

ORDINANCE NO. 4428

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, ABANDONING A PORTION OF ALMA ROAD AS DESCRIBED IN EXHIBIT "A" HERETO; RESERVING ALL EXISTING EASEMENT RIGHTS OF OTHERS, IF ANY, WHETHER APPARENT OR NON-APPARENT, AERIAL, SURFACE, UNDERGROUND OR OTHERWISE; 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, the owners of the properties described as (i) Lot 2 and 3, Block 9, Corporate Square – Third Installment, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Volume 86010, Page 818, (ii) Lot 1, Block 3, Collins Technology Park, an addition to the City of Richardson, Texas, according to the plat thereof recorded as Instrument No. 2005-3555677, Official Public Records, Dallas County, Texas; and (iii) Lot 11, Block 1, Collins Technology Park, an addition to the City of Richardson, Texas, according to the plat thereof recorded as Instrument No. 201200128381, Official Public Records, Dallas County, Texas (collectively, the "Property"), have requested abandonment of a portion of Alma Road right-of-way as a public street in order to facilitate the redevelopment of the Property; and

WHEREAS, the proposed redevelopment of the Property, including abandonment of the requested rights-of-way is consistent with development plans for the Property previously approved by the City and a proposed replat for the Property; and

WHEREAS, the City Council of the City of Richardson, Texas, acting pursuant to State law and to facilitate the redevelopment of the Property deems it advisable and in the public interest to abandon and quitclaim the hereinafter described rights-of-way, and is of the opinion and finds that said rights-of-way are not needed for public use as a public street and should be abandoned and quitclaimed, subject to the reservations and conditions of this Ordinance; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That, subject to the reservations set forth in Section 2 of this Ordinance, the City of Richardson hereby abandons, quitclaims, and vacates in favor of the owners of fee simple title to 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 segment of Alma Road described on Exhibit "A" attached hereto and made a part hereof for all purposes (the "Abandoned ROW"), the same as if fully copied herein, together with all improvements constructed on or below the surface thereof.

SECTION 2. That the abandonment, vacation, and quitclaim of the Abandoned ROW 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. Further, that the abandonment, vacation, and quitclaim of the Abandoned ROW shall not be construed as an abandonment of any after-acquired title to easements or rights-of-way conveyed by separate instrument of dedicated by a replat of the Property executed or approved on or after the date of approval of this Ordinance. Further, that the City reserves and retains unto the City within the area of the Abandoned ROW a non-exclusive general utility easement ("Reserved Easement") for the installation, operation, maintenance, repair, replacement, and removal of water, sanitary sewer, gas, and or public utilities, including the right of ingress, egress, and regress therein for such proposes; provided the Owners shall have the right to use and enjoy the surface of the Abandoned ROW for all purposes that do not, in the sole discretion and determination of the City, materially interfere with or interrupt the use or enjoyment of the Reserved Easement by the City for the easement purposes described herein, including the right to use such areas within the

Abandoned ROW for parking, access, landscaping, fencing, or other improvements, but not the construction of any buildings without the prior written consent of the City Manager.

SECTION 3. That the City Secretary is authorized and directed to prepare a certified copy of this ordinance, and the recording of this abandonment ordinance in the Official Public Records of Dallas County, Texas, which shall serve as the quitclaim deed of the City of Richardson, Texas, in and to the street rights-of-way described in Exhibit "A", subject to the limitations and reservations of this Ordinance.

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

SECTION 5. That 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 Richardson, Texas, on the 25th day of April, 2022.



