

ORDINANCE NO. 31124

An ordinance providing for the abandonment of portions of street easements located adjacent to City Blocks 8033, 8647, and 8711 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to GSNETX Stem Center of Excellence; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing for the waiver of certain provisions of the Dallas City Code; 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 GSNETX Stem Center of Excellence, a Texas non-profit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portions of street easements 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, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That those certain provisions of Section 51A-8.506(b) of the Dallas City Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **THIRTY THREE THOUSAND TWO HUNDRED FIFTY-NINE AND NO/100 DOLLARS (\$33,259.00)** paid by **GRANTEE**, and the further consideration described in Sections 9, 10, 11 and 12, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, the reverter, 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. Provided however, that if **GRANTEE**, its successors and assigns, fails to file a final replat of the adjoining properties as required in Section 11 of this ordinance by the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

“(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator’s action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005”;

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **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**.

SECTION 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 above in the General Fund, 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, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 6. 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 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. 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 9. 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 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 areas 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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall acknowledge Sustainable Development and Construction-Paving/Drainage Engineering, AT&T and Oncor have existing facilities that will remain in place after the abandonment subject to Exhibit B.

SECTION 11. 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 area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 12. 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**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 13. 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 3, 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, subject to a reverter interest, 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 14. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00007640.

SECTION 15. 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:
CHRISTOPHER J. CASO,
Interim City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and
Construction

BY: B. N. S. P.
Assistant City Attorney
Passed FEB 27 2019

BY: Laura Williams
Assistant Director
SOR

RIGHT-OF-WAY ABANDONMENT EXHIBIT A
BEING ADJACENT TO BLOCK 8711, PART OF A 40' PUBLIC ROADWAY BLOCK 8033, BLOCK 8647

31124

190319

AND ADJACENT TO TRACTS OF LAND TO
THE GIRL SCOUTS OF NORTHEAST TEXAS
LOUIS TANZY SURVEY, ABSTRACT NO. 1416
EDWARD SHARROCK SURVEY, ABSTRACT NO. 1315
CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 1

Being 59,673 square feet of land located in the EDWARD SHARROCK SURVEY, Abstract No. 1315, City of Dallas, Dallas County, Texas, and being a 30' public roadway as referenced in a General Warranty Deed to Dallas Council of Girl Scouts, Inc., recorded in Volume 1772, Page 138, Deed Records, Dallas County, Texas, and being a part of a 30' road retained by R. M. Hammond and Ida M. Hammond, recorded in Volume 1969, Page 9, Deed Records, Dallas County, Texas, and being bounded on all sides by tracts of land located in Block 8711, described in Special Warranty Deed to GSNETX STEM CENTER OF EXCELLENCE, recorded in Instrument No. 201600339459, Official Public Records, Dallas County, Texas, and roadway dedications to Dallas County recorded in Volume 73059, Page 1189 and Volume 73116, Page 1314, Deed Records, Dallas County, Texas, and being bounded on the East by the East line of said SHARROCK SURVEY, same being the West line of Lot 25, Block 8033, of MOUNTAIN LAKE ACRES, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 331, Map Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the intersection of the Southerly, South line of Whispering Cedar Drive, a 40' right-of-way, as recorded in Volume 4, Page 331, Map Records, Dallas County, Texas, with the East line of said SHARROCK SURVEY, same being the West line of the LEWIS TANZY SURVEY, and being the Northwest corner of Lot 25, Block 8033 of Mountain Lake Acres, an addition in the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 331, Map Records, Dallas County, Texas, and being South 89°37'45" West, a distance of 353.25' from a 3/4" iron pipe found at the common North corner of Lots 24 and 25, and being South 89°13'43" West, a distance of 397.75' from a 3/4" iron pipe found at the interior 'ell' corner of said Lot 24;

Thence South 00°49'24" East, along the West line of said Lot 25, same being East line of said public roadway, passing at a distance of 872.03' the South line of said 30' public roadway, same being the North line of the 30' road, continuing a total distance of 1,639.89' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southwest corner of said Lot 25;

