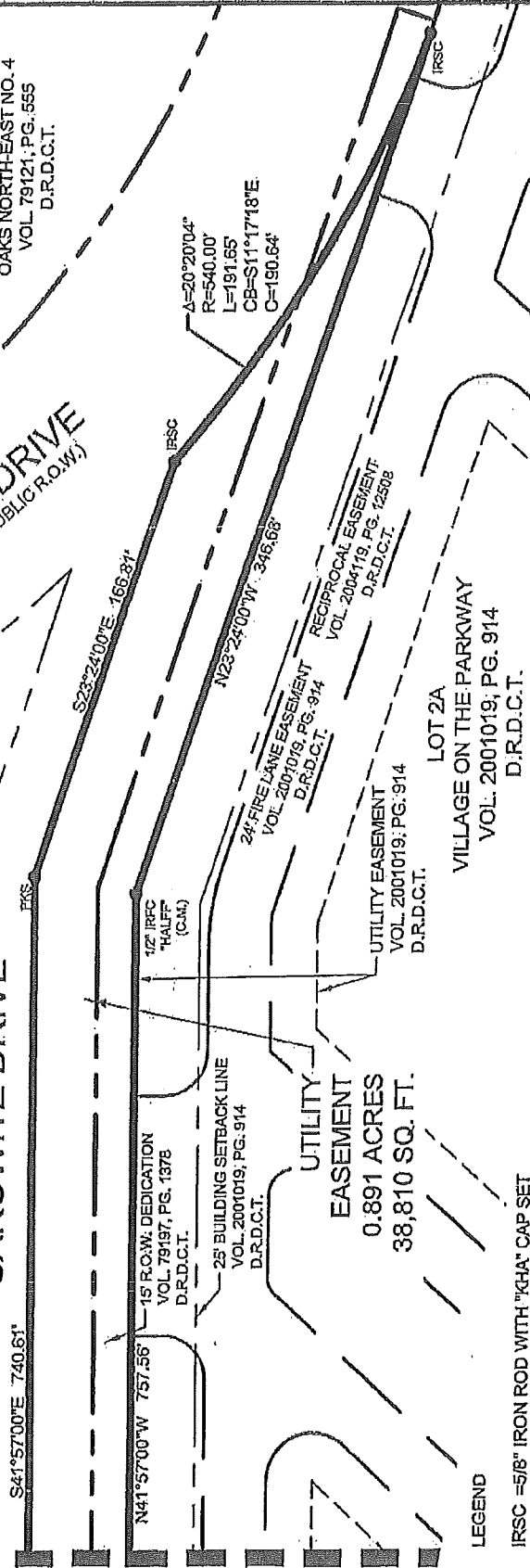
REMAINDER
LOT D, BLOCK 2
OAKS NORTHEAST NO. 4
VOL. 79121, PG. 555
D.R.D.C.T.

UTILITY EASEMENT
ALLEN BLED SOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

LOT C, BLOCK 1
OAKS NORTH-WEST NO. 2
VOL. 79121, PG. 579
D.R.D.C.T.

MONTFORT DRIVE
(VARIABLE WIDTH, PUBLIC R.O.W.)

SAKOWITZ DRIVE



UTILITY EASEMENT
0.891 ACRES
38,810 SQ. FT.

LEGEND

- IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
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- IRFC = IRON ROD WITH CAP FOUND
- C.M. = CONTROLLING MONUMENT
- P.O.B. = POINT OF BEGINNING
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	SJL	DAS	MARCH 2013	062819038	3 OF 3

PLotted by JONES, STEPHANIE 3/28/2013 9:49 AM DWG NAME (KDAL_SURVEY) 062318038-PLAT ON THE PAKY/W/V/DWY/GW3319938-VOP UE 20130208.DWG LAST SAVED 3/27/2013 1:48 PM

