



**APPLICATION FOR THE VACATION/ABANDONMENT OF A PUBLIC  
EASEMENT/RIGHT OF WAY  
APPLICATION FEE: \$130**

Date September 26, 2017

Name Of Applicant (Property Owner) Fairway 427, LP

Address Of Applicant:

PO Box 32384, San Jose, CA 95152

**Applicant Requests The Vacation/Abandonment Of Public Property\* For A(n):**  
(choose one)

  X   Street/Right-of-Way

       Alley

       Easement

**Further Description Such As Entire/Partial Abandonment And Other Relevant Factors**

1,062 square feet (0.0244 acre) of variable width right-of-way along E. Crosby Road

**Address And Brief Legal Description Of Property To Be Abandoned:**

1,062 square feet of land situated in the William Larner Survey, Abstract No. 799, City of Carrollton  
Dallas County, Texas, and being a portion of the existing R.O.W. for E. Crosby Road

**\*Applicant Must Provide Original Plat, Deed Or Separate Instrument Conveying  
Easement Or Ownership Rights To The City.**

APPROVED:  
ENGINEERING \_\_\_\_\_  
DEVELOPMENT \_\_\_\_\_

**TO THE MAYOR & CITY COUNCIL OF THE CITY OF CARROLLTON:**

The undersigned hereby makes application for the vacation and abandonment of that portion of the right-of-way situated in or is adjacent to the above-named addition, and particularly described in the attached Exhibits A and B. Exhibit A is a Legal Description (metes and bounds) of the area to be abandoned. Exhibit B is a survey plat of the area to be abandoned that shows: the legal description; the record owners of abutting lots; the boundaries of all contiguous lots; the surrounding area to the nearest streets in all directions; the blocks and addition(s) in and upon which the area to be abandoned is located; and any easements or public facilities contained in or affected by the area to be abandoned.

In support of this application, the undersigned represents and warrants the following:

1. The undersigned will comply with all provisions of the Carrollton's Code of Ordinances. If abandonment is for economic development purposes and abandonment is sought pursuant to Chapter 55 Carrollton Code of Ordinances, the undersigned will comply with the requirements of Chapter 55 of the Carrollton Code of Ordinances.
2. The consent of public utilities to such vacation and abandonment is attested to in Exhibit C, hereby attached. If abandonment is for economic development purposes and abandonment is sought pursuant to Chapter 55, all existing utility easements shall remain in effect.
3. The consent of all abutting property owners, or the name, address and reason such consent was not obtained, is attested to in Exhibit D, hereby attached.
4. The original plat(s), deed(s) or other separate instrument(s) recorded and conveying an interest to the City of Carrollton is hereby attached as Exhibit E.

**THE UNDERSIGNED WILL HOLD THE CITY OF CARROLLTON HARMLESS, AND INDEMNIFY IT AGAINST ALL SUITS, COSTS, EXPENSES, LOSSES, CLAIMS, AND DAMAGES THAT MAY ARISE OR GROW OUT OF THE VACATION AND ABANDONMENT APPLIED FOR HEREIN. SUCH INDEMNITY SHALL APPLY WHERE SUCH SUITS, COSTS, EXPENSES, LOSSES, DAMAGES, OR CLAIMS ARISE**

IN WHOLE OR PART FROM THE NEGLIGENCE OF THE CITY. IT IS THE INTENTION OF THE UNDERSIGNED AND THE CITY THAT THE UNDERSIGNED SHALL INDEMNIFY AND PROTECT THE CITY FROM CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE, SHOULD SUCH OCCUR IN CONNECTION WITH THE VACATION AND ABANDONMENT APPLIED FOR HEREIN.

Jacqueline C. Wall  
Property Owner/Applicant Signature

August 24, 2017  
Date

JACQUELINE C. WALL  
Name of Authorized Person

GENERAL MANAGER  
Title

(Must be signed by an individual owner unless it is a corporation or association registered with the Texas Secretary of State)

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Clara )

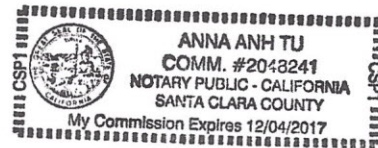
On 08/24/2017 before me, Anna Anh Tu, Notary Public  
(insert name and title of the officer)

personally appeared Jacqueline C Wall,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Chuanlin



(Seal)

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Attach a legal description (certified metes and bounds) of the area to be vacated and abandoned, which will be reviewed by the City Engineering Department for accuracy and closure. Any discrepancies in this description could cause a delay or a denial of the request in the review of your application.

**EXHIBIT "A"**  
**VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT**  
**WILLIAM LARNER SURVEY, ABSTRACT NO. 799**  
**CITY OF CARROLLTON, DALLAS COUNTY, TEXAS**

BEING a 1,062 square foot (0.0244 acre) tract of land situated in the William Lerner Survey, Abstract No. 799, City of Carrollton, Dallas County, Texas, and being a portion of the existing Right-of-Way (R.O.W.) for E. Crosby Road (having a variable width R.O.W.), and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron rod found at the northwest corner of Lot 2R, Block A, Fannidella Apartments, Part 2, an addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201700115264, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said point also being the northeast corner of a called 4.643 acre tract of land as described in a Special Warranty Deed to the City of Carrollton, as recorded in Instrument No. 201200231245, O.P.R.D.C.T., and being in the south R.O.W. line of said E. Crosby Road;

THENCE North 77 degrees 12 minutes 19 seconds East, along the common south R.O.W. line of said E. Crosby Road and north line of said Lot 2R, a distance of 105.34 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "CP&Y" (hereafter described as "with cap") for the **POINT OF BEGINNING** of the herein described 1,062 square foot (0.0244 acre) tract of land:

THENCE North 01 degrees 23 minutes 06 seconds West, departing said common lines and crossing said E. Crosby Road R.O.W., a distance of 23.26 feet to a 5/8 inch iron rod set with cap for corner;

THENCE North 87 degrees 24 minutes 42 seconds East, continuing across said E. Crosby Road R.O.W., a distance of 81.22 feet to a 5/8 inch iron rod set with cap on the aforesaid common south R.O.W. line of E. Crosby Road and north line of Lot 2R, from which a 5/8 inch iron rod found with yellow plastic cap stamped "CP&Y" for an angle point on said common lines bears North 68 degrees 44 minutes 27 seconds East, a distance of 43.52 feet;

THENCE South 68 degrees 44 minutes 27 seconds West, along said common south R.O.W. line of E. Crosby Road and north line of Lot 2R, a distance of 57.09 feet to a point;

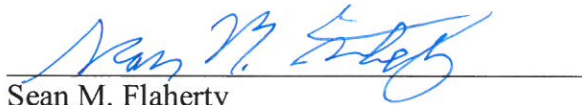
THENCE South 77 degrees 12 minutes 19 seconds West, continuing along said common lines, a distance of 28.06 feet to the **POINT OF BEGINNING** and containing with the metes recited 1,062 square feet (0.0244 acre) of land, more or less.

**EXHIBIT "A"**  
**VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT**  
**WILLIAM LARNER SURVEY, ABSTRACT NO. 799**  
**CITY OF CARROLLTON, DALLAS COUNTY, TEXAS**

Bearings are based on the plat of Fannidella Apartments, Part 2, an addition to the City of Carrollton, Dallas County, Texas, as recorded in Instrument No. 201700115264, Official Public Records of Dallas County, Texas.

Exhibit drawing of even survey date herewith accompanies the field note description for the Variable Width Right-of-Way Abandonment.

I, Sean M. Flaherty, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and the exhibit attached hereto were prepared from an actual survey of the property preformed on the ground and that the same is true and correct.



Sean M. Flaherty  
Registered Professional Land Surveyor  
Texas No. 5258

Date: 8-22-17

CP&Y, Inc.  
1820 Regal Row # 150  
Dallas, Texas 75235  
TBPLS Firm Registration No. 10194115

**EXHIBIT B**  
**GRAPHIC REPRESENTATION**

Attach a plat, scale drawing or other graphic exhibit (8 ½ " X 11" *PMT or "stat."*) of the easement/right of way to be vacated and abandoned in the above application, and includes the following: the legal description; the record owners of abutting lots; the boundaries of all contiguous lots; the surrounding area to the nearest streets in all directions; the blocks and addition(s) in and upon which the area to be abandoned is located; and any easements or public facilities contained in or affected by the area to be abandoned. The attached will be reviewed by the City Engineering Department. Any discrepancies or missing information could cause a delay or a denial of the request in the review of your application.





0 25 50  
SCALE 1"=50'

# EXHIBIT "B" VARIABLE WIDTH RIGHT-OF-WAY ABANDONMENT

WILLIAM LARNER SURVEY, ABSTRACT NO. 799  
CITY OF CARROLLTON, DALLAS COUNTY, TEXAS

PAGE 3 OF 3

CITY OF CARROLLTON  
INSTR. NO. 20080112212  
O.P.R.D.C.T.

1500 BLOCK OF  
**E. CROSBY ROAD**  
(VARIABLE WIDTH R.O.W.)

VARIABLE WIDTH  
RIGHT-OF-WAY ABANDONMENT  
1,062 SQ. FT.  
(0.0244 ACRE)

CONCRETE CURB  
& GUTTER

N 01°23'06" W  
23.26'

N 87°24'42" E  
81.22'

N 68°44'27" E  
43.52'

S 68°44'27" W  
57.09'

S 77°12'19" W  
28.06'

S 49°15'56" E  
20.15'

1/2" I.R.F.  
(C.M.)

**P.O.B.**

**P.O.C.**

CITY OF CARROLLTON  
INSTR. NO. 201200231245  
O.P.R.D.C.T.

6' UTILITY EASEMENT  
VOL. 68250, PG. 2224  
D.R.D.C.T.

10' UTILITY EASEMENT  
VOL. 68250, PG. 2224  
D.R.D.C.T.

FAIRWAY 427, LP,  
A NEVADA LIMITED PARTNERSHIP  
TRACT I  
INSTR. NO. 201100129804  
O.P.R.D.C.T.

#1402 FANNIDELLA STREET

LOT 2R, BLOCK A  
FANNIDELLA APARTMENTS, PART 2  
INST. NO. 201700115264  
O.P.R.D.C.T.

1400 BLOCK OF  
**FANNIDELLA STREET**  
(50' R.O.W.)

## LEGEND

- = 5/8 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "CP&Y"
- C.I.R.F. = CAPPED IRON ROD FOUND
- I.R.F. = IRON ROD FOUND
- (C.M.) = CONTROL MONUMENT
- R.O.W. = RIGHT-OF-WAY
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- ▨ = R.O.W. ABANDONMENT

BEARINGS ARE BASED ON THE PLAT OF FANNIDELLA APARTMENTS, PART 2, AN ADDITION TO THE CITY OF CARROLLTON, DALLAS COUNTY, TEXAS, AS RECORDED IN INSTRUMENT NO. 201700115264, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.

**CP&Y**

1820 Regal Row, Suite 150, Dallas, Texas 75235  
214.747.3733  
TBPLS 10194115

WILLIAM LARNER SURVEY  
ABSTRACT No. 799



*Sean M. Flaherty*  
Sean M. Flaherty  
Registered Professional Land Surveyor  
Texas Registration No. 5258

A FIELD NOTE DESCRIPTION OF EVEN SURVEY  
DATE HERewith ACCOMPANIES THIS DRAWING  
SURVEYED ON THE GROUND AUGUST 2017.

DRAWING FILE: 1700181 ROW ABANDONMENT.DWG

**EXHIBIT C**  
**PUBLIC UTILITY CONSENT**

By indication below and attached letter, the public utility companies using or entitled to use that portion of the drainage and sanitary sewer easements sought to be vacated and abandoned, have granted consent to the vacation and abandonment of the property for which abandonment was requested, and described in Exhibits A & B of this Application. If no letter for any of the below listed utilities is attached, there must be an explanation for each exclusion at the bottom of this page.

**NOTE:** If a request for abandonment of a right of way is for economic development purposes and the abandonment is sought pursuant to Chapter 55 of the Carrollton Code of Ordinances, all existing easements shall remain in effect.

X **Oncor**

X **CoServ**

X **AT&T**

X **Frontier**

X **Atmos**

X **Water/Wastewater Division/Drainage, City of Carrollton**

     **Other** \_\_\_\_\_

A letter from \_\_\_\_\_ is not attached due to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Krystle Nelinson

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**From:** Jimmy Cryer <jcryer@coserv.com>  
**Sent:** Friday, June 30, 2017 9:26 AM  
**To:** Krystle Nelinson  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

CoServ does not have utilities there its oncors

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**From:** Krystle Nelinson [<mailto:Krystle.Nelinson@cityofcarrollton.com>]  
**Sent:** Friday, June 30, 2017 8:58 AM  
**To:** Jimmy Cryer <jcryer@coserv.com>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Good morning, Jimmy –

Just wanted to follow up about this. If I should reach out to someone else at CoServ for this information, just let me know.

Thanks for all you do,

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct

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**From:** Krystle Nelinson  
**Sent:** Tuesday, June 27, 2017 11:17 AM  
**To:** 'jcryer@coserv.com'  
**Subject:** Utility locate, 1402 Fannidella Drive

Hello, Jimmy –

The City of Carrollton is working with the owner of The Meadows Apartments (1402 Fannidella Drive) to update the exteriors façades. During our work, we discovered that the property's accessory building has been built over the property line and into the City's right-of-way – see the attachment.

To remedy the problem, we are planning to abandon a portion of the right-of-way to the property owners. I'm writing to confirm that CoServ does not have any utilities in the area, denoted by the red box in the attachment.

Please confirm at your convenience, and let me know if you need any additional information.

Thank you,

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct

## Krystle Nelinson

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**From:** BLEDSOE, TY <tb763j@att.com>  
**Sent:** Wednesday, June 28, 2017 7:22 PM  
**To:** Krystle Nelinson  
**Subject:** Fwd: Utility locate, 1402 Fannidella Drive - Carrollton, TX

Krystle,

After circling with my Network Engineering team, AT&T does not have any facilities/utilities in the subject area. I look forward to teaming with you, the City Manager and Mayor on constituent issues and AT&T business matters.

Wish you a good rest of the week.

Thank you,

Ty Bledsoe  
AT&T External & Legislative Affairs  
972-489-3943 (M)

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

**From:** "WILLIAMS, ERIC G" <ew8574@att.com>  
**Date:** 6/28/17 6:11 PM (GMT-06:00)  
**To:** "BLEDSOE, TY" <tb763j@att.com>, "RHODES, ANDREW E" <ar3151@att.com>, "SMITH, RONALD D" <rs785s@att.com>  
**Cc:** "ANDERSON, JASON A" <ja1697@att.com>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive - Carrollton, TX

AT&T SPORT has no facilities in the area.

Thank you.

**Eric Williams**

Manager – Engineering Design

AT&T SPORT

**AT&T**

1460 Roundtable, Dallas, TX 75247  
214-745-2964 | [ew8574@att.com](mailto:ew8574@att.com)

**MOBILIZING YOUR WORLD**

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**From:** BLEDSOE, TY  
**Sent:** Wednesday, June 28, 2017 4:41 PM  
**To:** WILLIAMS, ERIC G <[ew8574@att.com](mailto:ew8574@att.com)>; RHODES, ANDREW E <[ar3151@att.com](mailto:ar3151@att.com)>; SMITH, RONALD D <[rs785s@att.com](mailto:rs785s@att.com)>  
**Cc:** ANDERSON, JASON A <[ja1697@att.com](mailto:ja1697@att.com)>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive - Carrollton, TX  
**Importance:** High

Eric, Andrew and Ronald,

Just checking to see if a network tech has been dispatched to the subject address to resolve this issue in Carrollton? If not, please engage the appropriate team and copy myself on all communications since the city is awaiting resolution.

Thank you,

Ty

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**From:** ANDERSON, JASON A  
**Sent:** Wednesday, June 28, 2017 8:59 AM  
**To:** BLEDSOE, TY <[tb763j@att.com](mailto:tb763j@att.com)>  
**Cc:** WILLIAMS, ERIC G <[ew8574@att.com](mailto:ew8574@att.com)>; RHODES, ANDREW E <[ar3151@att.com](mailto:ar3151@att.com)>; SMITH, RONALD D <[rs785s@att.com](mailto:rs785s@att.com)>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Team please Engage Ty on the concerns below he is your new Director of External Affairs for DFW and surrounding areas. See information at the bottom of this thread and contact the City of Carrollton for further information. (I've pulled excerpts from email below for ref highlighted below)

Thanks,

Jason A. Anderson

OSP/Design Engineering

& Legal Mandate Manager

3300 E Renner Rd

Richardson, TX 75082

440-600-4705



I'm writing to confirm that ATT does not have any utilities in the area,

**Krystle F. Nelinson**

Development Program Manager

City of Carrollton

972-466-3042 **direct**

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**From:** BLEDSOE, TY

**Sent:** Tuesday, June 27, 2017 5:24 PM

**To:** ANDERSON, JASON A <ja1697@att.com>

**Subject:** FW: Utility locate, 1402 Fannidella Drive

Jason,

Can you please see the escalation from Carrollton below and let engage the right manager and copy myself on the message?

Thank you,

Ty

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**From:** ROSS, ANGELA M  
**Sent:** Tuesday, June 27, 2017 11:26 AM  
**To:** EVANS, TIFFANI <[tp6790@att.com](mailto:tp6790@att.com)>; BLEDSOE, TY <[tb763j@att.com](mailto:tb763j@att.com)>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Of course, including Ty. Thanks!

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**From:** EVANS, TIFFANI  
**Sent:** Tuesday, June 27, 2017 11:25 AM  
**To:** ROSS, ANGELA M <[ar9962@att.com](mailto:ar9962@att.com)>  
**Subject:** FW: Utility locate, 1402 Fannidella Drive

Good morning!

I guess the cities have not updated their contact records in a long time! I received the email below and it looks like it needs to get to a proper contact (EA and/or Network), but I don't know to whom. Can you forward this to the appropriate party(ies).

Thanks!

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**From:** Krystle Nelinson [<mailto:Krystle.Nelinson@cityofcarrollton.com>]  
**Sent:** Tuesday, June 27, 2017 11:18 AM  
**To:** EVANS, TIFFANI <[tp6790@att.com](mailto:tp6790@att.com)>  
**Subject:** Utility locate, 1402 Fannidella Drive

Hello, Tiffany –

The City of Carrollton is working with the owner of The Meadows Apartments (1402 Fannidella Drive) to update the exteriors façades. During our work, we discovered that the property's accessory building has been built over the property line and into the City's right-of-way – see the attachment.

To remedy the problem, we are planning to abandon a portion of the right-of-way to the property owners. I'm writing to confirm that ATT does not have any utilities in the area, denoted by the red box in the attachment.

Please confirm at your convenience, and let me know if you need any additional information.

Thank you,

**Krystle F. Nelinson**

Development Program Manager

City of Carrollton

972-466-3042 **direct**





## Krystle Nelinson

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**From:** Spriggs, Jimmy <jimmy.s.spriggs@ftr.com>  
**Sent:** Tuesday, July 11, 2017 9:58 AM  
**To:** Krystle Nelinson  
**Cc:** Ash-Gantt, Nannette  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Krystle,

*Went out on a site visit yesterday to the address mentioned below and it was determined that Frontier Communications facilities are aerial. Hope this helps.*

*Thanks,*

**Shane Spriggs**  
**Frontier Communications**  
**Outside Plant Technician**  
**2201 I Ave.**  
**Plano, Texas 75074**  
**Office: 972-578-3341**  
**[jimmy.s.spriggs@ftr.com](mailto:jimmy.s.spriggs@ftr.com)**

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**From:** Krystle Nelinson [<mailto:Krystle.Nelinson@cityofcarrollton.com>]  
**Sent:** Tuesday, July 11, 2017 9:55 AM  
**To:** Spriggs, Jimmy <jimmy.s.spriggs@ftr.com>  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Shane –

See below.

**Krystle F. Nelinson**  
**Development Program Manager**  
**City of Carrollton**  
**972-466-3042 direct**

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**From:** Krystle Nelinson  
**Sent:** Friday, July 07, 2017 8:39 AM  
**To:** 'Shane Spriggs ([jimmy.s.spriggs@ftr.com](mailto:jimmy.s.spriggs@ftr.com))'  
**Subject:** Utility locate, 1402 Fannidella Drive

Good morning, Shane –

I got your name and contact information from Carmella in our Engineering department – she thought you might be able to help me with a project that I'm working on.

The City of Carrollton is working with the owner of The Meadows Apartments (1402 Fannidella Drive) to update the exteriors façades. During our work, we discovered that the property's accessory building has been built over the property line and into the City's right-of-way – see the attachment.

To remedy the problem, we are planning to abandon a portion of the right-of-way to the property owners. I'm writing to confirm that Frontier does not have any utilities in the area, denoted by the red box in the attachment.

Please confirm at your convenience, and let me know if you need any additional information.

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct



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This communication is confidential. Frontier only sends and receives email on the basis of the terms set out at [http://www.frontier.com/email\\_disclaimer](http://www.frontier.com/email_disclaimer).

## Krystle Nelinson

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**From:** Woolsey, Gary <Gary.Woolsey@atmosenergy.com>  
**Sent:** Wednesday, June 28, 2017 11:19 AM  
**To:** Gonzales, Juan G  
**Cc:** Roper, Steven Dan; Brown, Jeffrey D; Burleson, Brian; Krystle Nelinson; Ostrovich, Ed  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

Krystle, per our field operations, we do not have any gas lines under the building. This is your email confirmation to release that portion of the utility easement.

Thanks

Gary Woolsey  
Atmos Energy Corporation  
Sr. Project Manager  
Ph. 214-206-2717

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**From:** Gonzales, Juan G  
**Sent:** Wednesday, June 28, 2017 10:55 AM  
**To:** Woolsey, Gary  
**Cc:** Roper, Steven Dan; Brown, Jeffrey D; Burleson, Brian; [Krystle.Nelinson@cityofcarrollton.com](mailto:Krystle.Nelinson@cityofcarrollton.com); Ostrovich, Ed  
**Subject:** Re: Utility locate, 1402 Fannidella Drive

Just spoke with Krystle, that we have a 2" company service line going to the building but no Atmos gas line underneath the building. Just to remember to call in for located before they start remodeling the building. All Atmos gas mains are at the streets.

Sent from my iPhone

On Jun 27, 2017, at 2:41 PM, Woolsey, Gary <[Gary.Woolsey@atmosenergy.com](mailto:Gary.Woolsey@atmosenergy.com)> wrote:

Can you check this location and verify that we do not have facilities under the construction area. Smallworld shows that we have a 6" pe and 2" steel line in that area.

Thanks

Gary Woolsey  
Atmos Energy Corporation  
Sr. Project Manager  
Ph. 214-206-2717

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**From:** Krystle Nelinson [<mailto:Krystle.Nelinson@cityofcarrollton.com>]  
**Sent:** Tuesday, June 27, 2017 11:20 AM  
**To:** Woolsey, Gary  
**Subject:** Utility locate, 1402 Fannidella Drive

CAUTION - THIS IS AN EXTERNAL EMAIL. Do not open attachments or click links from unknown sources or unexpected email.

Hello, Gary –

The City of Carrollton is working with the owner of The Meadows Apartments (1402 Fannidella Drive) to update the exteriors façades. During our work, we discovered that the property's accessory building has been built over the property line and into the City's right-of-way – see the attachment.

To remedy the problem, we are planning to abandon a portion of the right-of-way to the property owners. I'm writing to confirm that Atmos does not have any utilities in the area, denoted by the red box in the attachment.

Please confirm at your convenience, and let me know if you need any additional information.

Thank you,

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct

<image001.gif>

<A-101 Equipment Room.pdf>

<1402 Fannidella Dr Smallworld.pdf>

## Krystle Nelinson

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**From:** Rob Guarnieri  
**Sent:** Monday, September 25, 2017 12:45 PM  
**To:** Krystle Nelinson  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Krystle,

I found that there is a 12" sanitary sewer line extending along the southside of Crosby but is located within the street pavement, not the parkway.

It shows the SS line is about 1-5' into the thru-lane of Crosby Rd. The Crosby Rd street curb is actually about 9-10' from the property line and the S.S. is within the street.

Therefore, a small portion of the R.O.W. being abandoned should NOT be an issue for the location of 'equipment room' and will NOT encroach or impede the existing sanitary sewer line.

Thanks.

*Rob Guarnieri, P.E.*

Senior Engineer  
Building Inspection, Development Services  
City of Carrollton  
972/466-3243

[rob.guarnieri@cityofcarrollton.com](mailto:rob.guarnieri@cityofcarrollton.com)

*"To the world, you're just one person;  
But to one person, you might  
just be the world." Mark Twain*



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**From:** Krystle Nelinson  
**Sent:** Friday, September 22, 2017 10:49 AM  
**To:** Rob Guarnieri  
**Subject:** RE: Utility locate, 1402 Fannidella Drive  
**Importance:** High

Rob –

Can you help with this?

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct

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**From:** Krystle Nelinson  
**Sent:** Thursday, September 07, 2017 11:14 AM  
**To:** Rob Guarnieri  
**Subject:** RE: Utility locate, 1402 Fannidella Drive

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Hey, Rob –

Just following up.

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct

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**From:** Krystle Nelinson  
**Sent:** Thursday, August 17, 2017 10:19 AM  
**To:** Rob Guarnieri  
**Subject:** Utility locate, 1402 Fannidella Drive

Rob –

The City is working with the owner of The Meadows Apartments (1402 Fannidella Drive) to update the exteriors façades. During our work, we discovered that the property's accessory building has been built over the property line and into the City's right-of-way – see the attachment.

To remedy the problem, we are planning to abandon a portion of the right-of-way to the property owners. I'm writing to confirm that the City doesn't have any water/wastewater/drainage lines in the area, denoted by the red box in the attachment.

Using the Building Inspection map viewer on Sharepoint, I can see there are no City lines – but I need someone else to confirm for the abandonment application.

**Krystle F. Nelinson**  
Development Program Manager  
City of Carrollton  
972-466-3042 direct



*Where Connections Happen*

**EXHIBIT D**  
**ABUTTING PROPERTY OWNER CONSENT**

The undersigned, owners of property abutting/impacted by that portion of an area as described in Exhibits "A" and "B" of the Application to Vacate/Abandon, situated in or adjacent to \_\_\_\_\_, an addition to the City of CARROLLTON, \_\_\_\_\_ County, Texas, **DO HEREBY CONSENT** to such vacation and abandonment by the City of Carrollton, and will hold the City of Carrollton harmless and indemnify it against all suits, costs expenses and damages that may arise or grow out of such vacation and abandonment.

(a) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

(b) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

(c) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

(d) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

(e) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

**List all property owners. If unable to obtain signature or consent, provide an explanation for lack of signature or consent. Attach additional pages if needed.**

**EXHIBIT E**  
**ORIGINAL PLAT, DEED OR OTHER SEPARATE INSTRUMENT**



Grantee herein assume the payment of all taxes for 19 59

EXECUTED this the 15th day of May A. D. 19 59

*Robert A. Saylor*  
Robert A. Saylor

THE STATE OF TEXAS  
County of Dallas

BEFORE ME, the undersigned authority, a Notary Public  
in and for said County and State, on this day personally

appeared *Robert A. Saylor*

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that  
he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 18th day  
of May A. D. 19 59

*Kristine Saylor*  
Notary Public, Dallas County, Texas.

Filed for Record on the 14 day of May A. D. 19 59 at 4:30 o'clock P. M.

Duly Recorded this the 26 day of May A. D. 19 59 at o'clock M.

Instrument No. 93269 ED. H. STEGER, County Clerk  
Dallas County, Texas

By *Maguel L. L...* Deputy

Form 90-2M

Crosby Road

District No. 1

# County of Dallas 93272...\$2.00

## Right-of-Way Deed

STATE OF TEXAS,

County of Dallas

KNOW ALL MEN BY THESE PRESENTS:

The Heirs of } Tom W. Webb  
That Sue Webb } J. A. Webb

Fandella Webb Meadows of the County of Dallas

State of Texas for and in consideration of the sum of  
One and No/100 (\$1.00) Dollar, and other good and valuable consideration

to City of Carrollton, Texas  
in hand paid by the City of Carrollton, Texas, receipt of

which is hereby acknowledged and confessed, have GRANTED, SOLD and CONVEYED, and do by  
these presents GRANT, SELL and CONVEY unto the City of Carrollton, Texas  
the following described tract or  
parcel of land situated in Dallas County, Texas, and being also in the Wm. Lerner

Survey, Abstract No. 799 and being more particularly described as follows:

Beginning in the centerline of Crosby Road at its intersection with the East line of  
right of way of the M. K. T. RR. at Station 1+96.3 of the survey of said Crosby Road;  
Thence N. 62°08' E. along said centerline 332.2 ft;  
Thence N. 68°28' E. along said present centerline 601.5 ft.;  
Thence N. 88°08' E. along said present centerline 630.0 ft.;  
Thence S. 1°52' E. 30.0 ft. to a point in the West line of a lot owned by Richard D.  
Davis;

Thence S. 86°08' W. parallel to and 30.0 ft. from present and proposed centerline,  
133.45 ft. to a point normal to the point of tangency of a curve at Station 16+16.78  
Back = 16+26.55 Forward (Equation);

Thence in a Southerly direction, along a curve to the left which has a radius of  
2834.79 ft. and is concentric with and 30.0 ft. from proposed centerline curve, 313.46 ft.  
to a point normal to Station 13+00;

Thence S. 69°20'00" W., 100.61 ft. to a point normal to and 50.0 ft. from Station 12+00;

Thence S. 77°47'52" W., 196.47 ft. to a point normal to and 50.0 ft. from Station 10+00;

Thence S. 86°15'45" W., 100.61 ft. to a point normal to and 30.0 ft. from Station 9+00;

Thence Southwesterly along a curve to the left which has a radius of 2834.79 ft. and is  
concentric with and 30.0 ft. from proposed centerline curve 263.76 ft. to a point normal to  
the point of curve of said centerline curve at Station 6+33.45;

Thence S. 68°28' W. parallel to and 30.0 ft. from present and proposed centerline 103.29  
ft. to a point normal to and 30.05 ft. from centerline Station 5+28.5;

Thence S. 62°08' W. parallel to and 30.0 ft. from said centerline 328.56 ft. to a point  
in the East right of way line of said railroad;

Thence N. 31°38' W. along said right of way line 30.06 ft. to the place of beginning and  
containing 1.46 acres of land, of which 0.85 of an acre is in the present road.



And it is further agreed that the said.....  
in consideration of the benefits above set out, will remove from the property above described, such  
fences, buildings and other obstructions as may be found upon said property.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights  
and hereditaments thereunto in anywise belonging unto the said City of Carrollton, Texas and its assigns:

And..... hereby binds..... heirs executors and  
administrators to forever warrant and defend the rights and title to said premises unto the said City of  
Carrollton, Texas against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness..... hand....., this the..... day of....., A. D. 19.....

*W. W. Webb*  
*J. A. Webb*  
*Fannie Della Webb Meadows*

THE STATE OF TEXAS, }  
COUNTY OF DALLAS. }

BEFORE ME, the undersigned authority, a Notary Public in and for said State  
and County aforesaid, on this day personally appeared W. C. Meadows,  
known to me to be the person whose name is subscribed to the foregoing instrument;  
and acknowledged to me that he executed the same for the purposes and consideration  
therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 18th day of May, 1959.

*A. D. Duncan*  
Notary Public, Dallas County, Texas  
A. D. Duncan

#### SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF Dallas

BEFORE ME, the undersigned, a Notary Public,

J. A. Webb, in and for said County, Texas, on this day personally appeared

known to me to be the person... whose name is subscribed to the foregoing instrument, and acknowledged to  
me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 18th day of May, A. D. 1959.

*Roy Gravley*  
ROY GRAVLEY, NOTARY PUBLIC,  
DALLAS COUNTY, TEXAS

#### SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF Dallas

BEFORE ME, the undersigned, a Notary Public,

Fannie Della Webb Meadows, in and for said County, Texas, on this day personally appeared

known to me to be the person... whose name is subscribed to the foregoing instrument, and acknowledged to  
me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 18th day of May, A. D. 1959.

*Roy Gravley*  
ROY GRAVLEY, NOTARY PUBLIC,  
DALLAS COUNTY, TEXAS

C-25 Sheet of Single and Joint Acknowledgments

MARTIN Stationery Co., Dallas

STATE OF TEXAS, Kearney

County of Lincoln

Before me, H. J. McHugh, a notary public in and for said County and State, on

this day personally appeared W. W. Webb

known to me to be the person... whose name... are subscribed to the foregoing instrument and acknowledged

to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15th day of May, A. D. 1959.

My Commission Expires May 8 1961

*H. J. McHugh*  
Notary Public, Lincoln County, Texas



Filed for Record on the 14 day of May A. D. 1959 at 1:13 o'clock P.M.

Duly Recorded this the 16 day of May A. D. 1959 at    o'clock M.M.

Instrument No. 13812 ED. H. STEGER, County Clerk  
Dallas County, Texas

By Margue L. L. L. Deputy

126—WARRANTY DEED

59-P-1316

TEXAS STANDARD FORM

The State of Texas,  
County of Dallas

93274...\$2.00

} Know All Men by These Presents:

That WE, S. L. SLAUGHTER and wife, NANCY SLAUGHTER

of the County of Dallas State of Texas for and in consideration

of the sum of NINETEEN THOUSAND, AND NO/100 (\$19,000.00) - - - - -

DOLLARS

to us in hand paid by J. DuVAL WEST and wife, HELON WEST - - - - -

as follows:

NINETEEN THOUSAND, AND NO/100 (\$19,000.00) DOLLARS cash in hand paid the receipt of which is hereby acknowledged and confessed,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

J. DuVAL WEST and wife, HELON WEST

of the County of Dallas State of Texas all that certain

lot, tract or parcel of land lying and being situated in the County of Dallas and State of Texas and being

Lot 9 in Block 48 of University Heights, Fifth Section, an addition to the City of University Park, according to the map thereof recorded in Vol. 7 page 123, Map Records, Dallas County, Texas.

This conveyance is made and accepted subject to all restrictions and easements of record affecting the subject property.



TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

J. DuVAL WEST and wife, HELON WEST, their heirs and assigns forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said J. DuVAL WEST and wife, HELON WEST, their

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands at Dallas, Texas  
this 15th day of May 19 59

Witnesses at Request of Grantor:

S. L. Slaughter  
S. L. Slaughter

Nancy Slaughter  
Nancy Slaughter