Thence South 01°06'36" East, continuing along said East line of 30' road, passing at a distance of 88.77' the Northwest corner of a tract of land described in deed to Dallas County, recorded in Volume 73059, Page 1189 and Volume 73116, Page 1314, Deed Records, Dallas County, Texas, passing again at a distance of 322.13' the Southwest corner of said Dallas County tract, recorded in Volume 73059, Page 1189, same being the Northwest corner of a tract of land described in deed to Dallas County, recorded in Volume 73116, Page 1314, Deed Records, Dallas County, Texas, continuing for a total distance of 357.85' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 89°07'27" West, a distance of 30.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the West line of said 30' road, same being North 01°06'36" East, 1.00' from the Northeast corner of a tract of land described in deed to Jerry Pittman and Cynthia Pittman, recorded in Volume 88219, Page 3037, Deed Records, Dallas County, Texas;

Thence North 01°06'36" West, along the West line of said 30' road, a distance of 357.88' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 00°49'24" West, continuing along said West line of said 30' road, passing at a distance of 767.97' the North line of said 30' road, same being the said South line of the 30' public roadway, continuing a total distance of 1621.72' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the Southeast line of said Dallas Council of Girl Scouts, Incorporated, tract, recorded in Volume 1185, Page 430, same being the Northwest line of said 30' public roadway;

Thence North 56°44'08" East, along said Southeast line, same being the said Northwest line of said 30' public roadway, a distance of 33.87' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 89°13'43" East, a distance of 1.41' to the PLACE OF BEGINNING and containing 59,673 square feet or 1.370 acres of land.

NOTE

Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

(FOR SPRG USE ONLY)

REVIEWED BY: A. Rodriguez
DATE: 8/23/18
SPRG NO: 3939

PAGE 1 OF 6

A&W SURVEYORS, INC.

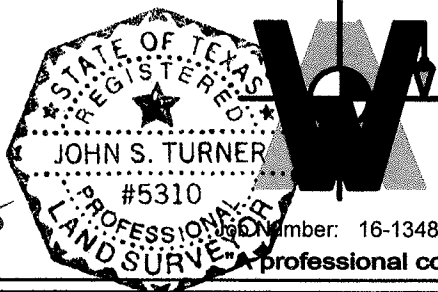
Professional Land Surveyors

TEXAS REGISTRATION NO. 100174-00

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

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

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John S. Turner 8-13-18
John S. Turner, R.P.L.S. #5310

Registration Number: 16-1348

Date: 08/31/2016

Drafter: 024

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RIGHT-OF-WAY ABANDONMENT EXHIBIT A
BEING ADJACENT TO BLOCK 8711, PART OF A 40' PUBLIC ROADWAY BLOCK 8033, BLOCK 8647

31124

AND ADJACENT TO TRACTS OF LAND TO
THE GIRL SCOUTS OF NORTHEAST TEXAS
LOUIS TANZY SURVEY, ABSTRACT NO. 1416
EDWARD SHARROCK SURVEY, ABSTRACT NO. 1315
CITY OF DALLAS, DALLAS COUNTY, TEXAS

190319

TRACT 2

Being 14,235 square feet of land located in LOUIS TANZY SURVEY, Abstract No. 1467, Block 8711, City of Dallas, Dallas County, Texas, and being a 40' public roadway as referenced in a General Warranty Deed to Dallas County, recorded in Volume 1104, Page 480, Deed Records, Dallas County, Texas, and being bounded by a tract of land described in a General Warranty Deed to Dallas Council of Girl Scouts, Incorporated, recorded in Volume 1185, Page 429, Deed Records, Dallas County, Texas, as bounded by the West line of said TANZY SURVEY on the East, same being the East line of General Warranty Deed, to Dallas Council of Girl Scouts, Incorporated, recorded in Volume 1185, Page 430, Deed Records, Dallas County, Texas, also bounded by a tract of land described in a Special Warranty Deed to Special Warranty Deed to GSNEX STEM CENTER OF EXCELLENCE, recorded in Instrument No. 201600339459, Official Public Records, Dallas County, Texas;