APPROVED AS TO FORM:

Peter H Smith

CITY ATTORNEY

(kbl:4/12/2022:127352)

APPROVED:

[Handwritten Signature]

MAYOR

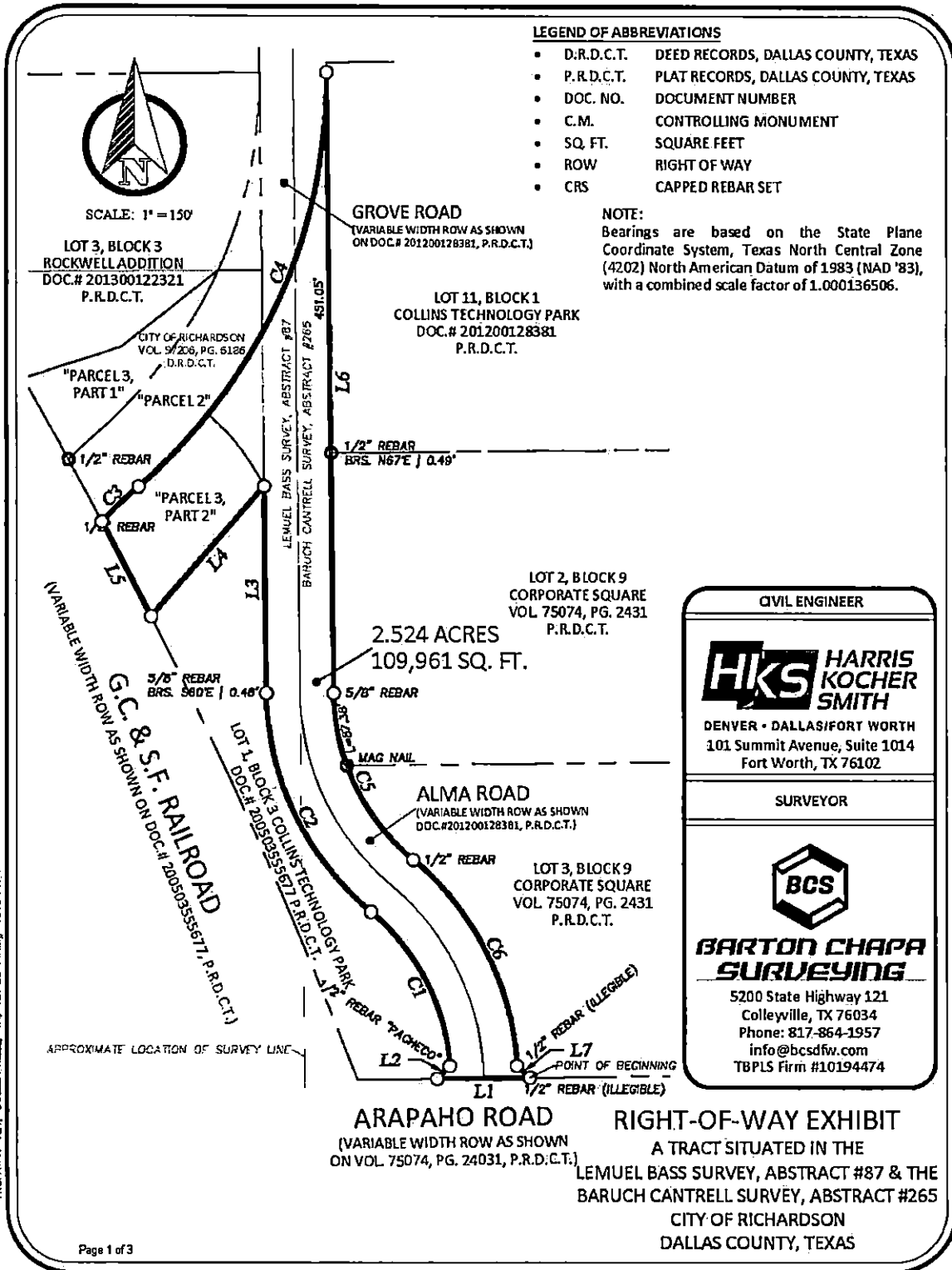
CORRECTLY ENROLLED:

