

**QUITCLAIM DEED**

STATE OF TEXAS           §  
  §           **KNOW ALL MEN BY THESE PRESENTS**  
COUNTY OF TARRANT   §

**WHEREAS**, on August 7, 1998 Clyde Wilmott, as grantor, executed a Cart Path Easement Agreement which granted a cart path easement to the City of Benbrook (as Owner of the Whitestone Golf Course) and to Meditrust Golf Group II, Inc., a Delaware corporation (as Lessee of the Whitestone Golf Course), as grantees, on certain real property described therein, which Cart Path Easement Agreement is recorded in Volume 13377, Page 471 of the Real Property Records of Tarrant County, Texas; and

**WHEREAS**, the City Council of the City of Benbrook, County of Tarrant, State of Texas, after careful study and consideration, found an determined that a portion of the cart path easement, more particularly described below, was not being used by, nor useful or convenient to, the public in general, and constituted a public charge without a corresponding public benefit, and that the public would be better served and benefitted by the vacation and abandonment of the City of Benbrook’s interest therein; and

**WHEREAS**, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ based on such findings and determinations, the City Council of the City of Benbrook, Texas, adopted Ordinance No. \_ \_\_\_\_\_ which vacated and abandoned the City’s interest in a portion of the cart path easement, all in the City of Benbrook, Tarrant County, Texas, as more specifically described below, and

**WHEREAS**, **SJ DOMINION DEVELOPMENT, LP** of Tarrant County, Texas, owns the underlying title to the hereinafter described property where such vacated and abandoned portion of the cart path easement was located and desires a quitclaim deed to remove any question concerning the continued interest of the public in such part of the vacated and abandoned cart path easement;

**NOW, THEREFORE**, for Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Benbrook does hereby

bargain, sell, release, vacate, abandon and forever quitclaim unto **SJ DOMINION DEVELOPMENT, LP**, its successors and assigns, all of the City of Benbrook's right, title, and interest in and to the following described real property which is located in the City of Benbrook, Tarrant County, Texas:

The 880 linear feet of a twenty-five foot wide cart path easement located in the T. & N. O. Railroad Company Survey, Abstract Number 1565, Tarrant County, Texas, recorded in Volume 13377, Page 471, Real Property Records of Tarrant County, Texas (the recorded easement incorrectly stating that the property is in the W. W. Wilburn Survey, Abstract 1639), and being more particularly described in a drawing and field notes which are marked Exhibit "A", attached hereto and made a part hereof by reference.

**TO HAVE AND TO HOLD** all of the City of Benbrook's right, title and interest in and to the above described vacated and abandoned part of a cart path easement unto the Grantee, it's successors and assigns forever, so that neither Grantor nor its successors or assigns shall have, claim or demand any right, title or interest in or to the vacated and abandoned part of a cart path easement and appurtenances or any part thereof.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020

CITY OF BENBROOK

By: \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**ACKNOWLEDGEMENT**

**STATE OF TEXAS                    §**

**COUNTY OF TARRANT           §**

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_, Mayor of the City of Benbrook, known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the City of Benbrook and that he/she executed the same as the act of the City of Benbrook for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

Exhibit A  
Easement Abandonment

BEING that certain tract of land situated in the T. & N.O. R.R. Co. Survey, Abstract Number 1565, City of Benbrook, Tarrant County, Texas, being a portion of that tract of land described by deed to SJ Dominion Development, LP, recorded in Instrument Number D211314749 and being all of a 25' Cart Path easement, recorded in Volume 13377, Page 471, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 iron rod found in the east line of Whitestone Heights Phase One, an addition to the City of Benbrook, and the south right-of-way line of Gold Hills Drive (a called 55' right-of-way at this point) recorded in Instrument Number D203205813 of said County Records;

THENCE S 78°30'17" E, 25.00 feet with the common line between said SJ Dominion Tract and said Whitestone Heights addition;

THENCE N 11°29'43" E, 92.80 feet continuing with said common line to the POINT OF BEGINNING;

THENCE N 11°29'43" E, 26.01 feet with said common line;

THENCE departing said common line, over and across said SJ Dominion Tract the following bearings and distances:

N 85°29'32" E, 12.39 feet to the beginning of a curve to the left;

With said curve to the left, having an arc distance of 872.49 feet, through a central angle of 33°53'29", having a radius of 1,475.00 feet, the long chord which bears N 68°32'47" E, 859.83 feet;

N 51°36'04" E, 147.26 feet to the southwesterly line of Lot 2, Block A, Whitestone Golf Course Addition, an addition to the City of Benbrook, recorded in Instrument Number D199145186, of said County Records;

THENCE S 50°36'08" E, 25.58 feet with the common line between said Lot 2 and said SJ Dominion tract;

THENCE departing said common line, over and across said SJ Dominion Tract the following bearings and distances:

S 51°36'03" W, 152.66 feet to the beginning of a curve to the right;

With said curve to the right, having an arc distance of 887.28 feet, through a central angle of 33°53'30", having a radius of 1,500.00 feet, the long chord which bears S 68°32'47" W, 874.40 feet;

THENCE S 85°29'32" W, 19.56 feet to the Point of Beginning and containing 26,145 square feet or 0.600 acres of land more or less.