Commencing at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the South line Block 8698, LEDBETTER HILLS ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 235, Map Records, Dallas County, Texas, same being the Southeast corner of Lot 35, of said LEDBETTER HILLS ADDITION, same being the Northerly Northwest corner of said 40' public roadway, recorded in Volume 1104, Page 480, said point being North 89°10'54" West, distance of 40.02', and North 00°42'15" West, a distance of 475.73' from a 5/8" iron rod found at the Southwest corner of that portion of Lot 24, described in deed to Joel Lomas, recorded in Instrument No. 201000297930, Official Public Records, Dallas County, Texas, from said Southwest corner of Lomas tract being North 00°42'15" West, a distance of 390.05' from a 3/4" iron pipe found at the interior 'ell' corner of said Lot 24;

Thence South 01°05'04" East, along the Northerly West line of said 40' public roadway, a distance of 559.99' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the PLACE OF BEGINNING of the tract described herein;

Thence South 01°05'04" East, continuing along said Northerly West line, a distance of 40.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the South line of said public roadway;

Thence South 89°37'11" West, along said South line, a distance of 355.98' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the said West line of TANZY SURVEY, same being the West line of said Dallas Council of Girl Scouts, Incorporated, tract, recorded in Volume 1185, Page 429, and being in the East line of said tract of land described in deed to The Girl Scouts of Northeast Texas, recorded in Instrument No. 201000084990, O.P.R.D.C.T.;

Thence North 00°49'24" West, along said West line of TANZY SURVEY, same being the West line of said Dallas Council of Girl Scouts, Incorporated, tract, recorded in Volume 1185, Page 429, said The Girl Scouts of Northeast Texas tract, and the most Southerly West line of said public roadway, a distance of 40.00' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 89°37'11" East, along the Southerly North line of said public roadway, a distance of 355.80' to the PLACE OF BEGINNING and containing 14,235 square feet or 0.327 of an acre of land.

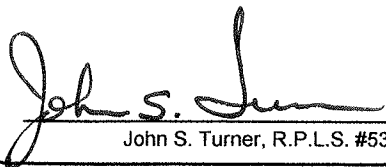
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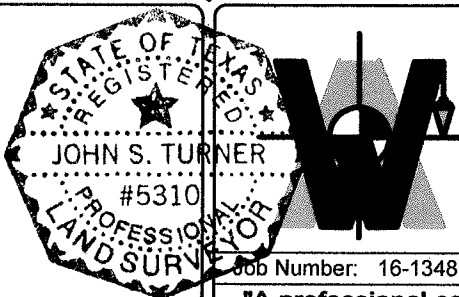
Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

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PAGE 2 OF 6


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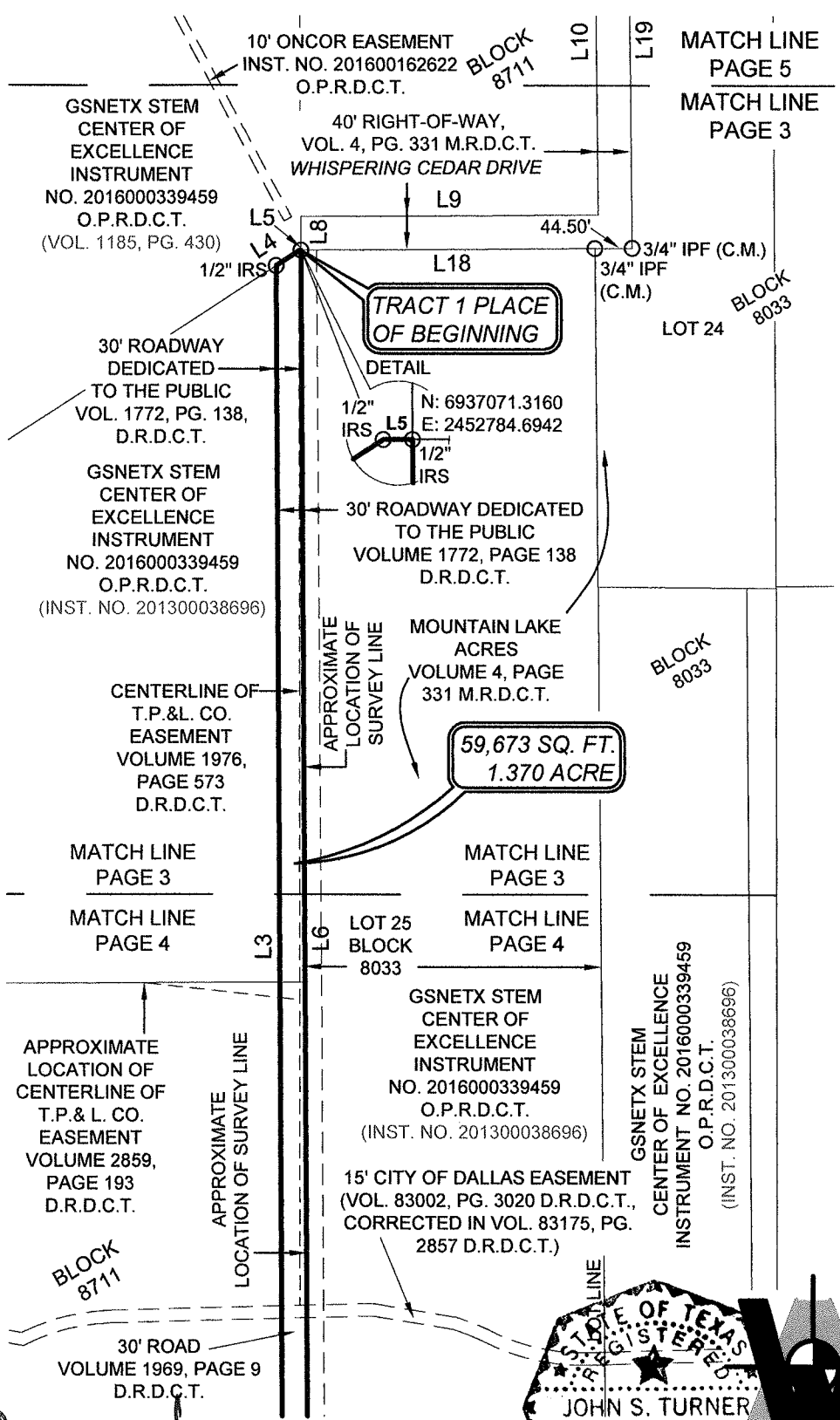
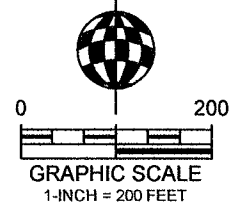
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RIGHT-OF-WAY ABANDONMENT
BEING ADJACENT TO BLOCK 8711, PART OF A 40' PUBLIC ROADWAY BLOCK 8033, BLOCK 8647
AND ADJACENT TO TRACTS OF LAND TO
THE GIRL SCOUTS OF NORTHEAST TEXAS
LOUIS TANZY SURVEY, ABSTRACT NO.1416
EDWARD SHARROCK SURVEY, ABSTRACT NO.1315
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

31124

190319



TRACT 1 PLACE OF BEGINNING

59,673 SQ. FT.
1.370 ACRE

NOTE

Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

LEGEND

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
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
INST. NO.	Instrument Number
IRF	iron rod found
IRS	1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set
IPF	iron pipe found
SQ. FT.	square feet

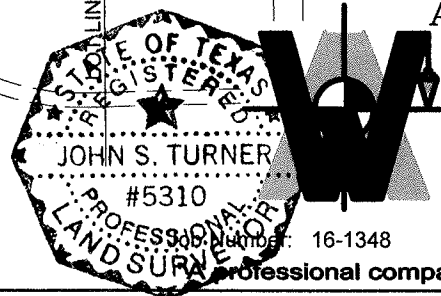
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SEE PAGE 6 OF 6 FOR LINE TABLE.
 PAGE 3 OF 6

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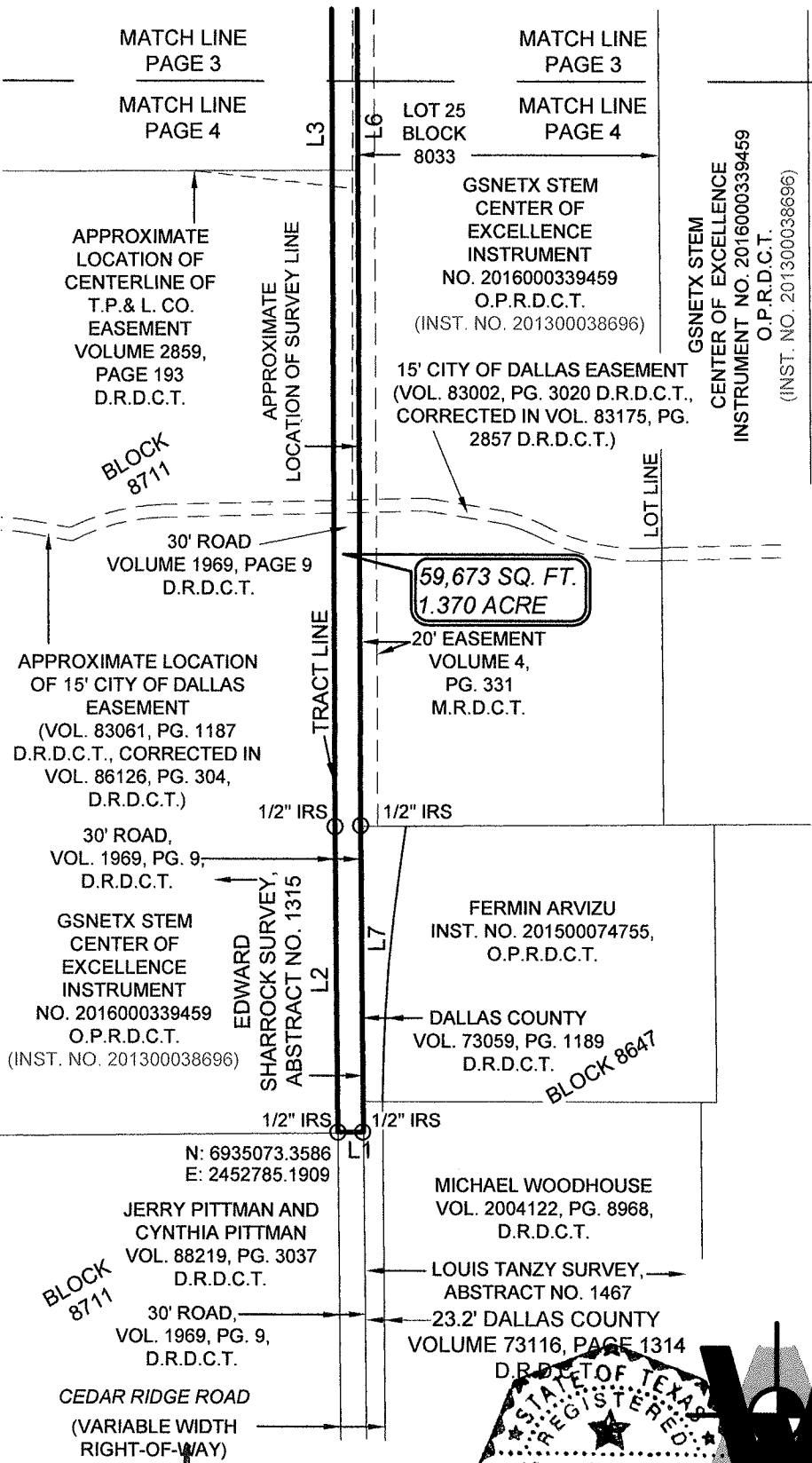
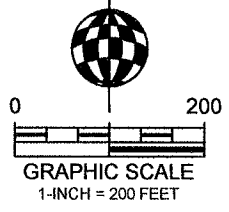
John S. Turner 8-13-18
 John S. Turner, R.P.L.S. #5310

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190819



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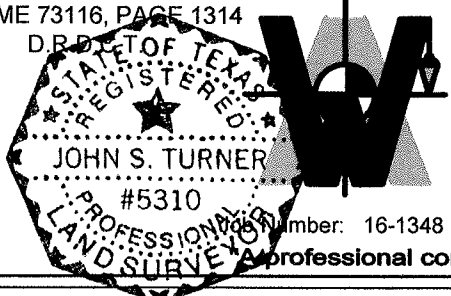
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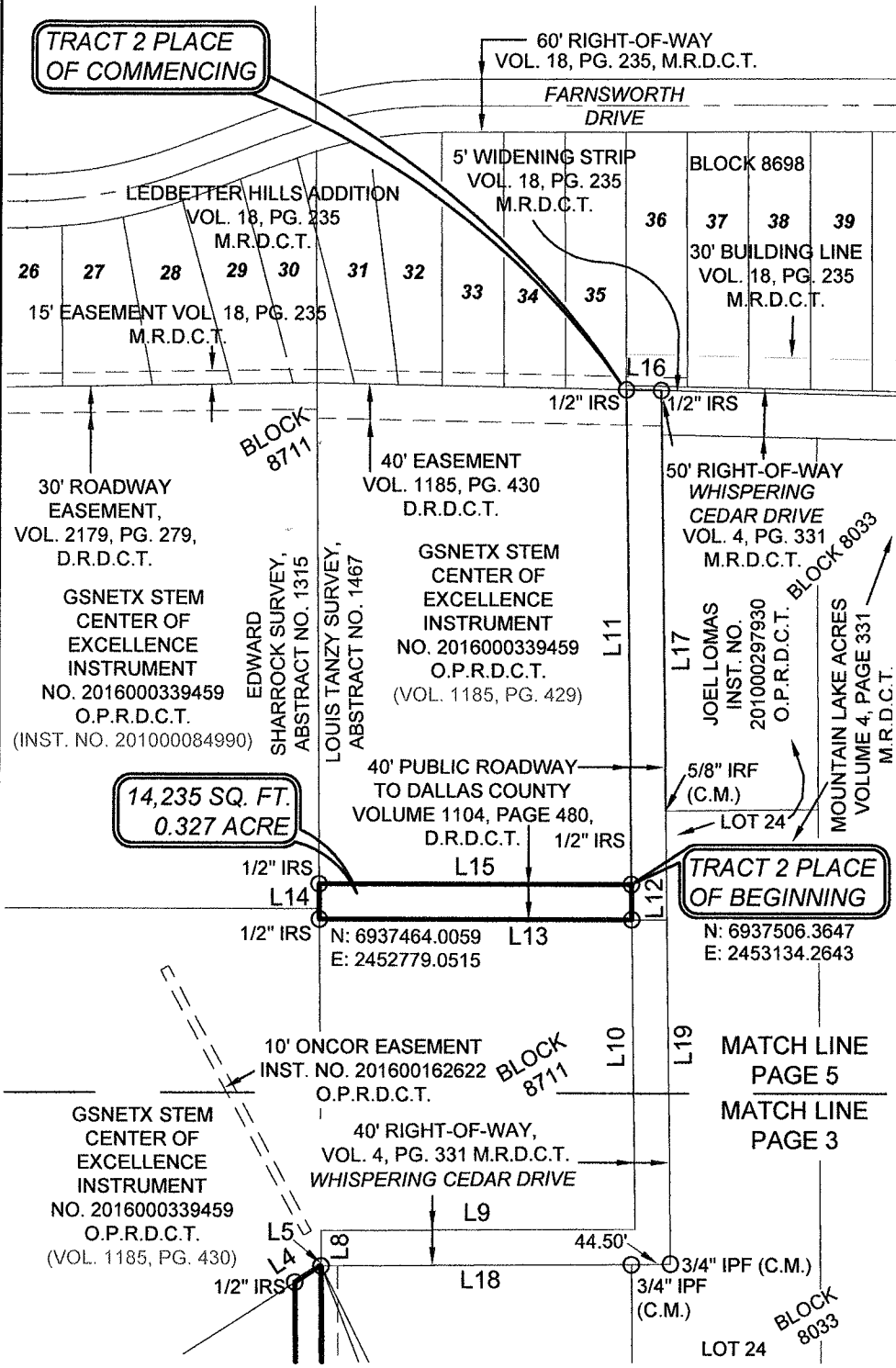
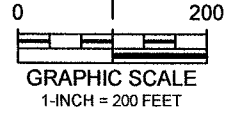
Professional Surveyor Number: 16-1348 Date: 08-31-2016 Drafter: 024
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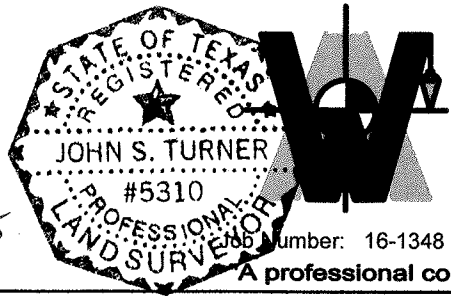
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Number: 16-1348 Date: 08-31-2016 Drafter: 024
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BEING ADJACENT TO BLOCK 8711, PART OF A 40' PUBLIC ROADWAY BLOCK 8033, BLOCK 8647
AND ADJACENT TO TRACTS OF LAND TO
THE GIRL SCOUTS OF NORTHEAST TEXAS
LOUIS TANZY SURVEY, ABSTRACT NO. 1416
EDWARD SHARROCK SURVEY, ABSTRACT NO. 1315
CITY OF DALLAS, DALLAS COUNTY, TEXAS

