

December 11, 2019

WHEREAS, as described in Special Warranty Deed filed on September 28, 2015 in Instrument No. 201500260535, Deed Records, Dallas County, Texas, the City of Dallas acquired a 1.260 acre tract of land for park purposes (the "City Tract"); and

WHEREAS, the City Tract is benefitted by certain easement rights granted by an adjacent owner to the City Tract prior owner for driveway access purposes; said easement containing approximately 600 square feet of land, located in City Block 7037, being more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes, and being the same tract of land as described in that certain Easement document filed on July 5, 1984 in Volume 84132, Page 4288, Deed Records, Dallas County, Texas, (the "Easement"); and

WHEREAS, said Easement tract being part of that certain 4.587 acre tract of land described in Special Warranty Deed with Third Party Vendor's Lien to CND – The Grove, LLC, filed on December 12, 2018, in Instrument No. 201800323097, Deed Records of Dallas County, Texas is not a public right of way or utility easement granted to the public for public purposes; and

WHEREAS, CND - The Grove, LLC, the fee owner has requested the rights and benefits of the Easement be released; and

WHEREAS, the City has determined said Easement, which is neither a public right of way or utility easement granted to the public for public purposes, is not needed for municipal purposes and is of the opinion that the best interest and welfare of the public will be served by releasing and said rights and benefits granted under the Easement.

Now Therefore,

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

SECTION 1. That upon receipt of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** from CND - The Grove, LLC, the City Manager or designee is authorized to execute a Release of Easement, attested by the City Secretary and approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to deposit the sum paid by CND-The Grove, LLC pursuant to Section 1 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.

191889

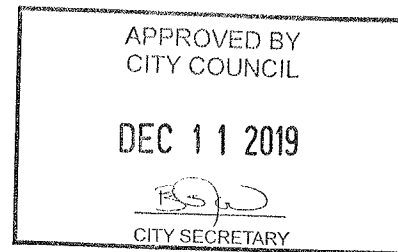
December 11, 2019

SECTION 3. That this contract is designated for City purposes as Contract No. DEV-2019-00010315.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: *Consuelo Martinez*
Assistant City Attorney



STREET RIGHT-OF-WAY EASEMENT

Being in 4.587 acres
Block 7037
C. A. Lovejoy Survey, Abstract No. 830
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 600 square foot (0.014 acre) tract of land situated in the C. A. Lovejoy Survey, Abstract No. 830, Dallas County, Texas; part of City Block 7037; said tract being all of that certain 600 square foot tract of land described as Easement recorded in Volume 84132, Page 4288 of the Deed Records of Dallas County, Texas; said tract also being part of that certain 4.587 acre tract of land described in Special Warranty Deed with third party Vendor's Lien to CND-The Grove, LLC recorded in Instrument. No. 201800323097 in the Official Public Records of Dallas County Texas; said 600 square foot tract being more particularly described as follows:

COMMENCING, at a 5/8-inch iron rod with "PRP 4595" cap found in the northeast right-of-way line of Highland Road (a variable width right-of-way (Volume 1843, Page 328 and Volume 1843, Page 329, both of the Deed Records of Dallas County, Texas, and Volume 30, Page 225 of the Map Records of Dallas County, Texas)); said point being the south corner of Lot 1, Block 7037 of Sullivan and Cotter Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 30, Page 225 of the Map Records of Dallas County, Texas and the west corner of said CND-The Grove, LLC tract;

THENCE, in a southeasterly direction, along the said northeast line of Highland Road and the southwest line of said CND-The Grove, LLC tract, the following three (3) calls:

South 46 degrees, 05 minutes, 41 seconds East, a distance of 311.20 feet to a 5/8-inch iron rod with "PRP 4595" cap found for an angle point;

South 45 degrees, 08 minutes, 19 seconds West, a distance of 10.00 feet to a 5/8-inch iron rod with illegible cap found for an angle point;

South 46 degrees, 05 minutes, 41 seconds East, a distance of 98.70 feet to a point for corner in the said northeast line of Highland Road, said point being the west corner of a tract of land described in Special Warranty Deed to the City of Dallas, recorded in Instrument No. 201500260535 of said Official Public Records of Dallas County;

THENCE, North 45 degrees, 08 minutes, 25 seconds East, departing the said northeast line of Highland Road and along the northwest line of said City of Dallas tract and the southeast line of said CND-The Grove, LLC, tract a distance of 334.00 feet to the **POINT OF BEGINNING**;

