

ORDINANCE NO. 29793

An ordinance providing for the abandonment of portions of Crestway Drive and an alley located in and adjacent to City Blocks 42/7460, 42A/7460, 43/7460, 43A/7460, and 44B/7460 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Unity Church of Dallas and CADG Forest Lane 18, LLC; 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; 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 Unity Church of Dallas, a Texas non-profit corporation and CADG Forest Lane 18, LLC, 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 Crestway Drive 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 are 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 hereinafter more fully set out.

**SECTION 2.** That for and in monetary consideration of the sum of **SEVEN HUNDRED FIFTY-EIGHT THOUSAND SIX HUNDRED FIFTY-FOUR AND NO/100 DOLLARS (\$758,654.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of their right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A as follows: unto Unity Church of Dallas, all of its right, title and interest in Tract IA of Exhibit A; unto CADG Forest Lane 18, LLC, all of its right, title and interest in Tract IB of Exhibit A; and unto CADG Forest Lane 18, LLC, all of its right, title and interest in Tract II 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, and conditions of this ordinance.

**SECTION 4.** That the Chief Financial Officer 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 a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to 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 file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas are located after its approval by the City Plan Commission of the City of Dallas.

**SECTION 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.


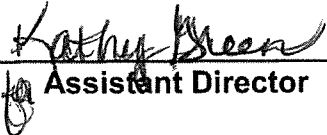
**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable 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: (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 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.

**SECTION 12.** 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**  
City Attorney

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

BY  BY   
Assistant City Attorney Assistant Director

Passed           JUN 17 2015

29193  
**RIGHT-OF-WAY ABANDONMENT**

151250

BEING PART OF CRESTWAY DRIVE  
ADJACENT TO BLOCKS 43A/7460, 43/7460, AND 44B/7460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A-Tract IA**

Being a 28,003 square foot partial right-of-way abandonment of Crestway Drive located in the T. DYKE SURVEY Abstract 405, City of Dallas, Dallas County, Texas, adjacent to Blocks 43A/7460, 43/7460, and 44B/7460, being created in FINE ESTATES NO. 2 ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 72012, Page 946, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Commencing at a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the intersection of the North line of Forest Lane, a 120-foot right-of-way, with the Southerly West line of said Crestway Drive, a 50-foot right-of-way, and being at the Southeast corner of UNITY CHURCH ADDITION NO. 1, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 77109, Page 51, Deed Records, Dallas County, Texas;

Thence North 00 deg. 02 min. 00 sec. West, along said Southerly West line, and being the East line of said UNITY CHURCH ADDITION, NO. 1, a distance of 234.38 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Northeast corner of Lot 3, Block 42A/7460, of said UNITY CHURCH ADDITION NO. 1, and being at an interior 'ell' corner of said Crestway Drive;

Thence South 89 deg. 58 min. 00 sec. West, along the South line of Crestway Drive, and being the North line of said Lot 3, passing at a distance of 190.98 feet the Northwest corner of said Lot 3, and being the Northeast corner of Lot 2, Block 42A/7460, AUDUBON ESTATES ADDITION, Second Section, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 791, Page 70, Deed Records, Dallas County, Texas, continuing a total distance of 420.98 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the PLACE OF BEGINNING of the tract described herein, said point being in the East line of said FINE ESTATES NO. 2 ADDITION, and being at the Northwest corner of Lot 1, Block 42A/7460, of said AUDUBON ESTATES ADDITION, Second Section, and being the Northeast corner of Block 43A/7460, of said FINE ESTATES NO. 2 ADDITION, and being in a tangent curve to the left, having a central angle of 12 deg. 53 min. 45 sec., a radius of 275.00 feet, and a chord bearing and distance of South 83 deg. 31 min. 15 sec. West, 61.77 feet;

Thence Southwesterly, along said South line, and said curve to the left, an arc distance of 61.90 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at a reverse curve, having a central angle of 11 deg. 40 min. 41 sec., a radius of 325.00 feet, and a chord bearing and distance of South 82 deg. 54 min. 43 sec. West, 66.13 feet;

Thence Southwesterly, along said reverse curve, and said South line, an arc distance of 66.24 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 88 deg. 45 min. 00 sec. West, continuing along said South line, and the North line of said Block 43A/7460, a distance of 431.93 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the West line of said FINE ESTATES ADDITION, and being in the East line of FOREST ON THE CREEK, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 94153, Page 3699, Deed Records, Dallas County, Texas;

Thence North 00 deg. 01 min. 00 sec. West, along said West line, same being the most Westerly line of said Crestway Drive, and being the said East line of FOREST ON THE CREEK, a distance of 50.01 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Northwest corner of said Crestway Drive, and being at the Southwest corner of Lot 8, Block 43/7460, of said FINE ESTATES NO. 2 ADDITION;


(FOR SPRG USE ONLY)

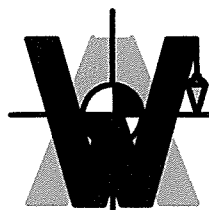
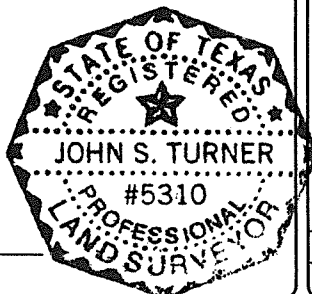
REVIEWED BY: JL  
DATE: 6-8-15  
SPRG NO: 3341

**NOTE**

BASIS OF BEARING IS THE SOUTH LINE OF CRESTWAY DRIVE, BEING SOUTH 88 DEG. 45 MIN. 00 SEC. WEST, AS RECORDED IN VOL. 72012, PG. 946, DEED RECORDS, DALLAS COUNTY, TEXAS.

