

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.

ABANDONMENT AND RELEASE

**THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON §**

WHEREAS, Denton Independent School District, a subdivision of the State of Texas (“Owner”), is the owner of certain lands located in the S. McCracken Survey, Abstract No. 817, Denton County, Texas (the “Property”);

WHEREAS, the Property is encumbered by (i) an easement, dated on or about August 26, 2003, from Denton Independent School District to the City of Denton, Texas, recorded as Document Number 158006, Real Property Records, Denton County, Texas; (the “Prior Easement”);

WHEREAS, pursuant to that certain Easement Purchase & Abandonment Agreement, dated on or about May ____, 2014, City of Denton Ordinance No. 2014-__, the Denton City Council authorized the City Manager, or his designee, to enter into this Abandonment and Release for the express purpose of partially releasing the Prior Easement, said partial release releasing the Prior Easement, INsofar AND ONLY INsofar as the Prior Easement covers and includes those lands described on Exhibit “A”, and depicted on Exhibit “B”, respectively, each attached hereto and made a part hereof (the “Abandonment Tract”);

WHEREAS, the Prior Easement, INSOFAR as said Prior Easement covers, encumbers or includes lands other than the Abandonment Tract, shall remain valid and subsisting, and in full force and effect in accordance with the terms thereto.

NOW, THEREFORE, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby stipulated, the City of Denton, Texas ("City") does by these presents, abandon and release unto Owner, its successors and assigns, all of its right, to the Prior Easement, INSOFAR AND ONLY INSOFAR as said Prior Easement cover or encumbers the Abandonment Tract. Notwithstanding anything to the contrary contained herein, the City hereby expressly saves, excepts, retains and reserves (i) any and all easements, rights and interests granted to, or owned or claimed by, the City, by, through or under the Prior Easement, insofar as said Prior Easement covers and encumbers any and all lands other than the Abandonment Tract; and (ii) any and all easements, rights of way and any other rights or interests, other than the Prior Easement, whether acquired, obtained, owned or claimed by the City 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 Prior Easement may cover, encumber, include, cross or overlap.

Executed this ____ day of _____, 2014.

CITY OF DENTON, TEXAS

By: _____
GEORGE C. CAMPBELL,
CITY MANAGER

Date: _____, 2014

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

Date: _____, 2014

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: _____

Date: _____, 2014

ACKNOWLEDGMENT

STATE OF TEXAS)

COUNTY OF DENTON)

This instrument was acknowledged before me on the ____ day of _____, 2014 by George C. Campbell, City Manager, City of Denton, Texas, on behalf of said City.

Notary Public, in and for the State of Texas
My Commission expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION
PROPOSED EASEMENT ABANDONMENT

BEING a 1.247 acre tract of land situated in the S. McCracken Survey, Abstract Number 817, City of Denton, Denton County, Texas, and being part of that tract of land described in a Deed to Denton Independent School District (DISD), as recorded in Document Number 97-83710 of the Real Property Records of Denton County, Texas, and also being part of a called 19.67 acre Public Drainage Easement, as recorded in Document Number 2003-000158006 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a P.K. Nail found for the Northeast corner of the above cited DISD tract, the Northeast corner of the above cited Public Drainage Easement and the Northwest corner of a tract of land described in a Deed to Sel Sherman Drive, LLC, as recorded in Document Number 2008-0710 of the Real Property Records of Denton County, Texas;

THENCE South 02° 10' 44" West along the Easterly line of said DISD tract and Public Drainage Easement, and the West line of said Sel Sherman Drive tract, for a distance of 310.35 feet to point for corner at the POINT OF BEGINNING for the herein described easement abandonment tract;

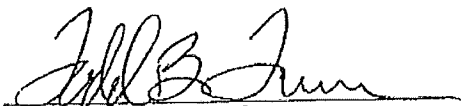
THENCE South 02° 10' 44" West continuing along the Easterly line of said DISD tract and Public Drainage Easement, and the West line of said Sel Sherman Drive tract, for a distance of 206.45 feet to a 1/2 inch iron rod found for corner at an angle point;

THENCE South 00° 58' 04" East continuing along the Easterly line of said DISD tract and Public Drainage Easement, and the West line of said Sel Sherman Drive tract, for a distance of 284.40 feet to a broken concrete monument found for corner in the Northerly line of State Highway Loop 288 (a variable width right-of-way), said point being the Southeast corner of said DISD tract and said Drainage Easement, and the Southwest corner of said Sel Sherman Drive tract, from which a broken concrete monument found for reference in the Westerly line of F.M. 428 (Sherman Drive, a 100' right-of-way), bears North 72° 21' 59" East a distance of 22.61 feet;

THENCE South 85° 59' 15" West along the Northerly line of said State Highway Loop 288, for a distance of 44.73 feet to a broken concrete monument found for corner at the beginning of a non-tangent curve to the left;

THENCE in a Northwesterly direction, continuing along the Northerly line of said State Highway Loop 288, and along said non-tangent curve to the left having a central angle of 01° 55' 54", a radius of 5839.58 feet, a chord bearing of North 61° 57' 43" West, a chord distance of 196.86 feet and an arc length of 196.86 feet to a point for corner, from which a broken concrete monument found for reference bears North 64° 30' 52" West, a chord distance of 323.39 feet and along said curve, an arc length of 323.44 feet;

THENCE North 28° 53' 25" East departing the Northerly line of said State Highway Loop 288, and across said DISD tract and Drainage Easement, for a distance of 458.29 feet to the POINT OF BEGINNING, and containing 1.247 acres of land, more or less.



Todd B. Turner, R.P.L.S.
March 21, 2014
Aug. 15, 2012 – Field
T.B.P.L.S. Firm No. 10011601



CURVE	DELTA	RADIUS	ARC LENGTH	CH BRG	CH DISTANCE
C1	0°31'0"24"	5839.58'	323.44'	N 64°30'52" W	323.39'

LINE	BEARING	DISTANCE
L1	S 85°59'15" W	44.73'
L2	S 86°58'15" E	200.04'

S. MCCrackEN SURVEY
ABSTRACT NO. 817

LOT 2, BLOCK A
 C. H. COLLINS ATHLETIC COMPLEX
 CABINET V, PAGE 353
 P.R.D.C.T.

LOT 1, BLOCK A
 C. H. COLLINS ATHLETIC COMPLEX
 CABINET U, PAGE 583
 P.R.D.C.T.

SEL SHERMAN DRIVE, LLC
 DOC. No. 2008-0710
 R.P.R.D.C.T.

EXISTING
 15' PUBLIC UTILITY EASEMENT
 DOC. No. 2002-000158003
 R.P.R.D.C.T.
 CORRECTION DEED
 REPLACES
 DOC. No. 2002-000097027

EXISTING NORTHERLY LINE
 18.67 AC. PUBLIC DRAINAGE EASEMENT
 DOC. No. 2003-000158008
 R.P.R.D.C.T.

EXISTING
 30' DRAINAGE EASEMENT
 DOC. No. 2002-000057029
 R.P.R.D.C.T.

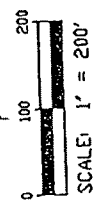
EXISTING EAST LINE
 19.67 AC. PUBLIC DRAINAGE EASEMENT
 DOC. No. 2003-000158006
 R.P.R.D.C.T.

REMAINDER OF
 CALLED 19.67 AC.
 PUBLIC DRAINAGE EASEMENT
 DOC. No. 2003-000158006
 R.P.R.D.C.T.

DENTON INDEPENDANT
 SCHOOL DISTRICT
 DOC. NO. 97-83710
 R.P.R.D.C.T.

EXISTING
 25' UTILITY EASEMENT
 (RAY ROBERTS WATER LINE)
 DOC. No. 2002-90883
 R.P.R.D.C.T.

S.H. LOOP 288
 (VARIABLE WIDTH RIGHT-OF-WAY)



NOTE: Bearings are based on the Texas State Plane
 Coordinate System, North Central Zone (NAD83).

