RESOLUTION NO. R20-___

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS APPROVING A SPECIAL WARRANTY DEED BETWEEN THE TOWN OF ADDISON AND DCO REALTY, INC., FOR THE SURPLUS PROPERTY LOCATED AT THE SOUTHEAST CORNER OF VITRUVIAN WAY AND SPRING VALLEY ROAD, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The Special Warranty Deed between the Town of Addison and DCO Realty, Inc., for the surplus property located at the southeast corner of Vitruvian Way and Spring Valley Road, a copy of which is attached to this Resolution as **Exhibit A**, is hereby approved. The City Manager is hereby authorized to execute the Deed.

SECTION 2. This Resolution shall take effect from and after its date of adoption.

TOWN OF ADDISON TRYAS

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 8^{th} day of **SEPTEMBER 2020**.

| | TOWN OF ADDISON, TEXAS | | | | |
|-----------------------------|-----------------------------------|--|--|--|--|
| | Joe Chow, Mayor | | | | |
| ATTEST: | APPROVED AS TO FORM: | | | | |
| Irma Parker, City Secretary | Brenda N. McDonald, City Attorney | | | | |

EXHIBIT A

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

| THE STATE OF TEXAS | § | |
|--------------------|---|-------------------------------------|
| | § | |
| COUNTY OF DALLAS | § | KNOW ALL PERSONS BY THESE PRESENTS: |

That the **TOWN OF ADDISON, TEXAS**, a Texas home rule municipality, whose mailing address is 5300 Belt Line Rd., Dallas, Texas 75254 (hereinafter called "Grantor"), on behalf of Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to Grantor cash in hand paid by **DCO REALTY**, **INC.**, a Delaware corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged, has Dedicated, Granted, Sold and Conveyed, and by these presents does Dedicate, Grant, Sell and Convey unto the said Grantee, that certain tract of land described on **Exhibit A** attached hereto and incorporated herein by reference (the "Land"), together with all improvements thereon, fixtures affixed thereto, and appurtenances thereto; including all of Grantor's right, title and interest, if any, in and to all roads, alleys, easements, streets, and ways adjacent to such Land (collectively, the "Property").

This conveyance is expressly made and accepted by Grantee subject to the terms, conditions and provisions hereof, and further subject to restrictions, covenants, easements, conditions, mineral or royalty interests, mineral reservations, surface waivers, utility conveyances, encumbrances, regulations or orders of municipal or other governmental authorities, if any, and/or other matters now in force and existing of record in the office of the County Clerk of Dallas County, Texas, to which reference is hereby made for all purposes.

TO HAVE AND TO HOLD the above described Property, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, but not otherwise, and subject to the terms set forth herein.

The conveyance of the Property hereby is subject to standby fees, taxes and assessments by any taxing authority for the 2020 calendar year, and subsequent years, the payment of which Grantee assumes.

GRANTEE ACKNOWLEDGES AND AGREES THAT EXCEPT FOR THE SPECIAL WARANTY OF TITLE CONTAINED HEREIN, GRANTOR HAS NOT MADE, AND GRANTOR HEREBY SPECIFICALLY DISCLAIMS, ANY REPRESENTATION OR WARRANTY OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, WITH RESPECT TO THE PROPERTY TO BE CONVEYED HEREUNDER, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE, ZONING, PHYSICAL OR ENVIRONMENTAL CONDITION, UTILITIES, VALUATION, THE COMPLIANCE OF THE PROPERTY WITH GOVERNMENTAL LAWS, OR ANY OTHER MATTER OR THING REGARDING THE

PROPERTY. GRANTEE ACCEPTS THE PROPERTY AND ACKNOWLEDGES THAT THE DEDICATION, CONVEYANCE AND SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE BY GRANTOR ON AN "AS IS, WHERE IS, AND WITH ALL FAULTS" BASIS. GRANTEE ACKNOWLEDGES THAT IT HAS MADE ITS OWN INDEPENDENT INVESTIGATION OF THE PROPERTY.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

| EXECUTED this | day o | f | , 2020. | | | | | | | | |
|--|---------------------------------|---------------|----------------|-----------------------------|------------|-----------------|---------------|----------------------|-----------------------------|----------------------------------|--------------|
| | | | | GRANTOR | | | | | | | |
| | | TOWN OF ADD | | | | TEX. | AS: | | | | |
| | | | | Ву: | | | | | | | |
| | | Name: | | | | | | | | | |
| | | | Title: | | | | | | | | |
| | | | | | | | | | | | |
| THE STATE OF TE | XAS | § | | | | | | | | | |
| COUNTY OF | | § | | | | | | | | | |
| BEFORE M on this day perso Addison, Texas, whose name is so the same for the p | nally ap a Texas ıbscribe | d to the fore | munic going | ipality, Gra instrument, | ntor here | in, kr nowle | nown edged | of to me to me | the T to be t that he | Town c the perso e execute | of n d |
| GIVEN U | NDER | My Hand | AND | SEAL OF | OFFICE | on | this | the | | day c | ıf |
| | | | _, 202 | 20. | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | Notary Pu | ıblic-Stat | e of T | Texas | | | _ | |

| ACCEPTED BY DCO REALTY | Y, INC. (Grantee) |): | | | | | |
|--|---|-------------|---------------------|----------|----------------------------|------------|-----|
| By: | | | | | | | |
| Name: | | | | | | | |
| Title: | | | | | | | |
| THE STATE OF TEXAS | § | | | | | | |
| COUNTY OF | § | | | | | | |
| BEFORE ME, the under on this day personally appear a Delaware corporation, Grat to the foregoing instrument, and consideration therein exp | red ntor herein, knov and acknowledge | vn to me to | be the penat he exe | erson wh | _ of DCO Ř lose name is | ealty, Inc | ded |
| GIVEN UNDER MY | | | Office of | on this | the | _ day o | əf |
| | Ī | Notary Pub | olic-State | of Texas | | _ | |
| AFTER RECORDING PLEASE R Town of Addison City Secretary 5300 Belt Line Road Dallas, Texas 75254 | LETURN To: | | | | | | |

