

RECEIVED

2021 MAY 13 AM 10:50

CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

Memorandum

DATE March 16, 2021

TO City Secretary

SUBJECT Correction to CR 20-1889

This is the first correction to the subject Council Resolution.

The subject Council Resolution was approved on 12/09/2020, an ordinance abandoning portions of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner, containing a total of approximately 14,143 square feet of land, located near the intersection of Bayonne Street and Winnetka Avenue; and authorizing the quitclaim and providing for the dedication of approximately 25,368 square feet of land needed for a shared access easement - Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

Changes are needed to correct (select all applicable):

Typo Financial/funding information Obvious error from CR context

Council Resolution Section 11 should read as follows:

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a shared access easement to the City of Dallas, within 90 days of the effective date of this ordinance, ~~good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney in, under, through, across and along to~~ certain properties located in City Block 9/7265 and 12/7265, containing approximately 25,368 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

MAY 13 2021
[Signature]

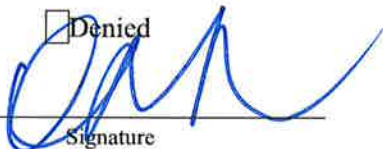
Department: Sustainable Development and Construction-Real Estate

Director (or designee.):  5-10-21
Signature Date
Ashley Eubanks
Print Name

Attachment for reference: Council Resolution 20-1889 – Ordinance No. 31711

OFS: Approved Denied Is ATT Approval Needed? Y N

OFS:  5/13/21
Signature Date
Ivan Guel
Print Name

ATT: Approved Denied
Assistant City Attorney:  04-15-2021
Signature Date
Naenna Nwaeke
Print Name

16. [20-1867](#) An ordinance abandoning a portion of a utility easement to Arcadia Land Partners 20, LTD, the abutting owner, containing approximately 1,100 square feet of land, located near the intersection of Patience Boulevard and Samaritan Road - Revenue: General Fund \$5,400.00, plus the \$20.00 ordinance publication fee

Attachments: [Map](#)
[Ordinance](#)
[Exhibit A](#)

17. [19-1569](#) An ordinance abandoning portions of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner, containing a total of approximately 14,143 square feet of land, located near the intersection of Bayonne Street and Winnetka Avenue; and authorizing the quitclaim and providing for the dedication of approximately 25,368 square feet of land needed for a shared access easement - Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

LOG# 45267

Attachments: [Map](#)
[Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

18. [20-749](#) An ordinance granting a private license to CC Deep Ellum, LLC for the use of a total of approximately 69 square feet of aerial space to install, occupy and maintain five blade signs over portions of Canton, Walton and Virgil Streets and Malcolm X Boulevard rights-of-way located near their intersection with Canton and Walton Streets - Revenue: General Fund \$5,000.00 annually, plus the \$20.00 ordinance publication fee

Attachments: [Map](#)
[Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)



Details

Reports

File #: 19-1569 **Version:** 1 **Name:**
Type: CONSENT AGENDA **Status:** Approved
File created: 10/3/2019 **In control:** Department of Sustainable Development and Construction
On agenda: 12/9/2020 **Final action:** 12/9/2020

Title: An ordinance abandoning portions of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner, containing a total of approximately 14,143 square feet of land, located near the intersection of Bayonne Street and Winnetka Avenue; and authorizing the quitclaim and providing for the dedication of approximately 25,368 square feet of land needed for a shared access easement - Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

Indexes: 6

Attachments: 1. [Map](#), 2. [Ordinance](#), 3. [Exhibit A](#), 4. [Exhibit B](#), 5. [Exhibit C](#)

History (0)

Text

0 records

Date	Action By	Action	Result	Action Details	Meeting Details	Video
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No records to display.



Reports

File #:	19-1569	Version: 1	Name:	
Type:	CONSENT AGENDA		Status:	Approved
File created:	10/3/2019		In control:	Department of Sustainable Development and Construction
On agenda:	12/9/2020		Final action:	12/9/2020
Title:	An ordinance abandoning portions of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner, containing a total of approximately 14,143 square feet of land, located near the intersection of Bayonne Street and Winnetka Avenue; and authorizing the quitclaim and providing for the dedication of approximately 25,368 square feet of land needed for a shared access easement - Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee			
Indexes:	6			
Attachments:	1. Map , 2. Ordinance , 3. Exhibit A , 4. Exhibit B , 5. Exhibit C			
History (0)	<div style="border: 1px solid black; padding: 2px; display: inline-block;">TEXT</div>			

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 9, 2020

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Dr. Eric A. Johnson

SUBJECT

An ordinance abandoning portions of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner, containing a total of approximately 14,143 square feet of land, located near the intersection of Bayonne Street and Winnetka Avenue; and authorizing the quitclaim and providing for the dedication of approximately 25,368 square feet of land needed for a shared access easement - Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of Winnetka Avenue and alley to GRBK Edgewood LLC, the abutting owner. The areas will be included with the property of the abutting owner for the development of single-family homes, containing a total of approximately 14,143 square feet of land. The owner will dedicate approximately 25,368 square feet of land needed for a shared access easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 101 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: General Capital Reserve Fund (\$285,489.00), General Fund (\$20,000.00), plus the \$20.00 ordinance publication fee

OWNER

GRBK Edgewood LLC

James R. Brickman, Manager

MAP

Attached

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Winnetka Avenue and alley located adjacent to City Blocks 9/7265 and 12/7265 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to GRBK Edgewood LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; 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 a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of GRBK Edgewood LLC, a Texas limited liability company, 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 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, 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 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

SECTION 1. (continued)

insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **THREE HUNDRED FIVE THOUSAND FOUR HUNDRED EIGHTY-NINE AND NO/100 DOLLARS (\$305,489.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11 and 12, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, 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 10 of this ordinance, but no later than 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 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date 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, 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 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**, its 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**, 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

SECTION 8. (continued)

GRANTEE, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) designate a north/south public access easement a minimum width of 20-feet from Bayonne Street to Duluth Street. Provide two shared access easements oriented east/west to facilitate rear loading garage entries for each unit; and
- b) provide a 5-foot wide pedestrian access opening to Conklin Street at the end of each east/west shared access street.

SECTION 10. 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

SECTION 10. (continued)

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 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a shared access easement to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, to certain properties located in City Block 9/7265 and 12/7265, containing approximately 25,368 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 12. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, 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 14. 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

SECTION 14. (continued)


the abandonment area is 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, and the completion of the dedication set forth in Section 11, 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 area 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 15. That this ordinance is also designated for City purposes as Contract No. DEV- 2018-00004345.

SECTION 16. 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,
City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and
Construction

BY  Assistant City Attorney

BY  Assistant Director

Passed _____

STREET RIGHT-OF-WAY ABANDONMENT

PART OF WINNETKA AVENUE
 WEST END ADDITION
 ADJACENT TO BLOCKS 9/7265 AND 12/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

BEING a 9,941 square feet (0.23 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, adjacent to the City of Dallas Blocks 9/7265 and 12/7265 Dallas County, Texas, and being a part of Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for corner lying in the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and the westerly right-of-way line of said Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition, also being the southeasterly corner of Lot 1, Block 12/7265 of said West End Addition;

THENCE North 01 degrees 32 minutes 53 seconds West, along the westerly right-of-way line of said Winnetka Avenue, common with the easterly line of Lots 1 thru 4 in Block 12/7265 of said West End Addition, a distance of 198.82 feet to a 1/2 inch iron rod set with a yellow cap stamped "TXHS" from which a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" or corner lying in the southerly right-of-way line of Duluth Street (formerly Lindsey Avenue)(50 foot right-of-way) as dedicated by said West End Addition bears North 01 degrees 32 minutes 53 seconds West, 11.00 feet;

THENCE North 88 degrees 26 minutes 04 seconds East, over and across the existing right-of-way of said Winnetka Avenue, a distance of 50.00 feet to a 1/2 inch iron rod set with a yellow cap stamped "TXHS" from which a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for corner lying in the southerly right-of-way line of Duluth Street (50 foot right-of-way) as dedicated by said West End Addition bears North 01 degrees 32 minutes 53 seconds West, 11.00 feet;

THENCE South 01 degrees 32 minutes 53 seconds East, along the easterly right-of-way line of said Winnetka Avenue, common with the westerly line of Lots 8 and 9 in Block 9/7265 of said West End Addition, a distance of 198.80 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" lying at the northerly right-of-way line of said Bayonne Street, also being the southwesterly corner of said Lot 9, Block 9/7265 of said West End Addition;

THENCE South 88 degrees 24 minutes 34 seconds West, over and across said Winnetka Avenue, common with the northerly right-of-way line of said Bayonne Street, a distance of 50.00 feet to the POINT OF BEGINNING and containing 9,941 square feet or 0.23 acres of land.


 Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)	
Reviewed By:	G.S.
Date:	8-22-19
SPRG NO:	4334



TEXAS HERITAGE SURVEYING, INC.
 10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com

Bearings are based on the State Plane
 Coordinate System, Texas North Central Zone
 4202, North American Datum of 1983,
 Realization of 2011.

JOB# 1701319-13
 DATE: 07/05/2019
 DRAWN BY: CN
 PAGE: 1 of 2

STREET RIGHT-OF-WAY ABANDONMENT

PART OF WINNETKA AVENUE
 WEST END ADDITION
 ADJACENT TO BLOCKS 9/7265 AND 12/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

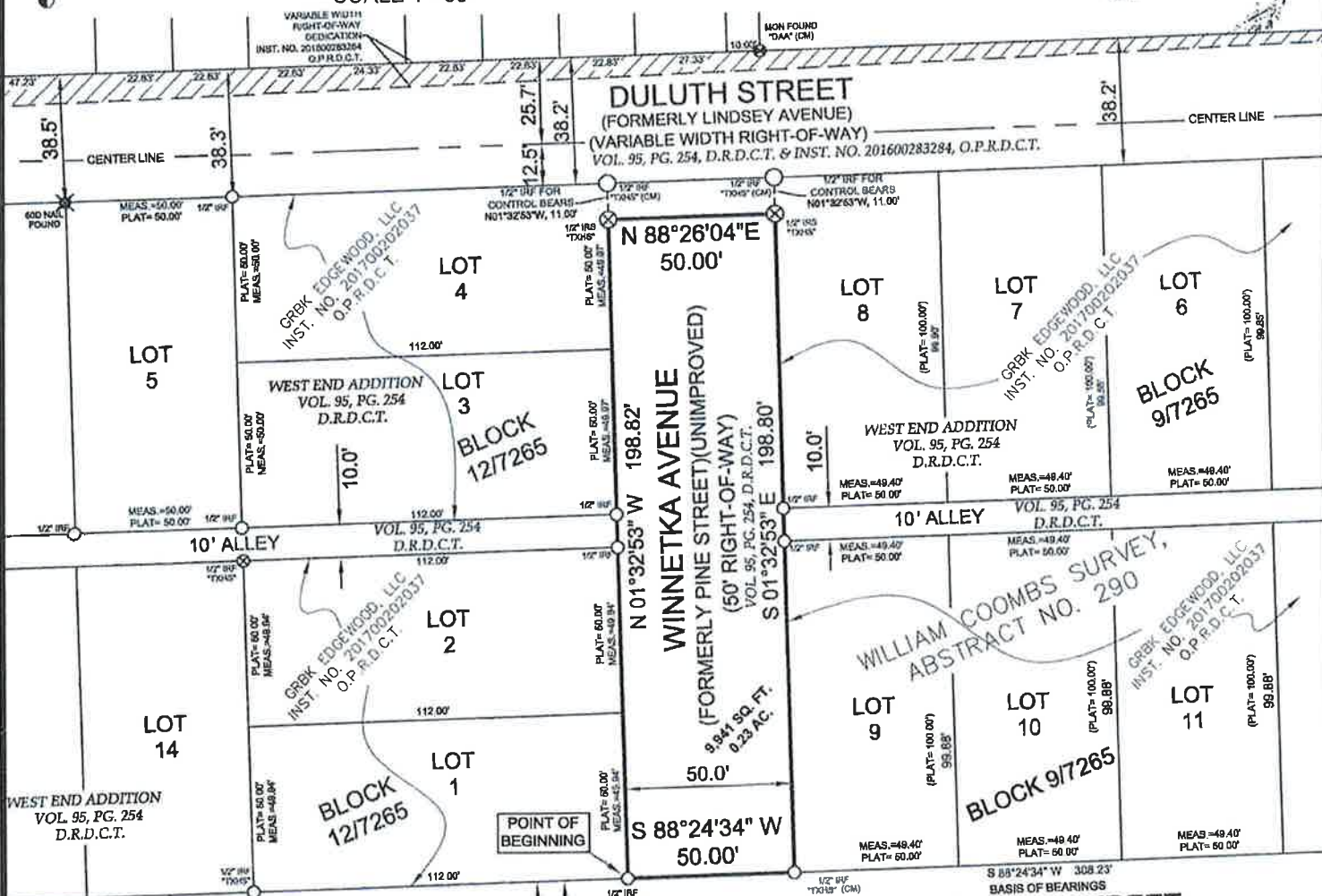
EXHIBIT A-TRACT 1

(For SPRG use only)
 Reviewed By: G.S.
 Date: 8-22-19
 SPRG NO: 4334

GARY E. JOHNSON
 5299
 Gary E. Johnson, R.P.L.S. # 5299

50 25 0 25 50 75 100

SCALE 1"=50'



- LEGEND:**
- R.O.W. RIGHT-OF-WAY
 - VOL. / PG. VOLUME / PAGE
 - (CM) CONTROLLING MONUMENT
 - MEAS. MEASURE
 - IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - IRF "TXHS" IRON ROD FOUND WITH A YELLOW CAP STAMPED "TXHS"
 - IRS "TXHS" IRON ROD SET WITH A YELLOW CAP STAMPED "TXHS"
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - SQ. FT. / AC. SQUARE FEET / ACRE(S)
 - INST. NO. INSTRUMENT NUMBER

BAYONNE STREET
 (FORMERLY WILLIAM AVENUE)
 (50' RIGHT-OF-WAY)
 VOL. 95, PG. 254
 D.R.D.C.T.



TEXAS HERITAGE SURVEYING, INC.
 10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300

Bearings are based on the State Plane
 Coordinate System, Texas North Central Zone
 4202, North American Datum of 1983,
 Realization of 2011.

JOB: 1701319-13
 DATE: 07/05/2019
 DRAWN BY: CN
 PAGE: 2 of 2

ALLEY ABANDONMENT

PART OF 10 FOOT ALLEY
 WEST END ADDITION
 BLOCK 12/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

Being a 1,120 square feet (0.0257 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, and being a part of City of Dallas Block 12/7265 Dallas County, Texas, and being a part of a 10 foot alley right-of-way as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found with yellow cap stamped "TXHS" (controlling monument) for corner, lying on the westerly right-of-way line of Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition and being the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and also being the southeasterly corner of Lot 1, Block 12/7265 of said West End Addition and being a southeast corner of a tract of land as described in the Deed Without Warranty to GRBK Edgewood, LLC, recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas;

THENCE North 01 degrees 32 minutes 54 West, along the easterly line of Lots 1 and 2, Block 12/7265 of said West End Addition, and the easterly line of said GRBK Edgewood tract, common with the westerly right-of-way line of said Winnetka Avenue, a distance of 99.88 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS", lying on the southerly right-of-way line of said 10 foot alley also being the northeasterly corner of Lot 2, Block 12/7265 of said West End Addition and a northeasterly corner of said GRBK Edgewood tract and being the POINT OF BEGINNING of the herein described tract;

THENCE South 88 degrees 24 minutes 34 seconds West, along the northerly line of said Lot 2, Block 12/7265 and said GRBK Edgewood tract, common with the southerly right-of-way line of said 10 foot alley right-of-way, a distance of 112.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" for the northeasterly corner of Lot 14, Block 12/7265;

THENCE North 01 degrees 32 minutes 54 West, over and across said 10 foot alley right-of-way, a distance of 10.00 feet to a 1/2 inch iron rod found (controlling monument) for the southwesterly corner of Lot 3, Block 12/7265 of said West End Addition and a southwesterly corner of said GRBK Edgewood tract;

THENCE North 88 degrees 24 minutes 34 seconds East, along the northerly right-of-way of said 10 foot alley right-of-way, common with the southerly line of said Lot 3, Block 12/7265 and said GRBK Edgewood tract, a distance of 112.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" for the southeasterly corner of Lot 3, Block 12/7265 of said West End Addition and a southeasterly corner of said GRBK Edgewood tract and lying on the westerly right-of-way line of said Winnetka Avenue;

THENCE South 01 degrees 32 minutes 54 seconds East, over and across said 10 foot alley right-of-way, common with the westerly right-of-way line of said Winnetka Avenue, a distance of 10.00 feet to the POINT OF BEGINNING and containing 1,120 square feet or 0.0257 an acres of land.

Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)

Reviewed By: G.S.
 Date: 8-22-19
 SPRG NO: 4335



TEXAS HERITAGE SURVEYING, INC.
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Bearings are based on the State Plane
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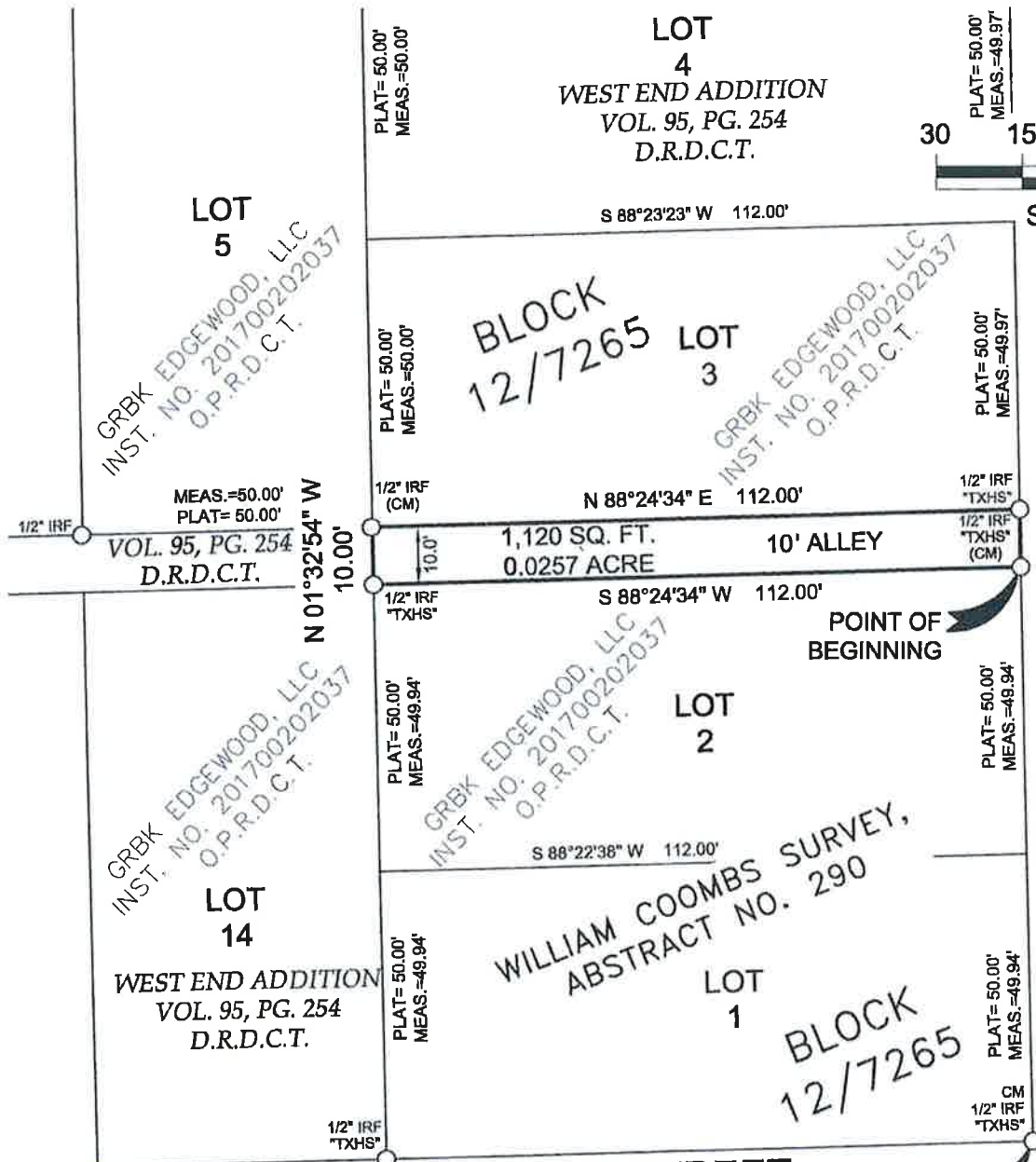
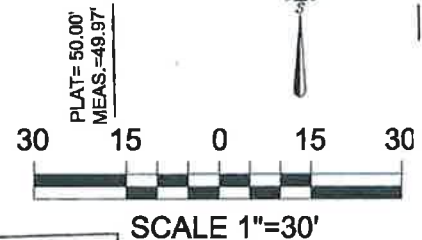
JOB# 1701319-03
 DATE: 07/11/2019
 DRAWN BY: CN
 Page 1 of 2

(For SPRG use only)
 Reviewed By: G.S.
 Date: 8-22-19
 SPRG NO: 4335

ALLEY ABANDONMENT

PART OF 10 FOOT ALLEY
 WEST END ADDITION
 BLOCK 12/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT



WINNETKA AVENUE
 (FORMERLY PINE STREET)
 (50' RIGHT-OF-WAY)(UNIMPROVED)
 VOL. 95, PG. 254, D.R.D.C.T.

BAYONNE STREET
 (FORMERLY WILLIAM AVENUE)
 50' RIGHT-OF-WAY
 VOL. 95, PG. 254, D.R.D.C.T.

- LEGEND:**
- IRF IRON ROD FOUND
 - VOL. / PG. VOLUME / PAGE
 - POB POINT OF BEGINNING
 - CM CONTROLLING MONUMENT
 - IRF "TXHS" IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "TXHS"
 - 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
 - SQ.FT. / AC. SQUARE FEET / ACRE(S)
 - R.O.W. RIGHT-OF-WAY
 - INST. NO. INSTRUMENT NUMBER



TEXAS HERITAGE SURVEYING, INC.
 10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300

[Signature]
 Gary E. Johnson, R.P.L.S.# 5299

Bearings are based on the State Plane
 Coordinate System, Texas North Central Zone
 4202, North American Datum of 1983,
 Realization of 2011.

JOB# 1701319-03
 DATE: 07/11/2019
 DRAWN BY: CN
 Page 2 of 2

ALLEY ABANDONMENT

PART OF A 10 FOOT ALLEY
 WEST END ADDITION
 BLOCK 9/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

BEING a 3,082 square feet (0.07 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, and being a part of City of Dallas Block 9/7265 Dallas County, Texas, and being a part of a 10 foot Alley right-of-way as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found with yellow cap stamped "TXHS" for corner, lying on the westerly right-of-way line of Conklin Street (formerly Cedar Street)(50 foot right-of-way) as dedicated by said West End Addition and being the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and also being the southeasterly corner of Lot 1, Block 9/7265 of said West End Addition and a southeast corner of a tract of land described by Deed Without Warranty to GRBK Edgewood, LLC, as recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas;

THENCE North 01 degrees 32 minutes 53 West, along the easterly line of Lots 1 and 2, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the westerly right-of-way line of said Conklin Street, a distance of 99.88 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" lying on the southerly line of said 10 foot alley right-of-way, also being the northeasterly corner of said Lot 2, Block 9/7265 of said West End Addition and a northeasterly corner of said GRBK Edgewood tract and being the POINT OF BEGINNING of the herein described tract;

THENCE South 88 degrees 24 minutes 34 seconds West, along the northerly line of said Lot 2, Block 9/7265 and Lots 12,11,10 and 9, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the southerly line of said 10 foot alley right-of-way, a distance of 308.24 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for the northwesterly corner of Lot 9, Block 9/7265 of said West End Addition and said GRBK Edgewood tract and lying on the easterly right-of-way line of said Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition;

THENCE North 01 degrees 32 minutes 53 seconds West, along the westerly line of said 10 foot alley right-of-way, common with the easterly right-of-way line of said Winnetka Avenue, a distance of 10.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" lying on the easterly right-of-way line of said Winnetka Avenue and being the southwesterly corner of Lot 8, Block 9/7265 of said West End Addition and a southwesterly corner of said GRBK Edgewood tract;

THENCE North 88 degrees 24 minutes 34 seconds East, along the southerly line of said Lot 8, Block 9/7265 and Lots 7, 6, 5, and 3, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the northerly line of said 10 foot alley right-of-way, a distance of 308.24 feet to a 1/2 inch iron rod with a yellow cap stamped "TXHS" found for corner, being the southeasterly corner of said Lot 3, Block 9/7265 and a southeasterly corner of said GRBK Edgewood tract and being on the west line of said Conklin Street;

THENCE South 01 degrees 32 minutes 53 East, along the easterly line of said 10 foot alley right-of-way, common with the westerly line of said Conklin Street, a distance of 10.00 feet, to the POINT OF BEGINNING and containing 3,082 square feet or 0.07 acres of land.


 Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)

Reviewed By: G.S.
 Date: 8-22-19
 SPRG NO: 4336



TEXAS HERITAGE SURVEYING, INC.
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 4202, North American Datum of 1983,
 Realization of 2011.

JOB# 1701319-08
 DRAWN BY: CN
 DATE: 07/11/2019
 PAGE: 1 of 3

ALLEY ABANDONMENT

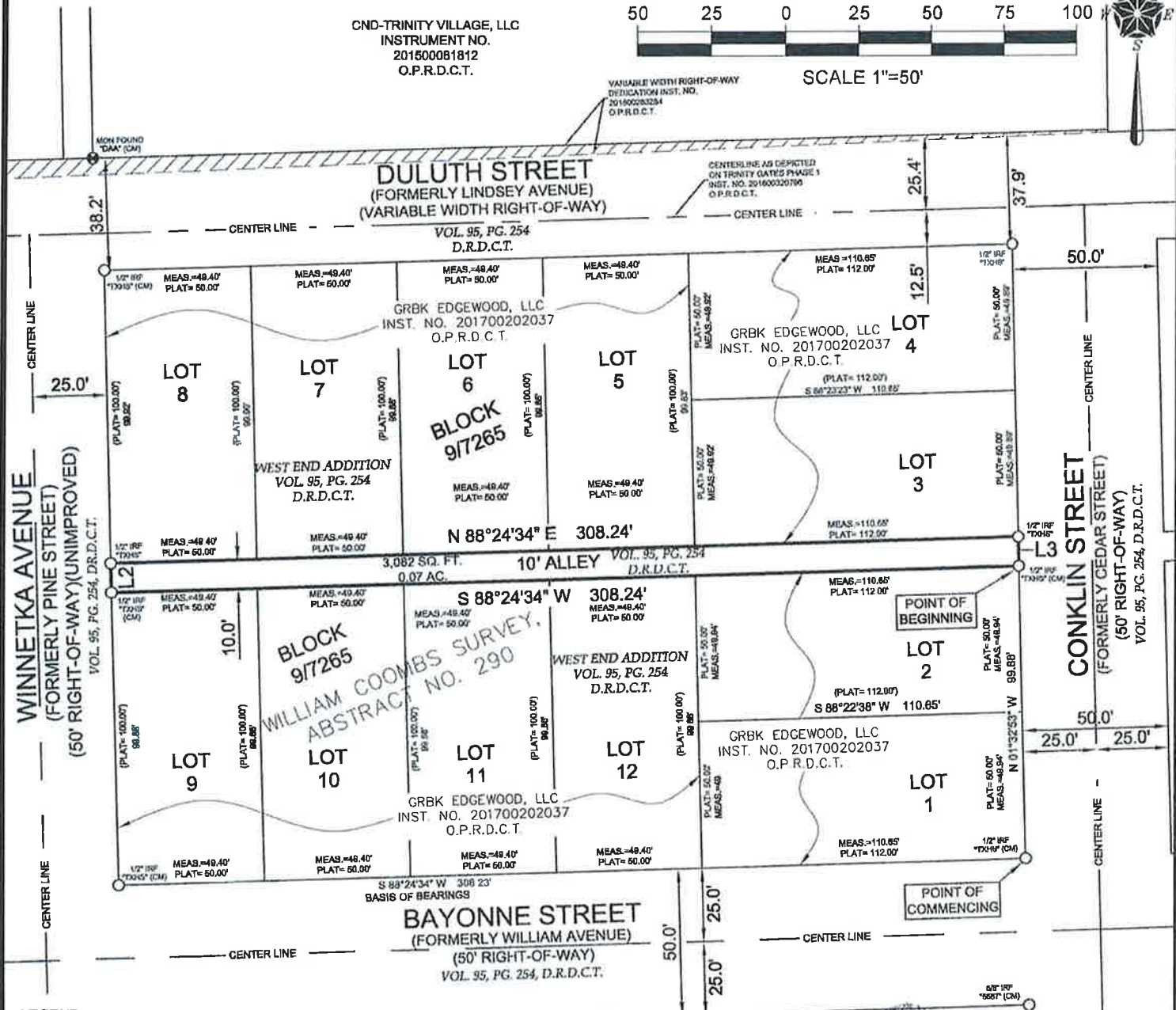
PART OF A 10 FOOT ALLEY
WEST END ADDITION
BLOCK 97265

WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

(For SPRG use only)
Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4336

CND-TRINITY VILLAGE, LLC
INSTRUMENT NO.
201500081812
O.P.R.D.C.T.



LEGEND:

- IRF IRON ROD FOUND
- MEAS. MEASURE
- MON. MONUMENT
- INST. NO. INSTRUMENT NUMBER
- CM CONTROLLING MONUMENT
- IRF "TXHS" IRON ROD FOUND WITH A YELLOW CAP STAMPED "TXHS"
- IRS "TXHS" IRON ROD SET WITH A YELLOW CAP STAMPED "TXHS"
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- SQ.FT. / AC. SQUARE FEET / ACRE(S)
- VOL. / PG. VOLUME / PAGE

Gary E. Johnson, R.P.L.S. # 5299 Date 8/17/19



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Realization of 2011.

JOB# 1701319-08
DRAWN BY: CN
DATE: 07/11/2019
Page 2 of 3

ALLEY ABANDONMENT

PART OF A 10 FOOT ALLEY
 WEST END ADDITION
 BLOCK 9/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

LINE TABLE

LINE #	LENGTH	DIRECTION
L2	10.00'	N1°32'53"W
L3	10.00'	S1°32'53"E

(For SPRG use only)

Reviewed By: G.S.Date: 8-22-19SPRG NO: 4336

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 Realization of 2011.

JOB# 1701319-08
 DRAWN BY: CN
 DATE: 07/11/2019
 Page 3 of 3

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.

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 25,368 square foot (0.582 acre) portion of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, and being out of Lots 1 thru 4, Block 12/7265 and Lots 1 thru 12, Block 9/7265 of the West End Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat thereof recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being part of the same tract of land as described in Deed Without Warranty to GRBK EDGEWOOD, LLC, recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas, and being a portion of that portion of the abandoned Winnetka Avenue (formerly Poole Street) as dedicated by said Volume 95, Page 254, Deed Records, Dallas County, Texas, and now as abandoned by Ordinance No. _____ and as recorded by Instrument Number _____, Official Public Records, Dallas County, Texas, and a portion of the abandoned 10 foot alley as dedicated by said Volume 95, Page 254, Deed Records, Dallas County, Texas, and now as abandoned by Ordinance No. _____ and as recorded by Instrument Number _____, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a 1/2 inch iron rod found at the southeast corner of Lot 14, Block 12/7265 of said West End Addition (Controlling Monument) and lying in the north right-of-way line of Bayonne Street (f/k/a William Street)(50 foot right-of-way) as dedicated by said West End Addition and being the southwest corner of said Lot 1, Block 12/7265;

Thence North 88 degrees 24 minutes 34 seconds East, along said north right-of-way line of said Bayonne Street, a distance of 183.38 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299" and being the POINT OF BEGINNING;

Thence traversing over and across the aforesaid Lots 1 thru 4, Block 12/7265 and Lots 1 thru 12, Block 9/7265 and abandoned Winnetka Avenue and 10 foot alley, out of the West End Addition, the following bearings and distances:

North 01 degrees 36 minutes 06 seconds West, a distance of 21.14 feet to a point for corner at the beginning of a tangent curve to the left, having a radius of 28.00 feet, a delta angle of 89 degrees 57 minutes 51 seconds, with a chord that bears North 46 degrees 35 minutes 01 seconds West, a chord distance of 39.59 feet;

Thence along said tangent curve to the left, an arc length of 43.96 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 150.40 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 20.00 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 150.36 feet to a point for corner at the beginning of a tangent curve to the left, having a radius of 28.00 feet, a delta angle of 51 degrees 35 minutes 19 seconds, with a chord that bears North 62 degrees 38 minutes 24 seconds East, a chord distance of 24.37 feet;

Thence along said tangent curve to the left, an arc length of 25.21 feet to the beginning of a compound curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 58 seconds, with a chord that bears North 27 degrees 22 minutes 45 seconds West, a chord distance of 3.60 feet;

Thence along said compound curve to the left, an arc length of 4.48 feet to a point for corner;

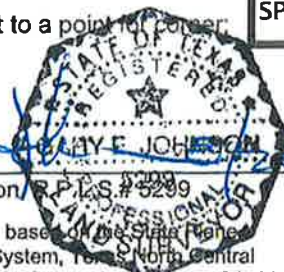
South 88 degrees 23 minutes 54 seconds West, a distance of 12.36 feet to a point for corner;

Reviewed by: <u>SP</u>
Date: <u>9/3/2020</u>
SPRG: <u>5000</u>



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Gary E. Johnson
Gary E. Johnson, R.P.L.S. #5289



Bearings are based on the State Plane
Coordinate System, Texas North Central
Zone 4202, North American Datum of 1983,
Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 1 of 8

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

North 01 degrees 36 minutes 06 seconds West, a distance of 18.00 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 15.50 feet to the beginning of a tangent curve to the left having a radius of 4.50 feet, a delta angle of 180 degrees 00 minutes 00 seconds, with a chord that bears North 01 degrees 36 minutes 06 seconds West, a chord distance of 9.00 feet;

Thence along said tangent curve to the left, an arc length of 14.14 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, a distance of 15.50 to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 18.00 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 12.36 feet to the beginning of a tangent curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 54 seconds, with a chord that bears North 24 degrees 10 minutes 30 seconds East, a chord distance of 3.60 feet;

Thence along said tangent curve to the left, an arc length of 4.48 feet to the beginning of a compound curve to the left having a radius of 28.00 feet, a delta angle of 51 degrees 31 minutes 00 seconds, with a chord that bears North 65 degrees 48 minutes 26 seconds West, a chord distance of 24.34 feet;

Thence along said compound curve to the left, an arc length of 25.18 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 150.40 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 20.00 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 150.36 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 90 degrees 02 minutes 10 seconds, with a chord that bears North 43 degrees 24 minutes 58 seconds East, a chord distance of 39.61 feet;

Thence along said tangent curve to the left, an arc length of 44.00 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 8.98 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299", from which a 1/2 inch iron rod found (controlling monument) bears North 88 degrees 07 minutes 59 seconds West, 183.72 feet;

North 88 degrees 26 minutes 04 seconds East, a distance of 26.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299";

South 01 degrees 36 minutes 06 seconds East, a distance of 9.02 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 89 degrees 57 minutes 53 seconds, with a chord that bears South 46 degrees 35 minutes 02 seconds East, a chord distance of 39.59 feet;

Thence along said tangent curve to the left, an arc length of 43.97 feet to a point for corner;

Reviewed by: <u>JD</u>
Date: <u>9/3/2020</u>
SPRG: <u>5000</u>



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Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 2 of 8

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

North 88 degrees 26 minutes 04 seconds East, a distance of 230.02 feet to a point for corner;

South 01 degrees 32 minutes 53 seconds East, a distance of 20.00 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 229.97 feet to the beginning of a tangent curve to the left having a radius of 27.74 feet, a delta angle of 52 degrees 02 minutes 59 seconds, with a chord that bears South 62 degrees 44 minutes 58 seconds West, a chord distance of 24.35 feet;

Thence along said tangent curve to the left, an arc length of 25.20 feet to the beginning of a compound curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 53 seconds, with a chord that bears South 27 degrees 22 minutes 42 seconds East, a chord distance of 3.60 feet;

Thence along said compound curve to the left, an arc length of 4.48 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 12.36 feet to a point for corner;

South 01 degrees 36 minutes 06 seconds East, a distance of 18.00 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, a distance of 15.50 feet to the beginning of a tangent curve to the left having a radius of 4.50 feet, a delta angle of 180 degrees 00 minutes 00 seconds, with a chord that bears South 01 degrees 36 minutes 06 seconds East, a chord distance of 9.00 feet;

Thence along said tangent curve to the left, an arc length of 14.14 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, 15.50 feet to a point for corner;

South 01 degrees 36 minutes 06 seconds East, 18.00 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, 12.36 feet to the beginning of a tangent curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 42 minutes 33 seconds, with a chord that bears South 24 degrees 02 minutes 38 seconds West, a chord distance of 3.61 feet;

Thence along said tangent curve to the left, an arc length of 4.49 feet to the beginning of a compound curve to the left having a radius of 28.26 feet, a delta angle of 51 degrees 43 minutes 02 seconds, with a chord that bears South 66 degrees 02 minutes 52 seconds East, a chord distance of 24.65 feet;

Thence along said compound curve to the left, an arc length of 25.51 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 229.60 feet to a point for corner;


Gary E. Johnson, R.P.L.S. # 1208



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Firm #10169300

Reviewed by: <u>JD</u>
Date: <u>9/3/2020</u>
SPRG: <u>5000</u>

Bearings are based on the State Plane
Coordinate System, Texas North Central
Zone 4202, North American Datum of 1983,
Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 3 of 8

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**


South 01 degrees 32 minutes 53 seconds East, a distance of 20.00 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 229.88 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 90 degrees 02 minutes 10 seconds, with a chord that bears South 43 degrees 24 minutes 59 seconds West, a chord distance of 39.61 feet;

Thence along said tangent curve to the left, an arc length of 44.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299";

South 01 degrees 36 minutes 06 seconds East, a distance of 21.10 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299" lying in said north right-of-way line of said Bayonne Street;

Thence South 88 degrees 24 minutes 34 seconds West, along said north right-of-way line of said Bayonne Street, a distance of 26.00 feet to the POINT OF BEGINNING and containing 25,368 square feet or 0.582 acres of land.

[Handwritten Signature]

 Gary E. Johnson, R.P.L.S. # 5299

Reviewed by: JD
 Date: 9/3/2020
 SPRG: 5000



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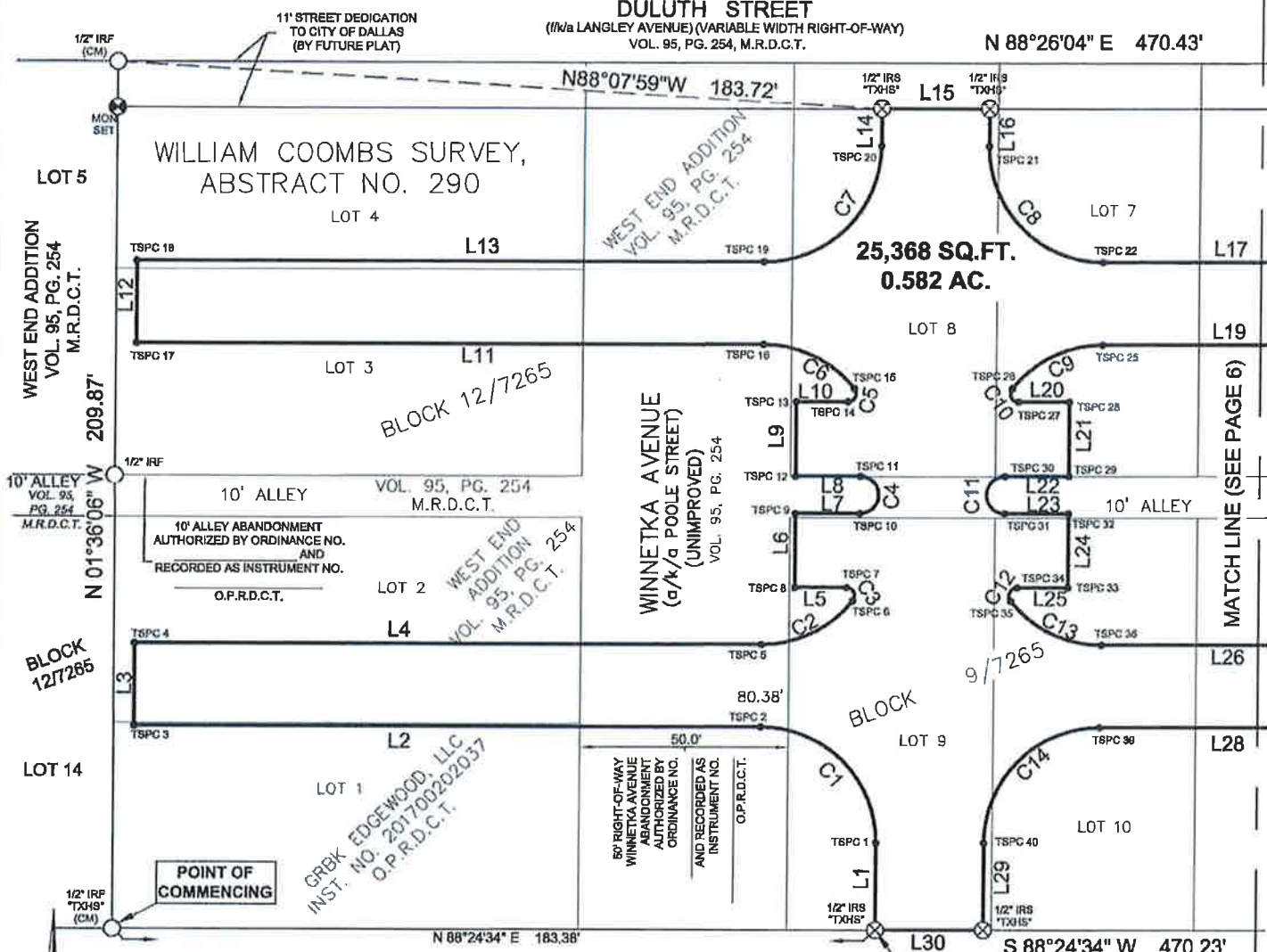
Job# 1701319-12
 Date: 08/07/19
 Revised Date: 08/27/20
 Drawn: CN
 Scale: 1" = 40'
 Page 4 of 8

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

DULUTH STREET

(f/w/a LANGLEY AVENUE) (VARIABLE WIDTH RIGHT-OF-WAY)
VOL. 95, PG. 254, M.R.D.C.T.