John B. Turner
 Todd B. Turner, R.P.L.S.
 Date: March 21, 2014
 Aug. 15, 2012 - Field
 Firm Reg. No. 10011601



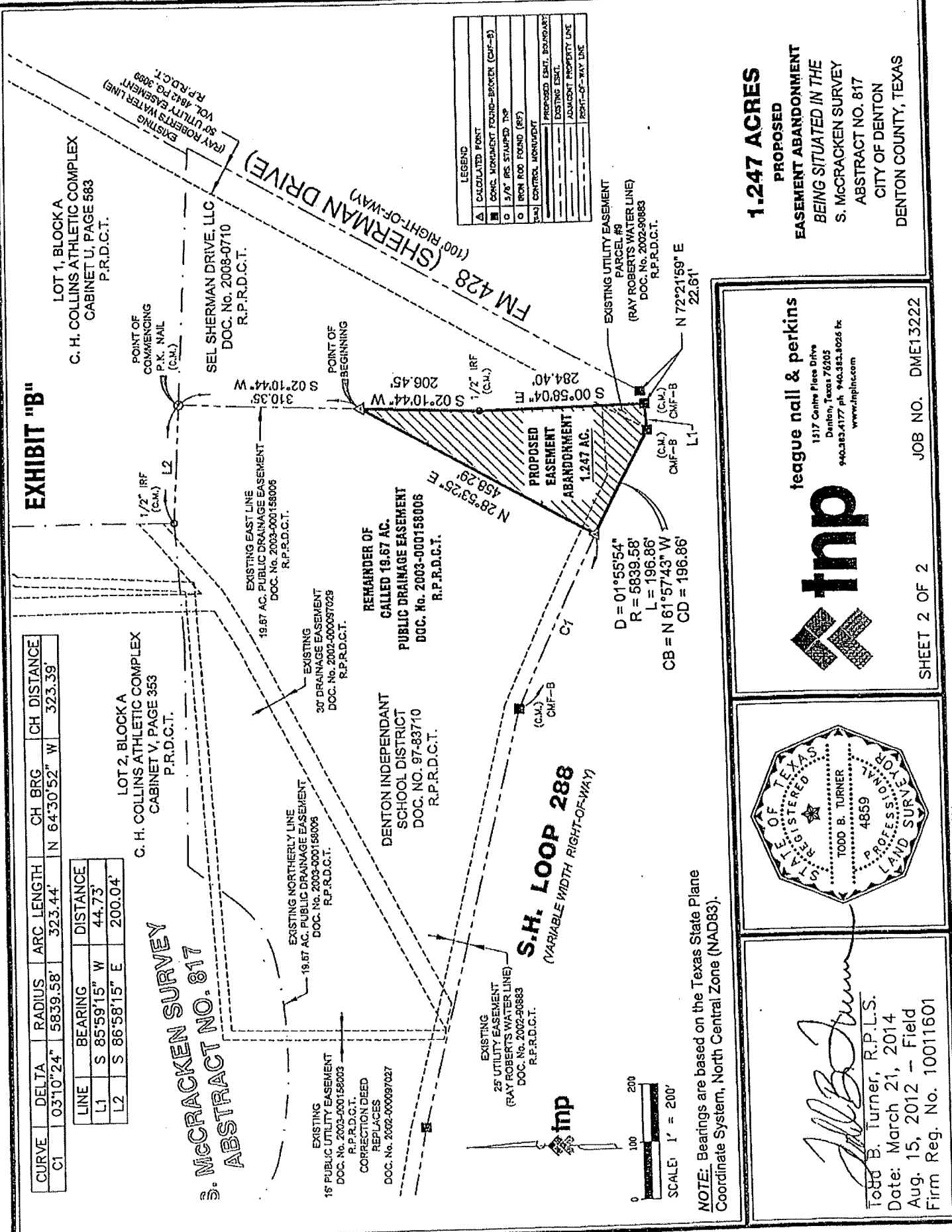
teague nall & perkins
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 Denton, Texas 76205
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 www.inpline.com

SHEET 2 OF 2

JOB NO. DME13222

LEGEND

△	CALCULATED POINT
■	CONC. MONUMENT FOUND-BROKER (CMF-B)
□	5/8" IRS STAMPED TOP
○	IRON ROD FOUND (RF)
—	CONTROL MONUMENT
—	PROPOSED EMT. BOUNDARY
—	EXISTING EMT.
—	ADJACENT PROPERTY LINE
—	RIGHT-OF-WAY LINE



1.247 ACRES
 PROPOSED
 EASEMENT ABANDONMENT
 BEING SITUATED IN THE
 S. MCCrackEN SURVEY
 ABSTRACT NO. 817
 CITY OF DENTON
 DENTON COUNTY, TEXAS