

An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City in and to a tract of land situated in the Martha McBride Survey, Abstract No. 553, City of Plano, Collin County, Texas, and being 1.11 acres of Coit Road; abandoning all right, title and interest of the City in such right-of-way to the abutting property owner, 601 Coit Partners LP, to the extent of its interest; authorizing the City Manager or his authorized designee to execute any documents deemed necessary to quitclaim the City's interest; and providing an effective date.

WHEREAS, the City Council of the City of Plano has been requested to abandon all right, title and interest of the City in and to a portion of that certain right-of-way situated in the Martha McBride Survey, Abstract No. 553 (hereinafter called "Right-of-Way"), which is located within the city limits of Plano, Collin County, Texas, and which is more particularly described in Exhibit "A-1" attached hereto and incorporated herein by reference; and

WHEREAS, 601 Coit Partners LP (the "Abutting Property Owner") has filed with the City a Petition for Abandonment, a copy of which is attached hereto as Exhibit "A" and made a part hereof by reference; and

WHEREAS, a third-party appraiser determined the market value of the Right-of-Way is \$1,001,238, and the City and Abutting Property Owner both agree to the appraiser's opinion of value; and

WHEREAS, the Engineering Department has determined that there will be no detrimental effect on the City if the Right-of-Way is abandoned and quitclaimed to the Abutting Property Owner, and has advised that the Right-of-Way should be abandoned.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. All the right, title and interest of the City of Plano, Texas, in and to the Right-of-Way is hereby abandoned, and all right, title and interest of the City in and to the Right-of-Way is hereby quitclaimed to the Abutting Property Owner in accordance with its respective interests in exchange for \$1,001,238 (ONE MILLION ONE THOUSAND TWO HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS). A certified copy of this Ordinance may be recorded in the Collin County Land Records to reflect this abandonment and quitclaim. The City Manager, or his authorized designee, is hereby authorized to execute on behalf of the City of Plano, Texas, any instruments necessary to complete the abandonment and quitclaim of the right-of-way by the City of Plano.

Section II. The abandonment and quitclaim is without prejudice to any and all improvements, facilities, equipment or lines of any public utility, municipal or otherwise, if any, which are presently located within any portion of the Right-of-Way. Any such utility shall have the continued right to locate, maintain, repair, reconstruct, preserve or relocate improvements, facilities, equipment or lines in such portion of the Right-of-Way.

Section III. The City Council hereby finds and determines that the abandonment of the right-of-way is in the public interest of the City of Plano, Texas, and its citizens, and will inure to the benefit of the public generally.

Section IV. This Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED on the 9th day of September, 2024.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT "A"

PETITION FOR ABANDONMENT

[For Right-of-Way Abandonment]

I, the undersigned, (hereinafter "Owner"), being the owner of real property abutting 605 Coit Road, Plano, Texas (hereinafter called "Right-of-Way"), more particularly described by metes and bounds in the field note description attached hereto and incorporated herein as **Exhibit "A-1"** do hereby request that the City of Plano, Texas (called "City") abandon the Right-of-Way.

1. The Owners are requesting the abandonment of the Right-of-Way for the following reasons:

To purchase the property to obtain greater options for business expansion and/or redevelopment of my abutting 601 Coit Road property.

2. The following public interest will be served as a result of the abandonment:

This proposed abandonment would shift unused right-of-way to a local small business, increasing the value of the property tax roll, reducing the City of Plano's maintenance costs and ensuring future redevelopment of the adjoining property would meet the City of Plano's subdivision ordinance. The abandonment would also facilitate future construction and allow for new services to be provided to motorists in Plano and the surrounding area.

3. Unless the City determines that this abandonment is exempt from payment of fair market value, the Owners agree to pay to the City the fair market value of the Right-of-Way as determined by an appraisal obtained by the City (called "Price"). The appraisal shall be conclusive as to the fair market value. The Owners shall reimburse the City for the cost of the appraisal and other costs incident to the abandonment (called "Costs"). The Price and Costs shall be paid to the City prior to the abandonment. Should the Plano City Council decide not to abandon the Right-of-Way, the Price shall be returned to the Owners, but the Costs shall be retained by the City. Each Owner's share of the Price and Costs shall be in the same proportion as their abutting ownership as hereinafter defined.
4. If the Owners are providing a replacement right-of-way for the Right-of-Way requested to be abandoned herein, Owners will attach a metes and bounds description or plat identifying the replacement right-of-way and attach same to this Petition as **Exhibit "B"**.

5. The Owners hereby represent and affirm to the City that no other property owner, lessee, tenant or easement or license holder uses the Right-of-Way to access or to serve their property.
6. **The Owners further agree to release, defend, indemnify and hold the City, its officers, agents and employees harmless from and against any and all claims, losses, demands, suits, judgments and costs, including reasonable and necessary attorney's fees and expenses, arising out of, related to or resulting from the abandonment and closing of the Right-of-Way by City.**
7. The Owners understand and agree that the abandonment is in the sole discretion of the Plano City Council. The Owners also understand and agree that the Right-of-Way will be abandoned to them in proportion to their abutting ownership. The abutting ownership will be determined by the number of linear feet of frontage adjacent to the Right-of-Way owned by each property owner. Based on the foregoing, the Owners hereby represent and affirm that they have searched the public land records and determined that the abutting ownership is in the following proportions:
100% of abutting ownership is vested in 601 Coit Partners LP
8. Owners shall also prepare a map or drawing showing the Right-of-Way to be abandoned along with a designation of all abutting property owners. This map or drawing shall be attached hereto and incorporated herein as **Exhibit "C"**.
9. Abutting property owners have signed letters indicating their support of the right-of-way abandonment. These are attached hereto and incorporated herein as **Exhibit "D"**.

[Reminder of page blank]

10. The undersigned officers and/or agents of the Owners hereby represent and affirm that they have the necessary authority to execute this Petition for Abandonment on behalf of the Owners.

NERCES MAVELIAN
Typed Name of Owner

601 COIT ROAD
Address

PLANO, TX
City, State and Zip

Dated: September 5
2023 Nerces Mavelian
Signature of Owner

Contact Person for Property Owners:
Name: TIM MILLER
Phone No: 972-867-7467

Metes & Bounds Description (Petition for Abandonment)

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Martha McBride Survey, Abstract No. 553, being part of a called 1.316 acre tract conveyed by plat for right-of-way dedication to the City of Plano according to Coit Road Office & Miniwarehouse Addition, an addition to the City of Plano, Collin County, Texas, according to the plat thereof recorded in Volume G, Page 114 of the Plat Records of Collin County, Texas, being all of a called 0.095 acre tract conveyed to the City of Plano by deed recorded in Volume 2575, Page 493 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a Roome capped iron rod in the north line of Lot 1 and the south line of Lot 2 of said Coit Road Office & Miniwarehouse Addition, found marking the northwest corner of said 0.095 acre tract to the City of Plano, and the northwest corner of the herein described premises;

THENCE with the north line of said 0.095 acre tract to the City of Plano, and crossing through said 1.316 right-of-way dedication, South 89°54'00" East, passing at 7.93 feet the southeast corner of Lot 2 and the northeast corner of Lot 1, same being the northeast corner of said 0.095 acre tract, and continuing for a total distance of 138.94 feet to a point in the easterly curve of said 1.316 acre right-of-way dedication;

THENCE with the easterly curve of said 1.316 acre right-of-way dedication, Southwesterly with said curve to the right having a radius of 1844.86 feet, a central angle of 11°22'33", an arc length of 366.29 feet and a chord bearing and distance of South 12°37'36" West, 365.68 feet to a Roome capped iron rod found in the north line of the Kansas City Southern Railroad right-of-way, marking the southeast corner of said 1.316 acre tract, and the southeast corner of said premises;

THENCE with the north right-of-way line of said Kansas City Southern Railroad, the south line of said 1.316 acre tract, the south line of Lot 1, Block 1 of said Coit Road Office & Miniwarehouse Addition and the south line of said 0.095 acre tract, North 67°01'37" West, passing at 130.46 feet the southeast corner of Lot 1 and said 0.095 acre tract, and continuing for a total distance of 146.98 feet to a Roome capped iron rod found marking the southwest corner of said 0.095 acre tract and said premises;

THENCE crossing through said Lot 1 and with the west line of said 0.095 acre tract as follows: North 16°40'00" East, 173.62 feet to a Roome capped iron rod found for corner, and North 11°15'00" East, 136.00 feet to the place of beginning and containing 1.110 acres or 48,369 square feet of land.

Petition for Abandonment
605 Coit Road
Being Part of the
Martha McBride Survey
Abstract No. 553

City of Plano, Collin County, Texas
 September 2023

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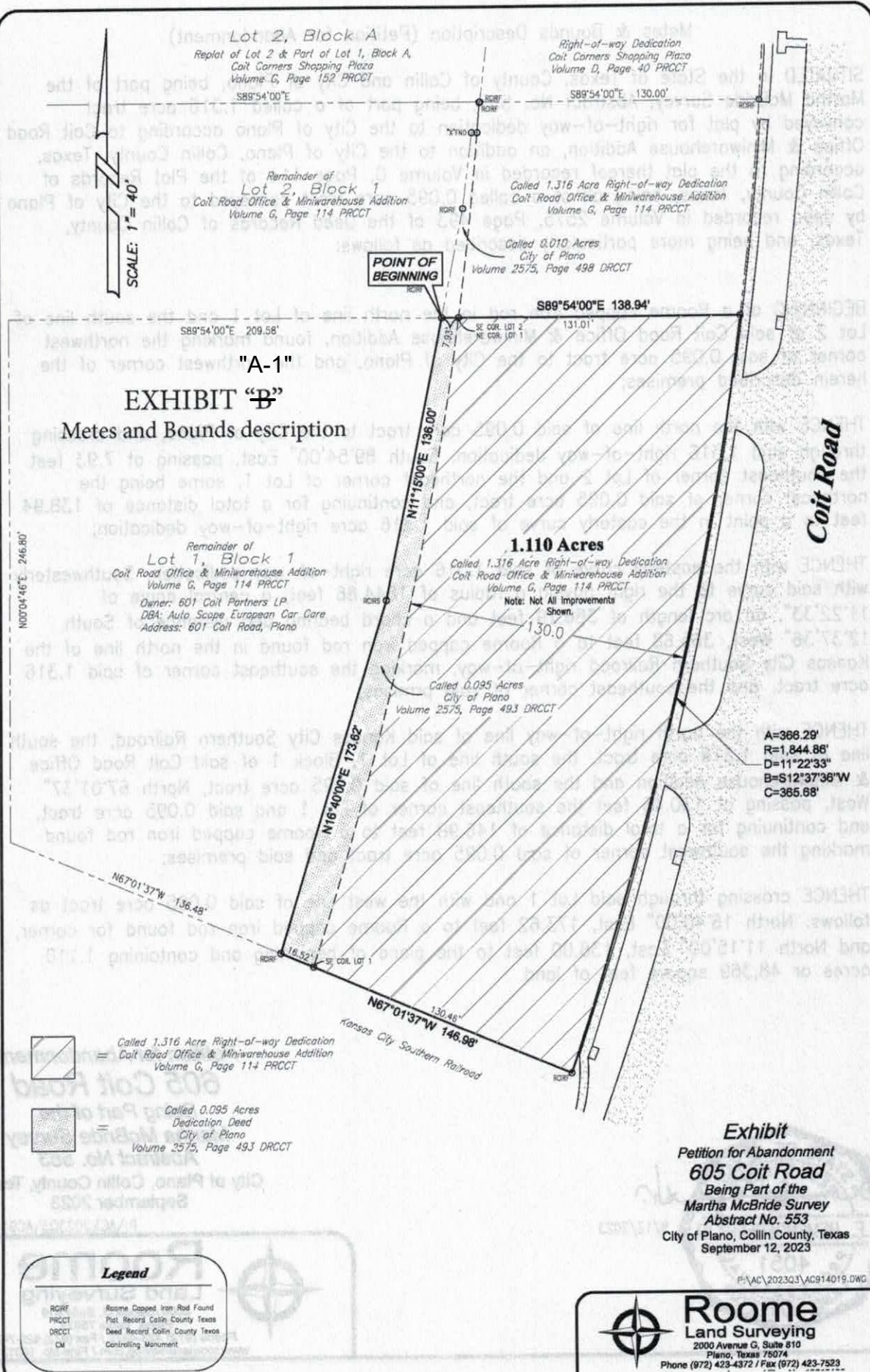
9/12/2023



