

ORDINANCE NO. 28284

An ordinance providing for the abandonment of portions of Reagan Street and an alley located adjacent to City Blocks A/1007, A/1505 and 32/1505 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to North Maple, L.L.C. and Old Parkland Unit E, L.L.C.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this ordinance; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of North Maple, L.L.C., a Texas limited liability company, and Old Parkland Unit E, L.L.C., a Texas limited liability company, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of Reagan Street and alley are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE** as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth; **Now, Therefore,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same are abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **NINE HUNDRED SIXTY-SIX THOUSAND SIX HUNDRED SIXTY AND NO/100 (\$966,660.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A as follows: unto North Maple, L.L.C., all of its right, title and interest in Tract 1, Tract 2 and Tract 4 of Exhibit A; and unto Old Parkland Unit E, L.L.C., all of its right, title and interest in Tract 3 of Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction – Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by **GRANTEE**, their successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, their successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, their successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the

Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall cause to be recorded a final replat of the adjoining properties within one year of the effective date of this ordinance showing the fee simple dedication of not less than 1,952 square feet of needed right-of-way in City Blocks A/1505 and 32/1505. This final replat shall be recorded in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) maintain a fire lane and open access throughout the areas described in Exhibit A until an approved alternate access route to any existing fire hydrants and fire department connections adjacent to the areas described in Exhibit A have been approved and installed or until the relocation of any fire hydrants and fire department connections and/or the installation of new fire hydrants and fire department connections eliminates the necessity of maintaining the fire lane and open access throughout the areas described in Exhibit A as determined and approved by the Dallas Fire-Rescue Department. **GRANTEE** shall submit plans for review and approval to the Dallas Fire-Rescue Department prior to the relocation, removal or installation of fire hydrants, fire department connections, access routes or fire lanes.

- b) within one year of the date of this ordinance: 1) submit paving and drainage plans for the area to be replatted and the dedication area required by Section 9 of this ordinance to the Department of Sustainable Development and Construction Engineering Division for review and approval; and 2) if a private development contract for paving and drainage infrastructure is required by the Engineering Division upon its review of **GRANTEE's** paving and drainage plans, **GRANTEE** shall execute a private development contract with the City of Dallas approved by the Director of Sustainable Development and Construction or his/her designee for the construction of said paving and drainage infrastructure. This abandonment shall not be effective unless and until **GRANTEE** complies with this provision, and **GRANTEE's** failure to satisfy said conditions shall render this ordinance null and void and of no further effect.
- c) obtain a street cut permit from Public Works at (214) 948-4445 if work is being performed in the City of Dallas right-of-way.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, immediately upon the passage of this ordinance **GRANTEE** shall discontinue characterization of the areas described in Exhibit A as a public street right-of-way through the placement of appropriate signage in accordance with detailed plans approved by the Director of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping in place the appropriate signage indicating that the areas described in Exhibit A is not a public street right-of-way shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas is located, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, and completion of the dedication set forth in Section 9, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance; and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the areas abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
City Attorney

THERESA O'DONNELL
Director of Sustainable Development
and Construction

BY Julie Woods
Assistant City Attorney

BY [Signature]
Assistant Director

Passed JUN 22 2011.

STREET RIGHT OF WAY ABANDONMENT 111816
PORTION OF REAGAN STREET
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK A/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGAL DESCRIPTION:

28284

BEING 10,569 square foot tract of land and part of Reagan Street, created by the Clifton Addition, an addition to the City of Dallas, recorded in Volume 1, Page 215, of the Map Records, Dallas County, Texas (M.R.D.C.T.) and being situated in the James A. Sylvester Survey, Abstract No. 1383 and adjacent to Lot 1A, Block A/1007, Woodlawn-Old Parkland Campus No. 2, an Addition to the City of Dallas, Texas, as recorded by Instrument No. 200900230402 in the Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and that land deeded to said entities as described in the Condominium Declaration recorded by Instrument No. 20080397062, O.P.R.D.C.T., and adjacent to Lot 13, Block A/1505, of said Clifton Addition, and deeded to North Maple LLC, recorded in Special Warranty Deed recorded in Instrument No. 201000207741, O.P.R.D.C.T. and being more particularly described as follows;

Commencing at a "X" cut in concrete at the intersection of the southwest right-of-way line of Maple Avenue (variable width R.O.W.) and the northwest right-of-way line of Reagan Street (50' R.O.W.), same being the East corner of said Lot 13, Block A/1505 of said Clifton Addition;