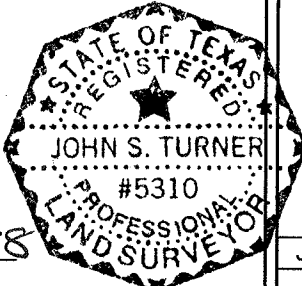
31124

190319

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00'	S89°07'27"W
L2	357.88'	N01°06'36"W
L3	1621.72'	N00°49'24"W
L4	33.87'	N56°44'08"E
L5	1.41'	N89°13'43"E
L6	1639.89'	S00°49'24"E
L7	357.85'	S01°06'36"E
L8	40.00'	S00°49'24"E
L9	358.98'	S89°13'43"W
L10	350.31'	S01°05'04"E
L11	559.99'	S01°05'04"E
L12	40.00'	S01°05'04"E
L13	355.98'	S89°37'11"W
L14	40.00'	N00°49'24"W
L15	355.80'	N89°37'11"E
L16	40.02'	N89°10'54"W
L17	599.16'	S01°05'04"E
L18	397.75'	S89°13'43"W
L19	390.05'	N01°05'04"W

(FOR SPRG USE ONLY)
 REVIEWED BY: A. Rodriguez
 DATE: 8/23/18
 SPRG NO: 3939

John S. Turner 8-13-18
 John S. Turner, R.P.L.S. #5310



A&W SURVEYORS, INC.
 Professional Land Surveyors
 TEXAS REGISTRATION NO. 100174-00
 P.O. BOX 870029, MESQUITE, TX. 75187
 PHONE: (972) 681-4975 FAX: (972) 681-4954
 WWW.AWSURVEY.COM

Job Number: 16-1348 Date: 08/31/2016 Drafter: 024

"A professional company operating in your best interest"

31124

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 FEB 27 2019

ORDINANCE NUMBER 31124

DATE PUBLISHED MAR 02 2019

ATTESTED BY: