

ORDINANCE NO. 29179

An ordinance providing for the abandonment and relinquishment of portions of a drainage easement, wastewater easement and a water easement, located in City Blocks 7558 and 7619 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to PR/Crow Penn Distribution, LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement, and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; 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 PR/Crow Penn Distribution, LP, a Delaware limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

**WHEREAS**, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing 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 City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and made a part hereof; 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 **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, 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 its right, title and interest in and to those certain tracts or parcels 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 3.** That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, 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, relinquishment 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.

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

**SECTION 7.** That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

**SECTION 8.** That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, 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**, its 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**, its 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**, its 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 this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said portions of water and wastewater easements shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement, to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 10.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department 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.


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**SECTION 11.** 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:**  
**WARREN M. S. ERNST**  
Interim City Attorney

**DAVID COSSUM**  
Interim Director of Department of  
Sustainable Development and Construction

BY   
Assistant City Attorney

BY   
Assistant Director

Passed OCT 23 2013.

**EXHIBIT A-TRACT 1**  
**25 FOOT DRAINAGE EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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BEING a 5,757 square foot (0.1322 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being part of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being all of a 25 Foot Drainage Easement, as created in Instrument Number 20070073787, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of said 60.199 acre tract;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 1,091.03 feet to a point (not monumented) for corner;

THENCE North 79 degrees 51 minutes 19 seconds West, continuing with the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, a distance of 11.28 feet to a point (not monumented) at the intersection of the east right-of-way line of Penn Farm Road (a 30-foot wide right-of-way) with the south right-of-way line of said Interstate Highway 20, from which a found PK nail for witness bears North 45 degrees 48 minutes 12 seconds West, a distance of 0.52 of a foot;

THENCE South 10 degrees 08 minutes 41 seconds West, departing the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, and with the east right-of-way line of said Penn Farm Road, a distance of 87.06 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 750.00 feet, whose chord bears South 05 degrees 42 minutes 20 seconds East, a distance of 409.69 feet, from which a found "X" in concrete for witness bears North 46 degrees 56 minutes 17 seconds West, a distance of 0.47 of a foot;

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Reviewed By: JS  
Date: 07.30.2013  
SPRG NO.: 2688

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**EXHIBIT A-TRACT 1**  
**25 FOOT DRAINAGE EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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THENCE Southeasterly, continuing with the east right-of-way line of said Penn Farm Road and with said curve, through a central angle of 31 degrees 42 minutes 02 seconds, passing at a distance of 397.36 feet a point (not monumented) for the southeast corner of said Penn Farm Road, an angle point of said 60.199 acre tract, and an angle point of said 61.400 acre tract, from which a found PK nail for witness bears North 20 degrees 37 minutes 40 seconds West, a distance of 0.39 of a foot, and continuing with said curve, and with the south line of said 60.199 acre tract and with the north line of said 61.400 acre tract, in all, a total arc length of 414.96 feet to a point (not monumented) for the point of tangency, from which a found PK nail for witness bears North 69 degrees 45 minutes 59 seconds West, a distance of 1.91 feet;

THENCE South 21 degrees 33 minutes 21 seconds East, continuing with the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, a distance of 84.73 feet to a point (not monumented) for the POINT OF BEGINNING, said point being on the northwest line of said 25 Foot Drainage Easement and the point of curvature of a non-tangent circular curve to the left having a radius of 50.00 feet, whose chord bears North 54 degrees 16 minutes 00 seconds East, a distance of 24.50 feet;

THENCE Northeasterly, departing the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, over and across said 60.199 acre tract and with the northwest line of said 25 Foot Drainage Easement and with said curve, through a central angle of 28 degrees 21 minutes 36 seconds an arc length of 24.75 feet to a point (not monumented) for the north corner of said 25 Foot Drainage Easement;

THENCE South 21 degrees 33 minutes 22 seconds East, continuing over and across said 60.199 acre tract and with the northeast line of said 25 Foot Drainage Easement, a distance of 152.30 feet to a point (not monumented) for corner;

THENCE South 88 degrees 50 minutes 36 seconds East, continuing over and across said 60.199 acre tract and with the northeast line of said 25 Foot Drainage Easement, a distance of 65.51 feet to a point (not monumented) for the northeast corner of said 25 Foot Drainage Easement;

