

**FEBRUARY 8, 2017 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated February 8, 2017. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



T.C. Broadnax
City Manager

2/3/2017

Date



Elizabeth Reich
Chief Financial Officer

2-3-17

Date

RECEIVED

2017 FEB -3 PM 5: 12

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 8, 2017
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 17

CONSENT ADDENDUM

Items 1 - 5

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 18 - 22
Addendum Item 6

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 23 - 37

Handgun Prohibition Notice for Meetings of Government Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 8, 2017
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues related to the Dallas Police and Fire Pension System.

CONSENT ADDENDUM

Housing/Community Services

1. Authorize a one-year service contract, with two one-year renewal options, with Real Time Transport Corporation to provide transportation services to medical appointments within the City of Dallas for low-and moderate-income seniors - Not to exceed \$190,000 - Financing: Current Funds (subject to annual appropriations)

Mobility and Street Services

2. A resolution authorizing support for the IH 635 LBJ Freeway East Project - Financing: This action has no cost consideration to the City

Park & Recreation

3. Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway ("Property") - Revenue: \$10 one-time fee

Sustainable Development and Construction

4. An ordinance abandoning a portion of Newton Court to Park Cities Presbyterian Church, the abutting owner, containing approximately 19,556 square feet of land, located near the intersection of Oak Lawn Avenue and Newton Court, and authorizing the quitclaim - Revenue: \$1,163,582, plus the \$20 ordinance publication fee

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 8, 2017**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction (Continued)

5. An ordinance abandoning portions of two alleys and portions of Texas, Live Oak, and Cantegral Streets to Biscuit Holdings, Ltd., the abutting owner, containing a total of approximately 6,728 square feet of land, located near the intersection of Cantegral and Live Oak Streets, and authorizing the quitclaim - Revenue: \$356,584, plus the \$20 ordinance publication fee

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

6. An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 6, 2017, for the purpose of electing 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 for the term beginning June 19, 2017 - Financing: No cost consideration to the City

CORRECTION:

Note: Agenda Item No. 9 to be considered as an Item for Individual Consideration Designated Public Subsidy Matters

Economic Development

9. Authorize **(1)** rescinding Resolution No. 15-0291, previously approved on February 11, 2015, which authorized a 75 percent real property tax abatement agreement for 8 years with PIHV Mountain Creek, LLC; and **(2)** a 75 percent business personal property tax abatement agreement for 8 years with PIHV Mountain Creek, LLC and/or CarbonLITE Recycling, LLC on new business personal property to be located at 4685 Mountain Creek Parkway within Mountain Creek Neighborhood Empowerment Zone No. 1 in Dallas - Revenue: First year revenue estimated at \$83,688; eight-year revenue estimated at \$546,224 (Estimated revenue foregone for eight-year business personal property tax abatement estimated at \$1,638,672)

ADDENDUM DATE February 8, 2017

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	C	HOU	\$190,000.00	NA	NA	Authorize a one-year service contract, with two one-year renewal options, with Real Time Transport Corporation to provide transportation services to medical appointments within the City of Dallas for low-and moderate-income seniors - Not to exceed \$190,000 - Financing: Current Funds (subject to annual appropriations)
2			9, 10	C	STS	NC	NA	NA	A resolution authorizing support for the IH 635 LBJ Freeway East Project - Financing: This action has no cost consideration to the City
3			9	C	PKR, DEV	REV \$10	NA	NA	Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway ("Property") - Revenue: \$10 one-time fee
4			14	C	DEV	REV \$1,163,582	NA	NA	An ordinance abandoning a portion of Newton Court to Park Cities Presbyterian Church, the abutting owner, containing approximately 19,556 square feet of land, located near the intersection of Oak Lawn Avenue and Newton Court, and authorizing the quitclaim - Revenue: \$1,163,582, plus the \$20 ordinance publication fee
5			14	C	DEV	REV \$356,584	NA	NA	An ordinance abandoning portions of two alleys and portions of Texas, Live Oak, and Cantegral Streets to Biscuit Holdings, Ltd., the abutting owner, containing a total of approximately 6,728 square feet of land, located near the intersection of Cantegral and Live Oak Streets, and authorizing the quitclaim - Revenue: \$356,584, plus the \$20 ordinance publication fee
6			All	I	SEC	NC	NA	NA	An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 6, 2017, for the purpose of electing 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 for the term beginning June 19, 2017 - Financing: No cost consideration to the City

TOTAL \$190,000.00

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 8, 2017
COUNCIL DISTRICT(S): All
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: N/A

SUBJECT

Authorize a one-year service contract, with two one-year renewal options, with Real Time Transport Corporation to provide transportation services to medical appointments within the City of Dallas for low-and moderate-income seniors - Not to exceed \$190,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item is being added to the addendum to expedite the delivery of Senior Medical Transportation Services. The contractor was selected on January 11, 2017, in response to a Requests for Competitive Sealed Proposals (RFCSP).

Approximately 1,192 seniors have enrolled in the City's Senior Medical Transportation Program (SMTP). Until September 30, 2016, the SMTP was implemented in-house by the Housing/Community Services Department. To reduce the cost of implementation, increase operating efficiencies and expand program operations, staff recommended that the program be outsourced beginning in FY 2016-17.

On November 24, 2016, a Request for Competitive Sealed Proposals (RFCSP) was issued by Business Development and Procurement Services to solicit a contractor for the Senior Medical Transportation Program. The due date for proposals was extended to December 29, 2016. Two proposals were received in response to the RFCSP. The respondents were Irving Holdings, Inc., parent company of Yellow Cab, and Real Time Transport Corporation.

A three member selection committee from the Departments of Aviation, Financial Services and Planning and Urban Design reviewed and evaluated the proposals on January 11, 2017. The Housing/Community Services Department Office of Senior Affairs Administrator served as facilitator.

BACKGROUND (Continued)

The successful proposer was selected by the committee based on the candidates' Experience and Capacity, Overall Approach and Methodology, and Cost. Upon review of the two proposals, the Selection Committee recommended Real Time Transport Corporation.

The service contract with Real Time Transport Corporation will provide for medical transportation services for low-and moderate-income seniors to and from medical appointments within the City of Dallas. The contract term will be for one year and may be renewed for two additional one-year terms, depending upon available funding and the company's satisfactory performance.

Contract provisions include:

- Cost not to exceed \$190,000
- 25 trips per day, 5 days a week, 260 days per year
- Door to door service
- Vehicles to accommodate ambulatory and wheelchair clients
- Expanded hours of operation from 7:00 a.m. to 6:00 p.m.
- Caregiver can accompany client at no cost
- Dedicated dispatch by Real Time Transport for SMTP clients
- Will serve the entire city

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 21, 2016, City Council authorized funds for the Senior Medical Transportation Program, by Resolution No. 16-1526.

On November 24, 2016, a RFCSP was issued to solicit vendors for the Senior Medical Transportation Program.

On December 29, 2016, two proposals to implement the Senior Medical Transportation Program were received.

On January 11, 2017, Real Time Transport Corporation was selected as the successful proposer by the Senior Medical Transportation Program Selection Committee.

Information about this item will be provided to the Housing Committee on February 6, 2017.

FISCAL INFORMATION

\$190,000 - Current Funds (subject to annual appropriations)

February 8, 2017

WHEREAS, on September 21, 2016, City Council authorized funds for the Senior Medical Transportation Program, by Resolution No. 16-1526; and

WHEREAS, on November 24, 2016, a RFCSP was issued to solicit proposers for the Senior Medical Transportation Program; and

WHEREAS, on December 29, 2016, two proposals to implement the Senior Medical Transportation Program were received; and

WHEREAS, on January 11, 2017, Real Time Transport Corporation was selected as the successful proposer by the Senior Medical Transportation Program Selection Committee; and

WHEREAS, the City desires to contract with Real Time Transport Corporation to provide medical transportation services for low-and moderate-income seniors to medical appointments within the City of Dallas.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a service contract with Real Time Transport Corporation (VS93434) with two twelve-month renewal options, to provide medical transportation services for low-and moderate-income seniors to medical appointments within the City of Dallas for a term of one year from the date of execution of the agreement in an amount not to exceed \$190,000.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$190,000 (subject to annual appropriations) from Service Contract number MASCRTRANS.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 8, 2017
COUNCIL DISTRICT(S): 9, 10
DEPARTMENT: Mobility and Street Services
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: Various

SUBJECT

A resolution authorizing support for the IH 635 LBJ Freeway East Project - Financing:
This action has no cost consideration to the City

BACKGROUND

This item is on the addendum agenda at council request because TxDOT's official public comment period is currently open through February 15, 2017. Interstate Highway (IH) 635 LBJ East highway, east of U.S. 75 was constructed in the late 1960s and has become one of the busiest, most congested highways in the nation. This LBJ East Project will increase capacity, reduce congestion, and improve mobility for LBJ from U.S. 75 to U.S. 80 in Mesquite.

The LBJ East project is identified by the Regional Transportation Council as among the highest priority highway projects in the eastern side of the region and is now focused on completing a funding package for the Interstate Highway (IH) LBJ East project for construction.

The LBJ East Project is an 11-mile roadway project that entails full reconstruction of IH 635 from US 75 to IH 30, widening the freeway from four to five general purpose lanes in each direction, and including two toll-managed express lanes in each direction. The managed/express lanes are proposed to be tolled from US 75 to Royal Lane/Miller Road to provide a transition from the tolled managed lanes west of Central Expressway and to provide an additional source of revenue to complete funding for the project.

The project includes early implementation of the Skillman-Audelia Bridge and noise barriers to protect residential areas and will include sidewalks along all frontage roads.

BACKGROUND (Continued)

This segment of LBJ East will complement the recently completed sections of LBJ, IH 635 LBJ from Stemmons Freeway to Central Expressway and from IH 30 to US 80.

The Regional Transportation Council included the LBJ East project in the region's Metropolitan Transportation Plan, called the Mobility 2040 Plan, and has included a commitment to fund it using a combination of TxDOT Unified Transportation Program funds that must also be approved by the Texas Transportation Commission. The funding plan anticipates the use of innovative funding mechanisms, including public-private partnerships and the use of tolled managed/express lanes to fully fund the project and expedite construction. The use of tolled lanes will require supportive legislation from the Texas Legislature.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on February 6, 2017.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

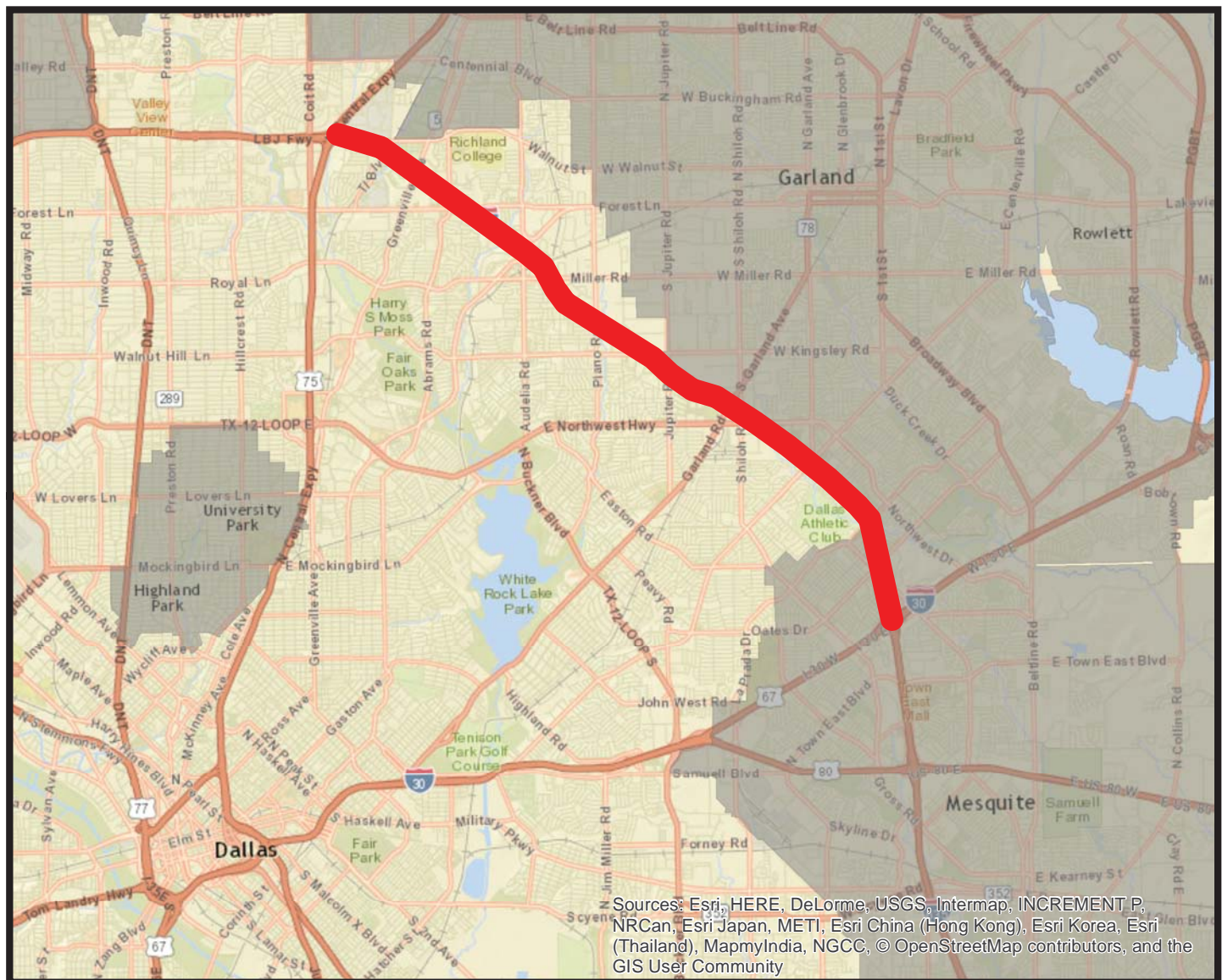
Interstate Highway (IH) 635

LBJ East Highway

US 75 to IH 30

Council District: 9 & 10

MAPSCO: various



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

February 8, 2017

WHEREAS, the City of Dallas traffic has consistently been ranked among the most congested in the nation; and

WHEREAS, the Texas Department of Transportation (TxDOT) has received Congestion Relief Funding and has been directed to accelerate projects in the state that will improve mobility and safety on the most congested interstates; and

WHEREAS, planning for the reconstruction and expansion of IH 635 LBJ Freeway from IH 35E in northwest Dallas to US 80 in Mesquite began in the mid-1990s; and

WHEREAS, reconstruction of the sections of IH 635 LBJ Freeway East from IH 35E to US 75, and from IH 30 to US 80 have been completed, leaving only the segment of IH 635 LBJ East from US 75 to IH 30 that has not been completed; and

WHEREAS, the Texas Department of Transportation (TxDOT) is proposing to reconstruct and widen IH 635 LBJ East from US 75 to IH 30 through the Cities of Dallas, Garland and Mesquite; and

WHEREAS, the proposed project includes five twelve-foot wide general purpose lanes in each direction, two twelve-foot wide managed/express lanes in each direction, and two to three continuous frontage road lanes in each direction; and

WHEREAS, the managed/express lanes are proposed to be tolled from US 75 to Royal Lane/Miller Road to provide a transition from the tolled managed lanes west of US 75 and to provide an additional source of revenue to complete funding for the project; and

WHEREAS, the Regional Transportation Council (RTC) included the IH 635 LBJ East project in the region's Metropolitan Transportation Plan, called the Mobility 2040 Plan, and has consistently identified IH 635 LBJ East as one of the highest priority projects in the Dallas-Fort Worth region; and

WHEREAS, the RTC adopted a 10-Year Plan in December 2016 that included a commitment to fund the IH 635 LBJ East project using a combination of Unified Transportation Program funds approved by the Texas Transportation Commission; and

WHEREAS, TxDOT conducted a public hearing on the proposed project on Tuesday, January 31, 2017, to present the planned improvements and to receive public comment on the proposed project; and

WHEREAS, Skillman and IH 635 LBJ Freeway East has been determined to be one of the most dangerous intersections in the City of Dallas; and

February 8, 2017

WHEREAS, the proposed project provides for early implementation of the Skillman-Audelia Bridge and noise barriers to protect residential areas, and will include sidewalks along all frontage roads; and

WHEREAS, the IH 635 LBJ Freeway East Project includes design elements that improve mobility and safety, enhance quality of life for the surrounding community, and encourage economic development.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council supports reconstruction and widening of IH 635 LBJ Freeway East between US 75 and IH 30 as proposed by the Texas Department of Transportation and approved by the Regional Transportation Council.

SECTION 2. That the City Council supports the use of innovative funding mechanisms, including public-private partnerships and the use of tolled managed/express lanes between US 75 and Royal/Miller, in order to fully fund the project and expedite construction.

SECTION 3. That the City Council supports expediting the early implementation of the Skillman-Audelia Bridge and surrounding projects along with noise barriers.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ADDENDUM ITEM # 3

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: February 8, 2017

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation
Sustainable Development and Construction

CMO: Willis Winters, 670-4071
Mark McDaniel, 670-3256

MAPSCO: 27Y, Z

SUBJECT

Authorize a twenty-year license agreement with the Old Lake Highlands Neighborhood Association for approximately 930 square feet of land in Norbuck Park located near the intersection of Classen Drive and Northwest Highway ("Property") - Revenue: \$10 one-time fee

BACKGROUND

This item is on the addendum at the request of the City Manager's Office.

The Park and Recreation Department had previously granted the Old Lake Highlands Neighborhood the right to place a neighborhood portal in Norbuck Park in 1951. In 2003 and 2012 the agreement was renewed as a lease agreement. This proposed agreement replaces the existing lease agreement with a long-term license agreement.

This item authorizes a license agreement to the Old Lake Highlands Neighborhood Association to maintain the property which shall consist of mowing grass, removing debris and maintaining the monument sign.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

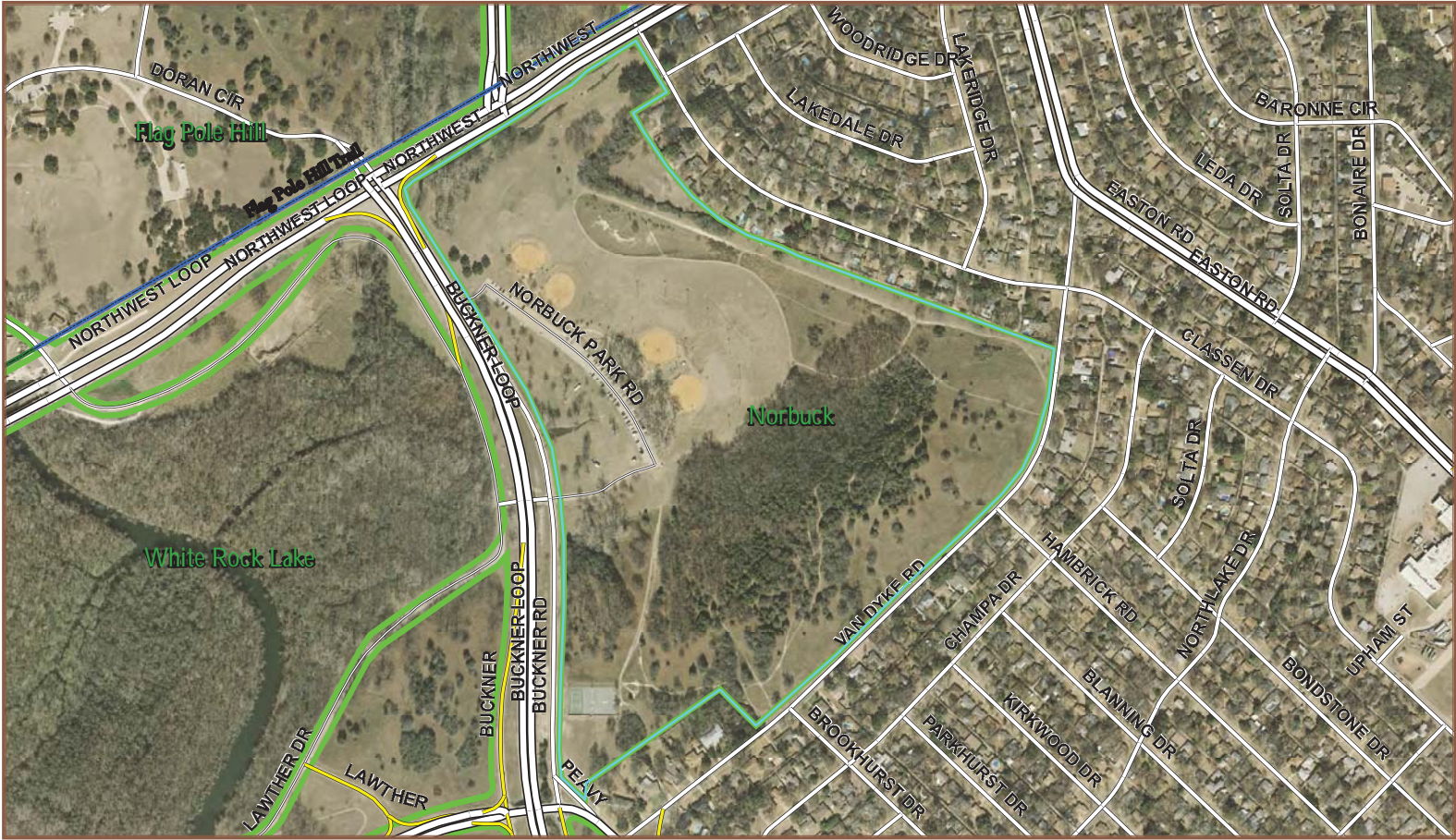
On November 17, 2016, the Park and Recreation Board authorized a twenty-year license agreement.

FISCAL INFORMATION

Revenue: \$10 one-time fee

MAP

Attached



0 195 390 780 1,170 Feet



dallas
Park & Recreation

Norbuck Park
200 N. Buckner Blvd

27 Y Z

District

9

6/23/2014

February 8, 2017

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a license agreement, between Old Lake Highlands Neighborhood Association, a Texas non-profit corporation, as Licensee, and the City of Dallas, as Licensor, hereinafter referred to as "City", for approximately 930 square feet of land located at the intersection of Classen Drive and Northwest Highway, Dallas, Dallas County, Texas (the "Property"), as shown in Exhibit B for the non-exclusive right to maintain one monument sign and landscaping.

SECTION 2. That the special terms and conditions of this License Agreement are:

(a) The license is for a term of twenty (20) years beginning upon execution and terminating 20 years thereafter.

(b) Licensee shall pay a one-time license fee of \$10.00.

(c) Licensee is non-exclusive and the City reserves full ingress and egress rights and the right to grant use to other parties.

(d) The license and the licensed right to use the Property is terminable by the City at its convenience upon 90-days written notice of said termination. Upon expiration or termination of the license for any reason, the licensee shall cease using the property; remove its improvements, if any, on the Property as directed by the City.

(e) The Property is licensed "AS IS, WITH ALL FAULTS" and the City is under no obligation to make any improvements or modifications to the Property.

(f) Licensee shall be responsible maintaining the Property which shall consist of mowing grass, removing debris and maintaining the monument sign.

(g) Licensee shall be responsible for obtaining any utilities deemed necessary, appropriate or desirable for its use of the Property and shall pay all such utilities, during the term of the license.

(h) Licensee shall pay any taxes and assessment levied or assessed against the Property attributable to licensee's use and shall secure such insurance coverage as the City shall deem appropriate, during the term of the license.

(i) Any modifications to the monument sign shall require the Park and Recreation Board approval.

February 8, 2017

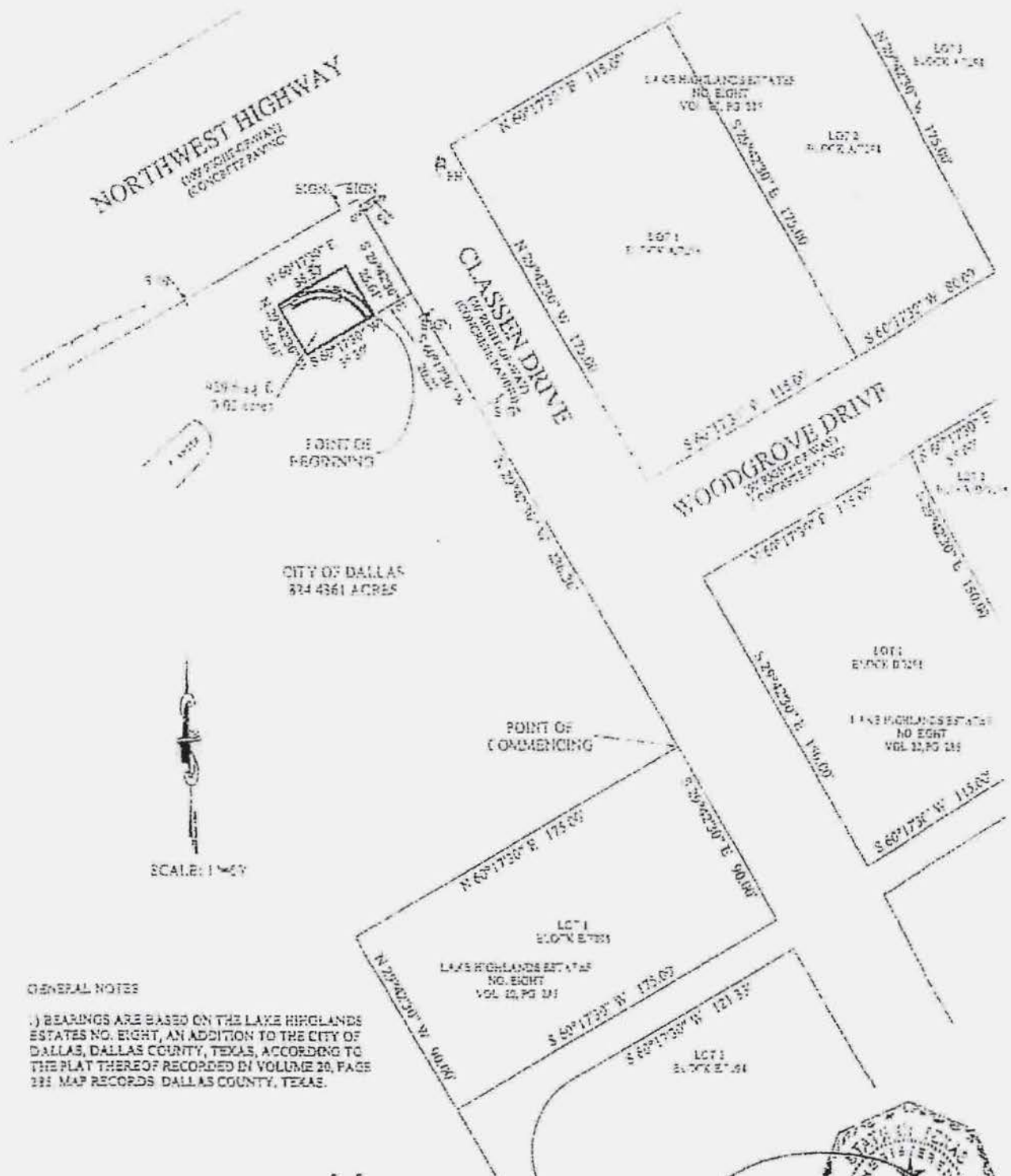
SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit proceeds from this license in Fund 0530, Department PKR, Unit P516, Revenue Code 8471.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**APPROVED AS TO FORM
LARRY E. CASTO, CITY ATTORNEY**

**BY: _____
ASSISTANT CITY ATTORNEY**

EXHIBIT B



GENERAL NOTES

(1) BEARINGS ARE BASED ON THE LAKE HIGHLANDS ESTATES NO. EIGHT, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20, PAGE 211 MAP RECORDS DALLAS COUNTY, TEXAS.

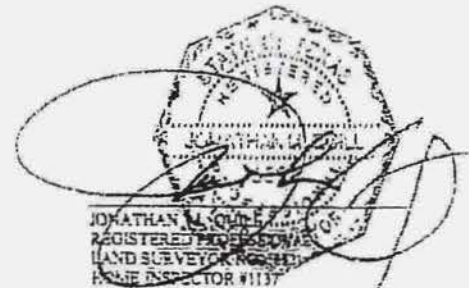
SHEET 2 OF 2
 JOB NO. 11-0972
 DRAWN BY: T.O



S&M SURVEYING LLC

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 DALLAS, TEXAS
 PH: 214-513-8291
 FAX: 469-512-1570
 E-MAIL: SURVEY@S&MSURVEYING.COM



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 8, 2017
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Mark McDaniel, 670-3256
MAPSCO: 35T

SUBJECT

An ordinance abandoning a portion of Newton Court to Park Cities Presbyterian Church, the abutting owner, containing approximately 19,556 square feet of land, located near the intersection of Oak Lawn Avenue and Newton Court, and authorizing the quitclaim - Revenue: \$1,163,582, plus the \$20 ordinance publication fee

BACKGROUND

This item is on the addendum because additional review time was required. This item authorizes the abandonment of a portion of Newton Court to Park Cities Presbyterian Church, the abutting owner. The area will be included with the property of the abutting owners for the expansion of church facilities. The abandonment fee is based on an independent appraisal.

Notices were sent to 26 property owners located within 300 feet of the proposed abandonment area. There was one response received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on January 17, 2017.

FISCAL INFORMATION

Revenue: \$1,163,582, plus the \$20 ordinance publication fee

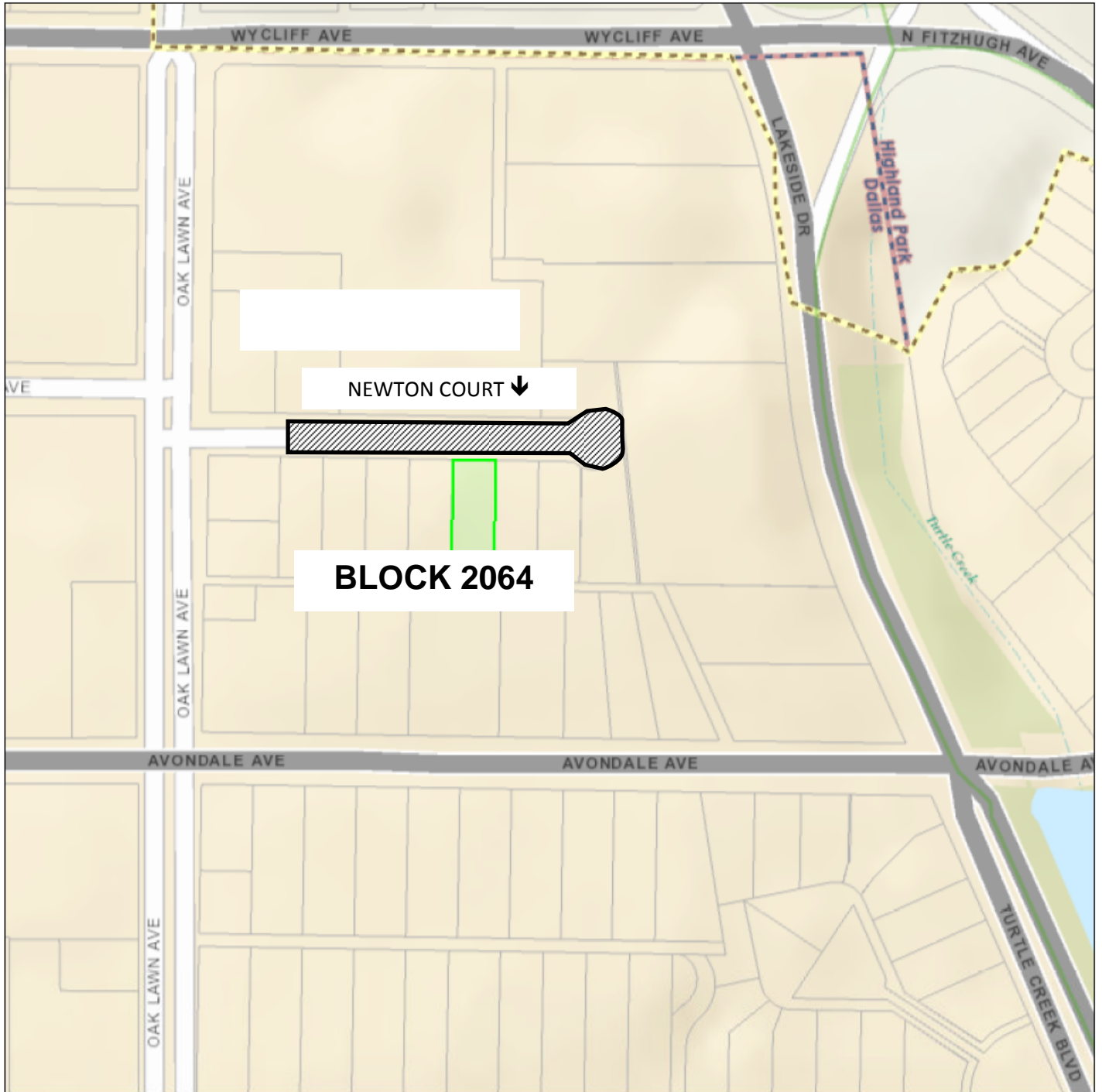
OWNER

Park Cities Presbyterian Church

Jeff Barber, Executive Director

MAP

Attached



ABANDONMENT AREA 

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Newton Court located adjacent to City Blocks 2064 and 3/2064 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Park Cities Presbyterian Church; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing for the waiver of certain provisions of the Dallas Development Code; providing a future effective date for this abandonment and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Park Cities Presbyterian Church, a Texas non-profit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of Newton Court is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth; **Now, Therefore,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That those certain provisions of Section 51A-8.506(b) of the Dallas Development Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **ONE MILLION ONE HUNDRED SIXTY-THREE THOUSAND FIVE-HUNDRED EIGHTY-TWO AND NO/100 DOLLARS (\$1,163,582.00)** paid by **GRANTEE**, and the further consideration described in Sections 9, 10, 11 and 12, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 5. That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction - Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 6. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils;

(d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) acquire Lots 7, 8, 9, 12, and 13 in City Block 2064, according to the plat for Talty's Subdivision recorded in Volume 2, page 388 of the map records of Dallas County, Texas, and provide evidence of such copies of recorded conveyance instruments.
- b) acknowledge Atmos Energy has active facilities within the right-of-way of Newton Court and **GRANTEE** shall be responsible for cost to relocate/abandon Atmos Energy Corporation facilities if conflicts exist, otherwise Exhibit B will apply.
- c) acknowledge Oncor overhead facilities shall remain in place within Newton Court and **GRANTEE** shall be responsible for cost to relocate/abandon Oncor facilities.

This abandonment shall not be effective unless and until **GRANTEE** has completed the acquisitions described in (a) above, and presented recorded evidence of same to the Director of Department of Sustainable Development and Construction.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.


SECTION 13. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the satisfaction of conditions set forth in Section 10 (a), the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO
City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.



Street Abandonment
Part of Newton Court
50-foot-wide right of way & Cul-de-sac
Talty's Subdivision of Block 2064
William Grigsby Survey, Abstract No. 501
City of Dallas, Dallas County, Texas

Being a 19,556 square foot (0.4489 of an acre) tract of land, same being a portion of Newton Court a 50-foot-wide right of way & cul-de-sac adjacent to City of Dallas Block 2064, and Block 3/2064, the said 50-foot-wide right of way & cul-de-sac being a portion of an unnamed street right of way as crated and dedicated by *Talty's Subdivision of Block 2064*, an addition situated in the William Grigsby Survey, Abstract No. 501, City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 2, Page 388 of the Map Records of Dallas County, Texas; the subject tract being more particularly described as follows:

BEGINNING at a 1/2 inch capped rebar stamped "JPH Land Surveying" set on the south right of way of Newton Court, per the plat of *Talty's Subdivision of Block 2064*, recorded in Volume 2, Page 388 of the Map Records of Dallas County, Texas, from which a "+" cut in concrete found at the northwest corner of Lot 6, of said *Talty's Subdivision of Block 2064*, bears SOUTH 89 degrees 15 minutes 33 seconds WEST, a distance of 5.00 feet;

THENCE NORTH 00 degrees 39 minutes 00 seconds WEST, through the interior of said Newton Court, a distance of 49.85 feet (called 50 feet), to a Mag nail with a metal washer stamped "JPH Land Surveying" set on the north right of way of said Newton Court;

THENCE with the right of way of said Newton Court, the following calls:

1. NORTH 89 degrees 21 minutes 30 seconds EAST, a distance of 340.44 feet to an "+" cut found in concrete, at the beginning of a non-tangent curve concave to the south (curve to the right) having a radius of 31.50 feet;
2. In an easterly direction, along the arc of the said non-tangent curve, an arc length of 60.00 feet (a chord bearing of SOUTH 73 degrees 44 minutes 55 seconds EAST, a chord distance of 51.33 feet) to a 1/2 inch rebar found at the end of the said non-tangent curve, on the east line of said *Talty's Subdivision of Block 2064*;
3. SOUTH 07 degrees 51 minutes 16 seconds EAST, with the said east line of *Talty's Subdivision of Block 2064*, a distance of 12.37 feet to a 1/2 inch rebar with orange plastic cap stamped "JPH Land Surveying" (previously set) at the beginning of a non-tangent curve concave to the north (curve to the right) having a radius of 31.50 feet;

FOR SPRG USE ONLY	
REVIEWED BY:	<u>JD</u>
DATE:	<u>1/6/2017</u>
SPRG NO.:	<u>3749</u>

SHEET ONE OF THREE

Dallas-Fort Worth
807 Bluebonnet Drive, Suite C
Keller, Texas 76248
(817)431-4971
Firm #10019500

Austin
13563 W SH 29, Suite 4
Liberty Hill, Texas 78642
(512)778-5688
Firm #10194073

Abilene
500 Chestnut St. #1621
Abilene, Texas 79602
(325)672-7420
Firm #10193867

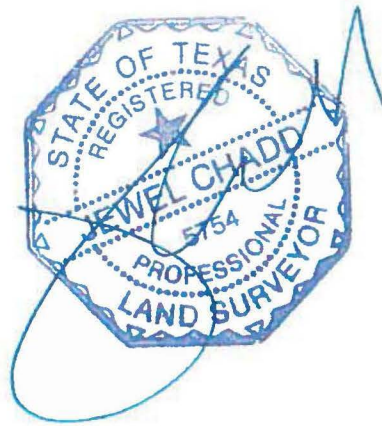
EXHIBIT A

**Street Abandonment
Part of Newton Court
50-foot-wide right of way & Cul-de-sac
Talty's Subdivision of Block 2064
William Grigsby Survey, Abstract No. 501
City of Dallas, Dallas County, Texas**

4. In a westerly direction, along the arc of the said non-tangent curve, an arc length of 68.90 feet (a chord bearing of SOUTH 66 degrees 07 minutes 59 seconds WEST, a chord distance of 55.96 feet) to a Mag nail with a metal washer stamped "JPH Land Surveying" set at the end of the non-tangent curve;
5. SOUTH 89 degrees 15 minutes 33 seconds WEST, a distance of 339.68 feet, returning to the Point of Beginning and enclosing 19,556 square feet (0.4489 of an acre).

