

01878 00086

After [DocX971] Recording
Return To:

Kandace M Tappen
City of Rockwall
205 W. Rusk
Rockwall, Texas 75087

STATE OF TEXAS §
 §
COUNTY OF ROCKWALL §

RIGHT-OF-WAY DEED
(Donation)

Date: 5/10²⁰²⁰, 1989

Grantor:
RW Marketcenter Associates, Limited
8150 N. Central Expressway, Suite 795
Dallas, Texas 75206

Grantee:
City of Rockwall, Texas
205 W. Rusk
Rockwall, Texas 75087

Consideration:
Benefits to be derived by Grantor and his remaining property as a result of the proposed public improvements.

Property Description:
See Exhibit "A" attached hereto and by reference made a part hereof.

Conveyance:
Grantor donates, grants, and conveys to Grantee in fee simple the Property described herein, TO HAVE AND TO HOLD, unto Grantee, its successors and assigns.
Grantor, together with Grantor's heirs, excutors, administrators or successors, shall WARRANT AND FOREVER DEFEND all and singular the said Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof, except the Exceptions to Conveyance.

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Miscellaneous:

All presently recorded and validly existing easements and rights-of-ways, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the Property.

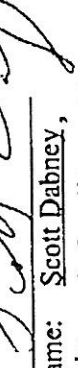
(a) Nothing in this instrument shall be construed as a waiver by Grantee of any utility connection charge or other charges imposed by ordinance or Charter of the City of Rockwall, Texas.

(b) The Property hereby conveyed may be used as a public right-of-way for the passage of vehicular and pedestrian traffic, including (without limitation) streets, roads, sidewalks, utilities, drainage, and other customary uses of public right-of-way. Improvements may be on such grade and according to such plans and specifications as will, in the opinion of Grantee, best serve the public purpose.

(c) The consideration described above shall be deemed full compensation for the conveyance of the Property, and for any diminution in value that may result to the remaining property of Grantor by virtue of Grantee's use of the Property.

(d) When the context requires it, singular nouns and pronouns include the plural.

EXECUTED effective as of the day first written above.

By: 
Print Name: Scott Dabney,
Print Title: Sole Manager

RW MARKETCENTER ASSOCIATES, LTD,
By: DMF Holdings - Rockwall,
LLC

01878 0088

(Corporate Acknowledgment)

State of _____ §
County of _____ §

Before Me, this instrument was acknowledged on this _____ day of _____, 199__ by _____, the _____ of _____ a _____, on behalf of said _____.

Notary Public, State of Texas

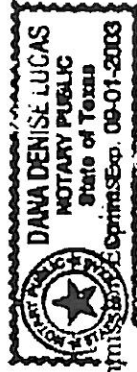
Print name: _____

Commission Expires: _____

(Partnership Acknowledgment)

State of Texas §
County of Pallas §

Before Me, this instrument was acknowledged on this 10 day of May, 1999 by SCOTT DIBREY, the SUBMANAGER of DAF HOLDINGS a LTD, general partner of RW HOLDINGS on behalf of said general partner and _____ partnership.



Dana Denise Lucas
Notary Public, State of Texas

Print name: Dana Denise Lucas

(Individual Acknowledgment)

State of _____ §
County of _____ §

Before Me, this instrument was acknowledged on this _____ day of _____, 199__ by _____.

Notary Public, State of Texas

Print name: _____

Commission Expires: _____

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT-OF-WAY PARCEL No. 3

BEING 0.810 acres of land located in the E.P.G. Chisum Survey, Abstract No. 64, Rockwall County, Texas, being a portion of that certain tract of land described in deed to RW Marketcenter Associates, Ltd. as recorded in Volume 1395, Page 71 of the Deed Records of Rockwall County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at the intersection of Ralph Hall Parkway (an 85-foot right-of-way) and Tubbs Road (a 60-foot right-of-way), being the West corner of Lynden Park Estates Phase IA, an addition to the City of Rockwall as shown by the plat recorded in Cabinet "D", Page 125 of the Plat Records of Rockwall County, Texas, and lying in a Northeast boundary line of the Home Depot Rockwall Addition, an addition to the City of Rockwall as shown by the plat recorded in Cabinet "D", Slide 57 of the Plat Records of Rockwall County, Texas;

THENCE N 45°52'33"W along said Northeast boundary line of Home Depot Rockwall Addition plat, 0.15 feet to a point lying in the centerline of Market Center Drive (a 60-foot right-of-way);

THENCE N 43°33'07"E along a Southeast boundary line said Home Depot Rockwall Addition plat, 30.00 feet to a point lying in the Northeast right-of-way line of said Market Center Drive, being the Southwest boundary line of a tract of land described in deed to RW Marketcenter Associates, Ltd. as recorded in Volume 1395, Page 71 of the Deed Records of Rockwall County, Texas;

