



## RESOLUTION NO. 2020-121

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING PARTIAL RELEASE AND QUITCLAIM OF A PORTION OF A FIFTEEN FOOT (15') WIDE PUBLIC UTILITY EASEMENT LOCATED WITHIN WESTSIDE ADDITION, SECTION 2, BLOCK A AND MORGAN BUSINESS PARK, LOT 1, BLOCK A; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Farmers Branch, Texas, acting pursuant to law and upon the request of the owner of the underlying fee title of the property, is of the opinion and finds that said tract is not needed for public use as a public utility easement and should be abandoned and vacated and deems it advisable and in the public interest to abandon and quitclaim the hereinafter described interests in real property subject to the reservations and conditions of this document;

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

**SECTION 1.** The City Manager is hereby authorized, on behalf of the City of Farmers Branch, to execute such documents as may be approved as to form by the City Attorney to release, abandon, and quitclaim all right, title, and interest in the portion of the fifteen foot (15.0') wide public utility easement granted and conveyed by instrument recorded in Volume 4923, Page 488, Deed Records, Dallas County, Texas, and any improvements lying within said easement to the extent affecting the property described in Attachment 1, attached hereto and incorporated herein by reference.

**SECTION 2.** This Resolution shall be effective immediately upon approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 15<sup>TH</sup> DAY OF SEPTEMBER 2020.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Robert C. Dye, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:9/8/2020:117799)

**Resolution No. 2020-121**  
**Attachment 1 –Description of Partial Release of**  
**FIFTEEN FOOT (15') PUBLIC UTILITY EASEMENT**

**EXHIBIT A**

SHEET 1 OF 2

**15' PUBLIC UTILITY EASEMENT ABANDONMENT**  
**WESTSIDE ADDITION SECTION 2, BLOCK A**  
**MORGAN BUSINESS PARK, LOT 1, BLOCK A**

Being that certain 15,108 square feet (0.347 acre) tract of land situated in the John L. Pulliam Survey, Abstract No. 1156, City of Farmers Branch, Dallas County, Texas, and being a part of Block A of Westside Addition Section 2, an addition to the City of Farmers Branch, Dallas County, Texas as recorded in County Clerk's Instrument No. 200600172709, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being a portion of that certain tract of land conveyed as Tract 2 to Mercer Crossing Land, Ltd., by deed recorded in Instrument Number 201400014873, Official Public Records, Dallas County, Texas, and being a portion of Lot 1, Block A, Morgan Business Park, an addition to the City of Farmers Branch, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 202000190752, said Official Public Records, same being a portion of that certain tract of land conveyed to Mercer Crossing Industrial Land, Ltd., by deed recorded in Instrument No. 201900235937, said Official Public Records, and being a portion of a 15 foot Public Utility Easement recorded in Volume 4923, Page 488, Deed Records, Dallas County, Texas, same being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with yellow "PATE" cap found for the southeast corner of said Mercer Crossing Land tract (Instrument Number 201400014873), same being in the intersection of Morgan Parkway (100 foot right-of-way) and Stemmons Freeway (Interstate Highway No. 35E)(variable width right-of-way);

THENCE North 05 deg. 47 min. 25 sec. West, along the common line of said Mercer Crossing Land tract (Instrument Number 201400014873) and said Stemmons Freeway, a distance of 88.03 feet to a point for the most easterly southeast corner of the herein described tract, same being in a south line of said 15 foot Public Utility Easement, same being the POINT OF BEGINNING;

THENCE South 76 deg. 39 min. 21 sec. West, through the interior of said Mercer Crossing Land tract (Instrument Number 201400014873) and along the southerly line of said 15 foot Public Utility Easement, passing at a distance of 640.11 feet, the east line of aforesaid Lot 1, and continuing through the interior of said Lot 1, a total distance of 922.02 feet to a point for angle point;

THENCE South 06 deg. 56 min. 04 sec. West, continuing through the interior of said Lot 1 and along the southerly line of said 15 foot Public Utility Easement, a distance of 70.59 feet to a point for the most southerly southeast corner of the herein described tract, same being in a south line of said Lot 1, same being in the northerly right-of-way line of aforesaid Morgan Parkway;

THENCE South 73 deg. 58 min. 52 sec. West, along the common line of said Lot 1, Morgan Parkway, and said 15 foot Public Utility Easement, a distance of 16.29 feet to a point for the most westerly corner of the herein described tract;

THENCE through the interior of said Lot 1 and along the northerly lines of said 15 foot Public Utility Easement as follows:  
North 06 deg. 56 min. 04 sec. East, a distance of 87.39 feet to a point for angle point;  
North 76 deg. 39 min. 21 sec. East, passing the east line of said Lot 1, and continuing through the interior of said Mercer Crossing Land tract (Instrument Number 201400014873) and along the northerly line of said 15 foot Public Utility Easement, a total distance of 934.46 feet to a point for the northeast corner of the herein described tract, same being in the east line of said Mercer Crossing Land tract (Instrument Number 201400014873), same being in the westerly right-of-way line of aforesaid Stemmons Freeway;

THENCE South 05 deg. 47 min. 25 sec. East, along the common line of said Mercer Crossing Land tract (Instrument Number 201400014873) and said Stemmons Freeway, a distance of 15.13 feet to the POINT OF BEGINNING and containing 15,108 square feet or 0.347 acre of computed land, more or less.

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



TIMOTHY R. MANKIN  
Registered Professional Land Surveyor No. 6122

JOB NO.: 19-0212

DATE: 8/21/2020

REVISION: 9/2/2020

NOT TO SCALE

DRAWN: J.B.W.

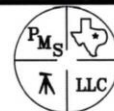
**PEISER & MANKIN**  
**SURVEYING, LLC**

[www.peisersurveying.com](http://www.peisersurveying.com)  
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SHEET 2 OF 2

# EXHIBIT A

## 15' PUBLIC UTILITY EASEMENT ABANDONMENT WESTSIDE ADDITION SECTION 2, BLOCK A MORGAN BUSINESS PARK, LOT 1, BLOCK A

LOT 1, BLOCK A  
MORGAN BUSINESS PARK  
INST. NO. 202000190752  
O.P.R.D.C.T.  
MERCER CROSSING  
INDUSTRIAL LAND, LTD.  
INST. NO. 201900235937  
O.P.R.D.C.T.

15' PUBLIC UTILITY EASEMENT  
ABANDONMENT  
VOL. 4923, PG. 488  
D.R.D.C.T.  
15,108 SQ. FT. OR 0.347 ACRE

REMAINDER OF BLOCK A  
WESTSIDE ADDITION  
SECTION 2  
INST. NO. 200600172709  
O.P.R.D.C.T.  
REMAINDER OF TRACT 2  
MERCER CROSSING  
INDUSTRIAL LAND, LTD.  
CALLED 35.67 ACRES  
INST. NO. 201400014873  
O.P.R.D.C.T.

STEMMONS FREEWAY  
INTERSTATE HIGHWAY NO. 35E  
(R.O.W. VARIES)

LINE	BEARING	DISTANCE
L1	S 76°39'21" W	922.02'
L2	S 06°56'04" W	70.59'
L3	S 73°58'52" W	16.29'
L4	N 06°56'04" E	87.39'
L5	N 76°39'21" E	934.46'
L6	S 05°47'25" E	15.13'
L7	N 05°47'25" W	88.03'

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plot of survey accurately sets out the metes and bounds of the easement tract described.

TIMOTHY R. MANKIN  
Registered Professional Land Surveyor No. 6122

THE BASIS OF BEARING IS THE BEARING (S86°37'57"W) OF THE SOUTH SIDE OF LOT 1A, BLOCK A/6576 OF MERCER BUSINESS PARK EAST NUMBER ONE, INST. NO. 2014000308785 O.P.R.D.C.T.

LEGEND  
— Iron Rod Found  
O.P.R.D.C.T. — Official Public Records of Dallas County Texas  
D.R.D.C.T. — Deed Records of Dallas County Texas  
INST. NO. — Instrument Number  
POB — Point of Beginning  
POC — Point of Commencing

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 76°39'21" W	922.02'
L2	S 06°56'04" W	70.59'
L3	S 73°58'52" W	16.29'
L4	N 06°56'04" E	87.39'
L5	N 76°39'21" E	934.46'
L6	S 05°47'25" E	15.13'
L7	N 05°47'25" W	88.03'

JOB NO.: 19-0212  
DATE: 8/21/2020  
REVISION: 9/2/2020  
SCALE: 1" = 100'  
DRAWN: J.B.W.  
**PEISER & MANKIN  
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