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas, and being part of Sakowitz Drive and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the intersection of the west right-of-way line of Montfort Drive (a variable width right-of-way) and the northeast right-of-way line of said Sakowitz Drive; being at the beginning of a non-tangent curve to the left having a central angle of 14°25'16", a radius of 540.00 feet, a chord bearing and distance of South 6°05'21" West, 135.56 feet; same being the east corner of a variable width right-of-way dedication and the south corner of Lot C, Block 1, Oaks North-West No. 2, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 579 of the Deed Records of Dallas County, Texas;

THENCE in a southwesterly direction, with the said west right-of-way line of Montfort Drive and said curve to the left, an arc distance of 135.92 feet to a 5/8" iron rod with "KHA" cap set in the centerline of said Sakowitz Drive at the end of said curve;

THENCE on or along the said centerline of Sakowitz Drive, the following courses and distances:

North 23°24'00" West, a distance of 166.81 feet to a PK nail set for corner;
 North 41°57'00" West, a distance of 203.51 feet to a PK nail set for corner;

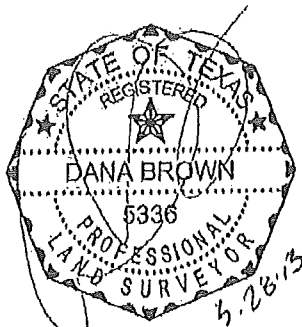
THENCE departing the said centerline of Sakowitz Drive, North 48°06'07" East, a distance of 24.99 feet to a 5/8" iron rod with "KHA" cap set for the south corner of Lot B, Block 1 of Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 563 of the Deed Records of Dallas County, Texas;

THENCE with the said northeast right-of-way line of Sakowitz Drive, the following courses and distances:

South 41°53'53" East, a distance of 207.17 feet to an "X" cut in concrete set at the beginning of a tangent curve to the left having a central angle of 39°38'42", a radius of 100.00 feet, a chord bearing and distance of South 61°42'43" East, 67.82 feet;
 In a southeasterly direction, with said curve to the left, an arc distance of 69.19 feet to the **POINT OF BEGINNING** and containing 10,771 square feet or 0.247 acres of land.

