



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 03/04/2025

PRESENTER: Noreen Housewright, Director of Engineering/Utility Services

TITLE: Public Hearing and Consider Ordinance abandoning a 0.856-acre (37,300 square foot) portion of street right-of-way located adjacent to 10805 Davis Drive and 10815 Davis Drive, and authorizing the City Manager or his designee, to execute a Quitclaim Deed transferring said abandoned right-of-way to Knox Street Partners No. 30, Ltd.

REVIEWING COMMITTEE: (Reviewed by the City Council Development Committee on 02/18/2025)

SUMMARY:

<i>Vendor Name</i>	<i>Total Cost</i>
Knox Street Partners No. 30, Ltd.	\$500.00

PURPOSE OF REQUEST:

The abandonment applicant and abutting property owner, Knox Street Partners No. 30, Ltd., a Texas limited partnership, has requested the abandonment of a 0.856 acre (37,300 square foot) portion of the right-of-way along the existing Davis Road alignment located between 10805 Davis Drive and 10815 Davis Drive. The existing Davis Road section requested to be abandoned bisects the 11.988 acre tract from the (new) 2.034 acre tract, Lot 1, Block B, of the Hanover Southgate addition. This bisection can be seen as attached within Exhibit A.

This property owner has dedicated street right-of-way for the new alignment of Davis Road (Drive) being a 100 ft wide right-of-way, totaling 162,308 gross square feet, of which 68,538 square feet were in prescriptive right-of-way leaving a total of 93,770 net square feet dedicated right-of-way.

Staff has reviewed the requested right-of-way abandonment and finds that the abandonment will not hinder drainage or utilities in the area. All public utilities have agreed to the abandonment. Therefore, staff is recommending approval of the abandonment ordinance, with the conditions set forth in the ordinance, authorizing the abandonment of an un-needed street right-of-way containing 0.856 acres (or 37,300 square feet) for \$500.00. Staff is requesting authorization for the City Manager or his designated representative to sign all related documents for the right-of-way abandonment.

FINANCIAL CONSIDERATION:

Revenue: \$500.00 paid with application

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Exhibit A – legal description and survey plat
- 2- Exhibit B-1 – plan excerpt showing parcels, addresses, new and existing sections of Davis Road
- 3- Exhibit B-2 – aerial location map
- 4- Exhibit C- Statements from public utility companies in re. abandonment
- 5- Exhibit D- Names and Addresses of all owners of property abutting the right-of-way to be vacated and abandoned.

ORDINANCE NO. _____

AN ABANDONMENT ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO KNOX STREET PARTNERS NO. 30, LTD, FOR ABANDONMENT OF AN UN-NEEDED RIGHT-OF-WAY CONTAINING 0.856 ACRES (37,300 SQUARE FEET) OF DAVIS ROAD AND LOCATED ADJACENT TO 10805 DAVIS DRIVE (ELLIS COUNTY CAD ACCT. # 242969) AND 10815 DAVIS DRIVE (ELLIS COUNTY CAD ACCT. # 296703), LOCATED IN THE B. F. HOWARD SURVEY, ABSTRACT NUMBER 513 AND THE JOSPEH LAWRENCE SURVEY, ABSTRACT NUMBER 616, LOCATED IN THE CITY OF GRAND PRAIRIE, ELLIS COUNTY, TEXAS; PROVIDING FOR THE QUITCLAIM TO, KNOX STREET PARTNERS NO. 30, LTD, THE UNDEDRLYING FEE OWNER OF 10805 DAVIS DRIVE AND THE ADJACENT TRACT LOCATED AT 10815 DAVIS DRIVE, LOCATED IN THE B. F. HOWARD SURVEY, ABSTRACT NUMBER 513 AND THE JOSPEH LAWRENCE SURVEY, ABSTRACT NUMBER 616, ELLIS COUNTY, TEXAS; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT AND QUITCLAIM MADE HEREIN; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF GRAND PRAIRIE AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT HEREIN; AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE

WHEREAS, the City Council of the City of Grand Prairie, acting pursuant to law and upon the request and petition of KNOX STREET PARTNERS NO. 30, LTD, hereinafter referred to as “Grantee”, deems it advisable to abandon and quitclaim an un-needed street right-of-way in the City of Grand Prairie, Ellis County, Texas, more particularly described in “Exhibit A”, attached hereto and incorporated herein; and

WHEREAS, the City Council of the City of Grand Prairie is of the opinion that said street right-of-way is not needed for public use, and same should be abandoned and quitclaimed to the underlying fee owner (Grantee); and

WHEREAS, the City Council of the City of Grand Prairie is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same, subject to the conditions and for the consideration hereinafter more fully set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE:

SECTION 1. That the street right-of-way described in “Exhibit A”, which is attached hereto and made a part hereof, be and the same shall be abandoned, vacated and closed insofar as the right, title and easement of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for Grantee with his application, the City of Grand Prairie does by these presents QUITCLAIM, subject to the conditions hereinafter made, all its rights, title and interest in and to that certain tract or parcel of land described in “Exhibit A”, attached hereto and made a part hereof unto Grantee. 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 and appurtenances thereto in any manner belonging unto the said Grantee. The City Manager, or his designee, are hereby authorized to execute a Quitclaim Deed to transfer all its right, title, and interest to the abandoned street right-of-way described in “Exhibit A” to Grantee.

SECTION 3. That the terms and conditions contained in this ordinance and the application for the abandonment previously submitted to the City shall be binding upon GRANTEE, its successors and assigns.

SECTION 4. That the abandonment provided for herein is made subject to all present zoning and deed restrictions, if the latter exist, and is subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 5. 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 Grand Prairie may legally and lawfully abandon and vacate.

SECTION 6. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, Grantee, his heirs, executors and assigns, agree to indemnify, defend, release and hold the City of Grand Prairie 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 Grand Prairie of the area set out in “Exhibit A”. Grantee his heirs, executors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City on account of same and discharge any judgment or judgments that may be rendered against the City of Grand Prairie in connection therewith.

SECTION 7. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Official Public Records of Ellis County, Texas, and shall deliver to Grantee a certified copy of this ordinance, and the City Manager is authorized to sign a quitclaim deed on behalf of the City, subject to the conditions herein specified.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 4th DAY OF MARCH 2025.