

WHEREAS, as described in Agreed Judgment filed on September 27, 2011, in Instrument No. 201100253346, Deed Records, Dallas County, Texas, the City of Dallas acquired a 15.304 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, from a prior owner for drainage easement purposes; said easement containing approximately 7.2555 acres or 316,051 square feet of land, located in City Blocks 7210 and 7212, 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 Drainage Easement document filed on April 13, 1999 in Volume 99071, Page 6978, Deed Records, Dallas County, Texas, (the "Easement"); and

WHEREAS, said Easement tract being part of that certain 11.076 acre tract of land described in Special Warranty Deed with Vendor's Lien to Pinnacle Ridge II, Ltd., filed on June 19, 2006, in Instrument No. 200600222019, Deed Records of Dallas County, Texas, is a non-exclusive drainage easement and not a public easement granted to the public for public purposes; and

WHEREAS, Pinnacle Ridge II, Ltd., the current fee owner has requested the rights and benefits of the Easement be released; and

WHEREAS, the City has determined said Easement, which is a drainage easement and not a public 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 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 DOLLARS (\$5,400.00)** from Pinnacle Ridge II, Ltd., 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 Pinnacle Ridge II, Ltd. 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.

June 24, 2020

SECTION 2. (continued)

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 3. That as a condition of this release of easement and as part of the consideration for the quitclaim made herein, **GRANTEE** shall ensure all draining requirements are met and provide any adequate drainage easement, per City of Dallas Engineering Division request, upon the start of development.

SECTION 4. That this resolution is also designated for City purposes as Contract No. DEV-2020-00012672.

SECTION 5. 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, City Attorney

BY: 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 24 2020

CITY SECRETARY

LEGAL DESCRIPTION

BEING a 7.2555 acre tract of land out of the J.E. Helms Survey, Abstract No. 605 and Philemon Lacy Survey, Abstract No. 776, in the City of Dallas, Dallas County, being part of City of Dallas Blocks 7210 and 7212, and being part of a 11.076 acre tract of land described in Special Warranty Deed with Vendor's Lien to Pinnacle Ridge II, Ltd. recorded in Instrument No. 200600222019 of the Official Public Records of Dallas County, Texas, being part of a Drainage Easement recorded in Volume 99071, Page 6978 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for the southwest corner of Lot 2, Block E/7212, Pinnacle Ridge an addition to the City of Dallas according to the plat recorded in Instrument No. 20080235242 of said Official Public Records and being in the north line of Lot 1, Block E/7212 of First Industrial Park, Phase 5, an addition to the City of Dallas according to the plat thereof recorded in Volume 2005167, Page 42 of said Deed Records for the southeast corner of said 11.076 acre tract;

THENCE with the south line of said 11.076 acre tract and said north line of Lot 1, South 89°24'56" West, a distance of 1082.64 feet to a point for the southwest corner of said Drainage Easement from which an aluminum disk found in the east right-of-way line of Cockrell Hill Road (107-foot wide right-of-way) described in Volume 2000073, Page 4670 of said Deed Records, bears South 89°24'56" West, 24.27 feet;

THENCE departing said south line and said north line and with the west line of said Drainage Easement, the following courses and distances:

- North 15°25'54" West, a distance of 21.86 feet to a point for corner;
- North 7°17'28" West, a distance of 152.09 feet to a point for corner;
- North 17°34'31" West, a distance of 117.78 feet to a point for corner;
- North 20°53'24" East, a distance of 112.77 feet to a point for corner;
- North 45°24'56" East, a distance of 119.05 feet to a point for corner;
- North 63°54'56" East, a distance of 47.65 feet to a point for corner in the north line of said 11.076 acre tract and in the southerly line of a tract of land described in Deed to City of Dallas recorded in Instrument No. 20070127330 of said Official Public Records;

THENCE departing said west line of the Drainage Easement and with said southerly line of the City of Dallas tract and said north line of the 11.076 acre tract, the following courses and distances:

- South 15°11'26" East, a distance of 20.10 feet to a point for corner;
- North 89°38'40" East, a distance of 414.11 feet to a point for corner;
- South 61°37'16" East, a distance of 150.50 feet to a point for corner in an east line of said Drainage Easement;

THENCE departing said southerly line of the City of Dallas tract and said north line of the 11.076 acre tract and with said east line of the Drainage Easement, the following courses and distances:

- South 0°35'04" East, a distance of 64.73 feet to a point for corner;
- South 45°43'11" West, a distance of 158.95 feet to a point for corner;
- South 44°16'49" East, a distance of 282.78 feet to a point for corner;
- North 89°24'56" East, a distance of 339.21 feet to a point for corner in the east line of said 11.076 acre tract and the west line of said Lot 2, Block E/7212;

THENCE with said east line of the 11.076 acre tract and said Lot 2, Block E/7212, South 0°34'30" East, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 7.2555 acres or 316,051 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)

(For SPRG use only)

