

RESOLUTION NO. 17-66

WHEREAS, in the City of Mesquite, Dallas County, Texas on Interstate Highway 635 at Gus Thomasson Road, the State acquired certain land required by the State Highway Department for highway right of way purposes, said land being conveyed to the State by deeds recorded in Volume D170, Page 1086 and Volume D170, Page 1080 of the Dallas County Deed Records; and

WHEREAS, a portion of the aforementioned land is no longer needed for highway purposes or for the use of citizens as a road due to the redesign of said highway intersection, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, certain other land needed by the State Highway Department for the redesign of the highway is to be acquired by the City of Mesquite from Dr. E. K. Franklin and wife, Jeanette Franklin, at no cost to the State, said new land being more particularly described in Exhibit B, attached hereto and made a part hereof; and

WHEREAS, Dr. E. K. Franklin and wife have agreed to execute a State right of way deed, Form D-15-12, conveying fee title, less oil, gas, and sulphur, to the land described in said Exhibit B to the State of Texas in exchange for a quitclaim deed executed by the Governor of Texas conveying to Dr. E. K. Franklin and wife, Jeanette Franklin, the surplus land described in said Exhibit A; and

WHEREAS, in order to clear title to the property described in said Exhibit A so that the State of Texas can convey same for private use, it is necessary that whatever right, title, or interest, if any, the City of Mesquite may have, or claim to have, to said property be released and relinquished to the State of Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MESQUITE:

Section 1. That the City of Mesquite hereby release and relinquish any right, title, or interest that it may have, or claim to have in the property described in Exhibit A, which is no longer needed for highway purposes or for the use of citizens as a road;

Section 2. That the City of Mesquite hereby request the Highway Commission to recommend to the Governor of Texas that he execute a quitclaim deed conveying to Dr. E. K. Franklin and wife, Jeanette Franklin, the property described in Exhibit A in exchange for the Franklins conveying to the State the property described in Exhibit B;

Section 3. That the City of Mesquite will deliver an acceptable State right of way deed as aforementioned conveying to the State of Texas the land described in said Exhibit B.

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Adopted by the City Council of the City of Mesquite,
Texas on June 27, 1966.

James Boyce
Mayor

Attest:

Norm M. Laugh
City Secretary

Approved as to form:

H. Lou Nichols
City Attorney

EXHIBIT A

TRACT 1
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PART 1

Situated in the Zach Motley Survey, Abstract No. 1007, Dallas County, Texas.

BEING 20,028 square feet of land, more or less, out of and a part of that certain tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1086, Deed Records of Dallas County, Texas; and said 20,028 square feet of land being more particularly described as follows:

BEGINNING at a point in the existing Northeast line of Gus Thomasson Road, said point being North $45^{\circ}24'12''$ West a distance of 635.52 feet from the South corner of a tract of land conveyed to Dr. E. K. Franklin by deed recorded in Volume 3064, page 110, Deed Records of Dallas County, Texas;

THENCE North $37^{\circ}24'12''$ West for a distance of 612.38 feet;

THENCE South $13^{\circ}24'30''$ East for a distance of 160.85 feet to a point in the Southwest line of the above mentioned State of Texas tract of land;

THENCE South $45^{\circ}24'12''$ East along the Southwest line of the above mentioned State of Texas tract of land for a distance of 470.00 feet to the point of beginning.

PART 2

Situated in the Zach Motley Survey, Abstract No. 1007, Dallas County, Texas.

BEING 13,218 square feet of land, more or less, out of and a part of that certain tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1086, Deed Records of Dallas County, Texas; said 13,218 square feet of land being more particularly described as follows:

BEGINNING at a point in the Southwest line of a tract of land conveyed to Dr. E. K. Franklin by deed recorded in Volume 4903, page 25, Deed Records of Dallas County, Texas, said point being South $45^{\circ}24'12''$ East, a distance of 55.17 feet from the West corner of a tract of land recorded in Volume D170, page 1076, Deed Records of Dallas County, Texas; and said West corner being in the existing Northeast line of Gus Thomasson Road;

THENCE South $45^{\circ}24'12''$ East along the Southwest line of the above mentioned Franklin tract of land for a distance of 383.71 feet;

THENCE North $10^{\circ}56'12''$ West for a distance of 108.79 feet to a point for corner;

THENCE North $55^{\circ}24'12''$ West for a distance of 293.53 feet to the South corner of the above mentioned tract of land recorded in Volume D170, page 1076, Deed Records of Dallas County, Texas;

THENCE South $69^{\circ}35'48''$ West for a distance of 11.69 feet to the point of beginning.

EXHIBIT A

TRACT 2

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PART 1

Situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas.

BEING 5,765 square feet of land, more or less, out of and a part of that certain tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1080, Deed Records of Dallas County, Texas; and said 5,765 square feet of land being more particularly described as follows:

BEGINNING at the North corner of a tract of land conveyed to Annie G. Riggs by deed recorded in Volume 4190, page 301, Deed Records of Dallas County, Texas, said North corner being 598.67 feet North $45^{\circ}24'12''$ West of the East corner of said Riggs tract of land, said beginning point also being the most Easterly corner of the tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1080, Deed Records of said County;

THENCE North $45^{\circ}24'12''$ West along the Northeast line of the tract of land conveyed to the State of Texas by the above mentioned deed for a distance of 245.0 feet;

THENCE South $29^{\circ}26'44''$ East for a distance of 137.78 feet to a point in the South-east line of the Gus Thomasson Road connection;

THENCE South $54^{\circ}26'12''$ East along the last mentioned line for a distance of 113.88 feet to a point in the Northwest line of the tract of land conveyed to said Riggs by the deed recorded in Volume 4190, page 301, Deed Records of said County;

THENCE North $44^{\circ}45'48''$ East along the Northwest line of said Riggs tract of land for a distance of 20 feet to the place of beginning.

PART 2

Situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas.

BEING 8,138 square feet of land, more or less, out of and a part of that certain tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1080, Deed Records of Dallas County, Texas; said 8,138 square feet of land being more particularly described as follows:

BEGINNING at a point in the Northwest line of a tract of land conveyed to E. K. Franklin by deed recorded in Volume 3860, page 325, Deed Records of Dallas County, Texas, said point being North $44^{\circ}35'48''$ East a distance of 3,142.0 feet from the West corner of the above mentioned Franklin tract of land;

THENCE North $44^{\circ}35'48''$ East continuing along the Northwest line of the above mentioned Franklin tract of land for a distance of 55.0 feet to the intersection of said Northwest line with the Northeast line of the State of Texas tract of land recorded in Volume D170, page 1080, Deed Records of Dallas County, Texas;

THENCE South $45^{\circ}24'12''$ East continuing along the Northeast line of the State of Texas tract of land for a distance of 105.0 feet;

THENCE South $12^{\circ}17'01''$ East for a distance of 102.03 feet to a point for corner;

THENCE North $45^{\circ}24'12''$ West for a distance of 190.94 feet to the point of beginning.

TRACT 1

EXHIBIT B

Page 1 of 1

Situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas.

BEING a total of 2.700 acres of land, more or less, out of and a part of the 74.15 acre tract of land conveyed to E. K. Franklin by deed recorded in Volume 3860, page 325, Deed Records of Dallas County, Texas; said 2.700 acres of land being more particularly described in two parts as follows:

PART 1: Contains 0.603 of an acre of land more or less.

BEGINNING at a point in the Southeast line of the above-mentioned Franklin tract of land, said beginning point being the most Southerly Southeast corner of a tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1080, Deed Records of said County;

THENCE North $44^{\circ} 45' 48''$ East along the Southeast line of said Franklin tract of land for a distance of 183.48 feet;

THENCE North $29^{\circ} 26' 44''$ West for a distance of 116.83 feet to a point in the existing Southeast line of Gas Thomason Road connection;

THENCE North $54^{\circ} 26' 12''$ West along the last mentioned line for a distance of 138.36 feet to its intersection with the existing Easterly right of way line of Interstate Highway 635;

THENCE South $07^{\circ} 26' 12''$ East along the existing Easterly right of way line of Interstate Highway 635 for a distance of 315.13 feet to the place of beginning.

PART 2: Contains 2.097 acres of land more or less.

BEGINNING at a point in the Southeast line of said Franklin tract of land, said beginning point being the most Southerly Southwest corner of a tract of land conveyed to the State of Texas by deed recorded in Volume D170, page 1080, Deed Records of said County;

THENCE South $44^{\circ} 45' 48''$ West along the Southeast line of said Franklin tract of land for a distance of 234.13 feet;

THENCE North $07^{\circ} 26' 12''$ West for a distance of 283.0 feet;

THENCE North $10^{\circ} 05' 38''$ East for a distance of 582.46 feet to a point in the existing Westerly right of way line of Interstate Highway 635;

THENCE South $08^{\circ} 56' 12''$ East along said existing Westerly right of way line for a distance of 365.04 feet;

THENCE South $07^{\circ} 26' 12''$ East continuing along said existing Westerly right of way line for a distance of 330.0 feet to the place of beginning.