THENCE N 45°52'33"W along a Northeast boundary line of said Home Depot Rockwall Addition plat, being the said Northeast right-of-way line of said Market Center Drive and the said Southwest boundary line of said RW Marketcenter Associates tract, 56.69 feet to a 1/2" iron rod set;

THENCE S 89°25'57"E, 21.74 feet to a 1/2" iron rod set at the beginning of a non-tangent curve to the Right;

THENCE NORTHEASTERLY, 413.71 feet along said non-tangent curve to the Right, having a radius of 644.98 feet, a central angle of 36°45'06", and a chord bearing N 66°03'07"E, 406.66 feet to a 1/2" iron rod set at the beginning of curve to the Left;

THENCE NORTHEASTERLY, 393.53 feet along said curve to the Left, having a radius of 559.98 feet, a central angle of 40°15'43", and a chord bearing N 64°17'43"E, 385.48 feet to a 1/2" iron rod set;

Page 1 of 2

W.A. No. 97-057
April 1, 1999

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00090

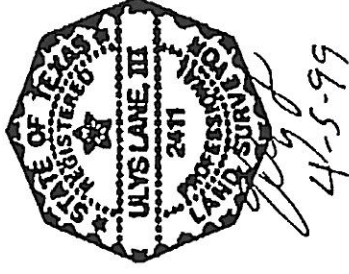
THENCE N 44°09'47"E, 4.03 feet to a 3/8" iron rod found in the Northeast boundary line of said RW Marketcenter Associates tract, being the South corner of a 5.00 acre tract of land described in deed to Trustees of the Rockwall Independent School District as recorded in Volume 137, Page 214 of the Deed Records of Rockwall County, Texas, and the West Corner of a tract of land described in deed to Shepherd Plaza Homes, Inc. as recorded in Volume 1289, Page 150 of the Deed Records of Rockwall County, Texas;

THENCE S 46°15'04"E along the said Northeast boundary line of said RW Marketcenter Associates tract and the Southwest boundary line of said Shepherd Place Homes tract, 42.49 feet to a 1/2" iron rod found at the North corner of said Lynden Park Estates Phase IA Addition, being the beginning of a non-tangent curve to the Right, lying in the future centerline of said Ralph Hall Parkway (an 85-foot right-of-way);

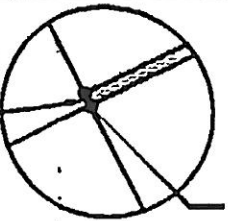
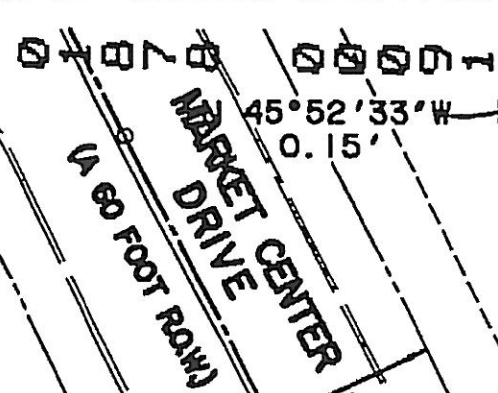
THENCE along the Northwest boundary line of said Lynden Park Estates Phase IA Addition and said future centerline of Ralph Hall Parkway as follows:

SOUTHWESTERLY, 427.65 along said non-tangent curve to the Right, having a radius of 602.48 feet, a central angle of 40°40'11", and a chord bearing S 64°05'07"W, 418.73 feet to a 1/2" iron rod found at the beginning of a curve to the Left;

SOUTHWESTERLY, 428.86 feet along said curve to the Left, having a radius of 602.48 feet, a central angle of 40°47'06", and a chord bearing S 64°01'40"W, 419.87 feet to the PLACE OF BEGINNING, containing 0.810 acres (35,267 square feet) of land.



LIBERTIA



E.P.G. CHISUM SURVEY
(ABSTRACT No. 64)

D=36°45'06"
R=644.98
L=413.71
CH=N 66°03'07"E
406.66

RW MARKETCENTER ASSOCIATES, LTD.
VOL. 1395, PG. 71
D.R.R.C.T.

TEMP. CONST.
ES'MT. No. 3

S89°25'57"E
21.74'

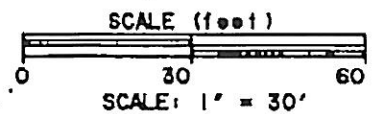
N 45°52'33"W
56.69

RIGHT-OF-WAY PARCEL No. 1

N 43°33'07"E
30.00

SEE INSET 'A'

RIGHT-OF-WAY PARCEL No. 2



PLACE OF BEGINNING

ROAD TUBBS

PROPOSED 85' R.O.W.

42.5' R.O.W.

RALPH HALL PARKWAY

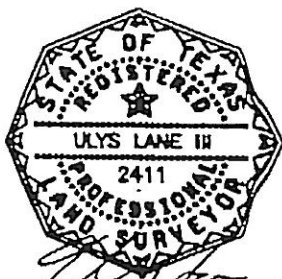
D=40°47'06"
R=602.48
L=428.86
CH=S 64°01'40"W
419.87

EXHIBIT 'B'
RIGHT-OF-WAY PARCEL No. 3
0.810 ACRES
(35,267 SQ. FT.)

LOCATED IN THE E.P.G. CHISUM SURVEY
ABSTRACT No. 64 IN THE CITY OF
ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET NO. 1 OF 3

04-01-99
ROW3A.dwg
WA# 97057



4-5-99

W&A WIER & ASSOCIATES, INC.

MATCH LINE SEE SHEET 2

0218944

01078

MATCH LINE SEE SHEET 1

00000

D=36°45'06"
R=644.98
L=413.71
CH=N 66°03'07"E
406.66

E.P.G. CHISUM SURVEY
(ABSTRACT No. 64)

R W ASSOCIATES
ASSOCIATES, LTD.
VOL. 1395, PG. 71
D.R.R.C.T.

TEMP. CONST.
ES'MT.No. 3

D=40°15'53"
R=559.98
L=393.53
CH=N 64°17'43"E
385.48

PROPOSED 65' R.O.W.

RALPH HALL PARKWAY

D=40°47'06"
R=602.48
L=428.86
CH=S 64°01'40"W
419.87

42.5'
R.O.W.

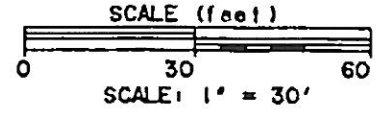
D=40°40'11"
R=602.48
L=427.65
CH=S 64°05'07"W
418.73

EXHIBIT "B"
RIGHT-OF-WAY
PARCEL
No. 3
0.810 ACRES
(35,267 SQ. FT.)

BLOCK A
LYNDEN PARK ESTATES PHASE 1A
CAB. D, SLIDE 125
P.R.R.C.T.



4-5-99



LOCATED IN THE E.P.G. CHISUM SURVEY
ABSTRACT No. 64 IN THE CITY OF
ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 3

04-01-99
ROW3B.dwg
WA# 97057

WIA WIER & ASSOCIATES, INC.

MATCH LINE SEE SHEET 2

0218944

01070

MARKET CENTER ASSOCIATES, LTD.
VOL. 1395, PG. 71
D.R.R.C.T.

D=40°15'53"
R=559.98
L=393.53
CH=N 64°17'43"E
385.48

E.P.G. CHISUM SURVEY
(ABSTRACT No. 64)

N 44°09'47"E
4.03
TEMP. CONST.
ES'MT. No. 3

TEMP. CONST.
ES'MT. No. 5A
S 46°15'04"E
42.49

104.34 N 44°09'47"E 45

RIGHT-OF-WAY
PARCEL No. 4

MATCH LINE SEE SHEET 2

RALPH HALL PARKWAY

PROPOSED 85' R.O.W.

D=40°40'11"
R=602.48
L=427.65
CH=S 64°05'07"W
418.73

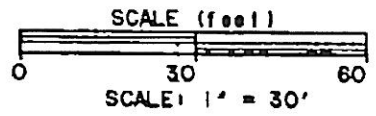
TEMP. CONST.
ES'MT. No. 4

EXHIBIT "B"
RIGHT-OF-WAY
PARCEL
No. 3

0.810 ACRES
(35,267 SQ. FT.)

LOCATED IN THE E.P.G. CHISUM SURVEY
ABSTRACT No. 64 IN THE CITY OF
ROCKWALL, ROCKWALL COUNTY, TEXAS

BLOCK "A"
LYNDEN PARK ESTATES
PHASE 1A
CAB. D. SLIDE 125
P.R.R.C.T.



SHEET 3 OF 3

04-01-99
ROW3C.dwg
WA# 97057

WIA WIER & ASSOCIATES, INC.

43-99

0218944

OR

01878

00094

Filed for Record in:
Rockwall County

On: May 25, 2000 at 01:48PM

As a
Recording

Document Number: 0218944

Amount: 25.00

Receipt Number - 41246

By:
PEESY

NOTE OF TERMS

COUNTY OF ROCKWALL
I hereby certify that this instrument was
filed on the date and time stamped herein by me
and was duly recorded in the volume and page
of the said records of:
Rockwall County
as stamped herein by me.

May 25, 2000

Honorable Paulette Borkis, County Clerk
Rockwall County

This document has been received by this office for
Recording into the Official Public Records. We do
hereby swear that we do not discriminate due to
Race, Creed, Color, Sex or National Origin.