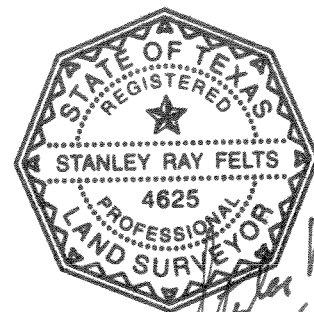
THENCE S44°34'42"W, along the northwest line of said Reagan Street, a distance of 9.29 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for the POINT OF BEGINNING

THENCE S45°57'26"E, departing said northwest line of Reagan Street, a distance of 50.24 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner at the intersection of the southeast line of said Reagan Street and the aforementioned southwest line of Maple Avenue, same being the most easterly northeast corner of said Lot 1A;

THENCE S44°34'42"W, departing the southwest line of Maple Avenue and along the common southeast line of Reagan Street and a northerly line of said Lot 1A, Block A/1007, a distance of 210.31 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner at the intersection of the North and an easterly line of said Lot 1A, same being the East corner of a 50' Right of Way Abandonment for Reagan Street, recorded in Ordinance No. 27208, recorded in Instrument No. 20080204149, O.P.R.D.C.T.;

THENCE N46°05'55"W, along a northeast line of said Lot 1A, a distance of 50.24 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner, same being the intersection of said Abandoned Reagan Street and a 20' alley, also created by the aforementioned Clifton Addition;

THENCE N44°34'42"E, departing the northeast line of said Lot 1A and northeast line of said Abandonment, Block A/1007 and crossing said 20 foot alley and passing at a distance of 19.73 feet the South corner of said Lot 13, Block A/1505, and continuing along the aforementioned northwest line of Reagan Street, same being the south line of said Lot 13, Block A/1505, for a total distance of 210.43 feet to the POINT OF BEGINNING, and containing 10,569 square feet or 0.243 acres of land more or less.



(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2074

BROCKETTE · DAVIS · DRAKE , inc.
consulting engineers

Civil & Structural Engineering-Surveying
 4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
 (214)824-3647, fax (214) 824-7064

BASIS OF BEARINGS:

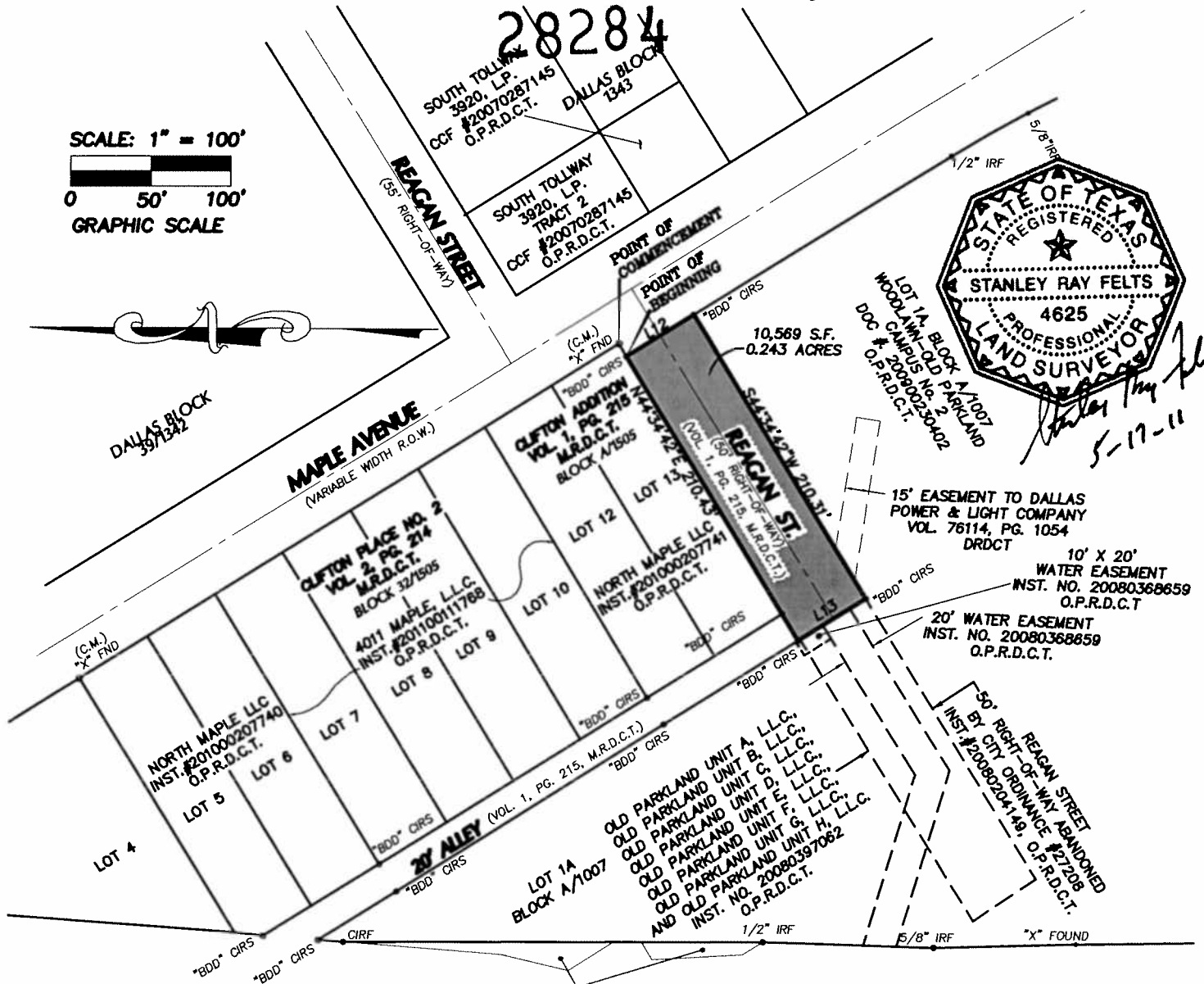
Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc.# 200900230402, of the Official Public Records, Dallas County, Texas.

**STREET RIGHT OF WAY ABANDONMENT
PORTION OF REAGAN STREET
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK A/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

111816

28284

SCALE: 1" = 100'
0 50' 100'
GRAPHIC SCALE

**LEGEND**

"BDD" CIRIS CAPPED IRON ROD SET
CIRF CAPPED IRON ROD FOUND
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS
DALLAS COUNTY, TEXAS
D.R.D.C.T. DEED RECORDS
DALLAS COUNTY, TEXAS
M.R.D.C.T. MAP RECORDS
DALLAS COUNTY, TEXAS

DALLAS NORTH TOLLWAY

(VARIABLE WIDTH RIGHT-OF-WAY)

CONVEYED TO NORTH TEXAS TOLLWAY AUTHORITY
INSTRUMENT NO. 20080384624
(D.R.D.C.T.)

NUMBER	BEARING	DISTANCE
L12	S45°57'26"E	50.24'
L13	N46°05'55"W	50.24'

(For SPRG use only)

Reviewed by: DBF
Date: 05-23-2011
SPRG NO.: 2074

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(214) 824-3647, fax (214) 824-7064

BASIS OF BEARINGS:

Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc.# 200900230402, of the Official Public Records, Dallas County, Texas.

28284

111816

ALLEY ABANDONMENT
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK A/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGAL DESCRIPTION:

BEING 1,991 square foot tract of land, being a portion of a 20 foot alley right of way created by Clifton Addition, recorded in Volume 1, Page 215, of the Map Records of Dallas County, Texas (M.R.D.C.T.) and being situated in the James A. Sylvester Survey, Abstract No. 1383 and adjacent to Lot 1A, Block A/1007, Woodlawn—Old Parkland Campus No. 2, an Addition to the City of Dallas, Texas, as recorded by Instrument No. 200900230402 in the Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and that land deeded to said entities as described in the Condominium Declaration recorded by Instrument No. 20080397062, O.P.R.D.C.T., and adjacent to Lots 12 and 13, Block A/1505, of said Clifton Addition, and deeded to North Maple LLC, recorded in Special Warranty Deed recorded in Instrument No. 201000207741, O.P.R.D.C.T. and being more particularly described as follows;:

Commencing at a "X" cut in concrete at the intersection of the southwest right-of-way line of Maple Avenue (variable width R.O.W.) and the northwest right-of-way line of Reagan Street (50' R.O.W.), same being the East corner of said Lot 13, Block A/1505 of the Clifton Addition;

THENCE S44°34'42"W, departing said southwest line of said Maple Avenue and along the northwest line of said Reagan Street, a distance of 200.17 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the northeast line of said 20 foot alley for the POINT OF BEGINNING, same being the most southerly corner of said Lot 13, Block A/1505;

THENCE S44°34'42"W, departing said northeast line of said 20 foot alley and the most southerly corner of said Lot 13, Block A/1505, a distance of 19.73 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the southwest line of the aforementioned 20 foot alley, same being a northeast line of said Lot 1A, Block A/1007 for corner;

THENCE N46°05'55"W, along the common southwest line of said 20 foot alley and said northeast line of said Lot 1A, Block A/1007, a distance of 100.28 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner;

THENCE N43°54'05"E, departing the common southwest line of said 20 foot alley and the northeast line of said Lot 1A, Block A/1007, a distance of 19.95 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the northeast line of the aforementioned 20 foot alley, same being in the west corner of said Lot 12, Block A/1505 and also the south corner of Lot 10, Block 32/1505, of the Clifton Place No. 2, an Addition to the City of Dallas, recorded in Volume 2, Page 214, M.R.D.C.T. and being deeded to 4011 Maple, L.L.C., in Special Warranty Deed, recorded in Instrument No. 201100111768, O.P.R.D.C.T.;

THENCE S45°58'25"E, along said northeast line of said 20 foot alley and the southwest line of said Lots 12 and 13, Block A/1505, a distance of 100.51 feet to the POINT OF BEGINNING, and containing 1,991 square feet or 0.046 acres of land more or less.