THENCE South 01 degree 09 minutes 24 seconds West, , continuing over and across said 60.199 acre tract and with the east line of said 25 Foot Drainage Easement, passing at a distance of 16.97 feet the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, over and across said 61.400 acre tract and with the east line of said 25 Foot Drainage Easement, in all, a total distance of 25.00 feet to a point (not monumented) for the southeast corner of said 25 Foot Drainage Easement;

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Reviewed By: *[Signature]*  
Date: 07.30.2013  
SPRG NO.: 2688

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**EXHIBIT A-TRACT 1**  
**25 FOOT DRAINAGE EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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THENCE North 88 degrees 50 minutes 36 seconds West, continuing over and across said 61.400 acre tract and with the south line of said 25 Foot Drainage Easement, a distance of 82.15 feet to a point (not monumented) for the southwest corner of said 25 Foot Drainage Easement;

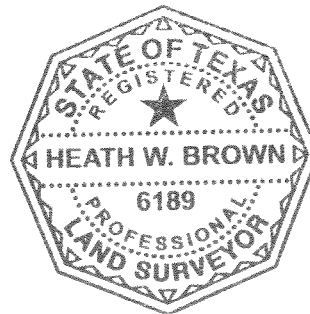
THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the southwest line of said 25 Foot Drainage Easement, a distance of 162.95 feet to a point (not monumented) for the northwest corner of said 25 Foot Drainage Easement and the beginning of a non-tangent circular curve to the left having a radius of 50.00 feet, whose chord bears North 69 degrees 09 minutes 45 seconds East, a distance of 1.25 feet;

THENCE Northeasterly, continuing over and across said 61.400 acre tract and with the northwest line of said 25 Foot Drainage Easement and with said curve, through a central angle of 01 degree 25 minutes 54 seconds, for an arc length of 1.25 feet to the POINT OF BEGINNING AND CONTAINING 5,757 square feet or 0.1322 acre of land, more or less.

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

*Heath W. Brown 9-26-2012*

Heath W. Brown  
Registered Professional Land Surveyor  
Texas No. 6189  
Halff Associates, Inc.,  
1201 North Bowser Rd.  
Richardson, Texas 75081  
214-346-6326



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Date: 07.30.2013  
SPRG NO.: 2688

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**EXHIBIT A-TRACT 2**  
**20' WASTEWATER EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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BEING a 25,081 square foot (0.5758 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being all of a 20' Wastewater Easement, as recorded in Instrument Number 20070095629 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of said 60.199 acre tract;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 80.70 feet to a point (not monumented) for the POINT OF BEGINNING, said point being the northeast corner of said 20' Wastewater Easement;

THENCE South 00 degrees 03 minutes 28 seconds West, departing the south right-of-way of said Interstate Highway 20 and the north line of said 60.199 acre tract, over and across said 60.199 acre tract and with the east line of said 20' Wastewater Easement, a distance of 407.49 feet to a point (not monumented) for the southeast corner of said 20' Wastewater Easement;

THENCE South 89 degrees 50 minutes 12 seconds West, continuing over and across said 60.199 acre tract and with the south line of said 20' Wastewater Easement, passing at a distance of 256.91 feet a point (not monumented) for an interior ell corner of said 60.199 acre tract and the northeast corner of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099, O.P.R.D.C.T., from which a 1/2-inch found iron rod with cap stamped "GRAHAM" for witness bears North 72 degrees 59 minutes 11 seconds West, a distance of 2.03 feet, and continuing with the south line of said 20' Wastewater Easement, with the north line of said 61.400 acre tract and with the south line of said 60.199 acre tract, in all, a total distance of 859.39 feet to a point (not monumented) for the southwest corner of said 20' Wastewater Easement, from which a 1/2-inch found iron rod with cap stamped "GRAHAM" for witness bears North 66 degrees 37 minutes 22 seconds West, a distance of 1.93 feet;

THENCE North 21 degrees 33 minutes 21 seconds West, continuing with the north line of said 61.400 acre tract and the south line of said 60.199 acre tract, and with a west line of said 20' Wastewater Easement, a distance of 21.48 feet to a point (not monumented) for a northwest corner of said 20' Wastewater Easement;

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Date: 07.30.2013  
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**EXHIBIT A-TRACT 2**  
**20' WASTEWATER EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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THENCE North 89 degrees 50 minutes 12 seconds East, departing the north line of said 61.400 acre tract and the south line of said 60.199 acre tract, over and across said 60.199 acre tract and with a north line of said 20' Wastewater Easement, a distance of 847.31 feet to a point (not monumented) for an interior ell corner of said 20' Wastewater Easement;

THENCE North 00 degrees 03 minutes 28 seconds East, continuing over and across said 60.199 acre tract and with a west line of said 20' Wastewater Easement, a distance of 393.90 feet to a point (not monumented) on the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract for a northwest corner of said 20' Wastewater Easement;

THENCE South 72 degrees 21 minutes 49 seconds East, with the south right-of-way line of said Interstate Highway 20, with the north line of said 60.199 acre tract, and with a north line of said 20' Wastewater Easement, a distance of 20.98 feet to the POINT OF BEGINNING AND CONTAINING 25,081 square feet or 0.5758 acre of land, more or less.