Deanne Danna

CITY SECRETARY



EXHIBIT "A"
DESCRIPTION OF PORTIONS OF RIGHT-OF-WAY TO BE ABANDONED



CIVIL ENGINEER

HKS HARRIS KOCHER SMITH

DENVER • DALLAS/FORT WORTH
 101 Summit Avenue, Suite 1014
 Fort Worth, TX 76102

SURVEYOR

BCS

BARTON CHAPA SURVEYING

5200 State Highway 121
 Colleyville, TX 76034
 Phone: 817-864-1957
 info@bcscdfw.com
 TBPLS Firm #10194474

SURVEY PREPARED BY BARTON CHAPA SURVEYING, LLC: 5200 STATE HIGHWAY 121, COLLEYVILLE, TX, TBPLS FIRM# 10194474

RIGHT-OF-WAY EXHIBIT
A TRACT SITUATED IN THE
LEMUEL BASS SURVEY, ABSTRACT #87 & THE
BARUCH CANTRELL SURVEY, ABSTRACT #265
CITY OF RICHARDSON
DALLAS COUNTY, TEXAS

PROPERTY DESCRIPTION

BEING a tract of land out of the Lemuel Bass Survey, Abstract Number 87 and the Baruch Cantrell Survey, Abstract Number 265, in the City of Richardson, Dallas County, Texas, and being a portion of a public right-of-way known as Alma Road, said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with an illegible cap found for the southwest corner of Lot 3 in Block 9 of Corporate Square, an addition in the City of Richardson, Dallas County, Texas, according to the plat recorded under Volume 75074, Page 2431, Plat Records, Dallas County, Texas, (P.R.D.C.T.), same being in the east right-of-way of said Alma Road, and being in the north right-of-way of Arapaho Road, said point also being the southeast corner of the herein described tract;

THENCE South 89 degrees 18 minutes 42 seconds West, with the north right-of-way of said Arapaho Road, a distance of 110.28 feet to a point for the southeast corner of Lot 1 in Block 3 of Collins Technology Park, an addition in the City of Richardson, Dallas County, Texas, according to the plat recorded under Document Number 200503555677, (P.R.D.C.T.), said point lying in the west right-of-way of said Alma Road;

THENCE with the east line of said Lot 1 in Block 3 and with the west right-of-way of said Alma Road, the following calls:

1. North 44 degrees 13 minutes 31 seconds East, a distance of 21.58 feet to the beginning of a non-tangent curve to the left, having a radius of 260.00 feet, with a delta angle of 46 degrees 30 minutes 00 seconds, whose chord bears North 27 degrees 08 minutes 04 seconds West, a distance of 205.27 feet;
2. Along said non-tangent curve to the left, an arc length of 211.01 feet to the beginning of a reverse curve to the right, having a radius of 340.00 feet, with a delta angle of 49 degrees 48 minutes 19 seconds, whose chord bears North 25 degrees 28 minutes 54 seconds West, a distance of 286.33 feet;
3. Along said reverse curve to the right, an arc length of 295.55 feet to a point from which a 5/8 inch rebar found bears South 60 degrees East, a distance of 0.46 feet;
4. North 00 degrees 34 minutes 45 seconds West, a distance of 245.01 feet to the northeast corner of said Lot 1 in Block 3, same being the east corner of "Parcel 3, Part 2" as described by deed to the City of Richardson as recorded under Volume 97206, Page 6186, Deed Records, Dallas County, Texas, (D.R.D.C.T.), and being the easternmost south corner of "Parcel 2" as described within said City of Richardson tract;

THENCE with the perimeter and to the corners of said "Parcel 3, Part 2" the following calls

1. South 40 degrees 34 minutes 09 seconds West, a distance of 203.87;
2. North 27 degrees 25 minutes 57 seconds West, a distance of 126.44 to the beginning of a non-tangent curve to the right having a radius of 560.00 feet, with a delta of 06 degrees 09 minutes 38 seconds, whose chord bears North 46 degrees 11 minutes 18 seconds East, a distance of 60.18 feet;
3. Along said non-tangent curve to the right, an arc length of 60.21 feet to the beginning of a reverse curve to the left having a radius of 640.00 feet, with a delta angle of 49 degrees 47 minutes 21 seconds, whose chord North 24 degrees 13 minutes 47 seconds East, a distance of 538.81 feet;

THENCE Along said reverse curve to the left, with the northwest line of said "Parcel 3, Part 2", passing the northernmost corner of said "Parcel 3, Part 2" at an arc length of 118.77 feet, and continuing along the southeast right-of-way line of a public right-of-way known as Grove Road, a total arc length of 556.15 feet to a point in the west line of Lot 11 in Block 1 of Collins Technology Park, an addition in the City of Richardson, Dallas County, Texas, as recorded under Document Number 201200128381, (P.R.D.C.T.), same being in the east right-of-way of said Alma Road;

THENCE South 00 degrees 37 minutes 47 seconds East, with the east right-of-way of said Alma Road, and with the west line of said Lot 11, passing at a distance of 451.05 feet the southwest corner thereof, same being the northwest corner of Lot 2 in Block 9 of said Corporate Square, from which a 1/2 inch rebar found bears North 67 degrees East, a distance of 0.49 feet, and continuing with the west line of said Lot 2, a total distance of 735.31 feet to a 5/8 inch rebar found at the beginning of a tangent curve to the left, having a radius of 260.00 feet, with a delta angle of 49 degrees 48 minutes 20 seconds, whose chord bears South 25 degrees 31 minutes 57 seconds East, a distance of 218.96 feet;

THENCE along said tangent curve to the left, with the east right-of-way of said Alma Road, and with the west line of said Lot 2, passing at an arc length of 87.38 feet, a MAG nail found for the southwest corner thereof, same being the northwest corner of said Lot 3, and continuing with the west line thereof for a total arc length of 226.01 feet to a 1/2 inch rebar found at the beginning of a reverse curve to the right, having a radius of 340.00 feet, with a delta angle of 47 degrees 16 minutes 51 seconds, whose chord bears South 26 degrees 47 minutes 41 seconds East, a distance of 272.68 feet;

THENCE along said reverse curve to the right, along the east right-of-way of said Alma Road, and along the west line of said Lot 3, an arc length of 280.57 feet to a 1/2 inch rebar with an illegible cap found for the westernmost southwest corner thereof;

THENCE South 46 degrees 54 minutes 42 seconds East, with the east right-of-way of said Alma Road, and with the southwest line of said Lot 3, a distance of 21.10 feet to the POINT OF BEGINNING and enclosing 2.524 acres (109,961 square feet) of land, more or less.

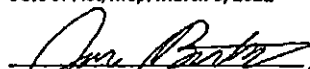
RIGHT-OF-WAY EXHIBIT
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 LEMUEL BASS SURVEY, ABSTRACT #87 & THE
 BARUCH CANTRELL SURVEY, ABSTRACT #265
 CITY OF RICHARDSON
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Line Data Table		
Line #	Distance	Bearing
L1	110.28'	S89°18'42"W
L2	21.58'	N44°13'31"E
L3	245.01'	N00°34'45"W
L4	203.87'	S40°34'09"W
L5	126.44'	N27°25'57"W
L6	735.31'	S00°37'47"E
L7	21.10'	S46°54'42"E

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	211.01'	260.00'	046°30'00"	N27°08'04"W	205.27'
C2	295.55'	340.00'	049°48'19"	N25°28'54"W	286.33'
C3	60.21'	560.00'	006°09'38"	N46°11'18"E	60.18'
C4	556.15'	640.00'	049°47'21"	N24°13'47"E	538.81'
C5	226.01'	260.00'	049°48'20"	S25°31'57"E	218.96'
C6	280.57'	340.00'	047°16'51"	S26°47'41"E	272.68'

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision.
 Date of Plat/Map: March 9, 2022


 John H. Barton III, RPLS# 6737