Roome
 Land Surveying

2000 Avenue G, Suite 810
 Plano, Texas 75074

Phone (972) 423-4372 / Fax (972) 423-7523
 www.roomesurveying.com / Firm No. 10013100



"A-1"
EXHIBIT "B"
 Metes and Bounds description

Remainder of
 Lot 1, Block 1
 Coit Road Office & Miniwarehouse Addition
 Volume G, Page 114 PRCT
 Owner: 601 Coit Partners LP
 DBA: Auto Scope European Car Care
 Address: 601 Coit Road, Plano

1.110 Acres
 Called 1.316 Acre Right-of-way Dedication
 Coit Road Office & Miniwarehouse Addition
 Volume G, Page 114 PRCT
 Note: Not All Improvements
 Shown.

Called 0.095 Acres
 City of Plano
 Volume 2575, Page 493 DRCT

A=366.29'
 R=1,844.86'
 D=11°22'33"
 B=S12°37'38"W
 C=365.68'



Called 1.316 Acre Right-of-way Dedication
 Coit Road Office & Miniwarehouse Addition
 Volume G, Page 114 PRCT



Called 0.095 Acres
 Dedication Deed
 City of Plano
 Volume 2575, Page 493 DRCT

Legend

- RCRF Reams Capped Iron Rod Found
- PRCT Plat Record Collin County Texas
- DRCT Deed Record Collin County Texas
- CM Controlling Monument

Exhibit
 Petition for Abandonment
605 Coit Road
 Being Part of the
Martha McBride Survey
 Abstract No. 553
 City of Plano, Collin County, Texas
 September 12, 2023

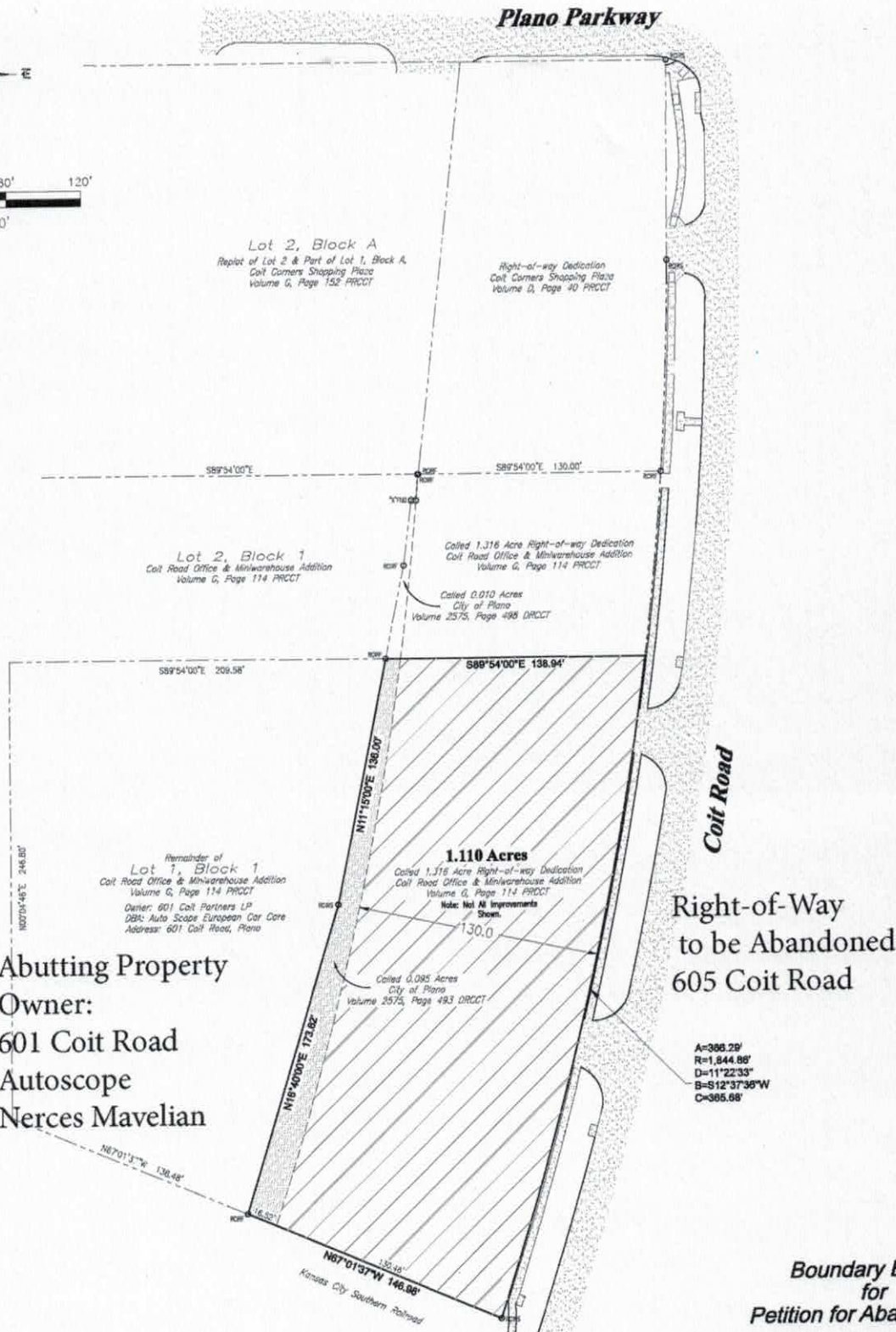
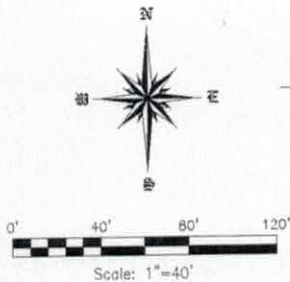
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Roome
 Land Surveying

2000 Avenue G, Suite 810
 Plano, Texas 75074
 Phone (972) 423-4372 / Fax (972) 423-7523

EXHIBIT "C"



**Abutting Property
Owner:**
601 Coit Road
Autoscope
Nerces Mavelian

-  = Called 1.316 Acre Right-of-way Dedication
Coit Road Office & Miniwarehouse Addition
Volume 6, Page 114 PRCCCT
-  = Called 0.095 Acres
Dedication Deed
City of Plano
Volume 2575, Page 493 DRCCCT

| Legend | |
|--------|---------------------------------|
| RCOF | Recurve Copied from Red Flood |
| PRCCCT | Plat Record Collin County Texas |
| DRCCCT | Deed Record Collin County Texas |

**Boundary Exhibit
for
Petition for Abandonment
605 Coit Road
Being Part of the
Martha McBride Survey
Abstract No. 553
City of Plano, Collin County, Texas
September 2023**

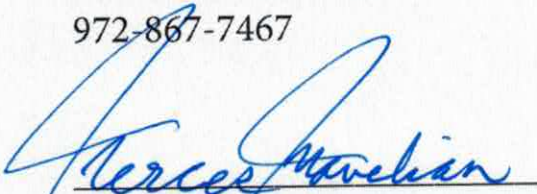



EXHIBIT "D"

PLEASE NOTE the following 601 Coit Road, Plano, Texas "abutting property owner" Nerces Mavelian of Autoscope European Car Care, has agreed and is indicating here his support of the petition for the "right-of-way abandonment" by the City of Plano of the "605 Coit Road, Plano, Texas" property parcel immediately adjacent east of his own corresponding property as shown in attached EXHIBIT "C".

PROPERTY OWNER

Autoscope European Car Care
Nerces Mavelian
601 Coit Road, Plano, TX 75075
972-867-7467


Nerces Mavelian


Date

CITY OF PLANO UTILITIES - MAP 605 COIT ROAD

