

Memorandum



CITY OF DALLAS

DATE February 9, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **February 14, 2018 City Council Agenda Item #36 – AT&T Communications of Texas, LTD**

On January 10, the proposed abandonment to AT&T Communications of Texas, Ltd, (grantee) of a portion of an alley containing approximately 2,470 square feet of land located near McKell and Bryan Streets was presented to City Council for consideration.

After deliberation, City Council deferred the item and directed staff to obtain an independent appraisal to assess the value of the abandonment area. Staff also reviewed the credit AT&T was receiving for the alley and street right-of-way dedication in exchange for the abandonment. Staff has determined the alley dedication is necessary to accommodate the turn radius (90-degree) of heavier vehicles that service utilities in the alley, and credit will be given. No credit will be given for the street dedication already required by platting regulations.

Based on this determination, and upon receipt and review of an independent appraisal, the abandonment fee has increased from \$5,400 to \$72,657. The grantee shall also dedicate a total of 2,140 square feet of right of way for alley and street dedication, as described above. The revised abandonment fee includes only a credit for the alley dedication area, which comprises approximately 676 square feet of land.

In addition, a new Section 9 will be inserted in the ordinance, pursuant to the City Attorney's Office, to provide for the filing of a final replat of the adjoining properties. The ordinance shall be amended as follows:

SECTION 2. That for and in monetary consideration of the sum of ~~FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$5,400.00)~~ SEVENTY-TWO THOUSAND SIX HUNDRED FIFTY-SEVEN AND NO/100 DOLLARS (\$72,657) paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11, 13, and 14 and 15, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

The grantee has been notified and is amenable to these changes, and the item is on the February 14, 2018 City Council agenda for consideration (Item #36). If you have questions please contact David Cossum, Director of Sustainable Development & Construction, at 214-671-9293 or david.cossum@dallascityhall.com.



Majed A. Al-Ghafry
Assistant City Manager

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billieae Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Jo M. (Jody) Puckett, Assistant City Manager (Interim)

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors