

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON PROVIDING FOR THE ABANDONMENT, RELINQUISHMENT, AND QUITCLAIM OF 1) A 0.106 ACRE TRACT AND A 0.184 TRACT, BOTH AREAS BEING PORTIONS OF THE PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF DENTON BY ALLEGIANCE HILLVIEW, L.P., A NEW YORK LIMITED PARTNERSHIP RECORDED BY COUNTY CLERK FILE NUMBER 2008-11630, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS AND 2) A 1.088 ACRE TRACT BEING A PORTION OF THE WATERLINE EASEMENT GRANTED TO THE CITY OF DENTON BY ALLEGIANCE HILLVIEW, L.P., A NEW YORK LIMITED PARTNERSHIP RECORDED BY COUNTY CLERK FILE NUMBER 2008-11630, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS; PROVIDING FOR THE QUITCLAIM THEREOF TO HOME DEPOT U.S.A., INC., A DELAWARE CORPORATION; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT, RELINQUISHMENT AND QUITCLAIM MADE HEREIN; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF DENTON AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT HEREIN; PROVIDING FOR THE CONSIDERATION TO BE PAID TO THE CITY OF DENTON; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Denton (“City”) is the holder of the Public Utility Easement granted to the City of Denton by Allegiance Hillview, L.P., a New York limited partnership recorded by County Clerk File number 2008-11630, Real Property Records, Denton County, Texas and the Waterline easement granted to the City of Denton by Allegiance Hillview, L.P., a New York limited partnership recorded by County Clerk File number 2008-11630, Real Property Records, Denton County, Texas (the “Subject Easements”); and

WHEREAS, HOME DEPOT U.S.A., Inc., a Delaware corporation, (“Owner”), is the record abutting owner of the property subject to the Subject Easements, Special Warranty Deed recorded by County Clerk File Number 2022-143071, Real Property Records, Denton County, Texas; and

WHEREAS, the Owner has requested the City to abandon, relinquish, and quitclaim the Subject Easements, as the Subject Easements encumber a portion of the Owners Lot, known as Lot 11R, Rayzor Ranch North Addition, County Clerk File Number 2023-365, Plat Records, Denton County, Texas (“Final Plat”) and restricts the Lot from being developed for its slated commercial use; and

WHEREAS, the Owner, as required in the development process, has constructed public infrastructure improvements to provide the necessary public utility improvements for the development and has conveyed public easements (“New Easements”) by separate instrument and by Plat for which the new public improvements are located within; and

WHEREAS, City Staff reviewed the request of the Owner and determined that the Subject Easements are no longer necessary for any current or future public access project which will allow for the area to be developed with permitted improvements, and City Staff recommends the Subject Easements be released, abandoned, and quitclaimed in their entirety as specified herein; and;

WHEREAS, the dedication of the New Easements and infrastructure improvements have

rendered the Subject Easements of no further use by the City; and

WHEREAS, the Owner has requested the City to abandon, relinquish and quitclaim the Subject Easement in its entirety as it is no longer necessary; and

WHEREAS, the City Engineer and Public Works staff have confirmed that the property has been developed in such a manner that the Subject Easements is no longer necessary to address previous public infrastructure improvements concerns on the property or for any current or future public access projects; and

WHEREAS, Section 272.001 (b)(2) of the Texas Local Government Code provides an applicable exception to the notice and bidding requirements where land and interests to be abandoned are used by easement, fair market value has been determined, and the exchange transaction is with an adjacent landowner; and

WHEREAS, Section 272.001 also provides that the land and those interests may be conveyed, sold, or exchanged for less than the fair market value if exchanged with an abutting property owner who owns the underlying fee simple; and

WHEREAS, an independent appraisal of the Subject Easements area was provided by the Owner and it lists the fair market value at Four Hundred Fifty Thousand, Three hundred One Dollar and 00/100 Dollars (\$450,301.00); and

WHEREAS, staff recommends releasing the Subject Easements tract at no cost to the Owner as the City acquired the easement at no cost, has no public infrastructure within the Subject Easements tract, and has no identified current or future use for the Subject Easements tract; and

WHEREAS, the City Council of the City of Denton, acting pursuant to law and upon the request and petition of the Owner is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the City of Denton's right, title and interest in and to the Subject Easements area to the Owner, and is of the opinion that, subject to the terms and conditions hereinafter provided, Subject Easement area is no longer needed for municipal use, and same should be abandoned relinquished and quitclaimed to the Owner as hereinafter provided, for consideration hereinafter stated; NOW, THEREFORE,

WHEREAS, the City Council of the City of Denton is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the Subject Easements area to the Owner for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitations and finding set forth above are incorporated herein by reference.

SECTION 2. That the City of Denton hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made

apart hereof; subject to the conditions hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of Three Thousand, Two Hundred Eighty- Six and 00/100 Dollars (\$3,286.00) paid by the Owner and the further consideration described in Sections 4, 7 and 9, the City of Denton does by these presents release, abandon and quitclaim unto the said Owner.

SECTION 4. That the abandonment, relinquishment 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, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 5. That the terms and conditions contained in this ordinance shall be binding upon the Owner, its heirs, successors and assigns.

SECTION 6. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Denton may legally and lawfully abandon, relinquish and quitclaim.

SECTION 7. THAT AS A CONDITION OF THIS ABANDONMENT AND AS A PART OF THE CONSIDERATION FOR THE QUITCLAIM TO THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS, AGREE TO INDEMNIFY, DEFEND, RELEASE AND HOLD HARMLESS THE CITY OF DENTON 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 THE OWNER, ITS HEIRS, 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 THE OWNER, ITS HEIRS, 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 RELEASE BY THE CITY OF DENTON OF THE AREA SET OUT IN EXHIBIT A. THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS, HEREBY AGREE TO DEFEND ANY AND ALL SUITS, CLAIMS, OR CAUSES OF ACTION BROUGHT AGAINST THE CITY OF DENTON ON ACCOUNT OF SAME, AND DISCHARGE ANY JUDGMENT OR JUDGMENTS THAT MAY BE RENDERED AGAINST THE CITY OF DENTON 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, 42U.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 8. The City Manager, or their designee, is authorized to execute a quitclaim deed document evidencing the abandonment of the Subject Easements, suitable for recordation in the Real Property Records of Denton County, Texas.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Denton County, Texas, which certified copy shall be delivered to the Director of Development Services, or designee.

SECTION 10. Notwithstanding anything to the contrary contained in this Ordinance, the City of Denton retains and reserves any and all easements, rights of way, and any other rights or interests, other than the Subject Easements abandoned, released and vacated in Section 2 above, whether acquired, obtained, owned, or claimed by the City of Denton or public, by, through, or under conveyance, dedication by plat, or other express dedication, implied dedication, prescription, or by any other manner or means, in or to lands in which the Subject Easements may cover, encumber, include, cross, or overlap.

SECTION 11. The provisions of this ordinance are severable, and the invalidity of any phrase, clause, or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 12. This ordinance shall become effective immediately upon its passage and approval.

[Rest of Page intentionally left blank. Signatures to appear on following page.]

The motion to approve this ordinance was made by _____ and seconded motion to approve this ordinance was made by _____, the ordinance was passed and approved by the following vote [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
JESUS SALAZAR, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

EXHIBIT A
(Public Utility Easement and Waterline Easement Abandonments)

FRANCIS BATSON SURVEY,
ABSTRACT NO. 43

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N89°04'06"W	403.06'
L2	N00°55'54"E	67.35'
L3	N87°07'04"E	10.02'
L4	S00°55'54"W	58.01'
L5	S89°04'06"E	393.06'
L6	S00°55'09"W	10.01'

LOT 11
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

RAYZOR RANCH LAND
ASSOCIATES, LLC
DOC. NO. 2016-139107
O.P.R.D.C.T.

UTILITY EASEMENT
(0.106 ACRES - 4,609 SQ. FT.)

P.O.B.

LOT 12
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

WATER LINE EASEMENT
DOC. NO. 2008-116297
O.R.D.C.T.

CALLED 0.0368 ACRE
PUBLIC DRAINAGE EASEMENT
CITY OF DENTON
DOC. NO. 2004-102781
O.R.D.C.T.

WATER LINE EASEMENT
DOC. NO. 2008-116297
O.R.D.C.T.

PUBLIC UTILITY EASEMENT
DOC. NO. 2008-128111
O.R.D.C.T.

CALLED 0.374 ACRE
ELECTRIC EASEMENT
ELECTRIC
DENTON COUNTY
COOPERATIVE
VOL. 1591, PG. 897
D.R.D.C.T.

1/2" CIRF "TXDOT
ROW MARKER"
1/2" CIRF "TXDOT
ROW MARKER"
(C.M.)

VARIABLE WIDTH DETENTION
POND EASEMENT DEPICTED
ON PLAT CAB. Y, PG. 762
P.R.D.C.T.

CALLED 10,455 SQUARE FEET
STATE OF TEXAS
CC# 2020-29202
CC# 2021-75764
O.P.R.C.T. (10s.)

LOT 2R, BLOCK 1
LOT 1R AND LOT 2R, BLOCK 1
ALVIN AND CHARLOTTE WHALEY ADDITION
BEING A REPLAT OF LOT 1, BLOCK 1,
ALVIN AND CHARLOTTE WHALEY ADDITION
CAB. I, PG. 148
P.R.D.C.T.

LOT 2, BLOCK A
PORTER/ANDRUS ADDITION
CAB. V, PG. 856
P.R.D.C.T.

UTILITY EASEMENT
ABANDONMENT EXHIBIT
0.106 ACRES - 4,609 SQ. FT.
FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09-16-2022

LEGEND / ABBREVIATIONS

- ADJOINER LINE
- BOUNDARY LINE
- - - EASEMENT LINE
- IRON ROD FOUND
- CAPPED IRON ROD FOUND
- O.P.R.D.C.T. REAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- IRF IRON ROD FOUND
- CIRF CAPPED IRON ROD FOUND

GRAPHIC SCALE



1 INCH = 100 FT.



4100 INTERNATIONAL PLAZA
STE. 240
FORT WORTH, TX 76109
(817)554-1805
www.landpoint.net
TBPELS REG. NO. 10194220

x:\2022\21-2804-3\Survey\DWG\21-2804-3 ESMT ABND - UTILITY EASEMENT.dwg

LEGAL DESCRIPTION

Being a 0.106 acre tract of land situated in the Francis Batson Survey, Abstract No. 43 in the City of Denton, Denton County, Texas, being part of Lot 11, Rayzor Ranch North, an addition to the City of Denton, Denton County, Texas, as recorded in Cabinet Y, Page 762, Plat Records of Denton County, Texas, and being part of an Utility Easement conveyed to the City of Denton, recorded in Document No. 2008-116300, Real Property Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the Southeast corner said Utility Easement, from which a 5/8-inch capped iron rod stamped "Landpoint" found at the Southeast corner of said Lot 11, and the West line of Lot 12, said Plat of Rayzor Ranch North and the North line of Porter/Andrus Addition, as recorded in Cabinet V, Page 856, Plat Records of Denton County, Texas, and being part of an Access Easement conveyed to the City of Denton, bears South 05°00'24" East, a distance of 211.30 feet;

THENCE over and across said Lot 11, along said Access Easement the following Six (6) courses and distances:

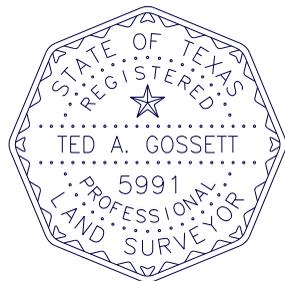
1. North 89°04'06" West, a distance of 403.06 feet to a point for corner; from which a 5/8-inch capped iron rod stamped "Landpoint" found for the Southwest corner of said Lot 11 and the Northwest corner of Lot 2R, Block 1, Alvin and Charlotte whaley addition being a replat of lot 1, block 1, alvin and charlotte whaley addition, recorded in Cabinet I, Page 148, Plat Records Denton County, Texas, and the East line of Interstate Highway 35, bears South 58°37'36" West, a distance of 439.19 feet;
2. North 00°55'54" East, a distance of 67.35 feet to a point for corner;
3. North 87°07'04" East, a distance of 10.02 feet to a point for corner;
4. South 00°55'54" West, a distance of 58.01 feet to a point for corner;
5. South 89°04'06" East, a distance of 393.06 feet to a point for corner;
6. South 00°55'09" West, a distance of 10.01 feet to the POINT OF BEGINNING and containing 0.106 acres or 4,609 square feet of land.

GENERAL NOTES

1. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations. All distances are surface distances. All coordinates are in surface. Denton County Surface Adjustment Scale Factor: 1.000150630.

I, Ted A. Gossett, certify that this plat was prepared under my direct supervision from a survey made on the ground on June 7, 2022, that this plat correctly represents the facts found at the time of said survey.

Ted A. Gossett State of Texas R.P.L.S. No. 5991
09/16/2022
Revised-01/09/2024



UTILITY EASEMENT
ABANDONMENT EXHIBIT
0.106 ACRES - 4,609 SQ. FT.
FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09-16-2022



4100 INTERNATIONAL PLAZA
STE. 240
FORT WORTH, TX 76109
(817)554-1805
www.landpoint.net
TBPELS REG. NO. 10194220

LEGEND / ABBREVIATIONS

- ADJOINER LINE O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- BOUNDARY LINE P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- EASEMENT LINE IRF IRON ROD FOUND
- R.P.R.D.C.T. REAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- C.I.R.F. CAPPED IRON ROD FOUND

BLOCK 15
REPLAT OF
GREENWAY CLUB ESTATES
CAB. J, PG. 30
P.R.D.C.T.

BLOCK 16
REPLAT OF
GREENWAY CLUB ESTATES
CAB. J, PG. 30
P.R.D.C.T.

A CONVEYANCE OF
LOT 1, BLOCK A
RAYZOR RANCH MARKETPLACE
CC# 2017-296
P.R.D.C.T.

CALLED 1.091 ACRE
WATER LINE EASEMENT
CITY OF DENTON
CC# 2008-11629
R.P.R.D.C.T.

CALLED 1.091 ACRE
WATER LINE EASEMENT
CITY OF DENTON
CC# 2008-11629
R.P.R.D.C.T.

VARIABLE WIDTH MUTUAL
ACCESS EASEMENT
CAB. Y, PG. 762
P.R.D.C.T.

CALLED 0.027 ACRE
SIGN EASEMENT
FIRST GLENDORA
PARTNERS, LTD.
CC# 2008-94380
R.P.R.D.C.T.

CALLLED 0.062 ACRE
SIGN ACCESS EASEMENT
GLENDORA PARTNERS, LTD.
CC# 2008-94380
R.P.R.D.C.T.

VARIABLE WIDTH MUTUAL
ACCESS EASEMENT
CAB. Y, PG. 762
P.R.D.C.T.

FRANCIS BATSON SURVEY,
ABSTRACT NO. 43

**LOT 11
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.**

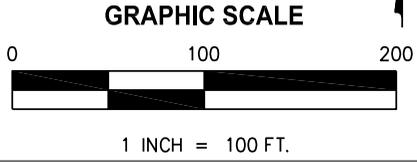
LOT 12
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

**UTILITY EASEMENT
ABANDONMENT
(0.184 ACRES - 8,034 SQ. FT.)**

**UTILITY EASEMENT
ABANDONMENT EXHIBIT
0.184 ACRES - 8,034 SQ. FT.
FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09/16/2022**

LINE	DIRECTION	LENGTH
L1	S00°55'43"W	15.99'
L2	N89°04'06"W	311.72'
L3	S00°55'54"W	25.93'
L4	N89°04'06"W	10.00'
L5	N00°55'54"E	25.93'
L6	N89°04'06"W	119.03'

LINE	DIRECTION	LENGTH
L7	S45°55'54"W	21.56'
L8	S00°55'54"W	10.69'
L9	N89°04'06"W	16.00'
L10	N00°55'54"E	17.31'
L11	N45°55'54"E	34.81'
L12	S89°04'06"E	447.38'



4100 INTERNATIONAL PLAZA
STE. 240
FORT WORTH, TX 76109
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TBPELS REG. NO. 10194220

LEGAL DESCRIPTION

BEING A 0.184 ACRE TRACT OF LAND SITUATED IN THE FRANCIS BATSON SURVEY, ABSTRACT NO. 43 IN THE CITY OF DENTON, DENTON COUNTY, TEXAS, BEING PART OF LOT 11, RAYZOR RANCH NORTH, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, AS RECORDED IN CABINET Y, PAGE 762, PLAT RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FOR THE NORTHEAST CORNER OF THE TRACT BEING DESCRIBED HEREIN, FROM WHICH A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 11, BEARS N09°49'25"E, A DISTANCE OF 147.21 FEET;

THENCE OVER AND ACROSS SAID LOT 11 THE FOLLOWING COURSES AND DISTANCES:

S00°55'43"W, A DISTANCE OF 15.99 FEET TO A POINT;

N89°04'06"W, A DISTANCE OF 311.72 FEET TO A POINT;

S00°55'54"W, A DISTANCE OF 25.93 FEET TO A POINT;

N89°04'06"W, A DISTANCE OF 10.00 FEET TO A POINT;

N00°55'54"E, A DISTANCE OF 25.93 FEET TO A POINT;

N89°04'06"W, A DISTANCE OF 119.03 FEET TO A POINT;

S45°55'54"W, A DISTANCE OF 21.56 FEET TO A POINT;

S00°55'54"W, A DISTANCE OF 10.69 FEET TO A POINT;

N89°04'06"W, A DISTANCE OF 16.00 FEET TO A POINT AT THE SOUTHERNMOST SOUTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 11 BEARS N88°09'07"W, A DISTANCE OF 486.93 FEET;

N00°55'54"E, A DISTANCE OF 17.31 FEET TO A POINT;

N45°55'54"E, A DISTANCE OF 34.81 FEET TO A POINT;

S89°04'06"E, A DISTANCE OF 447.38 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.184 ACRES (8,304 SQ. FT.) OF LAND.

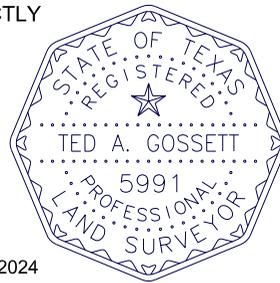
GENERAL NOTES

1. BEARING BASED ON TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, 4202, NAD83-US SURVEY FEET, DERIVED FROM GPS OBSERVATIONS. ALL DISTANCES ARE SURFACE DISTANCES. ALL COORDINATES ARE IN SURFACE. DENTON COUNTY SURFACE ADJUSTMENT SCALE FACTOR: 1.000150630.

I, TED A. GOSSETT, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION FROM A SURVEY MADE ON THE GROUND ON JUNE 7, 2022, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SAID SURVEY.

TED A. GOSSETT STATE OF TEXAS R.P.L.S. NO. 5991

10-10-2023
Revised 01-09-2024

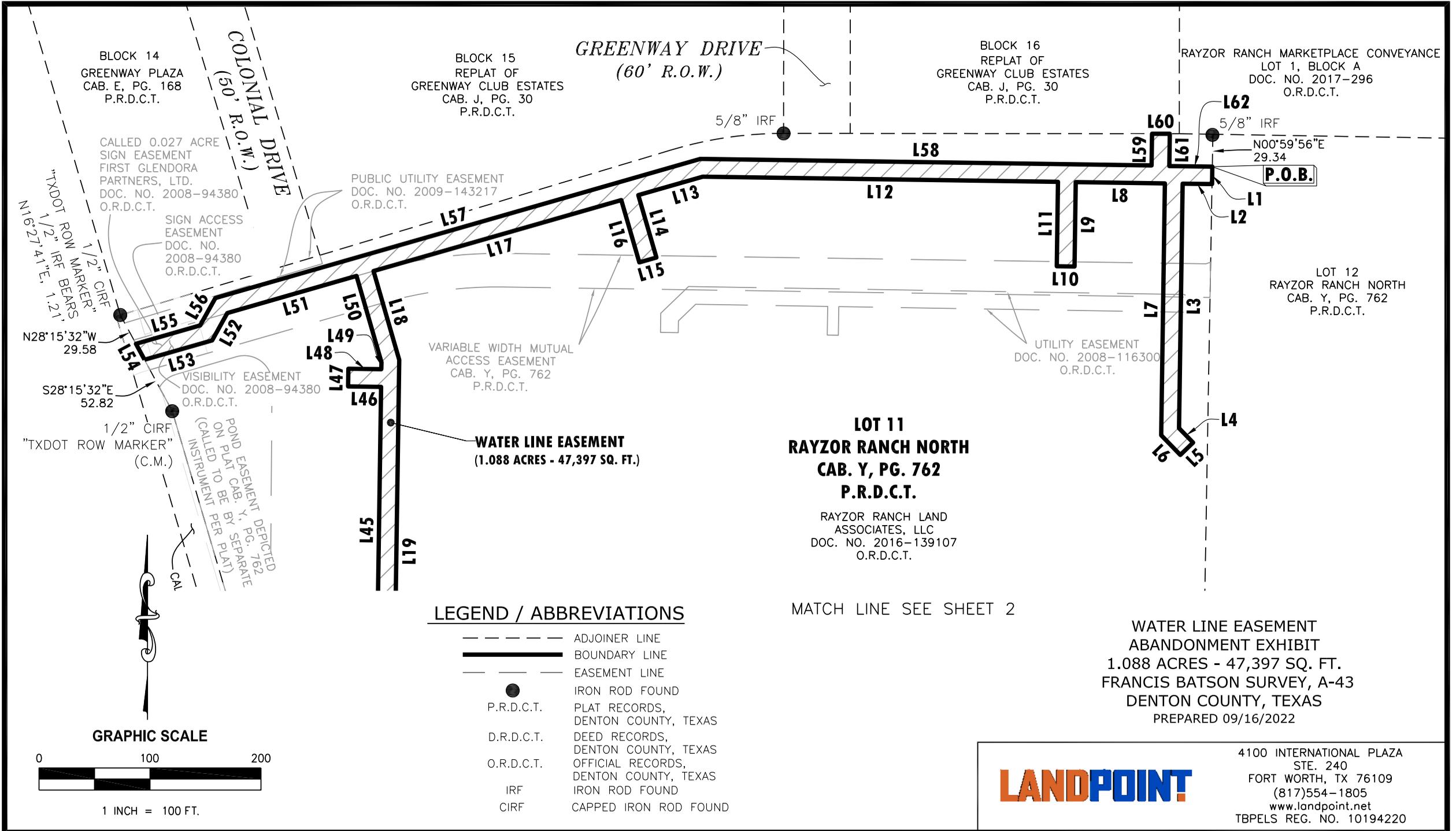


UTILITY EASEMENT
ABANDONMENT EXHIBIT
0.184 ACRES - 8,034 SQ. FT.
FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09/16/2022



4100 INTERNATIONAL PLAZA
STE. 240
FORT WORTH, TX 76109
(817)554-1805
www.landpoint.net
TBPELS REG. NO. 10194220

x:\2022\21-2804-3\Survey\DWG\21-2804-3 ESMT ABND - WATER LINE EASEMENT.dwg



BLOCK 14
GREENWAY PLAZA
CAB. E, PG. 168
P.R.D.C.T.

BLOCK 15
REPLAT OF
GREENWAY CLUB ESTATES
CAB. J, PG. 30
P.R.D.C.T.

BLOCK 16
REPLAT OF
GREENWAY CLUB ESTATES
CAB. J, PG. 30
P.R.D.C.T.

RAYZOR RANCH MARKETPLACE CONVEYANCE
LOT 1, BLOCK A
DOC. NO. 2017-296
O.R.D.C.T.

GREENWAY DRIVE
(60' R.O.W.)

COLONIAL DRIVE
(50' R.O.W.)

CALLED 0.027 ACRE
SIGN EASEMENT
FIRST GLENDORA
PARTNERS, LTD.
DOC. NO. 2008-94380
O.R.D.C.T.

SIGN ACCESS
EASEMENT
DOC. NO.
2008-94380
O.R.D.C.T.

PUBLIC UTILITY EASEMENT
DOC. NO. 2009-143217
O.R.D.C.T.

VARIABLE WIDTH MUTUAL
ACCESS EASEMENT
CAB. Y, PG. 762
P.R.D.C.T.

UTILITY EASEMENT
DOC. NO. 2008-116300
O.R.D.C.T.

VISIBILITY EASEMENT
DOC. NO. 2008-94380
O.R.D.C.T.

POND EASEMENT DEPICTED
ON PLAT CAB. Y, PG. 762
(CALLED TO BE PER PLAT)
INSTRUMENT

WATER LINE EASEMENT
(1.088 ACRES - 47,397 SQ. FT.)

LOT 11
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

RAYZOR RANCH LAND
ASSOCIATES, LLC
DOC. NO. 2016-139107
O.R.D.C.T.

LOT 12
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

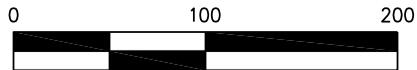
LEGEND / ABBREVIATIONS

- ADJOINER LINE
- BOUNDARY LINE
- - - EASEMENT LINE
- IRON ROD FOUND
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
- O.R.D.C.T. OFFICIAL RECORDS, DENTON COUNTY, TEXAS
- IRF IRON ROD FOUND
- CIRF CAPPED IRON ROD FOUND

MATCH LINE SEE SHEET 2

WATER LINE EASEMENT
ABANDONMENT EXHIBIT
1.088 ACRES - 47,397 SQ. FT.
FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09/16/2022

GRAPHIC SCALE



1 INCH = 100 FT.



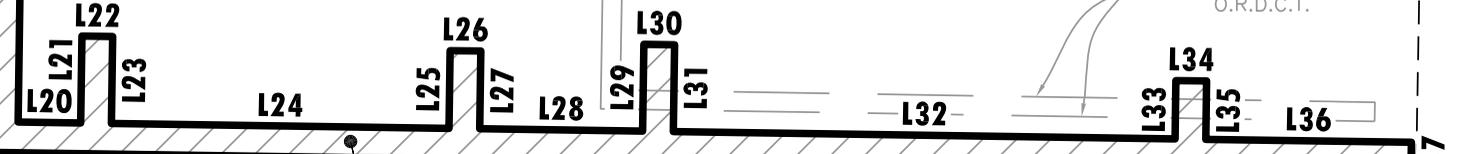
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MATCH LINE SEE SHEET 1

FRANCIS BATSON SURVEY,
ABSTRACT NO. 43

UTILITY EASEMENT
DOC. NO. 2008-116300
O.R.D.C.T.

CALLED 10,455 SQUARE FEET
STATE OF TEXAS
DOC. NO. 2020-29202
DOC. NO. 2021-73764
O.R.D.C.T.



INTERSTATE HIGHWAY 35
(VARIABLE WIDTH R.O.W.)

S16°23'57"E
52.33
1/2" CIRF
"TXDOT ROW MARKER"

1/2" CIRF "TXDOT
ROW MARKER"
(C.M.)

CALLLED 0.374 ACRE
ELECTRIC EASEMENT
ELECTRIC COUNTY ELECTRIC
DENTON COOPERATIVE
VOL. 1591, PG. 897
D.R.D.C.T.

WATER LINE EASEMENT
(1.088 ACRES - 47,397 SQ. FT.)

WATER LINE EASEMENT
DOC. NO. 2008-116297
O.R.D.C.T.

CALLLED 0.0368 ACRE
PUBLIC DRAINAGE EASEMENT
CITY OF DENTON
DOC. NO. 2004-102781
O.R.D.C.T.

LOT 12
RAYZOR RANCH NORTH
CAB. Y, PG. 762
P.R.D.C.T.

1/2" IRF
1/2" CIRF

5/8" CIRF
"LANDPOINT"
S07°16'11"E
15.11

LOT 2R, BLOCK 1

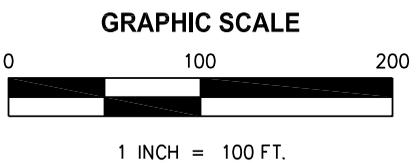
LOT 1R AND LOT 2R, BLOCK 1
ALVIN AND CHARLOTTE WHALEY ADDITION
BEING A REPLAT OF LOT 1, BLOCK 1,
ALVIN AND CHARLOTTE WHALEY ADDITION
CAB. 1, PG. 148
P.R.D.C.T.

LOT 2, BLOCK A
PORTER/ANDRUS ADDITION
CAB. V, PG. 856
P.R.D.C.T.

LEGEND / ABBREVIATIONS

- ADJOINER LINE
- BOUNDARY LINE
- - - EASEMENT LINE
- IRON ROD FOUND
- P.R.D.C.T.
- D.R.D.C.T.
- O.R.D.C.T.
- IRF
- CIRF
- PLAT RECORDS, DENTON COUNTY, TEXAS
- DEED RECORDS, DENTON COUNTY, TEXAS
- OFFICIAL RECORDS, DENTON COUNTY, TEXAS
- IRON ROD FOUND
- CAPPED IRON ROD FOUND

WATER LINE EASEMENT
ABANDONMENT EXHIBIT
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FRANCIS BATSON SURVEY, A-43
DENTON COUNTY, TEXAS
PREPARED 09/16/2022



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LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S00°59'56"W	15.73'
L2	N89°09'55"W	26.49'
L3	S00°50'05"W	221.34'
L4	S44°09'55"E	18.14'
L5	S45°50'05"W	16.00'
L6	N44°09'55"W	24.77'
L7	N00°50'05"E	227.97'
L8	N89°09'55"W	80.30'
L9	S00°50'05"W	76.45'
L10	N89°09'55"W	16.00'
L11	N00°50'05"E	76.45'
L12	N89°09'55"W	320.13'
L13	S73°55'46"W	60.38'
L14	S16°04'14"E	58.76'
L15	S73°55'46"W	16.00'
L16	N16°04'14"W	58.76'
L17	S73°55'46"W	232.31'
L18	S16°04'14"E	83.66'
L19	S00°50'05"W	345.82'
L20	S89°09'55"E	32.63'
L21	N00°50'05"E	45.51'
L22	S89°09'55"E	16.00'
L23	S00°50'05"W	45.51'
L24	S89°09'55"E	175.85'
L25	N00°50'05"E	40.68'
L26	S89°09'55"E	16.00'
L27	S00°50'05"W	40.68'
L28	S89°09'55"E	84.81'
L29	N00°50'05"E	45.46'
L30	S89°09'55"E	16.00'
L31	S00°50'05"W	45.46'

LINE TABLE		
LINE	DIRECTION	LENGTH
L32	S89°09'55"E	261.34'
L33	N00°50'05"E	30.51'
L34	S89°09'55"E	16.00'
L35	S00°50'05"W	30.51'
L36	S89°09'55"E	107.13'
L37	S00°50'00"W	16.00'
L38	N89°09'55"W	22.31'
L39	S00°50'05"W	152.55'
L40	S89°09'55"E	22.32'
L41	S00°50'00"W	16.00'
L42	N89°09'55"W	38.32'
L43	N00°50'05"E	168.55'
L44	N89°09'55"W	703.45'
L45	N00°50'05"E	337.18'
L46	N89°09'55"W	29.73'
L47	N00°50'05"E	16.00'
L48	S89°09'55"E	29.73'
L49	N00°50'05"E	6.27'
L50	N16°04'14"W	81.29'
L51	S73°55'46"W	121.09'
L52	S28°55'46"W	28.28'
L53	S73°55'46"W	63.43'
L54	N28°15'32"W	16.37'
L55	N73°55'46"E	60.26'
L56	N28°55'46"E	28.28'
L57	N73°55'46"E	454.78'
L58	S89°09'55"E	406.58'
L59	N00°50'05"E	28.69'
L60	N89°53'39"E	16.00'
L61	S00°50'05"W	29.24'
L62	S89°09'55"E	38.77'

WATER LINE EASEMENT
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x:\2022\21-2804-3\Survey\DWG\21-2804-3 ESMT ABND - WATER LINE EASEMENT.dwg

LEGAL DESCRIPTION

Being a 1.088 acre tract of land situated in the Francis Batson Survey, Abstract No. 43 in the City of Denton, Denton County, Texas, being part of Lot 11, Rayzor Ranch North, an addition to the City of Denton, Denton County, Texas, as recorded in Cabinet Y, Page 762, Plat Records of Denton County, Texas, and being part of a Water Line Easement conveyed to the City of Denton, as recorded in Document No. 2008-116297, Official Public Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the Easternmost Northeast corner said Water Line Easement, from which a 5/8-inch iron rod found for the Northeast corner of said Lot 11 and being a point on the South line of Rayzor Ranch Marketplace Conveyance, Lot 1, Block A, recorded in Document No. 2017-296, Official Records of Denton County, Texas, bears North 00°59'56" East, a distance of 29.34 feet;

THENCE South 00°59'56" West, along the said East line of said Lot 11, same being the West line of Lot 12, of said Rayzor Ranch North, a distance of 15.73 feet to a point for corner;

THENCE over and across said Lot 11, along said Access Easement the following Fifty-One (51) courses and distances:

1. North 89° 09' 55" West, a distance of 26.49 feet to a point for corner;
2. South 00° 50' 05" West, a distance of 221.34 feet to a point for corner;
3. South 44° 09' 55" East, a distance of 18.14 feet to a point for corner;
4. South 45° 50' 05" West, a distance of 16.00 feet to a point for corner;
5. North 44° 09' 55" West, a distance of 24.77 feet to a point for corner;
6. North 00° 50' 05" East, a distance of 227.97 feet to a point for corner;
7. North 89° 09' 55" West, a distance of 80.30 feet to a point for corner;
8. South 00° 50' 05" West, a distance of 76.45 feet to a point for corner;
9. North 89° 09' 55" West, a distance of 16.00 feet to a point for corner;
10. North 00° 50' 05" East, a distance of 76.45 feet to a point for corner;
11. North 89° 09' 55" West, a distance of 320.13 feet to a point for corner;
12. South 73° 55' 46" West, a distance of 60.38 feet to a point for corner;
13. South 16° 04' 14" East, a distance of 58.76 feet to a point for corner;
14. South 73° 55' 46" West, a distance of 16.00 feet to a point for corner;
15. North 16° 04' 14" West, a distance of 58.76 feet to a point for corner;
16. South 73° 55' 46" West, a distance of 232.31 feet to a point for corner;
17. South 16° 04' 14" East, a distance of 83.66 feet to a point for corner;
18. South 00° 50' 05" West, a distance of 345.82 feet to a point for corner;
19. South 89° 09' 55" East, a distance of 32.63 feet to a point for corner;
20. North 00° 50' 05" East, a distance of 45.51 feet to a point for corner;
21. South 89° 09' 55" East, a distance of 16.00 feet to a point for corner;
22. South 00° 50' 05" West, a distance of 45.51 feet to a point for corner;
23. South 89° 09' 55" East, a distance of 175.85 feet to a point for corner;
24. North 00° 50' 05" East, a distance of 40.68 feet to a point for corner;
25. South 89° 09' 55" East, a distance of 16.00 feet to a point for corner;
26. South 00° 50' 05" West, a distance of 40.68 feet to a point for corner;
27. South 89° 09' 55" East, a distance of 84.81 feet to a point for corner;
28. North 00° 50' 05" East, a distance of 45.46 feet to a point for corner;
29. South 89° 09' 55" East, a distance of 16.00 feet to a point for corner;
30. South 00° 50' 05" West, a distance of 45.46 feet to a point for corner;

WATER LINE EASEMENT
 ABANDONMENT EXHIBIT
 1.088 ACRES - 47,397 SQ. FT.
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LEGAL DESCRIPTION - CONTINUED

- 31. South 89° 09' 55" East, a distance of 261.34 feet to a point for corner;
 - 32. North 00° 50' 05" East, a distance of 30.51 feet to a point for corner;
 - 33. South 89° 09' 55" East, a distance of 16.00 feet to a point for corner;
 - 34. South 00° 50' 05" West, a distance of 30.51 feet to a point for corner;
 - 35. South 89° 09' 55" East, a distance of 107.13 feet to a point for corner;
 - 35. South 00° 50' 00" West, a distance of 16.00 feet to a point for corner;
 - 36. North 89° 09' 55" West, a distance of 22.31 feet to a point for corner;
 - 37. South 00° 50' 05" West, a distance of 152.55 feet to a point for corner;
 - 38. South 89° 09' 55" East, a distance of 22.32 feet to a point for corner;
 - 39. South 00° 50' 00" West, a distance of 16.00 feet to a point for corner, from which a 5/8-inch capped iron rod "Landpoint" found for the Southeast corner of said Lot 11 and the West line of that certain tract of land called Lot 12, as shown on the said plat of Rayzor Ranch North, and being in the North line of that certain tract of land shown on the plat of Lot 2, Block A, Porter/Andrus Addition, recorded in Cabinet V, Page 856, Plat Records of Denton County, Texas, bears S07°16'11"E, a distance of 15.11 feet;
 - 40. North 89° 09' 55" West, a distance of 38.32 feet to a point for corner;
 - 41. North 00° 50' 05" East, a distance of 168.55 feet to a point for corner;
 - 42. North 89° 09' 55" West, a distance of 703.45 feet to a point for corner;
 - 43. North 00° 50' 05" East, a distance of 337.18 feet to a point for corner;
 - 44. North 89° 09' 55" West, a distance of 29.73 feet to a point for corner;
 - 45. North 00° 50' 05" East, a distance of 16.00 feet to a point for corner;
 - 46. South 89° 09' 55" East, a distance of 29.73 feet to a point for corner;
 - 47. North 00° 50' 05" East, a distance of 6.27 feet to a point for corner;
 - 48. North 16° 04' 14" West, a distance of 81.29 feet to a point for corner;
 - 49. South 73° 55' 46" West, a distance of 121.09 feet to a point for corner;
 - 50. South 28° 55' 46" West, a distance of 28.28 feet to a point for corner;
 - 51. South 73° 55' 46" West, to a point on the West line of said Lot 11, same being the East line of a called 10,455 Square Foot tract of land, recorded to the State of Texas, in Instrument No. 2021-73764, Official Public Record of Collin County, Texas from which a 1/2-inch capped iron rod stamped "TXDOT ROW MARKER" found for an angle point of said Lot 11 bears South 28°15'32" East, a distance of 52.82 feet to a point for corner;
- THENCE North 28° 15' 32" West, along the West line of said Lot 11, and the East line of said 10,455 square foot tract of land, a distance of 16.37 feet to a point for corner from which a 1/2-inch capped iron rod stamped "TXDOT ROW MARKER" found for the most Western Northwest corner of said Lot 11 bears North 28° 15' 32" West, a distance of 29.58 feet;
- THENCE over and across said Lot 11, along said Access Easement the following Eight (8) courses and distances:
- 1. North 73° 55' 46" East, a distance of 60.26 feet to a point for corner;
 - 2. North 28° 55' 46" East, a distance of 28.28 feet to a point for corner;
 - 3. North 73° 55' 46" East, a distance of 454.78 feet to a point for corner;
 - 4. South 89° 09' 55" East, a distance of 406.58 feet to a point for corner;
 - 5. North 00° 50' 05" East, a distance of 28.69 feet to a point for corner;
 - 6. North 89° 53' 39" East, a distance of 16.00 feet to a point for corner;
 - 7. South 00° 50' 05" West, a distance of 29.24 feet to a point for corner;
 - 8. South 89° 09' 55" East, a distance of 38.77 feet to the POINT OF BEGINNING and containing 1.088 acres or 47,397 square feet of land.



I, Ted A. Gossett, certify that this plat was prepared under my direct supervision from a survey made on the ground on June 7, 2022, that this plat correctly represents the facts found at the time of said survey.

Ted A. Gossett State of Texas R.P.L.S. No. 5991
09/16/2022
Revised 01/09/2024

GENERAL NOTES

- 1. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations. All distances are surface distances. All coordinates are in surface. Denton County Surface Adjustment Scale Factor: 1.000150630.

WATER LINE EASEMENT
ABANDONMENT EXHIBIT
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