

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK TEXAS, ABANDONING AN ALLEY EASEMENT, MORE PARTICULARLY DESCRIBED IN EXHIBIT A HERETO, TO THE ABUTTING OWNER, SPC HILLCREST INVESTMENTS, L. P., IN EXCHANGE FOR A MUTUAL ACCESS EASEMENT FOR STREET AND SIDEWALK PURPOSES AT THE SOUTHWEST CORNER OF DANIEL AND HILLCREST, A PUBLIC UTILITY EASEMENT AND OTHER CONSIDERATION; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS, AS A QUITCLAIM DEED OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of University Park, Texas, has determined that a certain alley easement, as described herein, is not needed or necessary for public purposes by the City and any claim to it should be abandoned to the abutting owner, subject to the provisions of this ordinance; **Now, Therefore**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. The City of University Park, Texas, hereby abandons and quitclaims, in favor of the abutting property owner, SPC Hillcrest Investments L. P. (“Owner”), a 2,250 square feet alley easement that is no longer needed or necessary for public purposes by the City, said alley easement being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes, the same as if fully copied herein, in the City of University Park, Dallas County, Texas (the “abandoned area”).

SECTION 2. That the City of University Park does not abandon any other interest other than described in Exhibit “A”, but does hereby abandon all of its right, title, or interest in the described real property, together with any and all improvements thereon, if any, subject however, to the conditions of this ordinance.

SECTION 3. That upon delivery of a Mutual Access Easement for Street and Sidewalk Uses by Owner to the City of University Park for the property described in Exhibit “B”, a Public Utility Easement to the City of University Park for the property described in Exhibit “A” (to be released by the City upon completion of the relocation by Owner of the existing utility lines into

public right-of-way or easement and acceptance of such work by the City), and payment to the City by Owner of \$_____, the City Secretary is directed to prepare a certified copy of this ordinance and furnish the same to the Owner for recording in the Real Property Records of Dallas County. The recording of this abandonment ordinance in the Real Property Records of Dallas County, Texas, shall serve as a quitclaim deed of the City of University Park of all such right, title or interest of the City of University Park in and to the abandoned area, plus all improvements thereon, if any.

SECTION 4. This ordinance shall take effect immediately from and after its passage, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2016.

APPROVED:

OLIN B. LANE, MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(RLD/11/29/16; 77840)

CHRISTINE GREEN, CITY SECRETARY

EXHIBIT "A"

15' ALLEY ABANDONMENT
BLOCK 3, UNIVERSITY PARK ADDITION
JOHN SCURLOCK SURVEY, ABSTRACT NO. 1351
CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS.

Being a 2,250 square foot tract of land situated in the John Scurlock Survey, Abstract Number 1351, City of University Park, Dallas County, Texas and being all of a 15' alley in Block 3, University Park Addition, an addition to the City of University Park, Dallas County, Texas, according to the plat recorded in Volume 2, Page 6, Map Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a chiseled "X" in concrete found for corner at the intersection of the north line of Haynie Avenue (50' right-of-way) and the east line of said 15' alley, said "X" being the southwest corner of Lot 12, said Block 3;

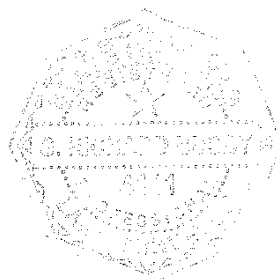
THENCE South $89^{\circ} 16' 53''$ West along the extension of the north line of said Haynie Avenue a distance of 15.00 feet to a chiseled "X" in concrete found for corner at the intersection of the north line of said Haynie Avenue and the west line of said 15' alley, said "X" being the southeast corner of Lot 10 of said Block 3;

THENCE North $00^{\circ} 24' 47''$ West, departing the north line of said Haynie Avenue and along the west line of said 15' alley and the east line of said Lot 10, a distance of 150.00 feet to a chiseled "X" in concrete found for corner at the intersection of the south line of Daniel Avenue (70' right-of-way) and the west line of said 15' alley, said "X" being the northeast corner of said Lot 10, from which a chiseled "X" in concrete found bears North $08^{\circ} 43' 15''$ West a distance of 0.44 feet;

