

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK TEXAS, ABANDONING A STREET RIGHT-OF-WAY OF 1,693 SQUARE FEET, MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT “A” ATTACHED HERETO, TO THE ABUTTING OWNER, BRAD K. HEPNER, TRUSTEE OF THE HEPNER FAMILY TRUST, FOR THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) CONSIDERATION; SUBJECT TO DEVELOPMENT CONDITIONS; 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 Street right-of-way, 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 owners, 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, Brad K. Hepner, Trustee of the Hepner Family Trust (“Owner”), a 1,693 square feet portion of the street right-of-way of Turtle Creek Boulevard that is no longer needed or necessary for public street purposes by the City, said right-of-way being more particularly described and depicted 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. This abandonment is subject to the following special conditions to be enforced by the Public Works Director or designee through permitting, inspection, and approval of development of the property, to wit:

- A. The Owner will maintain the sight triangle at the corner of Turtle Creek Boulevard and Vassar as required by Section 12.01.012 of the Code of Ordinances of the City, free and clear of landscape materials or improvements over 30” in height.

B. A Special Exception for placement of a fence and gate on the Owner's private property may be applied for by the Owner and shall be subject to approval by the Zoning Board of Adjustment under the requirements of Section 8.4.4 of the Comprehensive Zoning Ordinance.

SECTION 3. The City of University Park does not abandon any other interest other than described and depicted in Exhibit "A", but does hereby abandon all its right, title, or interest in the abandoned area, together with all improvements thereon, if any, subject however, to the conditions of this ordinance.

SECTION 4. The City has obtained an appraisal of the fair market value of the abandoned area. That upon delivery of payment to the City by Owner of \$300,000.00, 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 _____ 2021.

APPROVED:

TOMMY STEWART, MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY
(RLD/05/20/2021; 122625)

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

EXHIBIT "A"

VARIABLE WIDTH
PORTION OF TURTLE CREEK BOULEVARD
1,693 SQUARE FEET
SCURLOCK ABSTRACT No. 1351
CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS
BRAD K. HEPPNER, TRUSTEE

BEING A 1,693 SQUARE FOOT TRACT OF LAND SITUATED IN THE JOHN SCURLOCK SURVEY, ABSTRACT No. 1351, DALLAS COUNTY, TEXAS, AND BEING A PART OF TURTLE CREEK BOULEVARD (AN 80' RIGHT-OF-WAY) AS SHOWN ON THE REVISED PLAT OF UNIVERSITY PARK ESTATES, AN ADDITION TO THE CITY OF UNIVERSITY PARK BY THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 189, MAP RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH UNCAPPED IRON ROD FOUND AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID TURTLE CREEK BOULEVARD AND THE EAST LINE OF VASSAR DRIVE (A 50' RIGHT-OF-WAY), ALSO MARKING THE NORTH WEST CORNER OF LOT 6R-1, BLOCK 13, BROOKSIDE ESTATES ADDITION, AN ADDITION TO THE CITY OF UNIVERSITY PARK BY THE MAP OR PLAT THEREOF RECORDED BY INSTRUMENT No. 201200124072, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, BEING THE SAME LOT AS DESCRIBED IN DEED TO BRAD K. HEPPNER, TRUSTEE FOR THE HEPPNER FAMILY TRUST, RECORDED BY INSTRUMENT No. 201800051192, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS:

THENCE, N20°15'26"E, ACROSS THE SAID TURTLE CREEK BOULEVARD, A DISTANCE OF 13.10 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1430.50 FEET, A CENTRAL ANGLE OF 07°44'09", AND A CHORD BEARING AND DISTANCE OF N56°38'28"E, 192.99 FEET;

ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 193.14 FEET TO A POINT FOR CORNER;

THENCE, S42°34'11"E, ACROSS THE SAID TURTLE CREEK BOULEVARD, A DISTANCE OF 8.54 FEET TO A 1 INCH IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SAID TURTLE CREEK BOULEVARD ALSO MARKING THE NORTH EAST CORNER OF THE SAID LOT 6R-1, BLOCK 13, AND THE NORTH WEST CORNER OF LOT 5, BLOCK 13 OF THE BROOKSIDE ADDITION, AN ADDITION TO THE CITY OF UNIVERSITY PARK BY THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 84, MAP RECORDS, DALLAS COUNTY, TEXAS AND REVISED AS RECORDED IN VOLUME 5, PAGE 129, MAP RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING IN A CURVE TO THE RIGHT, WITH A RADIUS OF 1440.00, HAVING A CENTRAL ANGLE OF 08°09'37", AND CHORD BEARING AND DISTANCE OF S56°49'27"W, 204.92 FEET;

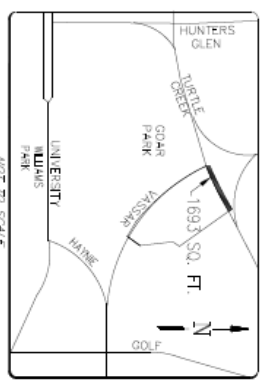
ALONG SAID CURVE TO THE RIGHT AND ALONG THE SOUTH LINE OF SAID TURTLE CREEK BOULEVARD, BEING THE NORTH LINE OF SAID LOT 6R-1, BLOCK 13, AN ARC DISTANCE OF 205.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,693 SQUARE FEET OR 0.039 ACRES OF LAND.

HENNESSEY
ENGINEERING, INC.
1417 W. MAIN STREET, CARROLLTON, TX 75006
PH: 972.245.9478 - heneng2@aol.com

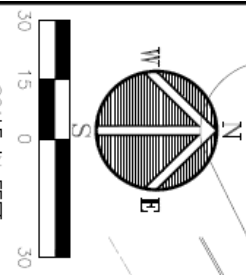
PORTION OF TURTLE CREEK BLVD.
JOHN SCURLOCK SURVEY-ABSTRACT No. 1351
CITY OF UNIVERSITY PARK, TEXAS
FILE NO.: 1760

SHEET NO.:

1
OF 2

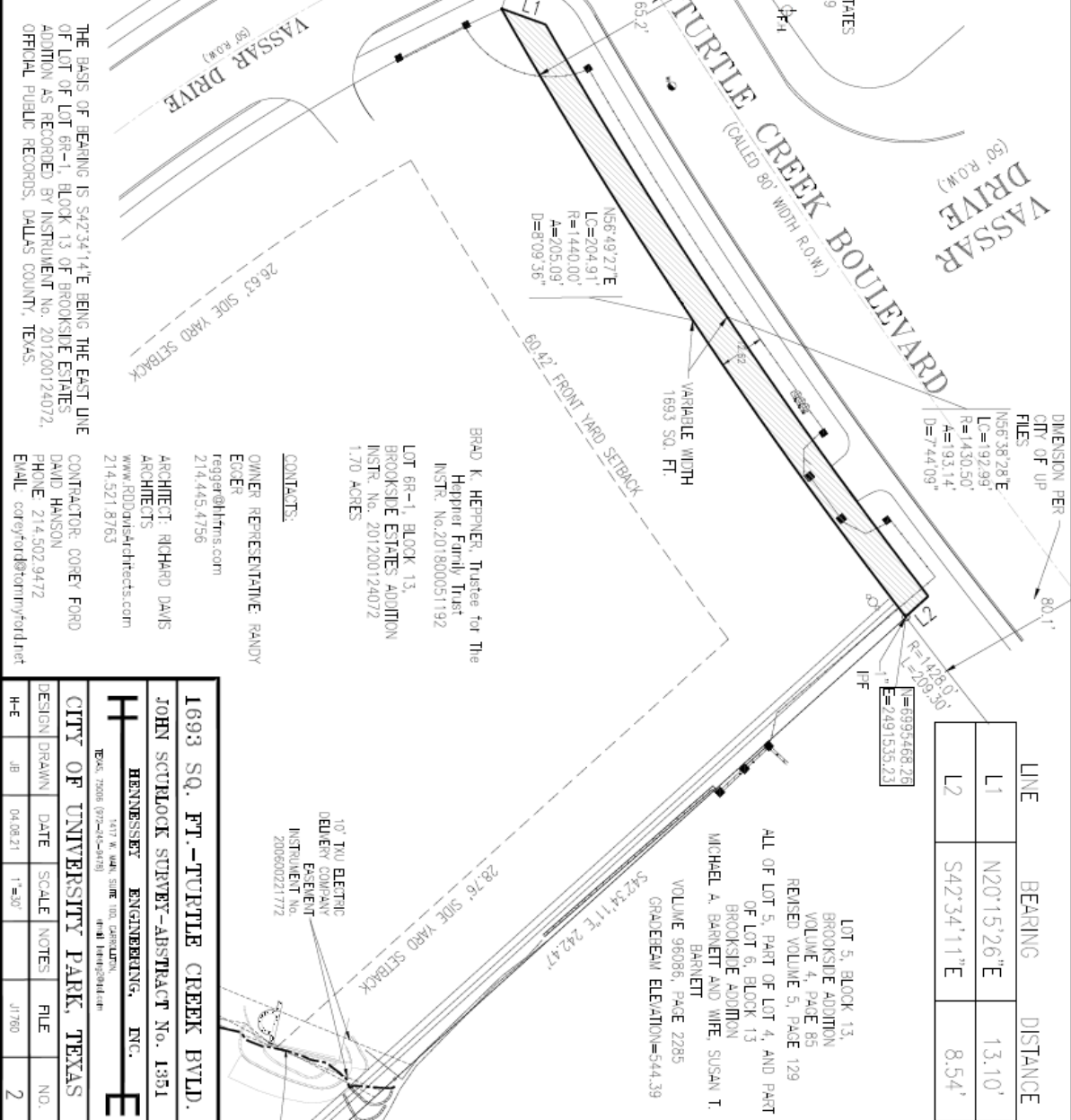


JOHN SCURLOCK SURVEY
ABSTRACT No. 1351



BENCHMARK
U.P. MONUMENT #4
ALUMINUM MONUMENT FOUND IN CONCRETE SIDEWALK, WEST
SIDE OF VASSAR AVENUE AT BRIDGE
AT UNIVERSITY PARK CITY HILL
NORTHING (Y) (GRID) - 6995021.784 FEET
EASTING (X) (GRID) - 24911709.114 FEET
MEAN SEA LEVEL - 541.359 FEET

1. ALL COORDINATES POSTED HEREON ARE GRID COORDINATES BASED ON
CITY OF UNIVERSITY PARK MONUMENTS AS RE-ESTABLISHED BY RAYMOND
L. GOODSON JR., INC. (MAY, JUNE, AND JULY 2003).



BRAD K. HEPNER, Trustee for The
Happier Family Trust
INSTR. No. 201800051192

LOT 5, BLOCK 13,
BROOKSIDE ESTATES ADDITION
INSTR. No. 201200124072
1.70 ACRES

CONTACTS:

OWNER REPRESENTATIVE: RANDY
EXNER
regger@hfrms.com
214.445.4756

ARCHITECT: RICHARD DAVIS
ARCHITECTS
www.RDDavisArchitects.com
214.521.8763

CONTRACTOR: COREY FORD
DAVID HANSON
PHONE 214.502.9472
EMAIL coreyford@coreyford.net

1693 SQ. FT. - TURTLE CREEK BYLD.

JOHN SCURLOCK SURVEY-ABSTRACT No. 1351

HENNESSY ENGINEERING, INC.
1417 N. GULF, SUITE 100, DALLAS, TEXAS 75206 (972-424-9178)
info@hennessyeng.com

CITY OF UNIVERSITY PARK, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
H-E	JLB	04.08.21	1"=30'		J1760	2

10' TUV ELECTRIC
CABLE COMPANY
EXEMPT
INSTRUMENT No.
200600221772

LOT 5, BLOCK 13,
BROOKSIDE ADDITION
VOLUME 4, PAGE 85
REVISED VOLUME 5, PAGE 129

ALL OF LOT 5, PART OF LOT 4, AND PART
OF LOT 6, BLOCK 13
BROOKSIDE ADDITION
MICHAEL A. BARNETT AND WIFE, SUSAN T.
BARNETT
VOLUME 96086, PAGE 2285
GRADE/ELEVATION=544.39