

ORDINANCE NO. 31712

An ordinance granting a private license to CC Deep Ellum, LLC to occupy, maintain and utilize aerial space over portions of Canton, Walton and Virgil Streets and Malcolm X Boulevard rights-of-way located near the intersection of Canton and Walton Streets, adjacent to City Block 16/197 within the limits hereinafter more fully described, for the purpose of installing, maintaining and utilizing five blade signs; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to CC Deep Ellum, LLC, a Delaware limited liability company, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00)** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2021. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Sustainable Development may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event

SECTION 3. (continued)

GRANTEE's check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: installing, occupying and maintaining five blade signs.

SECTION 5. That this license is subject to the provisions set forth in EXHIBIT B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed areas for any public purpose. The Governing Body of the City of Dallas reserves the right by Resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed areas at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

SECTION 7. (continued)

- a) **GRANTEE** shall call Texas 811 to locate all utilities before any digging begins in license areas.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy

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SECTION 11. (continued)

of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this ordinance is also designated for City purposes as Contract No. DEV- 2020-00012212.

SECTION 13. 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

31712



201890
EXHIBIT A-TRACT 1

**AERIAL SPACE LICENSE AGREEMENT
CANTON STREET**

ADJACENT TO BLOCK 16/197

**BETWEEN THE ELEVATIONS OF 471.0 FEET AND 474.0 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK**

**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 24 SQUARE FOOT (0.0006 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, ADJACENT TO CITY OF DALLAS BLOCK 16/197, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF CANTON STREET, FORMERLY KNOWN AS WILLIAMS STREET (A 80-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY CROWDUS AND AKARD'S ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME W, PAGE 625, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND BEING TRASCRIBED IN VOLUME 3, PAGE 523, MAP RECORDS DALLAS COUNTY, TEXAS, (M.R.D.C.T.) AND BEING BETWEEN THE ELEVATIONS OF 471.0 FEET AND 474.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK; SAID 24 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WALTON STREET (A CALLED 50-FOOT PUBLIC RIGHT-OF-WAY), 0.30-FEET DEDICATED BY CRESCENT DEEP ELLUM, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 201900233148, OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.), AND CREATED BY SAID CROWDUS AND AKARD'S ADDITION, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET AND BEING THE NORTHERLY NORTHEAST CORNER OF LOT 1A, BLOCK 16/197 OF SAID CRESCENT DEEP ELLUM ADDITION AND BEING IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESIGNATED AS TRACT ONE IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344000, O.P.R.D.C.T.;

THENCE SOUTH 76°03'11" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, A DISTANCE OF 208.25 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 76°03'11" WEST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, A DISTANCE OF 4.00 FEET TO A POINT FOR CORNER, AND FROM WHICH A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, WITH THE EAST RIGHT-OF-WAY LINE OF MALCOLM X BOULEVARD, FORMERLY KNOWN AS DUNCAN STREET (A CALLED 60-FOOT PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S ADDITION AND VOLUME 2565, PAGE 516, D.R.D.C.T., AND BEING THE NORTHERLY NORTHWEST CORNER OF SAID LOT 1A, BLOCK 16/197 AND BEING IN THE NORTH LINE OF A CALLED 0.666 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344001, O.P.R.D.C.T., BEARS SOUTH 76°03'11" WEST, A DISTANCE OF 219.15 FEET;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, OVER AND ACROSS SAID CANTON STREET RIGHT-OF-WAY, THE FOLLOWING CALLS:

- NORTH 13°56'49" WEST, A DISTANCE OF 6.00 FEET TO A POINT FOR CORNER;
- NORTH 76°03'11" EAST, A DISTANCE OF 4.00 FEET TO A POINT FOR CORNER;
- SOUTH 13°56'49" EAST, A DISTANCE OF 6.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 24 SQUARE FEET OR 0.0006 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



(For SPRG use only)

Reviewed by: G.S. Date: 8-4-20 SPRG NO: 5321

201890
 4.75' X 4.75'
 R.O.W. DEDICATION
 INST. NO. 201900233148
 O.P.R.D.C.T.

AERIAL SPACE LICENSE AGREEMENT
24 SQUARE FEET
 (0.0006 ACRE)
 BETWEEN THE ELEVATIONS OF 471.0 FEET AND 474.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK

POB

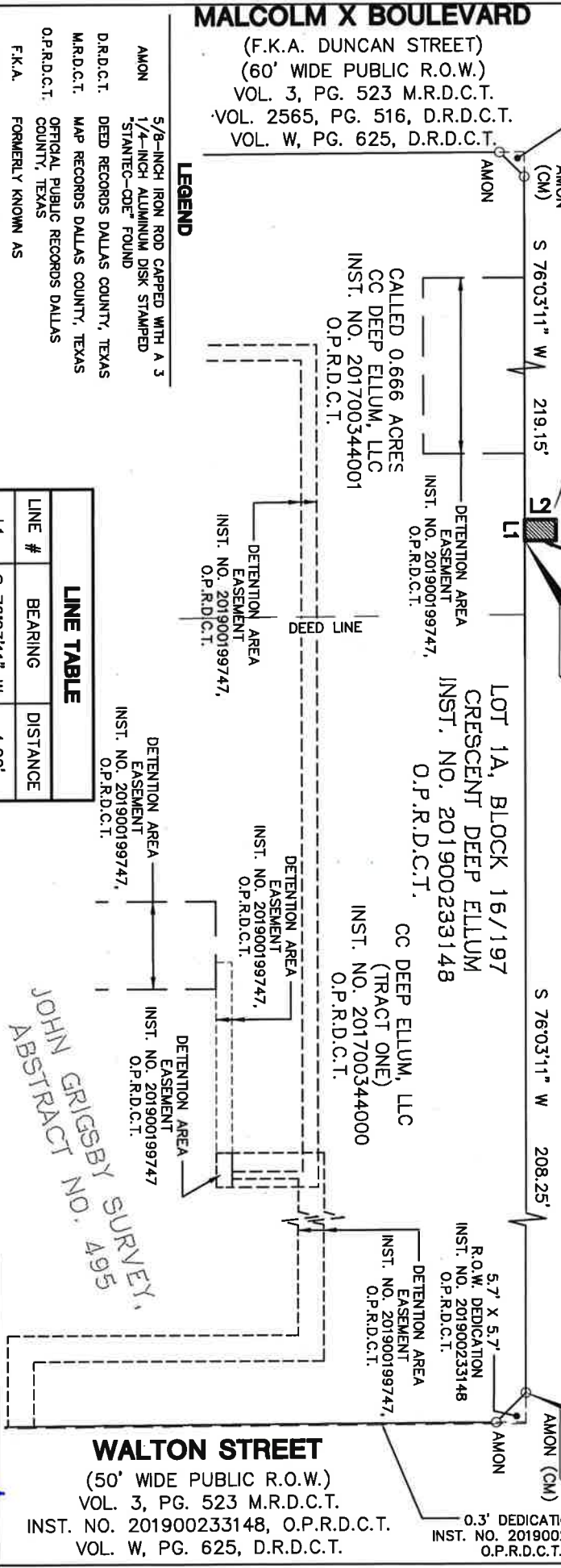
CANTON STREET
 (F.K.A. WILLIAMS STREET)
 (80' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 VOL. W, PG. 625, D.R.D.C.T.

MALCOLM X BOULEVARD
 (F.K.A. DUNCAN STREET)
 (60' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 VOL. 2565, PG. 516, D.R.D.C.T.
 VOL. W, PG. 625, D.R.D.C.T.

LEGEND

AMON 5/8-INCH IRON ROD CAPPED WITH A 3
 1/4-INCH ALUMINUM DISK STAMPED
 "STANTEC-COE" FOUND
 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
 F.K.A. FORMERLY KNOWN AS
 (CM) CONTROLLING MONUMENT
 POB POINT OF BEGINNING
 POC POINT OF COMMENCING
 VOL. PG. VOLUME, PAGE
 INST. NO. INSTRUMENT NUMBER
 R.O.W. RIGHT-OF-WAY

LINE #	BEARING	DISTANCE
L1	S 76°03'11" W	4.00'
L2	N 13°56'49" W	6.00'
L3	N 76°03'11" E	4.00'
L4	S 13°56'49" E	6.00'



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 Plano, Texas 75024
 Tel. (214) 473-2400
 TBP/ELS # F-6324 & 10194488
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AERIAL SPACE LICENSE AGREEMENT

CANTON STREET ADJACENT TO BLOCK 16/197
 BETWEEN THE ELEVATIONS OF 471.0 FEET AND 474.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 7/23/2020 SCALE: 1"=30' DRAWN BY: RDR PROJECT NO.: 222210516 PAGE NO. 2 OF 2

(FOR SPRG USE ONLY)
 REVIEWED BY: E.S.
 SPRG NO. 5321

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
 BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.

JOHN GRIGSBY SURVEY,
 ABSTRACT NO. 495



MICHAEL J. MURPHY
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5724

WALTON STREET
 (50' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 INST. NO. 201900233148, O.P.R.D.C.T.
 VOL. W, PG. 625, D.R.D.C.T.

0.3' DEDICATION
 INST. NO. 201900233148
 O.P.R.D.C.T.

31712



201890

**AERIAL SPACE LICENSE AGREEMENT
CANTON STREET
ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF 487.0 FEET AND 505.0 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 30 FEET AND 48 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 15 SQUARE FOOT (0.0003 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, ADJACENT TO CITY OF DALLAS BLOCK 16/197, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF CANTON STREET, FORMERLY KNOWN AS WILLIAMS STREET (A 80-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY CROWDUS AND AKARD'S ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME W, PAGE 625, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND BEING TRASCRIBED IN VOLUME 3, PAGE 523, MAP RECORDS DALLAS COUNTY, TEXAS, (M.R.D.C.T.) AND BEING BETWEEN THE ELEVATIONS OF 487.0 FEET AND 505.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 30 FEET AND 48 FEET ABOVE THE EXISTING SIDEWALK; SAID 15 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WALTON STREET (A CALLED 50-FOOT PUBLIC RIGHT-OF-WAY), 0.30-FEET DEDICATED BY CRESCENT DEEP ELLUM, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 201900233148, OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.), AND CREATED BY SAID CROWDUS AND AKARD'S ADDITION, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET AND BEING THE NORTHERLY NORTHEAST CORNER OF LOT 1A, BLOCK 16/197 OF SAID CRESCENT DEEP ELLUM ADDITION AND BEING IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESIGNATED AS TRACT ONE IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344000, O.P.R.D.C.T.;

THENCE SOUTH 76°03'11" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, A DISTANCE OF 212.25 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 76°03'11" WEST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, A DISTANCE OF 2.50 FEET TO A POINT FOR CORNER, AND FROM WHICH A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID CANTON STREET, WITH THE EAST RIGHT-OF-WAY LINE OF MALCOLM X BOULEVARD, FORMERLY KNOWN AS DUNCAN STREET (A CALLED 60-FOOT PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S ADDITION AND VOLUME 2565, PAGE 516, D.R.D.C.T., AND BEING THE NORTHERLY NORTHWEST CORNER OF SAID LOT 1A, BLOCK 16/197 AND BEING IN THE NORTH LINE OF A CALLED 0.666 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344001, O.P.R.D.C.T., BEARS SOUTH 76°03'11" WEST, A DISTANCE OF 216.65 FEET;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, OVER AND ACROSS SAID CANTON STREET RIGHT-OF-WAY, THE FOLLOWING CALLS:

NORTH 13°56'49" WEST, A DISTANCE OF 6.00 FEET TO A POINT FOR CORNER;

NORTH 76°03'11" EAST, A DISTANCE OF 2.50 FEET TO A POINT FOR CORNER;

SOUTH 13°56'49" EAST, A DISTANCE OF 6.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 15 SQUARE FEET OR 0.0003 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



(For SPRG use only)

Reviewed by: G.S. Date: 8-4-20 SPRG NO: 5322

201890

4.75' X 4.75' R.O.W. DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.

AERIAL SPACE LICENSE AGREEMENT
15 SQUARE FEET
(0.0003 ACRE)
BETWEEN THE ELEVATIONS OF 487.0 FEET AND 505.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 30 FEET AND 48 FEET ABOVE THE EXISTING SIDEWALK

MALCOLM X BOULEVARD
(F.K.A. DUNCAN STREET)
(60' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. 2565, PG. 516, D.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

LEGEND

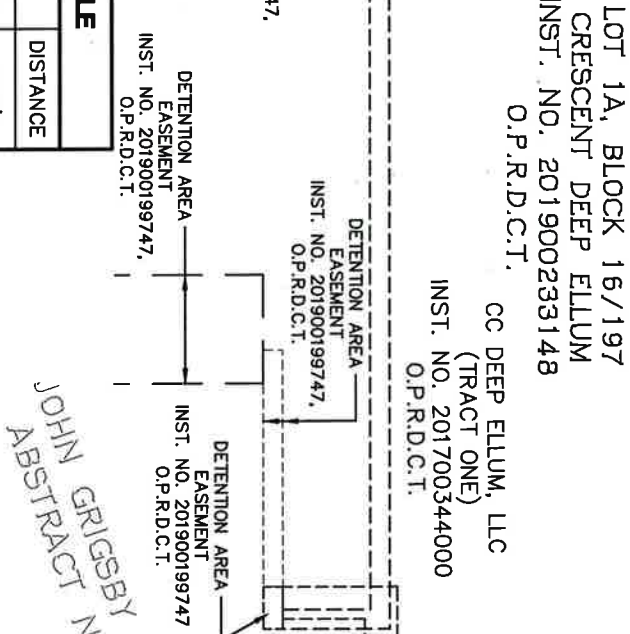
- AMON 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND
- D.R.D.C.T. DEED RECORDS DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS
- F.K.A. FORMERLY KNOWN AS
- (GM) CONTROLLING MONUMENT
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- VOL., PG. VOLUME, PAGE
- INST. NO. INSTRUMENT NUMBER
- R.O.W. RIGHT-OF-WAY

Stantec
6080 Temppson Pkwy, Suite 200
Plano, Texas 75024
Tel. (214) 473-2400
TBPELS # F-6924 & 10194488
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DATE: 7/23/2020

AERIAL SPACE LICENSE AGREEMENT
CANTON STREET ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF 487.0 FEET AND 505.0 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 30 FEET AND 48 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LINE #	BEARING	DISTANCE
L1	S 76°03'11" W	2.50'
L2	N 13°56'49" W	6.00'
L3	N 76°03'11" E	2.50'
L4	S 13°56'49" E	6.00'

CANTON STREET
(F.K.A. WILLIAMS STREET)
(80' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.



JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
8-4-20
SPRG NO. 5322

NOTES:

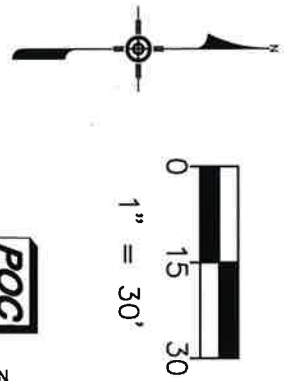
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MICHAEL J. MURPHY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5724

WALTON STREET
(50' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
INST. NO. 201900233148, O.P.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

0.3' DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.



