ARCADIA GARDENS ADDITI

#### OWNER'S CERTIFICATE

WHEREAS, Whiteley Brothers Construction, LLC is the owner of a 4.639 acre tract of land situated in the Thomas M. Archer Survey, Abstract No. 12, Dallas County, Texas; said tract being all of Lot 7, Block 19/8335, Arcadia Gardens Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 451 of the Map Records of Dallas County, Texas; said tract also being all of that certain tract of land described in Warranty Deed With Vendor's Lien to Whiteley Brothers Construction LLC recorded in Instrument No. 201800149660 of the Official Public Records of Dallas County, Texas; said 4.639 acre tract being more particularly described as follows:

COMMENCING, at a 5/8-inch iron rod found at the intersection of the north right-of-way line of Hale Street (a 50-foot right-of-way) and the east right-of-way line of Dwight Avenue (a variable width right-of-way); said point also being the southwest corner of Tract 2 as shown on Revised Arcadia Gardens Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 31, Page 99 of the said Map Records;

THENCE, North 89 degrees 05 minutes 50 seconds East, along the said north line of Hale Street and the south line of said Tract 2, a distance of 140.00 feet to a 1/2-inch iron rod found at the POINT OF BEGINNING; said point being the southwest corner of said Lot 7, Block 19/8353 and the southeast corner of said Tract 2;

THENCE, North 01 degree 05 minutes 48 seconds West, departing the said north line of Hale Street and the south line of said Tract 2 and along the west line of said Lot 7, Block 19/8353 and the east line of said Tract 2, at a distance of 50.00 feet passing the northeast corner of said Tract 2 and the east corner of the south terminus of a 10-foot wide alley, continuing along said west line of Lot 7, Block 19/8353 and the east right-of-way line of said alley, in all a total distance of 527.21 feet to a point for corner in a creek; said point also being an angle point in the east right-of-way line of said alley;

THENCE, North 88 degrees 37 minutes 39 seconds East, departing the said west line of Lot 7, Block 19/8353 and along the north line of Lot 7, Block 19/8353, an a distance of 7.50 feet passing a 3 1/4-inch aluminum disk stamped "Pacheco Koch C-30" found at an angle point in the east right-of-way line of said alley and a southwest corner of Lot 4, Block A/7192, Commerce 30, Phase 1, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201900282174 of the said Official Public Records, continuing along the common line between said Lot 7, Block 19/8353 and said Lot 4, Block A/7192, a distance of 381.98 feet to a 3 1/4-inch aluminum disk stamped "Pacheco Koch C-30" found for corner; said point also being a re-entrant corner of said Lot 4, Block A/7192;

THENCE, South 01 degrees 07 minutes 43 seconds East, continuing along the said common line between Lot 7, Block 19/8353 and Lot 4, Block A/7192, a distance of 530.32 feet to a 3 1/4-inch aluminum disk set for corner; said point also being the north corner of the east terminus of said Hale Street;

THENCE, South 89 degrees 5 minutes 41 seconds West, departing the said common line between Lot 7, Block 19/8353 and Lot 4, Block A/7192 and along the said north line of Hale Street and the south line of said Lot 7, Block 19/8353, at a distance of 2.15 feet passing a 1/2-inch iron rod with unreadable cap found, continuing in all, a total distance of 382.28 feet to the POINT OF BEGINNING:

CONTAINING, 202,054 square feet or 4.639 acres of land, more or less.

# **OWNER'S DEDICATION**

#### NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Whiteley Brothers Construction, LLC does hereby adopt this plat, designating the herein described property as ARCADIA GARDENS ADDITION, an addition to the City of Dallas, Dallas County, Texas. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. An easement area at least 12 feet wide in the area labeled water and wastewater within the minimum 20-foot-wide shared access area is reserved exclusively for public water and wastewater below grade (surface access over the water and wastewater easements is permissible). The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Notwithstanding the general easement language recited above, the shared access area easement shown on this plat may not be used in a manner inconsistent with the SHARED ACCESS AREA EASEMENT STATEMENT recited on this plat, which statement is hereby adopted and accepted.

Notwithstanding the general easement language recited above, the floodway easement shown on this plat is hereby dedicated to the public use forever, and may not be used in a manner inconsistent with the FLOODWAY EASEMENT STATEMENT recited on this plat, which statement is hereby adopted and accepted.

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 2020.

BY: Whiteley Brothers Construction, LLC

Name: Title:

STATE OF TEXAS COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared \_ , known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public, State of Texas

## **SURVEYOR'S STATEMENT**

#### STATE OF TEXAS }

I, Jason B. Armstrong, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_\_, 2020.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES" JASON B. ARMSTRONG Registered Professional Land Surveyor No. 5557

STATE OF TEXAS COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Jason B. Armstrong, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_ day of \_\_\_\_\_\_, 2020.

Notary Public, State of Texas

# FLOODWAY EASEMENT STATEMENT

The existing water courses, creek or creeks described as Floodway Easement traversing along Block 19/8335 within the limits of this addition, will remain as an open channel

all times and will be maintained by the Homeowner's Association. The City of Dallas will not be responsible for the maintenance and operation of said watercourses, creek or creeks or for any damage to private property or person that results from the flow of water along said creek, or for the control of erosion in the Floodway Easement.

No obstruction to the natural flow of storm water run-off shall be permitted by filling or by construction of any type of dam, bridge, fence, walkway or any other structure within the Floodway Easements, as hereinafter defined in Block 19/8335, unless approved by the Chief Engineer of Development Services; provided, however, it is understood that in the event it becomes necessary for the City of Dallas to erect any type of drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivision, then in such event, the City of Dallas shall have the right to enter upon the Floodway Easement at any point or points, to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. The Homeowner's Association shall keep clean and free of debris, silt, and any substance which would result in unsanitary conditions and the City of Dallas shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Homeowner's Association to alleviate any undesirable conditions, which may occur.

The natural drainage channels and watercourses through Block 19/8335, as in the case

all natural channels are subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City of Dallas shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures within the Floodway Easement.

The natural drainage channel crossing each lot is shown by the Floodway Easement line as shown on the plat.

Floodway Marker monuments shall be installed, delineating the proposed Floodway Easement line, prior to filing of plat, along all rear or side lot lines that are adjacent to the creek as per City of Dallas drawing 424-109. The surveyor shall provide signed and sealed documentation that the Floodway Marker monuments have been installed prior to filing the Final Plat.

# SHARED ACCESS AREA EASEMENT STATEMENT

This plat is approved by the Chief Engineer of the Department of Sustainable Development and Construction of the City of Dallas and accepted by the Owner, subject to the following conditions, which shall be binding upon the Owner, his heirs, grantees and assigns:

The shared access area as designated within the limits of this addition will be maintained by a homeowner's association and/or the individual lot owners of the lot or lots that are traversed by or adjacent to the shared access area. The City of Dallas will not be responsible for the maintenance and operation of the shared access area or for any damage to private property or person that results from the use or condition of the shared access area. In the event that the City of Dallas or Dallas Water Utilities does elect to repair paving in the shared access area after work on water or wastewater lines or for any other reason, the pavement repair will be to minimum standards set forth in the City of Dallas pavement cut and repair standards manual or its successor, and any special pavers or other surface treatments must be repaired or replaced by the homeowners association at its option.

LLOYD DENMAN, P.E. CHIEF ENGINEER OF DEPARTMENT OF SUSTAINABLE DEVELOPMENT AND CONSTRUCTION

## LIEN HOLDER'S SUBORDINATION AGREEMENT

The Lien Holder or Mortgagee concurs with the owner's certificate and agrees to subordinate its interests to the provisions of the owner's dedication as shown on the Final Plat for ARCADIA GARDENS ADDITION, an addition to Dallas County, Texas.

LIEN HOLDER:		
<i>BY</i> :		
Name:		
XXXXXXX		
<i>Title:</i>		
STATE OF TEXAS )(		
COUNTY OF DALLAS )(		
This instrument was acknowledged before me on the by, as	, day of	, 2020
behalf of the lien holder.	0/	
	Notary Public, State of Texas	

NO STRUCTURES EXIST. NEW STRUCTURES PROPOSED.

PURPOSE OF THIS PLAT IS TO CREATE SHARED ACCESS LOTS FROM AN EXISTING PLATTED LOT.

PRELIMINARY PLAT, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

> SHARED ACCESS DEVELOPMENT PRELIMINARY PLAT

# ARCADIA GARDENS ADDITION

LOTS 1-38 AND COMMON AREA "A", BLOCK 19/8335; 38 RESIDENTIAL LOTS & 1 COMMON AREA LOT LIMITED TO SINGLE FAMILY DEVELOPMENT 4.639 ACRES OF LAND BEING A REPLAT OF LOT 7, BLOCK 19/8335 ARCADIA GARDENS ADDITION

OUT OF THE THOMAS M. ARCHER SURVEY, ABSTRACT No. 12 IN THE

CITY OF DALLAS, DALLAS COUNTY, TEXAS DALLAS CITY PLAN FILE NUMBER: S201-517 DALLAS CITY ENGINEERING PLAN NUMBER: 311T-\_\_\_\_

SURVEYOR

Westwood

Phone (214) 473-4640 2740 Dallas Parkway, Suite 280 Toll Free (888) 937-5150 Plano, TX 75093

Westwood Professional Services, Inc. TBPE Firm Reg. No. 11756 TBPLS Firm Reg. No. 10074301

WHITELEY BROTHERS CONSTRUCTION, LLC 1349 EMPIRE CENTRAL DRIVE, SUITE 900 DALLAS, TEXAS, 75247

4.639 ACRES OCTOBER 09, 2020 JOB NO. 0020047.01 ARCADIA GARDENS ADDITION