SPECIAL WARRANTY DEED TO DCO REALTY

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EXHIBIT A

LEGAL DESCRIPTION OF THE LAND

LEGAL DESCRIPTION

SURPLUS PROPERTY NOAH GOOD SURVEY, ABSTRACT NO. 520 TOWN OF ADDISON, DALLAS COUNTY, TEXAS

Being a tract of land in the Noah Good Survey, Abstract No. 520, Dallas County, Texas, and being located in the Town of Addison, Texas, said tract being a part of the existing right of way of Vitruvian Way at the intersection with Spring Valley Road, and being more particularly described as follows:

BEGINNING at the east corner of a circular right of way clip at the intersection of the southeast line of Vitruvian Way (a 100 foot right of way) with the south line of Spring Valley Road (a variable width right of way), said point being in the north line of a tract of land conveyed to DCO Realty, Inc. by deed recorded in Instrument No. 201100337076, Deed Records of Dallas County, Texas and said point the beginning of a non-tangent curve to the left with a central angle of 63°04'31", a radius of 150.00 feet, a chord bearing of S 57°54'31" W and a chord distance of 156.92 feet;

THENCE, Southwesterly, with the said circular right of way corner clip and along said curve, an arc distance of 165.13 feet to a set 5/8 inch iron rod at the point of tangency, said point being N 26°22'15" E, a distance of 3.34 feet from a found ½ inch rod;

THENCE, S 26°22'15" W, with the existing southeast line of Vitruvian Way, a distance of 337.39 feet to a set 5/8 inch iron rod for a corner, said point being the intersection of the existing southeast line of Vitruvian Way with the proposed right of way line of Vitruvian Way, said point the beginning of a non-tangent curve to the left with a central angle of 13°21'54", a radius of 434.00 feet, a chord bearing of N 19°41'18" E and a chord distance of 101.01 feet;

THENCE, the following courses and distances with the proposed southeast and east line of Vitruvian Way:

- Northeasterly, along said curve, an arc distance of 101.24 feet to the beginning of a tangent compound curve to the left with a central angle of 04°19'47", a radius of 971.08 feet, a chord bearing of N 10°50'28" E and a chord distance of 73.36 feet;
- Northeasterly, along said curve, an arc distance of 73.38 feet to the beginning of a tangent compound curve to the left with a central angle of 08°29'14", a radius of 160.00 feet, a chord bearing of N 04°25'58" E and a chord distance of 23.68 feet;
- Northeasterly, along said curve, an arc distance of 23.70 feet to a point at the end of said curve;

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Special Warranty Deed to DCO Realty

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LEGAL DESCRIPTION - continued

SURPLUS PROPERTY NOAH GOOD SURVEY, ABSTRACT NO. 520 TOWN OF ADDISON, DALLAS COUNTY, TEXAS

- N 00°15'46" E, a distance of 104.90 feet to the beginning of a tangent curve to the right with a central angle of 14°07'20", a radius of 90.00 feet, a chord bearing of N 07°19'26" W and a chord distance of 22.13 feet;
- Northeasterly, along said curve, an arc distance of 22.17 feet to the beginning of a nontangent curve to the left with a central angle 13°43'01", a radius of 233.48 feet, a chord bearing of N 73°26'28" E and a chord distance of 55.76 feet;
- Easterly, along said curve, an arc distance of 55.90 feet to the beginning of a nontangent curve to the left with a central angle 07°56'56", a radius of 332.30 feet, a chord bearing of N 02°38'16" E and a chord distance of 46.06 feet;
- Northerly, along said curve, an arc distance of 46.10 feet to the beginning of a nontangent curve to the right with a central angle 20°23'52", a radius of 90.00 feet, a chord bearing of N 79°38'19" W and a chord distance of 31.87 feet;
- Easterly, along said curve, an arc distance of 32.04 feet;
- N 89°50'16" E, a distance of 142.92 feet to the POINT OF BEGINNING and Containing 18,872 square feet or 0.433 acre of land.

(The bearing basis for this exhibit is the deed to DCO Clipper Pointe, LP as recorded in County Clerk Instrument No. 20070170325, Deed Records of Dallas County, Texas.)

(A sketch of even survey date herewith accompanies this description.)

SURVEYOR'S CERTIFICATE

The undersigned hereby certifies the above legal description was prepared from an on the ground survey performed under the supervision of the undersigned and that the legal description accurately sets out the meets and bounds of the tract described.

Lynn Kadleck

Dated: July 17, 2019

1 06 172019 Registered Professional Land Surveyor No. 3952

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SPECIAL WARRANTY DEED TO DCO REALTY

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