N 88°26'04" E 470.43'



LEGEND:

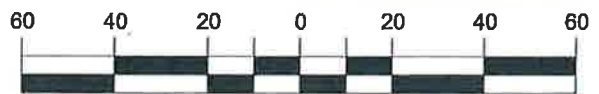
- CM Controlling Monument
- IRF Iron Rod Found
- SQ.FT. / AC. Square Feet / Acre(s)
- D.R.D.C.T. Deed Records, Dallas County, Texas
- M.R.D.C.T. Map Records, Dallas County, Texas
- O.P.R.D.C.T. Official, Public Records, Dallas County, Texas
- MON SET 3 inch aluminum cap stamped "TT" and "RPLS 5299" on 1/2" iron rod set
- ⊗ IRS 1/2 inch iron rod set with yellow plastic cap stamped "TXHS"
- IRF "TXHS" 1/2 inch iron rod found with yellow plastic cap stamped "TXHS"

BAYONNE STREET

(f/w/a WILLIAM STREET)
(50' RIGHT-OF-WAY)
VOL. 95, PG. 254, M.R.D.C.T.

POINT OF BEGINNING

Reviewed by: JD
 Date: 9/3/2020
 SPRG: 5000



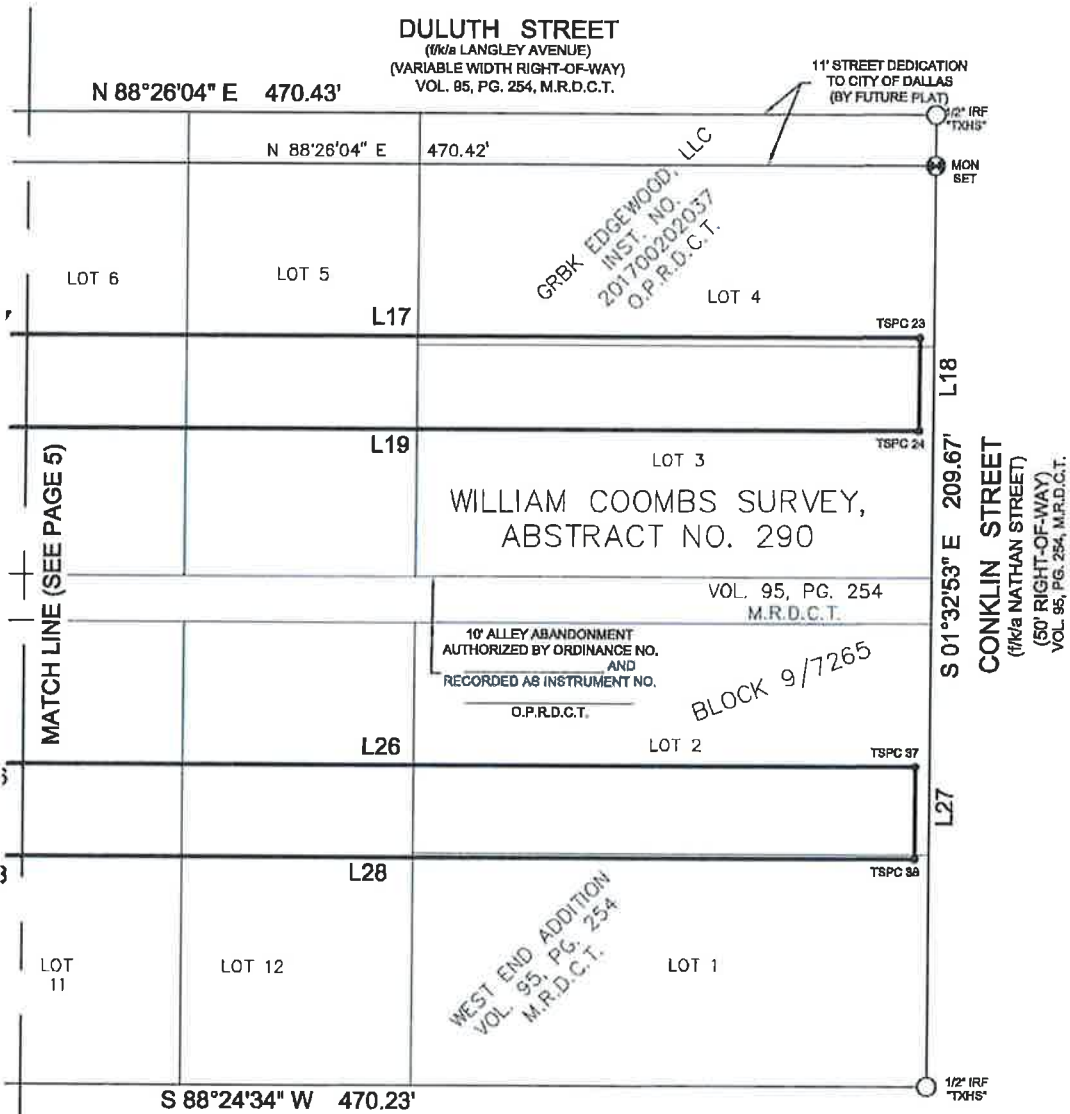
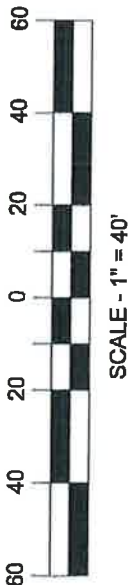
SCALE - 1" = 40' Job# 1701319-12
Date: 08/07/19

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011. Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 5 of 8

Gary E. Johnson, R.P.L.S.# 5299
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 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm #10169300

EXHIBIT C

SHARED ACCESS AREA EASEMENT WEST END ADDITION LOTS 1 THRU 4, BLOCK 12/7265 AND LOTS 1 THRU 12, BLOCK 9/7265 AND ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY WILLIAM COOMBS SURVEY, ABSTRACT NO. 290 CITY OF DALLAS, DALLAS COUNTY, TEXAS



- LEGEND:**
- CM Controlling Monument
 - IRF Iron Rod Found
 - SQ.FT. / AC. Square Feet / Acre(s)
 - 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
 - MON SET 3 inch aluminum cap stamped "TT" and "RPLS 5299" on 1/2 iron rod set
 - ⊗ IRS 1/2 inch iron rod set with yellow plastic cap stamped "TXHS"
 - IRF "TXHS" 1/2 inch iron rod found with yellow plastic cap stamped "TXHS"

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000

GARY E. JOHNSON, R.P.S., #17299
DALLAS COUNTY, TEXAS
Surveyor's Seal



TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm #10169300

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 6 of 8

EXHIBIT C

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

SHARED ACCESS AREA EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	21.14'	N1°36'06"W
L2	150.40'	S88°26'04"W
L3	20.00'	N1°36'06"W
L4	150.36'	N88°26'04"E
L5	12.36'	S88°23'54"W
L6	18.00'	N1°36'06"W
L7	15.50'	N88°23'54"E
L8	15.50'	S88°23'54"W
L9	18.00'	N1°36'06"W
L10	12.36'	N88°23'54"E
L11	150.40'	S88°26'04"W
L12	20.00'	N1°36'06"W
L13	150.36'	N88°26'04"E
L14	8.98'	N1°36'06"W
L15	26.00'	N88°26'04"E
L16	9.02'	S1°36'06"E
L17	230.02'	N88°26'04"E
L18	20.00'	S1°32'53"E
L19	229.97'	S88°26'04"W
L20	12.36'	N88°23'54"E

SHARED ACCESS AREA EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L21	18.00'	S1°36'06"E
L22	15.50'	S88°23'54"W
L23	15.50'	N88°23'54"E
L24	18.00'	S1°36'06"E
L25	12.36'	S88°23'54"W
L26	229.60'	N88°26'04"E
L27	20.00'	S1°32'53"E
L28	229.88'	S88°26'04"W
L29	21.10'	S1°36'06"E
L30	26.00'	S88°24'34"W

SHARED ACCESS AREA EASEMENT CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	43.96'	28.00'	89°57'51"	N46° 35' 01"W 39.59'
C2	25.21'	28.00'	51°35'19"	N62° 38' 24"E 24.37'
C3	4.48'	2.00'	128°26'58"	N27° 22' 45"W 3.60'
C4	14.14'	4.50'	180°00'00"	N1° 36' 06"W 9.00'
C5	4.48'	2.00'	128°26'54"	N24° 10' 30"E 3.60'
C6	25.18'	28.00'	51°31'00"	N65° 48' 26"W 24.34'
C7	44.00'	28.00'	90°02'10"	N43° 24' 58"E 39.61'
C8	43.97'	28.00'	89°57'53"	S46° 35' 02"E 39.59'
C9	25.20'	27.74'	52°02'57"	S62° 44' 57"W 24.35'
C10	4.48'	2.00'	128°26'53"	S27° 22' 42"E 3.60'
C11	14.14'	4.50'	180°00'00"	S1° 36' 06"E 9.00'
C12	4.49'	2.00'	128°42'33"	S24° 02' 38"W 3.61'
C13	25.51'	28.26'	51°43'02"	S65° 02' 52"E 24.65'
C14	44.00'	28.00'	90°02'10"	S43° 24' 59"W 39.61'

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000


Gary E. Johnson, R.P.L.S.#5299

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EXHIBIT C

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION
LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
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WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
1	6,969,224.4862	2,478,762.8905
2	6,969,251.6933	2,478,734.1364
3	6,969,247.5840	2,478,583.7949
4	6,969,267.5762	2,478,583.2359
5	6,969,271.6845	2,478,733.5422
6	6,969,282.335	2,478,755.1843
7	6,969,286.0820	2,478,753.5278
8	6,969,285.7365	2,478,741.1700
9	6,969,303.7295	2,478,740.6669
10	6,969,304.1627	2,478,756.1609
11	6,969,313.1592	2,478,755.9093
12	6,969,312.7260	2,478,740.4153
13	6,969,330.7189	2,478,739.9122
14	6,969,331.0645	2,478,755.2701
15	6,969,334.3506	2,478,753.7452

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
16	6,969,344.3237	2,478,731.5463
17	6,969,340.2145	2,478,581.2048
18	6,969,360.2067	2,478,580.6458
19	6,969,364.3150	2,478,730.9521
20	6,969,393.0872	2,478,758.1760
21	6,969,393.7624	2,478,784.1674
22	6,969,366.5554	2,478,812.9217
23	6,969,372.8401	2,479,042.8574
24	6,969,352.8474	2,479,043.3977
25	6,969,346.5642	2,478,813.5159
26	6,969,335.4167	2,478,791.8722
27	6,969,332.2181	2,478,793.5286
28	6,969,332.5637	2,478,805.8864
29	6,969,314.5707	2,478,806.3896
30	6,969,314.1375	2,478,790.8956

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
31	6,969,305.1410	2,478,791.1472
32	6,969,305.5742	2,478,806.6411
33	6,969,287.5813	2,478,807.1442
34	6,969,287.2357	2,478,794.7864
35	6,969,283.9426	2,478,793.3172
36	6,969,273.9341	2,478,815.8472
37	6,969,280.2073	2,479,045.3609
38	6,969,260.2146	2,479,045.9012
39	6,969,253.9337	2,478,816.1058
40	6,969,225.1615	2,478,788.8818

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000

[Signature]
Gary B. Johnson, R.P.L.S.#5299



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Page 8 of 8

PLEASE CHECK THE BOX IF THIS IS A LATE OR RUSH REQUEST

Items set for Council must be submitted in accordance with the due dates on page 2. Items submitted after this date will be deemed late/rush and require a concurrence signature in Section 5 below.

The estimated completion date is **two weeks** from the date the Service Request is received.

1. Contact person for this Service Request: Donna Smithson-Kirwan
2. Phone number of contact person: 214-948-4121
3. Person(s) designated to pick up Service Request Socorro Martinez
4. The Real Estate Department requests the following service:

Administrative Action Approval – No Contract Requested (AA must be signed by department director and assistant city manager)
Contract Preparation – Contract/Amendment/Supplemental Agreement
Document Review – Resolution/AIS/Other Document
Contract - Final Review & Signature
Formal Legal Opinion
Economic Development Matter
Housing Matter
Municipal Regulatory/Zoning Matter
Real Estate Matter Review - Log# <u>45267</u> or Assignment # <u>1</u> Review # <u>1</u>
Other (Please Describe): <u>Correction Memo - Item #17 - GRBK Edgewood LLC Resolution # 20-1889</u>

5. Check all that apply to your service request:

EXISTING REQUEST – REQUESTED OR ADDITIONAL DOCUMENTS ATTACHED Reference No.
Scheduled for Council on: _____ Contract No. _____
Submitted With Administrative Action – AA Attached (must be signed by department director and an assistant city manager)
Previously Authorized by Council – Resolution Attached
Department needs request by this date: _____
LATE/RUSH – Needed By the Following Date: City Manager Concurrence - Signature Required: _____ (Please describe why request is late): _____



Signature of the Department's Director or Director's designee:

Name Donna Smithson-Kirwan

Title Chief Real Estate Specialist

CITY ATTORNEY’S OFFICE SERVICE REQUESTS CHECKLISTS

CAO	DEPT.	REAL ESTATE MATTER: ABANDONMENT ORDINANCE
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Name of Specialist: Donna Smithson-Kirwan Phone Number: 214-948-4121
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Log #: 45267 / Assignment #: 1
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Review # 1 (e.g., 1, 2, Final)
<input type="checkbox"/>	<input type="checkbox"/>	CAO Markup/Comments (please attach if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Service Request Form
<input type="checkbox"/>	<input type="checkbox"/>	Department / Franchisee Routing of Request Response Forms
<input type="checkbox"/>	<input type="checkbox"/>	Ownership Map
<input type="checkbox"/>	<input type="checkbox"/>	Dedication Instrument Documents (plat, deed, easement, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Abutting Owners’ Consent Forms
<input type="checkbox"/>	<input type="checkbox"/>	Applicant’s Request Letter
<input type="checkbox"/>	<input type="checkbox"/>	Appraisal Documents
<input type="checkbox"/>	<input type="checkbox"/>	Abandonment Fee – Calculation Sheet
<input type="checkbox"/>	<input type="checkbox"/>	Written proof/documentation of 300-Foot Notices
<input type="checkbox"/>	<input type="checkbox"/>	Legal Description – Abandonment Area (usually Exhibit A)/Field Notes
<input type="checkbox"/>	<input type="checkbox"/>	Additional Abandonment Provisions (usually Exhibit B)
<input type="checkbox"/>	<input type="checkbox"/>	Legal Description –Dedication Area (if any) (usually Exhibit C)/Field Notes
<input type="checkbox"/>	<input type="checkbox"/>	Proposed Ordinance Document
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance-referenced Exhibits – All referenced exhibits must be attached
<input type="checkbox"/>	<input type="checkbox"/>	Written Correspondence Supporting Dedication(s)
<input type="checkbox"/>	<input type="checkbox"/>	Form 1295 or form acknowledging individual is not subject to Form 1295
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other, please list: CORRECTION MEMORANDUM ON ABANDONMENT ITEM PASSED DECEMBER 9, 2020 - ITEM 17

TRANSMITTAL MEMORANDUM

20-1889

DATE: MARCH 16, 2021





FROM: **DONNA SMITHSON-KIRWAN**
CHIEF REAL ESTATE SPECIALIST
SUSTAINABLE DEVELOPMENT & CONSTRUCTION, REAL ESTATE DIVISION
OCMC, ROOM 203

RE: **CORRECTION MEMORANDUM FOR ITEM 17 – DECEMBER 9 2020 COUNCIL AGENDA**
GRBK EDGEWOOD, LLC

See attached Memorandum to City Secretary for change to Item # 13 of Council Agenda August 26, 2020.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a shared access easement to the City of Dallas, within 90 days of the effective date of this ordinance, ~~good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney in, under, through, across and along~~ to certain properties located in City Block 9/7265 and 12/7265, containing approximately 25,368 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

ROUTE TO: (In the order shown)

-  **Ashley Eubanks, OCMC, Room 203 (Designee for Kris Sweckard)**
Assistant Director, Sustainable Development and Construction-Real Estate Division
-  **Janette Weedon (or designee)**
Assistant Director 9OFS) – 4FN
-  **Nnenna Orluchi, 7DV**
Assistant City Attorney
Dallas City Attorney's Office
1500 Marilla Street, Suite 7DN
-  **Adelia Gonzalez, Manager - Council Support**
c/o Bilierae Johnson, City Secretary, 5DS

FOR CAO PURPOSES ONLY

LOG# 45267 – CORRECTION MEMO FOR GRBK EDGEWOOD LLC



City of Dallas

Thank you for your submission. If your service request requires a modification or a filing with a County Clerk's office, you must submit hard copy documents to the City Attorney's Office.

OK

City Contact Person
City specialist who will be the contact person from whom to obtain information related to this transaction.
City Department*

First Name*
Last Name*
Email*
Phone*

Request Dates
Request Needed by*
Rush Request?

Supporting Documents
Upload Supporting Documents

ORDINANCE NO. 31711

An ordinance providing for the abandonment of portions of Winnetka Avenue and alley located adjacent to City Blocks 9/7265 and 12/7265 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to GRBK Edgewood LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; 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 a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of GRBK Edgewood LLC, a Texas limited liability company, 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 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, 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 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

31711

SECTION 1. (continued)

insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **THREE HUNDRED FIVE THOUSAND FOUR HUNDRED EIGHTY-NINE AND NO/100 DOLLARS (\$305,489.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11 and 12, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, 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 10 of this ordinance, but no later than 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 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date 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, 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 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**, its 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**, 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

SECTION 8. (continued)

GRANTEE, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) designate a north/south public access easement a minimum width of 20-feet from Bayonne Street to Duluth Street. Provide two shared access easements oriented east/west to facilitate rear loading garage entries for each unit; and
- b) provide a 5-foot wide pedestrian access opening to Conklin Street at the end of each east/west shared access street.

SECTION 10. 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

SECTION 10. (continued)

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 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a shared access easement to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, to certain properties located in City Block 9/7265 and 12/7265, containing approximately 25,368 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 12. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, 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 14. 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

SECTION 14. (continued)

the abandonment area is 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, and the completion of the dedication set forth in Section 11, 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 area 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 15. That this ordinance is also designated for City purposes as Contract No. DEV- 2018-00004345.

SECTION 16. 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,
City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and
Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed DEC 09 2020

31711

STREET RIGHT-OF-WAY ABANDONMENT

201889

PART OF WINNETKA AVENUE
WEST END ADDITION
ADJACENT TO BLOCKS 9/7265 AND 12/7265
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

BEING a 9,941 square feet (0.23 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, adjacent to the City of Dallas Blocks 9/7265 and 12/7265 Dallas County, Texas, and being a part of Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

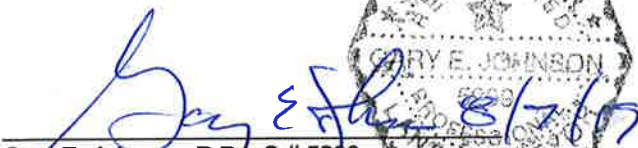
BEGINNING at a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for corner lying in the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and the westerly right-of-way line of said Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition, also being the southeasterly corner of Lot 1, Block 12/7265 of said West End Addition;

THENCE North 01 degrees 32 minutes 53 seconds West, along the westerly right-of-way line of said Winnetka Avenue, common with the easterly line of Lots 1 thru 4 in Block 12/7265 of said West End Addition, a distance of 198.82 feet to a 1/2 inch iron rod set with a yellow cap stamped "TXHS" from which a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" or corner lying in the southerly right-of-way line of Duluth Street (formerly Lindsey Avenue)(50 foot right-of-way) as dedicated by said West End Addition bears North 01 degrees 32 minutes 53 seconds West, 11.00 feet;

THENCE North 88 degrees 26 minutes 04 seconds East, over and across the existing right-of-way of said Winnetka Avenue, a distance of 50.00 feet to a 1/2 inch iron rod set with a yellow cap stamped "TXHS" from which a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for corner lying in the southerly right-of-way line of Duluth Street (50 foot right-of-way) as dedicated by said West End Addition bears North 01 degrees 32 minutes 53 seconds West, 11.00 feet;

THENCE South 01 degrees 32 minutes 53 seconds East, along the easterly right-of-way line of said Winnetka Avenue, common with the westerly line of Lots 8 and 9 in Block 9/7265 of said West End Addition, a distance of 198.80 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" lying at the northerly right-of-way line of said Bayonne Street, also being the southwesterly corner of said Lot 9, Block 9/7265 of said West End Addition;

THENCE South 88 degrees 24 minutes 34 seconds West, over and across said Winnetka Avenue, common with the northerly right-of-way line of said Bayonne Street, a distance of 50.00 feet to the POINT OF BEGINNING and containing 9,941 square feet or 0.23 acres of land.


Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)
Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4334



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Bearings are based on the State Plane
Coordinate System, Texas North Central Zone
4202, North American Datum of 1983,
Realization of 2011.

JOB# 1701319-13
DATE: 07/05/2019
DRAWN BY: CN
PAGE: 1 of 2

3171 STREET RIGHT-OF-WAY ABANDONMENT

201889

EXHIBIT A TRACT 1

PART OF WINNETKA AVENUE
WEST END ADDITION

ADJACENT TO BLOCKS 9/7265 AND 12/7265
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

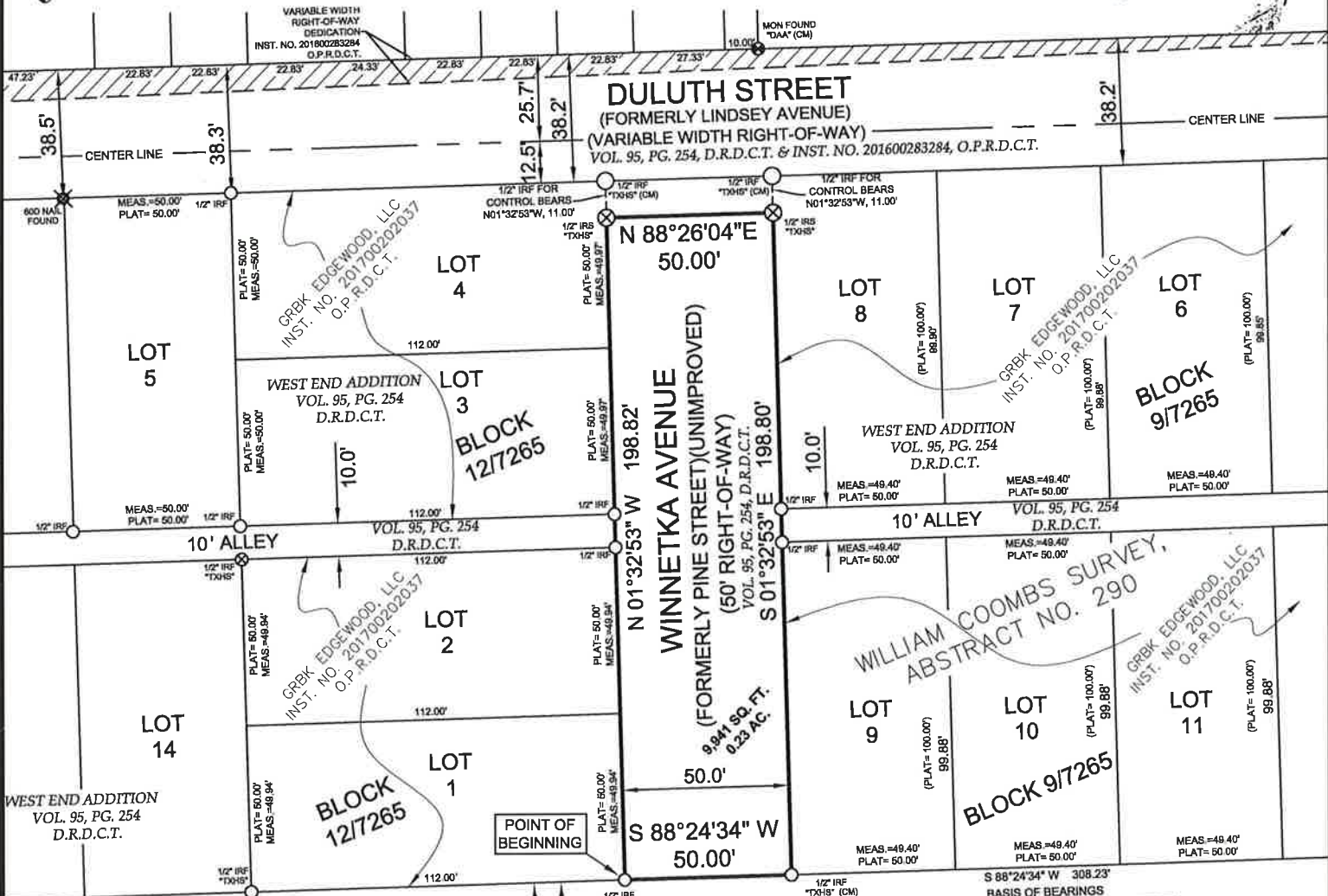
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Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4334



SCALE 1"=50'

GARY E. JOHNSON
5299
Gary E. Johnson, R.P.L.S. # 5299



- LEGEND:
- R.O.W. RIGHT-OF-WAY
 - VOL. / PG. VOLUME / PAGE
 - (CM) CONTROLLING MONUMENT
 - MEAS. MEASURE
 - IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - IRF "TXHS" IRON ROD FOUND WITH A YELLOW CAP STAMPED "TXHS"
 - IRS "TXHS" IRON ROD SET WITH A YELLOW CAP STAMPED "TXHS"
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - SQ.FT. / AC. SQUARE FEET / ACRE(S)
 - INST. NO. INSTRUMENT NUMBER



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Firm No. 10169300

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Realization of 2011.

JOB: 1701319-13
DATE: 07/05/2019
DRAWN BY: CN
PAGE: 2 of 2

31711

ALLEY ABANDONMENT

201889

EXHIBIT A-TRACT 2

PART OF 10 FOOT ALLEY
WEST END ADDITION
BLOCK 12/7265

WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 1,120 square feet (0.0257 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, and being a part of City of Dallas Block 12/7265 Dallas County, Texas, and being a part of a 10 foot alley right-of-way as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found with yellow cap stamped "TXHS" (controlling monument) for corner, lying on the westerly right-of-way line of Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition and being the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and also being the southeasterly corner of Lot 1, Block 12/7265 of said West End Addition and being a southeast corner of a tract of land as described in the Deed Without Warranty to GRBK Edgewood, LLC, recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas;


THENCE North 01 degrees 32 minutes 54 West, along the easterly line of Lots 1 and 2, Block 12/7265 of said West End Addition, and the easterly line of said GRBK Edgewood tract, common with the westerly right-of-way line of said Winnetka Avenue, a distance of 99.88 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS", lying on the southerly right-of-way line of said 10 foot alley also being the northeasterly corner of Lot 2, Block 12/7265 of said West End Addition and a northeasterly corner of said GRBK Edgewood tract and being the POINT OF BEGINNING of the herein described tract;

THENCE South 88 degrees 24 minutes 34 seconds West, along the northerly line of said Lot 2, Block 12/7265 and said GRBK Edgewood tract, common with the southerly right-of-way line of said 10 foot alley right-of-way, a distance of 112.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" for the northeasterly corner of Lot 14, Block 12/7265;

THENCE North 01 degrees 32 minutes 54 West, over and across said 10 foot alley right-of-way, a distance of 10.00 feet to a 1/2 inch iron rod found (controlling monument) for the southwesterly corner of Lot 3, Block 12/7265 of said West End Addition and a southwesterly corner of said GRBK Edgewood tract;

THENCE North 88 degrees 24 minutes 34 seconds East, along the northerly right-of-way of said 10 foot alley right-of-way, common with the southerly line of said Lot 3, Block 12/7265 and said GRBK Edgewood tract, a distance of 112.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" for the southeasterly corner of Lot 3, Block 12/7265 of said West End Addition and a southeasterly corner of said GRBK Edgewood tract and lying on the westerly right-of-way line of said Winnetka Avenue;

THENCE South 01 degrees 32 minutes 54 seconds East, over and across said 10 foot alley right-of-way, common with the westerly right-of-way line of said Winnetka Avenue, a distance of 10.00 feet to the POINT OF BEGINNING and containing 1,120 square feet or 0.0257 an acres of land.


Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)
Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4335



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JOB# 1701319-03
DATE: 07/11/2019
DRAWN BY: CN
Page 1 of 2

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Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4335

ALLEY ABANDONMENT

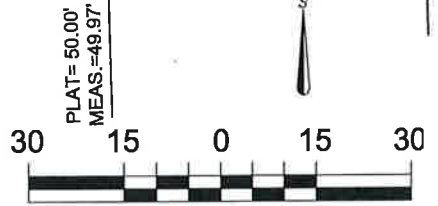
31711

PART OF 10 FOOT ALLEY
WEST END ADDITION
BLOCK 12/7265

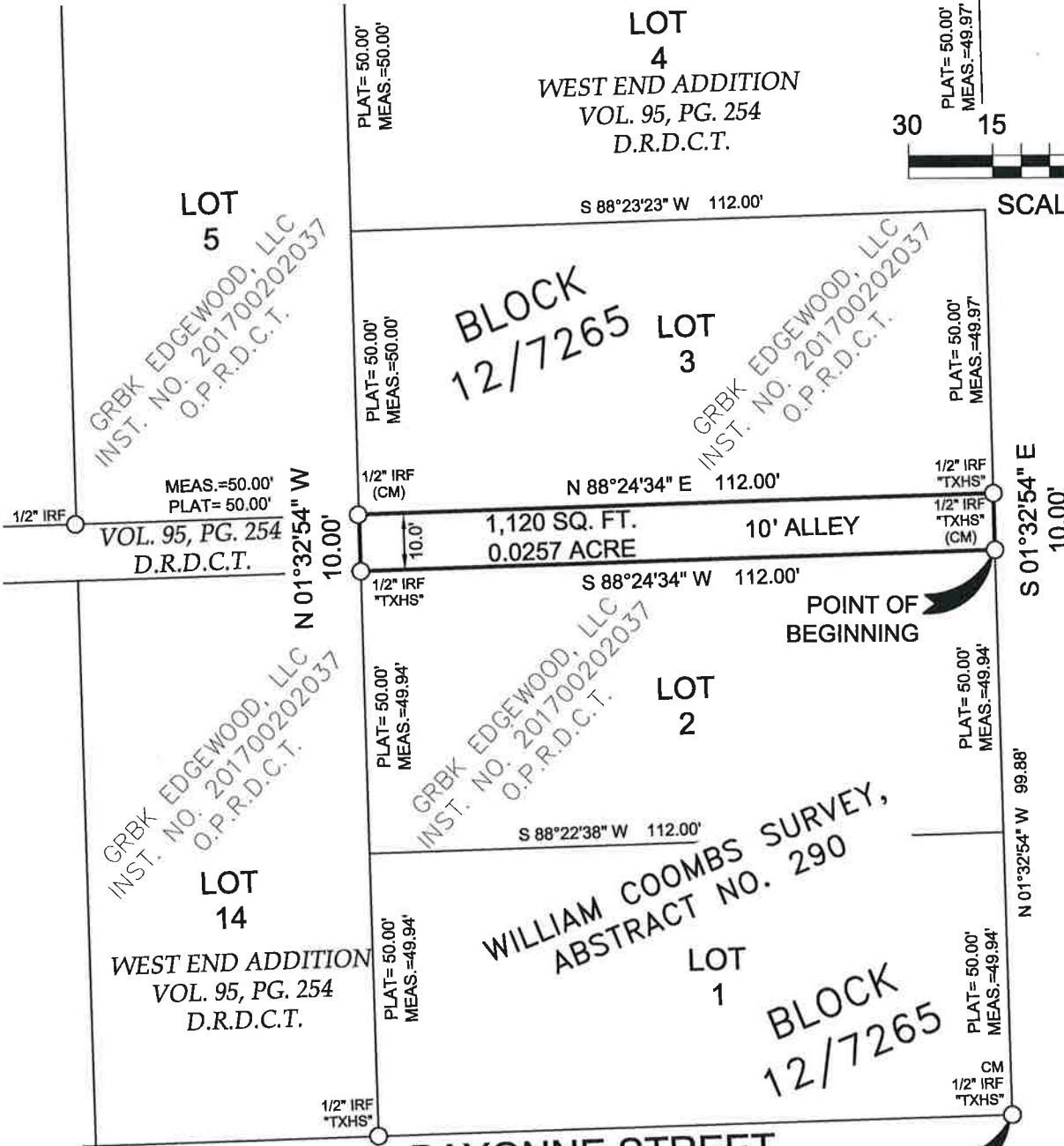
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

201889

EXHIBIT A-TRACT 2



SCALE 1"=30'



WINNETKA AVENUE
(FORMERLY PINE STREET)
(50' RIGHT-OF-WAY)(UNIMPROVED)
VOL. 95, PG. 254, D.R.D.C.T.

- LEGEND:**
- IRF IRON ROD FOUND
 - VOL. / PG. VOLUME / PAGE
 - POB POINT OF BEGINNING
 - CM CONTROLLING MONUMENT
 - IRF *TXHS* IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED *TXHS*
 - 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
 - SQ.FT. / AC. SQUARE FEET / ACRE(S)
 - R.O.W. RIGHT-OF-WAY
 - INST. NO. INSTRUMENT NUMBER

WILLIAM COOMBS SURVEY,
ABSTRACT NO. 290

BAYONNE STREET
(FORMERLY WILLIAM AVENUE)
50' RIGHT-OF-WAY
VOL. 95, PG. 254, D.R.D.C.T.

Gary E. Johnson, R.P.L.S.# 5299



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Coordinate System, Texas North Central Zone
4202, North American Datum of 1983,
Realization of 2011.

JOB# 1701319-03
DATE: 07/11/2019
DRAWN BY: CN
Page 2 of 2

31711 ALLEY ABANDONMENT

201889
EXHIBIT A-TRACT 3

PART OF A 10 FOOT ALLEY
WEST END ADDITION
BLOCK 9/7265
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 3,082 square feet (0.07 acres) tract of land situated in the William Coombs Survey, Abstract No. 290, and being a part of City of Dallas Block 9/7265 Dallas County, Texas, and being a part of a 10 foot Alley right-of-way as dedicated by West End Addition recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found with yellow cap stamped "TXHS" for corner, lying on the westerly right-of-way line of Conklin Street (formerly Cedar Street)(50 foot right-of-way) as dedicated by said West End Addition and being the northerly right-of-way line of Bayonne Street (formerly William Avenue)(50 foot right-of-way) as dedicated by said West End Addition and also being the southeasterly corner of Lot 1, Block 9/7265 of said West End Addition and a southeast corner of a tract of land described by Deed Without Warranty to GRBK Edgewood, LLC, as recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas;


THENCE North 01 degrees 32 minutes 53 West, along the easterly line of Lots 1 and 2, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the westerly right-of-way line of said Conklin Street, a distance of 99.88 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" lying on the southerly line of said 10 foot alley right-of-way, also being the northeasterly corner of said Lot 2, Block 9/7265 of said West End Addition and a northeasterly corner of said GRBK Edgewood tract and being the POINT OF BEGINNING of the herein described tract;

THENCE South 88 degrees 24 minutes 34 seconds West, along the northerly line of said Lot 2, Block 9/7265 and Lots 12, 11, 10 and 9, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the southerly line of said 10 foot alley right-of-way, a distance of 308.24 feet to a 1/2 inch iron rod found (controlling monument) with a yellow cap stamped "TXHS" for the northwesterly corner of Lot 9, Block 9/7265 of said West End Addition and said GRBK Edgewood tract and lying on the easterly right-of-way line of said Winnetka Avenue (formerly Pine Street)(50 foot right-of-way) as dedicated by said West End Addition;

THENCE North 01 degrees 32 minutes 53 seconds West, along the westerly line of said 10 foot alley right-of-way, common with the easterly right-of-way line of said Winnetka Avenue, a distance of 10.00 feet to a 1/2 inch iron rod found with a yellow cap stamped "TXHS" lying on the easterly right-of-way line of said Winnetka Avenue and being the southwesterly corner of Lot 8, Block 9/7265 of said West End Addition and a southwesterly corner of said GRBK Edgewood tract;

THENCE North 88 degrees 24 minutes 34 seconds East, along the southerly line of said Lot 8, Block 9/7265 and Lots 7, 6, 5, and 3, Block 9/7265 of said West End Addition and said GRBK Edgewood tract, common with the northerly line of said 10 foot alley right-of-way, a distance of 308.24 feet to a 1/2 inch iron rod with a yellow cap stamped "TXHS" found for corner, being the southeasterly corner of said Lot 3, Block 9/7265 and a southeasterly corner of said GRBK Edgewood tract and being on the west line of said Conklin Street;

THENCE South 01 degrees 32 minutes 53 East, along the easterly line of said 10 foot alley right-of-way, common with the westerly line of said Conklin Street, a distance of 10.00 feet, to the POINT OF BEGINNING and containing 3,082 square feet or 0.07 acres of land.


Gary E. Johnson, R.P.L.S.# 5299



(For SPRG use only)
Reviewed By: G.S.
Date: 8-22-19
SPRG NO: 4336



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Realization of 2011.

JOB# 1701319-08
DRAWN BY: CN
DATE: 07/11/2019
PAGE: 1 of 3

ALLEY ABANDONMENT

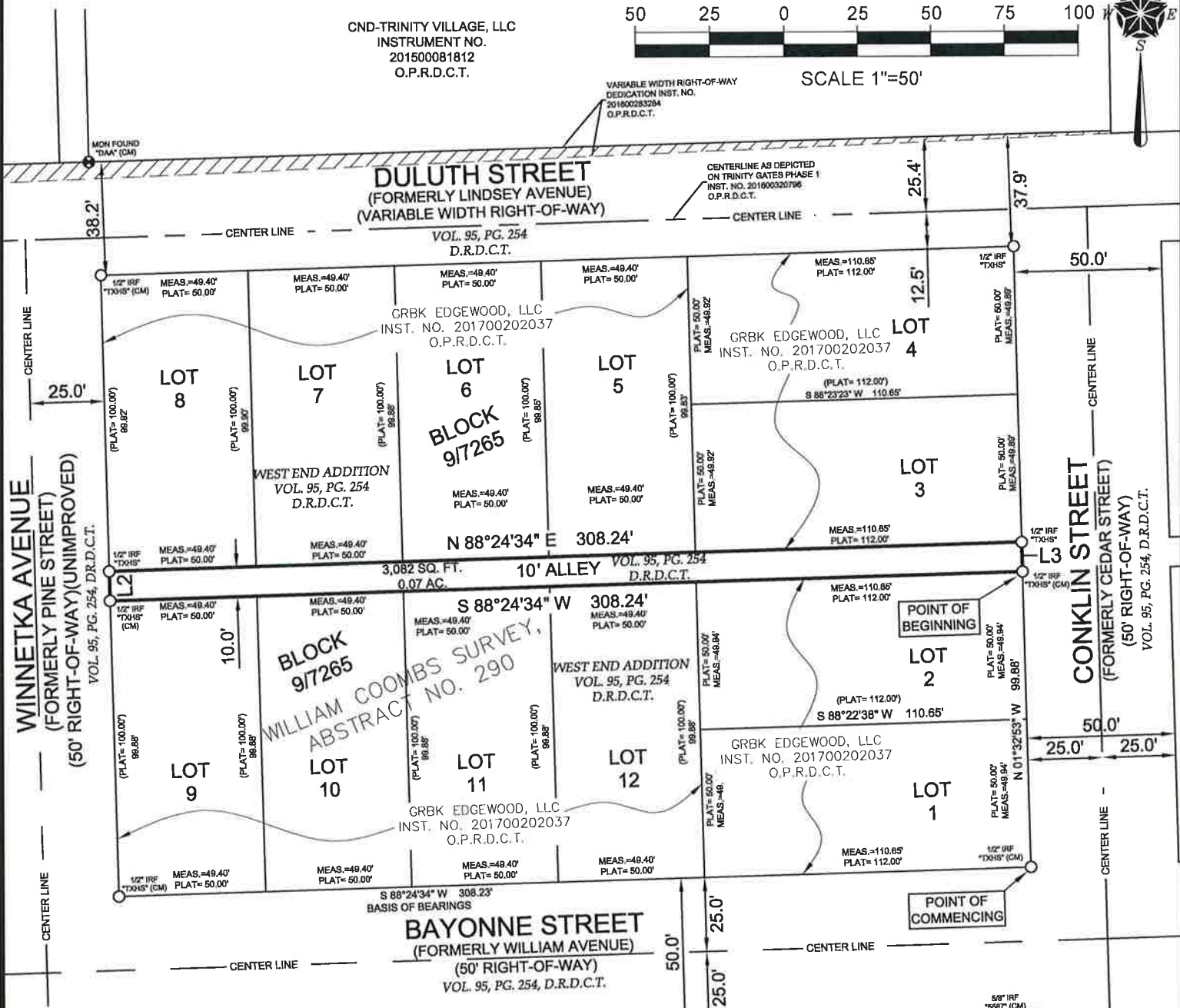
201889

(For SPRG use only)
 Reviewed By: G.S.
 Date: 8-22-19
 SPRG NO: 4336

31711 PART OF A 10 FOOT ALLEY
 WEST END ADDITION
 BLOCK 9/7265
 WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

CND-TRINITY VILLAGE, LLC
 INSTRUMENT NO.
 201500081812
 O.P.R.D.C.T.



- LEGEND:**
- IRF IRON ROD FOUND
 - MEAS. MEASURE
 - MON. MONUMENT
 - INST. NO. INSTRUMENT NUMBER
 - CM CONTROLLING MONUMENT
 - IRF "TXHS" IRON ROD FOUND WITH A YELLOW CAP STAMPED "TXHS"
 - IRS "TXHS" IRON ROD SET WITH A YELLOW CAP STAMPED "TXHS"
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - SQ.FT. / AC. SQUARE FEET / ACRE(S)
 - VOL. / PG. VOLUME / PAGE

Gary E. Johnson, R.P.L.S.# 5299 Date 8/17/19



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JOB# 1701319-08
 DRAWN BY: CN
 DATE: 07/11/2019
 Page 2 of 3

31711

ALLEY ABANDONMENT

201889

PART OF A 10 FOOT ALLEY
WEST END ADDITION
BLOCK 9/7265
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

LINE TABLE		
LINE #	LENGTH	DIRECTION
L2	10.00'	N1°32'53"W
L3	10.00'	S1°32'53"E

(For SPRG use only)

Reviewed By: G.S.

Date: 8-22-19

SPRG NO: 4336



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JOB# 1701319-08
DRAWN BY: CN
DATE: 07/11/2019
Page 3 of 3

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.

31711

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

EXHIBIT C

201889

**LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND
ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 25,368 square foot (0.582 acre) portion of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, and being out of Lots 1 thru 4, Block 12/7265 and Lots 1 thru 12, Block 9/7265 of the West End Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat thereof recorded in Volume 95, Page 254, Deed Records, Dallas County, Texas, and being part of the same tract of land as described in Deed Without Warranty to GRBK EDGEWOOD, LLC, recorded in Instrument No. 201700202037, Official Public Records, Dallas County, Texas, and being a portion of that portion of the abandoned Winnetka Avenue (formerly Poole Street) as dedicated by said Volume 95, Page 254, Deed Records, Dallas County, Texas, and now as abandoned by Ordinance No. _____ and as recorded by Instrument Number _____, Official Public Records, Dallas County, Texas, and a portion of the abandoned 10 foot alley as dedicated by said Volume 95, Page 254, Deed Records, Dallas County, Texas, and now as abandoned by Ordinance No. _____ and as recorded by Instrument Number _____, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a 1/2 inch iron rod found at the southeast corner of Lot 14, Block 12/7265 of said West End Addition (Controlling Monument) and lying in the north right-of-way line of Bayonne Street (f/k/a William Street)(50 foot right-of-way) as dedicated by said West End Addition and being the southwest corner of said Lot 1, Block 12/7265;

Thence North 88 degrees 24 minutes 34 seconds East, along said north right-of-way line of said Bayonne Street, a distance of 183.38 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299" and being the POINT OF BEGINNING;

Thence traversing over and across the aforesaid Lots 1 thru 4, Block 12/7265 and Lots 1 thru 12, Block 9/7265 and abandoned Winnetka Avenue and 10 foot alley, out of the West End Addition, the following bearings and distances:

North 01 degrees 36 minutes 06 seconds West, a distance of 21.14 feet to a point for corner at the beginning of a tangent curve to the left, having a radius of 28.00 feet, a delta angle of 89 degrees 57 minutes 51 seconds, with a chord that bears North 46 degrees 35 minutes 01 seconds West, a chord distance of 39.59 feet;

Thence along said tangent curve to the left, an arc length of 43.96 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 150.40 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 20.00 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 150.36 feet to a point for corner at the beginning of a tangent curve to the left, having a radius of 28.00 feet, a delta angle of 51 degrees 35 minutes 19 seconds, with a chord that bears North 62 degrees 38 minutes 24 seconds East, a chord distance of 24.37 feet;

Thence along said tangent curve to the left, an arc length of 25.21 feet to the beginning of a compound curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 58 seconds, with a chord that bears North 27 degrees 22 minutes 45 seconds West, a chord distance of 3.60 feet;

Thence along said compound curve to the left, an arc length of 4.48 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, a distance of 12.36 feet to a point for corner;

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000



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Gary E. Johnson
GARY E. JOHNSON
REGISTERED PROFESSIONAL SURVEYOR
No. 5299

Bearings are based on the State Plane
Coordinate System, Texas North Central
Zone 4202, North American Datum of 1983,
Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 1 of 8

31711

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

EXHIBIT C

201889

**LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND**

**ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

North 01 degrees 36 minutes 06 seconds West, a distance of 18.00 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 15.50 feet to the beginning of a tangent curve to the left having a radius of 4.50 feet, a delta angle of 180 degrees 00 minutes 00 seconds, with a chord that bears North 01 degrees 36 minutes 06 seconds West, a chord distance of 9.00 feet;

Thence along said tangent curve to the left, an arc length of 14.14 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, a distance of 15.50 to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 18.00 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 12.36 feet to the beginning of a tangent curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 54 seconds, with a chord that bears North 24 degrees 10 minutes 30 seconds East, a chord distance of 3.60 feet;

Thence along said tangent curve to the left, an arc length of 4.48 feet to the beginning of a compound curve to the left having a radius of 28.00 feet, a delta angle of 51 degrees 31 minutes 00 seconds, with a chord that bears North 65 degrees 48 minutes 26 seconds West, a chord distance of 24.34 feet;

Thence along said compound curve to the left, an arc length of 25.18 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 150.40 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 20.00 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 150.36 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 90 degrees 02 minutes 10 seconds, with a chord that bears North 43 degrees 24 minutes 58 seconds East, a chord distance of 39.61 feet;

Thence along said tangent curve to the left, an arc length of 44.00 feet to a point for corner;

North 01 degrees 36 minutes 06 seconds West, a distance of 8.98 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299", from which a 1/2 inch iron rod found (controlling monument) bears North 88 degrees 07 minutes 59 seconds West, 183.72 feet;

North 88 degrees 26 minutes 04 seconds East, a distance of 26.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299";

South 01 degrees 36 minutes 06 seconds East, a distance of 9.02 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 89 degrees 57 minutes 53 seconds, with a chord that bears South 46 degrees 35 minutes 02 seconds East, a chord distance of 39.59 feet;

Thence along said tangent curve to the left, an arc length of 43.97 feet to a point for corner;

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000



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Firm #10169300

[Signature]
GARY E. JOHNSON
Professional Engineer
No. 0499
Exp. 08/28/20

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 2 of 8

31711

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

EXHIBIT C

**LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND**

201889

**ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

North 88 degrees 26 minutes 04 seconds East, a distance of 230.02 feet to a point for corner;

South 01 degrees 32 minutes 53 seconds East, a distance of 20.00 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 229.97 feet to the beginning of a tangent curve to the left having a radius of 27.74 feet, a delta angle of 52 degrees 02 minutes 59 seconds, with a chord that bears South 62 degrees 44 minutes 58 seconds West, a chord distance of 24.35 feet;

Thence along said tangent curve to the left, an arc length of 25.20 feet to the beginning of a compound curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 26 minutes 53 seconds, with a chord that bears South 27 degrees 22 minutes 42 seconds East, a chord distance of 3.60 feet;

Thence along said compound curve to the left, an arc length of 4.48 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, a distance of 12.36 feet to a point for corner;

South 01 degrees 36 minutes 06 seconds East, a distance of 18.00 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, a distance of 15.50 feet to the beginning of a tangent curve to the left having a radius of 4.50 feet, a delta angle of 180 degrees 00 minutes 00 seconds, with a chord that bears South 01 degrees 36 minutes 06 seconds East, a chord distance of 9.00 feet;

Thence along said tangent curve to the left, an arc length of 14.14 feet to a point for corner;

North 88 degrees 23 minutes 54 seconds East, 15.50 feet to a point for corner;



South 01 degrees 36 minutes 06 seconds East, 18.00 feet to a point for corner;

South 88 degrees 23 minutes 54 seconds West, 12.36 feet to the beginning of a tangent curve to the left having a radius of 2.00 feet, a delta angle of 128 degrees 42 minutes 33 seconds, with a chord that bears South 24 degrees 02 minutes 38 seconds West, a chord distance of 3.61 feet;

Thence along said tangent curve to the left, an arc length of 4.49 feet to the beginning of a compound curve to the left having a radius of 28.26 feet, a delta angle of 51 degrees 43 minutes 02 seconds, with a chord that bears South 66 degrees 02 minutes 52 seconds East, a chord distance of 24.65 feet;

Thence along said compound curve to the left, an arc length of 25.51 feet to a point for corner;

North 88 degrees 26 minutes 04 seconds East, a distance of 229.60 feet to a point for corner;


Gary E. Johnson, R.P.L.S. # 5290


Reviewed by: JD
Date: 9/3/2020
SPRG: 5000



TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm #10169300

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Coordinate System, Texas North Central
Zone 4202, North American Datum of 1983,
Realization of 2011.

Job# 1701319-12
Date: 08/07/19
Revised Date: 08/27/20
Drawn: CN
Scale: 1" = 40'
Page 3 of 8

31711

**SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

EXHIBIT C

201889

**LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND**

**ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**


South 01 degrees 32 minutes 53 seconds East, a distance of 20.00 feet to a point for corner;

South 88 degrees 26 minutes 04 seconds West, a distance of 229.88 feet to the beginning of a tangent curve to the left having a radius of 28.00 feet, a delta angle of 90 degrees 02 minutes 10 seconds, with a chord that bears South 43 degrees 24 minutes 59 seconds West, a chord distance of 39.61 feet;

Thence along said tangent curve to the left, an arc length of 44.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299";

South 01 degrees 36 minutes 06 seconds East, a distance of 21.10 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" and "RPLS 5299" lying in said north right-of-way line of said Bayonne Street;

Thence South 88 degrees 24 minutes 34 seconds West, along said north right-of-way line of said Bayonne Street, a distance of 26.00 feet to the POINT OF BEGINNING and containing 25,368 square feet or 0.582 acres of land.

Gary E. Johnson, R.P.L.S. # 5299

Reviewed by: <u>JD</u>
Date: <u>9/3/2020</u>
SPRG: <u>5000</u>



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Job# 1701319-12
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Page 4 of 8

31711

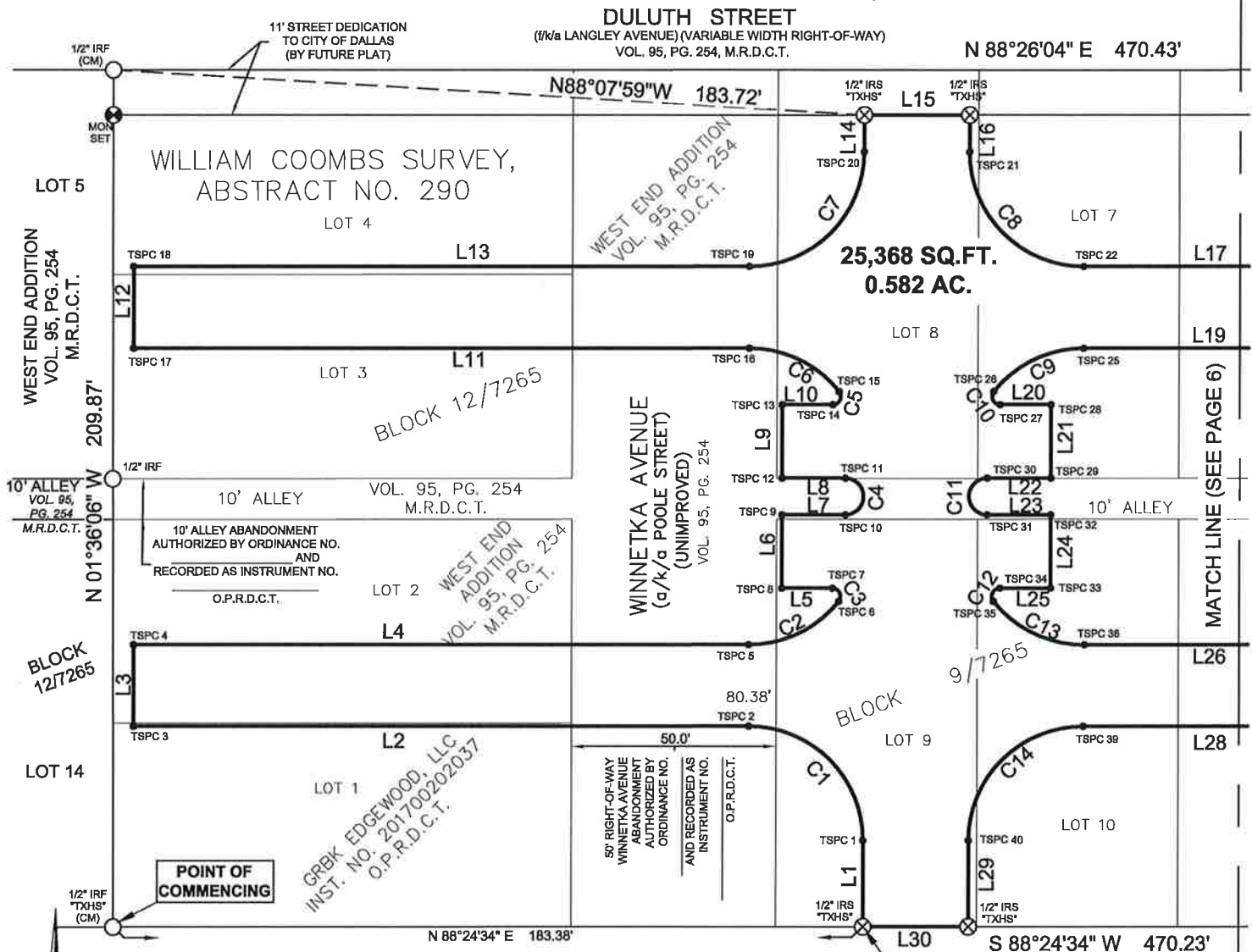
SHARED ACCESS AREA EASEMENT
WEST END ADDITION

EXHIBIT C

LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND

201889

ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS



WEST END ADDITION
VOL. 95, PG. 254
M.R.D.C.T.
N 01°36'06" W 209.87'

10' ALLEY
VOL. 95, PG. 254
M.R.D.C.T.
N 01°36'06" W

BLOCK
12/7265
LOT 14

1/2" IRF
"TXHS"
(CM)

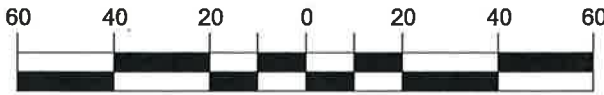
LEGEND:
 CM Controlling Monument
 IRF Iron Rod Found
 SQ.FT. / AC. Square Feet / Acre(s)
 D.R.D.C.T. Deed Records, Dallas County, Texas
 M.R.D.C.T. Map Records, Dallas County, Texas
 O.P.R.D.C.T. Official, Public Records, Dallas County, Texas
 MON SET 3 inch aluminum cap stamped "TT"
 and "RPLS 5299" on 1/2 iron rod set
 ⊗ IRS 1/2 inch iron rod set with yellow plastic cap stamped "TXHS"
 ○ IRF "TXHS" 1/2 inch iron rod found with yellow plastic cap stamped "TXHS"



Gary E. Johnson, R.P.L.S. # 5299
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 Firm #10169300

BAYONNE STREET
 (f/k/a WILLIAM STREET)
 (50' RIGHT-OF-WAY)
 VOL. 95, PG. 254, M.R.D.C.T.

Reviewed by: JD
 Date: 9/3/2020
 SPRG: 5000



SCALE - 1" = 40' Job# 1701319-12
 Date: 08/07/19

Bearings are based on the State Plane
 Coordinate System, Texas North Central
 Zone 4202, North American Datum of 1983,
 Realization of 2011. Revised Date: 08/27/20
 Drawn: CN
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31711

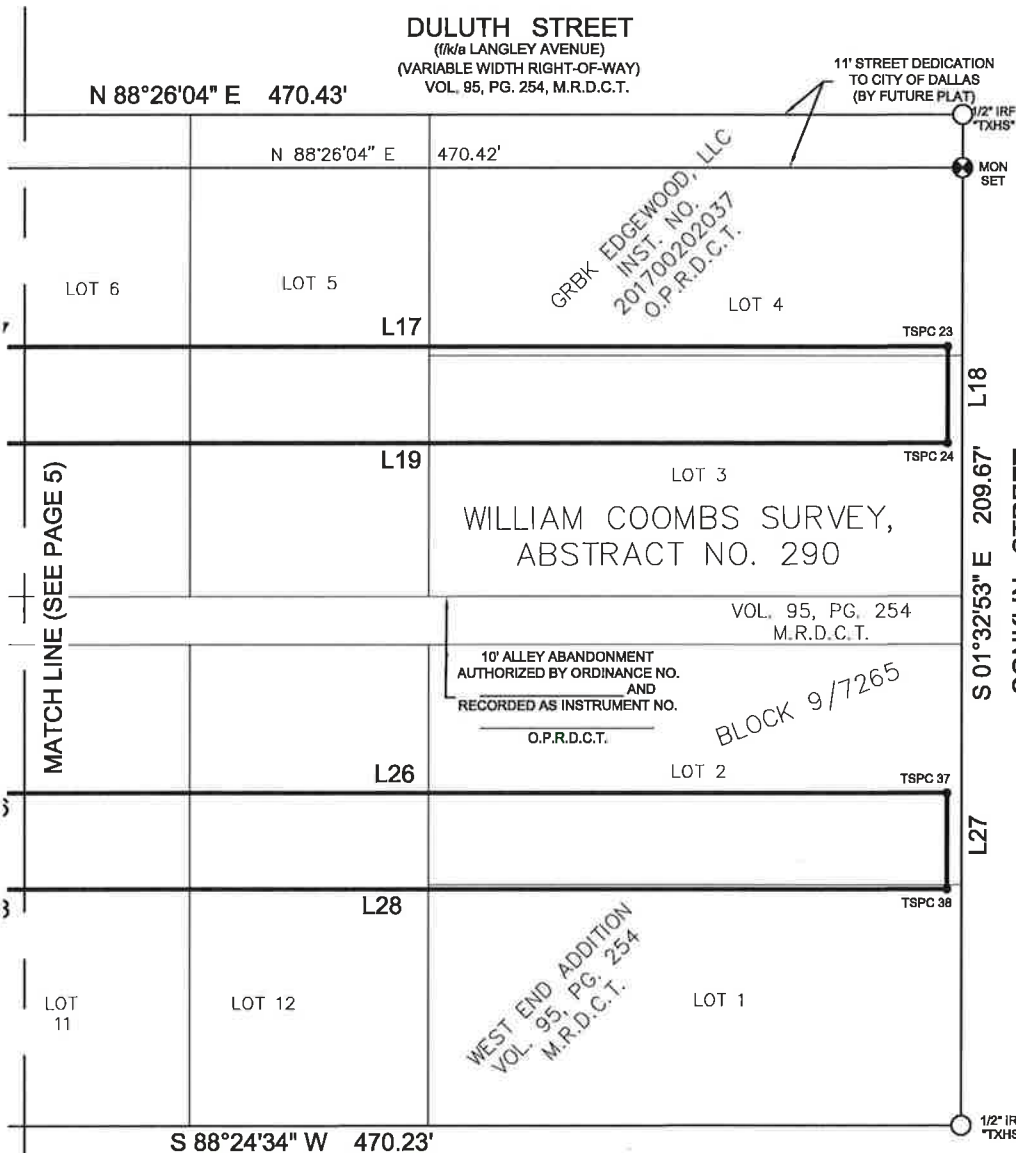
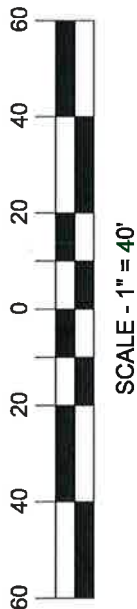
SHARED ACCESS AREA EASEMENT
WEST END ADDITION

EXHIBIT C

LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND

201889

ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND:

- CM Controlling Monument
- IRF Iron Rod Found
- SQ.FT. / AC. Square Feet / Acre(s)
- 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
- MON SET 3 inch aluminum cap stamped "TT" and "RPLS 5299" on 1/2 iron rod set
- ⊗ IRS 1/2 inch iron rod set with yellow plastic cap stamped "TXHS"
- IRF "TXHS" 1/2 inch iron rod found with yellow plastic cap stamped "TXHS"

BAYONNE STREET
(f/k/a WILLIAM STREET)
(50' RIGHT-OF-WAY)
VOL. 95, PG. 254, M.R.D.C.T.

Reviewed by: JD
Date: 9/3/2020
SPRG: 5000



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Gary E. Johnson, R.P.L.S. # 5299

 Gary E. Johnson, R.P.L.S. # 5299
 Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011.

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**31711 SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

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WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

SHARED ACCESS AREA EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	21.14'	N1°36'06"W
L2	150.40'	S88°26'04"W
L3	20.00'	N1°36'06"W
L4	150.36'	N88°26'04"E
L5	12.36'	S88°23'54"W
L6	18.00'	N1°36'06"W
L7	15.50'	N88°23'54"E
L8	15.50'	S88°23'54"W
L9	18.00'	N1°36'06"W
L10	12.36'	N88°23'54"E
L11	150.40'	S88°26'04"W
L12	20.00'	N1°36'06"W
L13	150.36'	N88°26'04"E
L14	8.98'	N1°36'06"W
L15	26.00'	N88°26'04"E
L16	9.02'	S1°36'06"E
L17	230.02'	N88°26'04"E
L18	20.00'	S1°32'53"E
L19	229.97'	S88°26'04"W
L20	12.36'	N88°23'54"E

SHARED ACCESS AREA EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L21	18.00'	S1°36'06"E
L22	15.50'	S88°23'54"W
L23	15.50'	N88°23'54"E
L24	18.00'	S1°36'06"E
L25	12.36'	S88°23'54"W
L26	229.60'	N88°26'04"E
L27	20.00'	S1°32'53"E
L28	229.88'	S88°26'04"W
L29	21.10'	S1°36'06"E
L30	26.00'	S88°24'34"W

SHARED ACCESS AREA EASEMENT CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	43.96'	28.00'	89°57'51"	N46° 35' 01"W 39.59'
C2	25.21'	28.00'	51°35'19"	N62° 38' 24"E 24.37'
C3	4.48'	2.00'	128°26'58"	N27° 22' 45"W 3.60'
C4	14.14'	4.50'	180°00'00"	N1° 36' 06"W 9.00'
C5	4.48'	2.00'	128°26'54"	N24° 10' 30"E 3.60'
C6	25.18'	28.00'	51°31'00"	N65° 48' 26"W 24.34'
C7	44.00'	28.00'	90°02'10"	N43° 24' 58"E 39.61'
C8	43.97'	28.00'	89°57'53"	S46° 35' 02"E 39.59'
C9	25.20'	27.74'	52°02'57"	S62° 44' 57"W 24.35'
C10	4.48'	2.00'	128°26'53"	S27° 22' 42"E 3.60'
C11	14.14'	4.50'	180°00'00"	S1° 36' 06"E 9.00'
C12	4.49'	2.00'	128°42'33"	S24° 02' 38"W 3.61'
C13	25.51'	28.26'	51°43'02"	S65° 02' 52"E 24.65'
C14	44.00'	28.00'	90°02'10"	S43° 24' 59"W 39.61'

Reviewed by: JD
Date: 9/3/2020
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Gary E. Johnson, R.P.L.S.# 5299




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**SHARED ACCESS AREA EASEMENT
WEST END ADDITION**

EXHIBIT C

**LOTS 1 THRU 4, BLOCK 12/7265 AND
LOTS 1 THRU 12, BLOCK 9/7265 AND**

201889


**ABANDONED WINNETKA AVENUE AND ABANDONED 10 FOOT ALLEY
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
1	6,969,224.4862	2,478,762.8905
2	6,969,251.6933	2,478,734.1364
3	6,969,247.5840	2,478,583.7949
4	6,969,267.5762	2,478,583.2359
5	6,969,271.6845	2,478,733.5422
6	6,969,282.335	2,478,755.1843
7	6,969,286.0820	2,478,753.5278
8	6,969,285.7365	2,478,741.1700
9	6,969,303.7295	2,478,740.6669
10	6,969,304.1627	2,478,756.1609
11	6,969,313.1592	2,478,755.9093
12	6,969,312.7260	2,478,740.4153
13	6,969,330.7189	2,478,739.9122
14	6,969,331.0645	2,478,755.2701
15	6,969,334.3506	2,478,753.7452

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
16	6,969,344.3237	2,478,731.5463
17	6,969,340.2145	2,478,581.2048
18	6,969,360.2067	2,478,580.6458
19	6,969,364.3150	2,478,730.9521
20	6,969,393.0872	2,478,758.1760
21	6,969,393.7624	2,478,784.1674
22	6,969,366.5554	2,478,812.9217
23	6,969,372.8401	2,479,042.8574
24	6,969,352.8474	2,479,043.3977
25	6,969,346.5642	2,478,813.5159
26	6,969,335.4167	2,478,791.8722
27	6,969,332.2181	2,478,793.5286
28	6,969,332.5637	2,478,805.8864
29	6,969,314.5707	2,478,806.3896
30	6,969,314.1375	2,478,790.8956

TEXAS STATE PLANE COORDINATES		
TSPC #	NORTHING	EASTING
31	6,969,305.1410	2,478,791.1472
32	6,969,305.5742	2,478,806.6411
33	6,969,287.5813	2,478,807.1442
34	6,969,287.2357	2,478,794.7864
35	6,969,283.9426	2,478,793.3172
36	6,969,273.9341	2,478,815.8472
37	6,969,280.2073	2,479,045.3609
38	6,969,260.2146	2,479,045.9012
39	6,969,253.9337	2,478,816.1058
40	6,969,225.1615	2,478,788.8818

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Page 8 of 8



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 DEC 09 2020

ORDINANCE NUMBER 31711

DATE PUBLISHED DEC 12 2020

ATTESTED BY: