

ORDINANCE NO. 28708

An ordinance amending Ordinance No. 28485 by altering Sections 2 and 13, deleting Sections 9, 10, and 11 in their entirety, adding new Sections 9, 10, 11, 12, 13 and 14, and renumbering Sections 12, 13, and 14 thereto; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance No. 28485 adopted by the City Council of the City of Dallas on December 14, 2011, be and the same is hereby amended by altering Sections 2 and 13, deleting Sections 9, 10, and 11 in their entirety, adding new Sections 9, 10, 11, 12, 13 and 14 and renumbering Sections 12, 13 and 14 to read as follows:

"SECTION 2. That for and in monetary consideration of the sum of **FORTY-NINE THOUSAND NINE HUNDRED TWO AND NO/100 DOLLARS (\$49,902.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, ~~and~~ 11, 13 and 14, 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. **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 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record 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 4,661 square feet of needed right-of-way in City Block 12/5406. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas 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 areas are 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) Within one year of the effective date of this ordinance (i) submit engineering plans for the paving and drainage infrastructure and all related facilities to the Department of Sustainable Development and Construction, Engineering Division, for review and approval; and (ii) execute appropriate contracts approved by the Director of Sustainable Development and Construction for the construction of said paving and drainage improvements. 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; and~~
- ~~b) Maintain a fire lane and open access to existing fire hydrant facilities until an approved alternate access route to any existing fire hydrants and fire department connections have been approved and installed or until the relocation of any fire hydrants and fire department connections eliminates the necessity of maintaining the fire lane open access as determined by 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; and~~

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~~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-Tracts 1 and 2 as public street rights-of-way 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-Tracts 1 and 2 are not public street rights-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 9. That as a condition of the abandonment(s) and as a part of the consideration for the quitclaim(s) made herein, **GRANTEE** shall, within eighteen months of the effective date of this ordinance, dedicate or cause to be dedicated not less than 4,661 square feet of needed right-of-way in City Block 12/5406.

Said dedication shall be in fee simple and shall be effected as follows:

- a) **GRANTEE** shall convey or cause to be conveyed by General Warranty Deed to the City of Dallas good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Block 12/5406, containing a total of approximately 2,065 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C -- Tracts 1 and 2; and
- b) **GRANTEE** shall record or cause to be recorded a final replat covering some or all of the right-of-way described in Exhibits A - Tracts 1 and 2 effecting fee simple dedication of not less than 2,596 square feet of needed right-of-way in City Block 12/5406. The final replat described in this section 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**.

The abandonment(s) contemplated in this ordinance shall not be effective unless and until these dedications are completed as provided by this section. The failure to convey the above-described property and record a final replat in accordance with the terms of this section shall render this ordinance null and

void and of no further effect.

SECTION 10. That as a further condition of the abandonment(s) applicable to the portions of the property described in Exhibit A – Tracts 1 and 2 covered by the replat required by Section 9b above and as a part of the consideration for the quitclaim(s) relating to same made herein, **GRANTEE** shall:

- a) Within eighteen months of the effective date of this ordinance (i) submit engineering plans for the paving and drainage infrastructure and all related facilities for the property covered by the replat required by Section 9b above to the Department of Sustainable Development and Construction, Engineering Division, for review and approval; and (ii) execute appropriate contracts approved by the Director of Sustainable Development and Construction for the construction of said paving and drainage improvements. The abandonment of any and all portions of the right-of-way described in Exhibit A – Tracts 1 and 2 covered by the replat described in Section 9b above shall not be effective unless and until **GRANTEE** complies with this provision.
- b) Maintain a fire lane and open access to existing fire hydrant facilities until an approved alternate access route to any existing fire hydrants and fire department connections have been approved and installed or until the relocation of any fire hydrants and fire department connections eliminates the necessity of maintaining the fire lane open access as determined by 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.

SECTION 11. That as a further condition of the abandonment(s) applicable to the portions of the property described in Exhibit A – Tracts 1 and 2 not covered by the replat required by Section 9b above and as a part of the consideration for the quitclaim(s) relating to same made herein, **GRANTEE** shall:

- a) Within eighteen months of the effective date of this ordinance (i) file or cause to be filed a final replat of those portions of the area described in Exhibit A – Tracts 1 and 2 not otherwise replatted pursuant to Section 9b above and relevant adjoining properties; (ii) submit engineering plans for the paving and drainage infrastructure and all related facilities for said property and/or necessitated by said replat to the Department of Sustainable Development and Construction, Engineering Division, for review and approval; and (iii) execute appropriate contracts approved by the Director of Sustainable Development and Construction for the construction of said paving and drainage improvements. **GRANTEE** shall record or cause to be recorded this final replat in the official real property

records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas. The abandonment of any portion of the right-of-way described in Exhibit A – Tracts 1 and 2 not covered by and/or included in the replat described in Section 9a above, shall not be effective unless and until **GRANTEE** complies with this provision.

- b) Maintain a fire lane and open access to existing fire hydrant facilities until an approved alternate access route to any existing fire hydrants and fire department connections have been approved and installed or until the relocation of any fire hydrants and fire department connections eliminates the necessity of maintaining the fire lane open access as determined by 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.

SECTION 12. That this ordinance and the properly executed General Warranty Deed required by Section 9a above, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying said real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 9a.

SECTION 14. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of the abandonment(s) as to any portions of the area(s) described in Exhibit A – Tracts 1 and 2, close, barricade and/or place signs in said area(s) in accordance with detailed plans approved by the Director of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area(s) described in Exhibit A – Tracts 1 and 2 closed, barricaded and/or the signs in place shall continue until the street improvements and

intersection returns are removed by **GRANTEE** and **GRANTEE's** heirs, successors and assigns, to the satisfaction of the Director of Sustainable Development and Construction.

SECTION [12.] 15. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to the areas described in Exhibit A-Tracts 3, 4, 5, 6, 7, 8, 9 and 10 shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easements to be provided by **GRANTEE** and acceptable to the Director of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easements are approved by the Director of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Sustainable Development and Construction. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction. For any portion of an easement for which the requirements of this Section 15 have been satisfied, the abandonment, relinquishment and quitclaim herein shall be effective with respect to said portion.

SECTION [13.] 16. 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 are 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 Sections 2 and 13, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, [and the filing of the final replat set forth in Section 9] the completion of the dedications as set forth in Section 9 and satisfaction of the conditions set forth in Sections 10 and 11, as applicable, 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(s)** with regard to the areas abandoned herein, as applicable, 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 [14.] 17. 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."

SECTION 2. That, as consideration for amending Ordinance No. 28485, Lovers Tradition, LP agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. 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 the 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 4. That the terms and conditions of Ordinance No. 28485 shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or her designee. Upon receipt of the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction, or her designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Sustainable Development and Construction, or her designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

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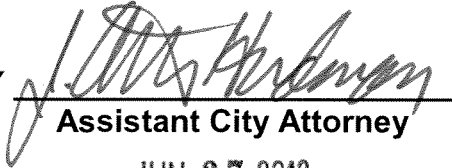
SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

Thomas P. Perkins, Jr.
City Attorney

THERESA O'DONNELL
Director of Sustainable Development and
Construction

BY


Assistant City AttorneyPassed .

JUN 27 2012

BY


Assistant Director

28708

121729

**STREET RIGHT OF WAY DEDICATION
LOT 3, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

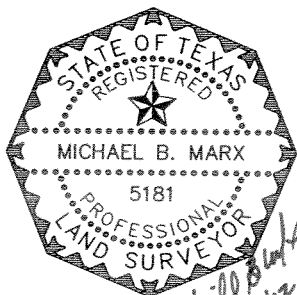
BEING a 112 square feet (0.003 of an acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, and being a portion of Lot 3, Block 12/5406 of Revised Caruth Manor No. 5, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 68080, Page 1938 of the Map Records of Dallas County, Texas, same being a portion of a tract of land, conveyed to Lovers Tradition, LP, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201000124687 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the northwest corner of said Lot 3, Block 12/5406, same being the intersection of the east right of way line of Matilda Street (a called 50-foot wide right of way) with the south right of way line of Lovers Lane (a called 100-foot wide right of way);

THENCE South 89°09'53" East, along the north line of said Lot 3 and the south right of way line of said Lovers Lane, a distance of 15.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 45°26'23" West, departing the north line of said Lot 3 and the south right of way line of said Lovers Lane, a distance of 21.07 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the west line of said Lot 3, same being on the east right of way line of said Matilda Street;

THENCE North 00°04'09" East, along the west line of said Lot 3 and the east right of way line of said Matilda Street, a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 112 square feet (0.003 of an acre) of land, more or less.

**Note:**

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: *[Signature]*
Date: 05.11.2012
SPRG NO: 2347



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

12700 Park Central Drive, Suite 1800
Dallas, Texas 75251

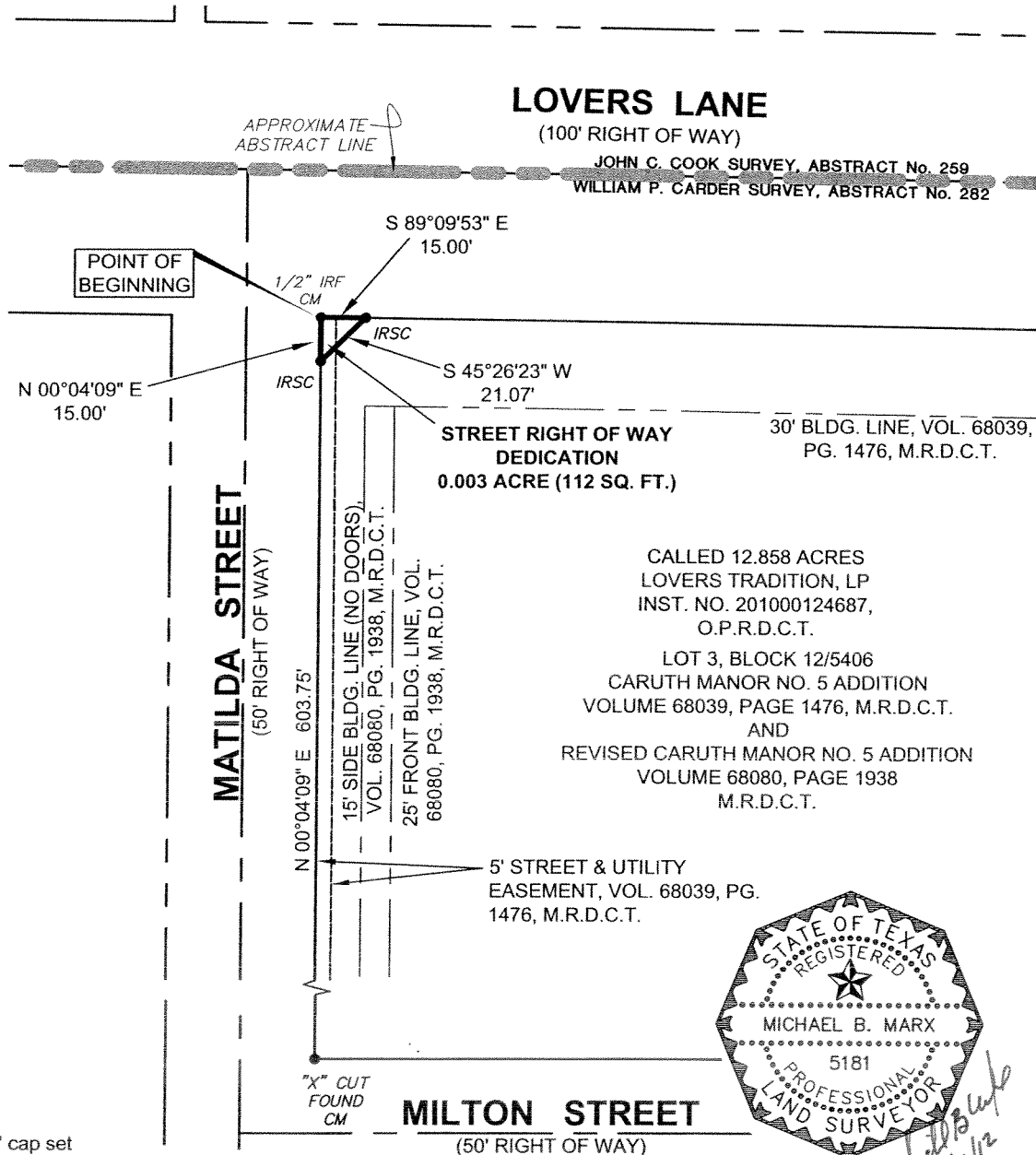
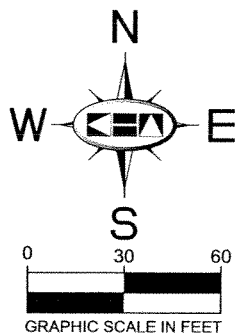
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
NONE	MBM	SRD	05/04/2012	064433200	1 OF 2

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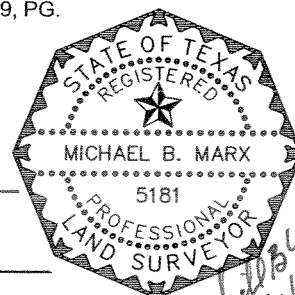
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**STREET RIGHT OF WAY DEDICATION
LOT 3, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

CALLLED 12.858 ACRES
LOVERS TRADITION, LP
INST. NO. 201000124687,
O.P.R.D.C.T.

LOT 3, BLOCK 12/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

**LEGEND:**

IRSC = 5/8" Iron rod with "KHA" cap set
CM = Controlling monument
VOL. = Volume
PG. = Page
INST. NO. = Instrument number
D.R.D.C.T. = Deed Records, Dallas County, Texas
M.R.D.C.T. = Map Records, Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: *[Signature]*
Date: *05.11.2012*
SPRG NO: *2347*



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

12700 Park Central Drive, Suite 1800
Dallas, Texas 75251

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MBM	SRD	05/04/2012	064433200	2 OF 2

**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

BEING a 1,953 square feet (0.045 acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, and being a portion of Lots 1 and 2, Block 12/5406 of Revised Caruth Manor No. 5 Addition, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 68080, Page 1938 of the Deed Records of Dallas County, Texas, same being a portion of a called 12.858 acre tract of land, conveyed to Lovers Tradition, LP, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201000124687 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut found for the southwest corner of said Lot 2, Block 12/5406, same being the intersection of the north right of way line of Milton Street (a called 50-foot wide right of way) with the east right of way line of Matilda Street (a called 50-foot right of way);

THENCE North 00°04'09" East, along the west line of said Lot 2 and the east right of way line of said Matilda Street, a distance of 13.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 45°00'07" East, departing the west line of said Lot 2 and the east right of way line of said Matilda Street, a distance of 14.12 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 89°55'37" East, along a line that is 3-feet north of and parallel with the south line of said Lots 1 and 2 and the north right of way line of said Milton Street, a distance of 624.30 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 00°50'07" West, a distance of 3.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the south line of said Lot 1 and the north right of way line of said Milton Street;

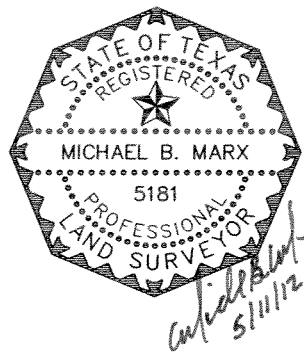
THENCE South 89°55'37" West, along the south line of said Lot 1, the south line of aforesaid Lot 2, Block 12/5406 and the north right of way line of said Milton Street, a distance of 634.26 feet to the **POINT OF BEGINNING** and containing 1,953 square feet (0.045 acre) of land, more or less.

Note:

The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.



(for SPRG use only)

Reviewed By: *JB*
Date: 05.11.2012
SPRG NO: 2346



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

12700 Park Central Drive, Suite 1800
Dallas, Texas 75251

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
NONE	MBM	SRD	05/04/2012	064433200	1 OF 3

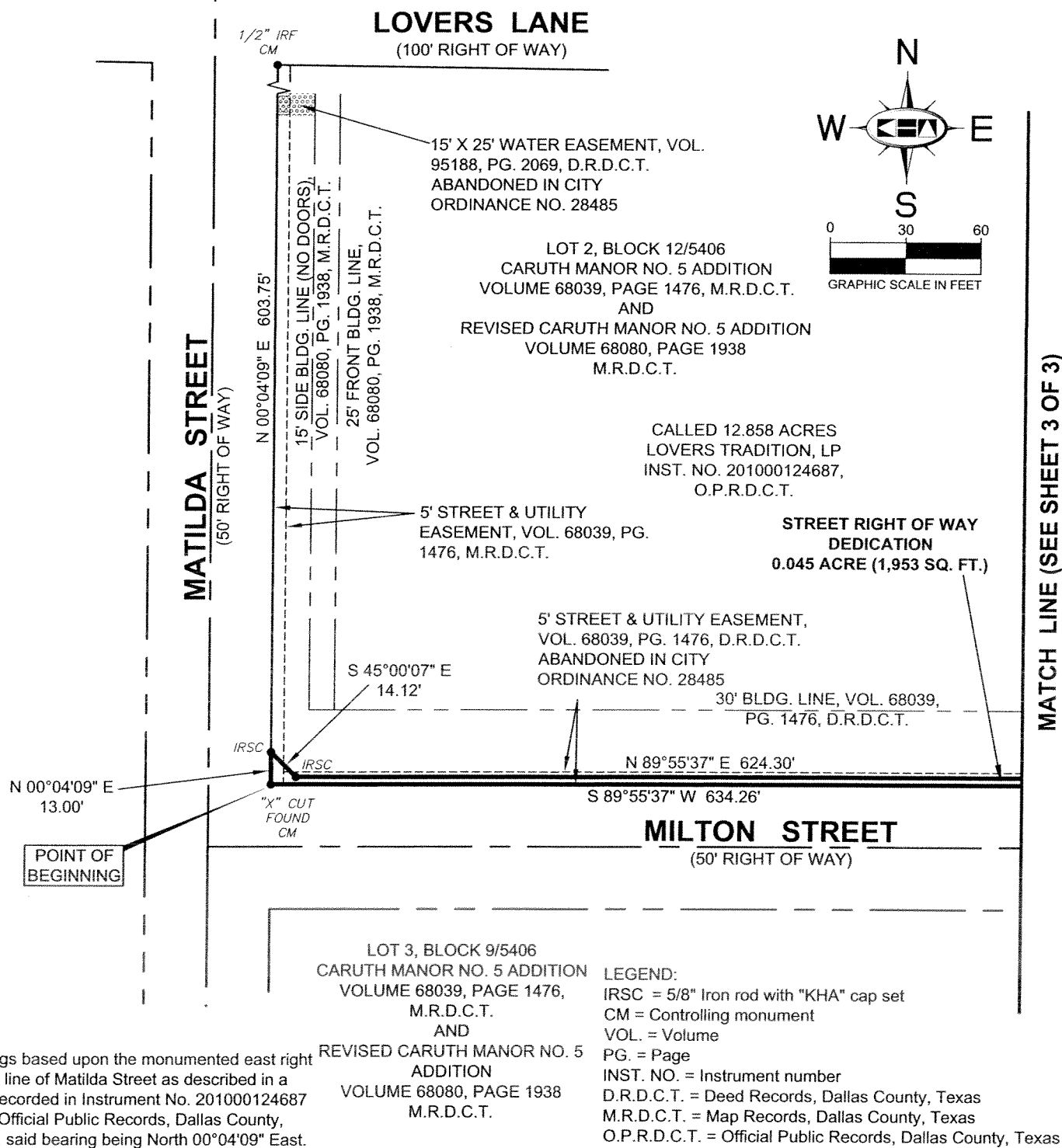
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Note:

The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CORDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C**Note:**

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: *[Signature]*

Date: 05.11.2012

SPRG NO: 2346



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

12700 Park Central Drive, Suite 1800
Dallas, Texas 75251

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

Scale

1" = 60'

Drawn by

MBM

Checked by

SRD

Date

05/04/2012

Project No.

064433200

Sheet No.

2 OF 3

28708

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**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CORDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C**LEGEND:**

IRSC = 5/8" Iron rod with "KHA" cap set

CM = Controlling monument

VOL. = Volume

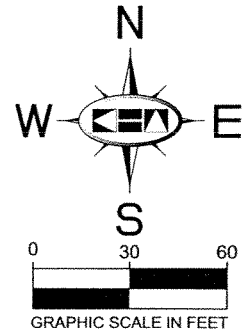
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D.R.D.C.T. = Deed Records, Dallas County, Texas

M.R.D.C.T. = Map Records, Dallas County, Texas

O.P.R.D.C.T. = Official Public Records, Dallas County, Texas



MATCH LINE (SEE SHEET 2 OF 3)

LOT 2, BLOCK 12/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

6' DRAINAGE EASEMENT, VOL.
68039, PG. 1476, M.R.D.C.T.
ABANDONED IN CITY ORD.
NO. 28485

5' STREET & UTILITY
EASEMENT, VOL. 68039, PG.
1476, M.R.D.C.T.
ABANDONED IN CITY
ORDINANCE NO. 28485

CALLED 12.858 ACRES
LOVERS TRADITION, LP
INST. NO. 201000124687,
O.P.R.D.C.T.

LOT 1, BLOCK 12/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

WATER EASEMENT, VOL.
95188, PG. 2069, D.R.D.C.T.
ABANDONED IN CITY
ORDINANCE NO. 28485

**STREET RIGHT OF WAY DEDICATION
0.045 ACRE (1,953 SQ. FT.)**

30' BLDG. LINE, VOL. 68039,
PG. 1476, M.R.D.C.T.

N 89°55'37" E 624.30'

S 00°50'07" W
3.00'

S 89°55'37" W 634.26'

MILTON STREET

(50' RIGHT OF WAY)

LOT 3, BLOCK 9/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

LOT 4, BLOCK 9/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

Note:

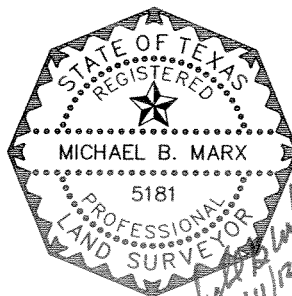
The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: JS
Date: 05.11.2012
SPRG NO: 2346



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

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MBM	SRD	05/04/2012	064433200	3 OF 3

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121729

**STREET RIGHT OF WAY DEDICATION
LOT 3, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

BEING a 112 square feet (0.003 of an acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, and being a portion of Lot 3, Block 12/5406 of Revised Caruth Manor No. 5, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 68080, Page 1938 of the Map Records of Dallas County, Texas, same being a portion of a tract of land, conveyed to Lovers Tradition, LP, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201000124687 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the northwest corner of said Lot 3, Block 12/5406, same being the intersection of the east right of way line of Matilda Street (a called 50-foot wide right of way) with the south right of way line of Lovers Lane (a called 100-foot wide right of way);

THENCE South 89°09'53" East, along the north line of said Lot 3 and the south right of way line of said Lovers Lane, a distance of 15.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 45°26'23" West, departing the north line of said Lot 3 and the south right of way line of said Lovers Lane, a distance of 21.07 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the west line of said Lot 3, same being on the east right of way line of said Matilda Street;

THENCE North 00°04'09" East, along the west line of said Lot 3 and the east right of way line of said Matilda Street, a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 112 square feet (0.003 of an acre) of land, more or less.

**Note:**

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: JS
Date: 05.11.2012
SPRG NO: 2347



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

12700 Park Central Drive, Suite 1800
Dallas, Texas 75251

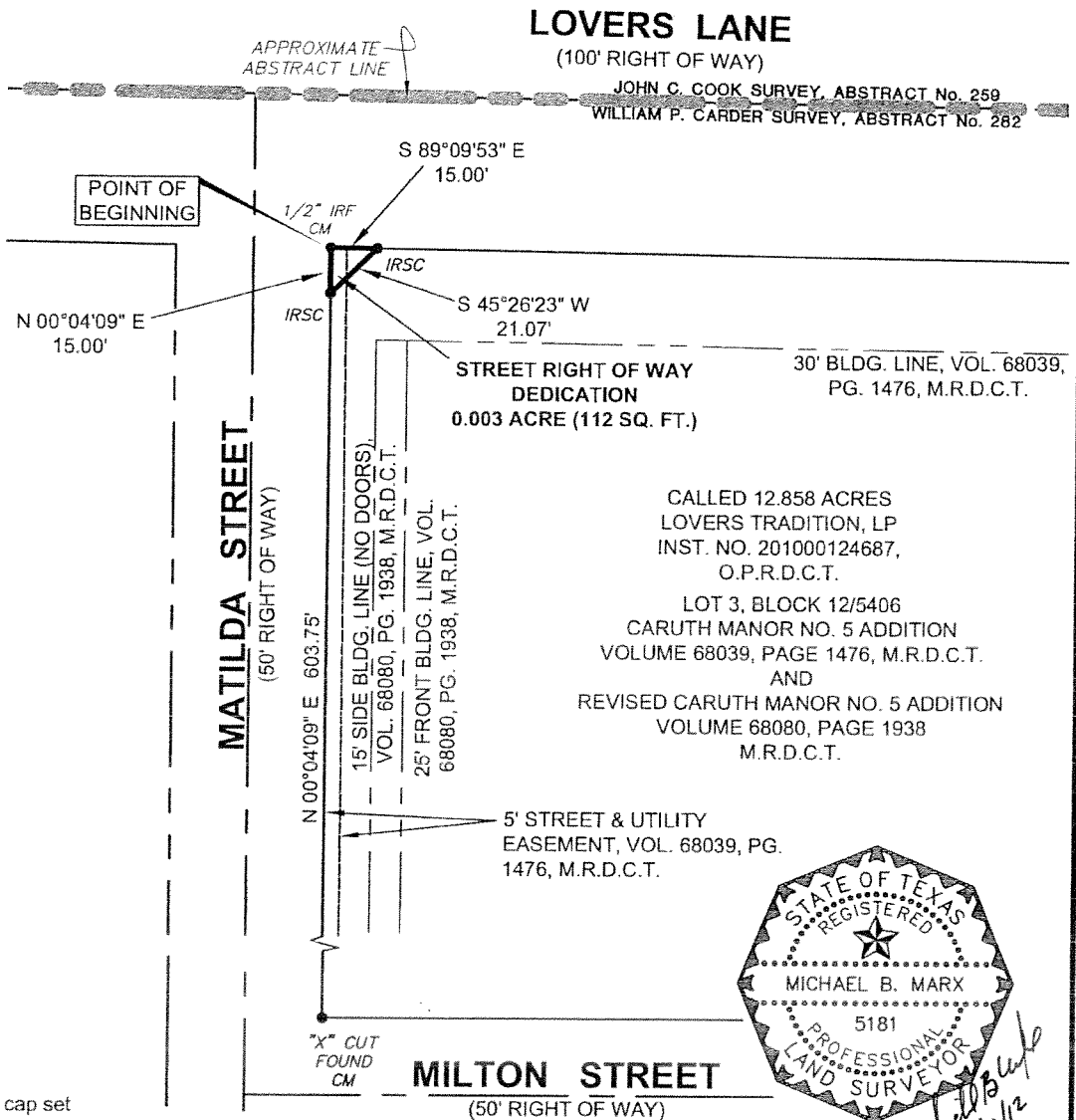
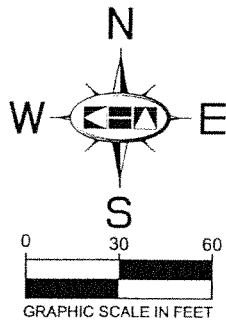
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
NONE	MBM	SRD	05/04/2012	064433200	1 OF 2

28708

121729

**STREET RIGHT OF WAY DEDICATION
LOT 3, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CORDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C**LEGEND:**

IRSC = 5/8" Iron rod with "KHA" cap set
CM = Controlling monument
VOL. = Volume
PG. = Page
INST. NO. = Instrument number
D.R.D.C.T. = Deed Records, Dallas County, Texas
M.R.D.C.T. = Map Records, Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

(for SPRG use only)

Reviewed By: *[Signature]*
Date: *05.11.2012*
SPRG NO: 2347

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.



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1" = 60'	MBM	SRD	05/04/2012	064433200	2 OF 2

28708

121729

**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

BEING a 1,953 square feet (0.045 acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, and being a portion of Lots 1 and 2, Block 12/5406 of Revised Caruth Manor No. 5 Addition, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 68080, Page 1938 of the Deed Records of Dallas County, Texas, same being a portion of a called 12.858 acre tract of land, conveyed to Lovers Tradition, LP, as evidenced in a Special Warranty Deed, recorded in Instrument No. 201000124687 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut found for the southwest corner of said Lot 2, Block 12/5406, same being the intersection of the north right of way line of Milton Street (a called 50-foot wide right of way) with the east right of way line of Matilda Street (a called 50-foot right of way);

THENCE North 00°04'09" East, along the west line of said Lot 2 and the east right of way line of said Matilda Street, a distance of 13.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 45°00'07" East, departing the west line of said Lot 2 and the east right of way line of said Matilda Street, a distance of 14.12 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 89°55'37" East, along a line that is 3-feet north of and parallel with the south line of said Lots 1 and 2 and the north right of way line of said Milton Street, a distance of 624.30 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE South 00°50'07" West, a distance of 3.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the south line of said Lot 1 and the north right of way line of said Milton Street;

THENCE South 89°55'37" West, along the south line of said Lot 1, the south line of aforesaid Lot 2, Block 12/5406 and the north right of way line of said Milton Street, a distance of 634.26 feet to the **POINT OF BEGINNING** and containing 1,953 square feet (0.045 acre) of land, more or less.

Note:

The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.



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Reviewed By: *[Signature]*
Date: 05.11.2012
SPRG NO: 2346



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

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NONE	MBM	SRD	05/04/2012	064433200	1 OF 3

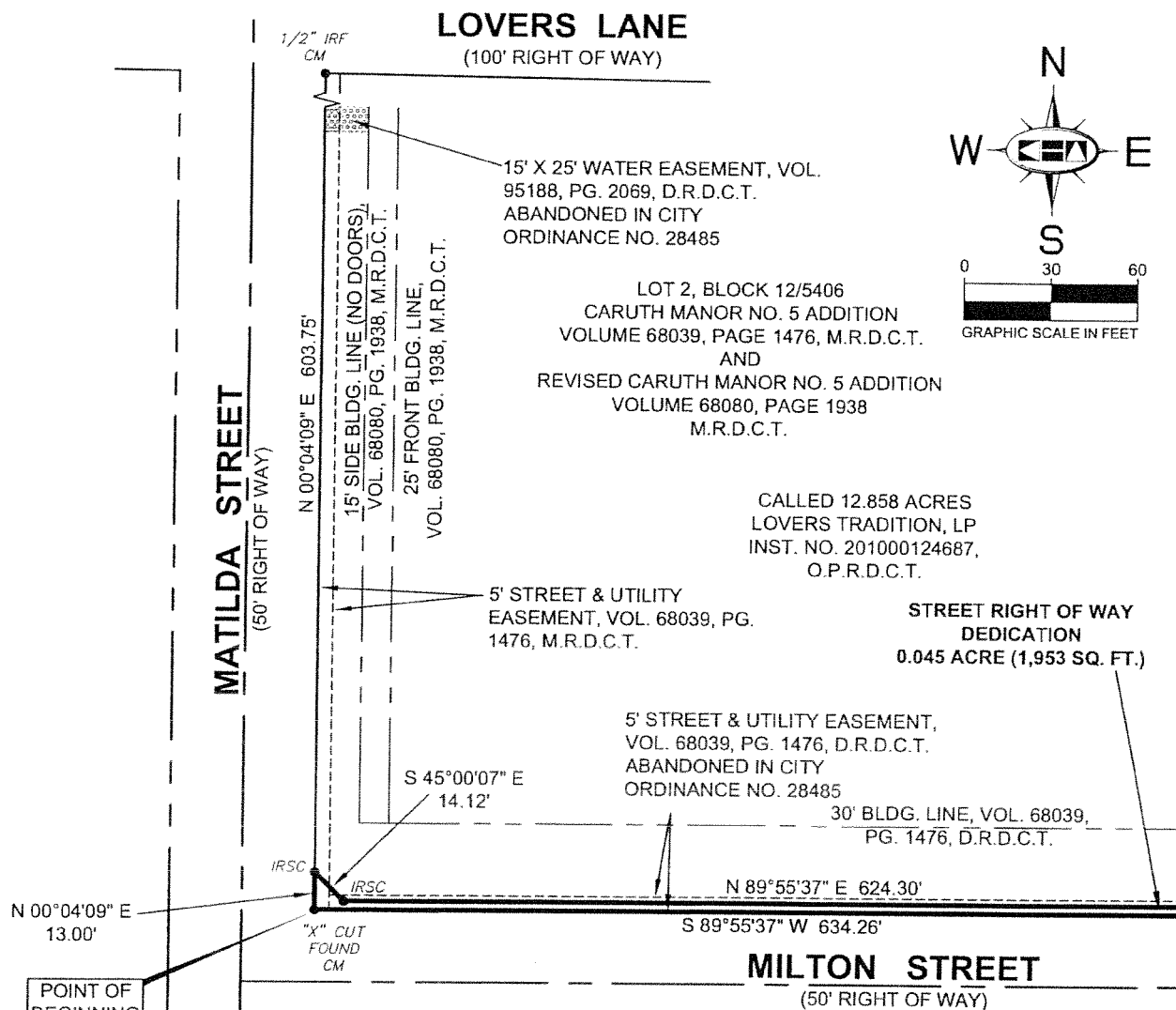
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Note:

The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

LEGEND:

IRSC = 5/8" Iron rod with "KHA" cap set
CM = Controlling monument
VOL. = Volume
PG. = Page
INST. NO. = Instrument number
D.R.D.C.T. = Deed Records, Dallas County, Texas
M.R.D.C.T. = Map Records, Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

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Reviewed By: *[Signature]*Date: *05.11.2012*

SPRG NO:

2346



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Scale
1" = 60'

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SRD

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05/04/2012

Project No.
064433200

Sheet No.
2 OF 3

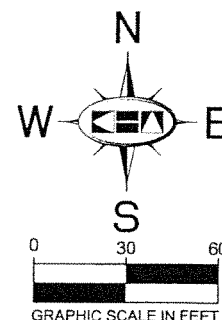
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**STREET RIGHT OF WAY DEDICATION
LOTS 1 AND 2, BLOCK 12/5406
REVISED CARUTH MANOR NO. 5 ADDITION
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT C**LEGEND:**

IRSC = 5/8" Iron rod with "KHA" cap set
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MATCH LINE (SEE SHEET 2 OF 3)

LOT 2, BLOCK 12/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

6' DRAINAGE EASEMENT, VOL.
68039, PG. 1476, M.R.D.C.T.
ABANDONED IN CITY ORD.
NO. 28485

5' STREET & UTILITY
EASEMENT, VOL. 68039, PG.
1476, M.R.D.C.T.
ABANDONED IN CITY
ORDINANCE NO. 28485

CALLED 12.858 ACRES
LOVERS TRADITION, LP
INST. NO. 201000124687,
O.P.R.D.C.T.

LOT 1, BLOCK 12/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

WATER EASEMENT, VOL.
95188, PG. 2069, D.R.D.C.T.
ABANDONED IN CITY
ORDINANCE NO. 28485

**STREET RIGHT OF WAY DEDICATION
0.045 ACRE (1,953 SQ. FT.)**

30' BLDG. LINE, VOL. 68039,
PG. 1476, M.R.D.C.T.

N 89°55'37" E 624.30'
S 89°55'37" W 634.26'

S 00°50'07" W
3.00'

MILTON STREET
(50' RIGHT OF WAY)

LOT 3, BLOCK 9/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

LOT 4, BLOCK 9/5406
CARUTH MANOR NO. 5 ADDITION
VOLUME 68039, PAGE 1476, M.R.D.C.T.
AND
REVISED CARUTH MANOR NO. 5 ADDITION
VOLUME 68080, PAGE 1938
M.R.D.C.T.

Note:

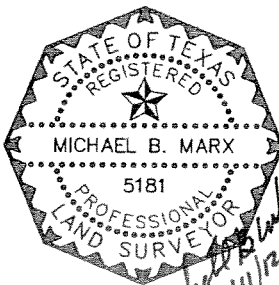
The intent of this street right of way dedication is to abut the west line of Lot 1A, Block 12/5406, Lovers Tradition, Phase 1, City Plan File No. S089-046A.

Note:

Bearings based upon the monumented east right of way line of Matilda Street as described in a deed recorded in Instrument No. 201000124687 of the Official Public Records, Dallas County, Texas, said bearing being North 00°04'09" East.

(for SPRG use only)

Reviewed By: *MB*
Date: 05.11.2012
SPRG NO: 2346



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1" = 60'	MBM	SRD	05/04/2012	064433200	3 OF 3