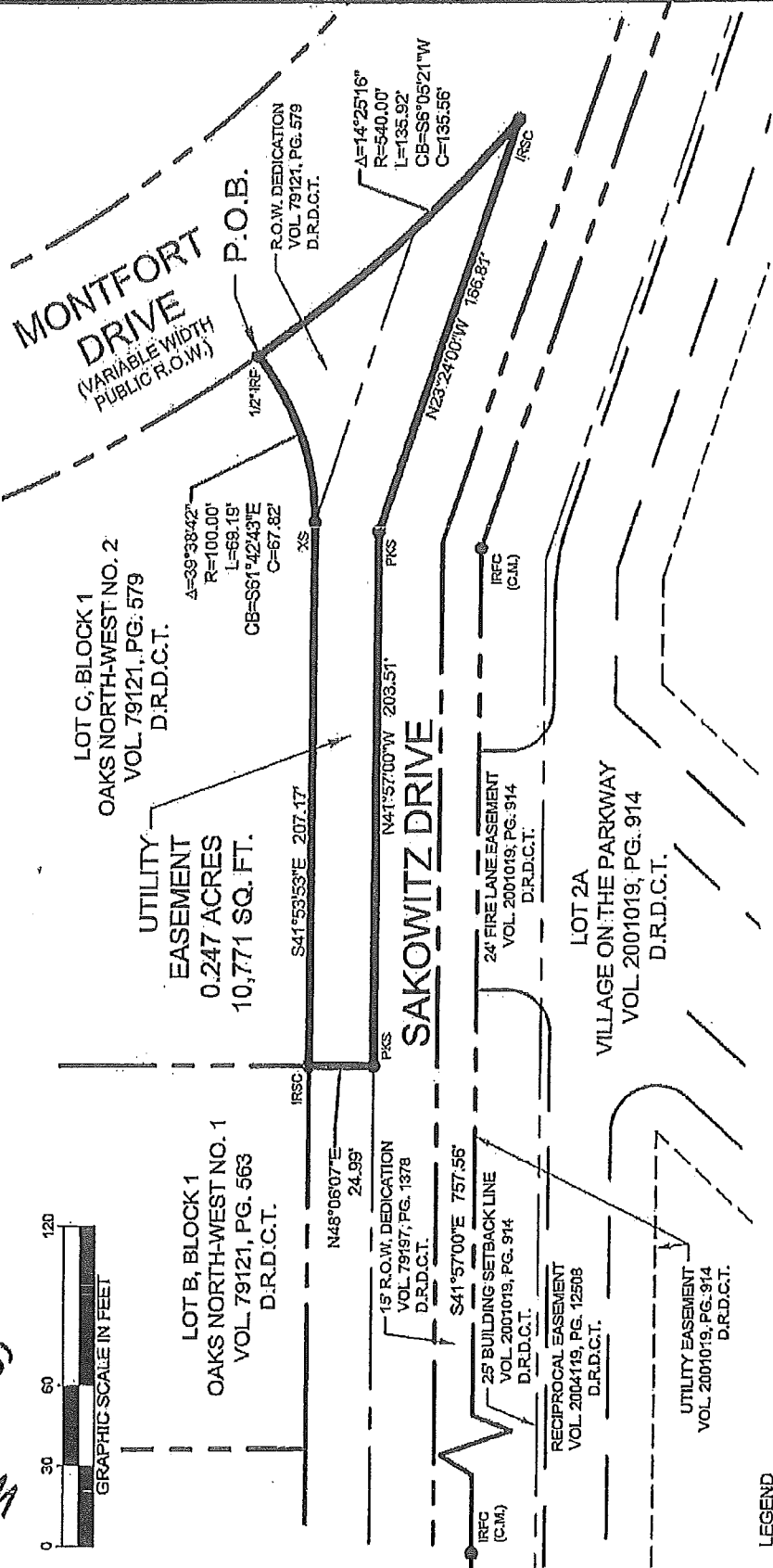
The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

DANA BROWN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5336



		Kimley-Horn and Associates, Inc.	
12750 Merit Drive, Suite 1000 Dallas, Texas 75251		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
Scale	Drawn by	Checked by	Date
N/A	SLJ	DAB	MARCH 2013
Project No.		Sheet No.	
063319030		1 OF 2	

UTILITY EASEMENT
 ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
 TOWN OF ADDISON, DALLAS COUNTY, TEXAS



NOTES:
 The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road, according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume: 2001019, Page 914 of the Deed Records of Dallas County, Texas.

LEGEND
 IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
 IRF = IRON ROD FOUND
 IRFC = IRON ROD WITH CAP FOUND
 XS = "X" CUT-IN CONCRETE SET
 C.M. = CONTROLLING MONUMENT
 P.O.B. = POINT OF BEGINNING
 D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

Kimley-Horn and Associates, Inc.
 42758 Havel Drive, Suite 1000
 Dallas, Texas 75237
 Tel. No. (972) 770-1830
 Fax No. (972) 255-5828

Scale	1" = 80'
Drawn by	SLJ
Checked by	DAB
Date	MARCH 2013
Project No.	05315008
Sheet No.	2 OF 2

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

COMMENCING at a 1/2" Iron rod found for corner at the intersection of the west right-of-way line of Montfort Drive (a variable width right-of-way) and the northeast right-of-way line of said Sakowitz Drive at the beginning of a non-tangent curve to the right having a central angle of 39°38'42", a radius of 100.00 feet, a chord bearing and distance of North 61°42'43" West, 67.82 feet; same being the east corner of a variable width right-of-way dedication and the south corner of Lot C, Block 1, Oaks North-West No. 2, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 579 of the Deed Records of Dallas County, Texas;

THENCE with the said northeast right-of-way line of Sakowitz Drive, the southwest line of said Lot C, Block 1, and said curve to the right, an arc distance of 69.19 feet to an "X" cut in concrete set at the end of said curve;

THENCE continuing with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot C, Block 1, North 41°53'53" West, a distance of 207.17 feet to a 5/8" iron rod with "KHA" cap set for the **POINT OF BEGINNING**; same being the south corner of Lot B, Block 1 of Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 563 of the Deed Records of Dallas County, Texas;

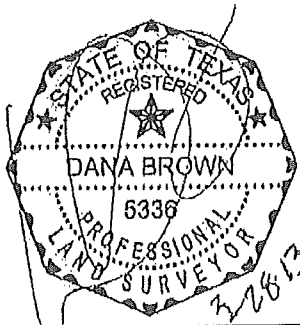
THENCE departing the said northeast right-of-way line of Sakowitz Drive, South 48°06'07" West, a distance of 24.99 feet to a PK nail set for corner in the centerline of said Sakowitz Drive;

THENCE along the said centerline of Sakowitz Drive, North 41°57'00" West, a distance of 145.00 feet to a PK nail set for corner;

THENCE departing the said centerline of Sakowitz Drive, North 48°06'07" East, a distance of 25.12 feet to a 5/8" Iron rod with "KHA" cap set in the said northeast right-of-way line of Sakowitz Drive for the west corner of said Lot B;

THENCE with the said northeast right-of-way line of Sakowitz Drive and the southwest line of said Lot B, South 41°53'53" East, a distance of 145.00 feet to the **POINT OF BEGINNING** and containing 3,633 square feet or 0.083 acres of land.

The bearing system for this plat is based on a bearing of North 90°00'00" East, for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.



DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336

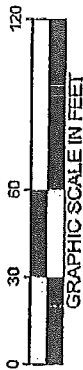


Kimley-Horn
and Associates, Inc.

12750 Merit Drive, Suite 1000
 Dallas, Texas 75251

Tel. No. (972) 770-1300
 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SLJ	DAB	MARCH 2013	063310038	1 OF 2



UTILITY EASEMENT
 ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
 TOWN OF ADDISON, DALLAS COUNTY, TEXAS

MONTFORT DRIVE
 (VARIABLE WIDTH PUBLIC R.O.W.)

LOT C, BLOCK 1
 OAKS NORTH-WEST NO. 2
 VOL. 79121, PG. 579
 D.R.D.C.T.

P.O.C.
 $A=39^{\circ}38'42''$
 $R=100.00'$
 $L=69.19'$
 $CB=N61^{\circ}42'43''W$
 $C=67.82'$

UTILITY EASEMENT
 0.083-ACRES
 3,633-SQ. FT.
 P.O.B.

LOT B, BLOCK 1
 OAKS NORTH-WEST NO. 1
 VOL. 79121, PG. 563
 D.R.D.C.T.

LOT A, BLOCK 1
 OAKS NORTH-WEST NO. 1
 VOL. 79121, PG. 563
 D.R.D.C.T.

SAKOWITZ DRIVE

R.O.W. DEDICATION
 VOL. 79121, PG. 579
 D.R.D.C.T.

15' R.O.W. DEDICATION
 VOL. 79197, PG. 1378
 D.R.D.C.T.

25' BUILDING SETBACK LINE
 VOL. 2001019, PG. 914
 D.R.D.C.T.

24' FIRE LANE EASEMENT
 VOL. 2001019, PG. 914
 D.R.D.C.T.

LOT 2A
 VILLAGE ON THE PARKWAY
 VOL. 2001019, PG. 914
 D.R.D.C.T.

UTILITY EASEMENT
 VOL. 2001019, PG. 914
 D.R.D.C.T.

LEGEND

- IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
- IRF = IRON ROD FOUND
- IRFC = IRON ROD WITH CAP FOUND
- XS = "C" CUT IN CONCRETE SET
- C.M. = CONTROLLING MONUMENT
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:

The bearing system for this plat is based on a bearing of North $90^{\circ}00'00''$ East for the south right-of-way line of Belt Line Road according to the Amended Plat of Lot 1A, Lot 1B & Lot 2A of Village on the Parkway recorded in Volume 2001019, Page 914 of the Deed Records of Dallas County, Texas.

Kimley-Horn and Associates, Inc.
 12250 Meath Drive, Suite 1000
 Dallas, Texas 75247
 Tel. No. (972) 770-1300
 Fax No. (972) 259-9920

Scale	1" = 60'
Drawn by	SLJ
Checked by	DAB
Date	MARCH 2013
Project No.	053319038
Sheet No.	2 OF 2

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas and being part of Sakowitz Drive and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with "KHA" cap set for corner in a right-of-way corner oip at the intersection of the south right-of-way line of Bellline Road (a variable width public right-of-way) and the northeast right-of-way line of Sakowitz Drive; same being the west line of Lot A, Block 1, Oaks North-West No. 1, an addition to the Town of Addison, Dallas County, Texas, according to the plat recorded in Volume 79121, Page 563 of the Deed Records of Dallas County, Texas; from said point a 5/8" iron rod with "KHA" cap found for the northernmost corner of said right-of-way corner oip bears North 28°45'02" East, a distance of 24.28 feet;

THENCE with said corner oip and the west line of said Lot A, South 28°45'02" West, a distance of 5.30 feet to a 1/2" iron rod found for corner;

THENCE continuing with the said west line of Lot A and with the said northeast right-of-way line of Sakowitz Drive, South 41°53'53" East, a distance of 340.00 feet to a 5/8" iron rod with "KHA" cap set for corner;

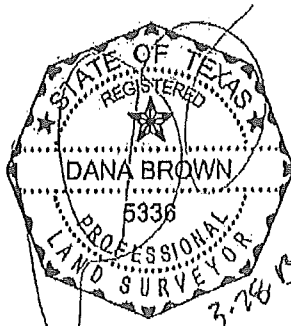
THENCE departing the said west line of Lot A and the said northeast right-of-way line of Sakowitz Drive, South 48°06'07" West, a distance of 25.12 feet to a PK nail set for corner in the centerline of said Sakowitz Drive;

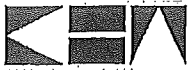
THENCE along the centerline of said Sakowitz Drive, North 41°57'00" West, a distance of 341.76 feet to a an "X" cut in concrete set for corner in the said south right-of-way line of Bellline Road;

THENCE with the said south right-of-way line of Bellline Road, North 48°06'07" East, a distance of 30.43 feet to the **POINT OF BEGINNING** and containing 8,643 square feet or 0.198 acres of land.