THENCE North $89^{\circ} 16' 53''$ East along the extension of the south line of said Daniel Avenue a distance of 15.00 feet to a chiseled "X" in concrete found for corner at the intersection of the east line of said 15' alley and the south line of said Daniel Avenue, said "X" being the northwest corner of Lot 11 of said Block 3, from which a chiseled "X" in concrete found bears North $87^{\circ} 15' 51''$ West a distance of 0.88 feet;

THENCE South $00^{\circ} 24' 47''$ East, departing the south line of said Daniel Avenue and along the east line of said 15' alley and the west line of said Lot 11 and said Lot 12, a distance of 150.00 feet to the **POINT OF BEGINNING**, containing 2,250 square feet or 0.0517 acres more or less.

Basis of Bearings: The east line ($N00^{\circ}24'47''W$) of Lot 10, Block 3, University Park Addition recorded in Volume 2, Page 6, Map Records, Dallas County, Texas per City of University Park Geodetic Control Monument System (Monument No. 16) and azimuth marker, as re-established by Raymond L. Goodson, Jr. Inc. dated July 2003.



G. Richard Busby R.P.L.S. No. 4111
02-03-2016

EXHIBIT "A"

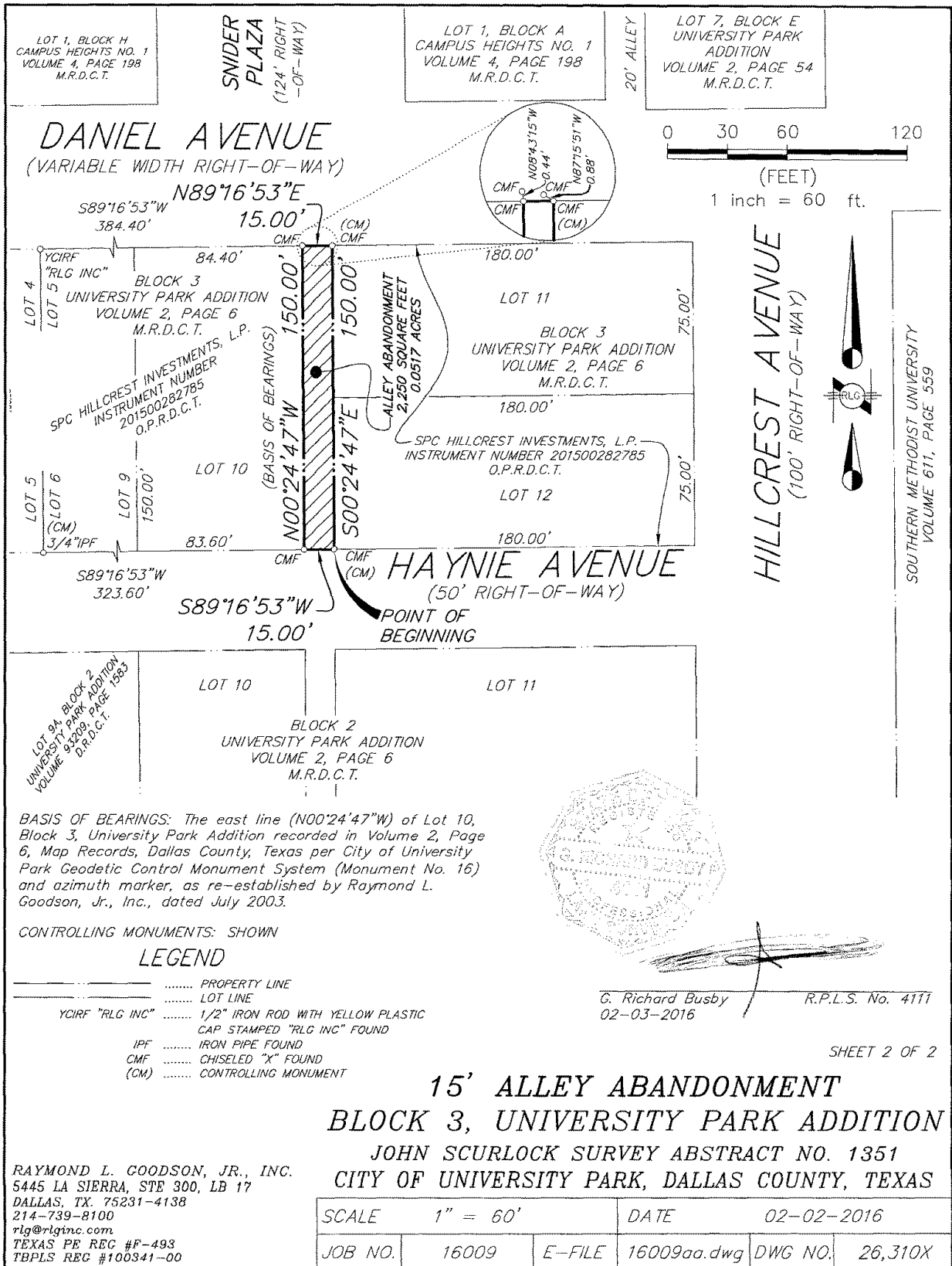


EXHIBIT "B"

**MUTUAL ACCESS EASEMENT
LOT 11, BLOCK 3
UNIVERSITY PARK ADDITION
JOHN SCURLOCK SURVEY, ABSTRACT NO. 1351
CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS**

Being a 392 square foot (0.009 acres) tract of land situated in the John Scurlock Survey, Abstract No. 1351, City of University Park, Dallas County, Texas, being part of Lot 11, Block 3 of University Park Addition, an addition to the City of University Park, according to the plat recorded in Volume 2, Page 6, Map Records, Dallas County, Texas and being a part of the same tract of land described in a Special Warranty Deed (with Vendor's Lien), to SPC Hillcrest LP, recorded as Instrument No. 201500282785, Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING from a chiseled "X" found in concrete at the intersection of the south line of Daniel Avenue (a variable width right-of-way), the north line of said SPC Hillcrest LP tract and the northeast corner of a 15-foot alley for the northwest corner of said Lot 11, from which a chiseled "X" found in concrete bears South 00° 24' 47" East, a distance of 150.00 feet to the intersection of the north line of Haynie Street (a 50' right-of-way), the south line of said SPC Hillcrest LP tract and the southeast corner of said 15-foot alley for the southwest corner of Lot 12 of said addition;

THENCE North 89° 16' 53" East, along the south line of said Daniel Street and the north line of said Lot 11 and said SPC Hillcrest LP tract, a distance of 150.32 feet to the **POINT OF BEGINNING**;

THENCE North 89° 16' 53" East, continuing along the south line of said Daniel Street and the north line of said Lot 11 and said SPC Hillcrest LP tract, a distance of 29.68 feet to a MAG Nail set at the intersection of the south line of said Daniel Street with the west line of Hillcrest Drive (a 100' right-of-way) for the northeast corner of said Lot 11 and said SPC Hillcrest LP tract;

THENCE South 00° 24' 47" East, along the west line of said Hillcrest Drive and the east line of said Lot 11 and said SPC Hillcrest LP tract, a distance of 31.99 feet to a point, from which a chiseled "X" set in concrete at the intersection of said west line of Hillcrest Drive and the north line of said Haynie Avenue, bears South 00° 24' 47" East, a distance of 118.01 feet for the southeast corner of said Lot 12 and said SPC Hillcrest LP tract for the beginning of a non-tangent curve to the left;

THENCE over and across said Lot 11 and said SPC Hillcrest LP tract and along said non-tangent curve to the left, which has a chord that bears North 43° 24' 31" West for 43.52 feet, a central angle of 29° 50' 37" East and a radius of 84.50 feet, for an arc distance of 44.01 to the **POINT OF BEGINNING** containing 392 square feet or 0.009 acres of land, more or less.

Bearings are based on a call of South 89° 16' 53" West, along the north line of Haynie Avenue per the City of University Park Geodetic Control Monument System (Monument No. 16) and its azimuth marker, as re-established by Raymond L. Goodson Jr., Inc., dated July 2003.

EXHIBIT "B"

