

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Ordinance No. 31287, as amended by Ordinance 31589, as amended by Ordinance 31780 by altering Section 9 to extend the final replat deadline from one year to 30 months; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That Ordinance No. 31287 adopted by the City Council of the City of Dallas on August 28, 2019, as amended by Ordinance No. 31589 on August 12, 2020, as amended by Ordinance No. 31780 on February 24, 2021, be and the same is hereby amended by altering Section 9 to read as follows:

**SECTION 9.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within ~~one (1) year 18 months 24 months~~ 30 months of the effective date of this ordinance showing the dedication by easement of not less than 4,194 square feet of needed sidewalk right-of-way along Fort Worth Avenue adjacent to City Blocks 18/3979 and 19/3980. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

**SECTION 2.** That, as consideration for amending Ordinance No. 31287, as amended by 31589, as amended by 31780, Paul V. Toler and Donna Toler, a married couple and Worth Trinity, LLC, a Texas limited liability company, hereinafter referred to collectively, agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

**SECTION 3.** That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction – Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

**SECTION 4.** That the terms and conditions of Ordinance No. 31287 shall remain in full force and effect except as amended hereby.

**SECTION 5.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Sections 9 and 11 and completion of the dedication set forth in Section 12, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

**SECTION 6.** That this ordinance is designated for City purposes as Contract No. DEV-2018-00006207 for Worth Trinity, LLC and Contract No. DEV-2018-00006208 for Paul V. Toler and Donna Toler.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:  
CHRISTOPHER J. CASO,  
City Attorney

KRIS SWECKARD, Director  
Department of Sustainable Development and  
Construction

BY B. N. S. H. Assistant City Attorney      BY Laura Williams Assistant Director  
*SR*

Passed \_\_\_\_\_.