SHEET 1 OF 4

  
John S. Turner, R.P.L.S. #5310



**A&W SURVEYORS, INC.**

*Professional Land Surveyors*

P.O. BOX 870029, MESQUITE, TX. 75187

PHONE: (972) 681-4975 FAX: (972) 681-4954

WWW.AWSURVEY.COM

Job Number: 13-1480

Date: 06/03/2015

Drafter: 024

"A professional company operating in your best interest"

29793

# RIGHT-OF-WAY ABANDONMENT 151250

BEING PART OF CRESTWAY DRIVE  
ADJACENT TO BLOCKS 43A/7460, 43/7460, AND 44B/7460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

## EXHIBIT A-Tract IA

CONTINUED FROM PAGE 1

Thence North 88 deg. 45 min. 00 sec. East, along the North line of said Crestway Drive, passing at a distance of 117.11 feet the common South corner of Lots 7 and 8, of Block 43/7460, continuing a total distance of 430.85 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the beginning of a tangent curve to the left, having a central angle of 11 deg. 40 min. 41 sec., a radius of 275.00 feet, and a chord bearing and distance of North 82 deg. 54 min. 43 sec. East, 55.95 feet;

Thence Northeasterly, along said curve to the left, and said North line, an arc distance of 56.05 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the beginning of a reverse curve, having a central angle of 12 deg. 53 min. 45 sec., a radius of 325.00 feet, and a chord bearing and distance of North 83 deg. 31 min. 15 sec. East, 73.00 feet;

Thence Northeasterly, along said reverse curve, and said North line, an arc distance of 73.15 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southeast corner of Lot 6, of said Block 43/7460, and being in the East line of FINE ESTATES NO. 2 ADDITION, and being the West line of the aforementioned AUDUBON ESTATES ADDITION, Second Section;

Thence South 00 deg. 02 min. 00 sec. East, passing through said Crestway Drive, along said East line of FINE ESTATES NO. 2, ADDITION, same being the said West line of AUDUBON ESTATES ADDITION, Second Section, a distance of 50.00 feet to the PLACE OF BEGINNING and containing 28,003 square feet or 0.643 of an acre of land.


(FOR SPRG USE ONLY)

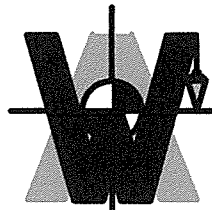
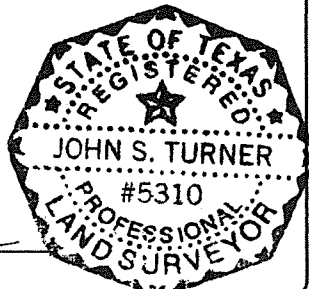
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### NOTE

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SHEET 2 OF 4

  
John S. Turner, R.P.L.S. #5310



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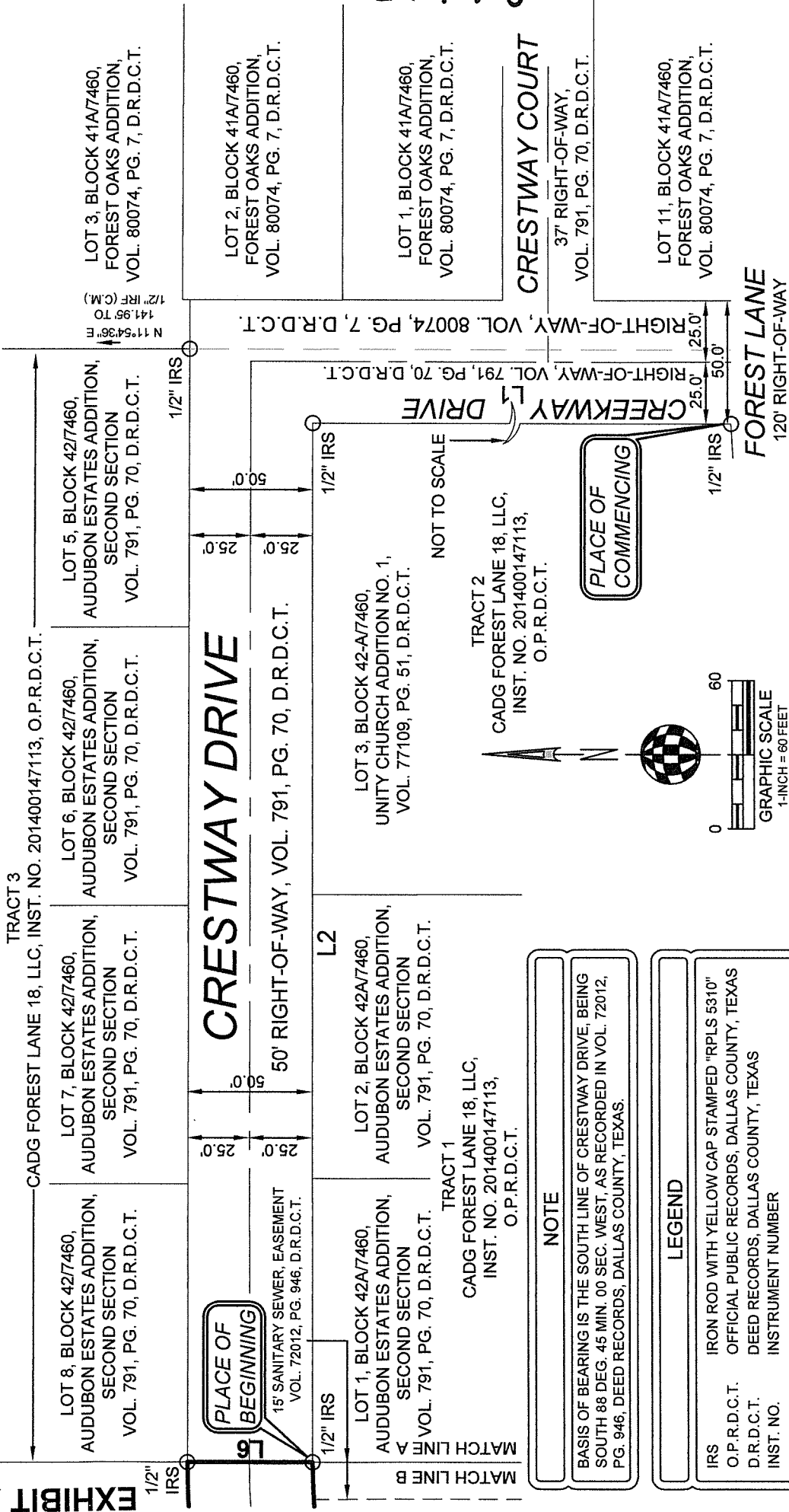
Date: 06/03/2015

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# RIGHT-OF-WAY ABANDONMENT

BEING PART OF CRESTWAY DRIVE  
ADJACENT TO BLOCKS 42A7460, 43/7460, AND 44B/7460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



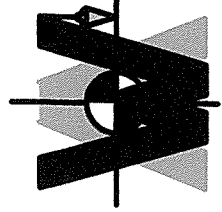
29793

151250

SHEET 3 OF 4

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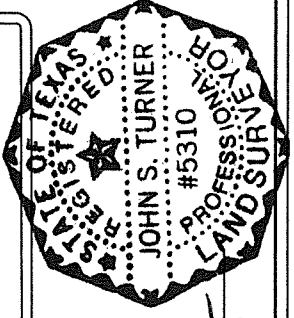
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**LEGEND**

IRS	IRON ROD WITH YELLOW CAP STAMPED "RPLS 5310"
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
C.M.	CONTROLLING MONUMENT
PG.	PAGE
VOL.	VOLUME



*John S. Turner*  
John S. Turner, R.P.L.S. #5310

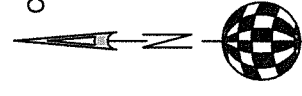
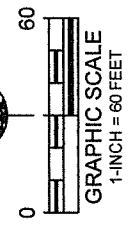
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REVIEWED BY: JL

DATE: 6-8-15

SPRG NO.: 3341

LINE TABLE AND CURVE  
TABLE ARE ON SHEET 4 OF 4



TRACT 2  
CADG FOREST LANE 18, LLC,  
INST. NO. 201400147113,  
O.P.R.D.C.T.

PLACE OF COMMENCING

NOT TO SCALE

LOT 3, BLOCK 42-A/7460,  
UNITY CHURCH ADDITION NO. 1,  
VOL. 77109, PG. 51, D.R.D.C.T.

CRESTWAY DRIVE  
50' RIGHT-OF-WAY, VOL. 791, PG. 70, D.R.D.C.T.

LOT 5, BLOCK 42/7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 6, BLOCK 42/7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 7, BLOCK 42/7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 8, BLOCK 42/7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 3, BLOCK 41A/7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

LOT 2, BLOCK 41A/7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

LOT 1, BLOCK 41A/7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

CRESTWAY COURT  
37" RIGHT-OF-WAY,  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 11, BLOCK 41A/7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

FOREST LANE  
120' RIGHT-OF-WAY

N 11°54'36" E  
141.95 TO  
1/2" IRF (C.M.)

