

**CITY OF CORINTH, TEXAS
ORDINANCE NO. 22-03-03-08**

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS ABANDONING A PORTION OF RIGHT-OF-WAY DEDICATED VIA PLAT AND RECORDED IN THE DENTON COUNTY PLAT RECORDS DOCUMENT NUMBER 2013-129, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" HERETO; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS, TO SERVE AS A QUITCLAIM DEED AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECT THE ABANDONMENT OF THE RIGHT-OF-WAY; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF CORINTH AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth is a home rule municipality and pursuant to its Charter and state law, the City is authorized to own property and sell property and to divest itself of any and all interests in property, including without limitation its interest in easements granted to the City for public purposes; and

WHEREAS, LVBP, INC is the owner of lots 8-11 of Lake Vista Business Park a subdivision of land situated in the T.W. Jenkins Survey Abstract No. 687, City of Corinth, Denton County, Texas, as depicted in a Final Plat Document Number 2013-129 dated May 1, 2013 (the "Property"); and

WHEREAS, LVBP, INC (the "Property Owner") has requested that the City abandon a portion of Right-Of-Way that was previously granted to the City of Corinth and that is recorded in the **Denton County Plat Records, Document Number 2013-129**, and more specifically described in **Exhibit "A"**, a copy of which is attached hereto and incorporated herein, which Right-Of-Way is identified as Document # 2013-129 in the Denton County Plat Records (the "Right-Of-Way Dedication" or "Plat"); and

WHEREAS, the portion of Right-of-Way to be abandoned is 0.164 Acres (roughly 16 feet in width) and more specifically described in **Exhibit "B"** (the "Right-Of-Way Abandonment") hereto;

WHEREAS, the City Council has determined that no public infrastructure is located within the Right-Of-Way, and that the Right-Of-Way as located upon the Property is not necessary for future use by the City for the location of public infrastructure, and thus the City Council finds that abandonment of the Right-Of-Way as requested by the Property Owner is appropriate; and

WHEREAS, the City Council has determined it appropriate to adopt this Ordinance

abandoning and quitclaiming to the Property Owner any and all interest in the Right-Of-Way described in **Exhibit "B"** hereto;

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

SECTION 1.

That the foregoing recitals are findings of the Corinth City Council and are incorporated into this Ordinance as if written word for word.

SECTION 2.

That the City of Corinth hereby abandons the portion of Right-Of-Way as more specifically described in **Exhibit "B"** hereto and the City does hereby quitclaim in favor of Property Owner LVBP, INC, such Right-Of-Way.

SECTION 3.

That the Right-Of-Way is abandoned, vacated, and closed, insofar as the right title and interest of the public to such Right-Of-Way are concerned. That the City of Corinth does not abandon any other interest other than that described in **Exhibit "B"**, but does hereby abandon all of its right, title and interest in and to that certain Right-Of-Way described in **Exhibit "B"**, together with any and all improvements thereon.

SECTION 4.

That upon passage hereof, the City Secretary is authorized and directed to prepare a certified copy of this ordinance and furnish the same to LVBP, INC, and the recording of this abandonment ordinance in the real property records of Denton County, Texas shall serve as the quitclaim deed of the City of Corinth, Texas to LVBP, INC, of all right, title, or interest of the City of Corinth in and to the Right-Of-Way described in **Exhibit "B"**. The City Manager is further authorized to execute any additional documents necessary to effect the abandonment of the Right-Of-Way.

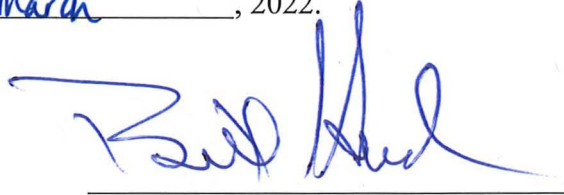
SECTION 5.

As a condition of this abandonment and as a part of the consideration for the quitclaim to Grantee herein, Grantee agrees to indemnify, defend, release and hold the City of Corinth whole and harmless against any and all claims for damages, costs or expenses to persons or property that may arise out of or be occasioned by or from, the abandonment, closing, vacation, and quitclaim by the City of Corinth of the Right-Of-Way described in **Exhibit "B"** and the Grantee hereby agrees to defend any and all suits, claims, or causes, of action brought against the City on account of the same, and to discharge any judgment or judgments that may be rendered against the City of Corinth in connection therewith.

SECTION 6.

This Ordinance shall take effect from and after its adoption.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
CORINTH, TEXAS** on this 30 day of March, 2022.



Bill Heidemann, Mayor

ATTEST:



Lana Wylie, City Secretary



APPROVED AS TO FORM:



Patricia A. Adams, City Attorney

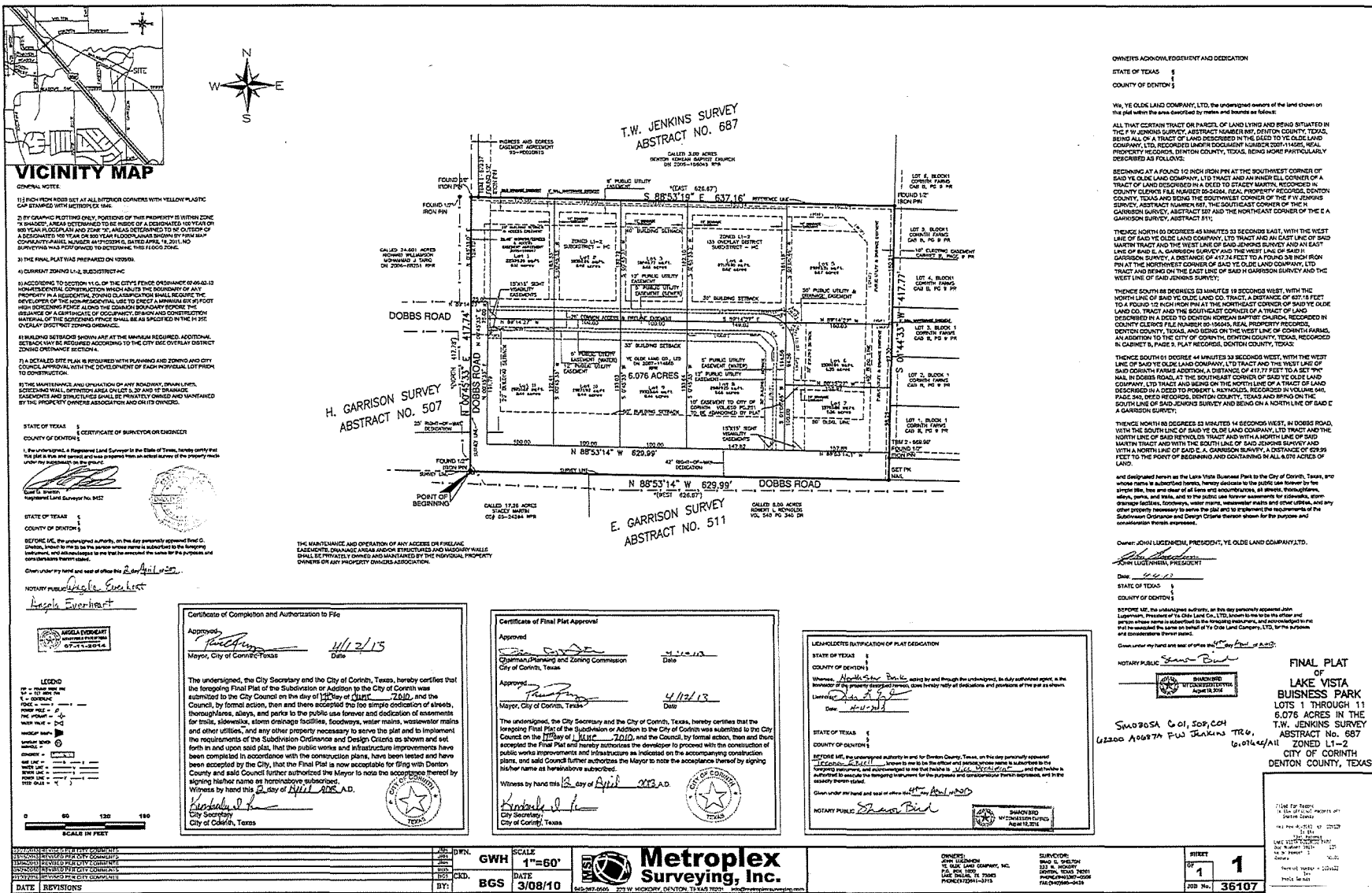


EXHIBIT "B"
Right-Of-Way Abandonment

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE T W JENKINS SURVEY, ABSTRACT NUMBER 687, DENTON COUNTY, TEXAS, BEING PART OF LAKE VISTA BUSINESS PARK, AN ADDITION TO THE CITY OF CORINTH, DENTON COUNTY TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER COUNTY CLERK DOCUMENT NUMBER 2013-129, PLAT RECORDS, DENTON COUNTY, TEXAS, SAID TRACT ALSO BEING PART OF THE NORTH 16.00 FEET OF LAKE SHARON DRIVE RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

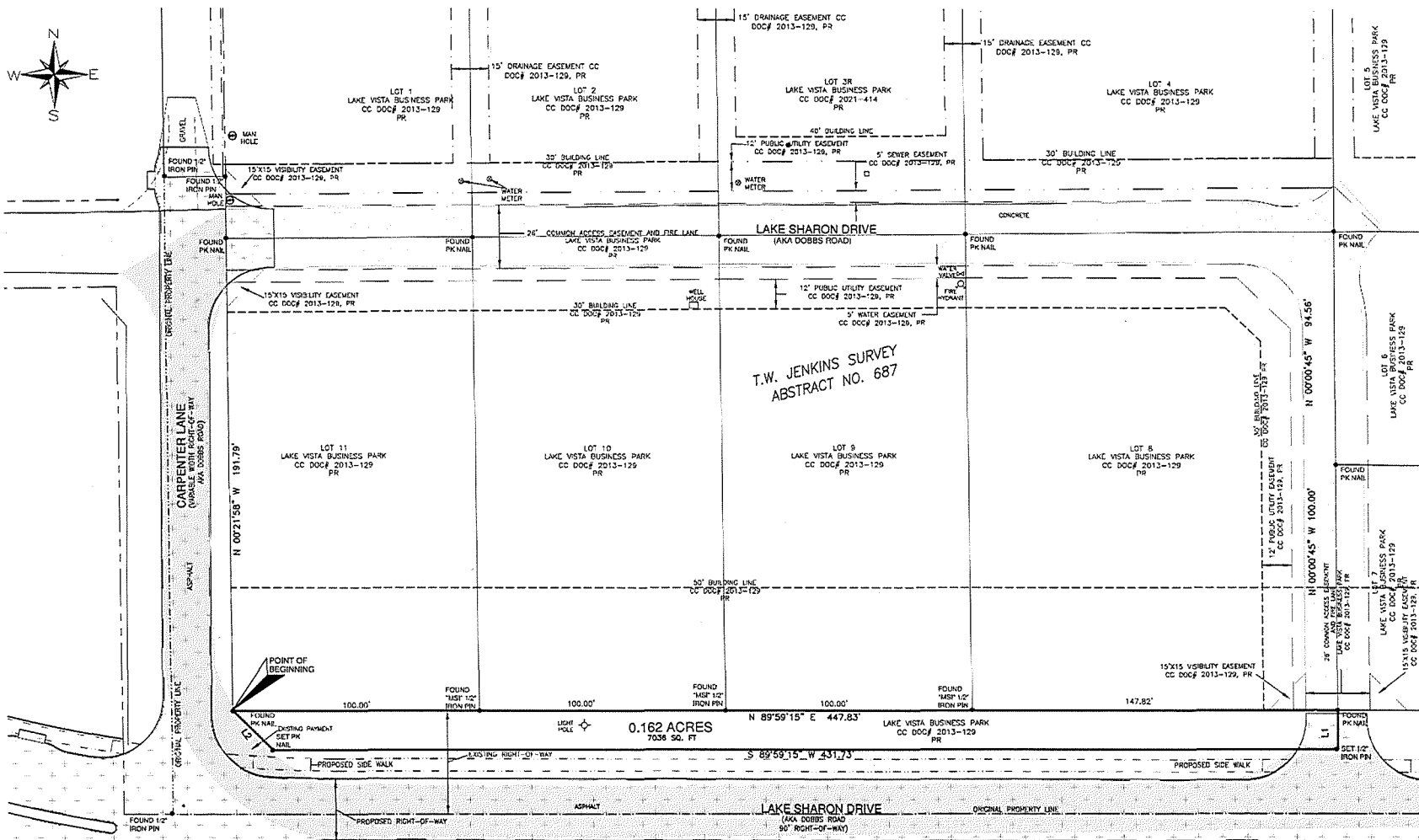
BEGINNING AT A FOUND 1/2 INCH IRON PIN STAMPED "METROPLEX 10023300" AT THE NORTHWEST CORNER OF LOT 11, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION, AND BEING AT THE CORNER OF THE EAST RIGHT-OF-WAY OF CARPENTER ROAD (AKA DOBBS ROAD) AND THE NORTH RIGHT-OF-WAY OF LAKE SHARON DRIVE (AKA DOBBS ROAD);

THENCE NORTH 89 DEGREES 59 MINUTES 10 SECONDS EAST, WITH THE SOUTH LINE OF LOTS 11 THROUGH 8, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION AND THE NORTH RIGHT-OF-WAY OF LAKE SHARON DRIVE, A DISTANCE OF 447.83 FEET TO A FOUND PK NAIL AT THE SOUTH EAST CORNER OF LOT 8, AND BEING AT THE SOUTHWEST CORNER OF LOT 7, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION, SAID PK NAIL ALSO BEING IN LAKE SHARON DRIVE, BEING A 26 FOOT ACCESS EASEMENT AND FIRE LANE, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK;

THENCE SOUTH 00 DEGREES 00 MINUTES 45 SECONDS EAST, A DISTANCE OF 16.00 FEET TO A SET 1/2 INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "METROPLEX 10023300", BEING IN LAKE SHARON DRIVE, FOR CORNER;

THENCE SOUTH 89 DEGREES 59 MINUTES 15 SECONDS WEST, A DISTANCE OF 431.73 FEET TO A PK, BEING IN LAKE SHARON DRIVE, FOR CORNER;

THENCE NORTH 45 DEGREES 11 MINUTES 20 SECONDS WEST, A DISTANCE OF 22.70 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 0.162 ACRES OF LAND.



ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE T.W. JENKINS SURVEY, ABSTRACT NUMBER 687, DENTON COUNTY, TEXAS, BEING PART OF LAKE VISTA BUSINESS PARK, AN ADDITION TO THE CITY OF CORINTH, DENTON COUNTY TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER COUNTY CLERK DOCUMENT NUMBER 2013-129, PLAT RECORDS, DENTON COUNTY, TEXAS, SAID TRACT ALSO BEING PART OF THE NORTH 10.00 FEET OF LAKE SHARON DRIVE RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON PIN STAMPED "METROPLEX 10023300" AT THE NORTHWEST CORNER OF LOT 11, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION, AND BEING AT THE CORNER OF THE EAST RIGHT-OF-WAY OF CARPENTER ROAD (AKA DOBBS ROAD) AND THE NORTH RIGHT-OF-WAY OF LAKE SHARON DRIVE (AKA DOBBS ROAD);

THENCE NORTH 80 DEGREES 59 MINUTES 10 SECONDS EAST, WITH THE SOUTH LINE OF LOTS 11 THROUGH 8, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION AND THE NORTH RIGHT-OF-WAY OF LAKE SHARON DRIVE, A DISTANCE OF 417.83 FEET TO A FOUND PK NAIL AT THE SOUTH EAST CORNER OF LOT 8, AND BEING AT THE SOUTHWEST CORNER OF LOT 7, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK ADDITION, SAID PK NAIL ALSO BEING IN LAKE SHARON DRIVE, BEING A 20 FOOT ACCESS EASEMENT AND FIRE LANE, AS SHOWN ON THE PLAT THEREOF SAID LAKE VISTA BUSINESS PARK;

THENCE SOUTH 00 DEGREES 00 MINUTES 45 SECONDS EAST, A DISTANCE OF 18.20 FEET TO A SET 1/2 INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "METROPLEX 10023300", BEING IN LAKE SHARON DRIVE, FOR CORNER;

THENCE SOUTH 20 DEGREES 59 MINUTES 15 SECONDS WEST, A DISTANCE OF 431.73 FEET TO A PK BEING IN LAKE SHARON DRIVE, FOR CORNER;

THENCE NORTH 45 DEGREES 11 MINUTES 30 SECONDS WEST, A DISTANCE OF 22.16 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 1.16 ACRES OF LAND.

NOTES:

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE SETBACKS OR EASEMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN HEREON.

BEARINGS ARE BASED ON GPS OBSERVATIONS USING TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 NORTH CENTRAL TEXAS ZONE.

BY EXAMINING PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE 17. AREAS DETERMINED TO BE OUTSIDE OF A DESIGNATED 100 YEAR OR 500 YEAR FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY-PARCEL NUMBER 48121C0023H, DATED JUNE 18, 2020. NO SURVEYING WAS PERFORMED TO DETERMINE THIS FLOOD ZONE.

ERRORS: THE CLIENT OR CLIENTS REPRESENTATIVES WILL HAVE 45 DAYS FROM THE DATE THE SURVEY WAS ISSUED TO CHANGE ANY ERRORS ON THE SURVEY. AFTER THE 45 DAYS, ALL PARTIES MUST ACCEPT THE SURVEY AS ISSUED.

SURVEYOR'S CERTIFICATE

I, BRAD G. SHELTON, DO HEREBY CERTIFY THAT A SURVEY WAS MADE ON THE GROUND THIS 17th DAY OF JANUARY, 2022 OF THE PROPERTY DESCRIBED HEREON AND THERE ARE NO VISIBLE ENCROACHMENTS, PROTRUSIONS, OR OVERLAPPING OF IMPROVEMENTS, EXCEPT AS SHOWN HEREON.

BRAD G. SHELTON
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 4342

LEGEND

WALL =

CONCRETE =

PROPOSED SIDE WALK =

PROPOSED RIGHT-OF-WAY =

EXISTING PAVEMENT SET PK NAIL =

UNC TABLE

L1 S 00°00'45" E 16.00'

L2 N 45°11'20" W 22.70'



DATE		REVISIONS		BY:		DWN.		RLG		SCALE 1"=20'		DATE 01/17/2022		Metroplex Surveying, Inc.		0.162 ACRES IN THE T.W. JENKINS SURVEY AND PART OF LAKE VISTA BUSINESS PARK ADDITION, CITY OF CORINTH, DENTON COUNTY, TEXAS		FIRM NO. 10023300		SHEET 1		JOB No. 38194		BOUNDARY SURVEY	
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