"integral parts of this document"

1. Description -2 Pages
2. Exhibit

TPEELS Firm Reg No. 10194468

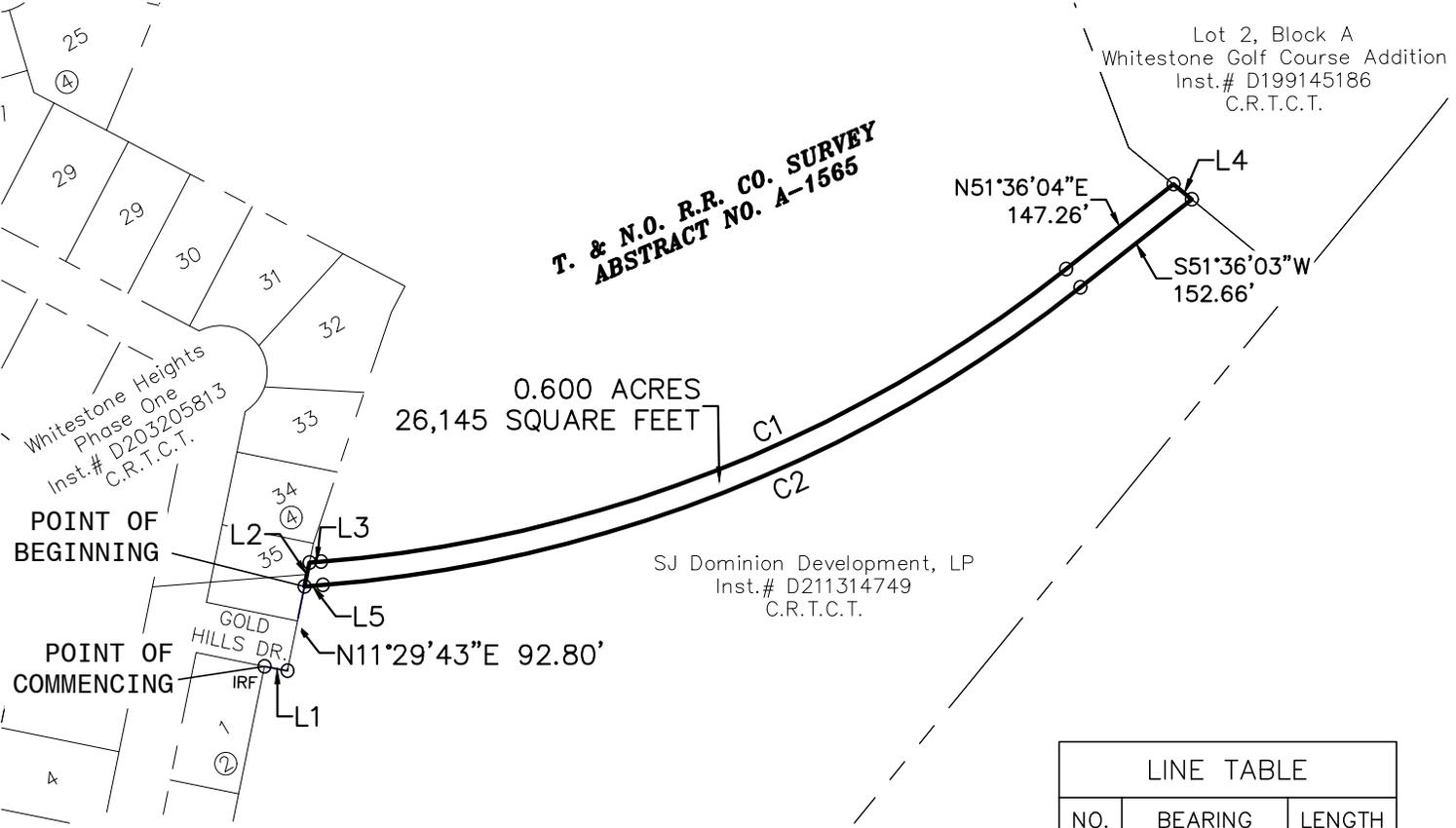
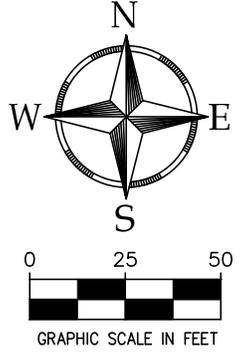
Basis of Bearing is the Texas Coordinate System, North Central Zone 4202, NAD 83

"Integral parts of this document"

1. Description - 2 Pages
2. Exhibit

LEGEND:

IRF=IRON ROD FOUND



0.600 ACRES  
26,145 SQUARE FEET

Lot 2, Block A  
Whitestone Golf Course Addition  
Inst.# D199145186  
C.R.T.C.T.

**T. & N.O. R.R. CO. SURVEY  
ABSTRACT NO. A-1565**

SJ Dominion Development, LP  
Inst.# D211314749  
C.R.T.C.T.

| LINE TABLE |             |        |
|------------|-------------|--------|
| NO.        | BEARING     | LENGTH |
| L1         | S78°30'17"E | 25.00' |
| L2         | N11°29'43"E | 26.01' |
| L3         | N85°29'32"E | 12.39' |
| L4         | S50°36'08"E | 25.58' |
| L5         | S85°29'32"W | 19.56' |

| CURVE TABLE |           |          |         |               |         |
|-------------|-----------|----------|---------|---------------|---------|
| NO.         | DELTA     | RADIUS   | LENGTH  | CHORD BEARING | CHORD   |
| C1          | 33°53'29" | 1475.00' | 872.49' | N68°32'47"E   | 859.83' |
| C2          | 33°53'30" | 1500.00' | 887.28' | S68°32'47"W   | 874.40' |

**EASEMENT ABANDONMENT**

T. & N.O. R.R. CO. SURVEY, ABSTRACT NO. 1565  
CITY OF BENBROOK  
TARRANT COUNTY, TEXAS

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