RIGHT-OF-WAY, VOL. 80074, PG. 7, D.R.D.C.T.

1/2" IRS

1/2" IRS

1/2" IRS

1/2" IRS

MATCH LINE B

MATCH LINE A



# RIGHT-OF-WAY ABANDONMENT

BEING PART OF CRESTWAY DRIVE  
 ADJACENT TO BLOCKS 43A/7460, 43/7460, AND 44B/7460  
 T. DYKES SURVEY, ABSTRACT NO. 405  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 3  
 UNITY CHURCH OF DALLAS,  
 VOL. 87168, PG. 5942, D.R.D.C.T.  
 LOT 8, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

THE UNITY CHURCH OF DALLAS,  
 VOL. 2005006, PG. 5980, D.R.D.C.T.  
 LOT 7, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

6' DALLAS POWER  
 AND LIGHT CO. EASEMENT  
 VOL. 75076, PG. 429,  
 D.R.D.C.T.

TRACT 2  
 UNITY CHURCH OF DALLAS,  
 VOL. 87168, PG. 5942, D.R.D.C.T.  
 LOT 6, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

## CRESTWAY DRIVE

28,003 SQ. FT.  
 OR 0.643 ACRE

50' RIGHT-OF-WAY, VOL. 72012, PG. 946, D.R.D.C.T.

BLOCK 43A/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

TRACT 1  
 UNITY CHURCH OF DALLAS,  
 INST. NO. 20080185473, O.P.R.D.C.T.

MATCH LINE B

MATCH LINE A

LINE	LENGTH	BEARING
L1	234.38'	N00°02'00"W
L2	420.98'	S89°58'00"W
L3	431.93'	S88°45'00"W
L4	50.01'	N00°01'00"W
L5	430.85'	N88°45'00"E
L6	50.00'	S00°02'00"E

CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	12°53'45"	275.00'	61.90'	S83°31'15"W	61.77'
C2	11°40'41"	325.00'	66.24'	S82°54'43"W	66.13'
C3	11°40'41"	275.00'	56.05'	N82°54'43"E	55.95'
C4	12°53'45"	325.00'	73.15'	N83°31'15"E	73.00'

### NOTE

BASIS OF BEARING IS THE SOUTH LINE OF CRESTWAY DRIVE, BEING SOUTH 88 DEG. 45 MIN. 00 SEC. WEST, AS RECORDED IN VOL. 72012, PG. 946, DEED RECORDS, DALLAS COUNTY, TEXAS.

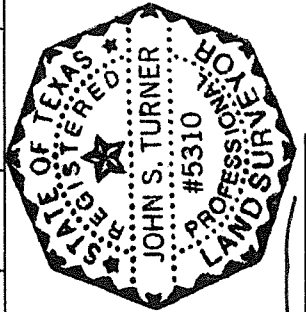
### LEGEND

IRS  
 O.P.R.D.C.T.  
 D.R.D.C.T.  
 INST. NO.  
 C.M.  
 PG.  
 VOL.

IRON ROD WITH YELLOW CAP STAMPED "RPLS 5310"  
 OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
 DEED RECORDS, DALLAS COUNTY, TEXAS  
 INSTRUMENT NUMBER  
 CONTROLLING MONUMENT  
 PAGE  
 VOLUME



(FOR SPRG USE ONLY)  
 REVIEWED BY: JL  
 DATE: 6-8-15  
 SPRG NO: 3341



*John S. Turner*  
 John S. Turner, R.P.L.S. #5310

EXHIBIT A-Tract 1A

SHEET 4 OF 4

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Job Number: 13-1480 Date: 06/03/2015 Drafter: 024  
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151250

LOT 5, BLOCK 44B/7460, FOREST ON THE CREEK, VOL. 94153, PG. 3699, D.R.D.C.T.  
 LOT 4, BLOCK 44B/7460, FOREST ON THE CREEK, VOL. 94153, PG. 3699, D.R.D.C.T.

29793  
**RIGHT-OF-WAY ABANDONMENT 151250**

BEING PART OF CRESTWAY DRIVE  
ADJACENT TO BLOCKS 42A/7460 AND 42/7460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**EXHIBIT A-Tract IB**

Being a 21,049 square foot partial right-of-way abandonment of Crestway Drive located in the T. DYKE SURVEY Abstract 405, City of Dallas, Dallas County, Texas, adjacent to Blocks 42A/7460 and 42/7460, being created in AUDUBON ESTATES ADDITION, Second Section, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 791, Page 70, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Commencing at a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the intersection of the North line of Forest Lane, a 120-foot right-of-way, with the Southerly West line of said Creekway Drive, a 50-foot right-of-way, and being at the Southeast corner of UNITY CHURCH ADDITION NO. 1, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 77109, Page 51, Deed Records, Dallas County, Texas;

Thence North 00 deg. 02 min. 00 sec. West, along said Southerly West line, and being the East line of said UNITY CHURCH ADDITION, NO. 1, a distance of 234.38 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Northeast corner of Lot 3, Block 42A/7460, of said UNITY CHURCH ADDITION NO. 1, and being at an interior 'ell' corner of said Crestway Drive, and being the PLACE OF BEGINNING of the tract described herein;

Thence South 89 deg. 58 min. 00 sec. West, along the South line of Crestway Drive, and being the North line of said Lot 3, passing at a distance of 190.98 feet the Northwest corner of said Lot 3, and being the Northeast corner of Lot 2, Block 42A/7460, of said AUDUBON ESTATES ADDITION, Second Section, continuing a total distance of 420.98 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the East line FINE ESTATES NO. 2 ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 72012, Page 946, Deed Records, Dallas County, Texas, and being at the Northwest corner of Lot 1, Block 42A/7460, of said AUDUBON ESTATES ADDITION, and being the Northeast corner of Block 43A/7460, of said FINE ESTATES NO. 2 ADDITION;

Thence North 00 deg. 02 min. 00 sec. West, passing through said Crestway Drive, along said East line of FINE ESTATES NO. 2, ADDITION, same being the said West line of AUDUBON ESTATES ADDITION, Second Section, a distance of 50.00 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southeast corner of Lot 6, Block 43/7460, of said FINE ESTATES NO. 2 ADDITION, same being the Southwest corner of Lot 8, Block 42/7460, of said AUDUBON ESTATES ADDITION, Second Section;

Thence North 89 deg. 58 min. 00 sec. East, continuing along said North line, passing at a distance of 338.23 feet the common South corner of Lots 5 and 6, of said Block 42/7460, continuing a total distance of 420.98 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the South line of said Lot 5, Block 42/7460, of AUDUBON ESTATES ADDITION, Second Section;

Thence South 00 deg. 02 min. 00 sec. East, passing through said Crestway Drive, a distance of 50.00 feet to the PLACE OF BEGINNING and containing 21,049 square feet or 0.483 of an acre of land.

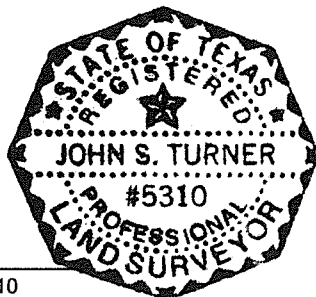
(FOR SPRG USE ONLY)

REVIEWED BY:   JL    
DATE:   6-3-15    
SPRG NO:   2856  

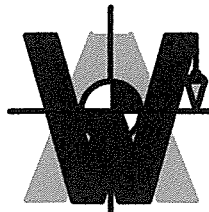
NOTE

BASIS OF BEARING IS THE SOUTH LINE OF CRESTWAY DRIVE, BEING SOUTH 89 DEG. 58 MIN. 00 SEC. WEST, AS RECORDED IN VOL. 791, PG. 70, DEED RECORDS, DALLAS COUNTY, TEXAS.

SHEET 1 OF 3



*John S. Turner*  
John S. Turner, R.P.L.S. #5310



**A&W SURVEYORS, INC.**

*Professional Land Surveyors*

P.O. BOX 870029, MESQUITE, TX. 75187

PHONE: (972) 681-4975 FAX: (972) 681-4954

WWW.AWSURVEY.COM

Job Number: 13-1480

Date: 06/03/2015

Drafter: 024

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# RIGHT-OF-WAY ABANDONMENT

BEING PART OF CRESTWAY DRIVE  
ADJACENT TO BLOCKS 42A7460 AND 427460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 3

CADG FOREST LANE 18, LLC, INST. NO. 201400147113, O.P.R.D.C.T.

LOT 8, BLOCK 427460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 7, BLOCK 427460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 6, BLOCK 427460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 5, BLOCK 427460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 3, BLOCK 41A7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

LOT 2, BLOCK 41A7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

LOT 1, BLOCK 41A7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

LOT 11, BLOCK 41A7460,  
FOREST OAKS ADDITION,  
VOL. 80074, PG. 7, D.R.D.C.T.

21,049 SQ. FT.  
OR 0.483 ACRE

15' SANITARY SEWER, EASEMENT  
VOL. 72012, PG. 946, D.R.D.C.T.

LOT 1, BLOCK 42A7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

LOT 2, BLOCK 42A7460,  
AUDUBON ESTATES ADDITION,  
SECOND SECTION  
VOL. 791, PG. 70, D.R.D.C.T.

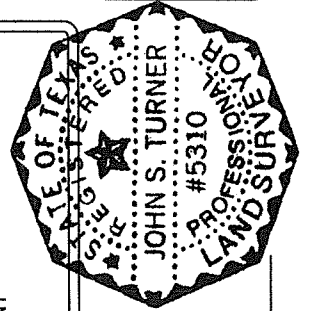
TRACT 1  
CADG FOREST LANE 18, LLC,  
INST. NO. 201400147113,  
O.P.R.D.C.T.

### NOTE

BASIS OF BEARING IS THE SOUTH LINE OF CRESTWAY DRIVE, BEING SOUTH 89 DEG. 58 MIN. 00 SEC. WEST, AS RECORDED IN VOL. 791, PG. 70, DEED RECORDS, DALLAS COUNTY, TEXAS.

### LEGEND

IRS	IRON ROD WITH YELLOW CAP STAMPED "RPLS 5310"
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
C.M.	CONTROLLING MONUMENT
PG.	PAGE
VOL.	VOLUME



*John S. Turner*  
John S. Turner, R.P.L.S. #5310

L4

## CRESTWAY DRIVE

50' RIGHT-OF-WAY, VOL. 791, PG. 70, D.R.D.C.T.

L2

TO 1/2" IRS (C.N.)  
S 70°05'14" W 100'14.82'

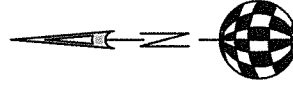
LOT 3, BLOCK 42-A7460,  
UNITY CHURCH ADDITION NO. 1,  
VOL. 77109, PG. 51, D.R.D.C.T.

TRACT 2  
CADG FOREST LANE 18, LLC,  
INST. NO. 201400147113,  
O.P.R.D.C.T.

PLACE OF BEGINNING

NOT TO SCALE

PLACE OF COMMENCING



LINE TABLE AND CURVE  
TABLE ARE ON SHEET 4 OF 4.

(FOR SPRG USE ONLY)

REVIEWED BY: *JL*  
DATE: *6-5-15*  
SPRG NO.: 2856

1/2" IRS

N 11°54'36" E  
145.09' TO  
1/2" IRS (C.M.)

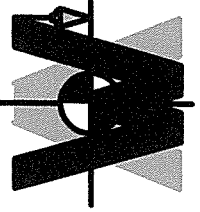
1/2" IRS

RIGHT-OF-WAY, VOL. 791, PG. 70, D.R.D.C.T.

RIGHT-OF-WAY, VOL. 791, PG. 70, D.R.D.C.T.

1/2" IRS  
FOREST LANE  
120' RIGHT-OF-WAY

SHEET 2 OF 3



**A&W SURVEYORS, INC.**  
Professional Land Surveyors  
P.O. BOX 870029, MESQUITE, TX. 75187  
PHONE: (972) 681-4975 FAX: (972) 681-4954  
WWW.AWSURVEY.COM

Job Number: 13-1480

Date: 06/03/2015

Drafter: 024

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151250

# RIGHT-OF-WAY ABANDONMENT

BEING PART OF CRESTWAY DRIVE  
 ADJACENT TO BLOCKS 42A/7460 AND 42/7460  
 T. DYKES SURVEY, ABSTRACT NO. 405  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 3  
 UNITY CHURCH OF DALLAS,  
 VOL. 87168, PG. 5942, D.R.D.C.T.  
 LOT 8, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

THE UNITY CHURCH OF DALLAS,  
 VOL. 2005006, PG. 5960, D.R.D.C.T.  
 LOT 7, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

6' DALLAS POWER  
 AND LIGHT CO. EASEMENT  
 VOL. 75076, PG. 428,  
 D.R.D.C.T.

TRACT 2  
 UNITY CHURCH OF DALLAS,  
 VOL. 87168, PG. 5942, D.R.D.C.T.  
 LOT 6, BLOCK 43/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

50' RIGHT-OF-WAY, VOL. 72012, PG. 946, D.R.D.C.T.

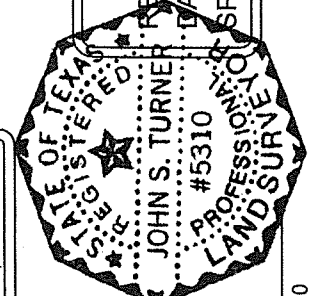
## CRESTWAY DRIVE

LINE TABLE		BEARING
LINE	LENGTH	
L1	234.38'	N00°02'00"W
L2	420.98'	S89°58'00"W
L3	50.00'	N00°02'00"W
L4	420.98'	N89°58'00"E
L5	50.00'	S00°02'00"E

**NOTE**  
 BASIS OF BEARING IS THE SOUTH LINE  
 OF CRESTWAY DRIVE, BEING SOUTH 89  
 DEG. 58 MIN. 00 SEC. WEST, AS  
 RECORDED IN VOL. 791, PG. 70, DEED  
 RECORDS, DALLAS COUNTY, TEXAS.

GRAPHIC SCALE  
 1-INCH = 60 FEET

(FOR SPRG USE ONLY)  
 REVIEWED BY: ST  
 DATE: 6-5-15  
 SPRG NO: 2856



*John S. Turner*  
 John S. Turner, R.P.L.S. #5310

### EXHIBIT A-Tract IB

LOT 5, BLOCK 44B/7460,  
 FOREST ON THE CREEK,  
 VOL. 94153, PG. 3699, D.R.D.C.T.

LOT 4, BLOCK 44B/7460,  
 FOREST ON THE CREEK,  
 VOL. 94153, PG. 3699, D.R.D.C.T.

BLOCK 43A/7460,  
 FINE ESTATES NO. 2 ADDITION,  
 VOL. 72012, PG. 946, D.R.D.C.T.

TRACT 1  
 UNITY CHURCH OF DALLAS,  
 INST. NO. 20080185473, O.P.R.D.C.T.

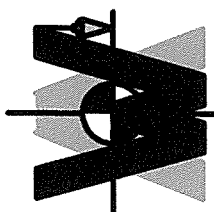
15' SANITARY SEWER, EASEMENT  
 VOL. 72012, PG. 946, D.R.D.C.T.

**LEGEND**

IRS	IRON ROD WITH YELLOW CAP STAMPED "RPLS 5310"
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
C.M.	CONTROLLING MONUMENT
PG.	PAGE
VOL.	VOLUME

SHEET 3 OF 3

**A&W SURVEYORS, INC.**  
 Professional Land Surveyors  
 P.O. BOX 870029, MESQUITE, TX. 75187  
 PHONE: (972) 681-4975 FAX: (972) 681-4954  
 WWW.AWSURVEY.COM



Job Number: 13-1480 Date: 06/03/2015 Drafter: 024  
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29793 151250

29793 151250

# ALLEY RIGHT-OF-WAY ABANDONMENT

BEING PART OF AUDUBON ESTATES ADDITION, SECOND SECTION  
ADJACENT TO LOTS 1, 2, AND 3, BLOCK 42A/7460, AND BLOCK 43A/7460  
T. DYKES SURVEY, ABSTRACT NO. 405  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

## EXHIBIT A-Tract II

Being a 3,450 square foot alley right-of-way abandonment located in the T. DYKES SURVEY Abstract 405, Block 42A/7460, City of Dallas, Dallas County, Texas, and being created in AUDUBON ESTATES ADDITION, Second Section, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 791, Page 70, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Commencing at a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the South line of Crestway Drive, a 50-foot right-of-way, and being in the East line of FINE ESTATES NO. 2, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 72012, Page 946, Deed Records, Dallas County, Texas, and being in the West line of said AUDUBON ESTATES ADDITION, Second Section, and being Northwest corner of Lot 1, Block 42A/7460, of said AUDUBON ESTATES ADDITION, Second Section,

Thence South 00 deg. 02 min. 00 sec. East, along said East and West line, a distance of 139.20 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southwest corner of said Lot 1, and being the Northwest corner of said alley right-of-way, and being the PLACE OF BEGINNING of the tract described herein;

Thence North 89 deg. 58 min. 00 sec. East, along the North line of said alley right-of-way, passing at a distance of 115.00 feet the common South corner of Lots 1 and 2, of said Block 42A/7460, continuing a total distance of 230.00 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the Northerly West line of Lot 3, Block 42A/7460, of UNITY CHURCH ADDITION NO. 1, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 77109, Page 51, Deed Records, Dallas County, Texas, at the Southeast corner of said Lot 2;

Thence South 00 deg. 02 min. 00 sec. East, along said Northerly West line, and the East line of said alley right-of-way, a distance of 15.00 feet to an interior 'ell' corner of said Lot 3;

Thence South 89 deg. 58 min. 00 sec. West, along the South line of said alley right-of-way, and being the Westerly North line of said Lot 3, a distance of 230.00 feet to a 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the said East line of FINE ESTATES NO. 2, and the said Southwest corner of AUDUBON ESTATES ADDITION, Second Section;

Thence North 00 deg. 02 min. 00 sec. West, along said East and West lines, and the West line of said alley right-of-way, a distance of 15.00 feet to the PLACE OF BEGINNING and containing 3,450 square feet or 0.079 of an acre of land.


(FOR SPRG USE ONLY)

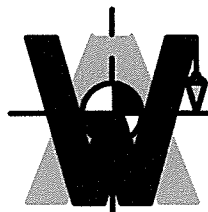
REVIEWED BY:   JC    
DATE:   6-5-15    
SPRG NO:   2857  

NOTE

BASIS OF BEARING IS THE SOUTH LINE OF CRESTWAY DRIVE, BEING SOUTH 88 DEG. 45 MIN. 00 SEC. WEST, AS RECORDED IN VOL. 72012, PG. 946, DEED RECORDS, DALLAS COUNTY, TEXAS.

SHEET 1 OF 2

  
John S. Turner, R.P.L.S. #5310



**A&W SURVEYORS, INC.**

*Professional Land Surveyors*

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PHONE: (972) 681-4975 FAX: (972) 681-4954

WWW.AWSURVEY.COM

Job Number: 13-1481

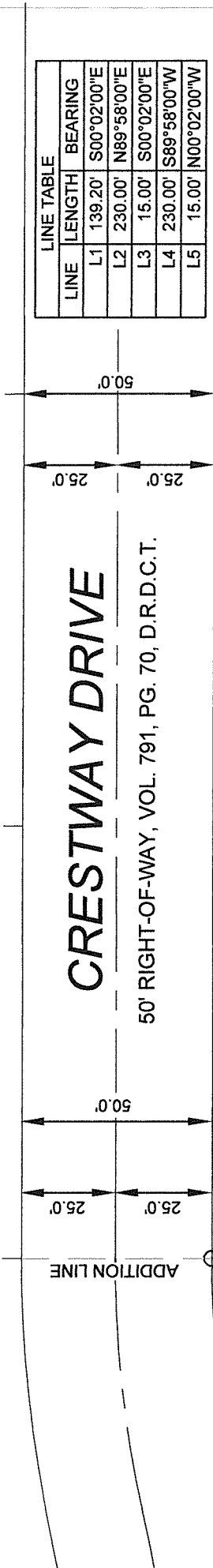
Date: 06/03/2015

Drafter: 024

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# ALLEY RIGHT-OF-WAY ABANDONMENT

BEING PART OF AUDUBON ESTATES ADDITION, SECOND SECTION  
 ADJACENT TO LOTS 1, 2, AND 3, BLOCK 42A/7460, AND BLOCK 43A/7460  
 T. DYKES SURVEY, ABSTRACT NO. 405  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



LINE TABLE		
LINE	LENGTH	BEARING
L1	139.20'	S00°02'00"E
L2	230.00'	N89°58'00"E
L3	15.00'	S00°02'00"E
L4	230.00'	S89°58'00"W
L5	15.00'	N00°02'00"W

LOT 3, BLOCK 42-A/7460,  
 UNITY CHURCH ADDITION NO. 1,  
 VOL. 77109, PG. 51, D.R.D.C.T.  
 TRACT 2  
 CADG FOREST LANE 18, LLC,  
 INST. NO. 201400147113, O.P.R.D.C.T.

**NOTE**  
 BASIS OF BEARING IS THE SOUTH LINE  
 OF CRESTWAY DRIVE, BEING SOUTH 88  
 DEG. 45 MIN. 00 SEC. WEST, AS  
 RECORDED IN VOL. 72012, PG. 946, DEED  
 RECORDS, DALLAS COUNTY, TEXAS.

TRACT 1  
 CADG FOREST LANE 18, LLC,  
 INST. NO. 201400147113,  
 O.P.R.D.C.T.

**LEGEND**  
 IRS IRON ROD WITH YELLOW CAP STAMPED "RPLS 5310"  
 O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
 D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS  
 INST. NO. INSTRUMENT NUMBER  
 C.M. CONTROLLING MONUMENT  
 PG. PAGE  
 VOL. VOLUME

LOT 1, BLOCK 42A/7460,  
 AUDUBON ESTATES ADDITION,  
 SECOND SECTION  
 VOL. 791, PG. 70, D.R.D.C.T.

LOT 2, BLOCK 42A/7460,  
 AUDUBON ESTATES ADDITION,  
 SECOND SECTION  
 VOL. 791, PG. 70, D.R.D.C.T.

LOT 1, BLOCK 42A/7460,  
 AUDUBON ESTATES ADDITION,  
 SECOND SECTION  
 VOL. 791, PG. 70, D.R.D.C.T.

15' SANITARY SEWER,  
 EASEMENT  
 VOL. 72012, PG. 946,  
 D.R.D.C.T.

15' SANITARY SEWER,  
 EASEMENT  
 VOL. 77109, PG. 51,  
 D.R.D.C.T.

ALLEY RIGHT-OF-WAY ABANDONMENT  
 34.50 SQ. FT. OR 0.079 ACRE

TRACT 2  
 CADG FOREST LANE 18, LLC,  
 INST. NO. 201400147113, O.P.R.D.C.T.

LOT 2, BLOCK 42A/7460,  
 AUDUBON ESTATES ADDITION NO. 1,  
 VOL. 77109, PG. 51, D.R.D.C.T.

15' ALLEY RIGHT-OF-WAY,  
 VOL. 791, PG. 70, D.R.D.C.T.

SHEET 2 OF 2  
**A&W SURVEYORS, INC.**  
 Professional Land Surveyors  
 P.O. BOX 870029, MESQUITE, TX. 75187  
 PHONE: (972) 681-4975 FAX: (972) 681-4954  
 WWW.AWSURVEY.COM

**AA**

(FOR SPRG USE ONLY)  
 REVIEWED BY: JL  
 DATE: 6-5-15  
 SPRG NO: 2857

JOHN S. TURNER  
 #5310  
 PROFESSIONAL LAND SURVEYOR

John S. Turner, R.P.L.S. #5310

29793

151250

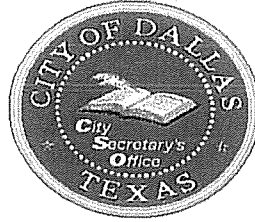
EXHIBIT A-tract II

Date: 06/03/2015 Drafter: 024  
 Job Number: 13-1481  
 "A professional company operating in your best interest"

## 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.



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL JUN 17 2015

ORDINANCE NUMBER 29793

DATE PUBLISHED JUN 20 2015

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Liss".