31712



EXHIBIT A-TRACT 3
201890

**AERIAL SPACE LICENSE AGREEMENT
MALCOLM X BOULEVARD
ADJACENT TO BLOCK 16/197**

**BETWEEN THE ELEVATIONS OF 470.4 FEET AND 473.4 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 12 SQUARE FOOT (0.0003 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, ADJACENT TO CITY OF DALLAS BLOCK 16/197, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF MALCOLM X BOULEVARD, FORMERLY KNOWN AS DUNCAN STREET (60-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY CROWDUS AND AKARD'S ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME W, PAGE 625, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND BEING TRASCIBED IN VOLUME 3, PAGE 523, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.) AND VOLUME 2565, PAGE 516, D.R.D.C.T. AND THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, DALLAS COUNTY TEXAS RECORDED IN VOLUME 2565, PAGE 516, D.R.D.C.T. AND BEING BETWEEN THE ELEVATIONS OF 470.4 FEET AND 473.4 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK; SAID 12 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DECRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID MALCOLM X BOULEVARD, WITH THE NORTH RIGHT-OF-WAY LINE OF VIRGIL STREET, (A CALLED 30 FEET PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S ADDITION AND THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, DALLAS COUNTY TEXAS RECORDED IN VOLUME 2654, PAGE 449, D.R.D.C.T., AND BEING THE WESTERLY SOUTHWEST CORNER OF LOT 1A, BLOCK 16/197 OF CRESCENT DEEP ELLUM, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 201900233148, OFFICIAL PUBLIC RECORDS DALLAS, COUNTY, TEXAS, (O.P.R.D.C.T.) AND THE WEST LINE OF A CALLED 0.666 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344001, O.P.R.D.C.T.;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, OVER AND ACROSS SAID MALCOLM X BOULEVARD RIGHT-OF-WAY, THE FOLLOWING CALLS:

SOUTH 76°03'11" WEST, A DISTANCE OF 4.00 FEET TO A POINT FOR CORNER;

NORTH 14°17'07" WEST, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER;

NORTH 76°03'11" EAST, A DISTANCE OF 4.00 FEET TO A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID MALCOLM X BOULEVARD, FROM WHICH A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID MALCOLM X BOULEVARD, WITH THE SOUTH RIGHT-OF-WAY LINE OF CANTON STREET, FORMERLY KNOWN AS WILLIAMS STREET (A CALLED 80-FOOT WIDE PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S, BEARS NORTH 14°17'07" WEST, A DISTANCE OF 109.75 FEET;

THENCE SOUTH 14°17'07" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 3.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 12 SQUARE FEET OR 0.0003 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



(For SPRG use only)
Reviewed by: G.S. Date: 2-26-20 SPRG NO: 5158

EXHIBIT A-TRACT 3

4.75' X 4.75'
R.O.W. DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.

CITY OF DALLAS
VOL. 2565, PG. 516
D.R.D.C.T.

MALCOLM X BOULEVARD

(F.K.A. DUNCAN STREET)
(60' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. 2565, PG. 516, D.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

N 14°17'07" W 109.75'

AMON (CM)
AMON

CANTON STREET
(F.K.A. WILLIAMS STREET)
(80' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

DETENTION AREA
EASEMENT
INST. NO. 201900199747,
O.P.R.D.C.T.

LOT 1A, BLOCK 16/197
CRESCENT DEEP ELLUM
INST. NO. 201900233148
O.P.R.D.C.T.

CALLED 0.666 ACRES
CC DEEP ELLUM, LLC
INST. NO. 201700344001
O.P.R.D.C.T.

JOHN GRIGSBY SURVEY,
ABSTRACT NO. 4965

DETENTION AREA
EASEMENT
INST. NO. 201900199747,
O.P.R.D.C.T.

AERIAL SPACE LICENSE AGREEMENT
12 SQUARE FEET
(0.0003 ACRE)
BETWEEN THE ELEVATIONS OF 470.4 FEET AND 473.4 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK

2.5' X 2.5'
R.O.W. DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.

VIRGIL STREET
(30' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

CITY OF DALLAS
VOL. 2654, PG. 449
D.R.D.C.T.

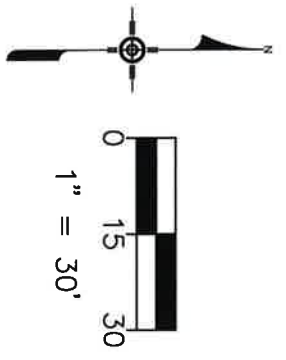


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AERIAL SPACE LICENSE AGREEMENT

MALCOLM X BOULEVARD ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF 470.4 FEET AND 473.4 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 2/18/2020 SCALE: 1"=30' DRAWN BY: RDR PROJECT NO.: 222210516 PAGE NO. 2 OF 2



LEGEND

- AMON 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED STANTEC-CDE FOUND
- 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
- F.K.A. FORMERLY KNOWN AS
- (CM) CONTROLLING MONUMENT
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- VOL., PG. VOLUME, PAGE
- INST. NO. INSTRUMENT NUMBER
- R.O.W. RIGHT-OF-WAY

LINE #	BEARING	DISTANCE
L1	S 76°03'11" W	4.00'
L2	N 14°17'07" W	3.00'
L3	N 76°03'11" E	4.00'
L4	S 14°17'07" E	3.00'

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
SPRG NO. 2-26-20
5158

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



MICHAEL J. MURPHY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5724

31712



EXHIBIT A-TRACT 4

**AERIAL SPACE LICENSE AGREEMENT
VIRGIL STREET
ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF 469.9 FEET AND 472.9 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 9 SQUARE FOOT (0.0002 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, ADJACENT TO CITY OF DALLAS BLOCK 16/197, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF VIRGIL STREET, (30-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY CROWDUS AND AKARD'S ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME W, PAGE 625, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND BEING TRASCRIBED IN VOLUME 3, PAGE 523, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.) AND THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED TO THE CITY OF DALLAS, DALLAS COUNTY TEXAS RECORDED IN VOLUME 2654, PAGE 449, D.R.D.C.T. AND BEING BETWEEN THE ELEVATIONS OF 469.9 FEET AND 472.9 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK; SAID 9 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF MALCOLM X BOULEVARD, FORMERLY KNOW AS DUNCAN STREET (60-FOOT PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S ADDITION AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO CITY OF DALLAS, RECORDED IN VOLUME 2565, PAGE 516, D.R.D.C.T., WITH THE NORTH RIGHT-OF-WAY LINE OF SAID VIRGIL STREET AND BEING THE SOUTHERLY SOUTHWEST CORNER OF LOT 1A, BLOCK 16/197 OF CRESCENT DEEP ELLUM, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 201900233148, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.) AND BEING IN THE SOUTH LINE OF A CALLED 0.666 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344001, O.P.R.D.C.T.;

THENCE NORTH 76°03'11" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 67.53 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 76°03'11" EAST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER FROM WHICH A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID VIRGIL STREET, WITH THE WEST RIGHT-OF-WAY LINE OF WALTON STREET, (50-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY SAID CROWDUS AND AKARD'S ADDITION, AND 3-FEET DEDICATED BY SAID CRESCENT DEEP ELLUM ADDITION, BEARS NORTH 76°03'11" EAST, A DISTANCE OF 364.12 FEET;

THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, OVER AND ACROSS SAID VIRGIL STREET RIGHT-OF-WAY, THE FOLLOWING CALLS:

SOUTH 13°56'49" EAST, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER;

SOUTH 76°03'11" WEST, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER;

NORTH 13°56'49" WEST, A DISTANCE OF 3.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 9 SQUARE FEET OR 0.0002 ACRES OF LAND.

(For SPRG use only)

Reviewed by: G.S. Date: 2-26-20 SPRG NO: 5159

**AERIAL SPACE LICENSE AGREEMENT
VIRGIL STREET**

ADJACENT TO BLOCK 16/197

**BETWEEN THE ELEVATIONS OF 469.9 FEET AND 472.9 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK**

**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS
NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



(For SPRG use only)

Reviewed by: G.S. Date: 2-20-20 SPRG NO: 5159

201890

NOTES

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
 BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.

CANTON STREET

(F.K.A. WILLIAMS STREET)
 (80' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 VOL. W, PG. 625, D.R.D.C.T.

MALCOLM X BOULEVARD
 (F.K.A. DUNCAN STREET)
 (60' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 VOL. 2565, PG. 516, D.R.D.C.T.
 VOL. W, PG. 625, D.R.D.C.T.

CALLED 0.666 ACRES
 CC DEEP ELLUM, LLC
 INST. NO. 201700344001
 O.P.R.D.C.T.

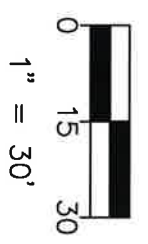
LOT 1A, BLOCK 16/197
 CRESCENT DEEP ELLUM
 INST. NO. 201900233148
 O.P.R.D.C.T.

AERIAL SPACE LICENSE AGREEMENT
 (0.0002 ACRE)
 BETWEEN THE ELEVATIONS OF 469.9 FEET AND 472.9 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK

JOHN GRIGSBY SURVEY,
 ABSTRACT NO. 4995

WALTON STREET
 (50' WIDE PUBLIC R.O.W.)
 VOL. 3, PG. 523 M.R.D.C.T.
 INST. NO. 201900233148, O.P.R.D.C.T.

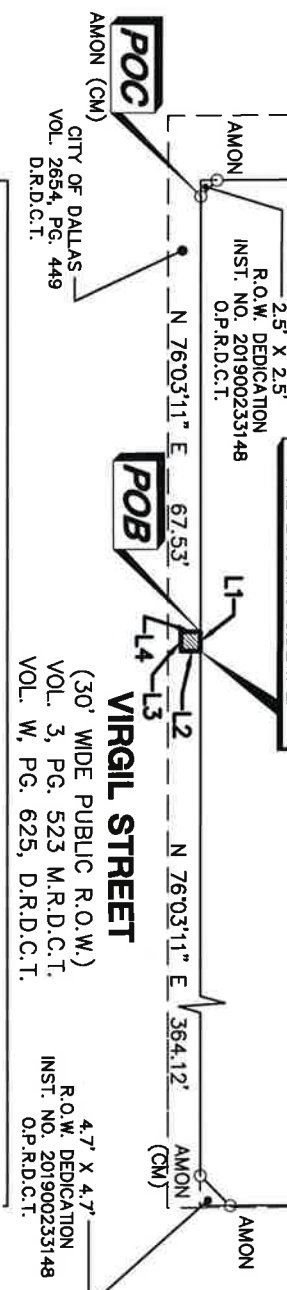
0.3' DEDICATION
 INST. NO. 201900233148
 O.P.R.D.C.T.



LEGEND

- AMON 5/8-INCH IRON ROD CAPPED WITH A 3/4-INCH ALUMINUM DISK STAMPED "STANTEC-ODE" FOUND
- 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
- F.K.A. FORMERLY KNOWN AS
- (CM) CONTROLLING MONUMENT
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- VOL., PG. VOLUME, PAGE
- INST. NO. INSTRUMENT NUMBER
- R.O.W. RIGHT-OF-WAY

LINE #	BEARING	DISTANCE
L1	N 76°03'11" E	3.00'
L2	S 13°56'49" E	3.00'
L3	S 76°03'11" W	3.00'
L4	N 13°56'49" W	3.00'



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AERIAL SPACE LICENSE AGREEMENT

VIRGIL STREET ADJACENT TO BLOCK 16/197
 BETWEEN THE ELEVATIONS OF 469.9 FEET AND 472.9 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 12 FEET AND 15 FEET ABOVE THE EXISTING SIDEWALK
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 4995
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 2/18/2020 SCALE: 1"=30' DRAWN BY: RDR PROJECT NO.: 222210516 PAGE NO. 3 OF 3

(FOR SPRG USE ONLY)
 REVIEWED BY: G.S.
 DATE: 2-26-20
 SPRG NO. 5159



MICHAEL J. MURPHY
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5724

**AERIAL SPACE LICENSE AGREEMENT
WALTON STREET**

ADJACENT TO BLOCK 16/197

**BETWEEN THE ELEVATIONS OF 467.8 FEET AND 470.8 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK**

**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 9 SQUARE FOOT (0.0002 ACRE) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, ADJACENT TO CITY OF DALLAS BLOCK 16/197, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF WALTON STREET, (A 50-FOOT PUBLIC RIGHT-OF-WAY) CREATED BY CROWDUS AND AKARD'S ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME W, PAGE 625, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND BEING TRASCRIBED IN VOLUME 3, PAGE 523, MAP RECORDS DALLAS COUNTY, TEXAS, (M.R.D.C.T.), 3-FEET DEDICATED BY CRESCENT DEEP ELLUM, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 201900233148, OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.), AND BEING BETWEEN THE ELEVATIONS OF 467.8 FEET AND 470.8 FEET ABOVE MEAN SEA LEVEL OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK; SAID 9 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DECRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID WALTON STREET WITH THE NORTHERLY RIGHT-OF-WAY LINE OF VIRGIL STREET (A CALLED 30-FOOT PUBLIC RIGHT-OF-WAY), CREATED BY SAID CROWDUS AND AKARD'S AND VOLUME 2654, PAGE 459, D.R.D.C.T. AND BEING THE SOUTHERLY SOUTHEAST CORNER OF LOT 1A, BLOCK 16/197 OF SAID CRESCENT DEEP ELLUM, AND BEING IN THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESIGNATED AS (TRACT ONE) IN A SPECIAL WARRANTY DEED TO CC DEEP ELLUM, LLC, RECORDED IN INSTRUMENT NUMBER 201700344000, O.P.R.D.C.T.;

THENCE NORTH 30°53'02" EAST ALONG SAID CORNER CLIP, A DISTANCE OF 6.63 FEET TO 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE NORTH END OF SAID CORNER CLIP;

THENCE NORTH 14°17'07" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WALTON STREET, A DISTANCE OF 1.30 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 14°17'07" WEST CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WALTON STREET, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER, FROM WHICH A 5/8-INCH IRON ROD CAPPED WITH A 3 1/4-INCH ALUMINUM DISK STAMPED "STANTEC-CDE" FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID WALTON STREET, WITH THE SOUTH RIGHT-OF-WAY LINE OF CANTON STREET, FORMERLY KNOWN AS WILLIAMS STREET (A CALLED 80 FEET WIDE PUBLIC RIGHT-OF-WAY) CREATED BY SAID CROWDUS AND AKARD'S ADDITION, BEARS NORTH 14°17'07" WEST, A DISTANCE OF 105.30 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, OVER AND ACROSS SAID WALTON STREET RIGHT-OF-WAY, THE FOLLOWING CALLS:

NORTH 76°03'11" EAST, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER;

SOUTH 14°17'07" EAST, A DISTANCE OF 3.00 FEET TO A POINT FOR CORNER;

SOUTH 76°03'11" WEST, A DISTANCE OF 3.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A COMPUTED AREA OF 9 SQUARE FEET OR 0.0002 ACRES OF LAND.

(For SPRG use only)

Reviewed by: G.S. Date 2-26-20 SPRG NO: 5160

**AERIAL SPACE LICENSE AGREEMENT
WALTON STREET
ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF 467.8 FEET AND 470.8 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.



(For SPRG use only)

Reviewed by: G.S. Date: 2-26-20 SPRG NO: 5160

LEGEND

5/8-INCH IRON ROD CAPPED WITH A 3
1/4-INCH ALUMINUM DISK STAMPED
"STANTEC-CDE" FOUND
DEED RECORDS DALLAS COUNTY, TEXAS
MAP RECORDS DALLAS COUNTY, TEXAS
OFFICIAL PUBLIC RECORDS DALLAS
COUNTY, TEXAS
F.K.A. FORMERLY KNOWN AS
(CM) CONTROLLING MONUMENT
POB POINT OF BEGINNING
POC POINT OF COMMENCING
VOL., PG. VOLUME, PAGE
INST. NO. INSTRUMENT NUMBER
R.O.W. RIGHT-OF-WAY

CANTON STREET

(F.K.A. WILLIAMS STREET)
(80' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

LOT 1A, BLOCK 16/197
CRESCENT DEEP ELLUM
INST. NO. 201900233148
O.P.R.D.C.T.

