



## **ORDINANCE NO. 3555**

**AN ORDINANCE OF THE CITY OF FARMERS, TEXAS, ABANDONING AND QUITCLAIMING ALL RIGHT, TITLE AND INTEREST IN A PORTION OF LOT 1, BLOCK A, TRINITY EAST ADDITION AND BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT “A” ATTACHED HERETO; 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; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO COMPLETE ABANDONMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, records recorded in the real property records of the Dallas County Clerk indicate that at some date in the past, an interest in real property was conveyed or dedicated to the City of Farmers Branch and/or Dallas County for the establishment of a public street to be known as “Edna Lane”; and

**WHEREAS**, pursuant to Ordinance No. 1456, the City of Farmers Branch vacated, without benefit of a boundary description, the City’s interest in Edna Lane for use as a public street, but expressly retained a public utility easement; and

**WHEREAS**, the land adjacent to the property believed to be within the boundaries of Edna Lane intend to develop said adjacent property and have advised that the purported encumbrance that is created by the retained public utility easement is creating a burden on the development of the property; and

**WHEREAS**, the City Council of the City of Farmers Branch, Texas, acting pursuant to State law and to facilitate the development of the property burdened by the retained easement, deems it advisable to abandon and quitclaim the hereinafter described easement and rights-of-way, and is of the opinion and finds that said rights-of-way and easements are not needed for public use and should be abandoned and quitclaimed, subject to the reservations and conditions of this Ordinance;

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

**SECTION 1.** Subject to the reservation set forth in Section 2 of this Ordinance, the City of Farmers Branch, Texas, hereby abandons, vacates and quitclaims in favor of the abutting property owners all of the City’s right, title and interest of the public of any kind or nature in and to the following public street right-of-way and public utility easements, historically referred to as “Edna Lane” and being more particularly described and depicted in Exhibit “A”, attached hereto and incorporated herein by reference, together with all improvements constructed on or below the surface thereof, if any.

**SECTION 2.** The abandonment, vacation, and quitclaim of the rights-of-way and easements described in Exhibit “A” hereto is subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise owned by third-parties.

**SECTION 3.** The City Secretary is authorized and directed to prepare a certified copy of this ordinance and furnish the same to abutting property owners, and the recording of this ordinance in the

Official Public Records of Dallas County, Texas, shall serve as the quitclaim deed of the City of Farmers Branch, Texas, of all the right, title or interest of the City of Farmers Branch, Texas, in and to said street right-of-way and public utility easement described in Exhibit “A”, subject to the limitations and reservations of this Ordinance.

**SECTION 4.** The City Manager is authorized to execute additional documents necessary to complete the abandonment and quitclaim contemplated herein, if any.

**SECTION 5.** This ordinance shall take effect upon its adoption in accordance with the provisions of the Charter of the City of Farmers Branch, and it is accordingly so ordained.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS,  
ON THE 22<sup>nd</sup> DAY OF JANUARY 2019.**

ATTEST:

APPROVED:

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Amy Piukana, City Secretary

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Robert C. Dye, Mayor

APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:1/14/19:105393)

**EXHIBIT "A"**  
**TO ORDINANCE NO. 3555**

**LEGAL DESCRIPTION**

0.0599 ACRES

**BEING** a tract of land situated in the Harrison C. Marsh Survey, Abstract No. 916, City of Farmers Branch, Dallas County, Texas, being part of Lot 1, Block A, Trinity East Addition, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 201100225466, Official Public Records of Dallas County, Texas, and being part of a called 9.2516 acre tract of land described in Special Warranty Deed to Paragon Industries II, Inc. recorded in Instrument No. 201700201797 of said Official Public Records, and being all of the utility easement retained from Edna Lane abandonment described in City of Farmers Branch Ordinance No. 1456 recorded in Volume 83195, Page 4493, Deed Records of Dallas County, Texas, and being more particularly described as follows:

**COMMENCING** at a 5/8-inch iron rod with plastic cap stamped "KHA" found in the north right-of-way line of Interstate Highway 635 (a variable width right-of-way), and being in the west line of a tract of land described in Special Warranty Deed to the City of Dallas recorded in Volume 86057, Page 342 of said Deed Records, for the southeast corner of said Lot 1;

**THENCE** departing said west line of City of Dallas tract and with said north right-of-way line of Interstate Highway 635, South 86°06'32" West, a distance of 186.44 feet to the **POINT OF BEGINNING**;

**THENCE** continuing with said north right-of-way line of Interstate Highway 635, South 86°06'32" West, a distance of 20.05 feet to a 3/8-inch iron rod found for corner;

**THENCE** departing said north right-of-way line of Interstate Highway 635 and with the west, north and east lines of said utility easement, the following courses and distances:

North 0°24'32" East, a distance of 131.02 feet to a point for corner;

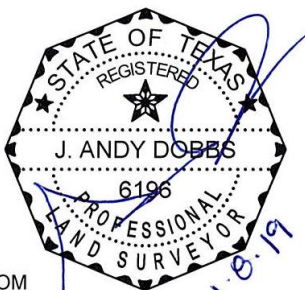
North 89°34'22" East, a distance of 20.00 feet to a point for corner;

South 0°24'32" West, a distance of 129.81 feet to the **POINT OF BEGINNING** and containing 2,608 square feet or 0.0599 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

ABANDONMENT UTILITY EASEMENT  
PART OF LOT 1, BLOCK A,  
TRINITY EAST ADDITION, AND  
HARRISON C. MARSH SURVEY,  
ABSTRACT NO. 916  
CITY OF FARMERS BRANCH  
DALLAS COUNTY, TEXAS

J. ANDY DOBBS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6196  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER  
SUITE 700  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	JAN. 2019	064511800	1 OF 2

**EXHIBIT "A" TO  
ORDINANCE NO. 3555 (cont.)**

