

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ABANDONING PORTIONS OF HAY BALE DRIVE OUT OF THE FARM, AN ADDITION TO THE CITY OF ALLEN, TEXAS, AS DESCRIBED IN EXHIBIT “A” HERETO; RESERVING ALL EXISTING EASEMENT RIGHTS OF OTHERS, IF ANY, WHETHER APPARENT OR NON-APPARENT, AERIAL, SURFACE, UNDERGROUND OR OTHERWISE; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, AS A QUITCLAIM DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property described as Lot 1, Block L and Lot 1, Block M, The Farm, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded as Instrument No. 20210224010000520, Official Public Records, Collin County, Texas (the “Property”), has requested abandonment of the right-of-way Hay Bale Drive as a public street adjacent to said lots in order to facilitate the replat of the Property and the realignment of said segment of Hay Bale Drive; and

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

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

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

SECTION 1. Subject to the reservations set forth in Section 2 of this Ordinance, the City of Allen, Texas, hereby abandons, quitclaims, and vacates in favor of the abutting property owners all of the City’s right, title, and interest of the public of any kind or nature in and to the segment of the right-of-way of Hay Bale Drive described on Exhibit “A” attached hereto and made a part hereof for all purposes, the same as if fully copied herein, together with all improvements constructed on or below the surface thereof, if any.

SECTION 2. The abandonment, vacation, and quitclaim of the right-of-way described in Exhibit “A” hereto is subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise owned by third-parties. Further, that the abandonment, vacation, and quitclaim of the right-of-way described in Exhibit “A” hereto shall not be construed as an abandonment of any after-acquired title to easements or rights-of-way conveyed by separate instrument or dedicated by a replat of the Property executed or approved on or after the date of approval of this Ordinance.

SECTION 3. The abandonment of the street right-of-way herein is subject to, conditioned on, and shall not be effective until, approval by the Planning and Zoning Commission of a replat of the Property which dedicates the street right-of-way for Hay Bale Drive substantially as shown on Exhibit “B” attached hereto and incorporated herein by reference and the recording of such plat in the Plat Records of Collin County, Texas.

SECTION 4. Upon the satisfaction of the conditions precedent set forth in Section 3, above, the City Secretary is authorized and directed to prepare a certified copy of this ordinance, and the recording of this abandonment ordinance in the Official Public Records of Collin County, Texas, which shall serve as the quitclaim deed of the City of Allen, Texas, in and to the street rights-of-way described in Exhibit "A", subject to the limitations and reservations of this Ordinance.

SECTION 5. The City Manager is authorized to execute additional documents necessary to complete the abandonment and quitclaim contemplated herein, if any.

SECTION 6. This ordinance shall take effect immediately from and after its passage in accordance with its provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24TH DAY OF AUGUST 2021.

APPROVED:

Kenneth M. Fulk, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:8/16/21:124161)

Shelley B. George, CITY SECRETARY

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

LEGAL DESCRIPTION – Sheet 1 of 3
R.O.W. Abandonment – Hay Bale

BEING, a tract of land situated in the John Phillips Survey, Abstract No. 718, being part of Hay Bale Drive, out of The Farm, an addition to the City of Allen, Texas, as described in Doc. No. 2021-85, in the Plat Records of Collin County, Texas, being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the northwest corner of Lot 1 Block M out of said The Farm;

THENCE, along the west line of said Lot 1 Block M being along a non-tangent curve to the right, having a radius of 656.50 feet, a central angle of 15°26'39";

THENCE, continuing along said west line and with said curve to the right for an arc distance of 176.96 feet (Chord Bearing South 08°42'51" West – 176.42 feet), to a ½ inch iron rod found;

THENCE, South 04°07'18" West, continuing along said west line, for a distance of 63.60 feet, to a ½ inch iron rod found at the point of curvature of a curve to the left, having a radius of 225.00 feet, a central angle of 06°46'54";

THENCE, continuing along said west line and with said curve the left for an arc distance of 26.63 feet (Chord Bearing South 00°43'51" West – 26.62 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, South 02°39'36" East, continuing along said west line, for a distance of 16.64 feet, to a ½ inch iron rod found;

THENCE, South 46°50'44" East, continuing along said west line, for a distance of 43.03 feet, to a ½ inch iron rod found being the southwest corner of said Lot 1 Block M and being in the north line of Ridgeview Drive (Variable R.O.W.);

THENCE, South 89°07'35" West, along the north line of said Ridgeview Drive, for a distance of 15.54 feet, to the point of curvature of a curve to the left, having a radius of 1265.50 feet, a central angle of 04°16'36";

THENCE, continuing along said north line for an arc distance of 94.46 feet (Chord Bearing South 86°59'17" West – 94.44 feet), to a ½ inch iron rod found at the southeast corner of Lot 1 Block L out of said The Farm;

THENCE, North 41°26'04" East, departing said north line and along the east line of said Lot 1 Block L, for a distance of 43.09 feet, to a ½ inch iron rod found;

THENCE, North 02°39'36" West, continuing along said east line, for a distance of 16.64 feet, to a ½ inch iron rod found at the point of curvature of a curve to the right, having a radius of 275.00 feet, a central angle of 09°34'30";

THENCE, continuing east line and with said curve to the right for an arc distance of 45.96 feet (Chord Bearing North 02°07'39" East – 45.90 feet), to a ½ inch iron rod found;

THENCE, North 21°04'40" East, continuing along said east line, for a distance of 59.62 feet, to a ½ inch iron rod found on a non-tangent curve to the left, having a radius of 623.50 feet, a central angle of 10°58'18";

THENCE, continuing along said east line and with said curve to the left for an arc distance of 119.39 feet (Chord Bearing North 10°58'13" East – 119.21 feet), to a ½ inch iron rod found;

THENCE, North 43°18'18" West, continuing along said east line, for a distance of 20.03 feet, to a ½ inch iron rod found at the most northerly northeast corner of said Lot 1 Block L;

THENCE, North 01°41'31" West, for a distance of 33.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the south line of Lot 1 Block J out of said The Farm, being on a curve to the right, having a radius of 1533.00 feet, a central angle of 01°53'11";

THENCE, along the south line of said Lot 1 Block J and with said curve to the right for an arc distance of 50.48 feet (Chord Bearing North 89°15'05" East – 50.47 feet), to the POINT OF BEGINNING and containing 0.320 acres of land.

Prepared by:
Corwin Engineering, Inc.
Firm No. 10031700
200 W. Belmont
Allen, Texas 75013

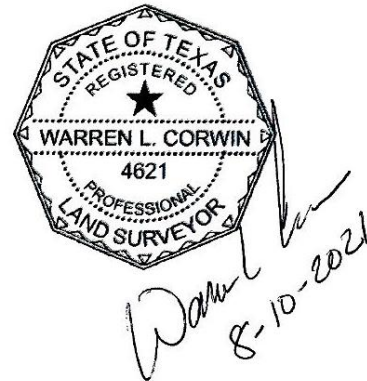
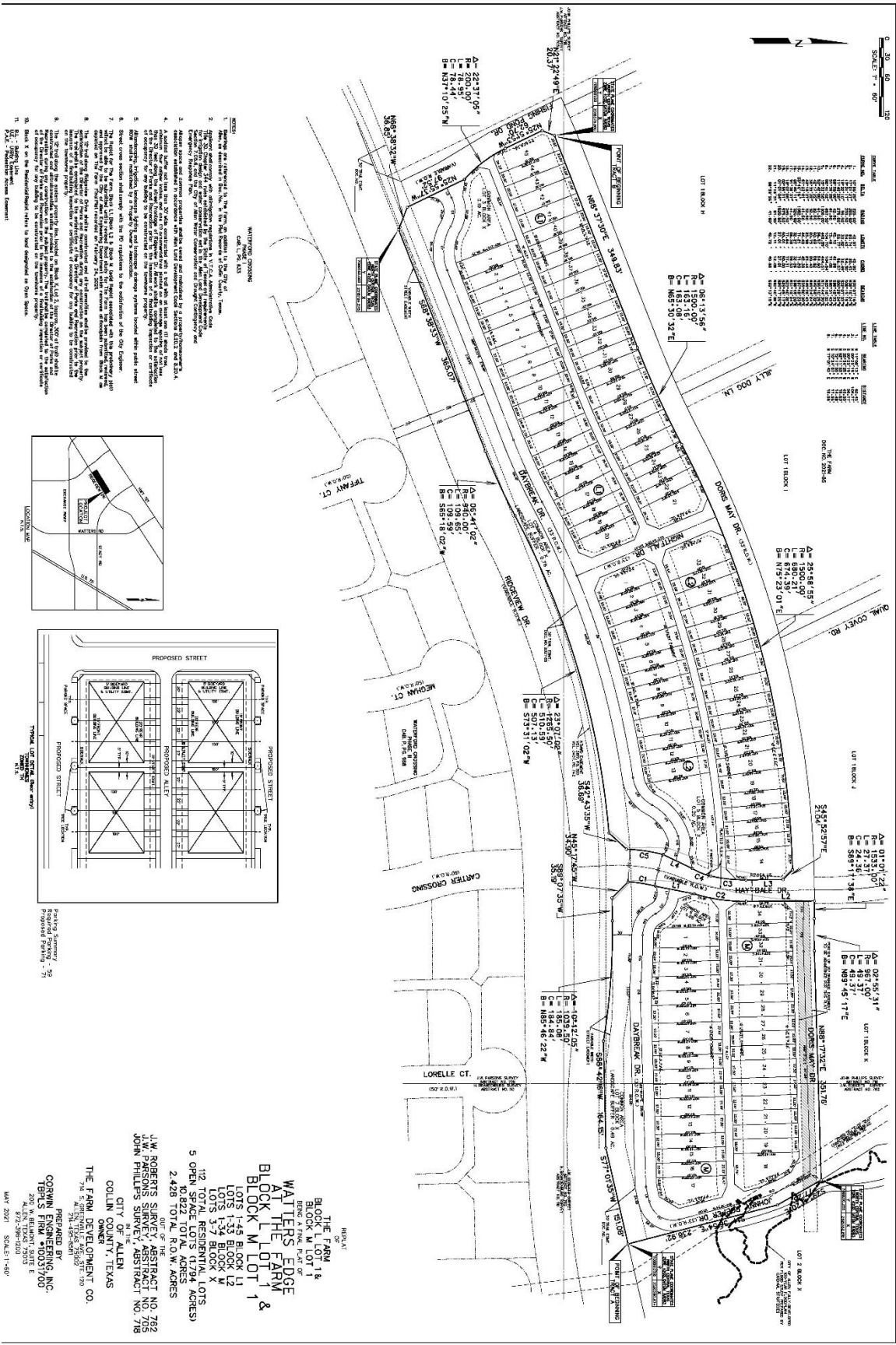
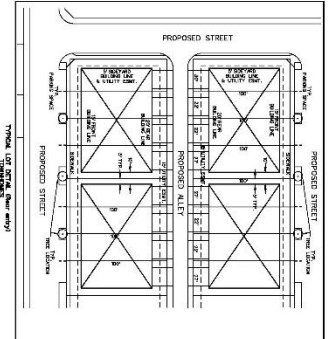


EXHIBIT "B"

PROPOSED REPLAT OF THE PROPERTY



- NOTES:**
1. All bearings and distances are given in feet and angles.
 2. All bearings are given in degrees, minutes and seconds.
 3. All distances are given in feet and inches.
 4. All bearings are given in degrees, minutes and seconds.
 5. All distances are given in feet and inches.
 6. All bearings are given in degrees, minutes and seconds.
 7. All distances are given in feet and inches.
 8. All bearings are given in degrees, minutes and seconds.
 9. All distances are given in feet and inches.
 10. All bearings are given in degrees, minutes and seconds.
 11. All distances are given in feet and inches.



THE FARM
BLOCK L LOT 18
 BEING A TRACT, PART OF
 THE FARM
WATERS EDGE
AT THE FARM
BLOCK M LOT 1 &
 LOTS 1-45 BLOCK L1
 LOTS 1-35 BLOCK L2
 LOTS 3-7 BLOCK X
 112 TOTAL RESIDENTIAL LOTS
 5 OPEN SPACE LOTS (1.794 ACRES)
 2.428 TOTAL R.O. ACRES

OUT OF THE
 J.W. ROBERTS SURVEY, ABSTRACT NO. 782
 JOHN PHILLIPS SURVEY, ABSTRACT NO. 778
 CITY OF ALLER
 COUNTY OF TARRANT
 STATE OF TEXAS

COLLIN OWEN
 OWNER

THE FARM DEVELOPMENT CO.
 714 S. HENRIETTA ST. #200
 DALLAS, TEXAS 75202

DESIGNED BY
CORNIN ENGINEERING, INC.
 200 W. BELMONT, SUITE E
 DALLAS, TEXAS 75202
 972-398-0200
 MAY 2021 SCALE: 1"=50'

LEGAL DESCRIPTION

LEGAL DESCRIPTION
TRACT A
BLOCK 1, LOT 1 & 2, WEST 1/2 SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
DESCRIPTED IN BOOK 104, THE FIRST RECORDS OF COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BLOCK 1, LOT 1 & 2, WEST 1/2 SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.

LEGAL DESCRIPTION

LEGAL DESCRIPTION
TRACT B
BLOCK 1, LOT 1 & 2, WEST 1/2 SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
DESCRIPTED IN BOOK 104, THE FIRST RECORDS OF COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BLOCK 1, LOT 1 & 2, WEST 1/2 SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.
THE POINT OF BEGINNING IS THE SOUTHWEST CORNER OF SAID LOT 1, BEING THE POINT OF BEGINNING OF SAID SECTION 36, T12N, R10E, S12E, CO. 10, STATE OF TEXAS.

OPINION

OPINION
KNOW ALL MEN BY THESE PRESENTS,
THAT THE FARM DEVELOPMENT CO. HEREBY THE UNDERSIGNED, AUTHORITY DERIVED FROM THE BOARD OF SUPERVISORS OF COLLIN COUNTY, TEXAS, HAS REVIEWED THE APPLICATION OF THE FARM DEVELOPMENT CO. FOR THE FARM DEVELOPMENT CO. TO BE RECLASSIFIED FROM AGRICULTURE TO RESIDENTIAL.
THE BOARD OF SUPERVISORS OF COLLIN COUNTY, TEXAS, HAS REVIEWED THE APPLICATION OF THE FARM DEVELOPMENT CO. FOR THE FARM DEVELOPMENT CO. TO BE RECLASSIFIED FROM AGRICULTURE TO RESIDENTIAL.
THE BOARD OF SUPERVISORS OF COLLIN COUNTY, TEXAS, HAS REVIEWED THE APPLICATION OF THE FARM DEVELOPMENT CO. FOR THE FARM DEVELOPMENT CO. TO BE RECLASSIFIED FROM AGRICULTURE TO RESIDENTIAL.

WITNESSED

WITNESSED
I, _____, County Clerk of Collin County, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.
WITNESSED AT DALLAS, TEXAS, THIS _____ DAY OF _____, 2011.
COUNTY CLERK OF COLLIN COUNTY, TEXAS

APPROVED

APPROVED
I, _____, Mayor of the City of Allen, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.
WITNESSED AT ALLEN, TEXAS, THIS _____ DAY OF _____, 2011.
MAYOR OF THE CITY OF ALLEN, TEXAS

APPROVED

APPROVED
I, _____, Mayor of the City of Allen, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.
WITNESSED AT ALLEN, TEXAS, THIS _____ DAY OF _____, 2011.
MAYOR OF THE CITY OF ALLEN, TEXAS

APPROVED

APPROVED
I, _____, Mayor of the City of Allen, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.
WITNESSED AT ALLEN, TEXAS, THIS _____ DAY OF _____, 2011.
MAYOR OF THE CITY OF ALLEN, TEXAS

APPROVED

APPROVED
I, _____, Mayor of the City of Allen, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.
WITNESSED AT ALLEN, TEXAS, THIS _____ DAY OF _____, 2011.
MAYOR OF THE CITY OF ALLEN, TEXAS