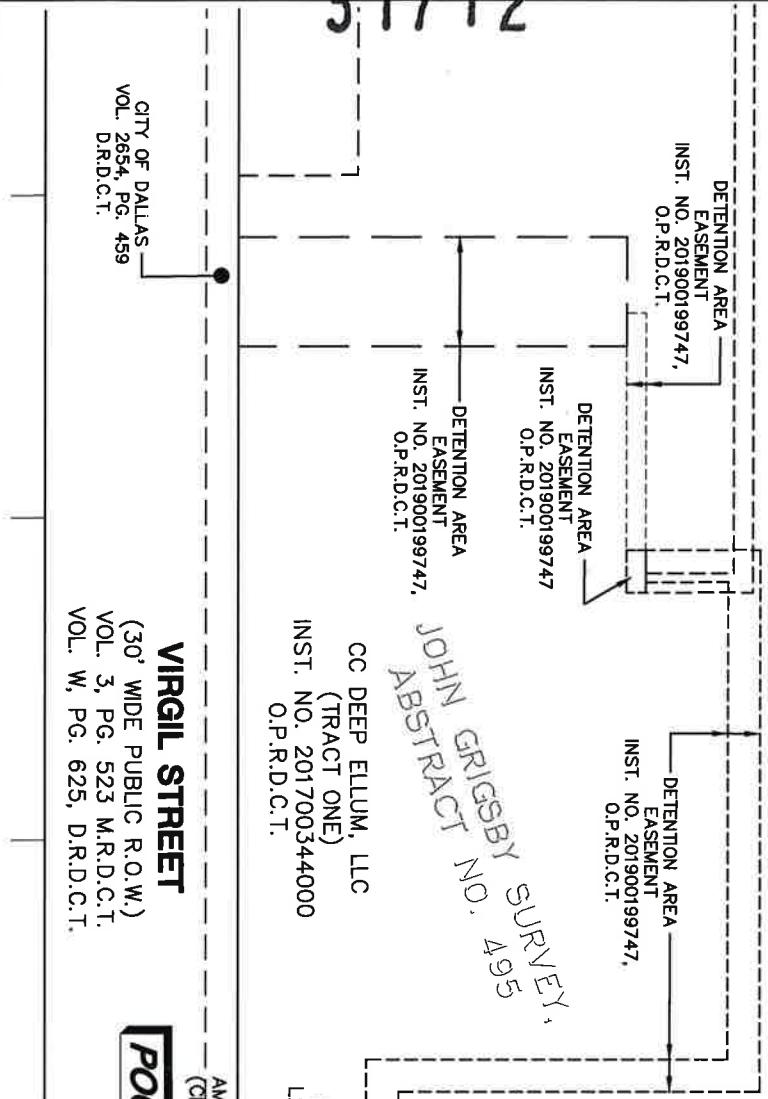
31712

CITY OF DALLAS
VOL. 2654, PG. 459
D.R.D.C.T.

VIRGIL STREET
(30' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
VOL. W, PG. 625, D.R.D.C.T.

CC DEEP ELLUM, LLC
(TRACT ONE)
INST. NO. 201700344000
O.P.R.D.C.T.

JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495



5.7' X 5.7'
R.O.W. DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.

0.3' DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.

WALTON STREET
(50' WIDE PUBLIC R.O.W.)
VOL. 3, PG. 523 M.R.D.C.T.
INST. NO. 201900233148, O.P.R.D.C.T.

AERIAL SPACE LICENSE AGREEMENT
9 SQUARE FEET
(0.0002 ACRE)
BETWEEN THE ELEVATIONS OF
467.8 FEET AND 470.8 FEET
LEVEL OR BETWEEN
14 FEET AND 17 FEET ABOVE
THE EXISTING SIDEWALK

4.7' X 4.7'
R.O.W. DEDICATION
INST. NO. 201900233148
O.P.R.D.C.T.



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Plano, Texas 75024
Tel. (214) 473-2400
TBP#ELS # F-6524 & # 10194488
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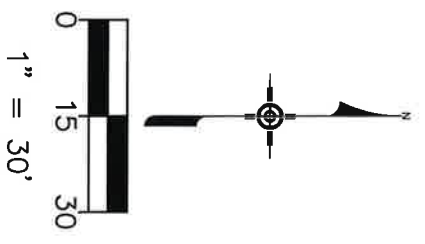
AERIAL SPACE LICENSE AGREEMENT

WALTON STREET ADJACENT TO BLOCK 16/197
BETWEEN THE ELEVATIONS OF
467.8 FEET AND 470.8 FEET ABOVE MEAN SEA LEVEL OR BETWEEN
14 FEET AND 17 FEET ABOVE THE EXISTING SIDEWALK
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 2/18/2020 SCALE: 1"=30' DRAWN BY: RDR PROJECT NO: 222210516 PAGE NO. 3 OF 3

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON
EVEN DATE TO ACCOMPANY THIS SKETCH.
BEARINGS CALLED FOR HEREIN ARE REFERENCED TO
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NORTH CENTRAL ZONE 4202, NORTH AMERICAN
DATUM OF 1983, ADJUSTMENT REALIZATION 2011.

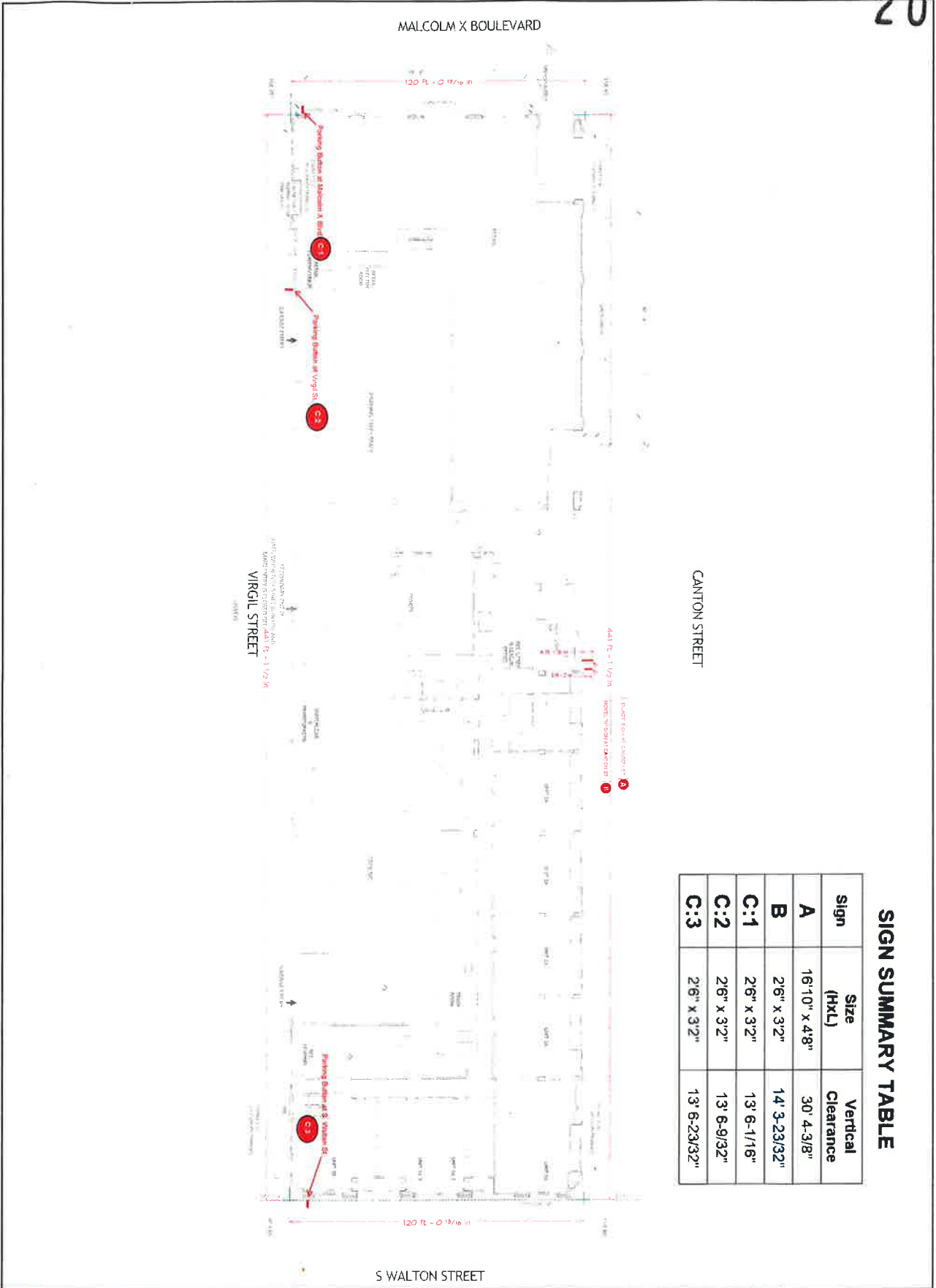


LINE #	BEARING	DISTANCE
L1	N 30°53'02" E	6.63'
L2	N 14°17'07" W	1.30'
L3	N 14°17'07" W	3.00'
L4	N 76°03'11" E	3.00'
L5	S 14°17'07" E	3.00'
L6	S 76°03'11" W	3.00'

(FOR SPRG USE ONLY)
REVIEWED BY: G.S.
2-26-20
SPRG NO. 5160



MICHAEL J. MURPHY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5724



SIGN SUMMARY TABLE

Sign	Size (HxL)	Vertical Clearance
A	16'10" x 4'8"	30' 4-3/8"
B	2'6" x 3'2"	14' 3-23/32"
C:1	2'6" x 3'2"	13' 6-1/16"
C:2	2'6" x 3'2"	13' 6-9/32"
C:3	2'6" x 3'2"	13' 6-23/32"

NOVEL DEEP ELLUM
Crescent Communities
 Dallas, TX



JOB NO.
 CC-419-15(A)

APPROVAL

DESIGNER INITIALS
 FOX/IW
 DATE
 08/27/2019
 SHEET TITLE
 EXTERIOR SIGNAGE
 SHEET NO.
 ES.01 C.00

**EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS**

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

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twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
 2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

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accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

- (f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

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flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

- (h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.



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 31712

DATE PUBLISHED DEC 12 2020

ATTESTED BY: