



ORDINANCE NO. 3225

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, ABANDONING A CERTAIN DRAINAGE EASEMENT LOCATED ON THE EAST RIGHT OF WAY OF LUNA ROAD APPROXIMATELY 900 FEET NORTH OF KNIGHTSBRIDGE ROAD; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS, AS A QUITCLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, acting pursuant to law and upon the request of the owner of underlying fee title to a certain 156 square foot drainage easement (the “Easement”) conveyed to the City of Farmers Branch, Dallas County, Texas, by instrument recorded in Volume 99137, Page 4973, Official Public Records, Dallas County, Texas, the City Council of the City of Farmers Branch, Texas, deems it advisable to abandon and quitclaim the hereinafter described interests in real property, and is of the opinion and finds that said Easement is not needed for public use and should be abandoned and quitclaimed, subject to the reservations and conditions of this document;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:

SECTION 1. The City of Farmers Branch hereby releases, abandons and quitclaims all right, title, and interest in and to the Easement described and depicted in Exhibit “A,” attached hereto and incorporated herein by reference, said Easement having been granted by instrument recorded in Volume 99137, Page 4973, filed July 15, 1999 in the Official Public Records, Dallas County, Texas.

SECTION 2. The City of Farmers Branch does not by this Ordinance abandon any other interest in real property other than the Easement as described Exhibit “A.” Furthermore, the interests released and abandoned by the City pursuant to this Ordinance remain subject to all existing rights of others, if any, whether apparent or non-apparent, recorded or unrecorded.

SECTION 3. The City Secretary is authorized and directed to prepare a certified copy of this Ordinance and to record this Ordinance in the Official Public Records of Dallas County, Texas, which shall serve as the quitclaim deed and release by the City of Farmers Branch, Texas, in and to the Easement as described in Exhibit “A,” hereto, subject to the limitations and reservations of this Ordinance.

SECTION 4. This Ordinance shall take effect upon passage of this Ordinance as the law and charter in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 18th DAY OF JUNE, 2013.

ATTEST:

Angela Kelly, City Secretary

APPROVED:

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:5/6/13:60547)

EXHIBIT "A"
ORDINANCE NO. 3225

DRAINAGE EASEMENT ABANDONMENT

Part of Mercer Luna LP
William P. Shahan Survey, Abstract No. 1337
City of Farmers Branch, Dallas County, Texas

DESCRIPTION, of a 156 square foot tract of land situated in the William P. Shahan Survey, Abstract No. 1337, Dallas County, Texas; said tract being part of that tract of land described in Special Warranty Deed to Mercer Luna LP, recorded in Instrument No. 201200272521 of the Official Public Records of Dallas County, Texas and all of that Drainage Easement to the City of Farmers Branch recorded in Volume 99137, Page 4973 of the Deed Records of Dallas County, Texas; said 156 square foot tract being more particularly described as follows (bearing system for this survey is based on the City of Farmers Branch published control network and the Texas State Plane Coordinate System – NAD 83, North Central Zone 4202, Based on observations at monuments 1 & 2 made on August 17th, 2012):

COMMENCING at a 1/2-inch iron rod with "RPLS 5539" cap found at the intersection of the north right-of-way line of Knightsbridge Road (a 100-foot wide right-of-way) and the east right-of-way line of Luna Road (a variable width right-of-way); said point also being the southwest corner of a tract of land described in Special Warranty Deed to Mercer Knightsbridge LP, recorded in Instrument No. 20120027523 of said Official Public Records;

THENCE, North 00 degrees, 17 minutes, 53 seconds East, along the said east line of Luna Road, at a distance of 275.57 feet passing a 1/2-inch iron rod with "RPLS 5539" cap found for the northwest corner of said Mercer Knightsbridge LP, tract and the southwest corner of a tract of land described in Special Warranty Deed to Mercer Knightsbridge LP, recorded in Instrument No. 201200272522 of said Official Public Records, at a distance of 452.87 feet passing a 1/2-inch iron rod with "PACHECO KOCH" cap set for the northwest corner of second referenced Mercer Knightsbridge LP tract and the southwest corner of said Mercer Luna LP tract, continuing in all a total distance of 539.56 feet to the POINT OF BEGINNING; said point also being the southeast corner said Drainage Easement;

THENCE, North 00 degrees, 17 minutes, 53 seconds East, continuing along the said east line of Luna Road, a distance of 12.00 feet to a point for corner;

THENCE, departing the said east line of Luna Road and along said Drainage Easement, the following three (3) calls:

South 89 degrees, 42 minutes, 07 seconds East, a distance of 13.00 feet to a point for corner;

South 00 degrees, 17 minutes, 53 seconds West, a distance of 12.00 feet to a point for corner;

North 89 degrees, 42 minutes, 07 seconds West, a distance of 13.00 feet to the POINT OF BEGINNING;

CONTAINING: 156 square feet or 0.003 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement abandonment tract described.


 4/11/2013
Kyle Coleman Harris Date
Registered Professional Land Surveyor No. 6266
Pacheco Koch Consulting Engineers, Inc.
8350 N. Central Expwy., #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



EXHIBIT "A"
ORDINANCE NO. 3225 (cont.)

