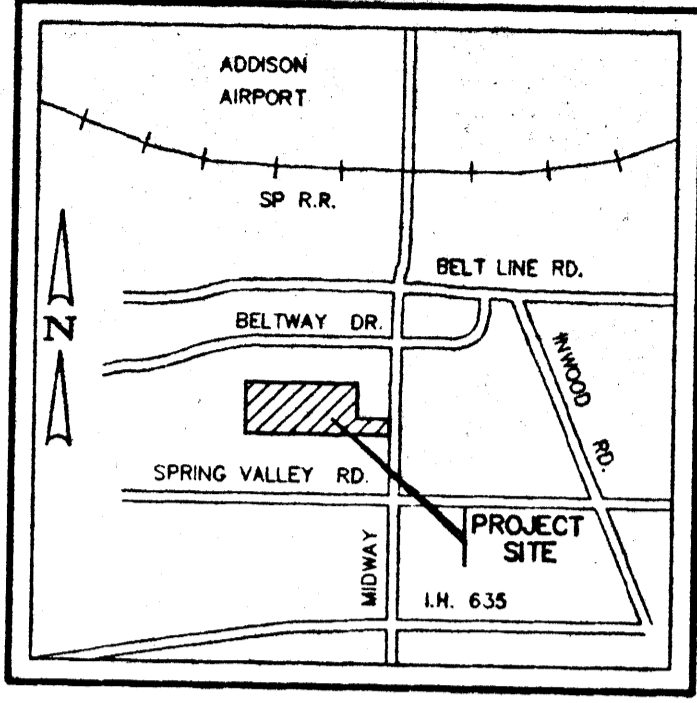
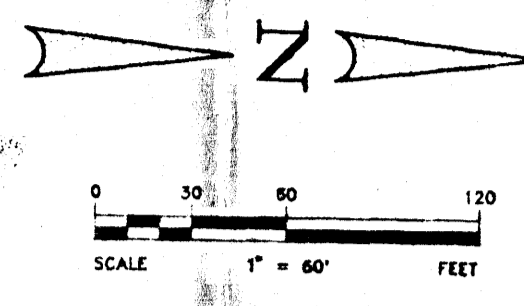
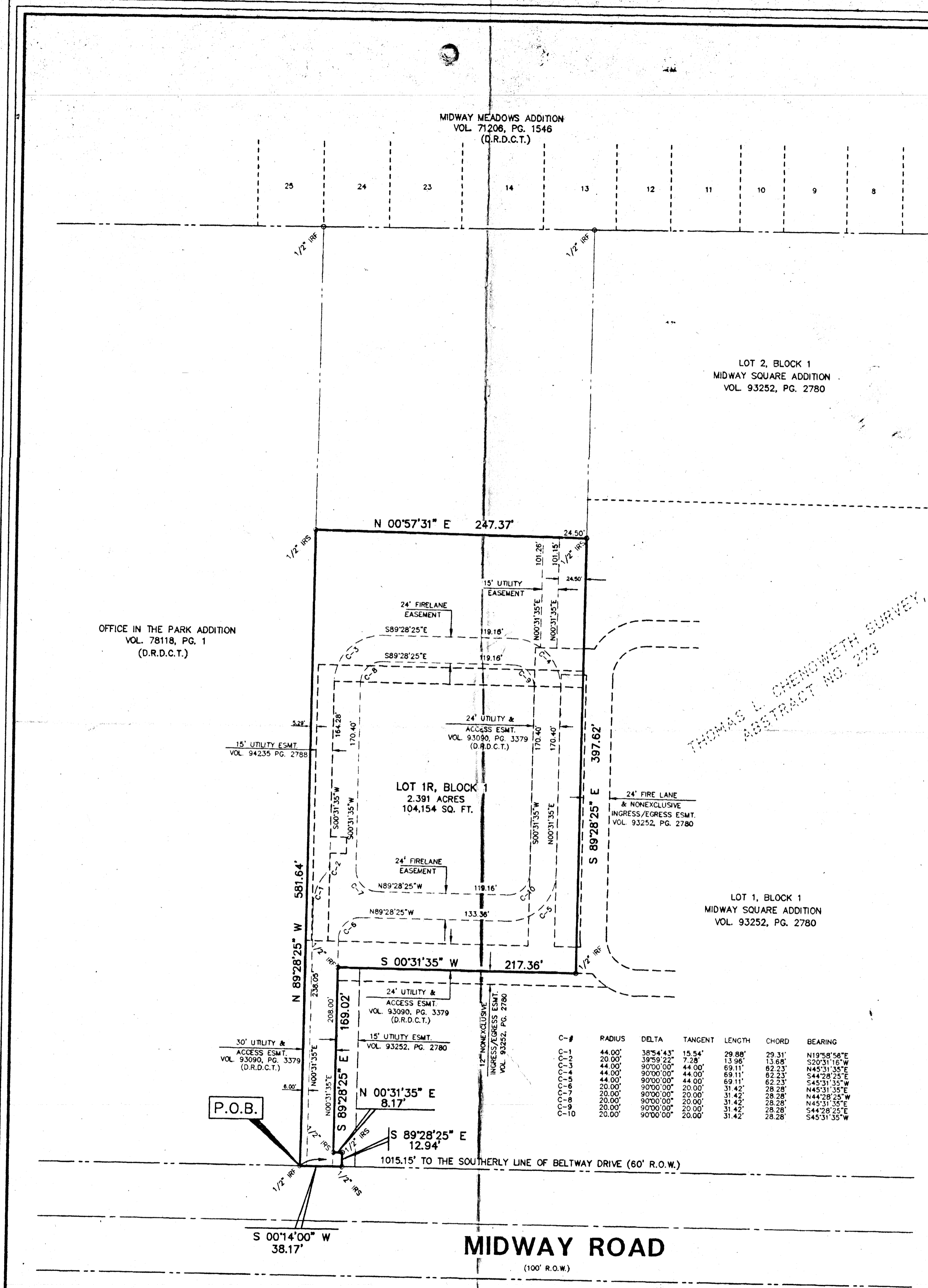


1230707
8/28/96
186.00



Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
12800 WILCREST ROAD, SUITE 200
DALLAS, TEXAS 75244
(214) 490-7090 FAX

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS
TOWN OF ADDISON

Whereas, 14775 Midway L.C. is the owner a tract of land situated in the THOMAS L. SURVEY, ABSTRACT NO. 273 in the Town of Addison, Dallas County, Texas and being a portion of Lot 1, Block 1 of Texas Tumbleweed, an Addition to the Town of Addison recorded in Volume 94235, Page 2788 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the intersection of the westerly line of Midway Road (a 100 foot right of way) and the northerly line of Office in the Park Addition, an addition to the Town of Addison, as recorded in Volume 78118, Page 1 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said iron rod also being located South 00°11'47" East, a distance of 1015.15 feet from the southerly line of Beltway Drive (a 60 foot right of way);

THENCE along the northerly line of said Office in the Park Addition, North 89°28'25" West, a distance of 581.64 feet to a 1/2 inch iron set;

THENCE departing the northerly line of said Office in the Park Addition and North 00°57'31" East, a distance of 247.37 feet to a 1/2 inch iron rod set in the southerly line of Midway Square Addition, an addition to the Town of Addison as recorded in Volume 93252, Page 2780 (D.R.D.C.T.);

THENCE along the southerly line of said Midway Square Addition the following:

South 89°28'25" East, a distance of 397.62 feet to a 1/2 inch iron rod found;

South 00°31'35" West, a distance of 217.36 feet to a 1/2 inch iron rod found;

South 89°28'25" East, a distance of 169.02 feet to a 1/2 inch iron rod set;

North 00°31'35" East, a distance of 8.17 feet to a 1/2 inch iron rod set;

South 89°28'25" East, a distance of 12.94 feet to a 1/2 inch iron rod set in the westerly line of said Midway Road;

THENCE departing the southerly line of said Midway Square Addition and along the westerly line of said Midway Road, South 00°14'00" West, a distance of 38.17 feet to the POINT OF BEGINNING and containing 2.391 acres or 104,154 square feet of land more or less.

That 14775 Midway L.C. does hereby adopt this replat designating the hereinabove property as Texas Tumbleweed, an addition to the Town of Addison, Texas, and subject to the conditions, restrictions and reservations stated herein, owner dedicates to the public use forever the streets and alleys shown thereon.