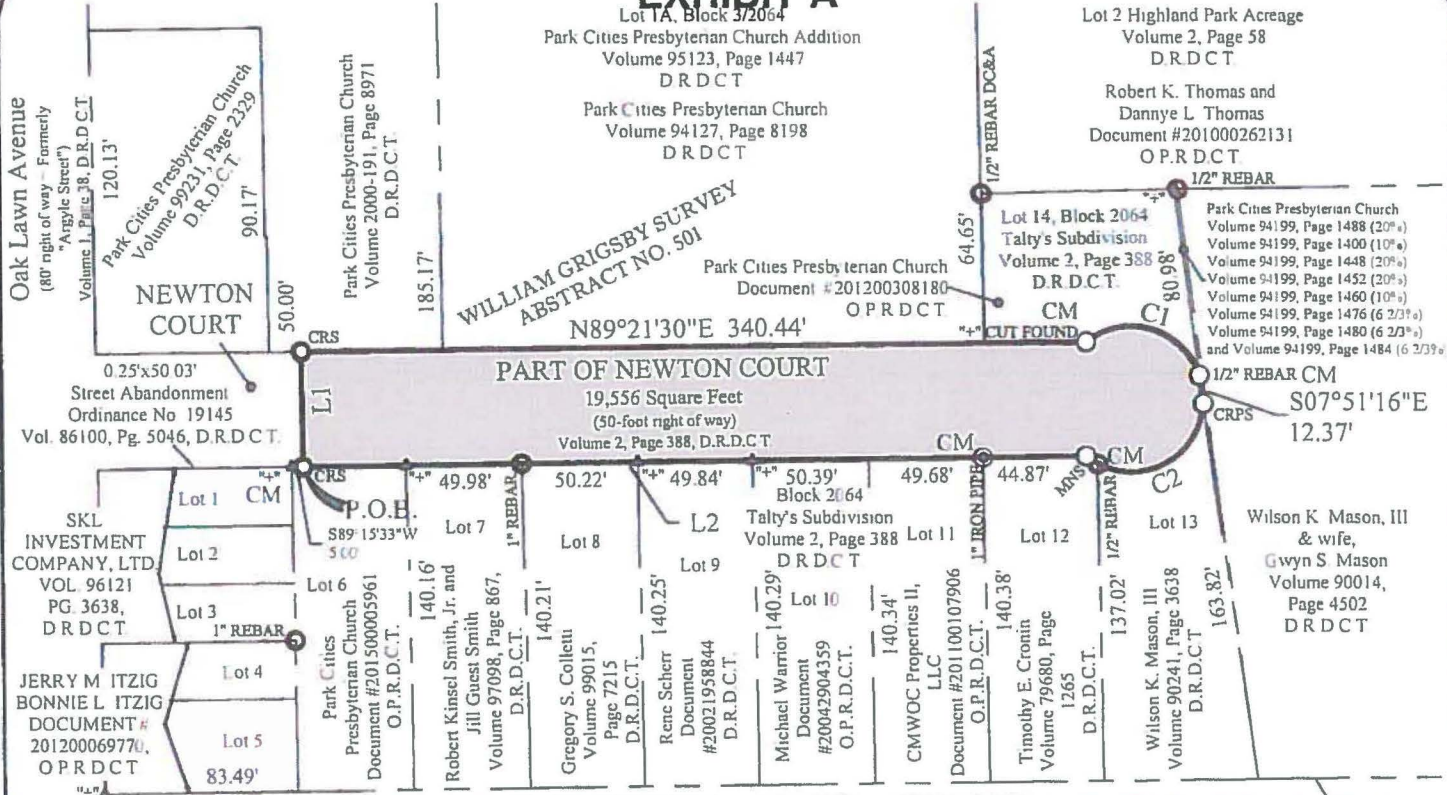
Bearings are based on Grid North per Texas Coordinate System of 1983, North Central Zone 4202, Adjustment Realization 2011.

Jewel Chadd
Registered Professional
Land Surveyor No. 5754
jewel@jphls.com
January 5, 2017
Job No. 2016.031.001



FOR SPRG USE ONLY	
REVIEWED BY:	<u>JD</u>
DATE:	<u>1/6/2017</u>
SPRG NO.:	<u>3749</u>

EXHIBIT A



**WILLIAM GRIGSBY SURVEY
ABSTRACT NO. 501**

PART OF NEWTON COURT
19,556 Square Feet
(50-foot right of way)
Volume 2, Page 388, D.R.D.C.T.

Line #	Bearing	Distance
L1	N00°39'00"W	49.85'
L2	S89°15'33"W	339.68'

Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	60.00'	31.50'	109°08'17"	S73°44'55"E	51.33'
C2	68.90'	31.50'	125°19'28"	S66°07'59"W	55.96'

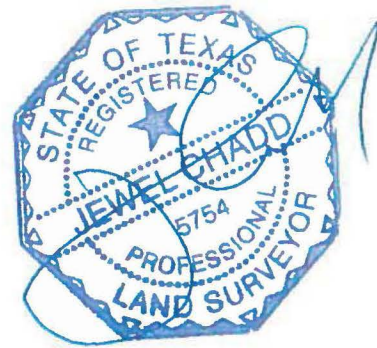
• Bearings are based on Grid North per Texas Coordinate System of 1983, Adjustment Realization 2011.



Scale: 1" = 80'

LEGEND OF ABBREVIATIONS

- Monuments are found if not marked MNS or CRS.
- 1/2" rebar with orange plastic cap stamped
- MNS Mag nail & washer stamped "JPH Land Surveying" set
- P.R.D.C.T. Plat Records of Dallas County, Texas
- O.P.R.D.C.T. Official Public Records of Dallas County, Texas
- D.R.D.C.T. Deed Records of Dallas County, Texas
- POB Point of Beginning
- CM Controlling Monument
- VOL. Volume
- PG. Page



STREET ABANDONMENT

Part of Newton Court
50-foot-wide right of way & Cul-de-sac
Talty's Subdivision of Block 2064
William Grigsby Survey, Abstract No. 501
City of Dallas, Dallas County, Texas

SHEET THREE OF THREE

January 5, 2017

FOR SPRG USE ONLY

REVIEWED BY: JD

DATE: 1/6/2017

SPRG NO.: 3749

JPH Job No.
2016.031.001 Park Cities Presbyterian - ROW
ABANDONMENT.dwg
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807 Bluebonnet Drive, Suite C Keller, Texas 76248
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPLS Firm #10019500 #10194073 #10193867
DFW | Austin | Abilene

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 8, 2017
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Mark McDaniel, 670-3256
MAPSCO: 45G,H,L,M

SUBJECT

An ordinance abandoning portions of two alleys and portions of Texas, Live Oak, and Cantegral Streets to Biscuit Holdings, Ltd., the abutting owner, containing a total of approximately 6,728 square feet of land, located near the intersection of Cantegral and Live Oak Streets, and authorizing the quitclaim - Revenue: \$356,584, plus the \$20 ordinance publication fee

BACKGROUND

This item is on the addendum because additional review time was required. This item authorizes the abandonment of portions of two alleys and portions of Texas, Live Oak, and Cantegral Streets to Biscuit Holdings, Ltd., the abutting owner. The area will be included with the property of the abutting owner for a mixed use development. The abandonment fee is based on an independent appraisal.

Notices were sent to fifteen property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on February 6, 2017.

FISCAL INFORMATION

Revenue: \$356,584, plus the \$20 ordinance publication fee

OWNER

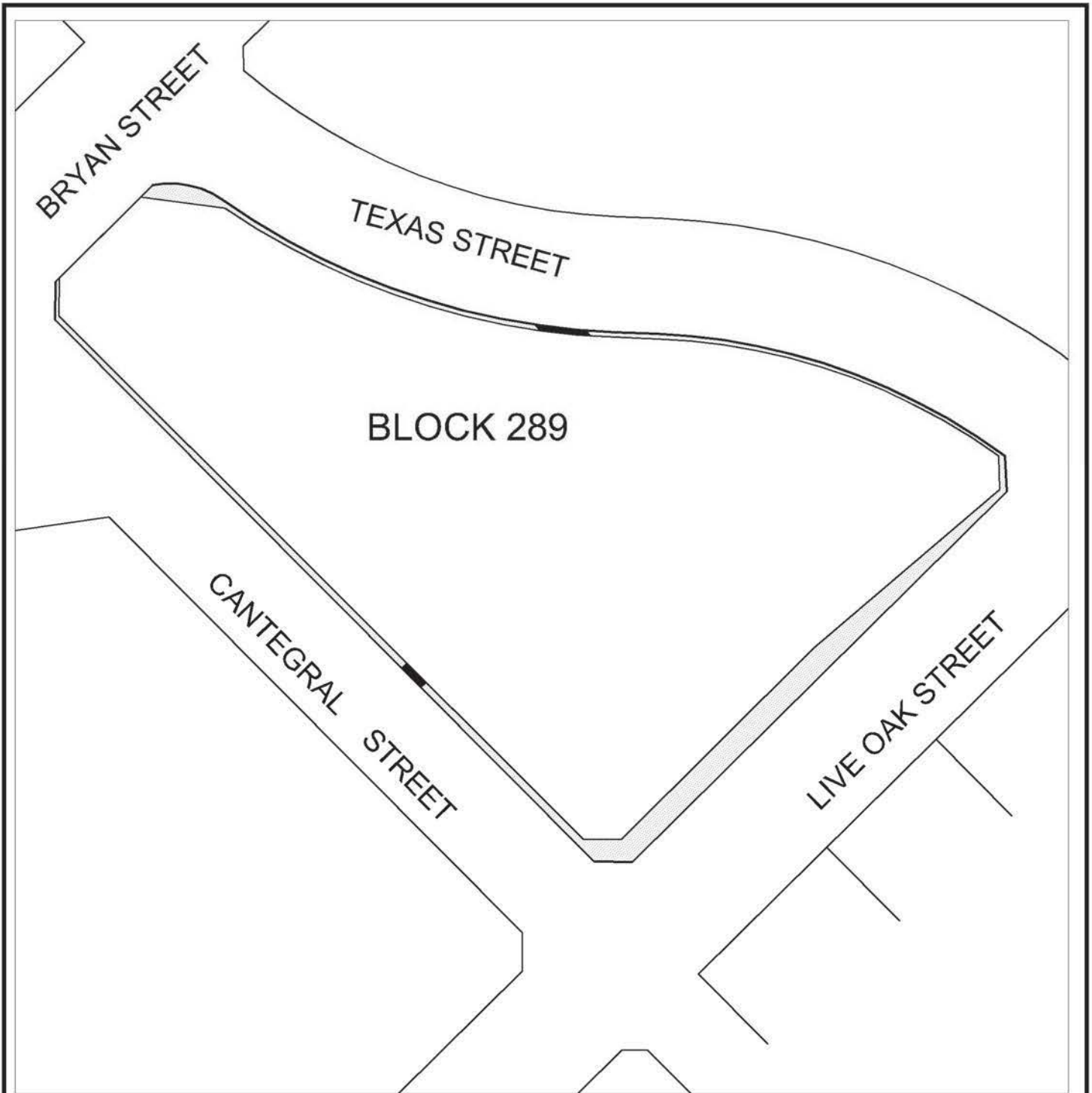
Biscuit Holdings, Ltd.

Danzarias, Inc., General Partner



Matthew E. Malouf, President

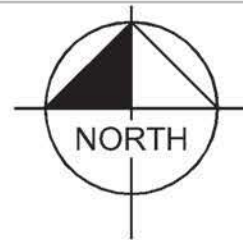
MAP

Attached



ABANDONMENT LEGEND

-  STREET RIGHTS-OF-WAY
-  ALLEY



ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of two alleys and portions of Texas, Live Oak, and Cantegral Streets, located adjacent to City Block 289 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Biscuit Holdings, Ltd.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Biscuit Holdings, Ltd., a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of two alleys and portions of Texas, Live Oak and Cantegral Streets are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth; **Now, Therefore,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **THREE HUNDRED FIFTY-SIX THOUSAND FIVE HUNDRED EIGHTY-FOUR AND NO/100 DOLLARS (\$356,584.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A-Tracts I, II, III, IV and V. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction- Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended.

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall contact the Texas Excavation Safety System (Texas811) to have facilities marked and located within affected easements before any excavations are started.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas are located after its approval by the City Plan Commission of the City of Dallas.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee:

(i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the areas abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO
City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.

EXHIBIT A TRACT 1

BEING a 905 square foot (0.021 acre) tract of land situated in the John Grigsby Survey, Abstract No.495, adjacent to City Block No. 289, City of Dallas, Dallas County, Texas and being part of three tracts of land described as "Tract 4", "Tract 8" and "Tract 13" in Warranty Deed to the City of Dallas, recorded in Volume 81067, Page 3756, Deed Records of Dallas County, Texas and being part of Lot 2 and Lot 3, Middleton Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 10, Map Records of Dallas County, Texas, said 905 square foot tract being part of Texas Street (a 67-foot wide right-of-way created by use and occupation and by Instrument No. 201100339315, Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "Dallas" found at the intersection of the southwest right-of-way line of Texas Street (a 67-foot wide right-of-way) and the southwest right-of-way line of a 15-foot wide alley, at the northernmost northeast corner of a tract of land described as "Tract 1" in Deed Without Warranty, to Minerva Partners, Ltd, recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas and at the northernmost northwest corner of a portion of said alley abandoned by Ordinance 29401, recorded in Instrument No. 201500180415, Official Public Records of Dallas County, Texas and described in Quitclaim Deed to Minerva Partners, Ltd., recorded in Instrument No. 201400258615, Official Public Records of Dallas County, Texas, and at the beginning of a curve to the right having a central angle of 26°31'55", a radius of 408.85 feet, a chord bearing and distance of North 68°47'11" West, 187.64 feet; from which, a 5/8" iron rod with plastic cap stamped "Dallas" found bears the following courses and distances to wit: South 44°50'27" East, a distance of 23.33 feet, South 45°09'33" West, a distance of 18.00 feet, South 44°50'27" East, a distance of 55.00 feet, South 45°09'33" West, a distance of 164.51 feet, and South 45°02'10" East, a distance of 15.00 feet;

THENCE departing said southwest right-of-way line with the north line of said Tract 1, the following courses and distances to wit:

In a northwesterly direction, with said curve to the right, an arc distance of 189.33 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
 North 82°25'57" West, a distance of 47.06 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the northernmost corner of said Tract 1;

THENCE over and across said Tract 4, Tract 8 and Tract 13, the following courses and distances to wit:

North 45°19'33" East, a distance of 9.45 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 46°06'29", a radius of 50.00 feet, a chord bearing and distance of South 77°58'41" East, 39.16 feet;
 In a southeasterly direction, with said curve to the right, an arc distance of 40.24 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left having a central angle of 26°34'40", a radius of 405.85 feet, a chord bearing and distance of South 68°12'46" East, 186.58 feet;
 In a southeasterly direction, with said curve to the left, an arc distance of 188.26 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in the southwest right-of-way line of said alley;

THENCE with said southwest right-of-way line, South 44°50'27" East, a distance of 4.69 feet to the **POINT OF BEGINNING** and containing 905 square feet or 0.021 acres of land.

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
 Reviewed By: JD
 Date: 6/27/2016
 SPRG NO: 3558

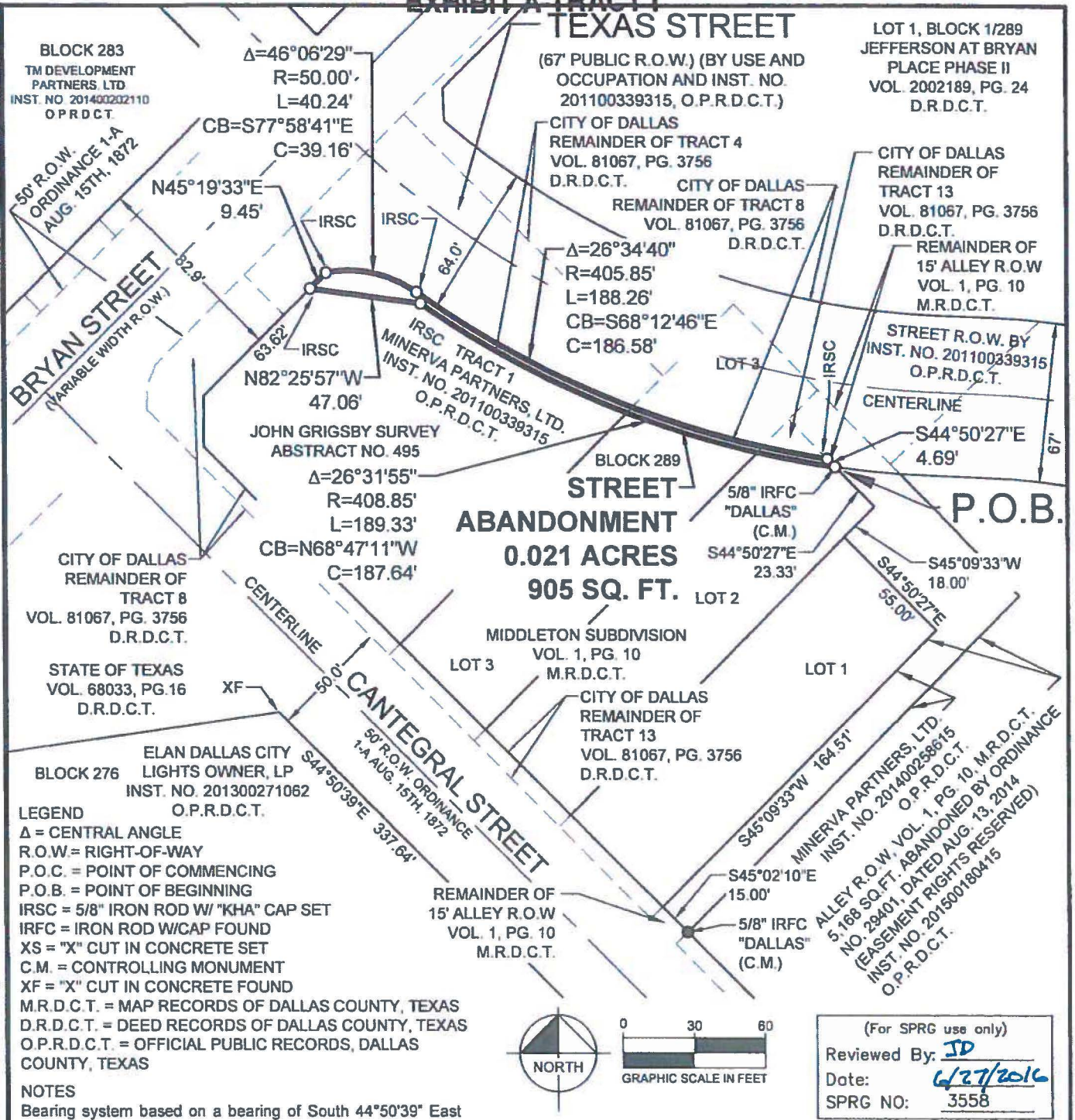
DANA BROWN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5336
 12750 MERIT DRIVE, SUITE 1000
 DALLAS, TEXAS 75251
 PH. 972-770-1300
 dana.brown@kimley-horn.com



STREET ABANDONMENT
 PART OF TEXAS STREET ADJACENT TO CITY
 OF DALLAS BLOCK 289 AND
 PART OF MIDDLETON SUBDIVISION
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn					
12750 Merit Drive, Suite 1000 Dallas, Texas 75251		FIRM # 10115500		Tel No (972) 770-1300 Fax No (972) 239-3820	
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	JAD	MAR 2016	067771623	1 OF 2

EXHIBIT A TRACT I



BLOCK 283
TM DEVELOPMENT PARTNERS LTD
INST. NO. 201400202110
OP.R.D.C.T.

TEXAS STREET
(67' PUBLIC R.O.W.) (BY USE AND OCCUPATION AND INST. NO. 201100339315, O.P.R.D.C.T.)

LOT 1, BLOCK 1/289
JEFFERSON AT BRYAN PLACE PHASE II
VOL. 2002189, PG. 24
D.R.D.C.T.

CITY OF DALLAS
REMAINDER OF TRACT 4
VOL. 81067, PG. 3756
D.R.D.C.T.

CITY OF DALLAS
REMAINDER OF TRACT 13
VOL. 81067, PG. 3756
D.R.D.C.T.

REMAINDER OF 15' ALLEY R.O.W.
VOL. 1, PG. 10
M.R.D.C.T.

STREET R.O.W. BY INST. NO. 201100339315
O.P.R.D.C.T.

CENTERLINE
S44°50'27"E
4.69'

STREET ABANDONMENT
0.021 ACRES
905 SQ. FT.

P.O.B.

CITY OF DALLAS
REMAINDER OF TRACT 8
VOL. 81067, PG. 3756
D.R.D.C.T.

JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
Δ=26°31'55"
R=408.85'
L=189.33'
CB=N68°47'11"W
C=187.64'

MIDDLETON SUBDIVISION
VOL. 1, PG. 10
M.R.D.C.T.

CITY OF DALLAS
REMAINDER OF TRACT 13
VOL. 81067, PG. 3756
D.R.D.C.T.

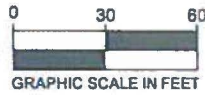
ELAN DALLAS CITY LIGHTS OWNER, LP
INST. NO. 201300271062
O.P.R.D.C.T.

LEGEND

- Δ = CENTRAL ANGLE
- R.O.W. = RIGHT-OF-WAY
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- XS = "X" CUT IN CONCRETE SET
- C.M. = CONTROLLING MONUMENT
- XF = "X" CUT IN CONCRETE FOUND
- M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
- D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

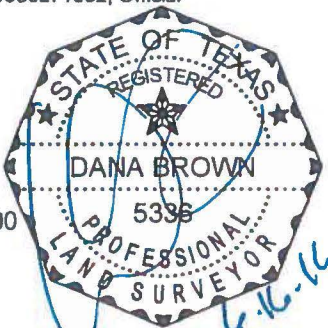
Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.



(For SPRG use only)
Reviewed By: JD
Date: 6/27/2016
SPRG NO: 3558

STREET ABANDONMENT
PART OF TEXAS STREET ADJACENT TO CITY OF DALLAS BLOCK 289 AND PART OF MIDDLETON SUBDIVISION JOHN GRIGSBY SURVEY, ABSTRACT NO. 495 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Kimley»Horn

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Scale 1" = 60'	Drawn by SRD	Checked by JAD	Date MAR. 2016	Project No. 067771623	Sheet No. 2 OF 2
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EXHIBIT A-TRACT II

BEING a 79 square foot (0.002 acre) tract of land situated in the John Grigsby Survey, Abstract No.495, adjacent to City Block No. 289, City of Dallas, Dallas County, Texas and being part of a variable width alley right-of-way created and dedicated per plat of Middleton Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 10, Map Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" set at the easternmost corner of said Middleton Subdivision, said point also being the easternmost corner of an alley abandoned by Ordinance 29401, recorded in Instrument No. 201500180415, Official Public Records of Dallas County, Texas and the same tract of land described in Quitclaim Deed to Minerva Partners, Ltd., recorded in Instrument No. 201400258615, Official Public Records of Dallas County, Texas;

THENCE with the northeast line of said Middleton Subdivision, North 44°50'27" West, a distance of 71.83 feet to a 5/8" iron rod with plastic cap stamped "Dallas" found at the northernmost northeast corner of said alley abandonment for the **POINT OF BEGINNING** and the beginning of a curve to the right having a central angle of 3°53'12", a radius of 408.85 feet, a chord bearing and distance of North 83°59'45" West, 27.73 feet;

THENCE with the north line of said alley abandonment, in a northwesterly direction, with said curve to the right, an arc distance of 27.73 feet to a 5/8" iron rod with plastic cap stamped "Dallas" found in the southwest right-of-way line of said 15-foot wide alley at the northernmost northwest corner of said alley abandonment;

THENCE with said southwest right-of-way line, North 44°50'27" West, a distance of 4.69 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 3°57'33", a radius of 405.85 feet, a chord bearing and distance of South 83°28'53" East, 28.04 feet;

THENCE departing said southwest right-of-way line, in a southeasterly direction, with said curve to the left, an arc distance of 28.04 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in the northeast line of said alley;

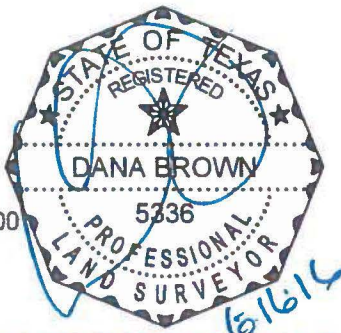
THENCE with said northeast line, South 44°50'27" East, a distance of 4.30 feet to the **POINT OF BEGINNING** and containing 79 square feet or 0.002 acres of land.

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
Reviewed By: JD
Date: 6/27/2016
SPRG NO: 3559

**ALLEY ABANDONMENT
ADJACENT TO CITY OF
DALLAS BLOCK 289
PART OF MIDDLETON SUBDIVISION
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS**

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	JAD	MAR 2016	067771823	1 OF 2

TEXAS STREET

LOT 1, BLOCK 1/289
JEFFERSON AT BRYAN
PLACE PHASE II
VOL. 2002189, PG. 24
D.R.D.C.T.

$\Delta=3^{\circ}57'33''$
 $R=405.85'$
 $L=28.04'$
 $CB=S83^{\circ}28'53''E$
 $C=28.04'$

(67' PUBLIC R.O.W.) (BY USE AND
OCCUPATION AND INST. NO.
201100339315, O.P.R.D.C.T.)

CITY OF DALLAS
PART OF TRACT 4
VOL. 81067, PG. 3756
D.R.D.C.T.

REMAINDER OF ALLEY R.O.W.
VOL. 1, PG. 10, M.R.D.C.T.

STREET R.O.W. BY
INST. NO. 201100339315
O.P.R.D.C.T.

CITY OF DALLAS
PART OF TRACT 13
VOL. 81067, PG. 3756
D.R.D.C.T.

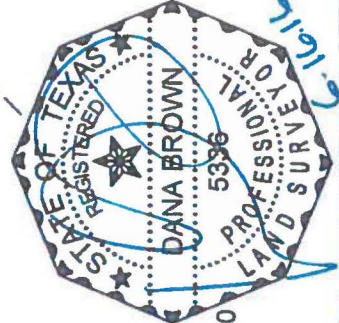
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495

TRACT 1
MINERVA PARTNERS, LTD.
INST. NO. 201100339315
O.P.R.D.C.T.

$\Delta=3^{\circ}53'12''$
 $R=408.85'$
 $L=27.73'$
 $CB=N83^{\circ}59'45''W$
 $C=27.73'$

(For SPRG use only)
Reviewed By: JP
Date: 6/27/2016
SPRG NO: 3559

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NOTES

Bearing system based on a bearing of South
44°50'39" East for the southwest right-of-way line of
Cantegrat Street, according to Special Warranty
Deed to Elan Dallas City Lights Owner, LP,
recorded in Instrument No. 201300271062, Official
Public Records of Dallas County, Texas.

ALLEY ABANDONMENT 0.002 ACRES 79 SQ. FT.

