

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

An ordinance amending Ordinance No. 32627, by altering Section 9 to extend the final replat deadline from one year to two years; and altering Section 10(c) to extend the timeframe required from one year to two years to design, construct and obtain approval of the alley turnout thereof; 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. 32627 adopted by the City Council of the City of Dallas on January 10, 2024, be and the same is hereby amended by altering Sections 9 and 10(c) 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 year~~ two years of the effective date of this ordinance showing the fee simple dedication of not less than 4,076 square feet of needed right-of-way in City Block 156/3215. 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 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- (a) Provide adequate right-of-way for alley turnout;
- (b) Design Engineering plans based on City standards per Dallas City Code Section 514-8.507b (8), and

(c) Construct the alley turnout to be accepted by City within ~~one year~~ two years of approved ordinance date.

Failure to comply to this condition shall render this ordinance null and void and of no future effect.

**SECTION 2.** That, as consideration for amending Ordinance No. 32627, McDonald's Real Estate Company agrees to pay monetary consideration in the sum of **ELEVEN THOUSAND ONE HUNDRED FIFTY AND NO/100 (\$11,150.00) 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 FRM, Balance Sheet 0519 and Department of Facilities and Real Estate Management 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 FRM, Unit 1181, 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. 32627 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 area is located, which certified copy shall be delivered to the Director of Department of Facilities and Real Estate Management, 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 Section 9, the Director of Department of Facilities and Real Estate Management, or designee shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Facilities and Real Estate Management, 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. FRM-2023-00020618.

**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:  
TAMMY L. PALOMINO,  
City Attorney

JOHN JOHNSON, Director  
Department of Facilities and Real Estate  
Management

BY Molly P. Ward  
Assistant City Attorney

BY A. Carraway Burt  
FOR Assistant Director

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