The easements shown on this replat are hereby reserved for the purposes as indicated, including, but not limited to, the installation and maintenance of water, sanitary sewer, storm sewer, drainage, electric, telephone, gas, and cable television. Owner shall have the right to use these easements, provided however, that it does not unreasonably interfere or impede with the provision of the services to others. Said utility easements are hereby being reserved by mutual use and accommodation of all public utilities using or desiring to use the same. An express easement of ingress and egress is hereby expressly granted on, over, and across all such easements for the benefit of the provider of services for which easements are granted.

Any drainage and floodway easement shown hereon is hereby dedicated to the public's use forever, but including the following covenants with regards to the maintenance responsibilities. The existing channels or creeks traversing the drainage and floodway easement will remain as an open channel, unless required to be enclosed by ordinance, at all times and shall be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage and floodway easement. The City will not be responsible for the maintenance and operation of said creek or creeks or for any damage or injury of private property or person that results from the flow of water along said creek, or for the control of erosion. No obstruction to the natural flow of water run-off shall be permitted by construction of any type of building, fence or any other structure within the drainage and floodway easement. Provided, however, it is understood that in the event it becomes necessary for the City to channelize or consider erecting any type of drainage structure in order to improve the storm drainage, then in such event, the City shall have the right, but not the obligation, to enter upon the drainage and floodway easement at any point, or points, with all rights of ingress and egress to investigate, survey, erect, construct or maintain any drainage facility deemed necessary by the City for drainage purposes. Each property owner shall keep the natural drainage channels and creeks traversing the drainage and floodway easement adjacent to his property clean and free of debris, silt, growth, vegetation, weeds, rubbish, matter and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and to alleviate any undesirable conditions which may occur. The natural drainage channels and creeks through the drainage and floodway easement, as in the case of all natural channels, are subject to injuries of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures within the natural drainage channels, and the owners hereby agree to indemnify and hold harmless the City from any such damages and injuries. Building areas outside the drainage and floodway easement line shall be filled to a minimum elevation as shown on the replat. The minimum floor of elevation of each lot shall be shown on the replat.

The maintenance of paving of the utility and fire lane easements is the responsibility of the property owner. All public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of constructing, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective system without the necessity of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility. Buildings, fences, trees, shrubs or other improvements or growth may be constructed, reconstructed or placed upon, over or across the utility easements as shown; provided, however, any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system or service.

Water main and sanitary sewer easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water service and sewer services from the main to curb or pavement line, and the descriptions of such additional easements herein granted shall be determined by their locations as installed. This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Addison, Texas.

WITNESS MY HAND, this the 17 day of June 1996.

Owner
[Signature]

Notary Public
M. Biagioni
My Commission Expires May 31, 1998

SURVEYOR'S CERTIFICATION

I, B. J. Elam, a Registered Professional Land Surveyor, hereby certify that this survey was made on the ground under my supervision and correctly shows the boundary lines and dimensions, and area of the land indicated thereon, the location of all alleys, streets, right-of-ways, easements and other matters of record which the undersigned has been advised as shown hereon. The undersigned further certifies that there are no visible discrepancies, conflicts, shortages in acres, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways except as shown hereon and that the property has access to and from a public roadway.

Date 6-6-96

B. J. Elam
Registered Professional Land Surveyor
Texas Registration No. 4581
Winkelmann & Associates, Inc.
12800 Wilcrest Road, Suite 200
Dallas, Texas 75244
(214) 490-7090

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared B. J. Elam known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day of JUNE 1996.

Notary Public
My Commission Expires 3-15-99

LENNIE LUEKER
Notary Public State of Texas
My Commission Expires 3-15-99

RECOMMENDED FOR APPROVAL *Approved 4-23-96*

MAYOR
[Signature]

CITY SECRETARY

SWITZER & JONES ADDITION
A REPLAT OF
THE TEXAS TUMBLEWEED ADDITION

Scale: 1" = 60'
Date: 2/96
Designed By: W.A.I.
Drawn By: P.G.J.
Checked By: B.J.E.
File: IS08P72.dwg
Project No.: 01801.02 (5)

SHEET
1
OF
1