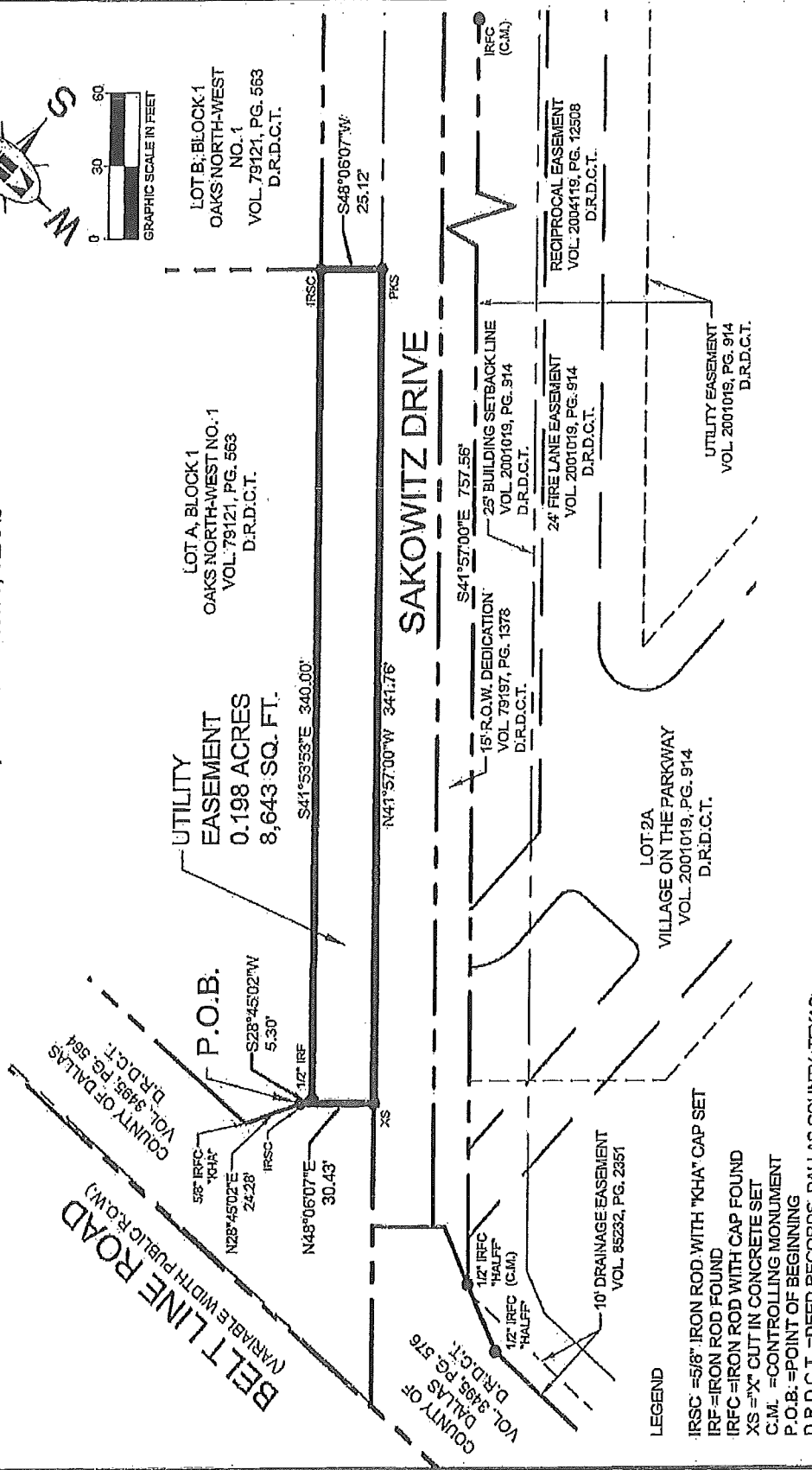
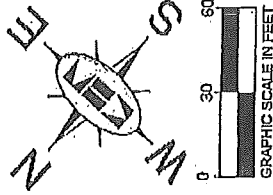
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DANA BROWN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5336
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 PH. 972-770-1300
 dana.brown@kimley-horn.com



 Kimley-Horn and Associates, Inc.		12750 Merit Drive, Suite 1000 Dallas, Texas 75251		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
		Scale N/A	Drawn by SLJ	Checked by DAB	Date MARCH 2013

UTILITY EASEMENT
ALLEN BLEDSOE SURVEY, ABSTRACT NO. 157
TOWN OF ADDISON, DALLAS COUNTY, TEXAS



Kimley-Horn and Associates, Inc.
12750 North Dallas, Suite 1000
Dallas, Texas 75251
Tel. No. (972) 776-6500
Fax. No. (972) 233-9825

Scale	1" = 60'
Drawn by	S.J.
Checked by	D.B.S.
Date	MARCH 2013
Project No.	053318058
Sheet No.	2 OF 2

LEGEND

- IRSC = 5/8" IRON ROD WITH "KHA" CAP SET
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- C.M.L. = CONTROLLING MONUMENT
- P.O.B. = POINT OF BEGINNING
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS

NOTES:

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Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
05/03/2013 12:29:26 PM
\$164.00



A handwritten signature in black ink, appearing to be "JFW", is written over the seal.

201300139206