THENCE, North 44 degrees, 51 minutes, 35 seconds West, a distance of 10.00 feet to a point for corner;

THENCE, North 45 degrees, 08 minutes, 25 seconds East, a distance of 60.00 feet to a point for corner;

(For SPRG use only)	
Reviewed By:	G.S.
Date:	10-30-19
SPRG NO:	4930

STREET RIGHT-OF-WAY EASEMENT

Being in 4.587 acres

Block 7037

C. A. Lovejoy Survey, Abstract No. 830

City of Dallas, Dallas County, Texas

THENCE, South 44 degrees, 51 minutes, 35 seconds East, a distance of 10.00 feet to a point for corner, on the northwest line of said City of Dallas tract and the southeast line of said CND-The Grove, LLC, tract;


THENCE, South 45 degrees, 08 minutes, 25 seconds West, along said northwest line of said City of Dallas tract and the southeast line of said CND-The Grove, LLC, tract, a distance of 60.00 feet to the **POINT OF BEGINNING**;

CONTAINING: 600 square feet or 0.014 acres of land, more or less.

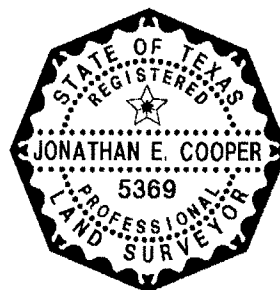
The bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface adjustment factor of 1.000136506.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement abandonment tract described.


Jonathan E. Cooper
Registered Professional Land Surveyor No. 5369
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000

10-28-2019



2046-18.433EX2.doc
2046-18.433EX2.dwg lah

(For SPRG use only)

Reviewed By: G.S.
Date: 10-30-19
SPRG NO: 4930

191889



0 10 20 40

GRAPHIC SCALE IN FEET

LEGEND

—	PROPERTY LINE
—	EASEMENT ABANDONMENT LINE
○	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY TEXAS
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FOOT
VOL.	VOLUME
PG.	PAGE

LOT 1, BLOCK 7037
SULLIVAN AND
COTTER SUBDIVISION
(VOL. 30, PG. 225)
(M.R.D.C.T.)

BRIAN K FENNIG
(INST. NO. 200503521560)
(O.P.R.D.C.T.)

P.O.C.

5/8-INCH IRON ROD N 44°51'35" W
W/"PRP 4595"
CAP FOUND (C.M.)

S 46°05'41" E
311.20'

HIGHLAND ROAD

(VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 1843, PG. 328, D.R.D.C.T.)
(VOL. 1843, PG. 329, D.R.D.C.T.)
(VOL. 30, PG. 225, M.R.D.C.T.)

(For SPRG use only)

Reviewed By: G.S.Date: 10-30-19SPRG NO: 4930

The undersigned, Registered Professional
Land Surveyor, hereby certifies that this
plat of survey accurately sets out the
metes and bounds of the easement
abandonment tract described.

Jonathan E. Cooper
Registered Professional
Land Surveyor No. 5369

Date

10-28-2019



10' WIDE RIGHT-OF-WAY
EASEMENT
(VOL. 84132, PG. 4288)
(D.R.D.C.T.)

C. A. LOVEJOY SURVEY
ABSTRACT NO. 830

CITY BLOCK 7037

CND-THE GROVE, LLC
4.587 ACRES
(INST. NO. 201800323097)
(O.P.R.D.C.T.)

CITY BLOCK 7037

CITY OF DALLAS
(INST. NO. 201500260535)
(O.P.R.D.C.T.)

STREET
RIGHT-OF-WAY
EASEMENT
600 SF
(0.014 ACRES)

POINT OF BEGINNING

N 45°08'25" E 60.00'
S 45°08'25" W 60.00'
S 45°08'25" E 334.00'

5/8-INCH IRON ROD
W/"PRP 4595"
CAP FOUND (C.M.)

S 45°08'19" W
10.00'

S 46°05'41" E
98.70'

5/8-INCH IRON ROD
W/ILLEGIBLE
CAP FOUND

164.94'

15' ALLEY

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Dallas County TxDOT surface adjustment factor of 1.000136506.

**STREET RIGHT-OF-WAY
EASEMENT**

BEING IN 4.587 ACRES
BLOCK 7037

C. A. LOVEJOY SURVEY, ABSTRACT NO. 830,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch

7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-489
TX REG. SURVEYING FIRM LS-10008000

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
LAH	MCC	1"=20'	AUG 2019	2046-18.433