Feb
5-17-11

(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2073

BROCKETTE DAVIS DRAKE, Inc.
consulting engineers

Civil & Structural Engineering Surveying
 4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
 (214)824-3647, fax (214) 824-7064

BASIS OF BEARINGS:

Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn—Old Parkland Campus Addition No. 2, Doc.# 200900230402, of the Official Public Records, Dallas County, Texas.

28284

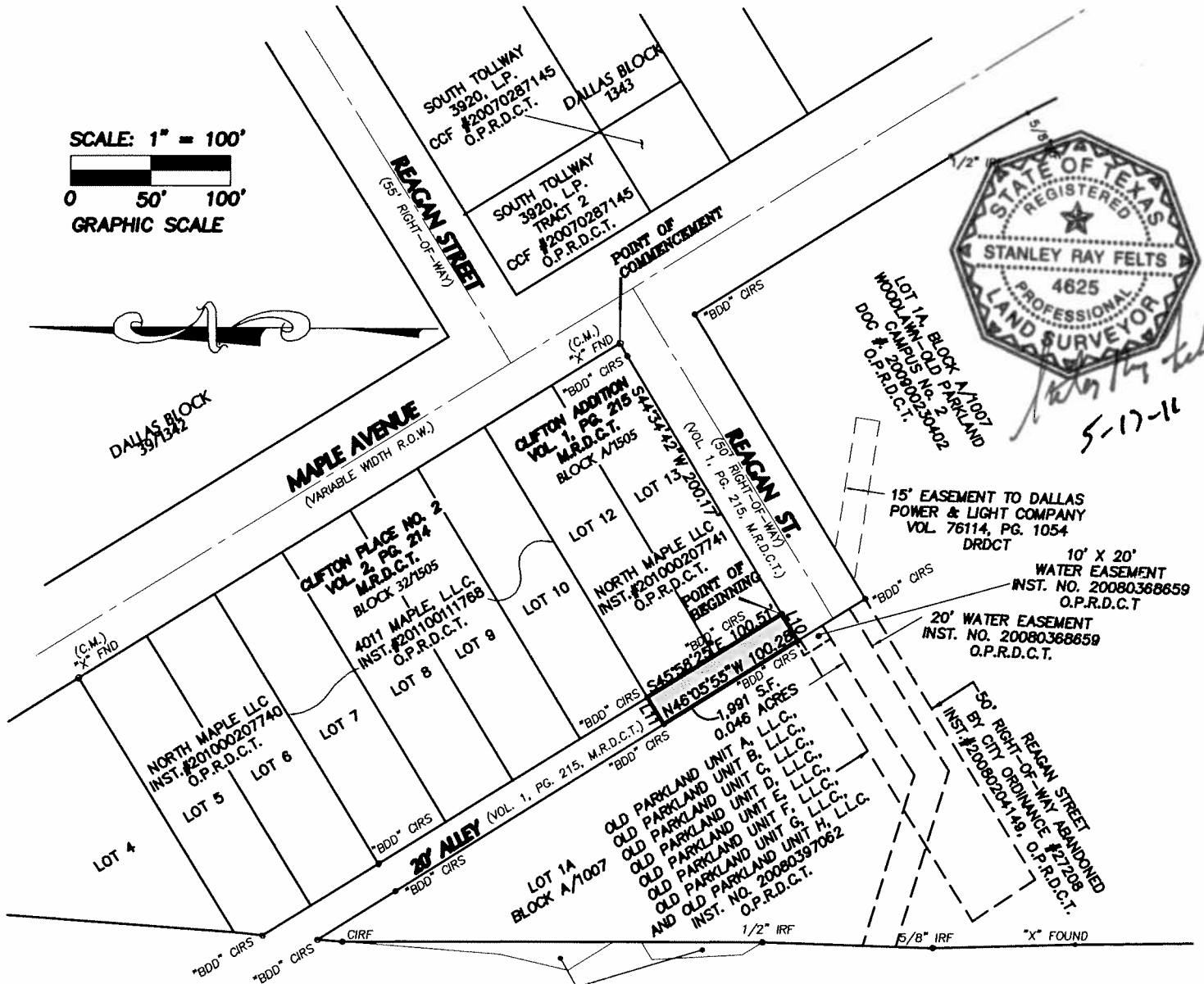
111816

ALLEY ABANDONMENT
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK A/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1" = 100'
 0 50' 100'
 GRAPHIC SCALE



5-17-11

**LEGEND**

"BDD" CIR S CAPPED IRON ROD SET
 CIRF CAPPED IRON ROD FOUND
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS
 DALLAS COUNTY, TEXAS
 D.R.D.C.T. DEED RECORDS
 DALLAS COUNTY, TEXAS
 M.R.D.C.T. MAP RECORDS
 DALLAS COUNTY, TEXAS

DALLAS NORTH TOLLWAY

(VARIABLE WIDTH RIGHT-OF-WAY)

CONVEYED TO NORTH TEXAS TOLLWAY AUTHORITY
 INSTRUMENT NO. 20080384624
 (D.R.D.C.T.)

NUMBER	BEARING	DISTANCE
L10	S44°34'42"W	19.73'
L11	N43°54'05"E	19.95'

(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2073

BROCKETTE · DAVIS · DRAKE, Inc.
consulting engineers

Civil & Structural Engineering · Surveying
 4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
 (214) 824-3847, fax (214) 824-7064

BASIS OF BEARINGS:

Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc. # 200900230402, of the Official Public Records, Dallas County, Texas.

28284

111816

ALLEY ABANDONMENT
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK 32/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGAL DESCRIPTION:

BEING 4,033 square foot tract of land, being a portion of a called 20 foot Alley right of way created by Clifton Addition, an Addition to the City of Dallas, recorded in Volume 1, Page 215, of the Map Records of Dallas County, Texas (M.R.D.C.T.) and being part of the James A. Sylvester Survey, Abstract No. 1383 and being bound by Lot 1A, Block A/1007, Woodlawn-Old Parkland Campus No. 2, an Addition to the City of Dallas, Texas, as recorded in Instrument No. 200900230402 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.) and adjacent to that land conveyed to said entities as described in the Condominium Declaration recorded in Instrument No. 20080397062, O.P.R.D.C.T., and adjacent to Lots 7-10, Block 32/1505, of the Clifton Place No. 2, an addition to the City of Dallas, recorded in a plat, Volume 2, Page 214, D.R.D.C.T., same being deeded to 4011 Maple, L.L.C., in Special Warranty Deed, recorded in Instrument No. 201100111768, O.P.R.D.C.T. and being more particularly described as follows;

Commencing at a unidentifiable capped iron rod found in the East right-of-way line of the Dallas North Tollway (variable width R.O.W.) same being the West line of said Lot 1A, Block A/1007, of the Woodlawn-Old Parkland Campus No. 2;

THENCE N09°38'18"W, along the East line of said Dallas North Tollway, a distance of 15.80 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner in the southwest line of said 20 foot alley, also being the most northerly corner of said Lot 1A;

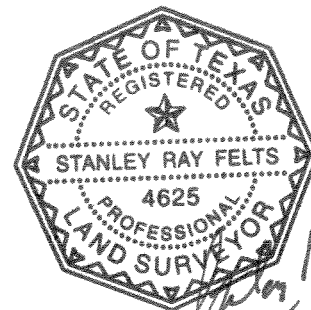
THENCE S46°05'55"E, along the southwest line of said 20 foot alley and a northeast line of said Lot 1A, and being a northeast line of said Condominium Declaration, a distance of 57.92 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for the POINT OF BEGINNING;

THENCE N43°54'05"E, departing said southwest line of said 20 foot alley and crossing said alley, a distance of 20.38 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the northeast line of said 20 foot alley, same being the west corner of said Lot 7, Block 32/1505, also being the west corner of said 4011 Maple, L.L.C. tract;

THENCE S45°58'25"E, along the northeast line of said 20 foot alley and southwest line of said 4011 Maple, L.L.C. tract, a distance of 200.01 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner, same being the south corner of said Lot 10, Block 32/1505;

THENCE S43°54'05"W, departing the northeast line of the 20 foot alley and crossing said alley, a distance of 19.95 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the southwest line of the aforementioned 20 foot alley and a northeast line of said Lot 1A and northeast line of said Condominium Declaration;

THENCE N46°05'55"W, along the southwest line of said 20 foot alley and a northeast line of said Lot 1A and a northeast line of said Condominium Declaration, a distance of 200.01 feet to the POINT OF BEGINNING, and containing 4,033 square feet or 0.092 acres of land more or less.



(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2055

BROCKETTE · DAVIS · DRAKE, Inc.
consulting engineers

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 4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
 (214) 824-3847, fax (214) 824-7064

BASIS OF BEARINGS:

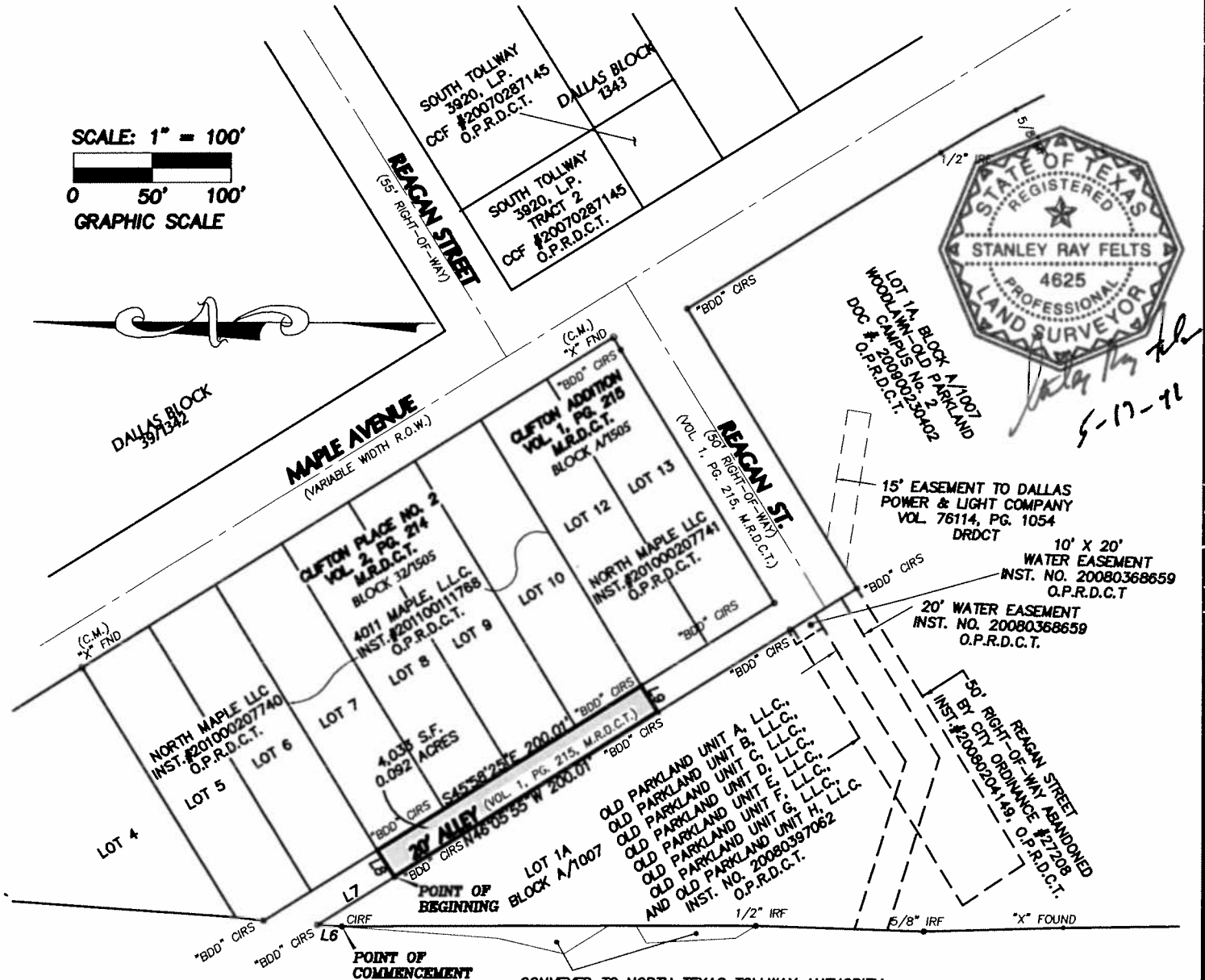
Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc.# 200900230402, of the Official Public Records, Dallas County, Texas.

ALLEY ABANDONMENT
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK 32/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1" = 100'
 0 50' 100'
 GRAPHIC SCALE



5-17-11

**LEGEND**

"BDD" CIRS CAPPED IRON ROD SET
 CIRF CAPPED IRON ROD FOUND
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS
 DALLAS COUNTY, TEXAS
 D.R.D.C.T. DEED RECORDS
 DALLAS COUNTY, TEXAS
 M.R.D.C.T. MAP RECORDS
 DALLAS COUNTY, TEXAS

DALLAS NORTH TOLLWAY
 (VARIABLE WIDTH RIGHT-OF-WAY)

CONVEYED TO NORTH TEXAS TOLLWAY AUTHORITY
 INSTRUMENT NO. 20080384624
 (D.R.D.C.T.)

NUMBER	BEARING	DISTANCE
L6	N09°38'18"W	15.80'
L7	S46°05'55"E	57.92'
L8	N43°54'05"E	20.38'
L9	S43°54'05"W	19.95'

(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2055

B BROCKETTE · DAVIS · DRAKE, Inc.
DD consulting engineers

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 (214) 824-3647, fax (214) 824-7064

BASIS OF BEARINGS:
 Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc. # 200900230402, of the Official Public Records, Dallas County, Texas.

28284

111816

ALLEY ABANDONMENT
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK 32/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGAL DESCRIPTION:

BEING 1,469 square foot tract of land, being a portion of a 20 foot alley created by Clifton Addition, an Addition to the City of Dallas, recorded in Volume 1, Page 215, of the Map Records of Dallas County, Texas (M.R.D.C.T.) situated in the James A. Sylvester Survey, Abstract No. 1383 and adjacent to Lot 1A, Block A/1007, Woodlawn-Old Parkland Campus No. 2, an Addition to the City of Dallas, Texas, as recorded by Inst. No. 200900230402 in Official Public Records, Dallas County, Texas, (O.P.R.D.C.T.) and that land conveyed to said entities as described in the Condominium Declaration recorded by Instrument No. 20080397062, O.P.R.D.C.T., and the Remainder of Lot 5, and all of Lot 6, Block 32/1505, deeded to North Maple LLC, recorded in Special Warranty Deed, Instrument No. 20100207740, O.P.R.D.C.T. and being more particularly described as follows;

Commencing at a unidentifiable capped iron rod found in the East right-of-way line of the Dallas North Tollway (variable width R.O.W.) same being the West line of said Lot 1A, Block A/1007, of the Woodlawn-Old Parkland Campus No. 2;

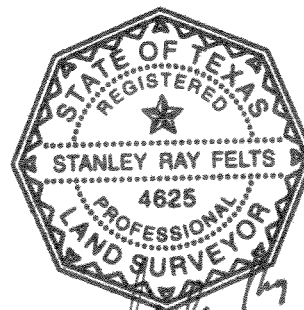
THENCE N09°38'18"W, along the East line of said Dallas North Tollway, a distance of 15.80 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for the POINT OF BEGINNING in the southwest line of said 20 foot alley, same being the North corner of said Lot 1A;

THENCE N09°32'39"W, along the East line of said Dallas North Tollway, a distance of 34.54 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set at the intersection of the East line of said Dallas North Tollway and the northeast line of said 20 foot alley, same being the west corner of said remainder of Lot 5, Block 32/1505, also being the west corner of said North Maple LLC tract;

THENCE S45°58'25"E, along the northeast line of said 20 foot alley, a distance of 85.66 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set for corner, same being the south corner of said Lot 6, Block 32/1505, same being the West corner of Lot 7, Block 32/1505, deeded to 4011 Maple, L.L.C., in Special Warranty Deed, recorded in Instrument No. 201100111768, O.P.R.D.C.T.;

THENCE S43°54'05"W, departing the northeast line of said 20 foot alley, a distance of 20.38 feet to a 5/8-inch steel rebar with yellow plastic cap marked "BDD" set in the southwest line of the aforementioned 20 foot alley, same being the west line of said Lot 1A;

THENCE N46°05'55"W, along the West line of said 20 foot alley, same being the East line of said Lot 1A, a distance of 57.92 feet to the POINT OF BEGINNING, and containing 1,469 square feet or 0.034 acres of land more or less.



(For SPRG use only)

Reviewed by: DBF
 Date: 05-23-2011
 SPRG NO.: 2056

BROCKETTE · DAVIS · DRAKE, Inc.
consulting engineers

Civil & Structural Engineering · Surveying
 4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
 (214) 824-3647, fax (214) 824-7064

BASIS OF BEARINGS:

Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc. # 200900230402, of the Official Public Records, Dallas County, Texas.

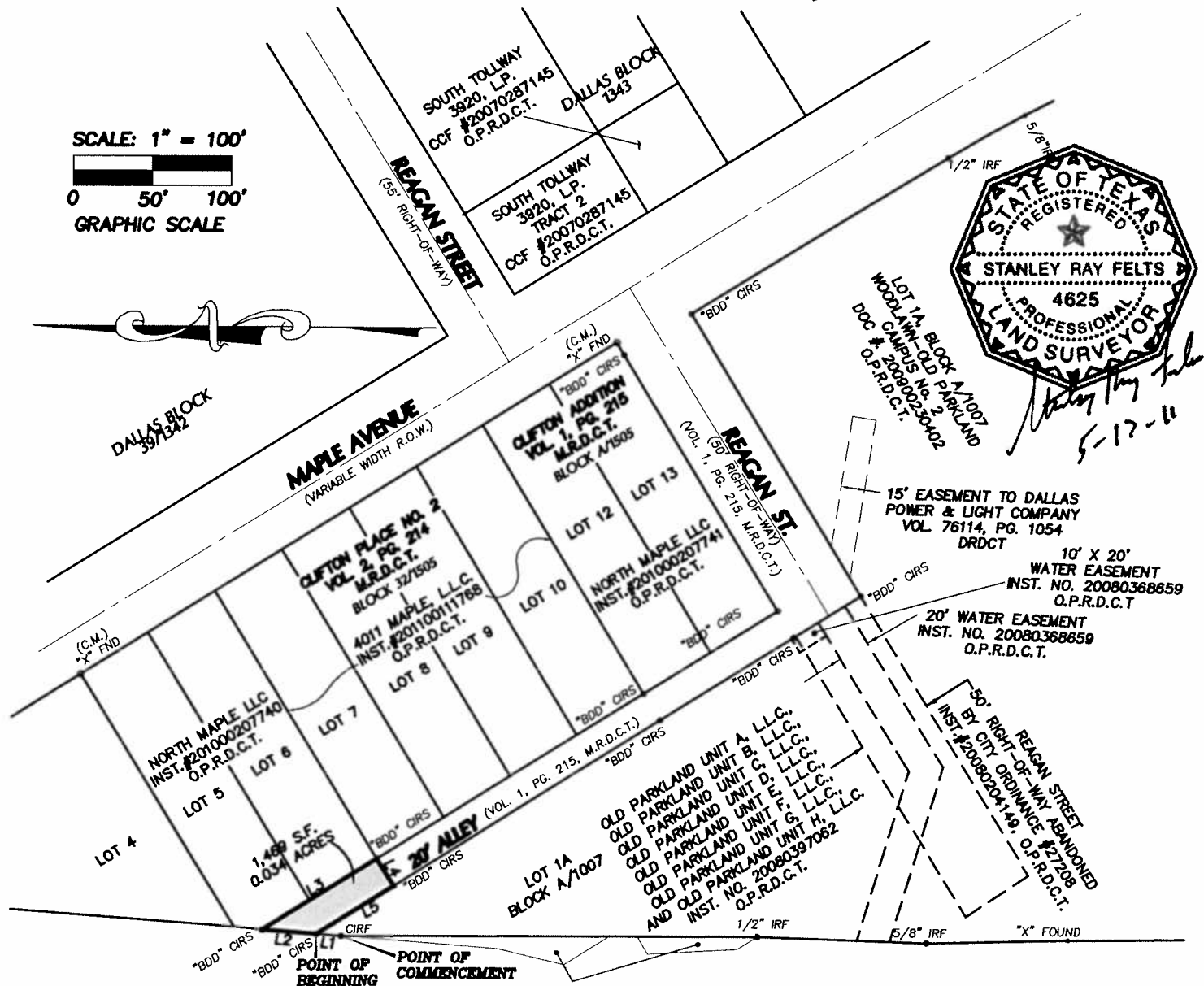
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ALLEY ABANDONMENT

**JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
ADJACENT TO BLOCK A/1007 AND BLOCK 32/1505
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

SCALE: 1" = 100'
0 50' 100'
GRAPHIC SCALE



LEGEND

"BDD" CIRIS CAPPED IRON ROD SET
CIRF CAPPED IRON ROD FOUND
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS
DALLAS COUNTY, TEXAS
D.R.D.C.T. DEED RECORDS
DALLAS COUNTY, TEXAS
M.R.D.C.T. MAP RECORDS
DALLAS COUNTY, TEXAS

DALLAS NORTH TOLLWAY
(VARIABLE WIDTH RIGHT-OF-WAY)

(For SPRG use only)

Reviewed by: DBF
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NUMBER	BEARING	DISTANCE
L1	N09°38'18"W	15.80'
L2	N09°32'39"W	34.54'
L3	S45°58'25"E	85.66'
L4	S43°54'05"W	20.38'
L5	N46°05'55"W	57.92'

BASIS OF BEARINGS:

Bearing system based off of the southeast line of Reagan Street (N 44°34'42" E) as recorded in the Woodlawn-Old Parkland Campus Addition No. 2, Doc. # 200900230402, of the Official Public Records, Dallas County, Texas.

28284

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EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.