



RESOLUTION NO. 2017-077

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, DECLARING NONAPPROPRIATION OF CERTAIN PUBLIC STREET RIGHT-OF-WAY IN WESTSIDE ADDITION, SECTION 1 AND TRINITY EAST ADDITION; DIRECTING RECORDING; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on May 1, 2006, the City Council of the City of Farmers Branch approved the final plat of Westside Addition, Section 1, an addition to the City of Farmers Branch, Dallas County, Texas, as recorded as Instrument No. 200600172708, Map Records, Dallas County, Texas (“the Westside Sec. 1 Plat”); and

WHEREAS, the Westside Sec. 1 Plat attempts to dedicate certain public street right-of-way for a public street to be known as “Knightsbridge Road” (“Original Street ROW”) to the City of Farmers Branch (“the City”); and

WHEREAS, on August 2, 2011, the City Council of the City of Farmers Branch approved the final plat of Trinity East Addition, an addition to the City of Farmers Branch, Dallas County, Texas, as recorded as Instrument No. 201100225466, Map Records, Dallas County, Texas (“the Trinity East Plat”); and

WHEREAS, the Trinity East Plat attempts to dedicate certain public street right-of-way for a public street adjacent to the Original Street ROW to expand the original width of Knightsbridge Road (“Additional Street ROW”) to the City (the Original Street ROW and the Additional Street ROW collectively being “the Street ROW”); and

WHEREAS, since the dates of dedication, neither the City nor any other party has constructed or installed any public street, sidewalk, utility, or any related improvements have been constructed or installed within the portion of the Street ROW described and depicted in Exhibit “A” attached hereto and incorporated herein by reference (“the Released ROW”) or otherwise made an actual appropriation of the Released ROW by entry, use, or improvement; and

WHEREAS, the current owners of the property described within the Westside Sec. 1 Plat and the Trinity East Plat have requested that the City vacate, abandon, or otherwise quitclaim any interest the City may have in the Released ROW so that the property may be re-platted without being subject to the Released ROW; and

WHEREAS, the City Council of the City of Farmers Branch, Texas, finds that the public will not be harmed by declaring the City’s non-appropriation of the previously dedicated easements and its refusal to accept said dedications or by vacating such additional easements and finds it in the public interest to abandon, release, vacate, or otherwise quitclaims the City’s interest, if any, in the same;

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

SECTION 1. The City Council of the City of Farmers Branch, Texas, hereby declares:

- A. As of the effective date of this Resolution, the City of Farmers Branch has failed to accept the dedication of the Released ROW to the City of Farmers Branch, Dallas County, Texas, as described in Exhibit "A" attached hereto, by entry, use, or improvement of the Released ROW as required by Texas Local Government Code §212.011(a); and
- B. The City of Farmers Branch does not intend to make an actual appropriation of the Released ROW by entry, use, or improvement and that any interest owned by the City of Farmers Branch in the Released ROW shall be deemed to be terminated, abandoned, and quitclaimed on the effective date of this Resolution.

SECTION 2. This Resolution affects only the interests described in Section 1, above, and does not affect any other easements or other interests in real property owned or which may become owned by the City of Farmers Branch within the property constituting the Westside Sec. 1 Plat or the Trinity East Plat.

SECTION 3. The City Manager is hereby authorized to execute on behalf of the City of Farmers Branch such documents as may be reasonable and necessary to vacate and abandon all of the City's right, title, and interest in the Released ROW.

SECTION 4. The City Secretary is hereby authorized and directed to file a certified copy of this resolution in the Official Public Records of Dallas County, Texas.

SECTION 5. This Resolution shall be effective immediately upon final passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 11TH DAY OF JULY, 2017.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:7/3/17:87700)

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EXHIBIT "A" -Description and Survey of Released ROW

FIELD NOTE DESCRIPTION OF A STREET AND EASEMENT ABANDONMENT

Being a tract of land out of Harrison Marsh Survey, Abstract No. 916 and situated in the City of Farmers Branch, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in April of 2017, said tract being a portion of the Knightsbridge Road right-of-way dedicated by the plat of Westside Addition, Section I recorded as Instrument No. 200600172708 of the Official Public Records of Dallas County, Texas, and by the plat of Trinity East Addition recorded as Instrument No. 201100225466 of said records, also including a portion of the same tract of land described as "TRACT 2" in the deed to CADG Mercer 9, LLC recorded as Instrument No. 201600321565 in said records and being more particularly described by metes and bounds as follows:

Beginning at a to a 1/2 inch capped steel rod found for the northwest corner of Lot 2, Block A of said Trinity East Addition, said rod being in the easterly right-of-way line of the Knightbridge Road dedication (201100225466);

Thence South 00 degrees 37 minutes 33 seconds West with the westerly boundary line of said Block A and with said easterly right-of-way line a distance of 79.60 feet to a 5/8 inch capped steel rod found for the beginning of a curve to the left with a radius of 885.50 feet and whose chord bears South 03 degrees 57 minutes 24 seconds East at 141.48 feet;

Thence southerly continuing with said westerly boundary line and said easterly right-of-way line and with said curve along an arc length of 141.63 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 08 degrees 32 minutes 19 seconds East continuing with said westerly boundary line and said easterly right-of-way line a distance of 82.24 feet to a 1/2 inch steel rod found for the beginning of a curve to the right with a radius of 1014.50 feet and whose chord bears South 04 degrees 59 minutes 17 seconds East at 125.66 feet;

Thence southerly continuing with said westerly boundary line and said easterly right-of-way line and with said curve along an arc length of 125.74 feet to a 1/2 inch steel rod found for the end of said curve;



MILLER
Surveying, Inc.

Commercial • Residential • Municipal
430 Mid Cities Blvd. Hurst, Texas 76054 817-577-1052 TxLSF No. 10100400
MillerSurvey.net

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Job No. 15086 • Plot File 15086 Knight Abdt ROW

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EXHIBIT "A" -Description and Survey of Released ROW

FIELD NOTE DESCRIPTION OF A STREET AND EASEMENT ABANDONMENT (Cont'd)

Thence South 01 degrees 26 minutes 13 seconds East continuing with said westerly boundary line and said easterly right-of-way line a distance of 50.68 feet to a 1/2 inch capped steel rod found for the southwest corner of Lot 1 of said Block A, said rod being in the northerly right-of-way line of Interstate Highway 635;

Thence South 89 degrees 27 minutes 48 seconds West with said northerly right-of-way line a distance of 115.55 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the westerly boundary line of a ten foot (10') utility easement dedicated by said Westside Addition Section I plat;

Thence North 02 degrees 02 minutes 38 seconds West with said easement line a distance of 125.85 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 950.00 feet and whose chord bears North 05 degrees 22 minutes 29 seconds West at 110.39 feet Thence northerly continuing with said easement line and with said curve along an arc length of 110.46 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 2050.00 feet and whose chord bears North 05 degrees 22 minutes 33 seconds West at 238.14 feet;

Thence northerly continuing with said easement line and with said curve along an arc length of 238.28 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the northerly boundary line of said Tract 2;

Thence South 89 degrees 43 minutes 00 seconds East a distance of 10.01 feet to a 1/2 inch capped steel rod found in the westerly right-of-way line of said Knightsbridge Road dedication (200600172708);

Thence North 85 degrees 44 minutes 07 seconds East a distance of 80.06 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the easterly right-of-way line of said Knightsbridge Road dedication (200600172708);

Thence North 89 degrees 23 minutes 08 seconds East a distance of 29.54 feet to the point of beginning and containing 1.236 acres of land, more or less.



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