LEGEND
 Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
XS = "X" CUT IN CONCRETE SET
R.O.W. = RIGHT-OF-WAY
C.M. = CONTROLLING MONUMENT
M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS
COUNTY, TEXAS

CITY OF DALLAS
PART OF TRACT 10
VOL. 81067, PG. 3756
D.R.D.C.T.

TRACT 2
MINERVA PARTNERS, LTD.
INST. NO. 201100339315
O.P.R.D.C.T.

ALLEY R.O.W., VOL. 1, PG. 10, M.R.D.C.T.
5,188 SQ.FT. ABANDONED BY ORDINANCE
NO. 29401, DATED AUG. 13, 2014
(EASEMENT RIGHTS RESERVED)
INST. NO. 201500180415
O.P.R.D.C.T.

MIDDLETON SUBDIVISION
VOL. 1, PG. 10
M.R.D.C.T.

TRACT 2
MINERVA PARTNERS, LTD.
INST. NO. 201400258615
O.P.R.D.C.T.

ALLEY ABANDONMENT
ADJACENT TO CITY OF
DALLAS BLOCK 289
PART OF MIDDLETON SUBDIVISION
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

Kimley»»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 238-3820

Scale 1" = 40'	Drawn by SRD	Checked by JAD	Date MAR. 2016	Project No. 067771923	Sheet No. 2 OF 2
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EXHIBIT A-TRACT III

BEING a 4,681 square foot (0.107 acre) tract of land situated in the John Grigsby Survey, Abstract No.495, adjacent to City Block No. 289, City of Dallas, Dallas County, Texas and being part of four tracts of land described as "Tract 6", "Tract 10", "Tract 11" and "Tract 12" in Warranty Deed to the City of Dallas, recorded in Volume 81067, Page 3756, Deed Records of Dallas County, Texas said 4,681 square foot tract being part of Texas Street (a 67-foot wide right-of-way created by use and occupation and by Instrument No. 201100339315, Official Public Records of Dallas County, Texas), part of Live Oak Street (a variable width right-of-way created by Deed without Warranty, recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas, Warranty Deed to the City of Dallas, recorded in Volume 1319, Page 269, Deed Records of Dallas County, Texas, Warranty Deed to the City of Dallas, recorded in Volume 1377, Page 68, Deed Records of Dallas County, Texas, Warranty Deed to the City of Dallas, recorded in Volume 1379, Page 29, Deed Records of Dallas County, Texas, Warranty Deed to the City of Dallas, recorded in Volume 1322, Page 128, Deed Records of Dallas County, Texas, Warranty Deed to the City of Dallas, recorded in Volume 1377, Page 77, Deed Records of Dallas County, Texas and by Ordinance 1-A, dated August 15th, 1872) and part of Cantegral Street (a 53-foot wide right-of-way created by Deed without Warranty, recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas and by Ordinance 1-A, dated August 15th, 1872) and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "Dallas" found at the intersection of the northeast right-of-way line of Cantegral Street and the southeast right-of-way line of a 15-foot wide alley, at the westernmost southwest corner of a tract of land described as "Tract 2" in Deed Without Warranty, to Minerva Partners, Ltd, recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas and at the southernmost corner of a portion of said alley abandoned by Ordinance 29401, recorded in Instrument No. 201500180415, Official Public Records of Dallas County, Texas and the same tract of land described in Quitclaim Deed to Minerva Partners, Ltd., recorded in Instrument No. 201400258615, Official Public Records of Dallas County, Texas;

THENCE departing said southeast right-of-way line and with the south line of said Tract 2 and said northeast right-of-way line of Cantegral Street, South 45°02'10" East, a distance of 123.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the westernmost south corner of said Tract 2 and the westernmost end of a right-of-way corner clip at the intersection of said northeast right-of-way line and the northwest right-of-way line of said Live Oak Street;

THENCE with the southernmost line of said Tract 2 and said right-of-way corner clip, South 89°56'18" East, a distance of 21.25 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the easternmost south corner of said Tract 2 and the easternmost end of said right-of-way corner clip;

(For SPRG use only)
Reviewed By: ID
Date: 6/30/2016
SPRG NO: 3560

STREET ABANDONMENT
PART OF TEXAS STREET,
PART OF LIVE OAK STREET, AND PART OF
CANTEGRAL STREET
ADJACENT TO CITY OF DALLAS BLOCK 289
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	JAD	MAR 2016	067771623	1 OF 5

EXHIBIT A-TRACT III

THENCE with the southeast line of said Tract 2 and the northwest right-of-way line of Live Oak Street, the following courses and distances to wit:

North 45°09'33" East, a distance of 150.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 49°32'35" East, a distance of 135.45 feet to a point in a traffic signal pole at the southernmost east corner of said Tract 2 and the southernmost end of a right-of-way corner clip at the intersection of said northwest right-of-way line and the southwest right-of-way line of said Texas Street;

THENCE with the east line of said Tract 2 and said right-of-way corner clip, North 1°43'24" West, a distance of 18.77 feet to a 5/8" iron rod with plastic cap stamped "Dallas" found at the northernmost east corner of said Tract 2, at the northernmost end of said right-of-way corner clip and at the beginning of a non-tangent curve to the left having a central angle of 33°39'51", a radius of 345.24 feet, a chord bearing and distance of North 71°03'58" West, 199.94 feet;

THENCE with the north line of said Tract 2 and said southwest right-of-way line of Texas Street, the following courses and distances to wit:

In a northwesterly direction, with said curve to the left, an arc distance of 202.85 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 87°53'53" West, a distance of 22.93 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 1°57'33", a radius of 408.85 feet, a chord bearing and distance of North 86°55'07" West, 13.98 feet;

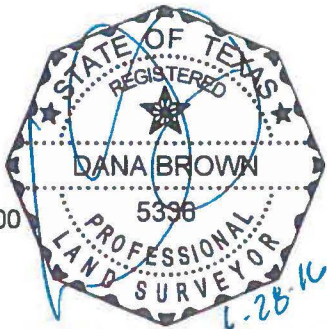
In a northwesterly direction, with said curve to the right, an arc distance of 13.98 feet to a 5/8" iron rod with plastic cap stamped "Dallas" found at the intersection of said southwest right-of-way line and the northeast right-of-way line of a 15-foot wide alley and at the northwest corner of said Tract 2;

THENCE with said northeast right-of-way line, North 44°50'27" West, a distance of 4.30 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 2°18'52", a radius of 405.85 feet, a chord bearing and distance of South 86°37'05" East, 16.39 feet;

(For SPRG use only)
Reviewed By: JD
Date: 6/30/2016
SPRG NO: 3560

STREET ABANDONMENT
PART OF TEXAS STREET,
PART OF LIVE OAK STREET, AND PART OF
CANTEGRAL STREET
ADJACENT TO CITY OF DALLAS BLOCK 289
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	JAD	MAR 2016	067771623	2 OF 5

EXHIBIT A-TRACT III

THENCE departing said northeast right-of-way line and over and across said City of Dallas four tracts, the following courses and distances to wit:

- In a southeasterly direction, with said curve to the left, an arc distance of 16.39 feet to a 5/8" iron rod with plastic cap stamped "Dallas" found for corner;
- South 87°46'31" East, a distance of 22.93 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 34°11'23", a radius of 348.24 feet, a chord bearing and distance of South 70°40'50" East, 204.73 feet;
- In a southeasterly direction, with said curve to the right, an arc distance of 207.80 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
- South 3°31'06" East, a distance of 19.75 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
- South 45°18'53" West, a distance of 291.72 feet to a "X" cut in concrete set for corner;
- North 89°45'53" West, a distance of 21.24 feet to a "X" cut in concrete set for corner;
- North 44°50'39" West, a distance of 136.15 feet to a "X" cut in concrete set in the southeast right-of-way line of said alley;

THENCE with said southeast right-of-way line, North 45°09'33" East, a distance of 4.02 feet to the **POINT OF BEGINNING** and containing 4,681 square feet or 0.107 acres of land.

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
 Reviewed By: JD
 Date: 6/30/2016
 SPRG NO: 3560

STREET ABANDONMENT
 PART OF TEXAS STREET,
 PART OF LIVE OAK STREET, AND PART OF
 CANTEGRAL STREET
 ADJACENT TO CITY OF DALLAS BLOCK 289
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	JAD	MAR 2016	067771623	3 OF 5

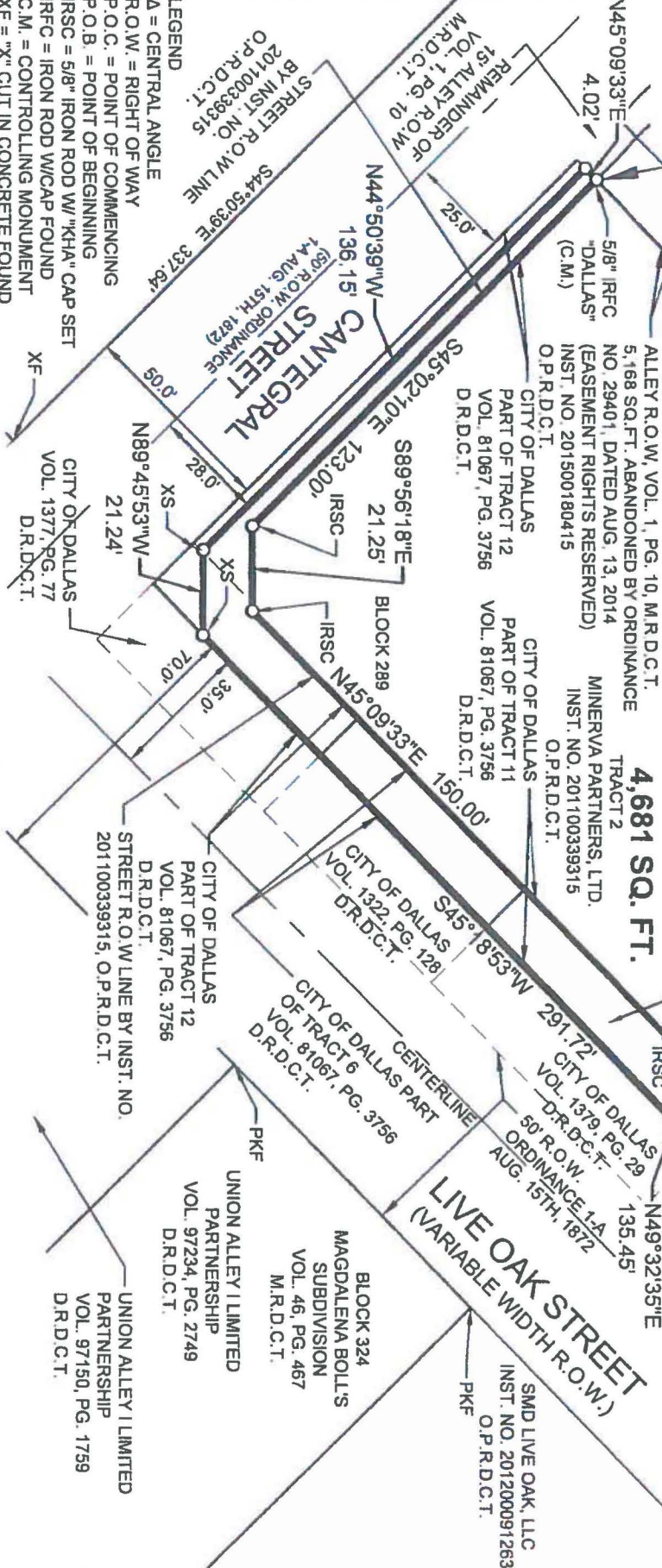
EXHIBIT A TRACT III

P.O.B.

LOT 1

STREET ABANDONMENT
0.107 ACRES
4,681 SQ. FT.

MATCHLINE (SEE SHEET 5)
 JOHN GRIGSBY SURVEY
 ABSTRACT NO. 495



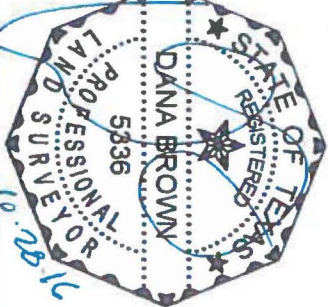
LEGEND
 Δ = CENTRAL ANGLE
 R.O.W. = RIGHT OF WAY
 P.O.C. = POINT OF BEGINNING
 P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRFC = IRON ROD W/CAP FOUND
 C.M. = CONTROLLING MONUMENT
 XF = "X" CUT IN CONCRETE FOUND
 XS = "X" CUT IN CONCRETE SET
 PKF = PK NAIL FOUND
 SQ.FT. = SQUARE FEET
 M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

(For SPRG use only)
 Reviewed By: JD
 Date: 4/30/2016
 SPRG NO: 3560



GRAPHIC SCALE IN FEET

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 dana.brown@kimley-horn.com



NOTES
 Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

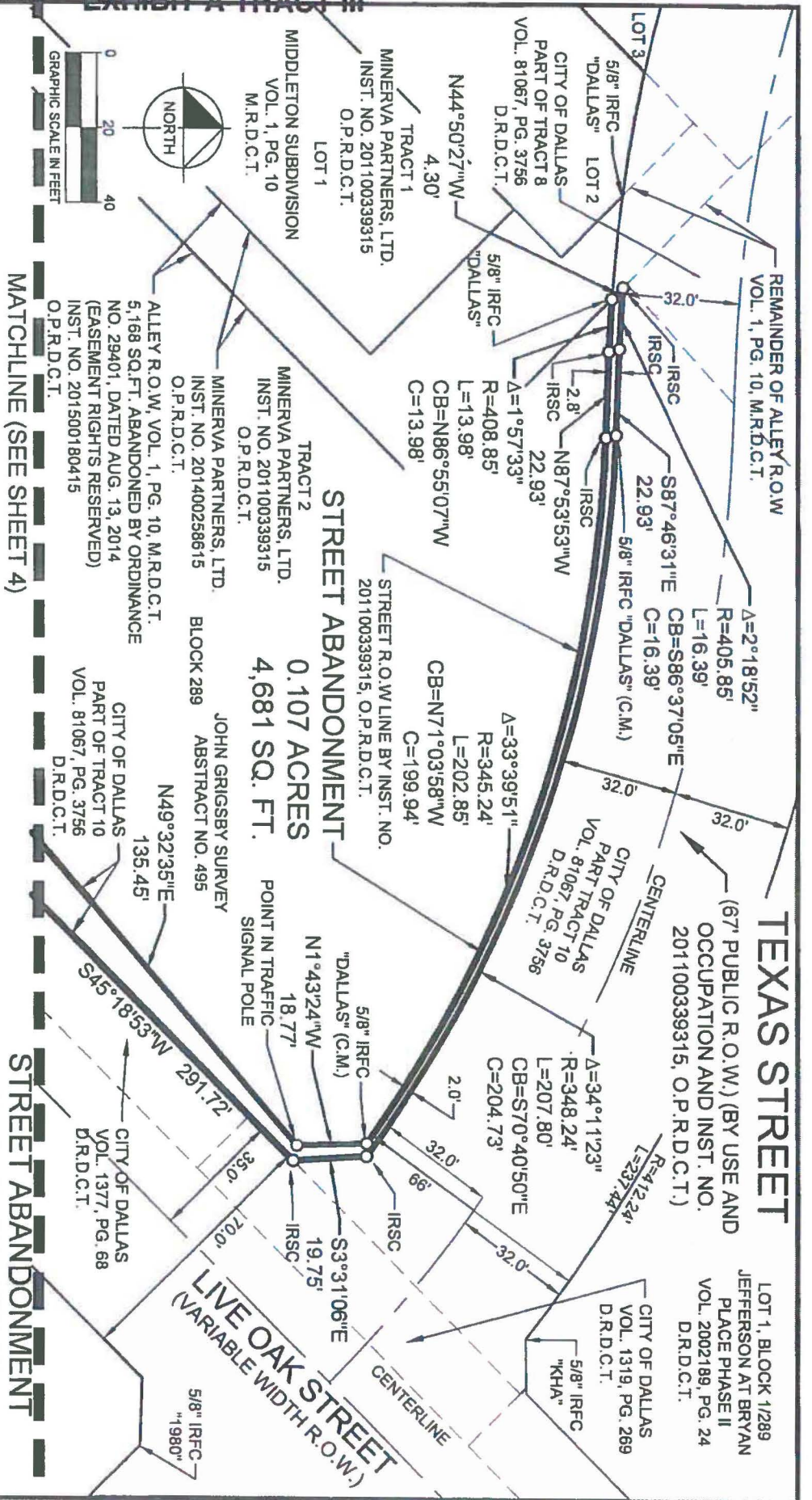
STREET ABANDONMENT
 PART OF LIVE OAK STREET,
 CANTEGRAL STREET
 ADJACENT TO CITY OF DALLAS BLOCK 289
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn

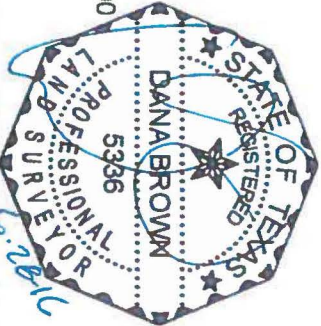
12750 Merit Drive, Suite 1000
 Dallas, Texas 75251
 FIRM # 10115500
 Tel. No. (972) 770-1300
 Fax No. (972) 238-3820

Scale	1" = 40'	Drawn By	SRD	Checked By	JAD	Date	MAR. 2016	Project No.	087771023	Sheet No.	4 OF 5
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EXHIBIT A TRACT III



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 dana.brown@kimley-horn.com



NOTES
 Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
 Reviewed By: JD
 Date: 4/30/2016
 SPRG NO.: 3560

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 Firm # 10115500
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 Fax No. (972) 238-3820
 Project No. 067771623
 Sheet No. 5 OF 5

EXHIBIT A-TRACT IV

BEING a 60 square foot (0.001 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, adjacent to City Block No. 289, City of Dallas, Dallas County, Texas and being part of a 15-foot wide alley created and dedicated per plat of Middleton Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 10, Map Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a "X" cut in concrete set and at the southernmost corner of a tract of land described as "Tract 12" in Warranty Deed to the City of Dallas, recorded in Volume 81067, Page 3756, Deed Records of Dallas County, Texas and at the westernmost corner of a tract of land described in Warranty Deed to the City of Dallas, recorded in Instrument No. 1377, Page 77, Deed Records of Dallas County, Texas.

THENCE with the southwest line of said Tract 12, North 44°50'39" West, a distance of 150.95 feet to the westernmost corner of said Tract 12 and the southernmost corner of said 15-foot wide alley;

THENCE with the northwest line of said Tract 12 and the southeast line of said 15-foot wide alley, North 45°09'33" East, a distance of 3.00 feet to the **POINT OF BEGINNING**;

THENCE departing said southeast right-of-way line, over and across said 15-foot wide alley, North 44°50'39" West, a distance of 15.00 feet to a point in the northwest right-of-way line of said 15-foot wide alley;

THENCE with said northwest right-of-way line, North 45°09'33" East, a distance of 3.97 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner at the southernmost corner of a tract of land described as "Tract 1" in Deed Without Warranty to Minerva Partners, Ltd., recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas and the southwest corner a 15-foot wide alley abandoned by Ordinance 29401, recorded in Instrument No. 201500180415, Official Public Records of Dallas County, Texas and the same tract of land described in Quitclaim Deed to Minerva Partners, Ltd., recorded in Instrument No. 201400258615, Official Public Records of Dallas County, Texas; from which a 5/8" iron rod with plastic cap stamped "Dallas" found at the northernmost northeast corner of said Tract 1, bears North 21°55'50" East, a distance of 198.61 feet;

THENCE departing said northwest right-of-way line and with the southwest line of said alley abandonment, South 45°02'10" East, a distance of 15.00 feet to the 5/8" iron rod with plastic cap stamped "Dallas" found at the southernmost corner of said alley abandonment;

THENCE with said southeast right-of-way line, South 45°09'33" West, a distance of 4.02 feet to the **POINT OF BEGINNING** and containing 60 square feet or 0.001 acres of land.

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
Reviewed By: JD
Date: 4/27/2016
SPRG NO: 3561

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ALLEY ABANDONMENT
ADJACENT TO CITY OF DALLAS BLOCK 289
PART OF MIDDLETON SUBDIVISION
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
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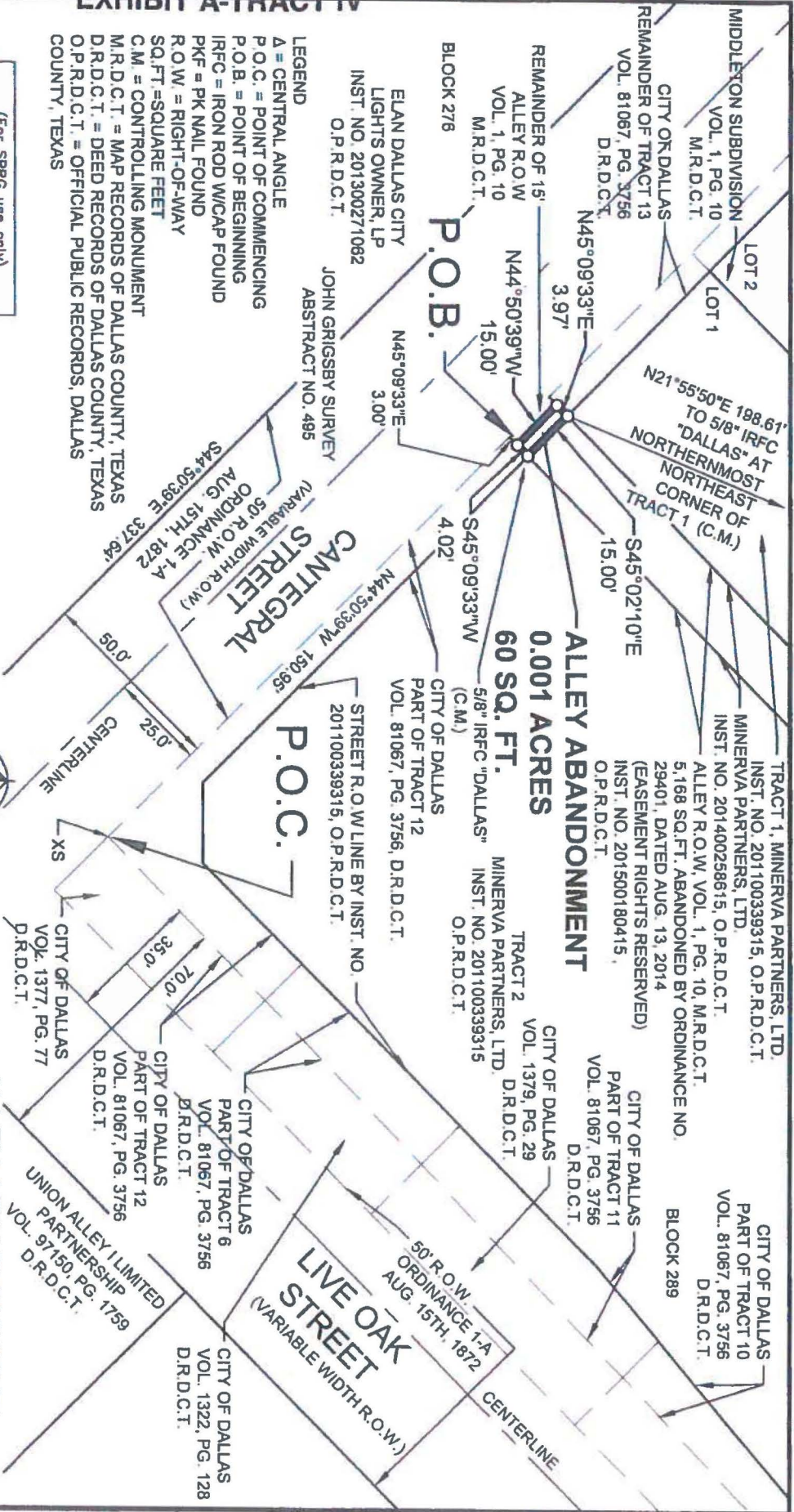
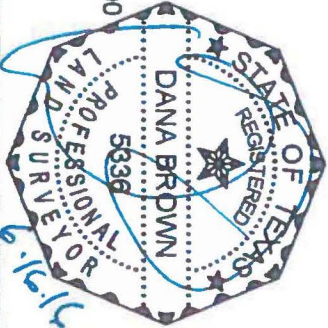
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N/A	SRD	JAD	MAR. 2016	067771823	1 OF 2

EXHIBIT A-TRACT IV

LEGEND
 A = CENTRAL ANGLE
 P.O.C. = POINT OF COMMENCING
 P.O.B. = POINT OF BEGINNING
 IRFC = IRON ROD W/CAIP FOUND
 PKF = PK NAIL FOUND
 R.O.W. = RIGHT-OF-WAY
 SQ.FT. = SQUARE FEET
 C.M. = CONTROLLING MONUMENT
 M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

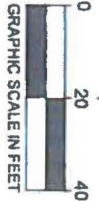
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 Reviewed By: *JD*
 Date: *4/27/2016*
 SPRG NO: *3561*

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NOTES

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.



ALLEY ABANDONMENT
 ADJACENT TO CITY OF DALLAS BLOCK 289
 PART OF MIDDLETON SUBDIVISION
 JOHN GRIGSBY SURVEY
 ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn

Scale	1" = 40'
Drawn by	SRD
Checked by	JAD
Date	MAR. 2016
Project No.	06771623
Sheet No.	2 OF 2

EXHIBIT A-TRACT V

BEING a 1,003 square foot (0.023 acre) tract of land situated in the John Grigsby Survey, Abstract No.495, adjacent to City Block No. 289, City of Dallas, Dallas County, Texas and being part of two tracts of land described as "Tract 8" and "Tract 13" in Warranty Deed to the City of Dallas, recorded in Volume 81067, Page 3756, Deed Records of Dallas County, Texas and being part of Lot 1, Lot 2 and Lot 3, Middleton Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 10, Map Records of Dallas County, Texas, said 1003 square foot tract being part of Cantegral Street (a variable width street right-of-way created by City of Dallas Ordinance 1-A, dated August 15, 1872 and by Instrument No. 201100339315, Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" set in the northwest right-of-way line of a 15-foot wide alley, at the southernmost corner of a tract of land described as "Tract 1" in Deed Without Warranty, to Minerva Partners, Ltd, recorded in Instrument No. 201100339315, Official Public Records of Dallas County, Texas and at the southwest corner of a portion of said alley abandoned by Ordinance 29401, recorded in Instrument No. 201500180415, Official Public Records of Dallas County, Texas and described in Quitclaim Deed to Minerva Partners, Ltd., recorded in Instrument No. 201400258615, Official Public Records of Dallas County, Texas; from which, a 5/8" iron rod with plastic cap stamped "Dallas" found bears South 45°02'10" East, a distance of 15.00 feet; and a 5/8" iron rod with plastic cap stamped "Dallas" found bears the following courses and distances to wit: North 45°09'33" East, a distance of 164.51 feet, North 44°50'27" West, a distance of 55.00 feet, North 45°09'33" East, a distance of 18.00 feet and North 44°50'27" West, a distance of 23.33 feet;

THENCE with said northwest right-of-way line, South 45°09'33" West, a distance of 3.97 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing said northwest right-of-way line, over and across said Tract 13 and Tract 8, the following courses and distances to wit:

- North 44°50'39" West, a distance of 272.35 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
- North 0°14'27" East, a distance of 21.18 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
- North 45°19'33" East, a distance of 3.01 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the northernmost northwest corner of said Tract 1;

THENCE with the west line of said Tract 1, South 0°08'42" West, a distance of 21.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the southernmost northwest corner of said Tract 1;

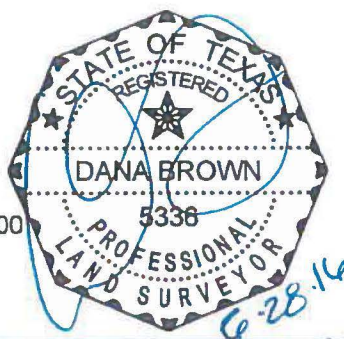
THENCE with the southeast line of said Tract 1, South 45°02'10" East, a distance of 272.34 feet to the **POINT OF BEGINNING** and containing 1,003 square feet or 0.023 acres of land.

Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.

(For SPRG use only)
 Reviewed By: JD
 Date: 6/30/2016
 SPRG NO: 3562

STREET ABANDONMENT
PART OF CANTEGRAL STREET
 ADJACENT TO CITY OF DALLAS BLOCK 289
 AND PART OF MIDDLETON SUBDIVISION
 JOHN GRIGSBY SURVEY
 ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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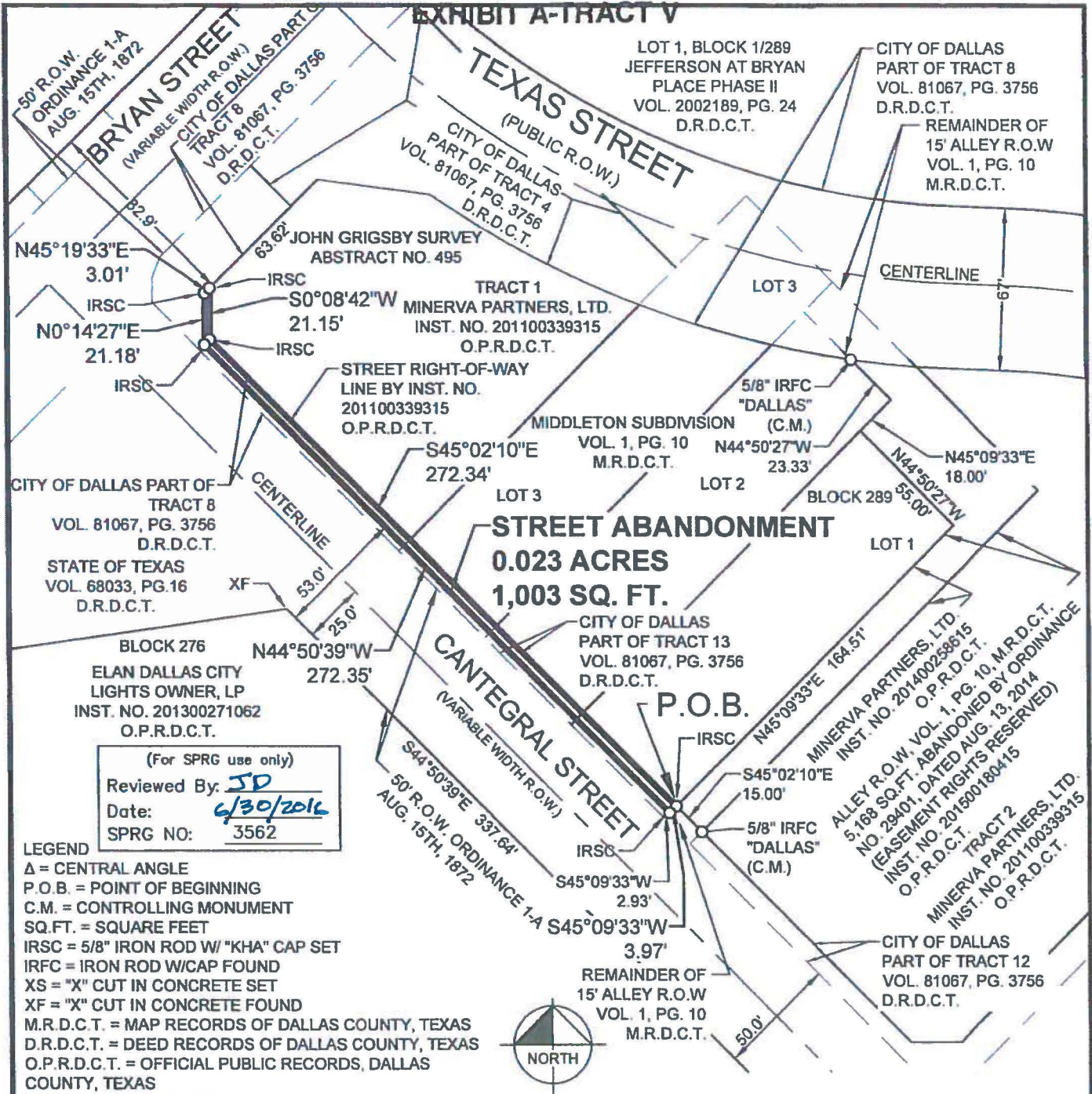


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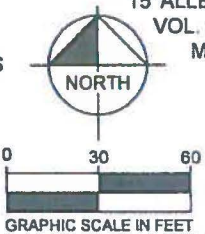
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N/A	SRD	JAD	MAR 2016	067771623	1 OF 2

EXHIBIT A-TRACT V



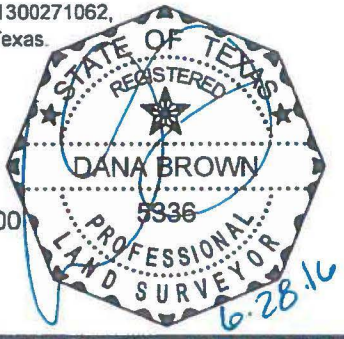
(For SPRG use only)
 Reviewed By: JD
 Date: 6/30/2016
 SPRG NO: 3562

- LEGEND**
- Δ = CENTRAL ANGLE
 - P.O.B. = POINT OF BEGINNING
 - C.M. = CONTROLLING MONUMENT
 - SQ. FT. = SQUARE FEET
 - IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 - IRFC = IRON ROD W/CAP FOUND
 - XS = "X" CUT IN CONCRETE SET
 - XF = "X" CUT IN CONCRETE FOUND
 - M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
 - D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - R.O.W. = RIGHT OF WAY
- NOTES**
- Bearing system based on a bearing of South 44°50'39" East for the southwest right-of-way line of Cantegral Street, according to Special Warranty Deed to Elan Dallas City Lights Owner, LP, recorded in Instrument No. 201300271062, Official Public Records of Dallas County, Texas.



STREET ABANDONMENT
 PART OF CANTEGRAL STREET
 ADJACENT TO CITY OF DALLAS BLOCK 289
 AND PART OF MIDDLETON SUBDIVISION
 JOHN GRIGSBY SURVEY
 ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale 1" = 60'	Drawn by SRD	Checked by JAD	Date MAR. 2016	Project No. 067771623	Sheet No. 2 OF 2
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EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

KEY FOCUS AREA: E-Gov
AGENDA DATE: February 8, 2017
COUNCIL DISTRICT(S): All
DEPARTMENT: City Secretary
CMO: Rosa A.Rios, 670-3738
MAPSCO: N/A

SUBJECT

An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 6, 2017, for the purpose of electing 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 for the term beginning June 19, 2017 - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow sufficient time to compile information as related to the May 6, 2017 general election.

Chapter III, Section 1, of the City Charter provides for a city council composed of 15 members: a mayor who serves for a term of four years (elected at-large), and 14 council members (representing single-member council districts) who each serve for a term of two years. The terms for all city council member districts 1-14 end June 19, 2017.

Chapter IV, Section 3, of the City Charter provides the general election held to elect members of the city council be held on the first authorized election date after March 1 of each odd-numbered year. For 2017, that date is Saturday, May 6, 2017. Section 3.005(c) of the Texas Election Code requires a May election be ordered not later than the 78th day before election day. For the May 6th election, the deadline for ordering the election is Friday, February 17, 2017. Wednesday, February 8, 2017, is the last city council meeting day to order the election without having to schedule a special meeting.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

ORDINANCE NO. _____

An ordinance ordering a general election to be held in the city of Dallas on May 6, 2017, for the purpose of electing 14 members to the city council of the city of Dallas; providing residency requirements for candidates; designating polling places; providing for the use of an electronic voting system for early voting by personal appearance, a computerized voting system for early voting by mail, and electronic and computerized voting systems for voting on election day; permitting only resident qualified voters to vote; providing for early voting; providing for an early voting ballot board to process early voting; providing for notice of the election; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a general election is ordered to be held in the city of Dallas on Saturday, May 6, 2017, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing 14 members to the city council of the city of Dallas to be designated as Member of Council, Place 1; Member of Council, Place 2; Member of Council, Place 3; Member of Council, Place 4; Member of Council, Place 5; Member of Council, Place 6; Member of Council, Place 7; Member of Council, Place 8; Member of Council, Place 9; Member of Council, Place 10; Member of Council, Place 11; Member of Council, Place 12; Member of Council, Place 13; and Member of Council, Place 14. Places 1 through 14 on the city council correspond to those districts as designated on the districting plan adopted by Resolution No. 11-2706 on October 5, 2011.

SECTION 2. That all candidates for member of the Dallas city council must have resided in the city of Dallas for a period of at least six months prior to the date of the election. In

addition, each candidate for Member of Council, Place 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, or 14, shall have resided in District 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, or 14, respectively, for a period of at least six months prior to the date of the election, and satisfy any other requirement provided by law.

SECTION 3. That the 14 persons elected as Members of Council, Places 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, will comprise, along with Member of Council, Place 15, the city council of the city of Dallas when elected and qualified.

SECTION 4. That electronic and computerized voting systems must be used for voting on the general election date in compliance with the Texas Election Code, as amended.

SECTION 5. That the manner of conducting the general election must be in accordance with the ordinances and charter of the city of Dallas and the laws of the State of Texas applicable to general elections. The official ballots, together with other election materials required by the Texas Election Code, as amended, must be printed in both English and Spanish and contain all provisions, markings, and language, as may be required by law.

SECTION 6. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375. Locations of the polling places in the respective election precincts are as designated in **Exhibit A**, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <<http://www.dallascountyvotes.org/election-day-information/>> or by contacting:

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389

SECTION 7. That each voter must vote in the precinct in which the voter resides, and only resident qualified voters are entitled to vote.

SECTION 8. That a person qualified to vote and residing in the city of Dallas, but not within any precinct described in Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375, may vote in the precinct nearest the person's residence, and for that purpose the person's residence will be considered as part of that city election precinct. A person who has registered in a city election precinct, but whose residence is not in the city of Dallas, is not entitled to vote in the election even though the person may own property subject to taxation in the city.

SECTION 9. That early voting by personal appearance will be by the use of an electronic voting system in accordance with the Texas Election Code, as amended. Early voting by mail will be by the use of a computerized voting system in accordance with the Texas Election Code, as amended. Early voting will be conducted at the locations and during the dates and times established by Dallas County, Texas, as reflected in **Exhibit B**, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <http://www.dallascountyvotes.org/early-voting-information/> or by contacting:

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389

SECTION 10. That applications for early voting ballots to be voted by mail must be mailed to the following:

- For Dallas County: Early Voting Clerk, Dallas County Elections Department, 2377 N. Stemmons Freeway, Suite 820, Dallas, TX 75207.
- For Denton County: Early Voting Clerk, Denton County Elections Administration Office, P.O. Box 1720, Denton, Texas 76202.

- For Collin County: Early Voting Collin County Elections Administration Office, 2010 Redbud Boulevard, Suite 102, McKinney, Texas 75069.

Applications for ballots by mail must be received no later than the close of business on Tuesday, April 25, 2017.

SECTION 11. That applications for early voting ballots to be voted by mail may, pursuant to Section 84.007 of the Texas Election Code, be sent to the following email addresses:

- For Dallas County: evapplications@dallascounty.org
- For Denton County: elections@dentoncounty.com
- For Collin County: election@collincountytx.gov

SECTION 12. That the early voting ballots will be processed by an early voting ballot board to be created in accordance with the Texas Election Code, as amended.

SECTION 13. That the mayor or, in the mayor's absence or inability to act, the mayor pro tem, shall give notice of the general election by causing the notice to be published in a newspaper within the city and posted on the city's public meeting bulletin board in accordance with applicable state law.

SECTION 14. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Dallas City Charter, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____