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

Heath W. — 9-26-2012

Heath W. Brown  
Registered Professional Land Surveyor  
Texas No. 6189  
Halff Associates, Inc.,  
1201 North Bowser Rd.  
Richardson, Texas 75081  
214-346-6326



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Reviewed By:	<u>JB</u>
Date:	<u>07-30-2013</u>
SPRG NO.:	<u>2689</u>

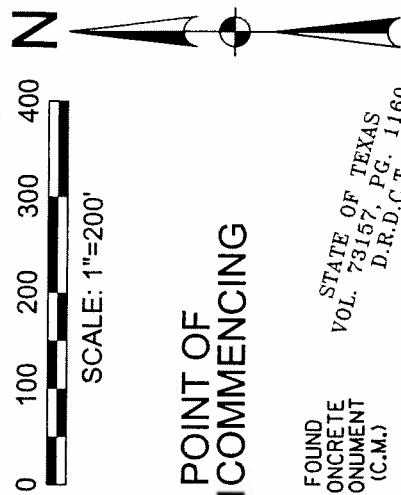
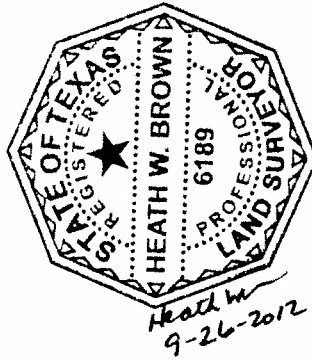


EXHIBIT A-TRACT 2

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Reviewed By: [Signature]

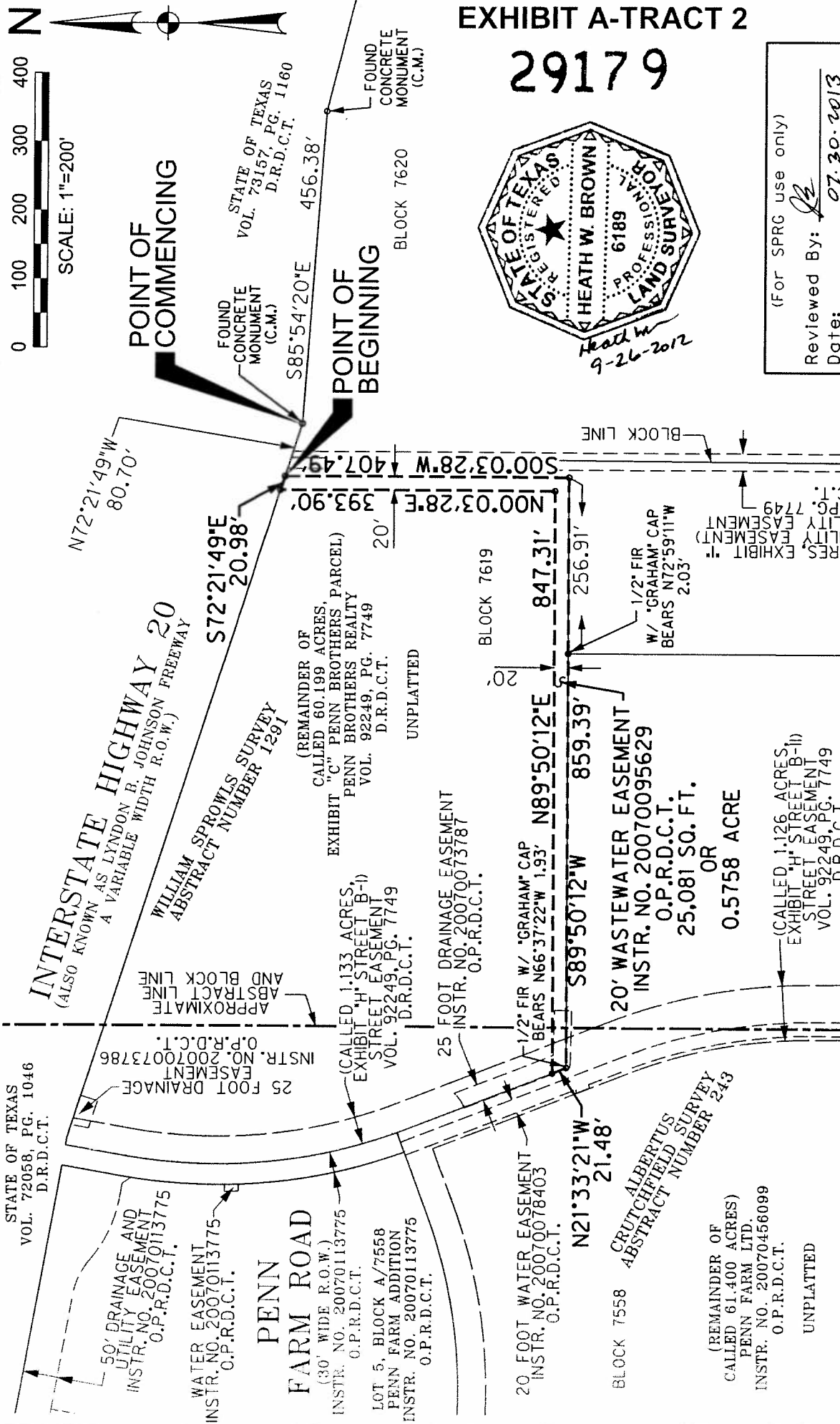
Date: 07.30.2013

SPRG NO.: 2689

20' WASTEWATER EASEMENT  
ABANDONMENT  
BLOCK NUMBERS 7558 AND 7619  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081-2275  
TEL (214) 236-0900  
FAX (214) 236-0908  
TBE FIRM #312



LEGEND

- (C.M.) CONTROLLING MONUMENT
- R.O.W. RIGHT-OF-WAY
- VOL. VOLUME
- PG. PAGE
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- INSTR. NO. INSTRUMENT NUMBER
- 1/2" FIR 1/2-INCH FOUND IRON ROD

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, on addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

**EXHIBIT A-TRACT 3**  
**20 FOOT WATER EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

131852

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BEING a 14,888 square foot (0.3418 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being part of a 20 Foot Water Easement, as created in Instrument Number 20070078403, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749, D.R.D.C.T.;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 1,091.03 feet to a point (not monumented) for corner;

THENCE North 79 degrees 51 minutes 19 seconds West, continuing with the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, a distance of 11.28 feet to a point (not monumented) at the intersection of the east right-of-way line of Penn Farm Road (a 30-foot wide right-of-way) with the south right-of-way line of said Interstate Highway 20, from which a found PK nail for witness bears North 45 degrees 48 minutes 12 seconds West, a distance of 0.52 of a foot;

THENCE South 10 degrees 08 minutes 41 seconds West, departing the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, and with the east right-of-way line of said Penn Farm Road, a distance of 87.06 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 750.00 feet, whose chord bears South 05 degrees 02 minutes 01 second East, a distance of 392.73 feet , from which a found "X" in concrete for witness bears North 46 degrees 56 minutes 17 seconds West, a distance of 0.47 of a foot;

THENCE Southeasterly, continuing with the east right-of-way line of said Penn Farm Road and with said curve, through a central angle of 30 degrees 21 minutes 23 seconds, arc length of 397.36 feet to a point (not monumented) for the southeast corner of said Penn Farm Road, an angle point of said 60.199 acre tract, and an angle point of said 61.400 acre tract, from which a found PK nail for witness bears North 20 degrees 37 minutes 40 seconds West, a distance of 0.39 of a foot;

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Reviewed By: *JS*  
Date: 07.30.2013  
SPRG NO.: 2687

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**EXHIBIT A-TRACT 3**  
**20 FOOT WATER EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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THENCE South 69 degrees 47 minutes 18 seconds West, with the south line of said Penn Farm Road, and with the north line of said 61.400 acre tract, a distance of 14.71 feet to a point (not monumented) for the POINT OF BEGINNING, said point being the northeast corner of said 20 Foot Water Easement;

THENCE South 21 degrees 33 minutes 22 seconds East, departing the south line of said Penn Farm Road and the north line of said 61.400 acre tract, over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement, a distance of 340.21 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the right having a radius of 735.50 feet, whose chord bears South 10 degrees 51 minutes 36 seconds East, a distance of 273.02 feet;

THENCE Southeasterly, continuing over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement and with said curve, through a central angle of 21 degrees 23 minutes 33 seconds, an arc length of 274.61 feet to a point (not monumented) for the point of tangency;

THENCE South 00 degrees 09 minutes 49 seconds East, continuing over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement, a distance of 128.15 feet to a point (not monumented) on the north right-of-way line of Beckleymeade Avenue (a variable width right-of-way) for the point of curvature of a non-tangent circular curve to the left having a radius of 930.00 feet, whose chord bears North 89 degrees 50 minutes 18 seconds West, a distance of 10.69 feet;

THENCE Northwesterly, with the north right-of-way line of said Beckleymeade Avenue, and with said curve, through a central angle of 00 degrees 39 minutes 31 seconds, an arc distance of 10.69 feet to a point (not monumented) for the point of tangency;

THENCE South 89 degrees 49 minutes 57 seconds West, continuing with the north right-of-way line of said Beckleymeade Avenue, a distance of 9.31 feet to a point (not monumented) on the westerly line of said 20 Foot Water Easement;

THENCE North 00 degrees 09 minutes 49 seconds West, departing the north right-of-way line of said Beckleymeade Avenue, over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 128.09 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 715.50 feet, whose chord bears North 10 degrees 51 minutes 36 seconds West, a distance of 265.60 feet;

THENCE Northwesterly, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement and with said curve, through a central angle of 21 degrees 23 minutes 33 seconds, an arc length of 267.15 feet to a point (not monumented) for the point of tangency;

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Reviewed By:	<u>JB</u>
Date:	<u>07.30.2013</u>
SPRG NO.:	<u>2687</u>

**EXHIBIT A-TRACT 3**  
**20 FOOT WATER EASEMENT ABANDONMENT**  
**BLOCK NUMBERS 7558 AND 7619**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

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29179

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 58.88 feet to a point (not monumented) for corner;

THENCE South 68 degrees 26 minutes 38 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 5.00 feet to a point (not monumented) for corner;

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 20.00 feet to a point (not monumented) for corner;

THENCE North 68 degrees 26 minutes 38 seconds East, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 5.00 feet to a point (not monumented) for corner;

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 261.80 feet to a point (not monumented) on the north line of said 61.400 acre tract, and the south line of Lot 5, Block A/7558 of PENN FARM ADDITION, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 20070113775, O.P.R.D.C.T. for the northwest corner of said 20 Foot Water Easement;

THENCE North 69 degrees 47 minutes 18 seconds East, with the north line of said 61.400 acre tract, with the south line of said Lot 5, and with the north line of said 20 Foot Water Easement, passing at a distance of 4.72 feet a point (not monumented) for the common southwest corner of said Penn Farm Road and southeast corner of said Lot 5, and continuing with the north line of said 61.400 acre tract, the north line of said 20 Foot Water Easement, and with the south line of said Penn Farm Road, in all, a total distance of 20.01 feet to the POINT OF BEGINNING AND CONTAINING 14,888 square feet or 0.3418 acre of land, more or less.

(For SPRG use only)

Reviewed By: JS  
Date: 07.30.2013  
SPRG NO.: 2687

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7/30/13

LD\_Water\_Abandonment.docx

EXHIBIT A-TRACT 3  
20 FOOT WATER EASEMENT ABANDONMENT  
BLOCK NUMBERS 7558 AND 7619  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

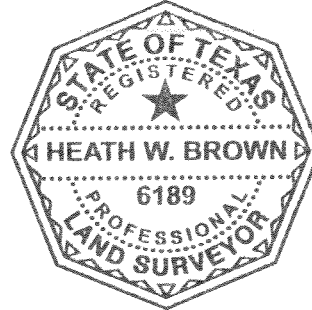
131852

29179

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

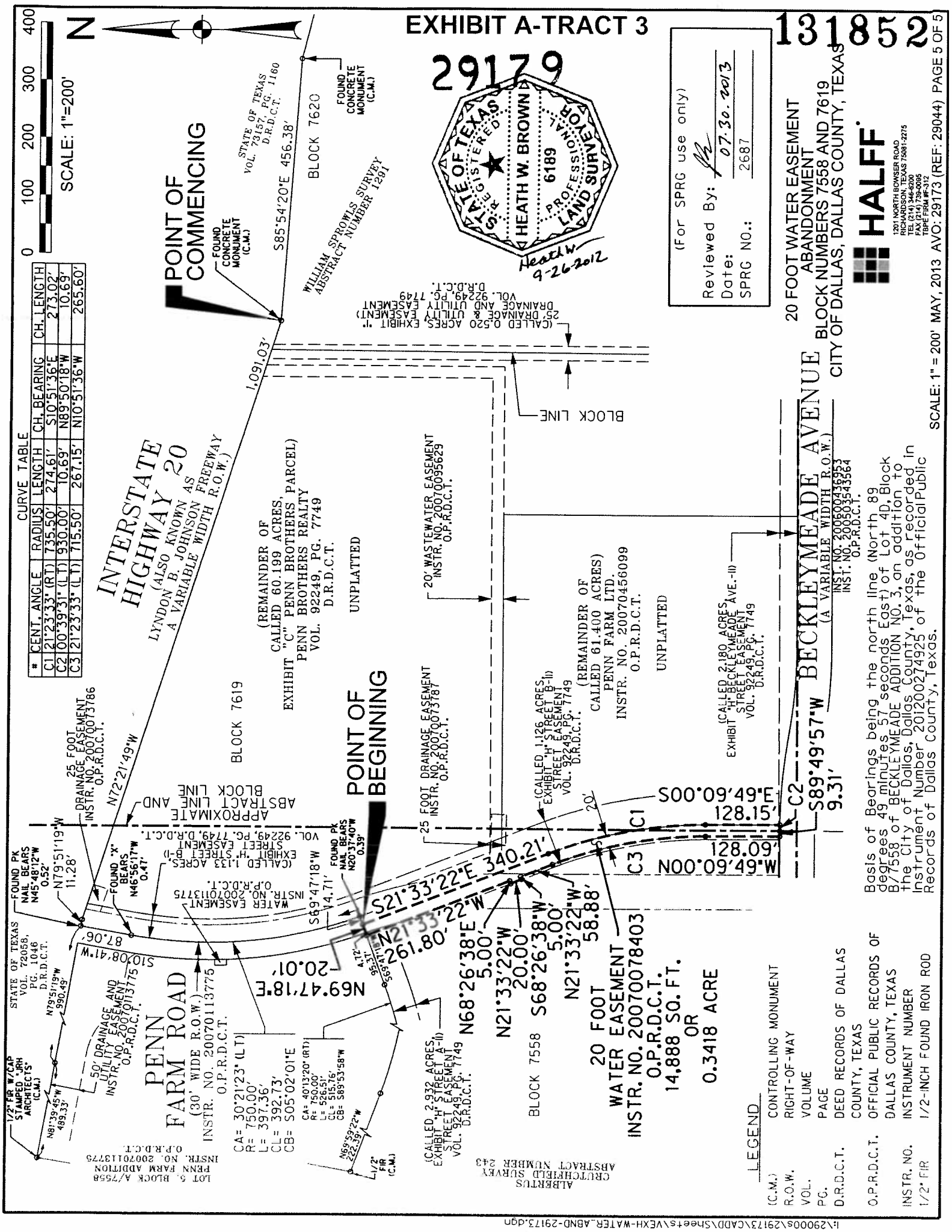
Heath W. Brown 9-26-2012

Heath W. Brown  
Registered Professional Land Surveyor  
Texas No. 6189  
Halff Associates, Inc.,  
1201 North Bowser Rd.  
Richardson, Texas 75081  
214-346-6326



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Reviewed By: JB  
Date: 07.30.2013  
SPRG NO.: 2687





Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds E) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION No. 3, in addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number, 201200274925, of the Official Public Records of Dallas County, Texas.

CO. P. R. D. C. T.  
COUNTY, TEXAS  
DALLAS COUNTY, TEXAS  
INSTR. NO.  
1/2-INCH FOUND IRON ROD



**HALFF**

1201 NORTH BOWSER ROAD  
RICHARDSON, TEXAS 75081-2275  
TEL (214) 346-6700

20 FOOT WATER EASEMENT  
ABANDONMENT  
BLOCK NUMBERS 7558 AND 7619  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: js

Date: 07.30.2013

SPRG NO.: 2687

LEGEND

- CONTROLLING MONUMENT  
RIGHT-OF-WAY  
VOLUME  
PAGE  
DEED RECORDS OF DALLAS  
COUNTY, TEXAS  
OFFICIAL PUBLIC RECORDS OF  
DALLAS COUNTY, TEXAS  
INSTRUMENT NUMBER  
1/2-INCH FOUND IRON ROD