Reviewed By: JL

Date: 2-24-20

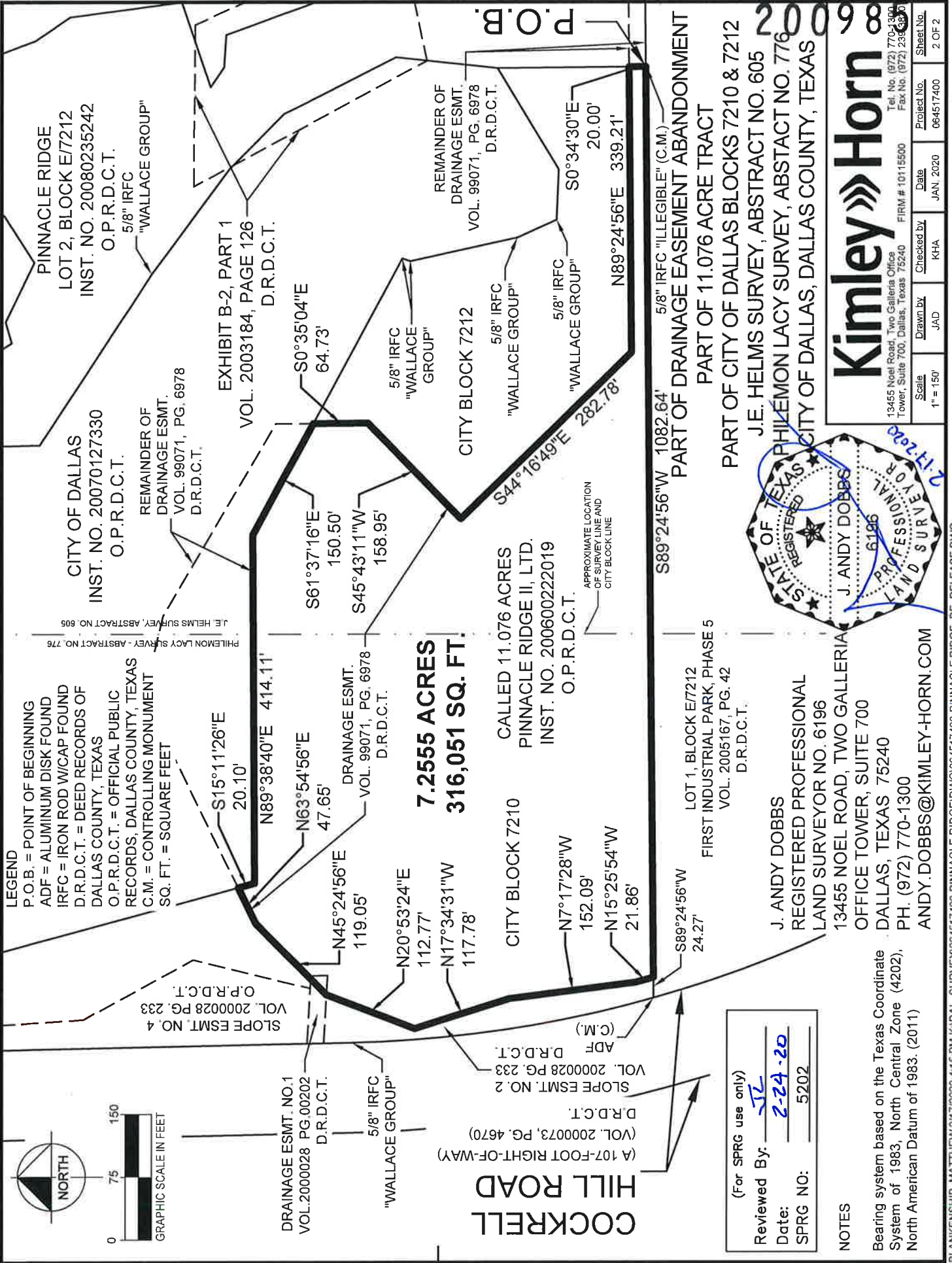
SPRG NO: 5202

**PART OF DRAINAGE EASEMENT ABANDONMENT
PART OF 11.076 ACRE TRACT
PART OF CITY OF DALLAS BLOCKS 7210 & 7212
J.E. HELMS SURVEY, ABSTRACT NO. 605
PHILEMON LACY SURVEY, ABSTRACT NO. 776
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
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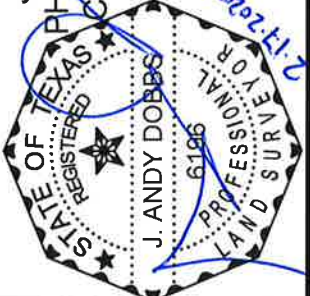


Kimley»Horn		13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240		FIRM # 10115500		Tel. No. (972) 770-1300 Fax No. (972) 239-3820	
		Scale N/A	Drawn by JAD	Checked by KHA	Date JAN. 2020	Project No. 064517400	Sheet No. 1 OF 2



(For SPRG use only)
 Reviewed By: JL
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NOTES
 Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. (2011)



Kimley»Horn

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Scale: 1" = 150'
 Drawn by: JAD
 Checked by: KHA
 Date: JAN 2020
 Project No.: 064517400
 Sheet No.: 2 OF 2