

ORDINANCE NO. _____

An ordinance providing for the closure and vacation to vehicular traffic of a portion of South Pearl Expressway adjacent to City Blocks 26/132 and 15/144 in the City of Dallas and County of Dallas, Texas; providing for the terms, provisions and effective date of the closure and vacation made herein; and providing an effective date for this ordinance.

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WHEREAS, the City of Dallas Office of Economic Development Department has requested the closure and vacation to vehicular traffic of a portion of South Pearl Expressway for improvements to Farmers Market; and

WHEREAS, on June 11, 1997, the City Council of the City of Dallas passed Ordinance No. 23182 for the closure and vacation of a portion of South Pearl Expressway; and

WHEREAS, on June 12, 2013, the City Council of the City of Dallas passed Ordinance No. 29040 for the re-opening of a portion of South Pearl Expressway; and

WHEREAS, the City Council of the City of Dallas, acting pursuant to law, is of the opinion that the best interest and welfare of the public will be served by closing and vacating a portion of South Pearl Expressway adjacent to City Blocks 26/132 and 15/144 to all vehicular traffic.

Now, Therefore,

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

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same is hereby vacated and closed insofar as the right, title and easement of the public to use said tract for vehicular purposes are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer the monetary consideration in the sum of **NINETY-FIVE AND NO/100 (\$95.00) DOLLARS** for the Publication Fee of **TWENTY AND NO/100 (\$20.00) DOLLARS** and Recording Fee of **SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS** from the Farmers Market TIF District Fund, Fund 0036, Department ECO, Unit 9576, Activity TFFM, Object Code 3099 to the General Fund, Fund 0001, Department PBW, Balance Sheet 0519 and Department of Public Works 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 PBW, Unit 1181,

SECTION 2. (continued)

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 3. That the closure and vacation provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are subject to existing and retained rights of the City to use the property described in Exhibit A for water, wastewater and drainage purposes and the presently existing facilities, if any, for all public utility and fiber optic franchisees, which facilities shall remain in place pursuant to the respective franchise agreements with those companies.

SECTION 4. That the closure and vacation provided for herein is made subject to public use for pedestrian traffic shall remain open and accessible.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Public Works, or designee.

SECTION 6. That this ordinance is designated for City purposes as Contract No. PBW-2021-00015656.

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

BY 
Assistant City Attorney

ALIREZA HATEFI, Interim Director
Department of Public Works

BY 
Lolita Williams for (Feb 11, 2022 09:06 CST)
Assistant Director

Passed _____.